

Results of Jurisdictional Scan on Enforcement Practices

Table 1: Municipalities that Allow Sports Activities in the MRW

Table 1 below identifies the general regulations of each municipality. Details of the regulations can be found in the references and associated by-laws.

Municipality	Allow Sports Activities			Do Not Allow Sports Activities			Deregulated Sports Activities	
	Hamilton	Toronto	Ottawa	Milton	Burlington	Mississauga	Halton Hills	Kingston
Regulations	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 17-040 • March 2017 Report <p>Road Type:</p> <ul style="list-style-type: none"> • Local road (40 km/h or less) <p>Time of Day:</p> <ul style="list-style-type: none"> • Daylight hours (prohibited 8pm – 9am) <p>Sports Type:</p> <ul style="list-style-type: none"> • Hockey (portable nets) 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 775-2016 • May 2016 Report <p>Road Type:</p> <ul style="list-style-type: none"> • Local road (40 km/h or less) <p>Time of Day:</p> <ul style="list-style-type: none"> • Daylight hours (prohibited 8pm – 9am) <p>Sports Type:</p> <ul style="list-style-type: none"> • Hockey and basketball 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 2017-301 and By-law 2003-498 <p>Road Type:</p> <ul style="list-style-type: none"> • Where the free flow of traffic is not impeded. <p>Time of Day:</p> <ul style="list-style-type: none"> • Not specified <p>Sports Type:</p> <ul style="list-style-type: none"> • Ball Hockey 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 1984-1 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 86-2007 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 0555-2000 and By-law 0357-2010 • November 2024 Report 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • By-law 2019-0008 	<p>References / By-laws:</p> <ul style="list-style-type: none"> • Bylaw - 2004-190 • December 2022 Report
What is your municipality's approach?	<p>Reactive - An attempt is made to educate the individual and have the equipment removed from the road when a vehicle approaches and when they are done playing. If they fail to comply with these instructions, an Order to comply (OTC) is issued to the owner of the property under the City of Hamilton Streets By-law for an encumbrance on the road way. If they fail to comply with the OTC a charge would be laid and the item would be removed at the owners expense.</p>	<p>The City of Toronto's Transportation Services (Permits & Enforcement) is generally complaint based when it comes to bylaw violations. Though, if Transportation Standards Officers observe bylaw violations during their patrols that could pose a public safety hazard, they are expected to address those violations forthwith in order to prevent any incidents from occurring.</p>	<p>Enforcement approach is complaint-driven - Escalating enforcement model is used: verbal warning, by-law infraction notice, notice of violation</p>	<p>No comment received</p>	<p>Reactive - only when a complaints is received, which is when staff will begin to investigate.</p>	<p>Reactive - enforcement approach is based on education.</p>	<p>Reactive - when addressing sporting equipment such as a hockey or basketball net left on the road or road allowance, we would first try to determine ownership of the equipment. Once ownership is confirmed, we would educate first and advise the owner that the equipment may be removed or they may receive a Notice of Violation (NOV)</p>	<p>Enforcement approach is complaints-driven. When there is an obstruction of the MRW, officers provide education and request removal. If non-compliance is continued, orders or fines may be issued.</p>
Do you receive inquiries from Council or the public and if so, how are	<p>Receive complaints from both Council and the public regarding the issue & both educated on the procedure the enforcement takes.</p>	<p>No comment received</p>	<p>No comment received</p>	<p>No comment received</p>	<p>No comment received</p>	<p>Yes, from both Council and residents. Most recently, in June 2023, a Councillor brought forward a motion to amend the by-laws to permit street sports. After discussion by Council, the</p>	<p>Not received by Council often</p>	<p>Addressed by providing information on bylaw provisions and safety concerns</p>

