



Staff Report

Fire Services

Report To: Committee of the Whole
Meeting Date: December 10, 2018
Report Number: FAF.18.154
Subject: Municipal Law Enforcement Officers Appointment By-law
Prepared by: Rob Collins, Director of Fire and Enforcement Services

A. Recommendations

THAT Council receive Staff Report FAF.18.154, entitled "Municipal Law Enforcement Officers Appointment By-law";

AND THAT Council enact By-law 2018-xx (Attachment 1), being a By-law to appoint Municipal Law Enforcement Officers, so as to appoint persons as Municipal Law Enforcement Officers (MLEOs) for the purposes of enforcing specific parking related by-laws of the municipality on specific lands.

AND THAT By-law 2008-92, as amended, be repealed effective the passing of this By-law.

B. Overview

The purpose of this report is to outline a proposed By-law which would authorize certain employees of Blue Mountain Resorts and E & H Property Management to enforce specific parking related by-laws.

C. Background

On February 19th, 2007, Council enacted By-law No. 2007-12 to regulate the parking or leaving of a motor vehicle on privately-owned land that is used as a parking lot without the consent of the owner of the land.

As part of Council's consideration of this by-law, Council were advised that it would be incumbent upon the property owners to take the lead role in enforcement with it being noted that for a vehicle to be removed, a tow truck operator would require that the vehicle be tagged.

On June 19th, 2007, the Town received set fine approval from the Office of the Regional Senior Justice – Ontario Court of Justice for offences related to By-law No. 2007-12.

Since that time, numerous training sessions have taken place for the Municipal Law Enforcement Officers who are enforcing this by-law.

We have received a request from Blue Mountain Resorts (BMR) to add Kaitlyn Mulholland, Meagan Light, Dan Rasmussens, Tamara Tomes, Dylan Commanda-McIntyre, Zachary Charlebois, Derek Jansen, Jake Zavitz, Kelsey Bolam and Alexander McKean to the list of persons appointed as MLEOs to enforce specific parking related by-laws; the list for BMR already includes Howard Heipel, William Bostock, Andrew Uren, John Sparkes, and Brandon Nicksy. We have also received a request from E & H Property Management to add Sherri Wiggins to the list of persons appointed as MLEOs to enforce specific parking related by-laws; the list for E & H already includes Allan Hobbs, Scott Maxwell Skinner, Cindy Gretton and Nichole Gretton.

Town Staff are recommending that they be appointed as Municipal Law Enforcement Officers for the enforcement of the By-law Nos. 2007-12 (Parking on Privately-Owned land Without Consent of the Owner), fail to visibly display permit, 2004-116 (Disabled Person Parking By-law) and 2001-88 (Fire Routes By-law) on the associated lands as noted in the "Property" column of 'Schedule A' in the attached Draft By-law.

D. Analysis

Appointing third-party personnel as Municipal Law Enforcement Officers for the purpose of parking enforcement on private lands allows effective parking control to be exercised, without additional costs to the Town.

E. The Blue Mountains Strategic Plan

Goal #2: Engage Our Communities & Partners

Objective #3 Strengthen Partnerships

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #3 To Consistently Deliver Excellent Customer Service

Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

F. Environmental Impacts

None

G. Financial Impact

No impact; allows for increased enforcement opportunities without incurring additional costs.

H. In Consultation With

None

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required.

Comments regarding this report should be submitted to Rob Collins, Director of Fire and Enforcement Services, firechief@thebluemountains.ca.

Attached

1. Draft By-law 2018-xx, Being a By-law to appoint Municipal Law Enforcement Officers.

Respectfully submitted,

Rob Collins
Fire Chief

For more information, please contact:
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The Corporation of the Town of The Blue Mountains

By-Law Number 2018 –

Being a By-law to appoint Municipal Law Enforcement Officers

Whereas the Municipal Act, 2001, authorizes the council of a local municipality to enact by-laws respecting matters within its sphere of jurisdiction;

And Whereas Council of the Town of The Blue Mountains deems it expedient to enact a By-law to appoint various persons as Municipal Law Enforcement Officers for the purposes of enforcing specific Town By-laws related to specific privately-owned lands;

And Whereas these persons to be appointed as Municipal Law Enforcement Officers have been duly trained by the municipality with respect to the enforcement of the By-laws that they will be charged with enforcing;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That the persons named in 'Schedule A' are hereby appointed as Municipal Law Enforcement Officers for the purposes of enforcing the following By-laws on the associated lands as noted in the "Property" column of Schedule A:

Town By-law No. 2004-116	"Disabled Person Parking By-law"
Town By-law No. 2001-88	"Fire Routes By-law"
Town By-law No. 2007-12	"Parking on Privately-Owned land Without the Consent of the Owner"

And That By-law 2008-92, as amended, be repealed effective the passing of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 20XX

Alar Soever, Mayor

Corrina Giles, Clerk

Town of The Blue Mountains

Schedule A

By-law No. 2018-_____

Name	Property
Howard Heipel	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
William Bostock	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Andrew Uren	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
John Sparkes	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Brandon Nicksy	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Kaitlyn Mulholland	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Meagan Light	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Dan Rasmussens	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Tamara Tomes	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Dylan Commanda-McIntyre	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Zachary Charlebois	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Derek Jansen	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Jake Zavitz	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Kelsey Bolam	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Alexander McKean	GCC 18, GCC 24, GCC 27, GCC 29, GSCC 46, GSCC 50, GSCC 54, GSCC 65, GSCC 75, BMVA, GCL, VM, WL/P, M, IS and BMP2
Allan Hobbs	GCC 31
Scott Maxwell Skinner	GCC 31
Cindy Gretton	GCC 32, GCC 52, GCC 35 and GCC 82

Name	Property
Nichole Gretton	GCC 31, GCC 52, GCC 35 and GCC 82
Sherri Wiggins	GCC 31, GCC 52, GCC 35 and GCC 82

GCC 18 – Chateau Ridge

GCC 24 – Cachet Crossing

GCC 27 – Wintergreen Place

GCC 29 – Mountain Walk

GCC 31 – Heritage Corners

GCC 35 – Applejack

GCC 52 – Woods at Applejack

GCC 82 – Far Hills

BMVA – Blue Mountain Village Association

GSCC 46 – Grand Georgian underground parking – 156 Jozo Weider Blvd.

GSCC 50 – Weider Lodge underground parking – 220 Gord Canning Drive

GSCC 54 – Season’s at Blue above ground parking – 170 Jozo Weider Blvd.

GSCC 65 – Westin Trillium House underground parking – 220 Gord Canning Drive

GSCC 75 – Mosaic at Blue underground parking – 190 Jozo Weider Blvd.

BMP2 – Blue Mountain Resorts Parking Lot 2 – 218 Jozo Weider Blvd.

GCL – Service entrance near Grand Central Lodge

VM – Entrance near Village Market

WL/P – Entrance near Weider Lodge/Plunge! Aquatic Centre

M – Entrance near Mosaic

IS – Entrance near Iwa Spa (from gravel parking lot east of Village Mill Pond)