

BY-LAW ENFORCEMENT

VALUE STATEMENT

I expect my by-laws to be enforced fairly to maintain acceptable standards and safety in my neighbourhood, and I expect that complaints will be resolved in a fair and timely manner.

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What is this Service?

By-law Enforcement Services help protect the public health, safety and property rights of citizens through timely, consistent and effective enforcement of by-laws.

The number and nature of municipal by-laws vary extensively throughout MBNCanada municipalities. MBNCanada benchmarks the following specified by-laws, which most of the single-tier MBNCanada municipalities have in common.

Objectives May Include:

- Yard maintenance
- Property standards
- Noise control
- Zoning enforcement
- Animal control

Influencing Factors:

- **Service Levels:** The service standards and by-laws set by municipal Councils.
- **Geography:** The total square kilometres and population density of the municipality.
- **Contracted Services:** Components may be contracted out or provided by municipal staff.
- **Systems:** The type and quality of systems used to track complaints, inspections and other data.
- **Inspections:** The extent and complexity of the inspections done by each municipality.
- **Response Time:** Response time is dependent on the standard set by the municipality and the nature of the complaint.
- **Enforcement:** Differing service delivery models and levels of proactive enforcement.
- **Community Demographics:** The age of housing and residents' ability to maintain property to required standards.

Additional Information:

For the purposes of this report, the term “specified” refers to yard maintenance, property standards, noise control and zoning enforcement by-laws.

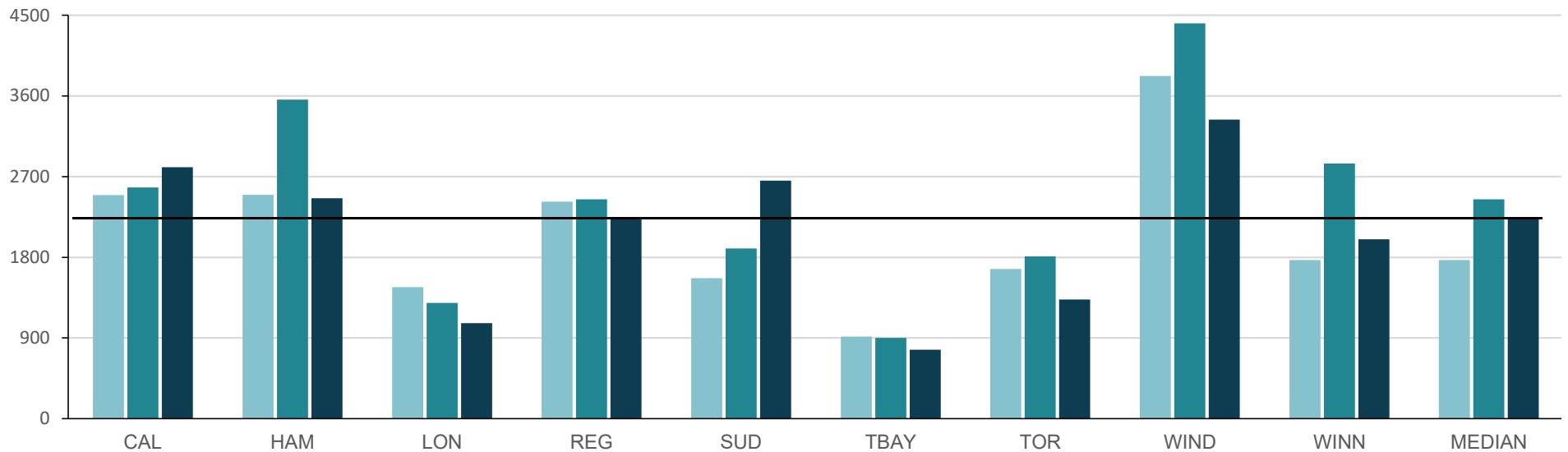
Extenuating Circumstances:

- **COVID-19 Pandemic:** Pandemic related changes to work/life patterns and locations (e.g., provincially mandated stay at home orders) impacted the type and volume of complaints received. Each municipality responded differently to provincial health orders, however, all had periods of redeployment of staff resulting in changes to the number and types of inspection and enforcement activities.

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Figure 3.1 Number of Noise, Property Standards, Yard Maintenance and Zoning By-Law Complaints per 100,000 Population

The measure includes reactive (citizen-initiated) and proactive (municipally-initiated) investigations logged.