Appendix B

	Allow Sports Activities			Do Not Allow Sports Activities			Deregulated Sports Activities	
Municipality	Hamilton	Toronto	Ottawa	Milton	Burlington	Mississauga	Halton Hills	Kingston
they dealt with?						motion was amended to direct staff to produce a report that reviewed the current by-laws.		
What challenges surrounding enforcement is your municipality experiencing?	No comment received	Identifying the lawful owner of the basketball and/or hockey nets, though these are not significant challenges as Transportation Standards Officers will place/placard a Notice of Violation to the sports equipment and will occasionally do door knocks of neighbouring properties to inquire about the ownership of the equipment. In cases where a basketball and/or hockey net is unclaimed upon the expiration of the Notice of Violation, the equipment is removed by the City's Road Operations crew and stored at a City Yard for 60 days before being disposed of.	Basketball nets being left overhanging the road because they are weighted down and heavy to move. In some cases, residents have also cemented them in place, which is also prohibited.	No comment received	No comment received	No comment received	At times, complainants are surprised/upset that we don't enforce the act of the sport on roadways. Often if someone is complaining about the activity on the road/road allowance, there are underlying issues i.e. noise. In some cases where the complainant refuses to reason with the MLEO, the complainant may be referred to contact HRPS if they feel that the activity on the road/road allowance is hazardous or poses a threat to safety.	Primary challenges include balancing community recreational interests with safety & accessibility needs.
Do you issue orders to cease activities to remove sports equipment? Under which by-law(s)?	Yes - Streets By-law	Yes - Chapter 743 (Use of Streets and Sidewalks)	Yes - Traffic and Parking By-law No. 2017-301 & Use and Care of Roads By-law No. 2003-498	Yes – By-law 1984-1	Yes - Traffic By-law	Yes - Traffic By-law 0555-2000 & Highway Obstruction By-law 0357-2010	Yes - Highway Obstruction and Encumbrance By-law 2019-0008 Section 2(d)	Yes - Streets By-law
How many orders were issued in 2024?	10	251 public complaints & 169 notices of violation	174 complaints; 32 violations	No comment received	64 first notices & 22 second notices	26 Notices of Contraventions (NOC)	5 - out of the 5, two were given Notices of Violations (NOV)	5
How many charges were issued in 2024? (AMP or POA)	0	0	No comment received	No comment received	0	0	0	0

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How successful is your municipality in obtaining compliance on the prohibition of sports activities and/or equipment being utilized or stored on the municipal right of way?	100% compliance rate - last year, there were no charges and no items removed	Of the 169 Notices of Violation issued, the City of Toronto did not have to proceed with escalated enforcement as compliance was achieved. In cases of unclaimed basketball and/or hockey nets, the City of Toronto managed to have the sports equipment removed by Transportation Services (Road Operations) and stored at a City Yard for 60 days to give the lawful owner an opportunity to claim the equipment.	Generally, very few complaints per year about people playing road hockey or basketball and not moving aside for traffic. Normally any required enforcement would be by the police under the Highway Traffic Act, but believe that the call volume for this offence is quite low.	No comment received	The 22 follow up notices were sent because the resident did not remove the sports equipment after the first notice. A staff member drives by the notified homes after about a month to determine if the sports equipment has been relocated. If not, the second and sometimes third notice will be issued. After third notice is when we step in and remove the equipment from the road and store it at a city facility. Third notices rarely happen, and we did not issue any last year.	Unclear - there has been few complaints (95 in 2023) which is less than 1% of total requests received but this does not indicate compliance and can be interpreted as acceptance of practice of playing on streets	Quite successful in gaining compliance. Out of the five investigated, 2 were issued notices; four complied with the requirements and the files were closed. One is still actively being investigated by an MLEO. Where voluntary compliance isn't achieved, we may choose to have the equipment removed and transported to a Public Works facility, ultimately gaining compliance.	High compliance rate with most issues being resolved through education and voluntary cooperation.
Is there a zero-tolerance policy or some leeway?	No comment received	No comment received	No comment received	No comment received	No comment received	Staff use discretion when responding to service requests, given the demographics of individuals who are subjects of the complaints.	Yes - sometimes (in the case of above)	No - Officers provide opportunities for voluntary compliance before proceeding with enforcement actions.