

NO: R212

COUNCIL DATE: OCTOBER 28, 2013

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **October 21, 2013**
 FROM: **City Solicitor** FILE: **4000-01**
 SUBJECT: **By-law Enforcement Activities Report for the First Three Quarters of 2013**

RECOMMENDATION

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

BACKGROUND

Council has requested that staff forward to Council on a regular basis a report on the activities of the By-law Enforcement Section. Going forward staff will be providing such a report to Council for the first half and second half, respectively, of each calendar year.

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 January 1, 2013 to September 30, 2013.

Prosecutions & Civil Enforcement – New Files	No. of Files
Zoning By-law Violations	6
Property Maintenance and Unsightly By-law Violations	6
Building By-law Violations	33
Business License By-law Violations	1
Noise Control By-law Violations	4
Parks By-law Violations	53
Sanitation By-law Violations	7
Tree Protection By-law Violations	9
Dog Responsibility By-law Violations	7
Nuisance By-law Violations	1

Prosecutions – Action Completed	No. of Files
Zoning By-law Violations	6
Building By-law Violations	1
Parks By-law Violations	58
Dog Responsibility By-law Violations	4
Noise Control By-law Violations	6
Business License By-law Violations	2
Tree Protection By-law Violations	7
Property Maintenance and Unsightly By-law Violations	2
Conservation Violations (Soil, Erosion, Sediment Control)	2
Sign By-law Violations	1
Smoking By-law Violations	1

Enforcement Pending Files – Conviction or Other Order Not Yet Obtained or Order Not Yet Complied With	No. of Files
Zoning By-law Violations	11
Building By-law Violations	178
Noise Control By-law Violations	10
Tree Protection By-law Violations	6
Business License By-law Violations	1
Sanitation By-law Violations	6
Conservation Violations (Soil, Erosion, Sediment Control)	4
Parks By-law Violations	73
Sign By-law Violations	1
Dog Responsibility By-law Violations	7
Property Maintenance and Unsightly By-law Violations	3
Nuisance By-law Violations	1

Summary Explanation of By-law Infractions by Category:

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. By-law 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 effect the clean up and invoice the property owner.

Sign By-law Investigations – Investigations related to unauthorized 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 including identifying and securing such properties for public safety reasons.

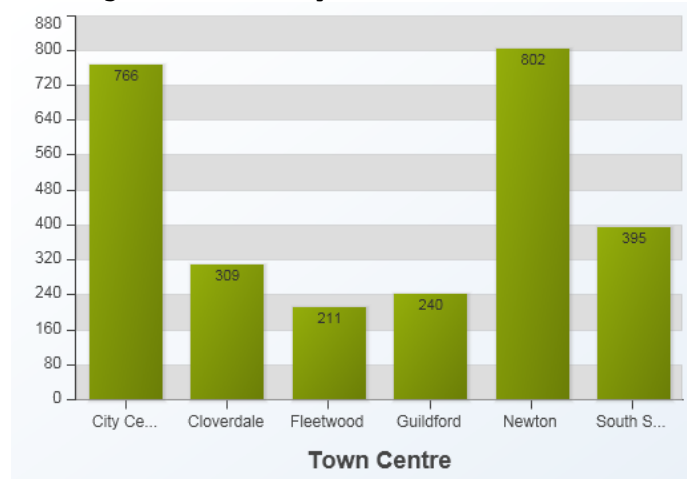
Controlled Substance Property Investigations – Investigations related to properties that have been identified by the RCMP, the Fire Department or the Electrical Fire Safety Initiative Team as containing controlled substance production. Officers act to ensure regulations are met and that the property 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, 2013 to September 30, 2013.

