



INFORMATION REPORT

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: February 19, 2013	
SUBJECT/REPORT NO: Enforcement of Businesses Operating without a Licence (PED13037) (City Wide)	
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SIGNATURE:	

Council Direction:

Planning Committee, at its October 16, 2012 meeting, received a delegation by Mr. Mike Whaling who had concerns about illegal businesses operating in close proximity to his legal business. Committee directed as follows:

“Staff are to report back on illegal business and are to include in their report, history of charges laid regarding illegal businesses.”

Information:

As reported to Committee in 2009, measures were taken to correct the many deficiencies in the City’s business licensing program as identified in the 2007 Operational Review. Licensing inspections and enforcement are now appropriately prioritized in the City’s by-law enforcement program with proactive inspections being a fundamental component.

Proactive enforcement efforts have resulted in significant increases in licensing activities (i.e. business licences issued, revenue generation, and charges laid for operating a business without a licence) as reported to the Planning Committee and the General Issues Committee in 2010 and 2011.

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In terms of licensing enforcement, proactive efforts and performance management of staff has resulted in a significant increase in charges laid for operating a business without a licence as indicated on the following table:

Year	Charges laid for operating a business without a license	Charges investigated but not approved by Legal to proceed to Court	Total charges/completed investigations for operating a business without a license
2006	11		11
2007	16		16
2008	16		16
2009	58	5	63
2010	104	20	124
2011	133	21	154
2012 to-date	114	14	128
Total	452	60	512

The amount of increased licensing enforcement activity for businesses which are licensed but may not be complying with Licensing By-Law requirements is not included in the above table.

The increased licensing enforcement activity also aligns with the 2012 Ontario Municipal Benchmarking report which shows that overall, the rate of compliance with all by-laws in Hamilton has increased to 93% as compared to only 59% in 2008, all of which demonstrates significant effort and success in improving the quality of life and the health and well being of the Community.

The statistical information presented in this report is currently gathered manually. However, impending improvements to the Amanda system will allow more efficient data collection of fines, and once this is done, staff will be in a position to collect this information more efficiently and to report this information on a more regular basis (i.e. through the quarterly report provided to Councillors about By-law Enforcement activity in their Wards).

MH/dt