

Staff Report

Report To: Service Review Implementation Ad Hoc Committee

Report From: Briana Bloomfield, City Clerk

Meeting Date: July 9, 2025

Report Code: CR-25-076

Subject: Project 1c5 – Provision of By-law Services

Recommendations:

THAT in consideration of Staff Report CR-25-076 respecting Project 1c5, Provision of By-law Services, the Service Review Implementation Ad Hoc Committee recommends that City Council direct staff to:

1. Bring forward a by-law to amend the Fees and Charges By-law to:
 - a. Include a \$150.00 re-inspection fee;
 - b. Increase the Work Order fee from \$80.00 to \$120.00; and
 - c. Increase the Property Clean Up – administration fee from 15% to 25%;
2. Provide notice of the amendment to the Fees and Charges By-law as required by the Notice By-law;
3. Bring forward a by-law to amend the By-law Enforcement Policy to permit pro-active enforcement:
 - a. In the River District; and
 - b. For the Yard Maintenance By-law for repeat offences; and
4. Include a By-law Supervisor and a By-law Enforcement Officer position in the Mayor's 2026 budget for consideration by the Mayor.

Highlights:

- By-law Officers contribute to the health, safety, and well-being of the community.

- In 2024, By-law Officers responded to 1,031 service requests that led to investigations, or 516 requests per Officer which is well above municipal comparators.
- By-law enforcement investigations between 2019 and 2024 have increased by 36%.
- Amendments to the Fees and Charges By-law are being recommended to increase revenue.
- The addition of By-law Enforcement staff is being recommended to improve the delivery of by-law enforcement services for the community.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service.

[River District Action Plan](#): Approved by Council and the River District Board, includes recommendations respecting increasing safety and comfort of patrons and business owners and ensuring cleanliness in the River District.

[Waste Management Strategy](#): Approved by Council, includes recommendations respecting increasing enforcement of the Waste Management By-law and retaining a dedicated "Solid Waste By-law Officer".

Climate and Environmental Implications:

Although the primary focus of the recommended actions is service delivery and regulatory compliance, indirect environmental benefits are also anticipated, particularly in the River District, through enhanced enforcement of by-laws related to littering, dumping, and property maintenance.

Previous Report/Authority:

[Municipal Act, 2001](#)

[Community Safety and Policing Act](#)

[Appointed Officers By-law](#)

[By-law Enforcement Policy](#)

[Report CR-24-145](#) – Project 1c5 – Provision of By-law Services Update

Background:

Service Review Project 1c5 is to analyze moving from a compliance model to a pro-active approach with a focus on efficiencies, dollar savings, and employee impact. The Project Charter is attached to the report for information purposes. The team sponsor of this project is the Fire Chief, the team lead is the City Clerk, and other team members include the Chief Building Official and By-law Enforcement Officers.

This report will clarify the difference between enforcing by-laws pro-actively or by complaint (how an investigation is initiated), and compliance versus an immediate penalty model (what actions are taken by an officer during an investigation), and will discuss the feasibility of switching models of enforcement.

Legislative Framework

The *Community Safety and Policing Act* provides that a municipal council may appoint persons to enforce the by-laws of the municipality. It also outlines the duties of a police officer which include enforcing municipal by-laws.

The *Municipal Act, 2001* provides that municipalities may:

- Pass by-laws that permit municipalities to enter on land at any reasonable time to carry out inspections to determine whether or not there is compliance with a by-law, direction or order, or a condition of a licence;
- Establish a system of fines for offences under a by-law of the municipality; and
- Make an order requiring the person who contravened the by-law to discontinue the contravening activity and any person who contravenes such as order is guilty of an offence.

The City's Appointed Officers By-law includes the appointment of municipal law enforcement officers for the purpose of enforcing by-laws of the City.

The City's By-law Enforcement Policy establishes the City's standard for the receipt, investigation and resolution of regulatory by-law complaints. The City has approximately 50 regulatory by-laws that require enforcement. **By-law Enforcement Officers primarily operate through a complaint process where by-law violations are enforced after a complaint is filed.** By-law Enforcement Officers will, however, pro-actively respond to violations that are:

- An immediate health or safety concern;
- Observed by an Officer being actively committed; or
- Observed at a Hotspot location designated by Council.

The City's [Delegation of Powers and Duties By-law](#) delegates enforcement authority to Police Services for the licensing and regulation of:

- Escort services;
- Adult entertainment establishments;
- Body rub, tattoo and piercing establishments; and
- Taxis.

Current By-law Enforcement Operations

The By-law Enforcement Division is managed by the City Clerk and includes:

- 2 - By-law Officers;
- 1 - Summer student; and
- 2 hours/month - administrative support from the Corporate Services Facilitator.

For the last year, the By-law Enforcement Officers have been working 7:30 a.m. to 5:15 p.m., four days a week. One officer works Monday through Thursday and the other works Tuesday through Friday. Additionally, a summer student works Monday through Friday 8:30 a.m. to 4:30 p.m. between May and August. Officers have found these hours to be effective, as they provide uninterrupted time at the beginning and end of the day to organize, complete administrative tasks, and document case notes. This allows officers to dedicate more of their core operating hours to responding to complaints, addressing public inquiries, and conducting fieldwork, resulting in improved efficiency and service delivery.

The City's By-law Enforcement Division contributes to the health, safety, and wellbeing of the community by enforcing by-laws that protect the environment, protect the City's infrastructure, provide rental tenancy protections, ensure the safe and secure use of City parks and properties, provide consumer protections, and ensure efficient flow of traffic on the City's roadways.

By-law Officers foster compliance with City regulatory by-laws through education, awareness, promotion, advice and enforcement by way of a warning, fee, order, certificate of offence, or laying an information under oath before a justice.