Year	CAL	HAM	LON	REG	SUD	TBAY	TOR	WIND	WINN	MEDIAN
2018	2,494	2,496	1,468	2,422	1,567	915	1,670	3,823	1,770	1,770
2019	2,578	3,560	1,292	2,448	1,897	901	1,810	4,411	2,846	2,448
2020	2,805	2,458	1,066	2,233	2,655	769	1,328	3,335	2,000	2,233

Source: BYLW205 (Service Level)

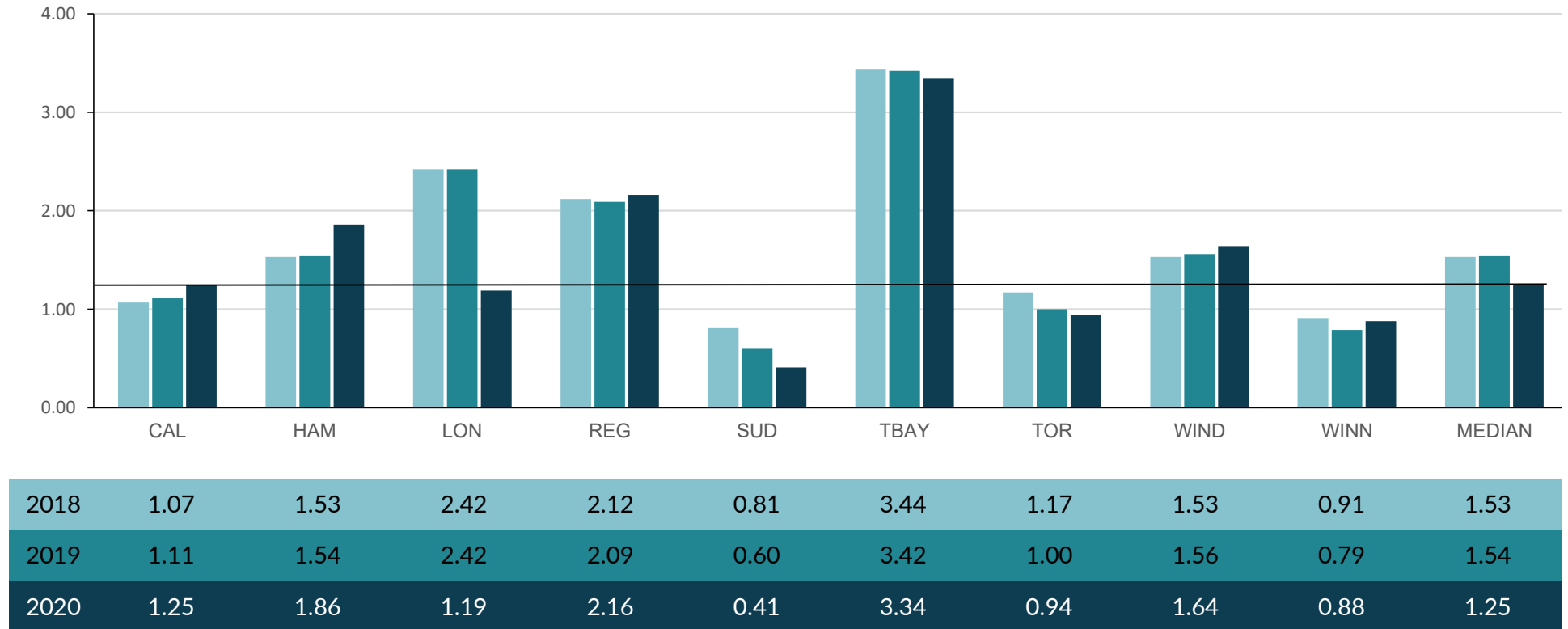
Sudbury: There was an increase in Property Standards and Yard Maintenance complaints.

Windsor: The City has traditionally seen a higher number of citizen complaints through the 311 call centre, which provides a number of ways in which citizens are able to register complaints.

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Figure 3.2 Number of Inspections per Noise, Property Standards, Yard Maintenance and Zoning By-Law Complaint

Inspections are used to verify the validity of a complaint and/or remedial actions taken. Lower results may be due to alternative methods of citizen interaction, e.g. sending a letter and/or calling a citizen.

