

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

SUBJECT: By-law Enforcement Metrics – October 2022
DATE: 2022-12-13
REPORT #: CS-22-038
PREPARED BY: Erin Montanaro
DEPARTMENT: Corporate Services

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 October 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 provided 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 included: 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), Swimming Pool (By-law 5155-19), Private Trees (By-law 4571-*12), and Public Trees (By-law 5139-19).

By-law Enforcement Metrics for October 2022

By-law Enforcement metrics for the Town of Niagara-on-the-Lake between October 1 and October 31, 2022, are attached as **Appendix I**.

In October 2022, there was a decrease in the number of by-law investigations. Staff undertook **18** Municipal Law Enforcement (MLE) investigations. Town Staff also issued **5** AMPS Tickets in

October. By-law Enforcement Staff were able to meet the daily requirements of the municipality and build upon the progress made on some of the Town's recent enforcement initiatives.

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

Parking - There were **1909** parking penalties issued, representing a 29.86% increase in the number of tickets compared to October 2021. Parking tickets were issued by seasonal and full-time Parking Enforcement Officers. Staff will continue to issue parking tickets proactively, in addition to responding to complaints.

Short Term Rental (STR) - Throughout October, 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. Staff will take an educational approach as a first step in achieving compliance, followed by enforcement through penalties should compliance not become achieved voluntarily.

There were **5** AMPS fines issued for the month of October for short term rental non-compliance. As non-compliant numbers can change daily, By-law Staff anticipate 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 Request 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 October 2022		
	October 2022	October 2021
Parking Penalty Notices Issued	1909	1470
Screenings for Parking Notices	33	13
Special Enforcement Area Penalties Issued *	8	7
By-law MLE Investigations	18	26
Property Standards Investigations **	1	4
Tree Permit Exemptions	3	20
Tree Permit Issued	1	2
Tree Permit Denials	0	2
Tree Investigations	2	3
Tree By-law Penalties Issued	0	0
Short Term Rental Investigations	5	27
Short Term Rental Penalties Issued	0	0
Other By-law Penalties Issued	0	0
Total AMPS Penalties Issued	5	10
Town of Niagara on the Lake Overall By-law Data for 2022		
Total AMPS Penalties Issued in 2022		77
Total Short Term Rental AMPS Penalties Issued in 2022		18
Total Tree By-law AMPS Penalties Issued in 2022		15
Total Other By-law AMPS Penalties Issued in 2022		44

**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*

Attached as **Appendix I** is the By-Law Metrics Infographic for October 2022.

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 October 2022