

2023

Infill Project Year End Report with 2021-2023 Statistics

Submitted By:

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Hamilton

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Introduction

The internal Infill Project has been live since April 1, 2021. The Municipal Law Enforcement team under the management of Tamara Reid, Supervisor Operations and Enforcement, Licensing and By-Law Services, moved promptly to transition into a new role and to provide an asset to Public Works, Engineering Services, Corridor Management, the Film Office and at times the Building Department. Throughout the year of 2023 Municipal Law Enforcement Officers Mike Lessick, Ron Kirouac and Lily Savidant were assigned to the project, one at a time, as inspectors and started expeditiously with reactive calls from project stakeholders while simultaneously performing their own proactive inspections.

The Infill Project materialized from the need to have an enforcement arm to respond to various road occupancy violations throughout the City. Typical complaints ranged from construction companies and developers closing an entire road, a single lane, a sidewalk, or all of the above. It can be a contractor depositing material on a road and obstructing the lane or a film production taking over a neighbourhood causing parking and traffic challenges.

In most cases, when a road, a lane or sidewalk is closed or occupied, a permit from the City is required. Consequently, when the City is not consulted prior to closing a road and a permit is not obtained, the flow of road users can be negatively impacted causing congestion on not only the major arteries but also spilling over into side streets and quiet residential communities. A road closed without the proper permit, precautions and a traffic safety plan can be hazardous to pedestrians, cyclists, vehicles and property. Accordingly, the need to regulate road closures in the city is paramount and in the best interest of the community. An enforcement element is essential in achieving this goal.

The added benefit to stakeholders of having an enforcement resource on the road is being able to provide real time feedback while on site and acting as the eyes and ears in the field. The Officer can be relied upon to articulate information, relay it to the appropriate channel and receive quick and accurate direction. This quick response time, often minutes instead of days, increases safety through the city corridor for pedestrians, cyclists and vehicles.

Stakeholder Identity and Goals

Corridor Management:

Due to a recent increase in complaints relating to infill development projects, management decided to initiate a one-year pilot project which involves utilizing an MLE Officer that will assist Corridor Management with the inspection and enforcement of lane and sidewalk occupancies. Corridor Management provides permits for use of the right-of-way to external agencies such as the development projects, household renovators, filming, and special events. In addition to the long overdue need for a presence on the road to gain permit respect, the MLE officer will also enforce where necessary to ensure the right-of-way is kept safe and clear.

Film Office:

The Film Office coordinates all municipal approvals necessary for on-location filming in Hamilton and consolidates these into a film permit. This includes working with Corridor Management to permit for road and sidewalk occupancy for film crews. A long-standing concern raised by our community stakeholders (including Councillors) is the perception that film crews violate the terms of their permits without consequence. Through this pilot, we hope to collect data about permit compliance and demonstrate to stakeholders that the City will respond to any violations.

THE TEAM

Municipal Law Enforcement

Tamara Reid, Supervisor Operations and Enforcement

Mike Lessick, Municipal Law Enforcement Officer, Lead Investigator (Jan-Jun 2023)

Ron Kirouac, Municipal Law Enforcement Officer, Lead Investigator (Jun-Nov 2023)

Lily Savidant, Municipal Law Enforcement Officer, Lead Investigator (Nov-Dec 2023)

Corridor Management

Dave Lamont, Manager

Rob Merritt, Senior Project Manager

Rich Shebib, Project Manger

Jeff Ng, Right-of-Way Permitting Technologist

Film Office

Kim Adrovez, Senior Project Manager

Diedre Rozema, Project Manger

Jennifer Paquette-Smith, Business Development Officer

Sarah Rock, Business Development Officer

Devon Hogue, Business Development Officer

2023 Year End Update

MLEO Lessick, MLEO Kirouac, and MLEO Savidant has conducted a combined 591 Road and Film inspections for the 2023 year. Out of those inspections 184 (estimated based on 2022) violations were found. MLEO Officers achieved compliance with the offender(s) 153 (estimated based on 2022) times. As a result of non-compliance or repeat offenders 29 charges were issued in 2023.

MLEO Officers have made internal connections with several City departments, Film Production Location Mangers, Assistant Location Mangers, and Producers. This has allowed inspection outcomes to be managed quicker without losing accuracy and concurrently promoting positive outcomes.

