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STAFF REPORT: Planning & Building Services Department



REPORT TO: Committee of the Whole
MEETING DATE: August 18, 2014
REPORT NO.: BL.14.29
SUBJECT: Private MLEO Appointment
 Request: Blue Mountain Village Association
PREPARED BY: Greg Miller, Manager, Building & By-Law Services/CBO

A. Recommendations

THAT Council receive Staff Report BL.14.29 respecting “Private MLEO Appointment Request: Blue Mountain Village Association”;

AND THAT Council direct Town Staff to proceed to review this request further and report back to Council.

B. Background

On July 22, 2014 the By-Law Services Division received a written request from the Blue Mountain Village Association (BMVA) to appoint Blue Mountain Resort Security staff as Municipal Law Enforcement Officers so as to enforce parking related Town by-laws. A copy of the written request has been attached to this Staff Report.

As the letter correctly states, Blue Mountain Resort Security Staff have been appointed as MLEOs for the purposes of enforcing By-law No. 2007-12, “Parking on Privately-Owned land Without the Consent of the Owner”. The purpose of this by-law is to regulate or prohibit parking on privately owned land unless consent of the owner is given (“parking pass”). Private MLEOs appointed under this by-law have also been appointed to issue parking infraction notices for Town By-law No. 2004-116 “Disabled Person Parking By-law” and Town By-law No. 2001-88 “Fire Routes By-law” on the privately owned lands.

To support BMVA’s request, a separate by-law is required as the lands within the Blue Mountain Village area are not a controlled parking area via parking passes but rather public access areas.

Staff believes the appointment of Blue Mountain Resort Security would be beneficial in providing additional resources to regulate parking related Town by-laws within the vicinity of the Village at Blue; however, this should be evaluated further.

Upon direction of Council to proceed with this request, Town Staff will review with the Town Solicitor and other Town Departments for comment and report back to Council along with a draft by-law where applicable.

C. The Blue Mountains' Strategic Plan

*Providing a strong, well managed municipal government.
Managing growth to ensure the ongoing health and prosperity of the community.*

D. Environmental Impacts

N/A

E. Financial Impact

Not known at this time.

F. In Consultation With

N/A

G. Attached

G.1 BMVA Letter of Request (July 22, 2014)

Prepared by:

Respectfully submitted by:

Greg Miller
Manager, Building & By-Law Services

Troy Speck
CAO



July 22, 2014

W. Wayne DeWitt CPSO & MLEO(c) BCIN 26440
Certified Property Standards Officer
Certified Municipal Law Enforcement Officer
32 Mill Street, Box 310
Thornbury, Ontario
N0H 2P0

Dear Wayne:

The Blue Mountain Village Association is requesting assistance from the Town to help us ensure the safety of our guests, visitors and staff in Blue Mountain Village, as well maintaining an unobstructed fire route.

We understand the ability to enforce fire routes and barrier free parking on private property can be given to properly trained private security officers. As you are aware, Blue Mountain Resort Security Department have been properly trained and appointed to act as Private Property Municipal Law Enforcement Officers on behalf of other condominium corporations in the area. Blue Mountain Resort Security Department has been hired by the BMVA to enforce security on our behalf within the Village. Therefore, we are asking for the Town to appoint the BMR Security officers as Private Property Municipal Law Enforcement Officers for Blue Mountain Village Association property. The boundaries of this property include all lands surrounded by Village Cres. , Jozo Weider Blvd., Gord Canning Dr. and the service road running north/south at the base of Blue Mountain. For better clarity a map of these lands has been included with this letter.

