

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number LIC2020-001

Date: October 6, 2020
Place: Council Chambers

Ward Community Identifier: All

Title: Charitable Road Tolls

Description: Charitable Road Toll By-Law

Author and Title: Aaron Sloan, Manager of Law Enforcement and Licensing

Recommendation(s):

That Report LIC2020-001, **Charitable Road Tolls**, be received;

That the proposed by-law, being a By-law to Regulate Charitable Road Tolls in the City Of Kawartha Lakes, attached as Appendix A to this report be approved;

That By-Law 2015-199 being a By-law to Regulate Charitable Road Tolls in the City Of Kawartha Lakes be repealed; and

That this recommendation be forwarded to the next available Regular Council Meeting.

Department
Head:

Financial/Legal/HR/Other: _____

Chief Administrative
Officer:

Background:

Concerns have been raised to staff regarding the conduct of charitable road tolls including safety, accountability for funds raised, and impact on businesses. After consulting with Kawartha Lakes Police Service and the Kawartha Lakes Fire Department, staff has prepared an amended by-law to increase safety requirements and require reporting to the City after the event to ensure proper handling of funds raised during charitable road tolls.

Rationale:

Charitable road tolls, also known as boot drives, are a lucrative fundraiser for many charitable and not-for-profit organizations. They are traditionally held during the summer months and particularly on long weekends. Charitable road tolls involve volunteers from an organization entering on to the roadway to collect donations from motorists. Generally, these events are run in a very responsible and safety conscious manner. However, there have been accidents and near misses attributed to charitable road tolls and staff feel that enhanced safety requirements will serve to reduce the instances of and potential for any accidents in the future.

Given that these are municipally authorized events, there is a certain level of accountability expected on the City to ensure that charitable road tolls are conducted in a manner that reduces risk to those conducting the event and to the public.

Additionally, the changes to the by-law and administrative procedures will ensure accountability for the funds raised by organizations holding Charitable Road Tolls by including notification and reporting requirements. Reporting requirements were created by referencing guidelines created by the Alcohol and Gaming Commission of Ontario for charitable fundraising through gaming activities.

Staff is proposing the following amendments to the by-law to enhance the safety of volunteers conducting the charitable road toll as well as enhance the safety of motorists:

Section 1.01 Definitions:

- Added definition "Licensing Enforcement Officer"

Section 1.02 Interpretation Rules:

- Added rule (c) to make clear that this by-law does not exempt organizers from being in compliance with other by-laws or federal or provincial laws and regulations

Section 2.00 Approved Road Toll Charitable Event

- Reworded section title to read "Approved Charitable Road Toll Event"

- Renumbered and added new section: **Section 2.01** Application
Previously, organizations would submit an e-mail or letter which often did not contain key information which staff would have to request in order to approve the application. This new section creates the requirement that applicants complete a Municipal Event application (MEA) form to make an application to hold a charitable road toll event. The MEA process is currently established and applications are circulated to a number of City staff and external agencies who may have interest.
- The following criteria were added to **Section 2.02**:
 - f) the intersection where the event is conducted must have a marked pedestrian crossing with traffic control measures present;
 - g) the road toll must not impede vehicle or pedestrian access to businesses;
 - h) the road toll event must be complete no later than one hour before dusk;
 - i) all persons participating in the road toll must be a minimum of 18 years of age;
 - j) all persons participating in the road toll must be wearing high-visibility safety garments;
 - k) The toll Road shall not be permitted in the following location:
 - i. On any Provincial Highway
 - ii. On any bridge or within 50 metres of any bridge
- Create new Section 2.03 as follows:
 - o 2.03 **Signage Requirements:** The charitable organization conducting the road toll must post signs that meet the following criteria:
 - a) signs must be posted 4 hours in advance of the road toll on all roads leading to the intersection at which the road toll is being conducted;
 - b) signs must clearly indicate the organizations name and the time and date of the charitable road toll
 - c) signs must be a minimum of height of 71cm and a minimum width of 55cm;
 - d) signs must not obstruct the sidewalk, traffic, or lines of sight for traffic;
 - e) all signs must be removed immediately at the conclusion of the event.
- Create new section 2.04 as follows:
 - o 2.04 **Reporting Requirement:** Organizations must submit a financial report in the form prescribed by the Licensing Enforcement Officer within 30 days of the road toll event.

Other Alternatives Considered:

Status quo is an option however staff recommends that the enhanced safety and accountability measures be implemented to ensure charitable road tolls operate in a manner that is mindful of public safety and transparent.

Financial/Operation Impacts:

This report and by-law if passed will have a minimal financial impact on staff and as such the process changes are minimal and will be absorbed within current budget.

Relationship of Recommendation(s) To The 2020-2023 Strategic Plan:

This report and by-law if passed will align with the guiding principles listed in the Strategic Plan which are to be open and transparent and to partner and collaborate. By “Making it Better” we are providing a service that will enhance the safety and well being of the City and our community partners.

Consultations:

Manager Municipal Law Enforcement
Director of Public Works
Insurance Risk Management Coordinator
Kawartha Lakes Fire Service
Kawartha Lakes Police Service
Economic Development

Attachments:

Appendix A – By-Law 2020-XXX – A By-law to Regulate Charitable Road Tolls in the City of Kawartha Lakes



2020-XXX
RegulateCharitableRc

Appendix B
Charitable Road Toll Presentation



Charitable Road
Toll Presentation.pp

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