



To: Mayor Evans and Members of Council
From: Steve Harvey, Chief Municipal Law Enforcement Officer
 By-law Department
Prepared By: Jocelyn Belcourt, Municipal Law Enforcement Officer
 By-law Department
Report Number: MLE-007-23
Meeting Date: 09 Aug 2023
Subject: **By-Law 2nd Quarter Activity Report for 2023 (April 1 - June 30)**
 Our File No:

Recommendation

THAT MLE-007-23 regarding By-Law 2nd Quarter Activity be received as information.

Background/Analysis

A. By-law Occurrences for the 2nd Quarter

	2021	2022	2023
Sign	197	151	248
Short-Term Rental	-	-	122
Noxious Weeds	30	52	57
Roadside Debris	124	153	95
Noise	71	82	48
Dog	77	79	40
Burning	27	33	40
Parking	84	44	37
Clean Yards	23	25	32
Parks	39	13	16
Fireworks	11	23	12
Zoning	27	24	11
Misc. By-Laws	30	11	11
No By-law	7	5	10
Property Standards	5	8	5
Smoking	14	2	5
Littering	15	4	4
Watering	1	4	4
Parks By-law Cawaja	3	0	1
TOTAL	785	713	798

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 number of complaints have increased over this time period. Staff analyzed the differences and would draw the following conclusions.

1. Noise: In 2023 the noise occurrences decreased by thirty-four (34) when compared to 2022. Staff analyzed the complaints received and believe that the decrease in complaints could be related to the increased awareness of the changes to the Noise By-law implemented in April of 2021 resulting in a positive outcome with respect to compliance with the by-law.
2. Short-Term Rentals: Over the course of the second quarter, the By-law Department received 122 complaints related to Short-Term Rental properties.
 - As of June 30th, 2023, the Township had received a total of 273 Short-Term Rental Licence Applications submitted, with 27 spots remaining.
 - As of June 30th, 2023, 84 Licences have been approved and these approvals are reflected on the Short-Term Rental Interactive Mapping system.
 - As the Township of Tiny approaches the 300 Licence limit, a waitlist has been implemented to determine the priority in which new applications will be received. There will be an annual fee of \$150.00 to maintain the applicants position on the waitlist.
 - The By-Law Department has received 12 other/not Short-Term Rental By-law related complaints such as police matters, real estate matters, building department matters, roadside parking, garbage pick up, vehicles in driveway etc.
 - As a reminder to residents, please ensure that complaints are being submitted to the appropriate agencies and that the complaints process outlined on the Townships website is being followed. Furthermore, complaints should be submitted while the violation is taking place rather than after the fact. This allows for Officers to gather best evidence.

The below table breaks down the complaints received between April 1st and June 30th:

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/pending
Unlicensed Property	59	1	10	25	23
Renting for less than 6 consecutive days	14	2	2	7	3
Advertisement violations	15	6	6	3	0
Operating over Occupancy Limits	11	0	1	10	0
Noise and nuisance concerns	11	0	0	11	0
Other/not STR By-law (police, real estate, roadside parking, building, cars in driveway, garbage)	12	0	0	12	0
TOTAL	122	9	19	68	26

- The 122 complaints received are related to 53 separate properties with several of the properties having numerous concerns reported, typically by one neighbour.
- Conversely, of the 273 properties that have applied for a Short-Term Rental Licence, 220 of them have no complaints received.

Charges

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

Type of Occurrence	Number of Charges		
	2021	2022	2023
Fire - Fail to Comply with terms and conditions of a class "A" burning permit	2	1	7
Fire -Fail to Obtain Class "A" burning permit	3	5	3
Dog -Permit Dog on Balm Beach between June 1 and September 30	5	5	2
Parks -Light, set, stoke, or maintain a fire in a park	0	0	2
Parks -Operate a motorized machine in a park	0	0	2
Parks -Have barbecue upon municipal beach	1	0	1
Interim Control By-law -Zoning	-	-	2
Noise -Cause or permit a noise from any electronic device or other sound producing equipment	0	3	0
Noise -Cause or permit a noise by yelling, shouting, or ringing bells	0	2	0

Type of Occurrence	Number of Charges		
	1	2	0
Fireworks -Set off fireworks on public property without authorization	1	2	0
TOTAL:	12	18	19

Parking Tickets Issued

The following chart compares the number of Parking Tickets issued by the By-law Department over this period