Animal Control and Parking Enforcement are undertaken by third party contractors with oversight provided by staff within the Clerk's and Finance Division.

Analysis:

Statistics

Service Requests

The chart below provides statistics on By-law Enforcement service requests in the last six years. Service requests include all calls, emails, and online submissions that require action from by-law enforcement.

- Investigations are any complaints, pro-active enforcement, or observed violations where a case file was created. Investigations demand significantly more resources than responding to inquiries.
- Inquiries and other matters include general inquiries, calls forwarded to animal control and civil matters.

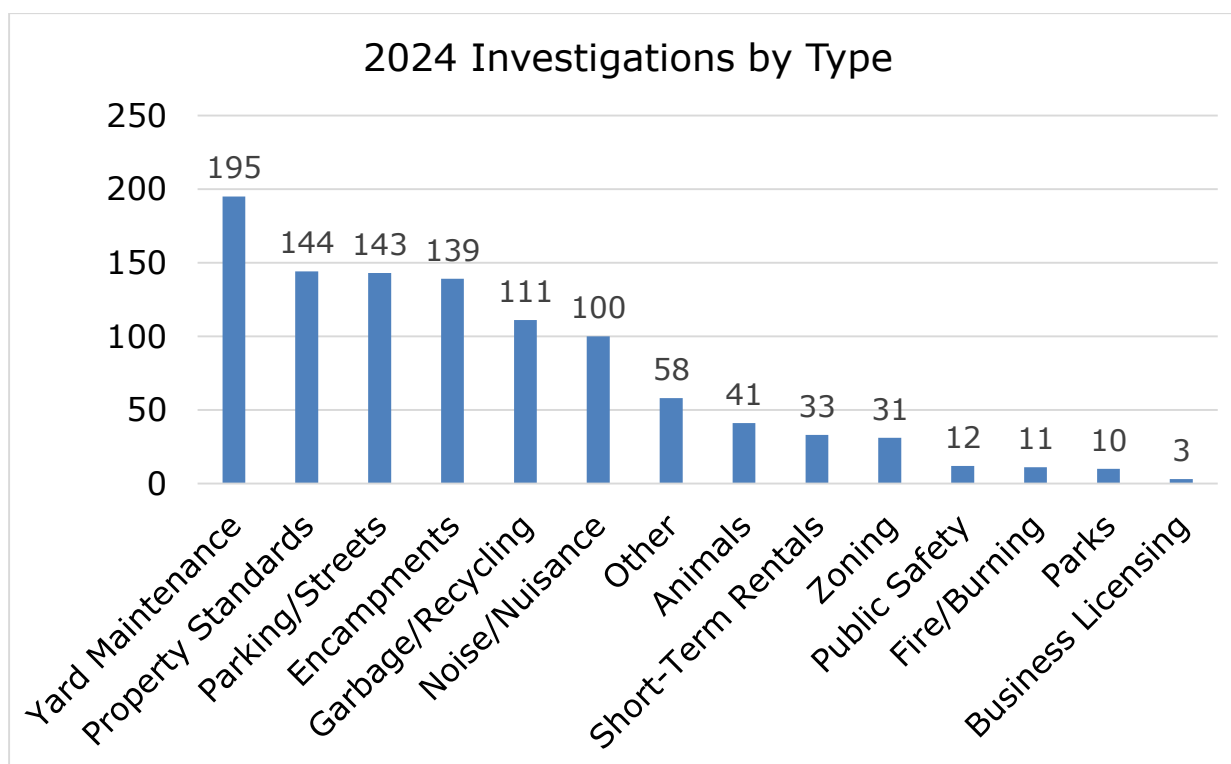
	2019	2020	2021	2022	2023	2024
Investigations	756	830	976	930	1000	1031
Inquiries and Other Matters	424	348	300	264	237	224
Total	1,180	1,178	1,276	1,194	1,237	1,255

The chart shows that **the number of investigations required to maintain order is increasing while inquiries are decreasing. Additionally, by-law investigations between 2019 and 2024 have increased by thirty-six percent (36%)**. Staff estimate that less than 5% of service requests are duplicate submissions for the same offence. Additionally, investigations may require multiple inspections before a file is closed.

Staff continue to make improvements to the website and utilize communication tools to educate the public, thereby helping to reduce the number of inquiries received.

Investigations by Type

A breakdown of investigation categories from 2024 is outlined in the chart below.



Over the last six years, the following by-laws have most often resulted in investigations: yard maintenance, property standards, traffic, zoning, noise, and waste management.

