

## **The Corporation of the Town of Niagara-on-the-Lake Information Report to Council**

**SUBJECT:** By-law Enforcement Metrics – September 2022  
**DATE:** 2022-12-13  
**REPORT #:** CS-22-043  
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**DEPARTMENT:** Corporate Services

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### **BACKGROUND INFORMATION**

The purpose of this report is to inform Council of By-law Enforcement metrics for the Town of Niagara-on-the-Lake during September 2022.

By-law Enforcement is part of the Clerks and Legislative Services Division and is responsible for investigating and resolving By-law violation complaints. The Municipal Act, 2001 allows municipalities to pass By-laws to regulate many areas affecting health, safety, and the enjoyment of property. In August 2021, Council approved Report No. CDS-21-022 regarding the required amendments to the Town's By-laws to allow for the implementation of the Administrative Monetary Penalty System (AMPS). AMPS provides the municipality with a means to encourage compliance and efficiently deter non-compliance. The Administrative Monetary Penalty System became active in Niagara-on-the-Lake on September 7, 2021. At that time, Staff committed to providing regular enforcement metrics.

The By-laws enforced through AMPS include: Animal Care & Control (By-law 4512-11), Clean Yards (By-law 5190-19), Fences (By-law 4778-14), Fireworks Sale of and Use (By-law 5172-19), Noise (By-law 4588-12), Nuisance (By-law 4397-10), Parks (By-law 5306-21), Property Standards (By-law 5192-19), Sign (By-law 4586-12), Site Alteration (By-law 3941-05), Short Term Rental (By-law 4634-13), Swimming Pool (By-law 5155-19), Private Trees (By-law 4571-12), and Public Trees (By-law 5139-19).

### **By-law Enforcement Metrics for September 2022**

By-law Enforcement metrics for the Town of Niagara-on-the-Lake between **September 1 and September 30, 2022**, are attached as **Appendix I**.

In **September 2022**, Town Staff undertook **36** Municipal Law Enforcement (MLE) investigations compared to **63** in **September 2021**. A reason for the sharp decrease in investigations is

because in **September 2021**, a full-time Short-Term Rental Officer was able to solely focus on gaining compliance of Short-Term Rental violations.

By-law Enforcement Staff were able to meet the daily requirements of the municipality and build upon the significant progress made on some of the Town's recent enforcement initiatives. There were **11** AMPS tickets issued by Town Staff in September 2022.

Additional information related to the core enforcement areas is provided below.

**Parking** - There were **1868** parking penalties issued in September 2022. This is similar to the amount of parking infractions in September 2021. The number of tickets reflects tourist traffic in the Town, with many violations occurring in Old Town during weekends. Parking tickets were issued by seasonal and full-time Parking Enforcement Officers. There will continue to be a proactive approach to parking violations in addition to responding to parking complaints.

**Short Term Rental (STR)** - Throughout September, By-law Staff focused on achieving compliance within the Short-Term Rental (STR) By-law. Building on the progress from previous months, Staff continued to gain compliance by taking a proactive approach. Compliance through education is By-law Enforcement's first step, followed by enforcement through penalties if compliance isn't achieved voluntarily.

There were no AMPS tickets in September for Short Term Rental non-compliance; any noted infractions were dealt with via an educational approach. As non-compliance numbers can change daily, By-law Staff anticipates that the number of non-compliant operators will be maintained in the range of 0 to 10 at any given time. STR compliance remains an area of high priority within the By-law division.

**Summary** - The table below provides a monthly summary of the Service Requests directly related to the By-law Enforcement Division, including a comparison to the previous year.

Town of Niagara-on-the-Lake By-law Data for September 2022		
	September 2022	September 2021
Parking Penalty Notices Issued	1868	1963
Screenings for Parking Notices	32	26
Special Enforcement Area Penalties Issued*	13	9
By-law MLE Investigations	36	63
Property Standards Investigations**	12	17
Tree Permit Exemptions	16	16
Tree Permits Issued	6	3
Tree Permit Denials	0	0
Tree Investigations	2	2
Tree By-law Penalties Issued	2	0
Short Term Rental Investigations	8	33
Short Term Rental Penalties Issued	0	22
Other By-law Penalties Issued	9	0
Total AMPS Penalties Issued	11	22
Town of Niagara-on-the-Lake Overall By-law Data for 2022		
<b>Total AMPS Penalties Issued in 2022</b>	<b>72</b>	
Total Short Term Rental Penalties Issued in 2022	12	
Total Tree By-law Penalties Issued in 2022	14	
Total Other By-law Penalties Issued in 2022	46	

\* Special Enforcement Area increased fines are in place from March 15th to November 15th in accordance with the By-law. (SEA Officer began July 27, 2021)

\*\* Property Standards Investigations include Property Standards, Long Grass, and Clean Yards

## NEXT STEP / CONCLUSION

The Town's By-law Enforcement Section will continue to provide a monthly update to Council regarding the By-law metrics.

## ATTACHMENTS

- **Appendix I** – By-law Metrics Infographic for September 2022