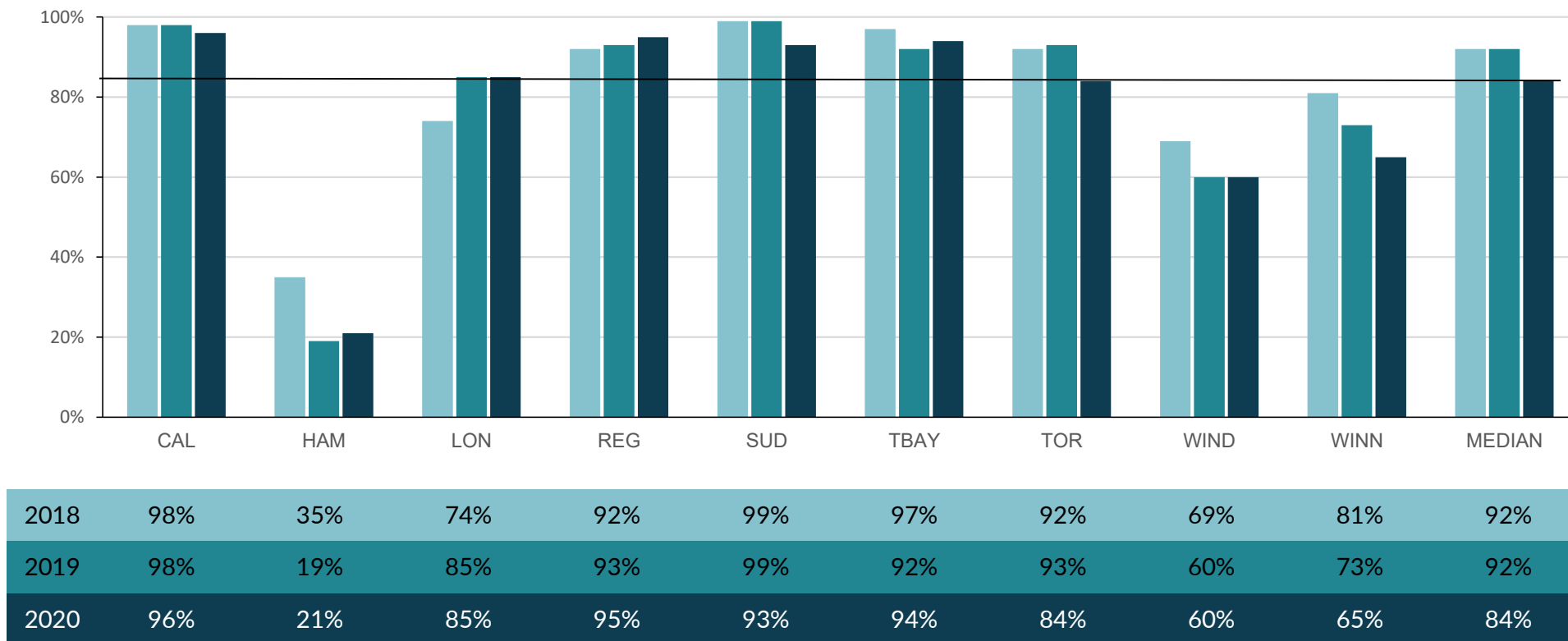


Source: BYLW226 (Service Level)

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Figure 3.3 Percent of Compliance to Noise, Property Standards, Yard Maintenance and Zoning By-Laws

Experts interpret compliance to mean no municipal action or prosecution required. If a contractor is hired by the City or court action is taken, this would be considered non-compliance.