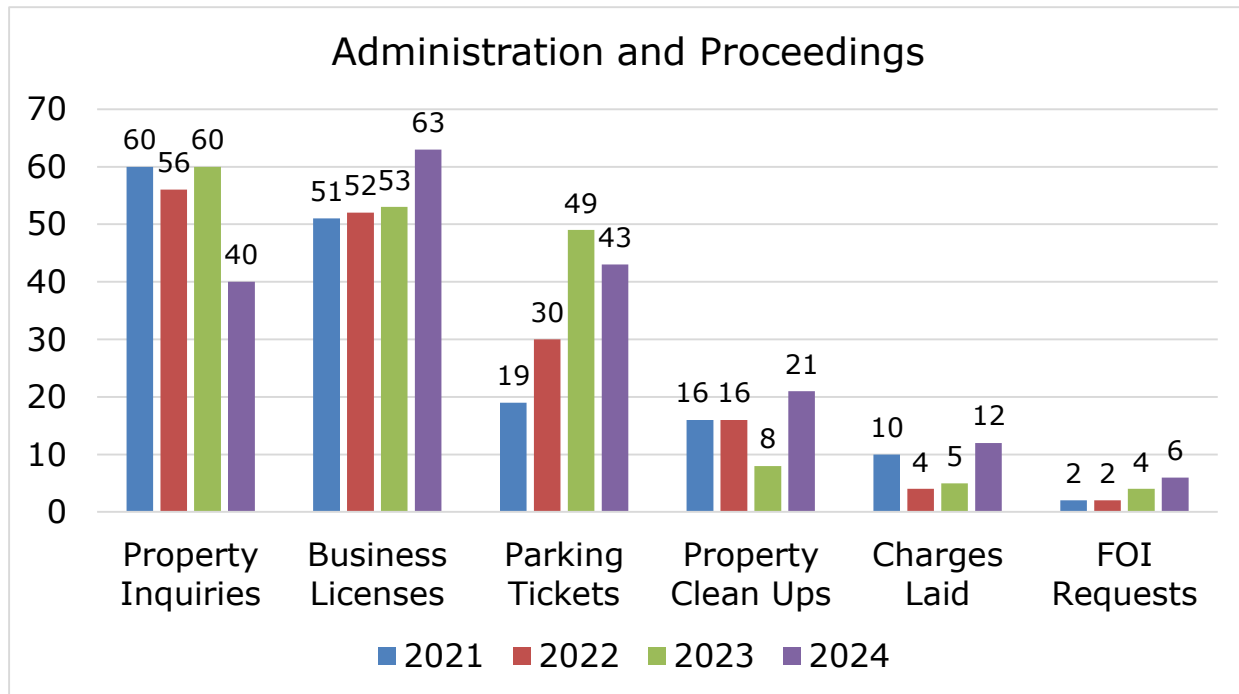
Administration and Proceedings

Along with responding to complaints and performing inspections, By-law Enforcement is also responsible for other administration and proceedings, such as:

- Providing comments on business licence applications;
- Completing property inquiry requests for orders issued;
- Providing files for freedom of information requests (FOIs);
- Preparing court disclosure packages;
- Preparing briefs and defence material for property standard appeals;
- Monitoring property clean-ups;
- Issuing parking tickets;
- Laying charges; and
- Attending court as required.

The chart below provides a comparison of administration and proceedings statistics from 2021 to 2024. There have been no property standard appeals in the last four years so that statistic has not been included in the chart. The

Customer Service Facilitator role in Corporate Services supports By-law Enforcement with property inquiries and business licenses.



The chart shows that significant time is spent on administration and proceedings, with many of the statistics rising in 2024.

Compliance Rate

Staff reviewed the last three years of service requests and have determined the compliance rate statistics as noted in the chart below. Compliance rates reflect the number of business days it takes from the opening of a file to the closing of a file.

Compliance Rate in Business Days:

	2022	2023	2024
Investigations	13	11.5	14
Inquiries and Other Matters	1.75	2	1.5

Compliance rates will fluctuate year-over-year depending on a variety of factors, with the three main themes being:

1. **Less voluntary compliance from the community.** In 2022, By-law Enforcement conducted 16 property clean-ups and laid 4 charges for non-compliance. In 2023, By-law Enforcement conducted 8 property

clean-ups and laid 5 charges. In 2024, By-law Enforcement conducted 21 property clean-ups and laid 12 charges.

2. **Changes in the type and severity of service requests.** By-law Enforcement responded to more health and safety related calls, such as rental standards (mould, injurious insects, lack of vital services, etc.) and more calls relating to homelessness and unsecured buildings. In 2024, By-law Enforcement conducted 4 emergency property clean-ups relating to unauthorized entry of persons to unsecured buildings. In the previous 8 years, only 1 emergency property clean-up was conducted by By-law Enforcement.
3. **Staff turnover.** Over the last eight (8) years, the By-law Enforcement Division has experienced a turnover of nine (9) officers. These transition periods occur at various times of the year and are unpredictable. During staff turnover, the division is reduced to a single officer, which severely limits the division's ability to respond to service requests and complete the necessary follow-up.

Previous annual reports indicated an average compliance rate of 5.5 business days. These rates did not include complaints that remained active at the end of each year.

Staff Turnover

The By-law Enforcement Division has a high turnover rate as noted above. Contributing factors include:

- Limited growth opportunities within the organization;
- Being a stepping stone to a career in policing;
- Unmanageable workload that leads to stress and burnout; and
- Regularly interacting with upset individuals, including by-law violators, complainants, and those requesting increased enforcement.

Hiring a new By-law Enforcement Officer can take up to 12 weeks, which may leave just one officer handling enforcement duties for up to three months. During this time, only the most urgent service requests can be addressed, as managing the full workload alone is not feasible. In some cases, Building staff must assist, especially for inspections that require more than one person, and to cover vacation or sick leave.

If both By-law Officers were to leave at the same time, by-law enforcement would temporarily stop, which could significantly impact the community.

Once a new officer is hired, training begins immediately. Although the City has been fortunate to attract talented individuals, every municipality has its own by-laws, procedures, and technology, so training is always required.

Municipal Comparators

Information from comparator and neighbouring municipalities was compiled through email responses and publicly available reports. While every effort was made to ensure the information is as comparable and consistent as possible, it is important to note that each municipality operates differently. Municipal organizational structures differ, with responsibilities assigned to various departments. Local by-laws, issues, and priorities also vary by community. Unlike policing where “Uniform Crime Reports” provide a standardized framework for data collection, there is currently no standardized method for reporting by-law enforcement statistics across municipalities.

Like Owen Sound, these comparator and neighbouring municipalities fund by-law enforcement through the tax levy with some revenue coming from fines and fees and charges. As noted in the chart below, some municipalities include animal control and parking enforcement as part of the by-law division and have additional staff to undertake this work. Municipalities with comparable populations to Owen Sound such as Cobourg, Collingwood, Thorold, and Tillsonburg, employ a larger number of enforcement staff. Despite offering additional services, these municipalities maintain higher staffing levels than Owen Sound, which continues to operate with comparatively fewer enforcement personnel.

