

Jurisdictional Scan

Administration conducted a jurisdictional scan of Canadian municipalities to identify how obstructions were defined within a bylaw and how non-compliance was managed through enforcement. Responses are summarized below in comparison to Edmonton.

How does your municipality define "Obstruction" as it relates to use of road right-of-way construction activities?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
Not currently defined.	Bylaw outlines requirements for where a person wishes to park, leave, stand, store or station any vehicle, material, or object used in connection with a building construction or maintenance operation on a portion of a street.	Obstruction is not defined, however the Streets Bylaw S-300 outlines rules and requirements for obstructions	Anything on the road, sidewalk or bike path that blocks entirely or partial access to the users.	No definition is provided, however examples of unauthorized materials on road right-of-way are provided.	Anything placed on a city street (sidewalk, road, bike lane, boulevard, lane) or airspace without permits. Street and Traffic By-law outlines this in more detail.

Are non-permitted obstructions within the municipality's road right-of-way related to construction activities enforced through a Bylaw?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
Yes	Yes	Yes	Yes	Yes	Yes

Attachment 2

What are the associated fines when ticketing these non-permitted obstructions?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
\$250 or court appearance for most serious offences at enforcement officer's discretion. Fine may be doubled for subsequent offences.	\$500 to \$1,500 or court appearance. Up to the discretion of the officer, depending on the impact of the obstruction.	Tickets are typically \$100 but may be up to \$5,000. Higher fines are usually reserved for repeat offenders. Each day can be considered a new ticketable offense.	\$300 to \$500	\$500	Municipal tickets are issued for around \$1,000.

Has overall compliance increased or improved with your enforcement/educational actions?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
Enforcement actions tend to increase compliance.	No data is available, however compliance is a concern. Planning to increase inspections and have a strategy in place to increase compliance.	Yes, more compliance has been observed with more frequent enforcement.	Yes	Yes	Yes

Attachment 2

Have fines for non-permitted roadway obstructions related to construction been increased in recent years to aid in enforcement?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
No	No	No	Yes	No	No

If fines have been increased, has there been an overall increase in compliance and have there been any added benefits and/or challenges around enforcement?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
N/A	N/A	N/A. Enforcement frequency was increased instead of fine amounts.	Compliance has stayed roughly the same.	N/A	Fine increases were inflationary. Process improvements improved consistency, which increased compliance.

Attachment 2

Does your Bylaw Enforcement Team and/or Traffic Team work together to provide any educational resources around non-permitted obstructions or developing other ways to improve compliance around construction related obstructions? Please provide any details of what was implemented and if there was an overall increase in compliance.

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
Enforcement officers and Traffic Operations work together to educate and refine material as needed. They also work together on compliance issues along with permitting concerns to elicit compliance and/or troubleshooting.	The bylaw team attempts to educate before issuing fines. There has been engagement to bring awareness and set expectations when working in the right-of-way. Information is available on Calgary.ca.	Yes. For many sites, inspectors will advise on violations and request they be addressed. Enforcement can be proactive, but teams are often called to site to issue Summary Offence Tickets if contractors fail to comply.	Staff try to visit most of the obstructions to talk about bylaws and give an informative flyer and/or send by email to the contractors and subcontractors	Information not provided.	Staff have meetings with construction sites or calls with other applicants to advise them of requirements. Sometimes abridged versions of the bylaw are shared.

Does your Bylaw Enforcement Team and/or Traffic Team utilize any alternative measures to ensure compliance? Example, posting the permit onsite, inspector check-ins etc?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
Enforcement officers can refer to online mapping or permit information on POSSE to view details relating to a permit or lack thereof.	Bylaw officers can refer to an e-map which provides permitting information for all approved and active sites.	Permits must be posted on site. Inspectors check in from time to time.	Verifications by inspectors	Team uses an education first approach, so ticketing is the last resort.	Six inspectors are assigned throughout the city. They also enforce (advise, educate, ticket, report internally) to ensure compliance.

Attachment 2

Do you have any other relevant feedback or information that may be helpful to the City of Edmonton regarding obstructions?

Edmonton	Calgary	Halifax	Montreal	Saskatoon	Vancouver
N/A	Contractors have indicated that the fine amount, combined with perceived low risk of enforcement, is not a deterrent to working without a permit compared to the time/cost of obtaining one. Proactive, firm enforcement, combined with an easy permit process, is needed.	No additional comments provided.	Involvement with the contractors association and regular presentations on how city processes work have helped spread information.	No additional comments provided.	There are challenges managing smaller obstructions, such as a homeowner blocking a sidewalk for a day. Enforcement for these issues is mostly based on resident complaints.