



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 6, 2016
SUBJECT/REPORT NO:	By-law Enforcement Service Levels in the McMaster University Neighbourhoods (Ward 1) (PED16260)
WARD(S) AFFECTED:	Ward 1
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SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development
SIGNATURE:	

Council Direction:

At its meeting of October 26, 2016 Council approved the following motion by Councillor Aidan Johnson:

“WHEREAS, there is one full-time Environmental By-law Officer, assisted by one part-time Officer, and student help in the summer assigned to Ward 1 (West Hamilton);

WHEREAS, additional staff resources are assigned to enforce By-law violations during the times when students are moving in and out of rental units (i.e. September and April);

WHEREAS, discussions with the Westdale and Ainslie Wood Neighbourhood Associations, reveal that one full-time By-law Officer is not sufficient to deal with ongoing noise pollution and hygiene problems associated with bad student housing in the community, and;

WHEREAS, the problems with bad student housing in the community are not concentrated in a few particular weeks (i.e. September and April);

THEREFORE, BE IT RESOLVED:

- a) That staff be directed to review the current By-law Enforcement service levels in the McMaster neighbourhoods and report back to the Planning Committee before the 2017 budget deliberations begin with:

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- i) options for increasing the levels of by-law enforcement in the McMaster neighbourhoods including additional staff, re-prioritizing enforcement efforts to allow reassignment of current staff or any other practical options; and,
 - ii) detailed cost estimates for each of the service level options along with possible funding sources for any option which would result in increased expenditures;
- b) That staff enter into discussions with McMaster University to explore possible cost-sharing arrangements for an additional By-law Officer.”

Information:

Across the City, most by-laws are enforced upon complaint (reactively) and some by-laws are enforced without a complaint (proactively). The following table lists the four enforcement teams and the by-laws which they enforce:

Officers	By-Laws
Environmental Officers Note: Environmental Officers are also assisted City-wide by Mohawk College students (one-year term) and summer students (May-September)	Yard Maintenance (long grass/weeds), Snow and Ice, Illegal Dumping and Solid Waste Management
Property Standards and Zoning Officers	Property Standards, Zoning, Heat, Vacant Buildings
Proactive Property Standard Officers	Rental Housing / Proactive Property Standards Blitzes
Special Enforcement Officers	All the above noted by-laws as well as Noise Control, Public Nuisance

Officers generally work during the day, Monday to Friday, with special assignments after hours as necessary. However, Special Enforcement Officers can work after regular business hours, seven days a week.

In addition to the normal (reactive / proactive) service levels reported above, Municipal Law Enforcement (MLE) works with Waste Management, the Hamilton Police Service, McMaster University and the community on a number of special initiatives to deal with the various by-law issues associated with the large number of rental properties in the McMaster neighbourhoods.

For many years, a proactive education and enforcement program specific to the surrounding areas of Mohawk College and McMaster University has been conducted. Every year during the April student “move-out” and the September student “move-in” periods, MLE Officers and Student Officers proactively enforce the following by-laws;

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- Noise / Public Nuisance: in addition to the Noise Enforcement Team (One MLE Officer, One Hamilton Police Officer) McMaster retains Paid Duty Police Officers (Mac 91/92) to assist with noise / public nuisance issues that arise on and off campus. Paid Duty Police Officers are scheduled from 10:00 p.m. - 4:00 a.m. during peak times throughout the year;
- Yard Maintenance: long grass / weeds and garbage / debris;
- Property Standards: minimum standards of building / property maintenance; and,
- Solid Waste Management: MLE co-ordinates with Waste Management on waste issues on City (boulevard) and private property.

If the current service levels are deemed inadequate, the following options for increased service could be considered:

Option 1 - Re-prioritizing / Re-assigning Current Enforcement Staff:

Re-prioritizing / re-assigning existing MLE Officers to increase levels of service in neighbourhoods surrounding McMaster University is an option, but is not recommended as it would result in decreased levels of service in other areas of the City.

Option 2 – Hire / Assign Additional Enforcement Officers to the McMaster Neighbourhoods:

Each additional Officer would cost approximately \$113,000 annually (salary and benefits) as well as one-time costs of \$26,000 for a vehicle. The primary objective of enforcing by-laws is to gain compliance and staff's experience is that voluntary compliance rates are generally high once Orders have been issued. Therefore, while some costs would be recouped through fees and fines this would only partially off-set expenses and the amount would not be significant enough to consider full cost recovery.

Another related option might be to hire an additional Officer for the McMaster neighbourhoods as a one-year pilot to accurately assess how much additional revenues could be generated through fees and fines.

Option 3 - Expand Existing Mohawk College Student Co-op Program:

A lower cost option could be to increase enforcement service levels in the McMaster neighbourhoods by hiring two students. The current practice of hiring Co-op Justice and Wellness Students from Mohawk College has proven to be very successful to-date. Based on the current Mohawk Co-op Student Program staff believes this program could generate enough revenue from fees to be self-sustaining. However, a one-year pilot could be initiated to determine if full cost recovery could be realized.

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There are no levy funds available for any of the above service level increases. Therefore, this matter could be referred to the 2017 budget process, or temporary funding for a pilot might be sought from the Tax Stabilization Reserve or Ward 1 Area Rating funds. Representatives of McMaster University have advised that they are prepared to discuss ways for them to assist in sustaining a program, if a one-year pilot is conducted.

KB:lm