

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. OI-2024-0014

**FOR THE CONSIDERATION OF
COUNCIL**

September 11, 2024

SUBJECT: The Safe Streets Monitoring Program: Automated Speed Enforcement (ASE) Implementation

1. RECOMMENDATION:

- 1. That Council receive Report No. OI-2024-0014 prepared by the Operations Division, Operation & Infrastructure Department, dated September 11, 2024, regarding the Safe Streets Monitoring Program: Automated Speed Enforcement (ASE) Implementation;**
- 2. That By-law No. 2024-0061 (REG-1) be enacted to replace By-law No. 2022-0052 (REG-1), being a by-law to establish an administrative penalty system for violations of by-laws within the Town of Georgina, in order to implement changes necessary to incorporate camera-based enforcement, consistency in appeals and general housekeeping revisions to facilitate automated speed enforcement in the Town of Georgina;**
- 3. That Council endorse the final details included in this report for implementation of the Safe Streets Monitoring Program inclusive of the use of 5 cameras installed at the locations listed on a 3-6 month rotation each;**
- 4. That revenues collected from the program be first used to cover the program costs, and following, that the:**
 - a. First \$50,000 overage to be used for the implementation of the Safe Streets Policy,**
 - b. The next \$250,000 overage to be used to offset the general tax levy,**
 - c. Any overage beyond \$300,000 to be allocated to Tax-Levy Funded Discretionary Reserves for use on future capital projects;**
- 5. That Council delegate authority to the CAO to execute the necessary contracts with the camera vendor in order to implement the program; and,**
- 6. That staff return to Council in 2025 with a summary and update on the program.**

2. PURPOSE:

To provide information and receive endorsement to finalize implementation of Automated Speed Enforcement, known as the Safe Streets Campaign, prior to the forecasted launch in December 2024.

3. BACKGROUND:

In March 2024, staff were directed via [Resolution C-2024-0087](#) to proceed with implementation of an Automated Speed Enforcement (ASE) program in the Town of Georgina and to provide an information report on ASE in Q2 of 2024.

In June 2024, Council received [Report No. OI-2024-0011](#), which outlined the details of Automated Speed Enforcement and how it could fit into the Town of Georgina. Staff received further direction to report back in Q3 of 2024 with the final project details, including locations, timelines, communication plans and financial details. Staff also provided a [public presentation](#) to Council in August 2024, providing further dialogue around how images are captured and tickets are issued.

Throughout the past 5 months, staff have developed a comprehensive plan to implement ASE. This included:

- Execution of Memorandum of Understanding with the Town of Newmarket to be the designated processing center for the Town of Georgina
- Execution of an agreement with the Ministry of Transportation
- Execution of an agreement with the Ministry of the Attorney General
- Completion of the Privacy Impact Assessment
- Meetings with the preferred camera vendor (formal procurement outstanding)

There remains a number of tasks to complete the implementation of the Safe Streets Monitoring Program that require Council endorsement, including:

- I. Remaining bylaw amendments
- II. Location selection criteria and camera operation
- III. Fee structure and optional additional fees
- IV. Financial outlook
- V. Associated staffing requirements for Implementation and Annual Programing
- VI. Communications plan
- VII. Final timeline of implementation

4. ANALYSIS:

I. Remaining bylaw amendments

The Town of Georgina's AMPS By-law No. 2022-0052 (REG-1) requires certain revisions to align with ASE program requirements, which staff propose to include in a new by-law replacing By-law No. 2022-0052 (REG-1). With the introduction of automated camera-based enforcement under the AMPS framework, the

province has regulated the administrative fee amounts within Ontario Regulation 355/22 under the Highway Traffic Act. In addition, the new regulation provides more specific direction on the appeal process for camera-based penalties issued under AMPS.

II. Location selection criteria and camera operations

A data-driven approach was used to identify the area where automated speed enforcement cameras could have the greatest impact on speed reduction within the community. Speed and volume studies are completed on a regular basis throughout the Town, and the data obtained from these studies is a valuable and impartial tool used to assist in location selection.

Location selection for ASE cameras is in line with industry best practices and is in accordance with all legislative requirements. It is important that locations selected are implemented evenly, affect the largest population of drivers not complying to speed limits and benefit the largest number of pedestrians, occasionally associated with a community asset (park, dock/beach, school, library etc) and always within a Community Safety Zone.

