



**To:** Mayor Evans and Members of Council

**From:** Steve Harvey, Chief Municipal Law Enforcement Officer  
By-law Department  
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By-law Department

**Report Number:** MLE-004-23

**Meeting Date:** 26 Apr 2023

**Subject:** **By-law 1st Quarter Activity Report for 2023 (January 1- March 31)**  
Our File No:

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### Recommendation

THAT MLE-004-23 regarding By-law 1st Quarter Activity be received as information.

### Background/Analysis

#### By-law Occurrences for the 1st Quarter

Type of Occurrence	Number of Occurrences		
	2021	2022	2023
Short Term Rentals	0	0	56
Noise	13	2	10
Clean Yards	4	12	10
Parking	5	7	9
Zoning	9	6	8
No By-Law	4	3	5
Questions	0	0	4
Property Standards	2	2	2
Burning	3	3	2
Dog	8	3	2
Fireworks	3	3	1
COVID-19	10	2	0
Sign	4	2	0
Dumping Snow	5	2	0
Encroachment	0	1	0
Miscellaneous	14	11	0
<b>TOTAL for 1st Quarter</b>	<b>84</b>	<b>59</b>	<b>109</b>

NOTE: An “occurrence is when a Municipal Law Enforcement Officer Responds to any complaint (Whether it is determined that a by-law violation has occurred or not), or when doing pro-active enforcement and a violation of a by-law has occurred.

From 2022 to 2023 the complaints have increased over the 1st quarter time period. Staff analyzed the differences and would draw the following conclusions.

1. Short-Term Rentals: Of the 109 complaints received during the first quarter, 56 complaints were related to Short-Term Rentals.
- The Short-Term Licensing program required three dedicated positions which commenced work as follows:
  - Carter Forget, Fire Prevention Inspector (December 5, 2022)
  - Jonathan Filice, Junior Building Official (January 9, 2023)
  - Cayla Nelson, Licensing Officer (February 20, 2023)
- Upon their arrival, they each underwent the necessary corporate training and job-specific training on the complexities of their new roles.
- On February 16, 2023, 128 letters were mailed to Short-Term Rentals that were not yet licensed. This letter was sent by the By-law Department to all identified property owner's at their home mailing addresses as shown in our municipal database. After the letter was sent our department received 19 applications between the dates of February 17th, 2023 and March 31st, 2023.
- On April 3, 2023, an email was sent to all Short-Term Rental Applicants regarding two topics:
  1. That those that have applied for a licence can continue to accept bookings or operate while their Application is under review as long as they continue to follow the rules set out in By-law 22-017, as amended; and
  2. That, as required by Section 6.6 of the By-Law: *a Licensee must ensure that any listing, advertisement, etc. of the Premises include the corresponding Licence number issued by the Township. (ex. STR-2023-XXX)*. Aside from being a by-law requirement, it is also an indication to those interested in visiting your property that applicants have completed or moving towards the rules and safety standards set out in the by-law. Additionally, this avoids any concerns that a listing could be pulled or suspended by a Short-Term Rental company for not having a permit or licence registration number.
- Nine (9) properties throughout the Township have been implicated in charges. Each property owner was issued a summons due to failing to comply with a Work Order. Please see the Charges section for a further breakdown.
- As of March 31st, 2023, the Township had received a total of 249 Short-Term Rental Applications submitted, with 51 spots remaining available.
- The By-Law Department is actively working on a waitlist function that is in the final stages of being engineered. This will be utilized once we have reached 300 applications. There will be an annual fee of \$150.00 per year to maintain the applicants position on the waitlist.

