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**Title: By-law Enforcement**

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**Department/Division:** Corporate Services/By-law Enforcement

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**Purpose:**

1. This policy establishes the City's standard for the receipt, investigation and resolution of regulatory by-law complaints.

**Scope:**

2. This policy does not supersede any regulatory by-laws approved by City Council.

**Definitions:**

3. For the purposes of this policy;
  - a. "City" means the City of Owen Sound and a reference to the City is a reference to the geographical area or to The Corporation of the City of Owen Sound as the context requires; and
  - b. "Officer" means a By-law Enforcement Officer of the City.

**Policy:**

4. Officers shall 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 as deemed appropriate by the Officer.
5. Officers shall provide support to other enforcement agencies leading enforcement activities for:
  - a. federal and provincial legislation;
  - b. by-laws enacted by other jurisdictions, Grey County or another body through City Council's delegated authority.
6. Any person filing a by-law complaint may expect:
  - a. a prompt and thorough response to the complaint; and

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- b. that their identity and personal information will be kept confidential and used only for the purposes of communicating with City staff about the complaint.
- 7. All regulatory by-laws passed by City Council will be enforced by complaint except infractions:
  - a. observed by the Officer where the Officer deems it necessary to enforce or;
  - b. observed as part of a patrol scheduled by the By-law Enforcement Division.
- 8. Requests for information will not be treated as complaints unless the Officer deems that the matter may be an immediate threat to health or safety.
- 9. Unless an Officer deems a complaint to be an immediate threat to health or safety, the Officer shall not respond to complaints which:
  - a. are hypothetical, or have yet to occur;
  - b. are overly general, i.e. complaint about all neighbourhood properties;
  - c. are anonymous;
  - d. are publically posted or published but not sent directly to the City, including an opinion or editorial, website or posting on social media;
  - e. lack sufficient detail to begin an investigation or a way of contacting the complainant for additional information; or
  - f. involve a private dispute where there is no violation of a City by-law.
- 10. Where the subject of an alleged by-law violation is lands, structures or objects for which ownership cannot be determined, the Officer may:
  - a. assign responsibility for resolving the violation to the property owners abutting the subject of the violation; or
  - b. decline to respond to the complaint.

**Revision History:**

<b>By-law Number</b>	<b>Date</b>
2017-164	November 20, 2017