As a starting point in the Town of Georgina, a total of five (5) cameras will be implemented. Each ward will receive one (1) camera rotating throughout the community safety zones within that ward to ensure that the benefits of this program are equally distributed throughout Town. Future updates to Council may add additional cameras, or modify this approach, based upon effectiveness of the first five (5) cameras.

Staff will follow the below priority list to generate the location selections:

1. In a Community Safety Zone
2. One Camera is situated in each ward
3. Past 24 months' data collected indicates 85th percentile of vehicular traffic is traveling over the posted speed limit.
4. Location is the highest AADT (average annual daily traffic) of the selection
5. Records of any prior collisions
6. Community safety zone environment (shared use, on street parking, roadway curvature, speed transition, sidewalks, community facilities)
7. Existing traffic calming implementations
8. Traditional enforcement availability

As a result of the data and location analysis, the following road segments have been recommended for ASE:

Ward	Road Name	Priority per ward
1	Lowndes Avenue north of Glenwoods	1
1	Irene Drive	2
1	Annshiela Drive	3
2	Wexford Drive	1

2	Arlington Drive	2
2	Riverglen Drive	3
2	Carrick Avenue	4
3	Civic Centre Road north of Metro Road	1
3	Church Street West of Metro Rd	2
3	Lake Drive East West of Civic Centre Road	3
3	Lake Drive North West of Woodbine Avenue	4
4	Hedge Road	1
4	Lake Drive East West of Dalton Rd	2
4	Maple Avenue	3
5	Station Road	1
5	Hadden Road	2
5	Riverview Beach Road	3
5	Clovelly Cove	4

Two of the above selected roads per ward will be used in the first 12 months of operation, on a 3-6 month rotation. Roads are listed by priority based upon the aforementioned criteria. More than 2 roads are listed per ward, as the road segment must be reviewed by the camera vendors' representative, which can only occur once they are under contract to the Town, which must wait until after this reports endorsement. Certain locations may not be able to have cameras installed due to location-specifics such as distance from power supply and shoulder width (hence more than 2 options per ward).

Prior to the installation of a camera, advanced mandatory warning signage will be installed at the location a minimum of 90 days in advance. This process is part of the warning period to ensure that drivers are alerted prior to the implementation of any penalties, and acts as part of the effectiveness of lowering driver speeds.

III. Fee Structure and Optional Additional Fees The *Total Penalty* structure is regulated by the province under O. Reg. 355/22 (Administrative Penalties for Contraventions Detected using Camera Systems), and cannot be modified by any municipalities. There are four components that make up the Total Penalty structure:

$$\begin{array}{l}
 \textit{Rate of Speed Fee} + \\
 \textit{Victim Component Fee} + \\
 \textit{License Plate Search Fee} + \\
 \underline{\textit{Optional Fees}} \\
 \textit{Total Penalty}
 \end{array}$$

Rate of Speed Fee – *Ministry governed fee* The rate of speed fee is calculated using the number of kilometers per hour above the posted speed limit captured by an ASE device, multiplied by the corresponding penalty rate, based on the table below.

$$[\text{rate of speed over the posted limit}] \times [\text{per/hr rate}]$$

Km/hr over posted speed limit	Rate of penalty
1-19 km/hr	\$5.00 per km
20-29 km/hr	\$7.50 per km
30-49 km/hr	\$12.00 per km
50 km/hr or more	\$19.50 per km

For example, if a camera system captures a vehicle driving 63km/hr in a posted 40 km/hr zone (23 km/hr over the posted speed limit) the Rate of Speed penalty would be calculated at \$7.50 per km over the speed limit, as per the above table.

$$23\text{km/hr} \times \$7.50 \text{ rate} = \$172.50 \text{ Rate of Speed Fee}$$

Victim Component Fee – *Ministry governed fee* The Victim Component Fee is monies associated with a penalty that goes toward the Victims Justice Fund. The fund is used to help victims of criminal code offences, such as children and victims of sexual assault. Victims’ Bill of Rights, Criminal Code of Canada and Provincial Offences Act can be referenced if more information is required on the Victim Component Fee. This fee is determined on a ticket-by-ticket basis using the below table and the results from the Rate of Speed fee calculated and issued for this offence.

