



City of
Peterborough

To: Members of the General Committee

From: Jasbir Raina, Commissioner of Infrastructure and Planning Services

Meeting Date: March 13, 2023

Subject: Enforcement Services Review Project Update, Report IPSBD23-001

Purpose

A report to provide a summary of the Enforcement Services Review Project and present the resulting consultant report and recommended next steps.

Recommendations

That Council approve the recommendations outlined in Report IPSBD23-001, dated March 13, 2023 of the Commissioner of Infrastructure and Planning Services as follows:

- a. That the presentation regarding the Enforcement Services Review Project from Maclaren Municipal Consulting Inc. be received;
- b. That the seven Short Term Objectives outlined in Report IPSBD23-001 be approved and that staff be directed to proceed with implementation of these seven Short Term Objectives; and
- c. That the remaining Medium and Long Term Objectives outlined in Report IPBD23-001 be approved as a roadmap for the evolution of a new Municipal Law Enforcement Division.

Budget and Financial Implications

The recommendations set out as Appendix A to Report IPSBD23-001 numbered 1, 2, 3, 4, 9, 13 and 19 have been identified as the Short Term Objectives 1 to 7. These Objectives will present costs that need to be funded within the 2023 budget year. Specifically, Objective 3 requires a new Manager position (approximately \$115,983) and Objective 5 requires a Property Standards Officer (approximately \$84,594). The full yearly costs of these positions (\$200,577) will be applicable for approximately 7 months (59%) of the 2023 budget year. The total financial requirement for 2023 of \$118,340, inclusive of benefits, is proposed to be funded from General Contingency.

Additional cost recoveries through enhanced enforcement may decrease this requirement within the budget year.

Background

The City of Peterborough enforces various municipal standards including those established by municipal by-law pursuant to the **Municipal Act, 2001**, the **Building Code Act, 1992** and the **Fire Protection and Prevention Act, 1997** as examples. Enforcement is undertaken by City staff from multiple divisions and by third parties under contract and some bylaws have no enforcement resource tied to them currently.

City Council has expressed its policy objective that the City's enforcement should be undertaken to achieve compliance with municipal standards by the most efficient and effective means (via Enforcement By-law 20-076) and has addressed other matters to ensure the proper administration of justice. To that end, Council has also established the framework for municipal administrative monetary penalties (AMPs) as an additional enforcement tool. The City has implementing parking AMPs and is negotiating the terms upon which it will considering to administer other municipalities' AMP systems. Council may, from time to time, exercise its jurisdiction to pass additional regulatory by-laws, with a corresponding impact on enforcement resources.

In 2022, a Steering Committee was established to lead an Enforcement Services Review project. Members of the Steering Committee were Commissioners, Corporate and Legislative Services, Infrastructure and Planning Services, the City Solicitor, the City Clerk, the Director of Building Services and the Enforcement Services Supervisor. In that same year, the City was successful in receiving an Audit and Accountability Fund grant from the provincial government to fully fund an Enforcement Services Review Project and retain a consultant to identify opportunities for enhanced effectiveness and efficiency in the by-law enforcement process. A procurement process led to the competitive retention of Maclaren Municipal Consulting Inc. at a cost of \$152,480, plus HST, to perform the Enforcement Services analysis and produce a comprehensive report including recommendations on next steps.

The analysis included reviewing the current state of the City's enforcement system including strengths, weaknesses, opportunities and threats or challenges related to the following:

1. Inventory and review of municipal standards / bylaws that are enforced or capable of being enforced;
2. Enforcement service level standards;
3. Enforcement processes;
4. Enforcement human resources;
5. Enforcement technology; and
6. Review of appropriate home department for Bylaw Enforcement services.

Consultations, noted in the report, included Council, related City divisions / departments, the steering group, senior administration and external enforcement partners in addition to all of the existing enforcement staff and supervisors. Initial report drafts and recommendations were discussed with the Steering Committee and feedback was incorporated in the final report.

The consultant utilized several comparator municipalities both larger and smaller to gauge our current position and future opportunities. These communities included Kingston, Ottawa, Hamilton, Sault Ste Marie, Oshawa, Guelph, and Brampton.

