

NO: R045

COUNCIL DATE: March 11, 2013

REGULAR COUNCIL

TO: Mayor & Council

DATE: March 6, 2013

FROM: City Solicitor

FILE: 4000-01

SUBJECT: By-law Enforcement Activities Report for 2012

RECOMMENDATION

The Legal Services Division recommends that Council receive this report as information.

BACKGROUND

Council during its Regular meeting on May 28, 2012 requested that staff forward to Council on a regular basis a report on the activities of the By-law Enforcement Section.

DISCUSSION

The following tables summarize the By-law prosecution and civil enforcement work associated with the By-law Enforcement Section and Legal Services Division for the period from July 1, 2012 to December 31, 2012.

Prosecutions & Civil Enforcement – New Files	No. of Files
Zoning By-law Violations	15
Property Maintenance and Unsightly By-law Violations	1
Building By-law Violations	26
Business License By-law Violations	1
Noise Control By-law Violations	8
Parks By-law Violations	104
Sanitation By-law Violations	1
Tree Protection By-law Violations	5
Highway and Traffic By-law Violations	1
Conservation Violations (Soil, Erosion, Sediment Control)	3
Dog Responsibility By-law Violations	5
Public Health Smoking By-law Violations	2
Fireworks By-law Violations	1
Sign By-law Violations	1

Prosecutions - Action Completed	No. of Files
Zoning By-law Violations	4
Parks By-law Violations	24
Dog Responsibility By-law Violations	2
Noise Control By-law Violations	4
Business License By-law Violations	1
Sanitation By-law Violations	1
Property Maintenance and Unsightly By-law Violations	1
Dog Destruction Application under <i>Community Charter</i>	1

Prosecution Pending Files - Conviction or Other Order Not Yet Obtained	No. of Files
Zoning By-law Violations	9
Building By-law Violations	169
Noise Control By-law Violations	5
Tree Protection By-law Violations	2
Agricultural Land Reserve Violations (Unauthorized uses)	4
Business License By-law Violations	1
Sanitation By-law Violations	1
Unlawful Retaining Wall (Civil Enforcement)	1
Conservation Violations (Soil, Erosion, Sediment Control)	1
Parks By-law Violations	50

Summary Explanation of By-law Infractions by Category as Included in following Tables:

Secondary Suite Compliance – Investigations relating to the removal of existing known unauthorized secondary suites, identification of secondary suites to ensure appropriate City fees are paid; and the removal of multiple secondary suites from homes.

Zoning and Building By-law Investigations – Investigations relating to the use of property as regulated by the Zoning By-law. Typical investigations include such things as the parking of overweight vehicles on residential property, truck parking in agricultural areas, storage of wrecked vehicles, the unauthorized keeping of animals (chickens, horses, cows), etc.

Business License By-law Investigations – Investigations relating to businesses located in the City. These investigations include such things as following up on safety inspections performed as part of the business license application process, ensuring that businesses are following Zoning, Building and Business License regulations in the operation of their business, etc.

Conservation Investigations – Investigations related to construction sites and agricultural properties to ensure regulations for soil deposit or removal, erosion and sediment control and water protection are being followed.

Tree Protection Investigations – By-law Enforcement staff assists the Trees and Landscaping Section staff in the administration of the Tree Preservation By-law, by gathering evidence and drafting charges against those who contravene the By-law.

Noise Control Investigations – Investigations related to various types of nuisance noise in the City (e.g., construction when not permitted, barking dogs, loud music, etc.).

Dog Responsibility By-law Investigations – Investigations into animal control files related to dogs at large, dangerous dogs, dog bites/attacks, collecting stray animals, etc.

Highway and Traffic Investigations – By-law Officers assist with parking issues that require immediate attendance (blocked driveways or roadways) or extended contact with vehicle owners or RCMP (e.g., abandoned vehicles).

Public Health (Smoking) Investigations – Investigations related to complaints of smoking in public places where smoking is prohibited by By-law.

Graffiti, Property Maintenance and Unsightly Premises Investigations – Investigations related to the Property Maintenance and Unsightly Property By-law. Bylaw Enforcement Officers work with owners to have problem properties cleaned up; if no voluntary compliance is gained, the City may enter onto the property to affect the clean up and bill the property owner.

Sign By-law Investigations – Investigations related to illegal signage on City and private property.

Parks By-law Violations – Investigations related to unauthorized use of parks as regulated by the Parks Regulation By-law.

Abandoned Properties Investigations – Investigations related to abandoned buildings on properties including identifying and securing such properties for public safety reasons.

Controlled Substance Property Investigations – Investigations related to properties that have been identified by the RCMP, the Fire Department or the Electrical Fire Safety Initiative Team as containing controlled substance production. Officers act to ensure regulations are met and that the property is remediated or demolished.

Miscellaneous Investigations – Investigations where by-law officers assist other Departments or deal with infrequent types of complaints.

The following tables summarize the new investigation files and the files for which voluntary compliance related to by-law infractions has been achieved for the period from January 1, 2012 to December 31, 2012.

