



## REPORT

### Council

**Meeting Date: June 21, 2021**

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**FROM:** Municipal Enforcement Services Department

**DATE:** June 8, 2021

**SUBJECT:** **Administrative Penalties for Non-Parking Violations - By-law 2021-099, a By-law to amend By-law 2021-038**

**LOCATION:**

**WARD:** Town-wide Page 1

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#### **RECOMMENDATION:**

That By-law 2021-099, a By-law to amend By-law 2021-038 (Administrative Penalties for Non-Parking Violations and Orders), be passed.

#### **KEY FACTS:**

The following are key points for consideration with respect to this report:

- Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 (the "AP By-law") regulates the issuance and service of penalty notices and orders for non-parking matters for several town by-laws
- The town has designated the by-laws to which the AP By-law applies
- Enforcement Officers who find or have any reasonable cause to believe that a person has contravened any provision of a designated by-law may issue a penalty notice to that person
- Enforcement Officers may issue written orders under a designated by-law requiring a person who has contravened the designated by-law to do work to correct the contravention
- By-law 2021-038 is being amended to:
  - Allow for the service of a penalty notice or an order by posting a copy in a conspicuous place at the person's last known address
- Service of a penalty notice or an order by posting a copy at a person's last known address was a power that was contained in several designated by-laws prior to the consolidation of the administration of the administrative penalty process in by-law 2021-038. The proposed amendment is to

reinstate this authority in the Administrative Penalty for Non-Parking Violations and Orders by-law.

**BACKGROUND:**

Enforcement Officers have, among other things, the ability to issue penalty notices and orders to persons contravening designated by-laws. Penalty notices require that the person contravening the by-law pay an administrative penalty and orders provide documented information to the person such as the nature of the contravention, ways to remedy the contravention and timelines under which to comply. The AP By-law regulates the issuance and service of penalty notices and orders under designated by-laws.

This by-law amendment is being submitted as a proactive initiative by staff to reinstate and standardize service by adding the option of service by way of posting at the last known address.

**COMMENT/OPTIONS:**

The AP By-law currently provides for the service of penalty notices and orders on persons contravening a designated by-law by the following methods:

- Mail
- Fax
- Email
- In person

By-law 2021-099, attached to this report as Appendix A, adds an additional method of service as follows:

- Posting of a copy of the order in a conspicuous place at the person's last known address

This additional option for service of penalty notices and orders will provide Enforcement Officers with the ability to choose the most effective method of service specific to each case.

**CONSIDERATIONS:**

**(A) PUBLIC**

Public notice was not required in relation to this amendment.

**(B) FINANCIAL**

There is no financial impact associated with the proposed amendment.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The by-law, as amended, provides additional authority to enforcement personnel to pursue matters of non-compliance.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Provide outstanding service to our residents and businesses

**(E) CLIMATE CHANGE/ACTION**

N/A

**APPENDICES:**

Appendix A - By-law 2021-099, a By-law to amend By-law 2021-038 (Administrative Penalties for Non-Parking Violations and Orders)

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