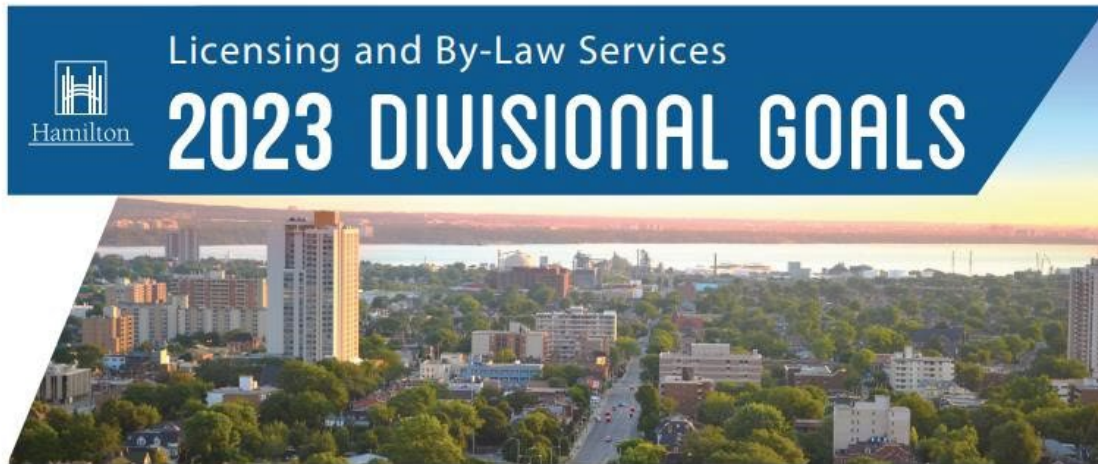
Challenges

MLEO Officers at times must deal with concurrent requests to inspect/investigate from the Film Office and Corridor Management. The officer responds by communicating with stakeholders and prioritizing the requests. MLEO Officers must also navigate the whole of Hamilton while conducting inspections. This resulted in extensive driving distances and time between site visits.

2023 Year End Conclusion

Communication between MLEO Officers and involved stakeholders was streamlined. There is constant dialogue and mutual feedback between all involved departments. The project continues to move forward and evolve. Feedback from all participants has been overwhelmingly positive and supportive.

Divisional Goals and Objectives



1. COLLABORATION THROUGH COLLECTIVE OWNERSHIP



- Develop memorandums of understanding and policies and procedures with cross-departmental and external stakeholders for the delivery of shared services, resources and technologies.
- Encourage greater collaboration and open discussion within Licensing and Bylaw Services to foster a resilience team and build cross- departmental capacity on issues that straddle departments.
- Continue to thrive in a remote, hybrid and office setting.

2. ENGAGED AND EMPOWERED EMPLOYEES



- Encourage, communicate, and celebrate team work and continuous improvement solutions in all areas within Licensing and By-law Services.
- Identify and foster processes that continue to empower the team with an emphasis on revenue drivers and deterrence.
- Foster a leadership and learning culture within the Division with the development of staff through continuous coaching, mentoring, and education programs including the proper utilization of the PAD system.
- Identify unique ways to create and encourage the team to develop strategies for innovation across Licensing and Bylaw Services taking into consideration our impact on climate change.

3. PROVIDE SENSATIONAL SERVICE



- Reimagine and reform routine processes to find unique solutions to provide sensational service while working remotely, hybrid or in the office.
- Continue to focus on team member development, problem solving, best practices and commitment to provide excellent customer service with a focus on the "Open for Business" Strategy.
- Develop strategies to reflect our changing priorities and ensure service level targets and benchmarks are in place for the delivering of key services.
- Support economic recovery with community members and businesses.

Infill Project Goals and Objectives

- Provide an enforcement arm to involved stakeholders
29 Administrative Penalty notices issues at \$200.00 each (\$5800.00)
- Educate the public in relation to required permits
155 incidents of compliance and education (2022 statistics)
- Promote the safe passage of pedestrians, cyclists and motorists through City streets
Inspections have resulted in debris, material and equipment being removed from the road and sidewalks, avoiding both day and night unsafe situations.
- Reduce road congestion
Illegal road occupancies corrected. Violators referred to proper permitting process through Engineering Services.
- Review and amend By-Law 15-091 "To Regulate The Installation Of Equipment On Roads"
- Create short-form wording for By-Law 15-091 "To Regulate The Installation Of Equipment On Roads" for incorporation into the Administrative Penalty Notice (APS) By-Law
- Review and amend By-Law 86-77 "Streets"
- Create additional short-form wording for By-Law 86-77 for incorporation into the Administrative Penalty Notice (APS) By-Law