1st Quarter		
Investigations and Voluntary Compliance Files	New Files	Concluded
Secondary Suite Compliance (Identification, Compliance and/or Removal)	2396	1756
Zoning and Building By-law Investigations	245	179
Business License By-law Investigations	553	549
Conservation Investigations (Soil, Erosion and Sediment Control, Water)	53	97
Tree Protection By-law Investigations	26	24
Noise Control Investigations	279	278
Dog Responsibility By-law Investigations	960	951
Highway and Traffic By-law Investigations	168	176
Public Health Investigations (Smoking)	5	6
Graffiti, Property Maintenance and Unsightly Premises Investigations	393	378
Sign By-law Investigations	120	125
Parks By-law Violations	11	15
Abandoned Properties Investigations	47	37
Controlled Substance Investigations	36	32
Miscellaneous Investigations (Metal Theft, Snow Removal, Nuisance Violations, Light Pollution, Excess Dogs, Document Services and Squatters)	324	338
TOTAL	5616	4941

2nd Quarter		
Investigations and Voluntary Compliance Files	New Files	Concluded
Secondary Suite Compliance (Identification, Compliance and/or Removal)	2288	2450
Zoning and Building By-law Investigations	320	295
Business License By-law Investigations	666	656
Conservation Investigations (Soil, Erosion and Sediment Control, Water)	96	224
Tree Protection By-law Investigations	42	37
Noise Control Investigations	333	314
Dog Responsibility By-law Investigations	872	865
Highway and Traffic By-law Investigations	154	159
Public Health Investigations (Smoking)	7	11
Graffiti, Property Maintenance and Unsightly Premises Investigations	736	640
Sign By-law Investigations	200	202
Parks By-law Violations	21	21
Abandoned Properties Investigations	33	37
Controlled Substance Investigations	32	33
Miscellaneous Investigations (Metal Theft, Snow Removal, Nuisance Violations, Light Pollution, Excess Dogs, Document Services and Squatters)	342	335
TOTAL	6142	6279

3rd Quarter		
Investigations and Voluntary Compliance Files	New Files	Concluded
Secondary Suite Compliance (Identification, Compliance and/or Removal)	835	1615
Zoning and Building By-law Investigations	373	371
Business License By-law Investigations	485	511
Conservation Investigations (Soil, Erosion and Sediment Control, Water)	81	81
Tree Protection By-law Investigations	47	37
Noise Control Investigations	510	472
Dog Responsibility By-law Investigations	807	722
Highway and Traffic By-law Investigations	39	46
Public Health Investigations (Smoking)	9	5
Graffiti, Property Maintenance and Unsightly Premises Investigations	629	689
Sign By-law Investigations	335	312
Parks By-law Violations	22	21
Abandoned Properties Investigations	23	26
Controlled Substance Investigations	22	25
Miscellaneous Investigations (Metal Theft, Snow Removal, Nuisance Violations, Light Pollution, Excess Dogs, Document Services and Squatters)	280	315
TOTAL	4497	5248

4th Quarter		
Investigations and Voluntary Compliance Files	New Files	Concluded
Secondary Suite Compliance (Identification, Compliance and/or Removal)	405	499
Zoning and Building By-law Investigations	264	302
Business License By-law Investigations	421	487
Conservation Investigations (Soil, Erosion and Sediment Control, Water)	89	204
Tree Protection By-law Investigations	27	42
Noise Control Investigations	231	321
Dog Responsibility By-law Investigations	671	747
Highway and Traffic By-law Investigations	32	31
Public Health Investigations (Smoking)	4	8
Graffiti, Property Maintenance and Unsightly Premises Investigations	333	415
Sign By-law Investigations	192	213
Parks By-law Violations	9	12
Abandoned Properties Investigations	15	21
Controlled Substance Investigations	24	22
Miscellaneous Investigations (Metal Theft, Snow Removal, Nuisance Violations, Light Pollution, Excess Dogs, Document Services and Squatters)	253	289
TOTAL	2970	3613

2012			February 4, 2013
Investigations and Voluntary Compliance Files	New Files	Concluded	In Progress
Secondary Suite Compliance (Identification, Compliance and/or Removal)	5924	6320	182
Zoning and Building By-law Investigations	1202	1147	181
Business License By-law Investigations	2125	2203	444
Conservation Investigations (Soil, Erosion and Sediment Control, Water)	319	606	132
Tree Protection By-law Investigations	142	140	21
Noise Control Investigations	1353	1385	15
Dog Responsibility By-law Investigations	3310	3285	0
Highway and Traffic By-law Investigations	393	412	1
Public Health Investigations (Smoking)	25	30	2
Graffiti, Property Maintenance and Unsightly Premises Investigations	2091	2122	100
Sign By-law Investigations	847	852	11
Parks By-law Violations	63	69	0
Abandoned Properties Investigations	118	121	8
Controlled Substance Investigations	114	112	39
Miscellaneous Investigations (Metal Theft, Snow Removal, Nuisance Violations, Light Pollution, Excess Dogs, Document Services and Squatters)	1199	1277	58
TOTAL	19225	20081	1194

The following tables summarize the parking enforcement and commercial vehicle enforcement activities for the period from January 1, 2012 to December 31, 2012.

1 st Quarter					
Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled & Warnings
Parking Enforcement	13692	6907	323	3712	2750
Commercial Vehicle Enforcement	486	210	29	219	28

2 nd Quarter					
Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled & Warnings
Parking Enforcement	13705	6863	291	3843	2708
Commercial Vehicle Enforcement	409	170	40	174	25

3 rd Quarter					
Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled & Warnings
Parking Enforcement	15094	8408	265	3479	2942
Commercial Vehicle Enforcement	435	249	47	115	24

4 th Quarter					
Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled & Warnings
Parking Enforcement	10682	5186	247	3045	2204
Commercial Vehicle Enforcement	422	208	29	166	19

2012 Totals					
Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled & Warnings
Parking Enforcement	53173	27364	1126	14079	10604
Commercial Vehicle Enforcement	1752	837	145	674	96

The following table summarizes the number of secondary suites that are registered on the City's tax rolls.

Date	January 1, 2012	December 31, 2012
Registered Secondary Suites	19702 (secondary suites) 882 (coach houses)	22,967 (secondary suites) 973 (coach houses)



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City Solicitor

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