

NO: **R067**

COUNCIL DATE: APRIL 28, 2014

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **April 28, 2014**

FROM: **City Solicitor**

FILE: **4000-01**

SUBJECT: **By-law Enforcement Activities Report for 4th Quarter of 2013 & First Quarter of 2014**

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 quarterly.

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 October 1, 2013 to March 31, 2014.

Prosecutions & Civil Enforcement – New Files	No. of Files
Zoning By-law Violations	16
Property Maintenance and Unsightly By-law Violations	7
Building By-law Violations	7
Business License By-law Violations	7
Noise Control By-law Violations	2
Parks By-law Violations	79
Highway and Traffic By-law Violations	1
Tree Protection By-law Violations	6
Dog Responsibility By-law Violations	3
Secondary Suite Removal	1

Prosecutions – Action Completed	No. of Files
Zoning By-law Violations	4
Sanitation By-law Violations	4
Parks By-law Violations	21
Dog Responsibility By-law Violations	4
Noise Control By-law Violations	1
Business License By-law Violations	1
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
Nuisance 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	8
Building By-law Violations	171
Noise Control By-law Violations	2
Tree Protection By-law Violations	3
Business License By-law Violations	2
Parks By-law Violations	31
Dog Responsibility By-law Violations	3
Property Maintenance and Unsightly By-law Violations	5

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 October 1, 2013 to March 31, 2014.

Quarter 4 – 2013

Investigation Intake by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	209	57	74	33	49	159
Guildford	40	21	22	23	26	63
Fleetwood	36	16	44	16	21	55
Newton	106	78	100	97	44	186
Cloverdale	24	36	44	37	27	70
South Surrey	32	52	14	26	44	157

Investigations Concluded by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	291	68	123	36	70	217
Guildford	54	31	36	16	35	100
Fleetwood	40	24	90	10	27	68
Newton	111	69	138	80	56	298
Cloverdale	42	31	59	28	56	99
South Surrey	58	54	45	28	63	175

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	15088	8279	437	4442	866	1064
Commercial Vehicle Enforcement	732	337	42	338	15	0

Quarter 1 – 2014

Investigation Intake by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	194	76	82	80	39	246
Guildford	79	37	21	77	20	71
Fleetwood	98	31	35	44	16	125
Newton	207	63	96	223	42	262
Cloverdale	41	21	37	91	43	93
South Surrey	60	29	17	84	28	172

Investigations Concluded by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other
City Centre	188	74	80	80	33	193
Guildford	59	28	18	67	24	70
Fleetwood	52	26	35	40	22	122
Newton	191	65	72	223	52	227
Cloverdale	30	25	45	96	37	80
South Surrey	52	40	11	87	31	178

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	13132	5650	448	5240	707	1087
Commercial Vehicle Enforcement	914	372	48	479	15	0

The following table summarizes the number of secondary suites that are registered on the City's tax rolls for the period of October 1, 2013 to March 31, 2014.

Date	October 1, 2013	January 1, 2014	March 31, 2014
Registered Secondary Suites	23,179 (secondary suites)	23,732 (secondary suites)	25,286 (secondary suites)
	1,011 (coach houses)	1,020 (coach houses)	1,033 (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 \$1,000 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.

CONCLUSION

The By-law Enforcement Section continues to receive a significant number of new investigation files with a diverse range in subject matter. Staff continue to work with its residents and business owners to effectively resolve many complaints and, where necessary, forward matters to the Legal Services Division to address by way of prosecution or civil enforcement.

A handwritten signature in black ink, appearing to read "Craig MacFarlane". The signature is written in a cursive, flowing style.

CRAIG MacFARLANE
City Solicitor

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