



To: Mayor Evans and Members of Council

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

Prepared By: Kylie Quesnelle, Municipal Law Enforcement Officer
By-law Department

Report Number: MLE-003-24

Meeting Date: 24 Apr 2024

Subject: **By-law 1st Quarter Activity Report for 2024 (January 1- March 31)**
Our File No:

Recommendation

THAT MLE-003-24 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		
	2022	2023	2024
Short Term Rentals	0	56	27
Clean Yards	12	10	12
Zoning	6	8	5
Dog	3	2	4
Parking	7	9	4
Noise	2	10	3
Burning	3	2	3
No By-Law	3	5	2
Questions	0	4	2
Sign	2	0	2
Property Standards	2	2	1
ICBL	0	0	1
Littering	0	0	1
Fireworks	3	1	0
COVID-19	2	0	0
Dumping Snow	2	0	0
Encroachment	1	0	0
Miscellaneous	11	0	0
TOTAL for 1st Quarter	59	109	67

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 2023 to 2024 the complaints have decreased over the 1st quarter time period. Staff analyzed the differences and would draw the following conclusions.

1. Short-Term Rentals: Of the 67 complaints received during the first quarter, 27 complaints were related to Short-Term Rentals.
 - The 2024 Short-Term Rental Licence renewal process began on November 10th, 2023. Applications were being reviewed and approved in the first quarter of 2024. The below table reflects the year over year changes:

	2023 Oct. 4, 2022 - March 31, 2023 (178 days)	2024 January 1 - March 31, 2024 (90 days)
Number of applications received	249	148
Number of approved licenses	5	112

- Between February 16th and March 31st, 2024, the Licensing Officer proactively issued 81 Non-Complaint Letters to identified Short-Term Rentals that were found to be advertising without a Licence. These letters were generated and mailed through the Short-Term Rental software and additionally emailed by the Licensing Officer where email address were available. Subsequently, a significant number of properties applied for a Licence while other decided to remove their Short-Term Rental advertisements.
- As of March 31st, 2024, the Township had received:
 1. 148 complete Applications;
 2. Issued and Approved 112 Short-Term Rental Licences;
 3. An additional 19 Waitlist Applications working on necessary paperwork;
 4. leaving 133 spots remaining available as of March 31st.
- The Short-Term Rental Waitlist function continues to be in use and has 2 important functions: 1st function provides and a quick review to see if the potential applicant actually owns the property (ex. upcoming land ownership change) and that its not vacant land. The 2nd and original function is to be utilized once we have reached 300 applications. There is an annual fee of \$150.00 per year to maintain the applicants position on the waitlist which is currently waived until we reach 300 applications.

- The below table breaks down the Short-Term Rental related complaints received between January 1st to March 31st as follows:

Type of complaint	Number of complaints received	No Violation	Charges Issued/ Pending	Number of Work Orders Issued/pending	Open for investigation
Unlicensed property	14 (52%)	3	8	1	2
Renting more than 92 days per calendar year	1 (4%)	1	0	0	0
Advertisement violations	9 (33%)	5	0	0	4
Noise and nuisance concerns	0 (0%)	-	-	-	-
Other/Not STR By-law (zoning, burning)	3 (11%)	2	0	0	1
TOTAL	27 (100%)	11 (40%)	8 (29%)	1 (4%)	7 (26%)

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		
	2022	2023	2024
BURNING - Fail to obtain a burning permit	1	0	0
STR - Disobey an order	0	9	0
STR - Operate without Licence	0	9	0
STR - Advertise without a licence	0	9	0
TOTAL	1	9	0

Parking Tickets Issued

MONTH	2022	2023	2024
January	0	2	1
February	1	0	9
March	0	0	0
TOTAL:	1	2	10

Activities During This Period

1. 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.

2. Court Activity

There has been a significant increase in court related activity year over year. In 2023 there were 2 court dates regarding 5 charges versus 2024 where there were 4 court dates regarding 181 charges. This has had a significant impact on departmental activities.