Penalty Amount	Victim Component Fee
\$0-\$50	\$10
\$51-\$75	\$15
\$76-\$100	\$20
\$101-\$150	\$25
\$151-\$200	\$35
\$201-\$250	\$50
\$251-\$300	\$60
\$301-\$350	\$75
\$351-\$400	\$85
\$401-\$450	\$95
\$451-\$500	\$110
\$501-\$1000	\$125
\$1000+	25% of Penalty Amount

Following the prior example of 23km/hr over the posted speed limit, calculated at a penalty amount of \$172.50, the corresponding Victim Component Fee would be \$35.00, as per the above table.

\$172.5 Penalty Amount + \$35.00 Victim Component Fee = \$207.50 Total

License Plate Search Fee – Ministry governed fee The License Plate search fee is a flat rate of \$8.25 and is added to the total to cover the costs associated with retrieving the registered vehicle owner's information from the MTO (Ministry of Transportation of Ontario) ARIS (Authorize Requestor Information Service) system.

\$207.50 + \$8.25 License Plate Search Fee= \$215.75 Total Penalty

Additional fees not included in the typical Total Penalty calculation:

- **Late Fee** When a penalty is past due, the municipality can be submit for plate denial to the Defaulted Fine Control Centre (DFCC) managed by the Ministry of Transportation. The DFCC will add a \$20.00 late fee to the Total Penalty for each plate denial request submitted. The license plate holder must pay the new outstanding Total Penalty amount to the MTO and not the Municipality, (S.21,O Reg. 355/22) (to be recovered by the Municipality from MTO at a later date).
- **No-Show Fee** A municipality *may* add a \$60.00/occurrence “No-Show Fee” to a penalty when the appellant fails to attend a requested and scheduled screening or hearing (O.Reg. 355/22,S.12(2)3.). This is implemented through the AMPs By-Law, as amended. It is recommended that this fee be included in the AMPs By-Law as part of the ASE program to ensure the costs associated with the screenings and hearings are not unduly spent. Recommendation 2 includes the changes necessary to include this additional fee.
- **Other optional Fees incurred at the time of service** No additional fees can be applied to an administrative penalty when that penalty was issued under an ASE program, except those included in the Total Penalty calculation above.

However, the regulation allows municipalities to impose fees and charges (i.e. a “fees and Charges” by-Law) as per S.391 of the Municipal Act, which can include additional fees collected at the time a service is provided. An example is the printing of a ticket. These fees are not added to the Total Penalty amount (S.22 (2), O.Reg. 355/22) issued as a ticket.

It is not recommended that the Town adds any additional “fees and charges” at the outset. The program finances will be monitored to determine if additional cost-offsetting is required as a result of non-

recoverable services the municipality has provided under the ASE program.

IV. Financial outlook

As this program is new in the Town of Georgina, and the overall goal of the program is to improve speed compliance, there can be no guarantee to the financial outlook of the program. Nevertheless, it is well-understood that the relationship between speed compliance and revenue from tickets issued is inversely proportionate. That being; where compliance with the posted limit improves (and speeds decrease; the goal of ASE), the program fees will decrease. This provides an element of unpredictability when estimating revenues generated from an ASE program.

Revenues that remain with the Town include only the Rate of Speed fee, and any Optional Fees incurred from additional services. The Rate of Speed fee associated with a Total Penalty amount will vary greatly dependent upon the posted maximum speed limit, the number of offenders and their respective speeds. However, a conservatively estimated average \$55.00 per ticket was used when estimating the required ticket volume to offset program costs.

Program costs include administration (staff), processing center fees, signage, communication-related costs, data collection costs, camera costs and other miscellaneous costs. Some of these costs are fixed, and some are variable, which further complicates the financial outlook.

Victim Component Fees and License Plate Fees are “flow-through” revenues, and are managed by the processing center. These fees do not impact revenue or cost, and are not managed by the Town.