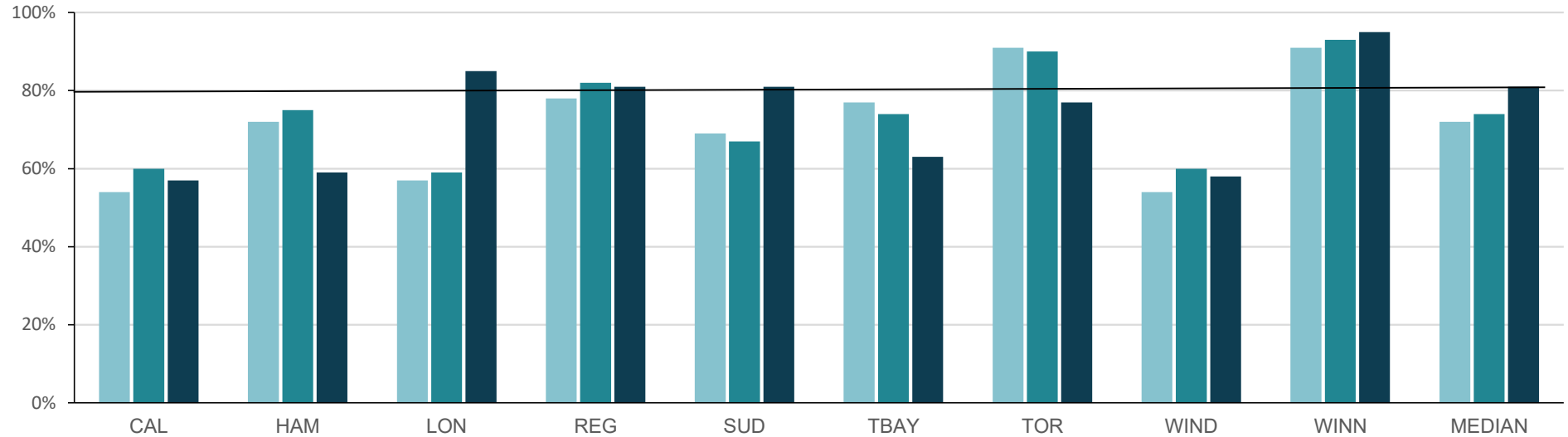
Source: BYLW120 (Community Impact)

Hamilton: A process change in mid 2018 has resulted in lower compliance. Officers are not re-issuing Orders for properties where there are repeat violations within the last 12 months. Repeat violations are issued an Administrative Penalty Notice. Fees for inspection are added to the property taxes and/or contractors are being sent to bring the property into compliance. This new procedure has affected our compliance as property owners are not given another chance to comply.

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Figure 3.4 Percent of All By-Law Complaints Represented by Noise, Property Standards, Yard Maintenance and Zoning By-Laws

A variety of by-laws govern various aspects within municipalities. This measure compares the proportion of overall complaints that are represented by noise, property standards, yard maintenance and zoning by-laws.



2018	54%	72%	57%	78%	69%	77%	91%	54%	91%	72%
2019	60%	75%	59%	82%	67%	74%	90%	60%	93%	74%
2020	57%	59%	85%	81%	81%	63%	77%	58%	95%	81%

Source: BYLW207 (Service Level)

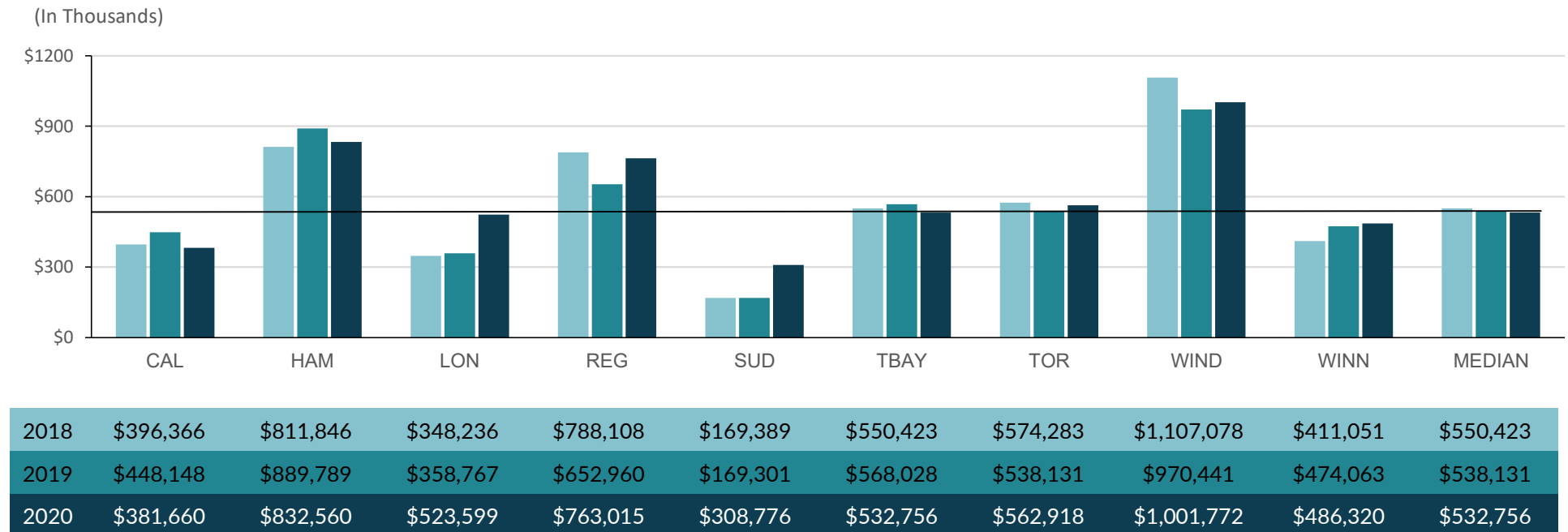
Calgary: The main driver of the variance in 2018 was due to the increase in total bylaw complaints related to snow and ice. Therefore, the proportion related to noise, property, yard and zoning decreased. 2019 saw a return to normal levels.

