

NO: R169

COUNCIL DATE: **July 25, 2016**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 14, 2016**

FROM: **Manager, Bylaw Enforcement and Licensing Services**

FILE: **4000-01**

SUBJECT: **Bylaw Enforcement Activities Report for 2nd Quarter of 2016**

RECOMMENDATION

The Bylaw Enforcement and Licensing Division recommend that Council receive this report as information.

BACKGROUND

Council has requested that staff forward to Council on a regular basis a report on the activities of the Bylaw Enforcement Division. Staff will be providing such a report to Council quarterly.

DISCUSSION

The following tables summarize the Bylaw prosecution and civil enforcement work associated with the Bylaw Enforcement and Legal Services Divisions for the period from April 1, 2016 to June 30, 2016.

Prosecutions & Civil Enforcement – New Files	No. of Files
Zoning Bylaw Violations	7
Business License Bylaw Violations	4
Parks Bylaw Violations	1
Dog Responsibility Bylaw Violations	3
Noise Control Bylaw Violations	1
Smoking Bylaw Violations	1
TOTALS	17

Prosecutions – Action Completed	No. of Files
Parks Bylaw Violations	8
Dog Responsibility Bylaw Violations	6
Tree Protection Bylaw Violations	2
Zoning Bylaw Violations	2
Fireworks Bylaw Violations	1
TOTALS	19

Enforcement Pending Files – Conviction or Other Order Not Yet Obtained or Order Not Yet Complied With	Current Reporting Period	Previous Reporting Period	Percentage Change
Zoning Bylaw Violations	18	13	+38%
Building Bylaw Violations	193	193	0%
Noise Control Bylaw Violations	7	7	0%
Tree Protection Bylaw Violations	41	43	-5%
Business License Bylaw Violations	14	10	+40%
Parks Bylaw Violations	38	45	-15%
Dog Responsibility Bylaw Violations	24	27	-11%
Property Maintenance and Unsightly Bylaw Violations	4	4	0%
Smoking Bylaw Violations	8	7	+14%
Fireworks Bylaw Violations	4	5	-20%
Conservation Violations (Soil, Erosion, Sediment Control)	8	8	0%
TOTALS	359	362	-.8%

The above tables indicate that 5% of new and existing files were completed during the quarter.

Summary Explanation of Bylaw Infractions by Category:

Zoning Bylaw Investigations – Investigations relating to the use of property as regulated by the Zoning Bylaw. Typical investigations include such things as the parking of overweight vehicles on residential property, truck parking in agricultural areas, storage of wrecked vehicles, the unauthorized keeping of animals (chickens, horses, cows), etc.

Building Bylaw Investigations – Investigations relating to construction that has taken place without a building permit as required by the Building Bylaw. Typical investigations include the unlawful enclosure of decks and open carports and patios to create additional living space. Often this unauthorized construction results in zoning violations for exceeding maximum density or encroachment into required setbacks. Please note that these files are listed under the Building Bylaw Violations category and not the Zoning Bylaw Violations category, even when there are zoning issues, so that files are not counted twice.

Business License Bylaw Investigations – Investigations relating to businesses located in the City. These investigations include such things as following up on safety inspections performed as part of the business license application process, ensuring that businesses are following Zoning, Building and Business License regulations in the operation of their business, etc.

Tree Protection Investigations – Bylaw Enforcement staff assists the Trees and Landscaping Section staff in the administration of the Tree Preservation Bylaw, by gathering evidence and drafting charges against those who contravene the Bylaw.

Dog Responsibility Bylaw Investigations – Investigations into animal control files related to dogs at large, dangerous dogs, dog bites/attacks, collecting stray animals, etc.

Fireworks Bylaw Investigations – Investigations related to sale and use of fireworks prohibited by the Fireworks Bylaw.

Conservation Investigations – Investigations related to construction sites and agricultural properties to ensure regulations for soil deposit or removal, erosion and sediment control and water protection are being followed.

Noise Control Investigations – Investigations related to various types of nuisance noise in the City (e.g. construction when not permitted, barking dogs, loud music, etc.).

Public Health (Smoking) Investigations – Investigations related to complaints of smoking in public places where smoking is prohibited by Bylaw.

Graffiti, Property Maintenance and Unsightly Premises Investigations – Investigations related to the Property Maintenance and Unsightly Property Bylaw. Bylaw Enforcement Officers work with owners to have problem properties cleaned up; if no voluntary compliance is gained, the City may enter onto the property to effect the clean up and invoice the property owner.

Parks Bylaw Violations – Investigations related to unauthorized use of parks as regulated by the Parks Regulation Bylaw.

The following tables summarize the new investigation files and the files for which voluntary compliance related to bylaw infractions has been achieved for the period from April 1, 2016 to June 30, 2016.

Quarter 2 – 2016

Investigation Intake by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	267	95	85	74	95	532	1,148
Guildford	79	24	26	46	38	104	317
Fleetwood	83	34	46	20	38	111	332
Newton	159	92	109	201	74	401	1,036
Cloverdale	92	31	50	62	62	156	453
South Surrey	148	32	28	74	76	309	667
Totals	828	308	344	477	383	1,613	3,953

Investigations Concluded by Voluntarily Compliance by Town Centre

The investigations include a carry over from the last quarter that were not concluded during that time period.

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	234	112	83	61	76	515	1081
Guildford	63	42	27	34	34	93	293
Fleetwood	85	41	53	18	36	114	347
Newton	159	75	109	211	70	406	1,030
Cloverdale	70	32	61	54	63	153	433
South Surrey	135	29	33	53	70	296	616
Totals	746	331	366	431	349	1,577	3,800

The Investigative Tables demonstrate a high degree of voluntarily compliance with Bylaw Enforcement staff direction. The percentage of voluntary compliance versus new investigative file intake was 96% in the second quarter of 2016 and 93% in the first quarter of 2016.

The Table below provides the inventory of continuing investigations in progress.

Investigations In Progress by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	181	101	38	185	39	82	626
Guildford	52	34	7	143	11	40	287
Fleetwood	38	27	19	38	17	23	162
Newton	124	85	33	593	33	75	943
Cloverdale	69	28	25	168	26	44	360
South Surrey	81	44	12	152	25	66	380
Totals	545	319	134	1,279	151	330	2,758

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	14,390	6,725	716	4,707	365	1,877
Commercial Vehicle Enforcement	257	66	34	151	6	0

The 4,707 parking tickets that are in outstanding status are tickets where no payment or dispute has been received as of the date of this report. Tickets that are unpaid after 150 days are sent to a collection agency.

Only 5% of parking tickets issued were disputed.

The following table summarizes the number of secondary suites that are registered on the City's tax rolls for the period of January 1, 2016 to March 31, 2016.

Date	April 1, 2016	June 30, 2016
Registered Secondary Suites	26,396 (secondary suites) 1,081 (coach houses)	26,435 (secondary suites) 1,082 (coach houses)

CONCLUSION

The Bylaw Enforcement Section continues to receive a significant number of new investigation files with a diverse range in subject matter. Staff continue to work with its residents and business owners to effectively resolve many complaints and, where necessary, forward matters to the Legal Services Division to address by way of prosecution or civil enforcement.

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