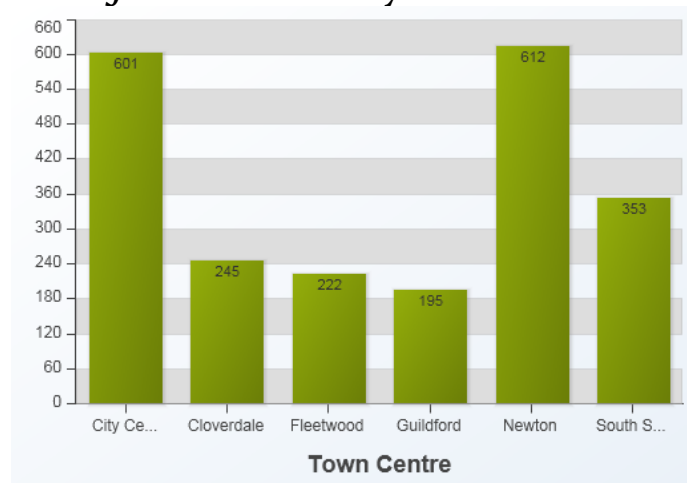
Quarter 1

Investigation Intake by Town Centre



Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	255	85	118	71	58	179
Guildford	62	28	40	52	22	36
Fleetwood	44	38	57	15	23	34
Newton	134	73	112	248	53	182
Cloverdale	38	45	39	73	55	59
South Surrey	88	38	15	77	45	132

Investigations Concluded by Town Centre



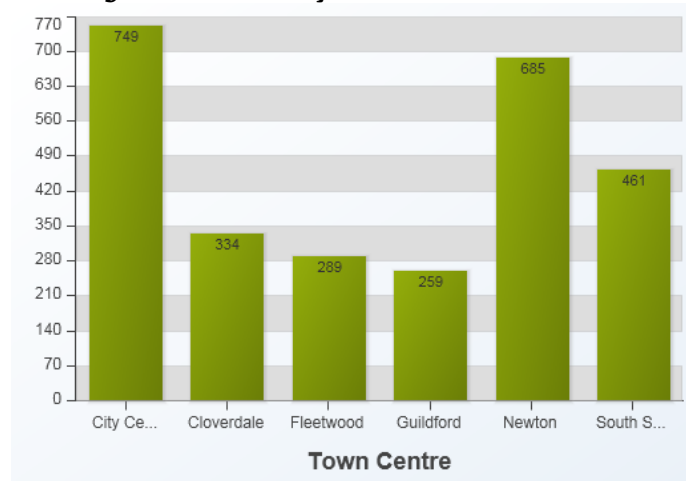
Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	188	58	82	54	59	160
Guildford	38	23	33	44	16	41
Fleetwood	35	46	47	16	23	55
Newton	97	44	110	160	46	155
Cloverdale	26	25	46	40	46	62
South Surrey	89	23	15	42	50	134

Parking Enforcement and Commercial Vehicle Enforcement Activities

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	10030	6047	192	2210	828	752
Commercial Vehicle Enforcement	540	285	72	150	33	0

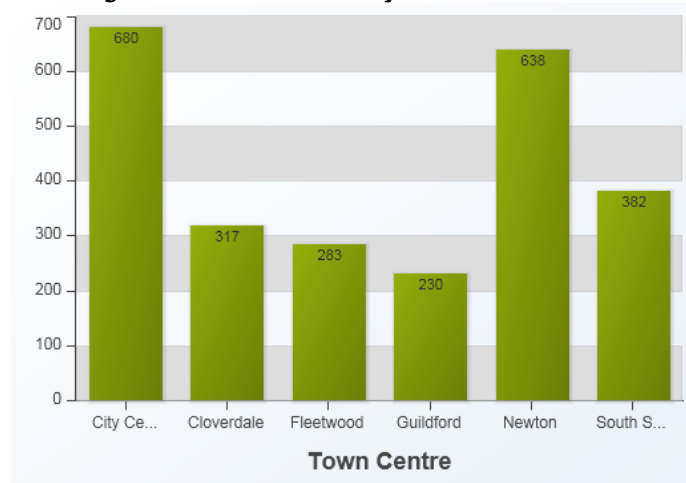
Quarter 2

Investigation Intake by Town Centre



Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	251	116	115	48	75	144
Guildford	70	30	44	44	22	49
Fleetwood	83	39	69	20	39	39
Newton	122	57	120	119	73	194
Cloverdale	49	46	62	43	64	70
South Surrey	105	74	22	48	52	160

