

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

SUBJECT: By-law Enforcement Metrics – April 2023
DATE: 2023-05-16
REPORT #: FES-23-005
PREPARED BY: Erin Montanaro
DEPARTMENT: Fire & Emergency Services

BACKGROUND INFORMATION

This report aims to inform Council of By-law Enforcement metrics for the Town of Niagara-on-the-Lake during April 2023.

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 necessary amendments to the Town's by-laws to allow for implementing 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), Short Term Rentals (By-law 4634-13), Sign (By-law 4586-12), Site Alteration (By-law 3941-05), Swimming Pool (By-law 5155-19), Private Trees (By-law 4571-12), and Public Trees (By-law 5139-19).

By-law Enforcement Metrics for April 2023

By-law Enforcement metrics for the Town of Niagara-on-the-Lake between **April 1 and April 30, 2023**, are attached as **Appendix I**.

In April 2023, there was a decrease in the number of by-law investigations. Staff undertook **12** Municipal Law Enforcement (MLE) investigations and **2** Property Standards Investigations. Town Staff issued **1** AMPS ticket in April.

By-law Enforcement Staff was 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.

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

Parking – There were **1256** parking penalties issued, representing a 16.83% increase in the number of tickets compared to April 2022. Seasonal and full-time Parking Enforcement Officers issued parking tickets. Staff will continue to issue parking tickets proactively and respond to complaints.

Short-Term Rental (STR) – Throughout April, By-law staff focused on achieving compliance with 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 be achieved voluntarily.

STR compliance remains an area of high priority within the By-law division. There was 1 AMPS ticket issued in April for Short Term Rental non-compliance. As non-compliance numbers can change daily, By-law staff anticipates non-compliant operators will be maintained at 0 to 10 at any given time.

Summary – The table below provides a monthly overview 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 April 2023		
	April 2022	April 2023
Parking Penalty Notices Issued	1075	1256
Screenings for Parking Notices	9	18
Special Enforcement Area Penalties Issued*	0	0
By-law MLE Investigations	18	12
Property Standards Investigations**	9	2
Tree Permit Exemptions	11	8
Tree Permits Issued	3	4
Tree Permit Denials	0	0
Tree Investigations	0	1
Tree By-law Penalties Issued	0	0
Short-Term Rental Investigations	5	7
Short-Term Rental Penalties Issued	4	1
Other By-law Penalties Issued	0	0
Total AMPS Penalties Issued	4	1

Town of Niagara-on-the-Lake Overall By-law Data for 2023	
Total AMPS Penalties Issued in 2023	6
Total Short Term Rental Penalties Issued in 2023	6
Total Tree By-law Penalties Issued in 2023	0
Total Other By-law Penalties Issued in 2023	0

** 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 April 2023.

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 April 2023