

NO: R084

COUNCIL DATE: April 18, 2016

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **April 14, 2016**

FROM: **Manager, Bylaw Enforcement and Licensing Services** FILE: **4000-01**

SUBJECT: **Bylaw Enforcement Activities Report for 1st Quarter of 2016**

RECOMMENDATION

The Bylaw Enforcement and Licensing 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 Bylaw Enforcement Division. Going forward staff will be providing such a report to Council quarterly.

DISCUSSION

The following tables summarize the Bylaw prosecution and civil enforcement work associated with the Bylaw Enforcement and Legal Services Divisions for the period from January 1, 2016 to March 31, 2016.

Prosecutions & Civil Enforcement – New Files	No. of Files
Zoning Bylaw Violations	1
Building Bylaw Violations	5
Business License Bylaw Violations	1
Parks Bylaw Violations	1
Dog Responsibility Bylaw Violations	9
Tree Protection Bylaw Violations	1
Conservation Violations (Soil, Erosion, Sediment Control)	5
TOTALS	23

Prosecutions – Action Completed	No. of Files
Parks Bylaw Violations	10
Dog Responsibility Bylaw Violations	11
Tree Protection Bylaw Violations	2
Zoning Bylaw Violations	3
Noise Control Bylaw Violations	1

Smoking Bylaw Violations	2
Fireworks Bylaw Violations	1
Business License Bylaw Violations	1
TOTALS	31

Enforcement Pending Files – Conviction or Other Order Not Yet Obtained or Order Not Yet Complied With	No. of Files
Zoning Bylaw Violations	13
Building Bylaw Violations	193
Noise Control Bylaw Violations	7
Tree Protection Bylaw Violations	43
Business License Bylaw Violations	10
Parks Bylaw Violations	45
Dog Responsibility Bylaw Violations	27
Property Maintenance and Unsightly Bylaw Violations	4
Smoking Bylaw Violations	7
Fireworks Bylaw Violations	5
Conservation Violations (Soil, Erosion, Sediment Control)	8
TOTALS	362

The above tables indicate that 13% of new and existing files were completed during the quarter.

Summary Explanation of Bylaw Infractions by Category:

Zoning Bylaw Investigations – Investigations relating to the use of property as regulated by the Zoning Bylaw. 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.

Building Bylaw Investigations – Investigations relating to construction that has taken place without a building permit as required by the Building Bylaw. Typical investigations include the unlawful enclosure of decks and open carports and patios to create additional living space. Often this unauthorized construction results in zoning violations for exceeding maximum density or encroachment into required setbacks. Please note that these files are listed under the Building Bylaw Violations category and not the Zoning Bylaw Violations category, even when there are zoning issues, so that files are not counted twice.

Business License Bylaw 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.

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

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

Fireworks Bylaw Investigations – Investigations related to sale and use of fireworks prohibited by the Fireworks Bylaw.

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.

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.).

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

Graffiti, Property Maintenance and Unsightly Premises Investigations – Investigations related to the Property Maintenance and Unsightly Property Bylaw. 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 effect the clean up and invoice the property owner.

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

The following tables summarize the new investigation files and the files for which voluntary compliance related to bylaw infractions has been achieved for the period from January 1, 2016 to March 31, 2016.

Quarter 1 – 2016

Investigation Intake by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	198	114	106	26	65	457	966
Guildford	52	38	35	26	16	90	257
Fleetwood	62	26	57	12	23	119	299
Newton	160	54	102	127	69	322	834
Cloverdale	72	24	75	26	67	158	422
South Surrey	80	30	32	42	53	240	477
Totals	624	286	407	259	293	1386	3255

Investigations Concluded by Voluntarily Compliance by Town Centre

The investigations include a carry over from the last quarter that were not concluded during that time period.

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	167	90	119	25	63	458	922
Guildford	46	30	34	32	28	85	255
Fleetwood	46	25	49	8	20	108	256
Newton	143	63	106	78	68	302	760
Cloverdale	66	32	77	16	54	158	403
South Surrey	65	30	28	36	45	237	441
Totals	533	270	413	195	278	1348	3037

The Investigative Tables demonstrate a high degree of voluntarily compliance with Bylaw Enforcement staff direction. The percentage of voluntary compliance versus new investigative file intake was 93% in the first quarter of 2016.

The Table below provides the inventory of continuing investigations in progress.

Investigations In Progress by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	135	115	34	165	26	66	541
Guildford	31	52	7	127	8	28	253
Fleetwood	43	39	25	34	12	27	180
Newton	117	83	45	592	24	65	926
Cloverdale	54	34	36	150	28	41	343
South Surrey	61	42	17	126	25	51	322
Totals	441	365	164	1194	123	278	2565

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	15123	6628	670	5407	360	2058
Commercial Vehicle Enforcement	1225	297	76	833	19	0

The 5407 parking tickets that are in outstanding status are tickets where no payment or dispute has been received as of the date of this report. Tickets that are unpaid after 150 days are sent to a collection agency.

Only 4% of parking tickets issued were disputed.

The following table summarizes the number of secondary suites that are registered on the City's tax rolls for the period of January 1, 2016 to March 31, 2016.

Date	January 1, 2016	March 31, 2016
Registered Secondary Suites	26341 (secondary suites) 1079 (coach houses)	26397 (secondary suites) 1081 (coach houses)

CONCLUSION

The Bylaw 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.

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Manager, Bylaw Enforcement & Licensing Services

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