

COMMUNITY STANDARDS BYLAW ENFORCEMENT

EXECUTIVE SUMMARY

At the 2017 February 13 Combined Meeting of Council, Administration was directed to review current challenges to the successful enforcement of the Community Standards Bylaw (CSB), with specific attention to problem properties where multiple or recurring issues remain unresolved. This report provides an overview of Calgary Community Standards' (CCS) enforcement practices and tools, resource allocation, education and awareness efforts, and collaboration opportunities with other City business units and agencies. In response to Council's direction to undertake this scoping exercise, Administration has identified opportunities to increase effective communications and expand the Coordinated Safety Response Team (CSRT) process to enable the committee's mandate to include occupied problem properties and address citizen concerns by strengthening the existing collaborative approach.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Community and Protective Services recommends that Council receive this report for information.

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2017 APRIL 05:

That the Administration Recommendation contained in Report CPS2017-0282 be approved.

Opposition to Recommendation:

Opposed: E. Woolley

PREVIOUS COUNCIL DIRECTION / POLICY

On 2017 February 13, Council directed Administration to undertake a scoping report for a review of current challenges to the successful enforcement of the Community Standards Bylaw with specific attention to problem properties where multiple or recurring issues remain unresolved, with a report back to Council through the SPC on CPS no later than 2017 April. Council directed that the report include an assessment of current enforcement practices and tools, resource allocation and the functional relationship between Community Standards and 3-1-1.

BACKGROUND

The *Municipal Government Act (MGA)* authorizes municipalities to pass bylaws respecting the safety, health and welfare of people and protection of people and property. The designated authority for enforcement of safety sections 545 and 546 of the MGA lies within Calgary Building Services (CBS). In 2004, Council approved the consolidation of several bylaws which dealt with community based issues into the Community Standards Bylaw (5M2004). The consolidation of these bylaws allowed citizens to easily locate information about standards for neighbourhood issues including noise, fire pits, untidy properties, long weeds and grass, graffiti and nuisances including unwanted flyers. In addition, a more efficient enforcement model was developed to promote and strengthen community standards generally through education and voluntary compliance.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

In response to Council's direction about concerns surrounding successful enforcement on problem properties, CCS has investigated:

- The current approach to enforcement practices;
- CCS resource allocation;
- Information coordination through 3-1-1 and 9-1-1;
- Education and Public Awareness; and
- Collaboration efforts with other business units and agencies.

CCS Enforcement Practices

CCS Community Peace Officers help protect the public health, safety and property rights of citizens by maintaining community standards. Timely and effective enforcement activities encourage compliance and are based on the principles of education, awareness and enforcement. CCS Officers enforce 24 Municipal Bylaws stewarded by business units across the Corporation. They also often serve as the first point of contact with citizens in relation to these bylaws and facilitate education and awareness. Enforcement efforts include, but are not limited to: property standards, noise regulation, nuisance abatement, snow and ice, animal care and control, graffiti abatement and temporary signs on public property.

CCS currently seeks compliance with bylaws through an escalating model of enforcement which begins with education and can escalate to a court injunction. When a complaint is registered through 3-1-1, a Service Request (SR) is created to capture the required information. A CCS Officer is then assigned to investigate the SR. Upon investigation, if a CSB or other bylaw infraction is identified, the Officer will initiate the first level of enforcement, education, to achieve compliance with the bylaw. Officers often achieve voluntary compliance from the property owner at this stage. If the property owner fails to correct the infraction, Officers have the ability to leverage other tools, including remedial orders, violation tickets, or in rare cases, court injunctions. The spectrum of enforcement tools is illustrated in the Attachment.

Administration has explored the functional relationship between 3-1-1 and CCS to enhance access to information that may contribute to enforcement efforts. Through this exercise, an opportunity has been identified for 3-1-1 to implement an automated process that will identify properties that have been subject to multiple citizen complaints. This process can also be applied to 9-1-1 calls and will assist Officers to readily identify problem properties and adjust enforcement efforts to effectively address citizen concerns.

Resource Allocation

CCS continually seeks to use employee resources more efficiently. CCS currently employs 116 Peace Officers who are responsible for providing bylaw enforcement services to over 1.2 million citizens, covering more than 500 square kilometers across the city. In 2016, CCS Officers attended over 88,000 SRs, which is an average of 758 SRs per officer annually. In an effort to provide better service to citizens and more efficiently allocate resources, CCS is in the process of implementing a new shift schedule for Officers. Specifically, the change will increase the time Officers are out in the field, increasing visibility to the public and enabling more time for Officers to attend SRs.