MONTH	2021	2022	2023
April	6	4	1
May	196	48	144
June	549	260	71
TOTAL:	751	312	216

Bike Programs

General Patrol/ Parking Strategy– 2 Officers Focus: Tiny Trail, Wyevale, Lafontaine, Champlain			
General Patrol/ Parking Strategy– 2 Officers Focus: Tiny Trail, Wyevale, Lafontaine, Champlain			
Comments	- Educate the public about beaches and parking by-law.		
General Patrol/Parking Strategy – 2 Officers Focus: Balm Beach			
Comments	- Educate the public about beaches and the parking by-law.		
	Total # of Hours	Total # of km	Total # of Tickets
TOTAL 2021	362 HOURS	1810 KM	7 Part I Tickets 86 Part II Tickets
TOTAL 2022	450.5 HOURS	2316 KM	0 Part I Tickets 59 Part II Tickets
TOTAL 2023	372 Hours	2429 KM	3 Part I Tickets 53 Part II Tickets

Activities During This Period

Court

On May 4, 2023, there were thirty-four (34) matters on the court docket. The following was their disposition:

Short-Term Rental By-law Violations -Nine (9) Charges (3 counts for each charge)

- Legal Counsel for all defendants appeared and these matters were adjourned to July 17, 2023 for disclosure and to be spoken too.
- Two defendants appeared and entered a guilty plea to all three counts. A fine of \$250.00 was imposed on each count regarding failure to obtain a licence.

Noise By-law Violations -Twelve (12) Charges

- Defendants Legal Representative appeared and entered a guilty plea. A fine of \$75.00 was imposed with 90 days to pay.

- Defendants Legal Representative appeared and this matter was withdrawn as full disclosure had not been supplied. There have been no further incidents at this address and the property is for sale.
- Defendant appeared and entered a guilty plea. A fine of \$75.00 was imposed with 15 days to pay.
- No one appeared and the Defendant was deemed not to dispute the charge. A fine of \$300.00 was imposed with 15 days to pay.
- No one appeared and Defendant was deemed not to dispute the charge. A fine of 150.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$75.00 was imposed with 15 days to pay.
- Matter was quashed as it was filed too late with the court.
- Defendant appeared and this matter was adjourned to August 21, 2023, for a trial.
- Defendant appeared and entered a guilty plea. A fine of \$75.00 was imposed with 30 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$75.00 was imposed with 15 days to pay.
- No one appeared and Defendant was deemed not to dispute the charge. A fine of \$300.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$75.00 was imposed with 15 days to pay.

Dog By-law Violations -Five (5) Charges

- Defendant appeared and entered a guilty plea. A fine of \$50.00 was imposed with 30 days to pay.
- Defendants husband appeared and entered a guilty plea. A fine of \$35.00 was imposed with 30 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$25.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$30.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea on two counts. A fine of \$100.00 was imposed on each count with 15 days to pay. The remaining two counts were withdrawn.

Open Air Burning Violations -Two (2) Charges

- No one appeared and Defendant was deemed not to dispute the charge. A fine of \$300.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$50.00 was imposed with 15 days to pay.

Parking By-law Violations -Two (2) Charges

- No one appeared and Defendant was deemed not to dispute the charge. A fine of \$75.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$20.00 was imposed with 30 days to pay.

Parks By-law Violations -Two (2) Charge

- No one appeared and Defendant was deemed not to dispute the charge. A fine of 150.00 was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea. A fine of \$30.00 was imposed with 15 days to pay.

Fireworks By-law Violation -One (1) Charge

- No one appeared and Defendant was deemed not to dispute the charge. A fine of \$150.00 was imposed with 15 days to pay.

Clean Yards By-law Violation -One (1) Charge

- No one appeared and this matter was adjourned to July 17, 2023, for an exparte trial.

Reviewed By Other Departments

Not applicable.

Options/Alternatives

Not applicable.

Financial Implications

There are no financial implications associated with this item.

Relationship to Strategic Plan

Not applicable.

Conclusion

The By-law Department is expecting to provide the 3rd Quarter Report at the Committee of the Whole meeting of November, 2023.

Steve Harvey, Chief Municipal Law Enforcement Officer	Approved - 28 Jul 2023
Haley Leblond, Director of Corporate Services/Deputy CAO	Approved - 28 Jul 2023
Robert Lamb, Chief Administrative Officer	Approved - 28 Jul 2023