Structure (In chart, FT is short for full-time):

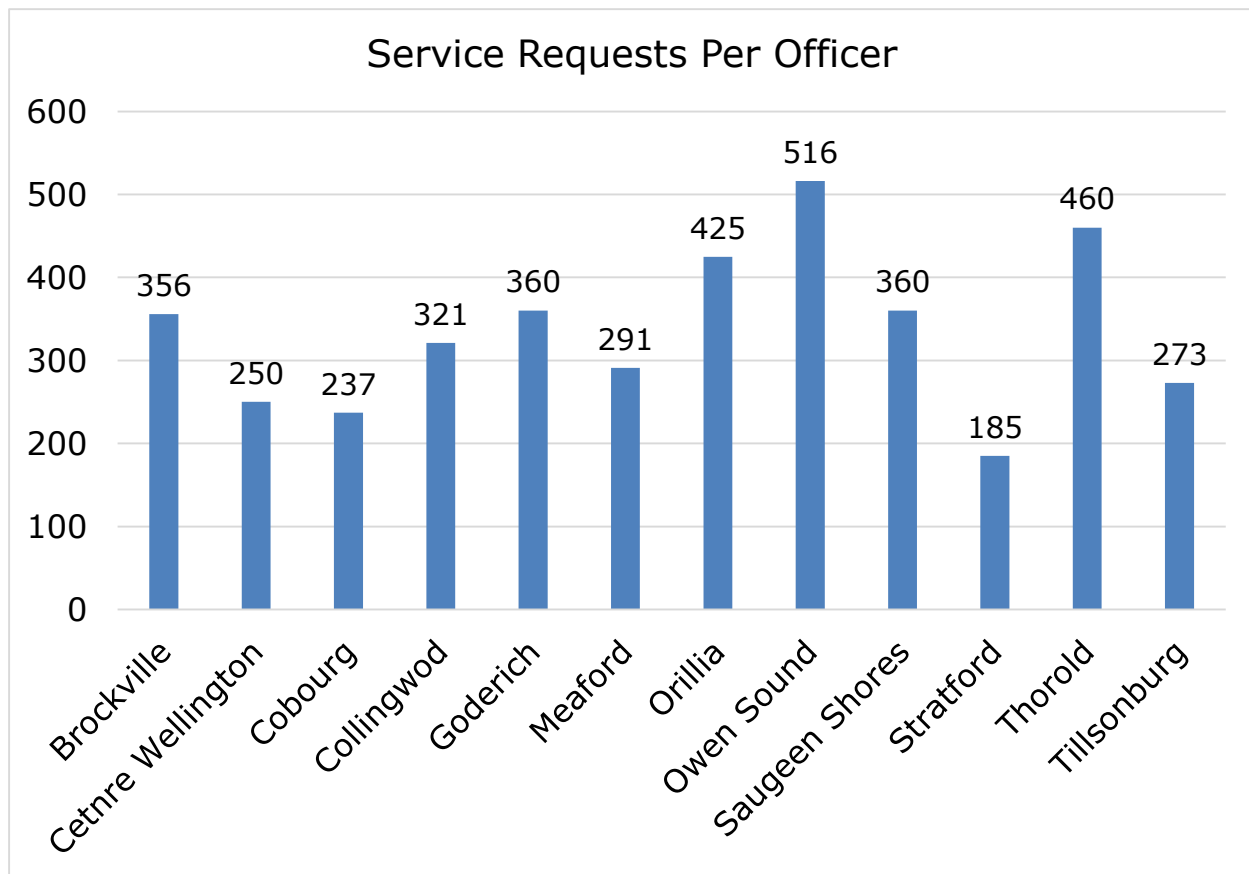
Municipality	Population	Animal Control	Parking	Structure
Owen Sound	21,612	Contract	Contract for the Downtown Core	2 FT Officers 1 Summer Student Mon-Fri, 8:30-4:30
Cobourg	20,519	Internal	Internal	1 FT Manager 4 FT Officers 2 PT Officers 1 FT Licensing Coordinator 1 FT Licensing Administrator Mon-Fri, 8:30-4:30
Collingwood	24,811	Contract	Internal	1 FT Manager 4 FT Officers 1 FT Licensing and Compliance Officer Mon-Sat, 8:30-4:30
Goderich	7,881	Internal	Internal	1 FT Manager 1 FT Officer Summer Parking Staff Mon-Fri, 8am-4pm
Meaford	11,485	Internal	Internal	1 FT Manager 3 FT Officers 2 Summer Students Hours not available
Orillia	33,411	Internal	Internal	1 FT Manager 4 FT Officers 1 FT Animal Control Mon-Fri, 8:30-4:30

Municipality	Population	Animal Control	Parking	Structure
Saugeen Shores	15,908	Contract	Internal	1 FT Officer 2 Summer Students Mon-Fri, 8am-5pm
Stratford	33,232	Contract	Contract for Downtown Core	1 FT Supervisor 3 FT Officers 1 FT Pro-active Community Safety and Wellbeing Officer 1 FT Backflow Prevention Officer Mon-Fri, 8am-4pm
Thorold	23,816	Contract	Internal	1 FT Supervisor 4 FT Officers 2 FT Parking Officers 2 FT Administrative Assistants Mon-Fri, 7am-7pm
Tillsonburg	18,615	Internal	Internal	1 FT Supervisor 3 FT Officers 2 Summer Students Mon-Fri, 8am-5pm

Service Requests (Investigations Only):

Municipality	Population	Number of FT Officers	Call Volume	Calls Per Officer
Stratford	33,232	5	924	185
Cobourg	20,519	5	1185	237
Centre Wellington	28,191	2	500	250
Tillsonburg	18,615	3	820	273
Meaford	11,845	3	872	291
Collingwood	24,811	5	1603	321
Brockville	22,293	2	715	356
Goderich	7,881	2	719	360
Saugeen Shores	15,908	1	360	360
Orillia	33,411	4	1700	425
Thorold	23,816	4	1839	460
Owen Sound	21,612	2	1031	516

As noted in the chart above, Owen Sound responds to a large number of service requests with a limited number of staff. The chart below displays the service requests per officer of comparator municipalities. **The median for service requests per officer in the comparator municipalities is 320** with Owen Sound officers being well above the median at **516**.