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Education and Public Awareness

CCS continues to find success in working with property owners to remediate community standard issues and complaints. In 2016, CCS had a 97 per cent compliance rate through education or remedial order and this trend continues into 2017. CCS's first and often most effective method of compliance is through education. Education components include information about the bylaw provisions as well as City and community programs aimed at promoting the appropriate disposal of household waste. For example, the Community Cleanup program is a popular City of Calgary initiative that provides citizens the opportunity to dispose of unwanted household items and property waste, saving them a trip to the landfill. Last year the program reported a record one million kilograms of waste collected, the most since the program's inception. Additionally, the Snow Angels program encourages people to be good neighbours by clearing snow and ice from the sidewalks of their neighbours who may be less able to do it themselves – particularly older adults and persons with disabilities.

Collaboration Efforts

CCS partners with multiple agencies to further enhance bylaw compliance through the established Coordinated Safety Response Team. This team was formed in 2011, is managed and led by Calgary Building Services - CSRT Coordinator and represents a multi-agency approach to resolving ongoing safety issues related to marijuana grow operations (illegal and medical) and vacant derelict properties in Calgary. The CSRT Coordinator is responsible for chairing the CSRT Committee, organising CSRT meetings, issuing Orders under the Municipal Government Act, and providing communication to the Administrative Leadership Team (ALT) and if required, City Council. At present, the membership consists of: Calgary Building Services' - Safety Response Unit (SRU), Calgary Police Service (CPS), Alberta Health Services (AHS), ENMAX, Alberta Law Enforcement Response Team (ALERT) - Safe Communities and Neighbourhoods (SCAN) and Green Team South, and Calgary Community Standards (CCS). Other agencies may be included as required. The group will meet monthly to discuss property-specific safety issues that warrant further investigation and potential enforcement from multiple perspectives. This process had increased the ability to respond effectively to problem properties, making collaboration and remediation more efficient.

In response to Council's direction to undertake this scoping exercise, Administration has identified opportunities to expand the CSRT process to enable the committee's mandate to include occupied problem properties and address citizen concerns by strengthening the existing collaborative approach. A review of the committee's Terms of Reference by the CSRT committee is underway and will consider: the membership composition – ensuring that the appropriate individuals are participating on the discussions; the mandate – whether it currently captures all problem property issues; and data – ensuring that the committee has access to comprehensive, multi-agency data required to make important decisions on the appropriate collaborative response to achieve bylaw compliance. The results of the CSRT Terms of Reference review will be presented to Council by Calgary Building Services if amendments are required.

As a result of strong education and collaboration between business units and other levels of government, CCS strives to continually improve service to Calgarians. CCS will continue to work collaboratively to further enhance and formalize coordinated efforts to address community concerns. Additionally, CCS will pursue the implementation of automated processes through

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both 3-1-1 and 9-1-1 to identify problem properties and provide information to the CSRT to help determine an appropriate enforcement response.

Stakeholder Engagement, Research and Communication

Throughout 2015 and 2016, during the Community Standards Bylaw Review, extensive research and engagement was performed with Calgarians to understand their perspectives on the rules contained in the bylaw. This feedback informed amendments to the bylaw, approved by council in 2016 November.

Strategic Alignment

The CSB is aligned with the following Action Plan 2015-2018 Council Strategies:

N1- Keep communities safe by meeting and maintaining standards for crime prevention, fire response and enforcement;

N11 - Promote public safety through education, prevention and partnerships; and

N12 - Promote and strengthen community standards through facilitated compliance.

Social, Environmental, Economic (External)

The CSB, MGA, and Safety Codes Act encourage safe, liveable communities; promotes good neighbour relationships; and helps protect citizens and the environment.

.Financial Capacity

Current and Future Operating Budget:

This report has no impact on current or future operating budgets. Future operating budgets may be impacted if additional resources are required to increase enforcement of municipal bylaws.

Current and Future Capital Budget

This report has no impact on current or future Capital budgets.

Risk Assessment

The CSB mitigates potential risks and addresses property related issues by fostering a coordinated and collaborative response on the part of City and community stakeholders. The recent CSB review, approved by Council in 2016 November, further mitigated risk by engaging extensively with internal and external stakeholders.

REASON(S) FOR RECOMMENDATION(S):

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ATTACHMENT(S)

Levels of Enforcement to Achieve Bylaw Compliance