



**Subject: Fouling of Roads Draft By-law**

**To: Council**

**From: Community Safety & Enforcement Department**

Report Number: 2024-48

Meeting Date: June 25, 2024

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**Recommendation:**

That Community Safety and Enforcement Department Report 2024-48 be received;

That the draft Fouling of Roads By-law attached as Appendix A to Community Safety and Enforcement Report 2024-48, be approved; and

That the draft by-law attached as Appendix B to Community Safety and Enforcement Report 2024-48, being a By-law to Amend By-law 6902/50/21, the By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne, be approved.

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**Purpose:**

The purpose of this report is to propose a new Fouling of Roads By-law, which will introduce new regulations and prohibitions to keep the community clean.

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**Background:**

The City of Port Colborne has not previously approved a Fouling of Roads By-law; however, staff have dealt with some issues through building permits, municipal consents or requests for altering sites, and City staff have dealt with fouling, damage or altering of a ditch, culvert, or road and have difficulty trying to resolve incidents of this type, sometimes resulting in costs to the City when infractions could not be enforced. To provide for an easier and clearer process for staff to administer, staff recommend adopting a Fouling of Roads By-law.

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**Discussion:**

With an increase in construction of new homes and buildings the City, roads have been fouled with mud, stone, and debris, especially in areas where development is taking place. City roads have been scarred with heavy equipment which may lead to premature road degradation. This leaves the City of Port Colborne to absorb the cost of addressing these issues.

By-law Services will assist Public Works with incidents that they determine are fouling the roadways and work to achieve voluntary compliance. The proposed By-law will have Administrative Penalties for Non-Parking Offences as an enforcement tool.

By-law services staff circulated the proposed By-law to other Departments within the City of Port Colborne and their comments are listed below.

The draft By-law has been vetted by the City's solicitor.

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**Internal Consultations:**Public Works Comments

"The Public Works team is supportive of the program as outlined in the report, staff feel this will provide a safer environment for the residents of Port Colborne and we look forward to working with By-law to ensure our community remains clean and beautiful."

Planning Comments

"The Planning Division is supportive of the initiative as it will assist in ensuring the roads are kept clean throughout the development process."

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**Financial Implications:**

The penalties identified in Appendix B are established to recover costs associated with enforcement and encourage compliance with the proposed by-law.

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**Public Engagement:**

None conducted.

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## **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community

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## **Conclusion:**

The approval of the proposed Fouling of Roads By-law will benefit all stakeholders and allow for a safer and cleaner community.

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## **Appendices:**

- a. Proposed Fouling of Roads By-law
- b. Proposed NAMPS penalties

Respectfully submitted,

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## **Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.