Due to ongoing staff turnover within the division, there are periods when a single officer is responsible for managing all service requests. This places a significant burden on the officer, making it impossible to keep up with the volume of requests, which continue to accumulate.

Police Statistics

During a preliminary meeting with the Police Chief and two Inspectors to discuss this service review project, it was identified that parking enforcement was an area where the City could provide additional support and it was also suggested that a review of by-law hours of operation be undertaken.

The Owen Sound Police Service provided data related to by-law enforcement and animal control calls in 2024. A total of **505 calls were received**, broken down as follows:

- 217 noise complaints;
- 148 animal control calls; and
- 140 municipal by-law calls, including issues such as fireworks, open-air fires, parking violations, noise, encampments, fishing, dogs off leash, and yard maintenance.

Daytime

Of the 505 calls, 90 were made during regular operating hours and 50 were made on weekends/holidays between 8:30 a.m. and 4:30 p.m. Of the 140 calls between 8:30 a.m. and 4:30 p.m., they can be broken down as follows:

- 80 animal control complaints;
- 24 noise complaints;
- 14 encampment complaints;
- 14 parking complaints; and
- 8 miscellaneous complaints.

Now that staff have a clearer understanding of the types of enforcement calls the public are making to Police Services, efforts will be made to improve communication with the public to ensure by-law related complaints are directed to the appropriate municipal divisions, such as By-law Enforcement and Animal Control. Staff will also coordinate with police dispatch to clarify procedures for re-directing non-police matters appropriately.

Evening

Staff were considering extending the hours of by-law enforcement from 5 p.m. to 8 p.m. to support Police Services; the 2024 statistics were examined with that in mind. Of the 505 calls, 31 occurred between the hours of 5 p.m. and 8 p.m., specifically:

- 17 noise complaints;
- 10 parking calls;
- 2 encampment calls; and
- 2 fire-related calls.

In light of the statistics, staff are not recommending a change to evening by-law enforcement hours for the following reasons:

- **Low call volume after hours.** Only 31 by-law related calls after regular business hours representing a small fraction of total by-law complaints.
- **Animal Control contract.** Includes provisions for after-hours response.
- **Most by-law matters are best addressed during regular hours.** The majority of calls relate to property standards, yards, waste, and encampments. Enforcing these during the day provide the ability for officers to utilize social supports and contractors (property clean-ups) who work regular office hours. It also

strengthens officer safety as expanding hours with limited staff will mean they will be working alone with no one at City Hall to undertake wellness checks.

- **Police are better equipped for after-hours enforcement.** Many after-hours issues, particularly noise and encampment calls, can pose safety concerns. By-law officers are not equipped with use-of-force tools and do not receive use-of force training. These calls are more appropriately handled by trained police officers, especially in situations where there is a risk of conflict or escalation. Police Services has dispatchers who answer and triage calls, and officers respond to by-law enforcement matters based on the severity of the call and their availability.
- **Financial impact.** Extending by-law hours would increase operational costs for limited benefit to the community and an increased risk to by-law enforcement officers.

At this time, permanent changes to operating hours are not being recommended. With the addition of enforcement staff, temporary adjustments to hours may be made as needed, for example to accommodate appointments or conduct targeted enforcement initiatives, such as bag tags in the River District. Should Council wish to pursue a permanent change to operating hours, it is recommended that staff be directed to prepare a comprehensive report. This report would include a thorough review of officer safety, use of force tools, staffing levels, and operational procedures.

With respect to supporting Police Services with additional parking enforcement, a fulsome review of parking services is anticipated, and part of that review will be to look at overnight parking enforcement, in particular as it relates to snow removal.

Pro-active vs Complaint (Re-active)

Staff presented a report on [pro-active enforcement](#) to the Corporate Services Committee on March 24, 2022. The principles in that report continue to apply today. Highlights of that staff report are included below for ease of reference.

Pro-active enforcement versus complaint driven enforcement is about **how an investigation is initiated**. Pro-active enforcement means that By-law Officers are actively looking for violations without them being initiated by a complaint. **A pro-active model is done equitably across the entire municipality or a specific jurisdiction.** Pro-active enforcement can be done either through dedicated patrols, or as observed during field operations

responding to service requests. Pro-active enforcement will always be secondary to responding to service requests, unless a dedicated unit or officer is tasked specifically to pro-active enforcement, as recommended below.

The majority of comparator municipalities either enforce by-laws based on complaint or a hybrid model. A hybrid model means that officers enforce certain by-laws pro-actively and other by-laws on a complaint basis. Attached to the report is an updated chart of municipalities noting whether they are pro-active or complaint based.

Whether a municipality enforces by-laws pro-actively or by complaint, **By-law Enforcement divisions do not operate as self-funded entities because typically their primary goal is to achieve compliance and maintain community standards, rather than generate revenue.**

Pros to pro-active enforcement include:

- Reduction in complaint calls;
- Public not required to call and complain;
- A greater number of properties being kept to a minimum standard;
- Neighbourly relations maintained; and
- Reduction in number of repeat offenders.