Windsor: The data reflects calls received by our 311 Call Centre from residents. Windsor is below the median as we have more by-laws than most of our comparators.

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Figure 3.5 Operating Cost of Enforcement for Noise, Property Standards, Yard Maintenance and Zoning By-Laws per 100,000 Population

This measure reports the operating costs relevant to the enforcement of noise, property standards, yard maintenance, and zoning by-laws. Municipalities have a variety of other by-laws which are not reflected in this measure.



Source: BYLW273 (Service Level)

Calgary: The main driver of the variance in 2018 was due to the increase in total by-law complaints related to snow and ice. Therefore, less officer time was dedicated to the enforcement of noise, property, yard and zoning by-laws.

Regina: Decrease in 2019 due to staffing level changes (i.e., resignations/retirements and LTDs).

Windsor: By-law operating costs increased in 2018 due to a temporary pilot program approved by Council to administer and enforce the clean up and repair of rental and vacant properties.

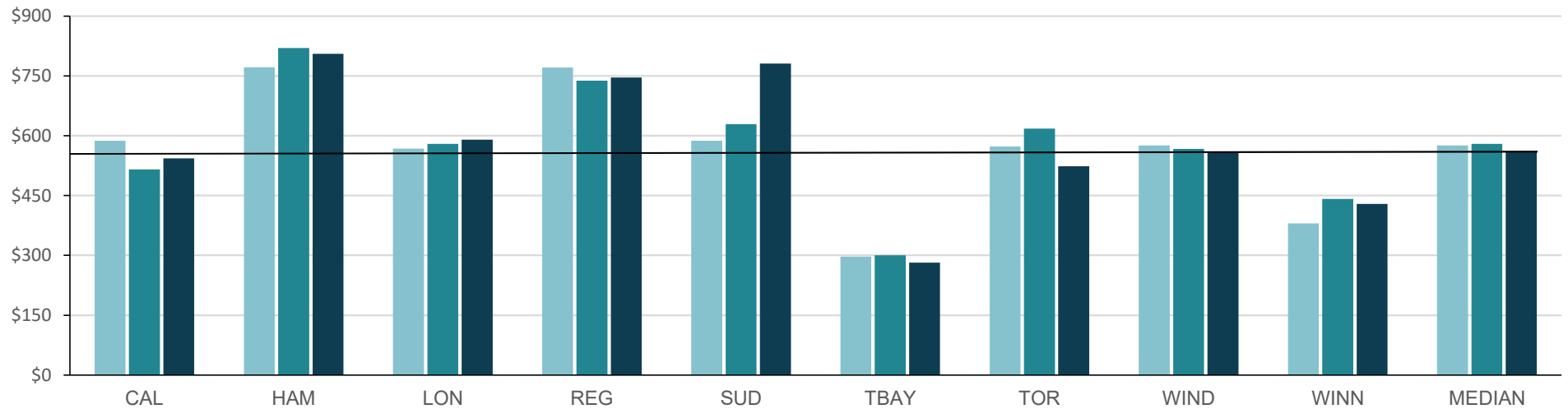
Winnipeg: There was an increase in staffing in 2019 for the Pilot Grass Remediation Program.

