
REPORT TO COUNCIL

DATE: May 7, 2018

REPORT NO.: 18-045

SUBMITTED BY: Alex Wallace
Development Services Manager

FILE NO.: 1-1-9

SUBJECT: Bylaw Enforcement Policy Update

PURPOSE

To replace the Bylaw Enforcement Policy with current best practices and to provide effective enforcement based on consistency, fairness and available resources. This policy has been reviewed by the City's Solicitor.

ANTICIPATED OUTCOMES

To update the City's Bylaw Enforcement Policy to reflect current practices.

SUMMARY/BACKGROUND

It was determined that staff cannot take enforcement action with respect to every contravention of a bylaw that may occur within its jurisdiction due to factors such as extreme weather conditions or staff availability. The current policy does not provide direction nor does it take many different situations into account.

The City will use discretion on a case-by-case basis when dealing with each complaint and take reasonable steps in accordance with the proposed policy and operational guidelines to obtain compliance. The proposed policy lays out direction on the entire complaint and enforcement process. The proposed policy is broken up into four main sections:

- Complaints
 - what constitutes a valid complaint, who can make a complaint and how the complaint is received by staff.
- Investigation
 - how a complaint is determined to be valid and what priority level is assigned to the complaint.
- Enforcement
 - what methods of enforcement are available for staff to use and when complaints are forwarded to other departments or contractors.

- Confidentiality
 - explains the importance of confidentiality and the situations where the City may have to release the complainant’s information.

The new Policy has a flow chart to help educate the public and provide transparency, on how bylaw enforcement is handled from the time a complaint is made through to the outcome of that issue.

ALTERNATIVES

1. Council may choose to not approve the proposed Bylaw Enforcement policy.
2. Council may direct staff to increase the communication during the 30 day review period over and above the City’s website & Facebook page.

IMPLICATIONS

(1) Social	To gain more compliance through education and provide a clear and transparent picture of how the City conducts bylaw.
(2) Environmental	N/A
(3) Personnel	Updates will provide staff with a clear understanding of how and when to enforce. If adopted by Council, all staff within the Bylaw Department will be educated on the new policy.
(4) Financial	N/A
(5) Risk Assessment	<p><u>Compliance:</u> <i>Community Charter, Policy.</i></p> <p><u>Risk Impact:</u> Low.</p> <p><u>Internal Control Process:</u> The Policy Manual will be updated online and the link will be distributed to all applicable personnel. A historical record is also kept of all policy versions.</p>

GUIDING PRINCIPLES

Health: We will optimize opportunities for healthy living by developing an environment free from undue risk.

Trust and Integrity: We will have a reputation for acting with integrity and will earn the trust of our stakeholders by modeling competence and anchoring behaviour on enduring values, by communicating with care and respect, working to develop positive relationships and sharing information in timely and comprehensive ways.

Inclusivity – We will create an invitational climate by ensuring all individuals have equal access to service and opportunities

STRATEGIC PRIORITIES N/A

IMPLEMENTATION/COMMUNICATION

If approved by Council the policy will be posted on the City’s facebook page and the City’s website for the required 30 day review. If no responses are received, then the manual will be updated accordingly.

RECOMMENDATION

That Report No. 18-045 from the Development Services Manager re: Bylaw Enforcement Policy Update be received; further, that the proposed policy attached to this report be approved pending the required 30 day review period.

Respectfully submitted,

ORIGINAL SIGNED BY

Alex Wallace
Development Services Manager

AW/sw

Attachment:
Bylaw Enforcement Policy

APPROVED FOR AGENDA BY CAO