The below table breaks down the complaints received and details between January 1st to March 31st as follows:

Type of complaint	Number of complaints received	Number of Work Orders issued (OPEN)	Number of Work Orders issued (Licenced/ad removed)	No Violation	Charges issued	Open Files
Unlicenced Property	38	2	5	7	16	6
Websites displaying increased Occupancy Limits	9	0	0	2	7	0
Operating over Occupancy Limits	4	0	0	0	3	1
Noise and Loud voices concerns	4	0	0	0	1	3
Renting without 6 day gap between rentals	1	0	0	0	1	0
<b>TOTAL</b>	<b>56*</b>	<b>2</b>	<b>5</b>	<b>9</b>	<b>28</b>	<b>10</b>

\*Out of the 56 complaints, 27 of those were related to the same property.

The Table below breaks down the Demerit Points that have been issued to 9 premises.

Demerit Issued	Number of points	Number of properties issued points	Total number of points issued
Operating without a licence (section 4.1)	3	9	27
Violation of By-Law (section 4.3)	2	9	18
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>45</b>

2. Parking: In 2023 the Parking occurrences increased by two (2) when compared by 2022. Staff analyzed the increase in complaint and concluded that due to several heavy snowfalls, additional complaints were placed regarding vehicles interfering with snow clearing.

## Charges

The following chart reflects the number of charges issued by the By-law Department over this period.

By-law & Type of Occurrence	Number of Charges		
	2021	2022	2023
<b>BURNING - Fail to obtain a burning permit</b>	0	1	0
<b>STR - Disobey an order</b>	0	0	9
<b>STR - Operate without Licence</b>	0	0	9
<b>STR - Advertise without a licence</b>	0	0	9
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>9*</b>

\* A total of 9 properties were charged with a total of 17 defendants. The applicable summons were served through various provincially approved methods of service. All defendants are scheduled for a first appearance court date on May 4th, 2023 at 9:00am.

## Parking Tickets Issued

MONTH	2021	2022	2023
<b>January</b>	1	0	2
<b>February</b>	1	1	0
<b>March</b>	0	0	0
<b>TOTAL:</b>	<b>2</b>	<b>1</b>	<b>2</b>

## Activities During This Period

### Seasonal Staff – Shift Supervisors, Officers, and Administrative Assistants

The recruitment drive for these positions was advertised in the local paper, posted on the Township website, Indeed and posted on the Municipal Law Enforcement Officer Association website. The Township received resumes during the first quarter and started the interview process. Various other related tasks were organized during this time period in advance of their spring start.

## **Court Activity**

On March 2, 2023, there was no Justice of the Peace available for court. There were three (3) by-law matters on the court docket and the following was their dispositions:

- One (1) Noise Violation - The defendants legal representative did not appear and the matter was adjourned on consent to May 4, 2023 to be spoken to.
- One (1) Burning Violation -The defendant appeared and the matter was adjourned to May 4, 2023 to be spoken to.
- Two (2) Parking Violations - No one appeared and the matter was adjourned to May 4, 2023, to be spoken to.

On March 21, 2023, there were two (2) by-law matters on the court docket and the following was their depositions:

- Two (2) Barking Dog, Noise Violations - The defendants legal representative appeared via "zoom" to advise he has just been retained. All parties were to be in person and legal representative contacted the defendant. A guilty plea was entered to both counts. A fine on one court was \$300.00 with 60 days to pay. A suspended sentence was given on the other count.

## **Reviewed By Other Departments**

Not applicable.

## **Options/Alternatives**

There are no options/alternatives associated with this item.

## **Financial Implications**

There are no financial implications associated with this item.

## **Relationship to Strategic Plan**

- Deliver Exceptional Municipal Services
- Build Economic Prosperity & Opportunity
- Promote Environmental Responsibility & Stewardship
- Support Community Health, Safety & Well-Being
- Create an Engaged, Informed & Connected Community

## **Conclusion**

The By-law Department is expecting to provide the 2nd Quarter Report at the Committee of the Whole meeting on August 9th, 2023.

Steve Harvey, Chief Municipal Law Enforcement Officer	Approved - 17 Apr 2023
Haley Leblond, Director of Corporate Services/Deputy CAO	Approved - 17 Apr 2023
Robert Lamb, Chief Administrative Officer	Approved - 17 Apr 2023