Investigations Concluded by Town Centre



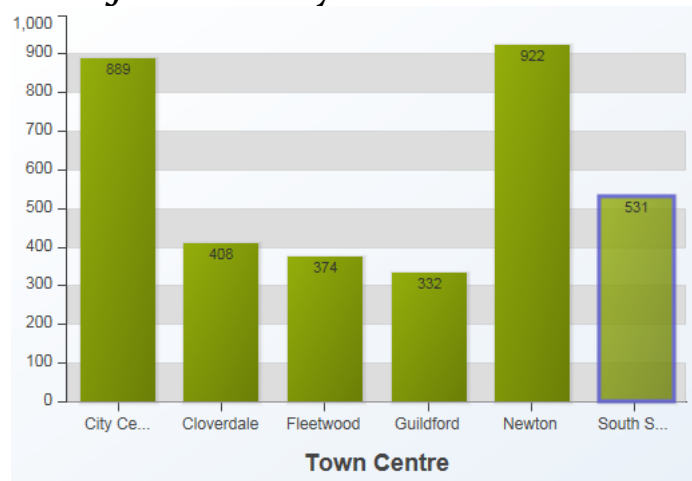
Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	210	90	121	49	61	149
Guildford	69	28	40	26	28	39
Fleetwood	78	35	71	19	40	40
Newton	109	62	108	98	63	198
Cloverdale	41	50	61	44	58	63
South Surrey	66	51	20	44	48	153

Parking Enforcement and Commercial Vehicle Enforcement Activities

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	12761	7169	334	3807	704	747
Commercial Vehicle Enforcement	409	191	45	152	21	0

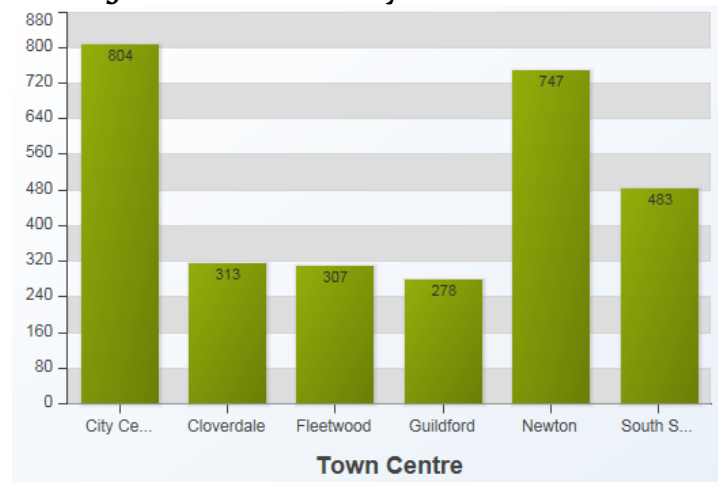
Quarter 3

Investigation Intake by Town Centre



Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	244	93	177	17	137	221
Guildford	55	34	70	10	46	117
Fleetwood	70	60	105	2	63	74
Newton	168	83	155	32	125	359
Cloverdale	59	35	115	13	73	113
South Surrey	103	44	67	43	87	187

Investigations Concluded by Town Centre



Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	243	117	92	13	140	199
Guildford	60	27	55	8	32	96
Fleetwood	80	52	44	1	59	71
Newton	164	62	97	28	116	280
Cloverdale	52	33	64	5	50	109
South Surrey	117	37	34	38	71	186

Parking Enforcement and Commercial Vehicle Enforcement Activities

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	11021	5250	306	3972	620	873
Commercial Vehicle Enforcement	295	140	25	112	18	0

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

Date	January 1, 2013	June 30, 2013	September 30, 2013
Registered Secondary Suites	22967 (secondary suites)	23054 (secondary suites)	23179 (secondary suites)
	973 (coach houses)	993 (coach houses)	1011 (coach houses)

It is noted that there has been a noticeable increase in the rate of suite registrations since the introduction by the City of a penalty fee associated with the City locating secondary suites that are not registered with the City. This penalty fee of \$1000 was introduced by By-law in October to take effect in February 2014. Property owners are coming forward to register their suites with a view to avoiding the penalty when it comes into effect.

CRAIG MacFARLANE
City Solicitor

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