Section 5 of the consultant report contains 24 recommendations from broad scope / major investment actions to simple, future focused decisions to enable future improvements. The recommendations in the order provided by the consultants have initially been organized into 3 groups being Short Term, Medium Term and Long Term objectives. Short Term Objectives are seen as those recommended actions that are essential in beginning an effective transformation to a new Enforcement Service Model and building in the capacity to take the work forward as well as moving ahead with priority projects. Medium Term Objectives are those recommendations that require the Short Term Objectives to be in place and/or next steps operationally such as planning cost recovery strategies or extending services to other Divisions. Long term Objectives are the recommendations that carry significant costs or preparation such as providing equipment (vehicles) or entering into new disciplines of enforcement (eg Light Pollution). The Objectives are outlined in Chart 1 below:

Chart 1

Short Term Objectives		
Recommendation Priority Number	Recommendation Detail	Recommendation Number in Consultant's Report
1	That By-Law Enforcement, Parking Enforcement and Animal Enforcement (managing the contracted service) be combined. The responsibility for parking planning and policies should remain within Traffic and Parking Services.	1
2	That the combined division be located within the Corporate & Legislative Services Department, which could be renamed "Municipal Law Enforcement".	2
3	That the combined division be led by a new management position to provide strategic direction and oversight.	3
4	That the combined division seek to negotiate a contract for a single afterhours answering service that can take calls for all aspects of the City operations that require after-hours service.	4
5	That one additional Property Standards Officer be hired. The current Supervisor position should focus on the new roles of supporting the Technical Agencies and developing approaches for the enforcement of the new and revised by-laws, and assist other Officers as required. (The Property Maintenance position in the consultant's recommendation was included in the 2023 Budget)	9
6	That the City Clerks Office should oversee the administration of (i.e., could include delegated authority) to process taxi and rideshare licenses and staff consider	13

	possible improvements to the Taxi By-law concerning the roles of various parties.	
7	That the City undertake the School Zone Safety Zone study proposal to include: the use of automated speed enforcement systems (e.g., photo radar, speed cameras); setting consistent rules for all school zones; designating specific areas for drop-off and pick-up locations; introducing educational tools and increasing parking / traffic enforcement.	19
Medium Term Objectives		
8	That technical expert divisions remain responsible for education and encouraging compliance with City By-laws, but the combined Municipal Law Enforcement Division be tasked with the lead for enforcement activities in consultation as required with the technical expert divisions.	5
9	That the AMPs concept be extended to the Property Standards By-law, the Property Maintenance By-law, the Disposal of Waste By-law and the Noise By-law (understanding that additional volume of AMPs activity may impact the Clerk's Office resource-wise in its AMPs support role).	6
10	That the Municipal Law Enforcement Division seek to recover its costs from penalties, fines and chargebacks to other departments when they are tasked with uneconomic support activities.	7
11	That the Municipal Law Enforcement Division continue to use both contracted and staff Enforcement Officers.	8
12	That the City continue a process to review regulatory By-laws and update them as required.	18

13	That staff proactively address illegal encampments including by monitoring and deploying enforcement resources as required.	20
14	That the Municipal Law Enforcement Division prepare a pamphlet periodically that summarizes key By-law requirements and publicize it widely.	23
Long Term Objectives		
15	That the Municipal Law Enforcement Division conduct pro-active enforcement of the Anti-Idling By-law.	10
16	That the Municipal Law Enforcement Division conduct pro-active enforcement of transit fare payment, using the contracted Parking Enforcement Officers.	11
17	That the City identify and evaluate potential suppliers of license plate reading technology.	12
18	That the Municipal Law Enforcement Division establish reasonable service levels for each enforcement activity required and start tracking these through AMANDA.	24
19	That the Municipal Law Enforcement Division train parking officers to handle noise complaints and refer noise complaints to the evening officers. Weekend evening shifts should be scheduled when required.	14
20	That staff report respecting a potential Light Pollution By-law.	15
21	That staff report respecting a by-law to regulate open fires under the FPPA.	16
22	That the City establish standards related to boulevards, parking, and bus shelters as outlined above.	17

23	That Municipal Law Enforcement Division staff receive adequate training and staff rotation options.	21
24	That the Municipal Law Enforcement Division provide uniforms and City vehicles to all By-law Enforcement Officers.	22

Summary

If the recommendations are approved, the Enforcement Services section will take the next major step in its evolution and become the full enforcement body under the Corporate & Legislative Services Department to enforce bylaws effectively and efficiently.

Submitted by,

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Commissioner of Infrastructure and Planning Services

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