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Figure 3.6 Operating Cost of Enforcement for Animal Control By-Laws per 100,000 Population

This measure reports the operating costs to enforce animal control by-laws. The costs include animal shelters in some municipalities.

(In Thousands)



2018	\$587,792	\$771,879	\$567,650	\$770,877	\$587,824	\$296,849	\$573,261	\$575,338	\$379,879	\$575,338
2019	\$515,319	\$819,778	\$579,527	\$738,438	\$629,111	\$300,411	\$618,189	\$566,755	\$441,395	\$579,527
2020	\$543,150	\$805,312	\$590,060	\$745,849	\$780,994	\$281,757	\$523,501	\$558,632	\$428,723	\$558,632

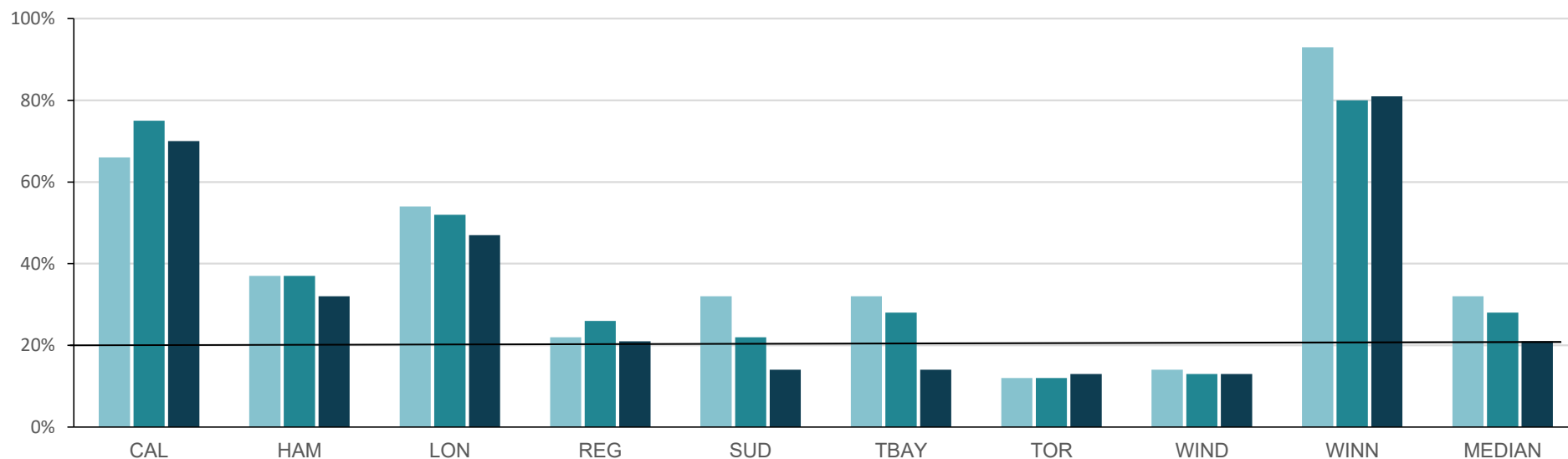
Source: BYLW275 (Service Level)

Winnipeg: In 2019, the Agency realized a normalization of its worker's compensation expense while the remaining variance is due to reduced vacancies and an increase in salaries and benefits.

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Figure 3.7 Percent of Recovery of Animal Control Costs

This measure reports the percentage of animal control operating costs that are recovered by user fees such as licensing and registration.



	CAL	HAM	LON	REG	SUD	TBAY	TOR	WIND	WINN	MEDIAN
2018	66%	37%	54%	22%	32%	32%	12%	14%	93%	32%
2019	75%	37%	52%	26%	22%	28%	12%	13%	80%	28%
2020	70%	32%	47%	21%	14%	14%	13%	13%	81%	21%

Source: BYLW318 (Efficiency)

Calgary: Increase in recovery in 2019 due to cost reduction related to an operational reorganization.

Regina: In 2019, there was an increase in animal licensing revenues.

Sudbury: In 2019, there was a combination of a 28% drop in revenues (mainly licensing fees) while expenses rose slightly.

Winnipeg: In 2019, the Agency realized a normalization of its worker's compensation expense while the remaining variance is due to reduced vacancies and an increase in salaries and benefits.