On February 7, 2024, there were thirty four (34) charges on the court docket and the following was their dispositions:

Short-Term Rental By-Law Violations - 6 properties, 10 Defendants, 34 charges

- Five defendants for 2 properties failed to appear and the 17 charges were adjourned to August 19, 2024 at 9:00 a.m., for an Exparte Trial.
- A legal representative appeared for this property and the 2 Defendants and had requested Disclosure. These 6 charges were adjourned to March 7, 2024 to be spoken to.
- A defendant appeared for this property and entered a guilty plea to 2 charges. A fine of \$250.00 was imposed on each count with 1 year to pay (\$500). The property is now in compliance.
- Two Defendants appeared regarding 2 properties and requested Disclosure. These 9 charges were adjourned to March 7, 2024 to be spoken to.

On February 28, 2024, there were twelve (12) charges on the court docket and the following was their depositions:

Short-Term Rental By-Law Violations - 3 properties, 4 Defendants, 8 charges

- A defendant appeared for this property and these 2 charges were adjourned to May 9, 2024 at 10:30 a.m., to be spoken to. Disclosure was to be requested.
- A legal representative appeared on behalf of the remaining 2 properties and these matters were adjourned to May 9, 2024 at 10:30 a.m., for Disclosure.

Noise By-law Violation - 1 property, 2 Defendants, 4 charges

- A defendants appeared and these matters were adjourned to October 3, 2024 at 1:30 p.m., for a trial.

On March 7, 2024, there were Sixty (60) charges on the court docket and the following was their depositions:

Short-Term Rental By-Law Violations - 6 properties, 10 Defendants, 44 charges

- A legal representative appeared on behalf of 2 properties, 4 Defendants, 30 charges and these matters were adjourned to May 9, 2024 at 10:30 a.m., for the disclosure request to be received.
- Two defendants at 2 different properties failed to appear and these 6 charges which were adjourned to August 8, 2024 for an ex parte trial.
- Two defendants appeared and requested a Trial and these 2 charges were adjourned to October 3, 2024 for Trial.
- A legal representative appeared with the two defendants and entered a guilty plea to two charges. A fine of \$250.00 was imposed on each count (\$500 Total) with 6 months to pay. The 4 remaining charges were withdrawn as part of the resolution.

Noise By-Law Violations - 9 charges

- The defendants failed to appear and these 3 charges were adjourned to May 9, 2024 at 10:30 a.m., for an Ex parte Trial.
- The defendants appeared for the 3 charges. One defendant entered a guilty plea to both counts. A fine of \$200.00 was imposed on the first count and a fine of \$400.00 was imposed on the second count with 6 months to pay (\$600 Total). The charge for the other defendant was withdrawn.
- A defendant failed to appear and was deemed not to dispute the charge. A fine of \$300.00 was imposed with 15 days to pay.
- Two defendants appeared and entered guilty pleas. Fines of \$100.00 were imposed with 30 days to pay.

Open Air Burning By-Law Violations - 3 charges

- A defendant appeared and this one charge which was adjourned to May 9, 2024 at 10:30 a.m., for disclosure and to set a trial date.
- One charge was withdrawn as the Officer was not available.
- A defendant appeared for this one charge and entered a guilty plea. A fine of \$80.00 was imposed with 30 days to pay.

Parks By-Law Violation - 2 charges

- A defendant appeared and requested a Trial to a motorized machine in a park. This matter was adjourned to October 3, 2024 at 2:30 p.m., for disclosure and a trial.
- A defendant appeared and entered a guilty plea to BBQ on Beach. A fine of \$50.00 was imposed with 30 days to pay.

Dogs By-Law Violation - 1 charge

- A defendant appeared and entered a guilty plea. A fine of \$30.00 was imposed with 30 days to pay.

Cawaja Beach By-Law Violation - 1 charge

- A defendant appeared and entered a guilty plea. A fine of \$50.00 was imposed with 30 days to pay.

On March 18, 2024, there were seventy five (75) charges on the court docket and the following was their depositions:

Short-Term Rental By-Law Violations - 9 properties, 17 defendants, 75 charges

- A legal representative appeared for all matters. At the pre-trial, the Justice felt all matters should be adjourned for a pre-trial continuance on September 16, 2024.

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

Not Applicable

Conclusion

The By-law Department is expecting to provide the 2nd Quarter Report at the Committee of the Whole meeting on August 7th, 2024.

Steve Harvey, Chief Municipal Law Enforcement Officer Approved - 16 Apr 2024

Haley Leblond, Director of Corporate Services/Deputy CAO Approved - 16 Apr 2024

Robert Lamb, Chief Administrative Officer Approved - 16 Apr 2024