



Subject: Core Services and By-law for By-law Enforcement Policy

To: Council

From: Community Safety & Enforcement Department

Report Number: 2021-155

Meeting Date: June 14, 2021

Recommendation:

That Community Safety and Enforcement Department Report 2021-155 be received;

That Council adopt the Core Services as outlined in Appendix A to Community Safety & Enforcement Department Report 2021-155; and

That Council approve the draft By-law and Schedule "A" By-law Enforcement Policy attached as Appendix B to Community Safety & Enforcement Department Report 2021-155.

Purpose:

The Director of Community Safety and Enforcement has prepared this report and the documents referred to within this report in conjunction with City staff, as well as the City's Solicitor.

Background:

Core Services

The Director of Community Safety and Enforcement felt it was important that the core services provided by the By-law Division be identified and authorized by City Council. Some Departments within the City have identified their core services and had them reviewed and authorized by City Council. For example, the Fire Department completed that process several years ago.

By identifying the core services, the responsibilities of the Department are clearly identified, as well as their role within City Operations. It will also assist in enforcement duties.

Discussion:**Enforcement Policy**

The Director of Community Safety and Enforcement identified that there was a need to provide direction to staff through a policy that clearly identified a process to deal with various by-law complaints and issues that are identified from time-to-time. With the assistance of staff, as well as the City's Solicitor, the proposed Policy is before Council. Additionally, within the policy staff have developed a tool that can be used to associate risk with the appropriate action.

As you can see within the proposed By-law Enforcement Policy, the City's goals will be established as follows:

1. To ensure public health and safety.
2. To ensure that enforcement measures are done properly.
3. Adherence to a policy that identifies priorities and are applied in a fair and efficient manner.
4. The appropriate allocation of resources.
5. Investigations are carried out according to law.
6. To ensure no political interference in the enforcement process.

In making decisions on the appropriate level of response to complaints, staff shall have regard to the following criteria:

- a) Health and safety factors.
- b) Potential property damage.
- c) Potential impact on the complainant.
- d) Potential impact on the neighbourhood.
- e) Available resources.
- f) History of complaints in respect of the same matter.
- g) Part VI Enforcement Options of the By-law Enforcement Policy, clearly identifying all of the enforcement options available to an Enforcement Officer.

Internal Consultations:

Staff have discussed this policy with the Chief Administrative Officer and the City's Solicitor.

Financial Implications:

The policy, once in place, will provide several enforcement options currently not in place. This will also assist in a timely and effective manner in which enforcement penalties can be collected.

Public Engagement:

This report has been available for viewing on the City of Port Colborne website.

Conclusion:

The attached core services clearly identifies the services provided by By-law Enforcement staff and the By-law Enforcement Policy will provide an effective and efficient method to enforce By-laws.

Appendices:

- a. Core Services
- b. Draft By-law and Schedule "A" By-law Enforcement Policy

Respectfully submitted,

Thomas B. Cartwright,
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Report Approval:

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