

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 20-1495

Being a By-law to adopt a Proactive Enforcement Policy for the enforcement of the Municipal By-laws, giving direction to Municipal Law Enforcement Officers in the performance of their duties and responsibilities.

WHEREAS, Section 8(1) of the Municipal Act, 2001, S.O. 2001, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS, Section 10(2) of the Municipal Act, 2001, S.O. 2001, as amended, authorizes that single tier municipalities may pass by-laws regarding accountability and transparency of the municipality and its operations;

AND WHEREAS, Section 426 of the Municipal Act, 2001, S.O. 2001, as amended, provides that no person shall hinder or obstruct any person who is exercising a power or performing a duty under the Municipal Act, 2001, S.O. 2001 or under a by-law passed under the Act;

AND WHEREAS, Section 436 of the Municipal Act, 2001, S.O. 2001, as amended, provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law passed by the municipality

AND WHEREAS, the Proactive Enforcement Policy sets the standard for the Municipal Law Enforcement Officers carrying out their functions:

1. Inspect and enforce all bylaws as passed by council on all properties proactively;
2. Provide equal and fair enforcement throughout the Municipality of Temagami;
3. Enforce all bylaws on all properties without bias or prejudice to ensure transparency and public trust.


NOW THEREFORE BE IT RESOLVED, the Council of the Corporation of the Municipality of Temagami enacts as follows:


1. THAT this Council does hereby adopt the Proactive Enforcement Policy as provided in Schedule "A";

2. That this By-Law shall come into full force and effect upon final passing thereof.

READ A FIRST time this 9th day of January 2020.

READ A SECOND AND THIRD time and finally passed this 9th day of January 2020.



Mayor


Clerk



MUNICIPALITY OF TEMAGAMI POLICY MANUAL
SECTION: PLANNING, BUILDING & BY-LAWS
SUB-SECTION: BY-LAWS
POLICY TITLE: **PROACTIVE ENFORCEMENT POLICY**
SCHEDULE A TO BY-LAW: 20-1495
POLICY NO: **3.3.7.**

PURPOSE:

The purpose of this policy is to adopt an enforcement policy which serves all residents of the municipality with fair and consistent enforcement practices.

SCOPE AND INTENT:

This Policy shall apply to all Municipal Law Enforcement Officers (MLEO) who have been appointed to enforce the Municipal By-laws and other relevant legislations. The intent of the policy is to ensure that all people and properties in the Municipality of Temagami are treated fairly and with equality in accordance with the municipal bylaws and relevant legislations.

Furthermore, the intentions of this policy are to ensure that all properties are maintained in a manner which will not have a detrimental effect on any other property either by appearance or on property value will promote a positive image of the Municipality.

DEFINITIONS:

Municipality: means the Municipality of Temagami.

Municipal Law Enforcement Officers (MLEO): means an officer appointed by council to enforce the provisions of the municipal by-laws and relevant legislation.

ADMINISTRATION:

The MLEO will be investigate all complaints received from the public. When the MLEO attends a property to investigate a complaint, the MLEO will look at the property with open eyes to ensure that the property meets the standards of all by-laws. To ensure transparency and fairness, neighbouring properties will be inspected to ensure full compliance.

The MLEO will endeavor to inspect all properties throughout the Municipality where practical to ensure compliance with all relevant by-laws. Records of the inspections will be maintained through CGIS. When a property fails to meet the municipal standards, appropriate action will be taken to bring the property into full compliance.

Approval Date:	January 9, 2020	Resolution #:	20-015
Amendment Date:		Resolution #:	
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