



AGENDA ITEM

Bylaw No. 1373/22 - Enforcement of Bylaws

April 14, 2022

BACKGROUND

At the January 31, 2022 meeting Council authorized the County Manager to proceed with the Digital Parking System through cost share at the Sandy Point Beach, Sandy Point Boat Launch and Sunbreaker Cove Boat Launch.

To allow for the enforcement of the paid parking systems amendments to the Enforcement of Bylaws bylaw are required. The Enforcement of Bylaws bylaw deals with the appointment of Bylaw Enforcement Officers pursuant to the Municipal Government Act.

ANALYSIS

Several additions are proposed to the Enforcement of Bylaws bylaw to facilitate the appointment of a contractor to carry out enforcement of the Use of Roads Bylaw and to provide for general housekeeping revisions, as follows:

- Addition of bylaw title under 1.1
- Addition of "Contractor" to definitions
- Updated references from Commissioner to County Manager
- Updated references from Manager of Environmental and Protective Services to Director of Community Services.
- Added Section 2.1(b) to allow the County Manager to delegate the authority to appoint Bylaw Enforcement Officers, to a contractor, with conditions
- Part 7 – General, added electronic mail (email) to authorized means of service and allowed for the posting of notices on a vehicle involved in contravention of an offence.
- Added Part 8, 9, and 10 respecting severability, repeal of previous bylaw, and effective date for current bylaw.

Alternatives:

1. Approve the amendments as presented and give bylaw 1373-22 first, second and third reading (Administrative recommendation).
2. Take no action.



3. Take other action(s) as determined by Council.

BUDGET IMPLICATIONS

Though there are revenues and expenses associated with the proposed new paid parking system there are no direct budget implications associated with the revision of this bylaw.

LEGISLATIVE RESPONSIBILITIES

Section 3 of the Municipal Government Act (MGA) states the purposes of a municipality are:

- a) To provide good government,
- b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or part of the municipality, and
- c) to develop and maintain safe and viable communities

Section 7 (i) of the *Municipal Government Act*, RSA 2000, C M-26, a Council may pass bylaws respecting the enforcement of bylaws;

Section 555 of the *Municipal Government Act*, a person who is appointed as a Bylaw Enforcement Officer is, in the execution of those duties, responsible for the preservation and maintenance of the public peace;

Section 556 of the *Municipal Government Act*, a Council must pass a bylaw specifying the powers and duties of Bylaw Enforcement Officers and establishing disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by Bylaw Enforcement Officers;

Section 180(1) of the MGA states that Council may act only by resolution or bylaw.

RECOMMENDATION

That Council give first, second and third reading of Bylaw 1373/22, the Enforcement of Bylaws bylaw.

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 - REVIEWED BY:** Dion Burlock, Director of Community Services
 - REVIEWED BY:** Bill Cade, Director of Operations
 - REVIEWED BY:** Tim Timmons, County Manager

