

Information Report



Service Area	Public Services
Date	Friday, June 9, 2023
Subject	By-law Review Update

Executive Summary

Purpose of Report

To update Council on the schedule of by-laws to be reviewed by the Corporate and Community Safety Division.

Key Findings

By-laws will be updated as per the attached schedule. Prior Council direction was to conduct one major by-law review at a time, with minor reviews being conducted as needed.

Strategic Plan Alignment

This work aligns with our Strategic Plan pillar Working Together for Our Future by maintaining the delivery of our core service and improving front-line customer service.

Financial Implications

By-law review and development is completed within current approved staffing and budget.

Report

Details

On April 17, 2008, a Committee report was presented to and subsequently passed by Council recommending the creation of a centralized by-law enforcement group. This centralized group of staff (By-law Compliance Officers) was created and at the time responsibility of several generic by-laws was transferred to these staff.

As part of this approach, reviews of by-laws were to be conducted. On October 2, 2008, an Information Report was presented to Council outlining the format staff undertake to discuss the philosophical approach to be taken in achieving by-law compliance with the questions to be completed with the administrative "owner" of each of the various by-laws being:

- What is the purpose of the by-law? (Reason for its implementation)
- Are the reasons for its implementation still relevant today?
- Are amendments required to the by-law? (Is the by-law still current?)

- Are there fees associated with the by-law? Are they set at an appropriate level?
- How are infractions currently managed? Should the approach be changed?
- Should infractions of the by-law be managed on a proactive or reactive basis?
- Are there any other agencies/departments involved with the enforcement of the by-law?
- If enforcement will be shared, to what extent will the By-law Compliance and Enforcement staff enforce this by-law?
- Estimated or actual number of calls received regarding infractions of the by-law (2006 to 2008 if available)
- Estimated or actual number of charges issued per year (2006 to 2008 if available)

The report also set out how by-laws would be reviewed noting that given the number, as major by-laws are reviewed or when several minor ones have been completed, the information garnered will be forwarded to Council for their information and consideration.

Since 2008, responsibility for enforcement of the majority of the City's by-laws has been transferred or in the event of a new by-law, they have been developed for the centralized By-law Compliance staff to address. Notwithstanding this transfer to the centralized group under our Corporate Community and Safety division, portions of the Zoning By-law and Environmental Protection are enforced by staff not within this area, and any related by-law reviews are updated by those departmental staff from within Infrastructure, Development and Enterprise Services

While these two reports set the framework for by-law reviews, over time further direction was given by Council to staff including the requirement to seek public engagement prior to reports being presented to Council. Another direction given to staff is to conduct a follow up one year following the implementation of a new by-law or an amendment to an existing one.

As the by-law review program progressed, Council began to identify by-laws or topics for reviews to take place. Some of these reviews were formally requested through motions, others were by informal requests. In addition, staff also began to note reviews to address more administrative needs.

Since 2008, staff have conducted a number of by-law or topic reviews including but not limited to: fire route designation and enforcement, accessible parking and enforcement, noise, motorcycle noise, discharge of firearms, nuisance parties, animal control, exotic animals, keeping of chickens, driver instructors, taxi licensing, tow truck operation, vehicles for hire, discharge and sale of fireworks, pay day loans, alcohol consumption within City parks, donation bins, newspaper boxes, second hand goods, food trucks, food vendors, temporary table sales, election signs, idling, and short term rentals.

Often, these by-law reviews raise interest for reviews in other areas or may often require a topic to be reviewed later, such as the roaming of cats, which was identified during the animal control review, or the need to follow up on the discharge of firearms due to residential growth.

While reports directing staff to make changes or create new by-laws have been approved, some of this work is still outstanding due to conflicting priorities for other by-law reviews and resource limits not only within By-law and Licensing, but in other departments such as Information Technology that provide program software support. These new requests, along with the requirement to follow up on some reviews and the impacts of resources have created a backlog of by-law reviews or amendments. Currently, there are some topics that have been on the work plan for an extended period of time, and the current backlog of requests is about four to six years.

Each year, staff look administratively at the work plans in the upcoming years to update the review list. Some topics that reviews have been requested for such as pesticide use, hookah pipe sales, or tow truck regulations may be cancelled or paused due to changes within Federal and/or Provincial regulations.

The attached list indicates the reviews currently underway or planned for the near future.

Financial Implications

By-law review and development is completed within current approved staffing and budget.

Consultations

None

Attachments

Attachment-1 Review Schedule for By-laws on the workplan for the Corporate and Community Safety division

Departmental Approval

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