Officer Goals and Objectives

- Become familiar and comfortable with new assigned technologies
Daily use of Right of Way Permitting Map software
- Recognize newly revised Ministry Book 7 violations
Enroll MLEO Savidant in Book 7 Training
- Provide a robust resource for stakeholders to rely on
591 Inspections conducted proactively and reactively, reducing complaints from public and burden on city resources
- Follow standardized enforcement strategies: Educate, Warn, Charge
Officer focus is on restoring safe passage of pedestrians and motorists

By-Laws Being Utilized

By-Law 86-077 Streets By-Law

By-Law 15-091 To Regulate the Installation of Equipment on Roads

**TYPE OF INSPECTIONS ARE SPLIT INTO TWO CATEGORIES,
ROAD AND FILM**

2023 Year End Road Statistics

Proactive and reactive road lane(s) closure and occupancy inspections confirm if a permit was obtained where one is required. A violation may result in education, verbal warning, or charge.

Total Completed Inspections	225
Proactive: Officer initiates inspection	79
Reactive: Officer receives complaint	146
Road: Closure or occupation	179
Sidewalk: Closure or occupation	37
Other: Not related to road or sidewalk	9
No Violation: No problem found	33*
Violation: By-Law Offence found	4*
MLEO Charges: Ticket or Summons issued	29
Compliance: Violation resolved without charges	3*
Permit: Permit was required and obtained	1*
No Permit: Permit was required but not obtained	0*
Refer to Parking: Parking enforcement request	1*
Parking Charges: Parking tickets issued	0*

*Indicates November/December 2023 only

2023 Year End Film Statistics

Filming location permit compliance checks are conducted reactively or proactively. During these inspections MLEO Officers confirm the status and validity of the permit, ensures parking is in accordance with the permit, and that the production crew is starting and ending at the proper times and at the designated location.

Total Completed Inspections	366
Proactive: Officer initiates inspection	362
Reactive: Officer receives complaint	4
Road: Closed or occupied by production	2
Sidewalk: Closed or occupied by production	3*
Other: Not related to road or sidewalk	0*
No Violation: No violation found	85*
Violation: By-Law or Film Permit violation	5*
MLEO Charges: Ticket or Summons issued	0
Compliance: Violation resolved without charges	5*
Permit: Production had valid film permit	90*
No Permit: Production did not have a permit	0*
Refer to Parking: Parking enforcement request	0*
Parking Charges: Parking tickets issued	0*

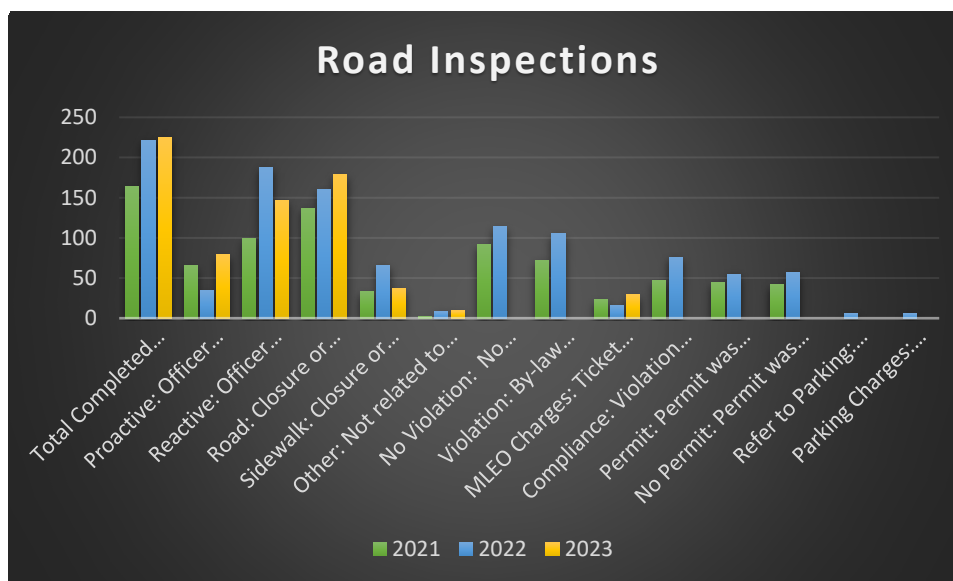
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2021-23 Year End Statistics

