



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-007-24

Meeting Date: 18 Sep 2024

Subject: **By-law 2nd Quarter Activity Report for 2024 (April 1-June 30)**
Our File No:

Recommendation

THAT Municipal Law Enforcement Report MLE-007-24 regarding By-Law 2nd Quarter Activity Report be received as information;

Background/Analysis

By-law Occurrences for the 2nd Quarter

	2022	2023	2024
Sign	151	248	233
Roadside Debris	153	95	123
Short-Term Rental	-	122	104
Noxious Weeds	52	57	56
Clean Yards	25	32	53
Dog	79	40	39
Noise	82	48	38
Zoning	24	11	23
Burning	33	40	18
Fireworks	23	12	18
Parking	44	37	13
Interim Control By-law	-	-	12
Littering	4	4	8
Parks	13	16	5
Property Standards	8	5	5
Parks By-law Cawaja	0	1	4
Misc. By-Laws	11	11	9
No By-law	5	10	2
Smoking	2	5	0
Watering	4	4	0
TOTAL	713	798	763

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 number of complaints have decreased over the second quarter time period. Staff analyzed the differences and would draw the following conclusions:

1. Parking: In 2024 the parking occurrences decreased by twenty-four (24) when compared to 2023. Staff analyzed the complaints received and believe that the decrease in complaints could be related to the poor weather during the second quarter which led to less people parking and using the beaches.
2. Short-Term Rentals: Over the course of the second quarter, the By-law Department received 104 complaints related to Short-Term Rental properties which is a decrease from 122 in 2023.

	2022 October 4, 2022 to June 30, 2023 (268 days)	2024 January 1, 2024 to June 30, 2024 (180 days)
Number of applications received	274	170
Number of approved Licences	49	138

Between April 1st and June 30th, 2024, the By-Law Department issued 77 non-compliant letters to identified Short-Term Rentals that were found to be advertising without a Licence. These letters were generated and mailed through the software and additionally emailed by the Licensing Officer where an email address was available. Subsequently, a significant number of properties applied for a Licence while others decide to remove their Short-Term Rental advertisement(s).

As of June 30th 2024, the Township of Tiny has received:

- 170 Short-Term Rental Applications;
- Issued and approved 138 Short-Term Rental Licences. These approvals are reflected on the Short-Term Rental Interactive Mapping system;
- An additional 20 Waitlist Applications working on necessary paperwork;
- Leaving 110 available licences remaining as of June 30th, 2024.

The Short-Term Rental Waitlist function continues to be in use and has two (2) important functions: The first function provides 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 second and original function is to be utilized once we have reached 300 applications. There is an annual fee of \$150.00 to maintain the applicants position on the waitlist which is currently waived until we reach 300 applications.

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 properties with complaints	No Violation	Charges issued/pending	Number of Work Orders issued/pending	Open for Investigation
Unlicensed Property	51 (89%)	14	18	16	3
Renting for less than 6 consecutive days	2 (4%)	0	1	1	0
Advertisement violations	1 (2%)	1	0	0	0
Noise and nuisance concerns	2 (4%)	0	2	0	0
Other/not STR By-law (police, real estate, roadside parking, building, cars in driveway, garbage)	1 (1%)	1	0	0	0
TOTAL	57 (100%)	16 (28%)	21 (37%)	17 (30%)	3 (5%)

Charges

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

Type of Occurrence	Number of Charges		
	2022	2023	2024
Dog -Permit Dog on Balm Beach between June 1 and September 30	5	2	11
Fire - Fail to Comply with terms and conditions of a class "A" burning permit	1	7	2
Fireworks -Set off consumer fireworks on unauthorized day	0	0	2
Noise -Cause or permit a noise from any electronic device or other sound producing equipment	3	0	1
Fire -Fail to Obtain Class "A" burning permit	5	3	1
Parks -Have barbecue upon municipal beach	0	1	1
Parks -Light, set, stoke, or maintain a fire in a park	0	2	0
Parks -Operate a motorized machine in a park	0	2	0
Interim Control By-law -Zoning	0	2	0
Noise -Cause or permit a noise by yelling, shouting, or ringing bells	2	0	0
Fireworks -Set off fireworks on public property without authorization	2	0	0
TOTAL:	18	19	18

Parking Tickets Issued

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

MONTH	2022	2023	2024
April	4	1	1
May	48	144	72
June	260	71	198
TOTAL:	312	216	271

Bike Programs

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 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
TOTAL 2024	230 HOURS	1509 KM	1 Part I Tickets 54 Part II Tickets

Court Activities During This Period

On May 9, 2024, there were fifteen (15) matters on the court docket. The following was their disposition:

Short-Term Rental By-law Violations - 4 properties, 6 defendants, (18 counts total).

- Legal Counsel appeared on behalf of 4 defendants and these matters were adjourned to September 16, 2024 for a pretrial continuation.
- One defendant did not appear in court and the matters were adjourned to June 6, 2024 at 10:30a.m., for personal service.
- One defendant appeared and had not yet requested disclosure. The matters were adjourned to June 6, 2024, at 10:30 a.m., to resolve or set a trial date.

Noise By-law Violations -Two (2) Charges

- No one appeared and the matters were adjourned to June 6, 2024, at 10:30 a.m., for personal service.
- Defendant appeared and entered a guilty plea on behalf of the corporation. A fine of \$300.00 was imposed with 90 days to pay. The other charges were withdrawn.

Open Air Burning Violations - One (1) Charge

- Defendant appeared and this matter was adjourned to October 17, 2024, at 1:30p.m., for a trial.

Interim Control By-law Violations -Four (4) Charges

- Defendants appeared and entered a guilty plea. A fine of \$500.00 each was imposed with 15 days to pay.
- Defendant appeared and entered a guilty plea to one of the charges on behalf of the corporation. A fine of \$500.00 was imposed with 15 days to pay. The remaining three charges were withdrawn.
- Defendant appeared and entered a guilty plea. A fine of \$500.00 was imposed with 15 days to pay.
- Defendants appeared and entered a guilty plea. A fine of \$500.00 each was imposed with 15 days to pay.

On June 6, 2024, there were three (3) matters on the court docket. The following was their disposition:

Short-Term Rental By-law Violations -2 properties, 2 defendants (6 counts total)

- One defendant appeared and entered a guilty plea to disobey an Order. A fine of \$500.00 was imposed with 15 days to pay. The two other charges were withdrawn.
- One defendant appeared and entered a guilty plea to disobey an Order. A fine of \$500.00 was imposed with 6 months to pay. The other two charges were withdrawn.

Noise By-law Violations -One (1) Charge

- The defendants agent appeared and requested disclosure. The matters were adjourned to August 8, 2024, at 10:30 a.m., to be spoken to.

Reviewed By Other Departments

Not applicable.

Options/Alternatives

Not applicable.

Financial Implications

Not applicable.

Conclusion

The By-Law Department is expecting to provide the Third Quarter Report at the Committee of the Whole meeting on October 30, 2024.