Cons to pro-active enforcement include:

- Increased costs to taxpayers to hire additional by-law enforcement staff and increase the number of by-law vehicles;
- Increased time spent on paperwork for non-violators;
- Increased number of violators who will be required to expend funds to reach compliance with City by-laws;
- Differing income levels will make it difficult for some to comply;
- Increased court expenses;
- Reduction in response times due to increased portfolio;
- Reduction in compliance rates;
- Reduction in officers' availability to assist with general inquiries;
- Increased complaints relating to new style of enforcement;
- Members of the public feeling targeted by municipality;
- Could be seen as government interference (increased inspections on private property); and
- Could create a volatile climate for officers.

Should Council be interested in more pro-active enforcement than is outlined in the staff recommendation below, staff will be looking for direction on the following:

- The by-law(s) to be enforced pro-actively;
- The jurisdiction(s) that would be enforced pro-actively (e.g. the entire City or the River District); and
- The timeframe for the pro-active enforcement (e.g. all year, May to October).

Once direction is provided, staff would report back with service level and cost implications that would result from a change to the current enforcement model.

Compliance vs Immediate Penalty

While pro-active and complaint (re-active) enforcement models are about how investigations are initiated, compliance and immediate penalty approaches are about **how offences are addressed**.

A compliance model is a community focused approach with the goal being to achieve a healthy and safe environment. Violators are given an opportunity to comply with by-laws prior to issuing a ticket or order. Currently, Owen Sound By-law Officers primarily operate on a compliance model approach except for active offences witnessed by the Officer (dogs off leash, parking, temporary encroachment permits, graffiti, littering, etc.). Immediate tickets are often utilized in these instances, based on the Officer's discretion.

The goal of an immediate penalty approach would be to increase revenue generation. With an immediate penalty, officers would issue a ticket or order immediately without providing the violator an opportunity to comply with the City's by-law(s). Certain legislation, like the *Building Code Act* impedes the ability to use an immediate penalty model. The *Building Code Act* prescribes timelines for property related offences. While a work order could be issued immediately, no court action could be taken without the timelines being adhered to. Utilizing an immediate penalty model will increase the amount of time spent by officers undertaking paperwork and have a negative impact on compliance. There would be no incentive for someone to comply with a violation if they are penalized immediately.

Should an immediate penalty model be implemented, staff recommend that a hybrid approach be utilized, whereby property related matters continue to be addressed through a compliance model, whereas person/safety related

matters be addressed through more immediate penalty responses, such as implementing patrols and “blitzes” targeting specific behaviours and education on social media.

Should Council wish to transition from a compliance-based model to an immediate penalty model, this could be achieved through either pro-active by-law enforcement or continued reliance on a complaint-driven process.

Staff have not identified an Ontario municipality that enforces using immediate penalties for all classes of by-law offences. Compliance is always the ultimate goal. While an immediate penalty model would generate additional ticket revenue, **this approach is also likely to lead to higher legal costs and increased public dissatisfaction, particularly if by-law enforcement remains a service that is not self-funded.**

Should Council be interested in transitioning from a compliance model to an immediate penalty model, direction for a staff report will be required. The staff report would review how to implement an immediate penalty model, and the costs associated with this new approach to enforcement.

RentSafe Owen Sound Recommendations

On November 14, 2024, there was a deputation at the Corporate Services Committee from United Way Bruce Grey respecting the RentSafe Owen Sound Collaborative and the following resolution was approved by Committee and Council:

“THAT in consideration of the deputation provided on November 14, 2024 from United Way of Bruce Grey respecting RentSafe Owen Sound Collaborative, the Corporate Services Committee recommends that City Council direct staff to bring forward a report respecting the three recommendations presented, including but not limited to:

1. Collection of data on habitability issues in rental housing;
2. Including language for mould repairs in applicable by-laws;
and
3. Supports for landlords to maintain habitability of rental units and facilitating effective tenant-landlord interaction as a strategy in retaining and improving the existing rental housing stock in Owen Sound.”

With respect to Item number 1 above, By-law Enforcement staff track all complaints through the Cloudpermit software. While there is no specific field

to mark that a complaint relates to a rental property, officers make note of it in the file. A review of the 2024 service requests found that of the 167 property standards files, approximately 50 files related to rental standards. The most common complaints include lack of vital services (heat, hot or cold water, utilities), pests (bedbugs, cockroaches, rodents), mould, and electrical safety concerns. Staff will continue to track these complaints and include them as part of the annual by-law review report.

Respecting Item number 2, the Property Standards By-law currently has a provision that relates to mould and is enforceable. A review of the by-law should be scheduled, but at this time there is a lack of staff resources to undertake a full review.

Respecting Item number 3, By-law Enforcement currently supports landlords in maintaining habitability and fostering positive tenant-landlord relationships to help retain and improve Owen Sound's rental housing stock by:

- **Conducting complaint based property standards inspections** to ensure rental units meet minimum health, safety, and maintenance requirements, and issuing orders where compliance is lacking.
- **Providing education and guidance to landlords** on local by-law requirements.
- **Responding to tenant complaints** regarding substandard living conditions and working with landlords to achieve timely resolution.
- **Encouraging voluntary compliance** by landlords before enforcement actions are taken, promoting a cooperative approach.
- **Documenting recurring issues** to identify problem properties.

There are other ways By-law Enforcement could support the habitability of rental units, all of which require additional resources. Examples include:

- **Pro-active inspection of rental units.** As of the 2021 Census, Owen Sound had 4,155 rental units. Staff propose that a dedicated By-law Enforcement Officer focused solely on pro-active rental property inspections could reasonably inspect 400 properties per year. This estimate accounts for the additional time and resources required to follow up on non-compliant properties and enforce compliance. Using these statistics, it would take one officer 10 years to get through all rental units. It is worth noting that under the *Fire Protection and Prevention Act, 1997*, Fire Prevention Officers have the ability to enter a dwelling in certain circumstances without consent of the occupant or a warrant, By-law Enforcement

Officers are not provided the same authority, and must rely on the consent of the occupant, or a warrant to enter a dwelling.

