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Date **December 9, 2020** **Report No. 2020-587**

To Chair and Members
Human Resources Committee

From Paul Moore, MCIP, RPP
General Manager, Community Development

1.0 Type of Report

Consent Item []
Item For Consideration [X]

**2.0 Topic By-law Enforcement Staff Resources [Financial
Impact: \$13,000]**

3.0 Recommendation

- A. THAT report 2020-587 entitled By-law Enforcement Staff Resources BE RECEIVED; and
- B. THAT staff BE DIRECTED to replace the current vacant Temporary Contract Animal Control By-law Enforcement Officer position with a Full-time Municipal Law Enforcement/Property Standards Officer position within the By-law Enforcement Division of the Building Department, with the annual incremental cost of \$13,000 INCLUDED as an unavoidable increase to the 2021 operating budget.

4.0 Purpose and Overview

The purpose of this report is to request approval to change the one (1) current Temporary Animal Control By-law Enforcement Officer position within the By-law Enforcement Division of the Building Department to a Full-Time Municipal Law Enforcement/Property Standards Officer position.

5.0 Background

In June of 2017, the City's Animal Services provider, being the Brant County SPCA notified the City that they were no longer going to offer By-law Enforcement Services as part of their future contracts. As per Report CS2017-135 on December 19, 2017 City Council authorized the hiring of 1.0 FTE By-law Enforcement Officer on a temporary basis for up to a two-year period. A 2-year contract Animal Control By-law Enforcement Officer position was posted January 25, 2018 and closed February 8, 2018. As of March of 2018, the enforcement function of the City's Animal Control By-law was to be administered by the By-law Enforcement Division of the Building Department. The Animal Control By-law Enforcement Officer position was originally hired on a two-year contract set to expire in March of 2020. As a result of an approved recommendation in Report 2019-257 approved by Council in April of 2019, this contract was then extended for an additional 2-year term through to March of 2021. The funding source of \$96,000.00 was placed in the base budget for both 2020 and 2021.

6.0 Corporate Policy Context

Desired Outcome #1 All neighbourhoods in the City are safe, vibrant, attractive and inclusive

Tier 1 Priorities

b) Improve municipal capacity for by-law enforcement, including extended hours and expanded scope, to address concerns related to property standards, noise, nuisance and compliance with CoVid-19 regulations

7.0 Input From Other Sources

Consultation was held with Human Resources staff and Clerks Department staff.

8.0 Analysis

The Animal Control By-law Enforcement function has been with the By-law Enforcement Division of the Building Department since March of 2018. Since that time, there have been three (3) different staff hired for this position. The initial employee left for the private sector and the last two employees were promoted to full time Municipal Law Enforcement/Property Standards Officer positions. It is difficult to retain staff for contract positions due to the lack of provision of benefits, seniority and vacation time. These staff seek full-time

employment either elsewhere or within the Division when positions become available.

There are currently six (6) full time Municipal Law Enforcement/Property Standards Officers within this Division (see Appendix A for the Division Organization Chart) plus two that have been hired on successive contracts as approved through the Emergency Operations Committee (EOC) to focus on COVID-19. The Lot Maintenance & Waste By-law Officer is a summer student position. These Officers reactively enforce a number of by-laws, most notably the Property Standards By-law, Lot Maintenance and Waste By-law, Zoning By-law, Outdoor Sign By-law, Swimming Pool Fence Enclosure By-law, Fence By-law, Noise Control By-law and most recently the Clean Air Smoking By-law and the Public Nuisance By-law. These Officers are also heavily involved in enforcing the Parks Control By-law relative to homeless encampments and in 2020 have been the lead enforcement agent for CoVid-19 Provincial Order enforcement and the City's Face Covering By-law prior to it recently being repealed. The most current contract employee has just been promoted to a vacant full time Municipal Law Enforcement Officer/Property Standards Officer position, resulting in the contract Animal Control By-law Officer position becoming vacant.

Staff has reviewed this situation and are seeking approval for this position to be replaced as a seventh (7th) full time Municipal Law Enforcement/Property Standards Officer position. Of the current six (6) field staff complement, two (2) have previously held this contract position and a third (3rd) previously was employed by the Brant SPCA and is similarly familiar in both the Animal Control By-law and the Dog Owners Liability Act. Staff is confident that these three (3) Officers can assist in training the other Officers and thus allow for this role to be integrated among the duties of all seven (7) Officers if approved, as opposed to it being a single Officer tasked solely on Animal Control responsibilities.

Staff would then be able to increase the full time complement of Officers to assist with enhanced enforcement of the aforementioned by-laws, as well as the ability to focus on specific issues such as an enhanced downtown core presence, public nuisance issues in the downtown core, proactive City-wide sign violation blitzes and both homeless encampment and Covid-19 regulatory education. Ideally, this additional Officer could provide a more regular after hours presence as identified in the Tier 1 Priority, however based on the risk assessment for the position as required under the City's Working Alone Health & Safety Standard, these Officers are not permitted to work alone, necessitating the need for an additional staff hire. This additional Officer request to enhance

the staff complement to eight (8) Municipal Law Enforcement/Property Standards Officers may be discussed at future City Budget deliberations.

9.0 Financial Implications

The 2020 budgeted net expense for the Animal Control By-law Enforcement Officer position is \$95,223, and the budgeted net expense for the Bylaw Enforcement business unit is \$951,359. This equates to a 2020 combined enforcement budget of \$1,046,582. If the Animal Control By-law Enforcement Officer contract position is changed to a seventh (7th) full time Municipal Law Enforcement /Property Standards Officer position it is estimated to increase the Bylaw Enforcement 2021 budget by approximately \$108,000, however the Animal Control By-law Enforcement budget of \$95,223 will be eliminated. This represents an increase in the overall enforcement budget of approximately \$13,000, or 1.24%, primarily due to the increase in paid employee benefits and will be included as an unavoidable increase to the 2021 operating budget.

10.0 Conclusion

Due to the difficulty in retaining staff in the Temporary Contract Animal Control By-law Enforcement Officer position, staff is recommending that this currently vacant position be changed to become the seventh (7th) full time Municipal Law Enforcement/Property Standards Officer position within the By-law Enforcement Division of the Building Department. This additional staff complement is required to assist with the ever increasing and demanding role of By-law Enforcement within the City and falls within the Tier 1 Priorities as identified by City Council. The role of Animal Control By-law Enforcement can be absorbed by all Officers.



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General Manager, Community Development

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Attachments (if applicable)

Appendix A – Current Division Organization Chart

Copy to: (if applicable)

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☐ yes ☒ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☒ no

Is the necessary by-law or agreement being sent concurrently to Council? ☐ yes ☒ no

APPENDIX A – Current Organization Chart for Property Standards & By-law Division

