

DATE OF MEETING OCTOBER 24, 2022

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

**SUBJECT BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW –
HOUSEKEEPING AMENDMENTS**

OVERVIEW

Purpose of Report

To introduce an amendment to the Bylaw Notice Enforcement Bylaw to correct references to bylaw provisions and address fine inconsistencies in the Waterworks Rate and Regulation Bylaw.

Recommendation

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 (a bylaw to correct references to bylaw provisions and address fine inconsistencies) be given first reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given second reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given third reading.

BACKGROUND

When drafting amendments to the bylaws that utilize the reconsideration process through the Appeals Procedure Bylaw, staff noticed that some of the section numbers in the Bylaw Notice Enforcement Bylaw did not match up with the corresponding regulatory bylaw. As such, staff are bringing forward a bylaw amendment to correct the reference to those sections.

As the corrections must be done by bylaw, staff are taking the opportunity to propose some updated fines for the Waterworks Rate and Regulation Bylaw so that they are consistent with other like fines within the bylaw. Details of the proposed changes are outlined in the discussion section of the report.

DISCUSSION

The following changes are proposed to Schedule “A” of the Bylaw Notice Enforcement Bylaw to ensure the bylaw numbers are accurately reflected, to correct typos, and align the fines with other like bylaws.

Animal Responsibility Bylaw 2020 No. 7316

To change section 80(a)(b)(c)(d)(e)(f) to section 81(a)(b)(c)(d)(e)(f). This is to correct a typo.

Waterworks Rate and Regulation Bylaw 2006 No. 7004

To replace the fine schedule for the Waterworks Rate and Regulation Bylaw in Schedule A and replace it with the following. The proposed changes are noted in strikethrough and red:

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
22	Water used by person other than occupant	50.00	37.50	62.50
23	Use water contrary to restrictions	100.00	75.00	125.00
24	Waste water	100.00	75.00	125.00
27	Unauthorized connection	100.00	75.00	125.00
28.1	Connected to other water supply	100.00	75.00	125.00
29	Tamper with water system	200.00 plus cost to repair or reinstate	\$150.00	250.00
30	Unauthorized use of fire hydrant, valve or stock cock	200.00	150.00	250.00
31.1	Fail to maintain access to water meter	100.00 plus cost to access or repair	75.00	125.00
32	Hinder inspection	500.00	375.00	625.00
42.1(a)	Sell water without permit	100.00	75.00	125.00
42.1(b)	Give water without permit	100.00	75.00	125.00
43(a)	Water at time not permitted	100.00	75.00	125.00
43(b)	Wash vehicle or house except by hand held container or hose.	100.00	75.00	125.00
44(a)	Water on day or time not permitted or exceed permitted watering time	100.00	75.00	125.00
44(b)	Wash vehicle or house except by hand held container or hose.	100.00	75.00	125.00
45(a) or 45(b)	Water of day not permitted	100.00	75.00	125.00
43(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
44(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
45(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
46(a)	Water lawns or boulevards during Stage 4 Watering Ban	100.00	75.00	125.00
46(b)	Water flowers, shrubs, or ornamental trees between 10:00 am and 7:00 pm, and 10:00 pm to 7:00 am.	100.00	75.00	125.00
46(c)	Wash vehicles or house when prohibited	100.00	75.00	125.00
46(d)	Wash sidewalk or driveway	100.00	75.00	125.00
46(e)	Fill fountain, pool or hot tub when prohibited	100.00	75.00	125.00
43(f)	Use water hose without a hand	50.00	37.50	62.50

Rationale for Changes:

- A fine for Section 23 should be added.
- Fines for Section 29 and 30 were previously set at \$100.00. These are more serious offences and similar fines through the Fire Regulation Bylaw are set at \$200.00.

- Fine for section 31.1 was previously set at \$35.00. Suggest increasing this amount to \$100.00 to be consistent with other fines.
- Previously no fine was associated with hindering an employee to conduct an inspection under Section 32. Other City bylaws have this provision and the fines in those bylaws are set at \$500.00.
- Fines for Section 46 were previously set at \$50.00. Suggest they be increased to \$100.00 to mimic the fines in Section 42 and 43.

OPTIONS

Option 1:

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 (a bylaw to correct references to bylaw provisions and address fine inconsistencies) be given first reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given second reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given third reading.

- By selecting option 1, the bylaw sections will correspond with the regulatory bylaw and fines would correspond with similar fines in other City bylaws.

Option 2:

That Council select alternate fine amounts for the Waterworks Rate and Regulation Bylaw to those proposed in the staff report and then consider the following recommendation:

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 (a bylaw to correct references to bylaw provisions and address fine inconsistencies) be given first reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given second reading.

That Bylaw Notice Enforcement Bylaw 2022 No. 7159.17 be given third reading.

- Should Council wish to select alternate fines, staff would seek direction from Council on the amount. Once selected, staff recommend that the bylaw then be given its first three readings.

SUMMARY POINTS

- A bylaw amendment is required to correct the section numbers in the Bylaw Notice Enforcement Bylaw so that they correspond with the sections in the Waterworks Rate and Regulation Bylaw.
- Updated fines are also being proposed so that the fines are consistent with other like fines within the bylaw.

ATTACHMENTS:

Attachment 1 – 7159.17 – Bylaw Notice Enforcement Bylaw Amendment

Submitted by:
Karen Robertson,

Concurrence by:
Sheila Gurrie, Director of Legislative Services
Dave LaBerge, Manager, Bylaw Services
Dale Lindsay, GM, Development Services, Deputy CAO