Road

Road Inspections	2021	2022	2023	Total
Total Completed Inspections	164	221	225	610
Proactive: Officer initiates	65	34	79	178
Reactive: Officer receives	99	187	146	432
Road: Closure or Occupation	137	160	179	476
Sidewalk: Closure or Occupation	33	66	37	136
Other: Not related to road or sidewalk	2	8	9	19
No Violation: No problem found	92	114	33*	206
Violation: By-law Offence found	72	105	4*	177
MLEO Charges: Ticket or Summons	23	16	29	68
Compliance: Violation resolved no charge	47	76	3*	123
Permit: Permit was required and obtained	44	55	1*	99
No Permit: Permit was required but not obtained	42	57	0*	99
Refer to Parking: Parking Enforcement request	0	6	1*	6
Parking Charges: Parking Tickets issued	0	6	0*	6

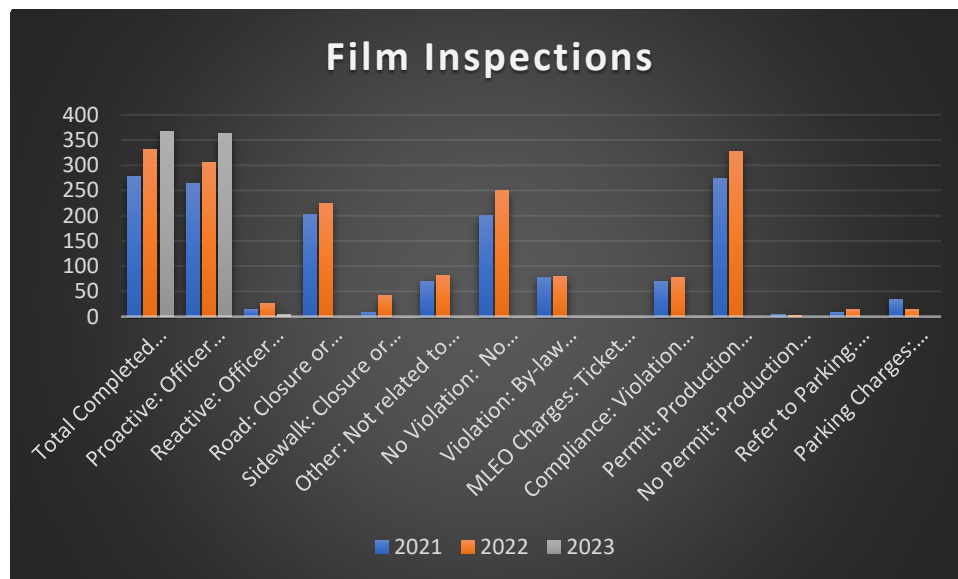
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Film