- **Creation of a Vital Services By-law and updates to the Property Standards By-law.** Staff intend to complete these tasks as time permits.
- **Implementing a rental licensing by-law/program.** Council looked at a residential rental licencing program through [Staff Report CR-18-001](#) and did not move forward at that time.

Recommendations for Consideration

Option 1 – Status Quo – Not Recommended

Option 1 is to make no changes to staffing or service levels relating to By-law Enforcement. This option is not being recommended by staff for the following reasons:

- Officers are unable to manage current case load effectively.
- High turnover rates will continue due to:
 - Limited growth opportunities within the organization;
 - Potential for officer burnout due to unmanageable case load; and
 - Negative working environment.
- Level of service expectations from the public, Council and staff is not achievable. Service level reductions may need to be considered.
- Owen Sound has the highest average case load and lowest staffing levels compared to other municipalities.
- Service Requests continue to rise year after year.
- The community continues to request more by-law presence, particularly in the River District.

Option 2 – Addition of Enforcement Staff – Recommended

Option 2 recommends the addition of By-law Enforcement staff. Staff propose the addition of a full-time By-law Enforcement Supervisor and a By-law Enforcement Officer.

A By-law Enforcement Supervisor is a common position in municipalities. The structure chart provided earlier in the report notes that 8 of 9 municipalities have a Manager or Supervisor. This position would report to the City Clerk and would fill a gap for the organization that has existed for several years. The role would include the following responsibilities:

- Supervise and coordinate the work of the by-law officers.

- Participate in the recruitment of by-law officers.
- Train and support by-law officers.
- Complete annual reports.
- Research the feasibility and financial impacts of implementing programs such as Administrative Monetary Penalties (AMPS), automatic speed enforcement (ASE), increased operating hours, and transferring certain licensing authorities from Police Services to Owen Sound.
- Provide support to officers for complex enforcement files.
- Coordinate matters before the court with the City's prosecutor.
- Attend staff and committee meetings where enforcement expertise is required.
- Create an action plan for regulatory by-law reviews and a schedule of updates.
- Update and draft regulatory by-laws, such as a Vital Services By-law, Public Space By-law, and Shopping Cart By-law.
- Oversee and address issues with the parking and animal control contracts.
- Conduct research and prepare reports on parking best practices.
- Provide public awareness and education of by-laws and programs.
- Communicate and coordinate with community agencies, such as Police Services and Grey County Housing.

Benefits of creating a By-law Enforcement Supervisor position include:

- Attraction and retention of By-law Enforcement Officers as there will be opportunity for advancement within the division.
- Attraction and retention of a By-law Enforcement Supervisor as it will be a managerial position outside of police services.
- Reduction in administrative burden on current officers (no longer required to attend meetings, support regulatory by-law updates, or undertaking research) to provide more time for responding to service requests and inquiries.
- More timely improvements to City regulatory by-laws.
- Improved communication for new or updated by-laws.
- Stronger oversight of the parking and animal control contracts.
- Provide relief to the Clerk, Deputy Treasurer, and Deputy Clerk who currently manage the above noted contracts without expertise in enforcement. The portfolios of these positions are also increasing in complexity, and they are not commonly filled with staff who have enforcement expertise.

The addition of a By-law Enforcement Officer would provide the City with staffing flexibility and the ability to undertake pro-active enforcement in the River District. This pro-active enforcement would include:

- A minimum of 4 active patrols per week in the River District;
- Providing education to business owners, landlords, tenants, and persons in the River District; and
- Targeting specific problems identified by common complaints or direction from Council, such as garbage, graffiti, and deteriorating exterior facades.

Benefits of adding an additional By-law Enforcement Officer include:

- Dedicated enforcement in an important area of the community.
- Additional staff to be utilized during periods of staff turnover.
- Ability to flex hours of operation.
- Improved customer service and more timely responses to service requests.
- Fewer complaints to the Clerk, Senior Leadership Team, and Council due to improved response rates to community concerns.
- Ability to address a larger number of by-law infractions.
- Enhanced visibility and presence in the community.
- Greater support for public education and outreach.
- Reduced workload on existing staff.

The estimated cost for the addition of two positions within the By-law Division is \$238,000. This estimate includes wages, benefits, uniforms and technological requirements (phone, computer, software, etc.). An additional vehicle is not being recommended at this time, as the new By-law Officer will be based in the River District, allowing for efficient access to their primary area of responsibility. Furthermore, under the City's updated Fleet Management Strategy, additional vehicles are available for use by the By-law Supervisor or Officer when needed, ensuring operational needs can be met without the purchase of a new vehicle.

The recommendation in this report is to add both positions for discussion as part of the 2026 budget process.

Should Council not be supportive of the addition of two positions, staff propose the addition of a By-law Supervisor for all of the reasons outlined above. The estimated cost for the addition of this position is \$134,500 which includes wages, benefits, uniform, and technological requirements.

Regardless of whether additional staff are added, staff recommend that **the By-law Enforcement Policy permit pro-active enforcement in the River District** so that should resources become available, staff are not in breach of the policy. Additionally, staff recommend that **the By-law Enforcement Policy permit pro-active enforcement of repeat offenders of the Yard Maintenance By-law.** This is a task well-suited for the summer student, as the Yard Maintenance By-law involves minimal enforcement steps and can be efficiently monitored and documented by the summer student.

Option 3 – Alternative Service Delivery – Not Recommended

Option 3 is to replace the division with an alternative service delivery model. There are some municipalities that contract out by-law enforcement services, but urban municipalities, such as Owen Sound, typically maintain in-house by-law enforcement to ensure direct oversight, specialized expertise, and consistent service delivery.

