



City of
Peterborough

To: Members of the General Committee

From: David J. Potts, Commissioner, Legislative Services

Meeting Date: April 2, 2024

**Report: Municipal Law Enforcement Amendments,
Report LSMLES24-001**

Subject

This report recommends amendments to certain regulatory by-laws.

Recommendation

That Council approve the recommendation outlined in Report LSMLES24-001, dated April 2, 2024 of the Commissioner, Legislative Services as follows:

That Council pass a by-law in the form of amending by-law comprising Appendix A to Report LSMLES24-001 to amend the following by-laws:

- a) AMP System By-law 20-073;
- b) Animal By-law;
- c) Enforcement By-law 20-076;
- d) Inspection By-law 23-112;
- e) Licensed Rental Premises By-law 17-067; and
- f) Trespass By-law 19-075.

Executive Summary

Appendix A is a proposed by-law to amend various regulatory by-laws as follows:

- a) AMP System By-law 20-073 is proposed to be amended to update references to staff positions as a result of the establishment of the Legislative Services Department and the Municipal Law Enforcement Services Division.
- b) Animal By-law 21-112 is proposed to be amended to delete text related to the appointment of municipal law enforcement officers as that matter has been superseded by the passing of Inspection By-law 23-112.
- c) Enforcement By-law 20-076 is proposed to be amended to update references to staff positions as a result of the establishment of the Municipal Law Enforcement Services Division.
- d) Inspection By-law 23-112 is proposed to be amended to clarify that the delegated authority to appoint municipal law enforcement officers applies also to inspections related to by-laws under the Planning Act (eg., Zoning By-law) and the Building Code Act, 1992 (eg., Property Standards By-law).
- e) Licensed Rental Premises By-law 17-067 is proposed to be amended to clarify the definitions of “Bedroom” and “Licensed Residential Premises” and to add administrative monetary penalties (AMPs) as a means of enforcing the By-law.
- f) Trespass By-law 19-075 is proposed to be amended to reflect the establishment of the Finance and Corporate Support Services Department.

Strategic Plan

Strategic Pillar: Governance & Fiscal Sustainability

Strategic Priority: Support review and update of City’s By-laws to make them effective and efficient, meeting the needs of our growing City.

The proposed amendments respond to the strategic priority by updating certain regulatory by-laws to clarify certain definitions, to update staff references as a result of changes in the City’s civic administrative structure and to continue the implementation of AMPs as an additional enforcement alternative.

Budget and Financial Implications

There are no budget or financial implications directly arising from this report’s recommendations.

Attachments

Appendix A: Proposed Amending By-law

Submitted by,

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Commissioner, Legislative Services, City Solicitor

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Appendix A: Proposed Amending By-law

The Corporation of the City of Peterborough**By-Law Number 24- [by-law number]**

Being a by-law to amend certain By-laws

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. AMP System By-law 20-073 is amended as follows:
 - a) By deleting the text of paragraph 6.aa) and by substituting the following text: “Supervisor” means the City’s Supervisor, Enforcement Services, and includes the City’s Manager, Municipal Law Enforcement Services”; and
 - b) By deleting the second sentence of section 23 and by substituting the following sentence: “The City’s Commissioner, Legislative Services, will consider each such complaint or comment in relation to the Commissioner’s consideration of potential improvements to the City’s system of administrative penalties.”
2. Animal By-law 21-112 is amended as follows:

By deleting the text of section 18 and by substituting the following brackets and text: “[Intentionally deleted]”.
3. Enforcement By-law 20-076 is amended as follows:

By deleting the text of paragraph 2.i) and by substituting the following text: “Supervisor” means the City’s Supervisor, Enforcement Services, and includes the City’s Manager, Municipal Law Enforcement Services”.
4. Inspection By-law 23-112 is amended as follows:

By deleting in paragraph 7.b) the text, “pursuant to the Municipal Act, 2001”.
5. Licensed Rental Premises By-law 17-067 is amended as follows:

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- a) By deleting in section 1.1 from the definition, “Bedroom”, the text, “with the intended use”;
 - b) By deleting in section 1.1 from the definition, “Licensed Residential Premises” the text, “for which a Business Licence has been issued by the Clerk”;
 - c) By deleting from heading 6.0, the text, “**General Offence Provision**”, and by substituting the text, “**Contraventions**”;
 - d) By deleting the first word of section 6.1 and by substituting the text, “Subject to section 6.5 and unless”;
 - e) By adding new sections 6.2, 6.3, 6.4 and 6.5 as follows:
 - 6.2 AMP System By-law 20-073 applies to each administrative penalty issued pursuant to this By-law.
 - 6.3 Subject to section 6.4, each person who or that contravenes this By-law is, upon issuance of a penalty notice in accordance with AMP System By-law 20-073, liable to pay to the City an administrative penalty of:
 - a) \$175 for the remainder of the first day on which the contravention occurs; and
 - b) \$275 for each subsequent day on which the contravention continues.
 - 6.4 Each person who or that contravenes this By-law by undertaking an activity without a required Licence is, upon issuance of a penalty notice in accordance with AMP System By-law 20-073, liable to pay to the City an administrative penalty of:
 - a) \$500 for the remainder of the first day on which the contravention occurs; and
 - b) \$750 for each subsequent day on which the contravention continues.
 - 6.5 A person is not guilty of an offence for which a penalty notice has been issued pursuant to sections 6.3 or 6.4.
6. Trespass By-law 19-075 is amended as follows:
- a) By deleting the text of paragraph 7.e.1) and by substituting the text, ““Commissioner” means the City’s Commissioner, Finance and Corporate Support Services”; and

- b) By deleting in sections 7.2 and 14 each of the three occurrences of “CLS”.
7. This By-law is in effect when it is passed.

By-law passed this 8th day of April, 2024.

Jeff Leal, Mayor

John Kennedy, City Clerk