

Report to Council



Date: February 26, 2018
File: 0610-01
To: City Manager
From: David Gazley, Bylaw Services Manager
Subject: Kelowna Bylaw Services Update to Council

Recommendation:

THAT Council receive as information, a Bylaw Services update and report from the Bylaw Services Manager as presented on February 26, 2018.

Purpose:

To provide Council with an overarching update of the Kelowna Bylaw Services Department including historical roles and responsibilities, present activities and future strategies in alignment with Mayor and Council's vision and priorities of public safety, addressing homelessness, strong financial management and fostering vibrant urban centres.

Background:

The Bylaw Services Department is responsible for the adherence of 27 bylaws within the City of Kelowna. As a principal bylaws are primarily enforced on a complaint basis. Using a fair but firm approach, officers look to seek compliance through education and engagement as the first resort. If escalation is needed, officers can apply enforcement tools to bring violation into compliance, including the Bylaw offence notice. The advantage of using the bylaw offence notice legislation is that any ticket disputes are resolved out of the provincial court system. Disputes are handled using an established adjudication process where hearings are held within City Hall and presided over by an appointed adjudicator.

Historically Bylaw Services' focus was on parking and park patrols with an emphasis on sign enforcement, noise and traffic control, illegal suites and zoning complaints. The volume of complaints 15 years ago is less than half of today's volume. Even in the last five years we have seen file volumes increase by 70 per cent: in 2013 we received 7,641 calls for service, and in 2016 we received 12,966. In 2017, the increase slowed a bit, with an additional 300 files above the previous year. During this time, transient files went up 189 per cent, traffic / parking related files increased by 106 per cent, zoning

related issues increased 105 per cent, noise complaints rose 88 per cent and unsightly premises increased slightly by 22 per cent. In 2013 Bylaw Services had a compliment of 12 officers and a manager. Our only increase in staff to date has been the addition of a supervisor and one officer to handle this 70 per cent increase in call volume.

Bylaw's role has increased to be a valuable resource for a coordinated approach to increased public safety. Priority oriented enforcement includes proactive and reactive efforts. The Bylaw Services Department works closely with its enforcement partners – including the RCMP – as well as community partners. In an effort to reduce neighbourhood disputes, applying the new Good Neighbour Bylaw, certain complainants are urged to enter into mediation offered by the John Howard Society to reduce the number of calls efficiently and expediently. Bylaws was also active in helping the activation of the emergency winter-weather Cornerstone shelter. Increased foot patrols by Bylaw officers helped ensure the safety of the public, neighbouring businesses, staff, and those accessing the support service.

Our alternative compliance approach is that enforcement – ticketing – is not always the most effective way to achieve resolutions, particularly with addressing those experiencing homelessness. Applying a compassionate approach, and through our collaborative work with partner agencies, we aim to find alternative and proactive enforcement methods, as well as ways to educate the public.

Since the inception of the Good Neighbour Bylaw we have received 256 calls for service related to this new bylaw. Although we have not applied any abatement fees through the GNB some problem residences are under investigation and this valuable tool will aid in our efforts to ensure future compliance.

A 2018 process review will focus on building improved proactive data-driven deployment strategies that will further improve our ability to effectively deploy resources to priority files. Current practice includes prioritization of calls, implementation of a zoning enforcement model and continual analysis of calls for services. Looking forward we aim to engage the community further to help evaluate our programs so we can determine our successes and drive the future direction of Bylaw Services.

At this time, Bylaw officers' focus includes continued efforts to attain compliance of agricultural files in the north end of the City, taking quick action on high impact and repeat problem properties using the nuisance abatement feature of the Good Neighbour Bylaw and working on improved education and engagement opportunities to reduce future calls for service.

Attachment to this report includes presentation slides.

Internal Circulation:

Office of the City Clerk
Deputy City Manager
Communications Consultant

External Agency/Public Comments:

RCMP

Considerations not applicable to this report:

Personnel Implications

Financial/Budgetary Considerations
Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Communications Comments
Alternate Recommendation
External Agency/Public Comments

Submitted by:

D. Gazley, Bylaw Services Manager

Approved for inclusion:



R. Mayne, Divisional Director, Corporate and Protective Services

Exhibits Attached:

A. Presentation to Council