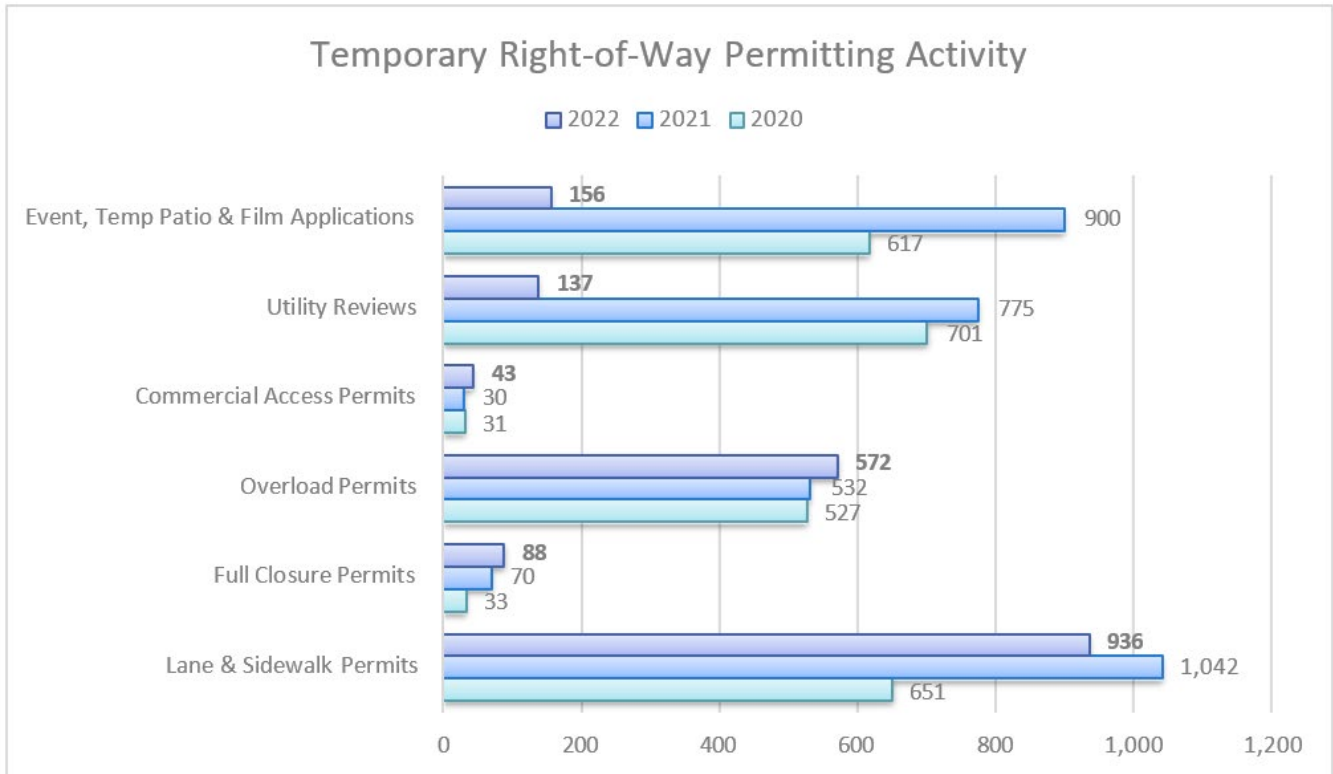
Film Permits	2021	2022	2023	Total
Total Completed Inspections	278	331	366	975
Proactive: Officer initiates	263	305	362	930
Reactive: Officer receives	15	26	4	45
Road: Closure or Occupation	202	225	2*	427
Sidewalk: Closure or Occupation	8	42	3*	50
Other: Not related to road or sidewalk	69	81	0*	150
No Violation: No problem found	200	250	85*	450
Violation: By-law Offence or Permit Violation	78	79	5*	157
MLEO Charges: Ticket or Summons	0	0	0	0
Compliance: Violation resolved no charge	69	77	5*	146
Permit: Production had valid film permit	274	328	90*	602
No Permit: Production did not have valid permit	5	3	0*	8
Refer to Parking: Parking Enforcement request	8	14	0*	22
Parking Charges: Parking Tickets issued	33	14	0*	47

*Indicates November/December 2023 only





Permits-Engineering Services



2024 ROW PERMITTING USER FEES

LANE, ROAD, AND SIDEWALK CLOSURE PERMITS

Temporary Lane Occupancy (*Restricted & *Unrestricted)

Temporary Sidewalk & Blvd Occupancy (per 14 days)

Temporary Road Closure - Full Construction (per 365 days)

Temporary Road Closure - Full Special Event & Filming (one time fee)

* Unrestricted = Local Lane, Partial Sidewalk, Alley, Walk-through Scaffolding (per 2wks)

* Restricted = Arterial lanes signed NPA/NSA (per lane/per day)

STAKEHOLDERS & MLEO COMMENTS

Corridor Management:

"Prior to your position with us, our permits had no teeth. Those that became aware of this continued to take advantage by not taking out permits or taking more than they are permitted knowing full well there would be no consequence. It was an unfair process as those that take out permits pay fees, and those that don't just get a slap on the wrist. I feel those repeat offenders have become aware of your presence have now been forced to make the extra effort and stay in line."

"All of our previous responses to issues were 100% reactive. Your presence has now allowed a proactive approach by catching issues prior to reaching the general public or council."

"Response time has increased significantly as well. If you recall when this pilot was first introduced it was in response to infill complaints being received in Ward 1. One catalyst was a development related service connection that was taking up the sidewalk and a portion of the roadway. The public complained to Council who consequently reached out to several departments including Corridor Management. With little information it wasn't even known who was out there until the next day. Calls like this are typically resolved within the hour now which not only satisfies the Councillor but also addresses serious hazards on our right-of-way."

"Overall, you and this pilot has been invaluable. It is my hope that it becomes a permanent fixture and you become a full time team member with our group!"

Film Office:

"Helps resolve complaints by ensuring productions are adhering to their permit"

"Helps the film office by providing on the ground facts with photos"

"Creates records (with facts, photos) that staff can refer back to if there are subsequent issues with a production or in a neighbourhood"

"Reassures the public that the City is holding productions accountable to follow their permits (counters the narrative that productions are "allowed to do whatever they want")"

"Positive feedback from clients – reduces the burden on location managers to enforce City requirements; reinforces the City's expectations"

"A means of collecting data about levels of compliance, common issues"

"Process of dispatching calls via the Film Office is crucial to our "one counter" streamlined service approach to film"



"Helpful to have someone on the ground who can educate the productions and/or public on by-laws, why we require permits to be followed, etc."