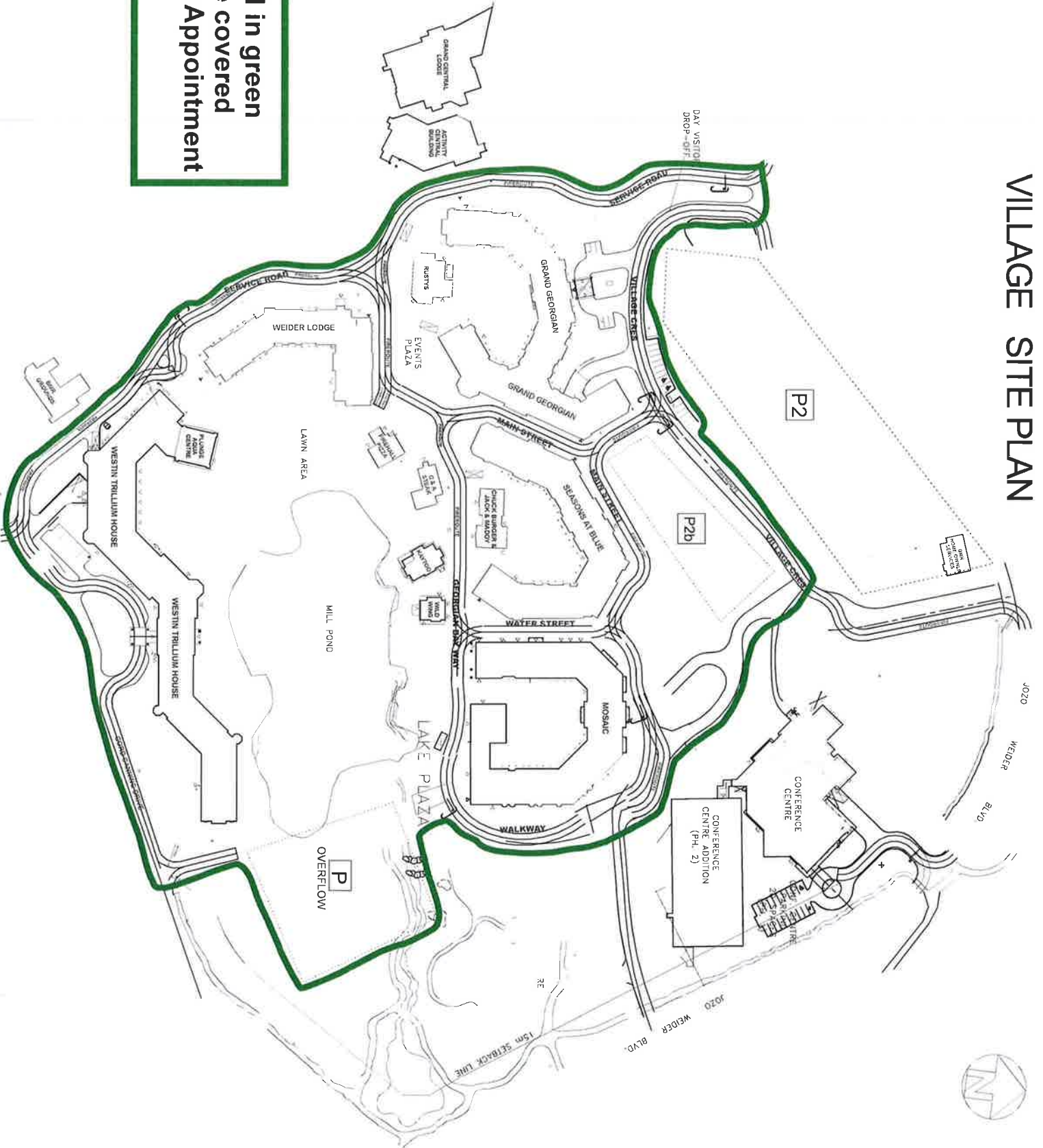
If additional information is required for the Town to consider this request, please advise as soon as possible. We would appreciate the Town's consideration of this request at their earliest opportunity to help us provide a safe environment for all guests to Blue Mountain Village.

Yours truly,

A handwritten signature in black ink, appearing to read 'Don Braden', is written above the typed name.

Don Braden,
President

VILLAGE SITE PLAN



Lands enclosed in green
requested to be covered
under PPMLEO Appointment
Application