

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

SUBJECT: By-Law Enforcement Metrics - December 2023

DATE: 2024-03-26

REPORT #: FES-24-002

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BACKGROUND INFORMATION

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

By-law Enforcement is part of the Fire and Emergency 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 December 2023

By-law Enforcement metrics for the Town of Niagara-on-the-Lake between **December 1 and December 31, 2023**, are attached as **Appendix I**.

In December 2023, there was an increase in the number of by-law investigations compared to December 2022. Staff undertook **4** Municipal Law Enforcement (MLE) investigations and **4** Property Standards Investigations. Town Staff issued **14** AMPS tickets in December.

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.

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

Parking – There were **312** parking penalties issued, representing a 11.61% decrease in the number of tickets compared to December 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 December, 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 were **14** AMPS tickets issued in December 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 December 2023		
	December 2022	December 2023
Parking Penalty Notices Issued	353	312
Screenings for Parking Notices	30	0
Special Enforcement Area Penalties Issued*	0	0
By-law MLE Investigations	1	4
Property Standards Investigations**	5	4
Tree Permit Exemptions	5	10
Tree Permits Issued	0	1
Tree Permit Denials	0	0
Tree Investigations	2	0
Tree By-law Penalties Issued	0	0
Short-Term Rental Investigations	4	2
Short-Term Rental Penalties Issued	1	14
Other By-law Penalties Issued	1	0
Total AMPS Penalties Issued	2	14

Town of Niagara-on-the-Lake Overall By-law Data for 2023	
Total AMPS Penalties Issued in 2023	68
Total Short-Term Rental Penalties Issued in 2023	57
Total Tree By-law Penalties Issued in 2023	0
Total Other By-law Penalties Issued in 2023	11

* *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 December 2023.

NEXT STEP / CONCLUSION

The Town's By-Law Enforcement Department will be changing the process in how we provide by-law statistics on a monthly and annual basis. Starting in January of 2024, the By-Law Enforcement Department will be adding monthly By-Law statistics to the Town's By-Law Enforcement webpage that will capture the same information as provided in the monthly By-law Enforcement Metrics from previous years. On an annual basis, the Town's By-Law Enforcement Department will be submitting a By-Law Enforcement Metrics to Council that will capture all statistics for the calendar year. This report will be submitted within the first quarter of the new calendar year.

ATTACHMENTS

- **Appendix I** – By-law Metrics Infographic for December 2023