The Municipality of Kincardine is an example of where a full-time By-law Enforcement Officer was replaced by contracted services. Kincardine has 1.33 full time by-law officers. The total cost of the contracted service was \$104,819, which is equal to \$78,811.28 per full time employee. The City of Owen Sound currently operates at 2.33 full time employees. Based on Kincardine's numbers, Owen Sound could expect a by-law contract to cost \$183,630.28, saving the division approximately \$32,289.72 or 15%.

By-law Enforcement Officers are part of the Canadian Union of Public Employees (CUPE) Local 1189-01 and within the collective agreement, contracting out is not permitted. Should Council wish to consider moving forward with contracting out by-law enforcement services, there would be cost implications respecting legal fees pertaining to the contract and the dismissal of two permanent full-time employees.

While contracted services may have minimal cost savings, it is anticipated that the City would see:

- Less trained officers;
- A high turnover of officers;
- A lack of consistent approach to enforcement;
- A reduction in response and compliance rates;
- The loss of City ambassadors and a community-minded approach to enforcement;
- Additional staff resources to oversee the contract;

- The loss of internal expertise for reporting and by-law drafting; and
- An increase in complaints to Council, the Senior Leadership Team, and the City Clerk.

Another service delivery option is to have Police Services undertake by-law enforcement services. In 2011, the City transferred By-law Enforcement to Police Services. Similar to contracting out, there were union implications related to this change. Five years later, by-law services returned to the City as noted in [Staff Report CM-15-007](#).

Having By-law Enforcement services in-house enhances collaboration across City departments. By-law Officers frequently consult with subject matter experts such as Planning for zoning issues, Engineering for traffic-related concerns, and Parks for tree-related matters. By-law officers also provide support to content experts when drafting regulatory by-laws. This integrated approach fosters a stronger connection between enforcement services, Council, and Committees, ensuring more coordinated and responsive municipal service delivery.

Staff are not recommending an alternative service delivery model because the minimal cost savings do not outweigh the significant operational, legal, and service quality risks. **Maintaining in-house by-law enforcement ensures continued collaboration across departments, consistent and specialized service delivery, and a community-oriented approach that aligns with the City's values and operational needs.**

Future Considerations

Animal Control and River District parking enforcement is undertaken by third party contractors. Many municipalities offer animal control and parking enforcement through internal staff rather than a third party. When these City contracts are coming due, staff propose that these enforcement models be reviewed to determine whether there is a case for bringing them in-house and the resources that would be required.

Revenue Opportunities

By-law Enforcement is funded mainly through property taxes with some revenues from court fines and fees and charges. Revenue from court fines and fees and charges in 2024 was approximately \$13,884.

Fees and charges can be utilized to limit the burden on the tax levy and to charge more of the cost of By-law Enforcement to the offenders requiring the service. Staff recommend the addition of a re-inspection fee to the Fees and

Charges By-law. This re-inspection fee would be charged when the property owner has failed to comply with the compliance date requirements as noted in the order served on the property owner. Where the property owner has complied with the requirements, no fee would be charged. Staff recommend that the re-inspection fee be \$150. Based on 2024 service requests, this fee is estimated to be charged 150 times per year, bringing in an additional \$22,500 per year in revenue.

Staff further recommend that the Fees and Charges By-law be updated to increase the fee for issuing a Work Order. The current fee is \$80, and staff recommend increasing this to \$120. A Work Order is typically issued as a last resort. When property owners refuse to voluntarily comply with a notice from By-law Enforcement, the next step is to issue a Work Order. When a Work Order is issued, a \$100 property sub-search fee is also charged. The total property standards order would cost \$220. It is anticipated that this increase will bring in \$1,125 of additional revenue. The City has not increased this fee in several years and the proposed increase is in line with what other municipalities charge.

The last suggested amendment to the Fees and Charges By-law is to increase the administrative fee for property cleanups from 15% to 25%. The intent of this increase is to better reflect the actual costs incurred by the City, including the time spent by a By-law Officer supervising the cleanup and the administrative effort involved in scheduling and coordinating with a contractor. Currently, the 15% fee primarily covers the HST paid to the contractor, with only a minimal amount remaining to offset City staff time. Attached to the report is a sample calculation to explain this fee further. The Ontario Association of Property Standards Officers (OAPSO) recommends that municipalities charge a 25% fee for this service. It is anticipated that this increase will bring in an additional \$1,000 per year.

Owen Sound parking fines are well below the amount other municipalities charge. With the addition of a By-law Enforcement Supervisor, one of their first tasks will be to undertake a fulsome parking review. Staff anticipate this will include an increase to parking fines which will result in significant increases to parking revenue.

Financial Implications:

Financial implications were provided throughout the analysis section of the report.

In 2025, the cost to provide By-law Enforcement services is \$340,000.

In 2026, should Council move forward with the staff recommendations, it is anticipated that the additional \$214,000 for officers, net of new revenues, would result in an estimated increase of 0.45% or \$1.70 per month for the average assessed home.

Communication Strategy:

Fees and charges are available on the City's website. By-law Officers will communicate fee requirements when responding to service requests.

Staff will include this report on a Corporate Services Committee agenda for information purposes. The annual by-law review report is typically addressed at the Corporate Services Committee. To ensure continuity, staff will include it on a Corporate Services Committee agenda.

Consultation:

City Manager, Fire Chief, Police Chief, Chief Building Official, Manager of Human Resources, By-law Enforcement Officers, River District Coordinator

Attachments:

1. Municipal Comparators – Pro-active vs Complaint
2. Sample Administration Fee Calculation

Recommended by:

Briana Bloomfield, City Clerk
Kate Allan, Director of Corporate Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Briana Bloomfield, City Clerk at bbloomfield@owensound.ca or 519-376-4440 ext. 1247.