
Title: By-law Enforcement

Department/Division: Corporate Services/By-law Enforcement

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;
"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;
"Hotspot" means an area of the City identified as experiencing high crime and/or regulatory infraction intensity and declared a 'hotspot' by resolution of Council; and
"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:

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- a. a prompt and thorough response to the complaint; and
 - 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;
 - b. observed as part of a patrol scheduled by the By-law Enforcement Division; or
 - c. observed at Hotspots within the City.
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.

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Revision History:

By-law Number	Date
2017-164	November 20, 2017
2020-107	September 14, 2020