Based on an average ticket, approximately 10,000 tickets will need to be issued annually, or 27 tickets/day, for the program to be self-funded (net-neutral). It is recommended that the revenue collected from the Safe Streets Monitoring Program will first be used to offset the cost to run the program. Any overage beyond the costs of the program should be allocated as follows;

- First \$50,000.00 overage to be used for the implementation of the Safe Streets Policy
- Next \$250,000.00 overage to be used to offset the general tax levy
- Any overage beyond \$300,000.00 to be allocated to Tax Levy Funded Discretionary Reserves for use on future capital projects

The recently developed Safe Streets Policy outlines a structured approach for evaluation of locations under review for traffic safety. It also outlines the process for selecting traffic calming measures and their installation requirements. The delivery of the Safe Streets Policy will require funding allocation to implement and maintain. The reinvestment plan outlined above will allow the policy to be proactive and actionable when justified, and not be directly restricted by budget.

V. Associated staffing requirements for Implementation and Annual Programing The framework of the Safe Streets Monitoring Program was developed by the Manager of Operations (Roads, Storm water, Forestry) and supported by a temporary full time contract position throughout the summer. As the program is implemented, and the in-depth legislative and contractual obligations are better understood, it has been determined that staffing resources are required to continue the implementation and ongoing delivery of such a complex program.

The resource dedicated to implementing the ASE will also lead the overall traffic safety portfolio, including the recently updated Safe Streets Policy. For ASE this includes, but is not limited to, pre and post data collection and analysis of each site, annual declarations to the Ministry of the Attorney General and Transportation, weekly, monthly and annual reporting of ASE generated data (fines, locations, times direction etc), coordination of 5 new contracts to deliver the program, daily tracking with the processing center, coordination of screenings and hearings with MLE, follow up reports to Council for updates on the program, management of public inquiries and ongoing communication plans, DFCC (plate denial) management with MTO, managing the privacy impact assessment, amongst others.

The costs associated with program resources are already included in the base program costs and are considered in the financial outlook. Revenues from the Total Penalty amounts will directly offset the costs associated with managing the program. Additionally, this will ensure existing operational program managed within the same department and division are not negatively affected by the newly implemented Safe Streets Monitoring Program. No permanent positions are created from this program. Any adjustments, including new permanent positions, to the resources required to manage the program in future will be reported to Council.

VI. Communications plan The Operations Division and Communication Division have been collaboratively working for the launch of the communications plan for the Safe Streets Monitoring Program. The plan includes a variety of communication channels including a webpage with an interactive GIS (Geographic Information System) map, media releases, an online survey, Curbex signs, a video, social media campaign, content in the monthly Town eNews and in the winter and spring editions of the printed newsletter, as well as some paid advertising. The goal is to raise awareness and educate residents about the automated speed enforcement program – with the goal of changing driver behavior.

VII. Final Timeline of Implementation

The Safe Streets Monitoring Program is on track to go live this December 2024. Outlined below are key implementations steps:

- September 2024- Communication Plan Implementation

- September 2024- Procurement of Cameras
- October 2024 – Internal stakeholder training
- October – November 2024 - Installation of advanced warning signage
- October – November 2024 – Camera site servicing
- December 2024-February 2025 – Installation of cameras

5. RELATIONSHIP TO STRATEGIC PLAN:

Creating a vibrant, healthy, and safe community for all

Support a safe, healthy and inclusive community

Strategic Initiative 5: Update the Active Transportation Master Plan, including trails and expansion of the traffic and road safety program.

6. FINANCIAL AND BUDGETARY IMPACT:

The Town's ASE program is designed for 100% cost recovery with no budgetary burden to the Town. There is a tiered plan in place once the program costs are fully recovered, which includes options to reinvest revenues back into traffic safety programs, to offset tax-levy pressures, and to place into reserves for future capital programs.

The detailed financial outcome will not be known until the program is running for a reasonable period of time.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

A robust, multi-faceted communications plan as outlined in the report will go live in September. The Communications Division is assisting greatly in ensuring the community is educated on the program and its timelines.

8. CONCLUSION:

The Safe Streets Monitoring Program (Automated Speed Enforcement Implementation) will use automated cameras to help promote traffic safety by ensuring compliance with the posted speed limit. The Town will partner with the Town of Newmarket under a joint processing agreement to issue penalties from Town cameras. Anticipated installation of the first automated speed enforcement cameras is expected between December 2024 – February 2025.

APPROVALS

Prepared By: Niall Stocking, Manager, Operations (Roads, Storm water, Forestry)

Reviewed By: Rob Wheater, Treasurer/ Deputy CAO

Recommended By: Michael Vos, Director, Operations and Infrastructure

Approved By: Ryan Cronsberry, Chief Administrative Officer