

NO: R238

COUNCIL DATE: **November 7, 2016**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **October 27, 2016**

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

FILE: **4000-01**

SUBJECT: **Bylaw Enforcement Activities Report for 3rd 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 July 1, 2016 to September 30, 2016.

Prosecutions & Civil Enforcement – New Files	Current Reporting Period	Previous Reporting Period	Percentage Change
Zoning Bylaw Violations	11	7	+57%
Business License Bylaw Violations	3	4	-25%
Parks Bylaw Violations	9	1	+800%
Dog Responsibility Bylaw Violations	6	3	+100%
Tree Protection Bylaw Violations	3	0	N/A
Noise Control Bylaw Violations	2	1	+100%
Smoking Bylaw Violations	3	1	+200%
Conservation Violations (Soil, Erosion, Sediment Control)	1	0	N/A
Property Maintenance and Unsightly Bylaw Violations	2	0	N/A
TOTALS	40	17	+135%

Prosecutions – Action Completed	Current Reporting Period	Previous Reporting Period	Percentage Change
Parks Bylaw Violations	3	8	-62%
Dog Responsibility Bylaw Violations	7	6	+17%
Tree Protection Bylaw Violations	3	2	+50%
Business License Bylaw Violations	1	0	N/A
Zoning Bylaw Violations	4	2	+100%
Conservation Violations (Soil, Erosion, Sediment Control)	2	0	N/A
Fireworks Bylaw Violations	1	1	0%
TOTALS	21	19	+10%

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	23	18	+28%
Building Bylaw Violations	193	193	0%
Noise Control Bylaw Violations	9	7	+28%
Tree Protection Bylaw Violations	41	41	0%
Business License Bylaw Violations	16	14	+14%
Parks Bylaw Violations	44	38	+16%
Dog Responsibility Bylaw Violations	23	24	-4%
Property Maintenance and Unsightly Bylaw Violations	6	4	+50%
Smoking Bylaw Violations	11	8	+37%
Fireworks Bylaw Violations	3	4	-25%
Conservation Violations (Soil, Erosion, Sediment Control)	7	8	+12%
TOTALS	376	359	+4%

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 July 1, 2016 to September 30, 2016.

Quarter 3 – 2016

Investigation Intake by Town Centre

Town Centre	Property Maintenance	Property Use	Secondary Suites	Business Licensing	Noise	Other	Total
City Centre	234	91	61	68	105	629	1188
Guildford	78	27	20	47	33	124	329
Fleetwood	69	35	38	15	67	137	361
Newton	182	82	62	177	122	475	1100
Cloverdale	100	21	29	64	91	196	501
South Surrey	127	32	36	41	96	403	735
Totals	790	288	246	412	514	1964	4214

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	198	99	62	43	123	631	1156
Guildford	85	31	22	29	35	131	333
Fleetwood	65	32	41	8	56	135	337
Newton	144	95	80	113	105	469	1006
Cloverdale	100	25	36	36	80	187	464
South Surrey	107	33	31	39	93	375	678
Totals	699	315	272	268	492	1928	3974

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 94% in the third quarter of 2016, 96% in the second quarter 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	165	85	31	201	30	66	578
Guildford	29	27	6	154	8	30	254
Fleetwood	32	31	14	40	24	22	163
Newton	126	93	26	637	41	62	985
Cloverdale	67	27	22	182	37	56	391
South Surrey	80	43	16	147	30	87	403
Totals	499	306	115	1361	170	323	2774

Type	Tickets Issued	Paid	Disputed	Outstanding	Cancelled	Warnings
Parking Enforcement	15285	6843	731	5081	457	2173
Commercial Vehicle Enforcement	329	118	34	168	9	0

The 5,081 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 July 1, 2016 to September 30, 2016.

Date	July 1, 2016	September 30, 2016
Registered Secondary Suites	26,456 (secondary suites)	26,606 (secondary suites)
	1,082 (coach houses)	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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JR/mm