"Mike is the film office's eyes and ears on the ground and is able to issue tickets and/or bring in parking enforcement as needed to ticket non-compliance"

Municipal Law Enforcement Officer Mike Lessick:

I have several years of Law Enforcement experience including ten years as a police officer with the City of Hamilton and now a Municipal Law Enforcement Officer. When I was asked to be part of this project as the lead investigator I was thrilled at the opportunity. In its infancy the project was still not completely defined and stakeholders were still being identified, we were in the early stages of the covid pandemic. The project was launched with Corridor Management requesting the need to have a dedicated enforcement arm to promptly deal with road occupancy violations and the film office asking for help managing the several hundred permits they issue a year with field inspections.

I began the project not knowing what Book 7 was, I quickly realized it was the Ontario Traffic Manual that provided the basic requirements for traffic control in work zones during roadway or utility construction and maintenance on or beside public highways. In my new role, working with Corridor Management Book 7, familiarity was a necessity and I quickly pursued and completed the City administered Book 7 training. The training and gained knowledge have been invaluable in recognizing improper and unsafe work setups and relaying that information back to Corridor Management for their expert assessment and follow-up. This has allowed me to work with violations at the scene and correct any issues identified. Consequently, the end result has been demonstrable safer sidewalks and roads for the community.

The Infill Project requires close and daily communication with Corridor Management. I look to them for their expertise in all things traffic related. If I have any questions out in the field, I receive a quick professional answer that helps guide my investigations. At the beginning of this project, I had rarely seen a Temporary Road

Occupancy Permit. I have now conducted over 385 inspections that were related to occupancy violations. I have seen homeowners, contractors, and developers use the City roads and sidewalks as a place to store their material and equipment. I have witnessed unsafe and unauthorized road and sidewalk closures, putting pedestrians, assisted mobility device users, cyclists, and vehicles at risk. Working with the experts in Corridor Management I address these issues swiftly, with the goal of protecting the public, promoting safe passage through the City, and protecting property. I educate and work with violators and on occasion when compliance is not met or for repeat offenders, I have laid charges.

The Film Office was a last minute add on to the Infill Project. It was expressed that several hundred Location Filming Permits are issued by the office each year. At the beginning of the project, I had never seen a film permit. I have now conducted over 600 film inspections. In addition to seeing several famous Hollywood actors, I have witnessed very large productions



take over entire neighbourhoods essentially recreating their own film community with the belief that they can do whatever they want because they have a film permit. I have also found very small to medium size productions violating the conditions of their permit because they felt it would go unnoticed. Common issues include parking violations, noise complaints, unsafe setups, sidewalk obstructions, setting up in excess of what their permit allows and not having a valid permit. I have made connections with Location Managers, Assistant Location Managers, Location Supervisors of Personnel, and Producers. I work with these contacts in the field with input from the Film Office to quickly bring any violations into compliance. In the rare case that there is no cooperation or there is a repeat offender I have called parking for enforcement or recommended to the Film Office that a film permit be cancelled or not renewed.

In total I have conducted over one thousand joint road and film inspections since the onset of this project. In my experience the project has identified a clear operational need to have at least one, preferably two, dedicated Municipal Law Enforcement Officer's assigned to work exclusively with Corridor Management and the Film Office. I have witnessed first hand on almost a daily basis that this project has enhanced public safety, promoted safe passage through the City, reduced traffic congestion and implanted accountability with film productions. The need for this resource is substantially real and should be carefully considered.

PHOTOS OF VIOLATIONS



**HOMEOWNER BLOCKING SIDEWALK WITH BIN
No Road Occupancy Permit**



**CONTRACTORS LIFT BLOCKING THE SIDEWALK
No Occupancy Permit**



PRODUCTION VEHICLES BLOCKING THE STOP SIGN/ SECTION OF THE INTERSECTION
Unlawfully parked and Impeding Sightlines of Motorists



**PRODUCTION EQUIPMENT BLOCKING THE SIDEWALK
No Occupancy Permit**



CONTRACTOR'S BIN ON THE ROAD WITHOUT A PERMIT AND CAUSING A SIGHTLINE ISSUE FOR MOTORISTS



Hamilton

THANK YOU