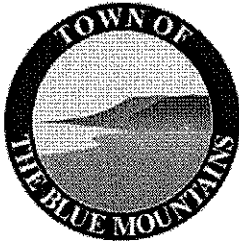


STAFF REPORT: BUILDING & BY-LAW DEPARTMENT

REPORT TO: Finance & Administration
Committee

MEETING DATE: February 17th, 2009

REPORT NO.: SRB.09.01

SUBJECT: Parking On Privately Owned
Land

PREPARED BY: Sharon Long, Admin. Assistant ,
Building & By-law

A. Recommendations

That Council enact an amendment to By-law No. 2008-92, being a By-law to appoint Municipal Law Enforcement Officers, so as to appoint additional persons as Municipal Law Enforcement Officers for the purposes of enforcing specific parking related by-laws of the municipality at Grey Condominium Corporation No. 18 ("Chateau Ridge").

B. Background

1. In response to requests from various property owners and their agents, Council at its meeting of February 19, 2007 enacted By-law No. 2007-12 so as to regulate or prohibit parking or leaving of a motor vehicle on privately-owned land without the consent of the owner of the land.
2. Subsequent to the enactment of the above referenced By-law, a number of individuals who had provided a "clean" OPP criminal conviction review form were trained by the Town as it relates to enforcement of the Town's Parking By-laws. In addition, they were apprised of the Town's expectations as it relates to dealing with the public.
3. On October 15, 2008 Council enacted By-law No. 2008-92 so as to appoint certain persons as Municipal Law Enforcement Officers for the purposes of enforcing specific parking related by-laws of the municipality at specific properties.
4. The Town has now received a request Grey Condominium No. 18 ("Chateau Ridge") via their Property Managers, Shore to Slope, to have Blue Mountain Resorts Security provide enforcement services at their property.
5. Given that these individuals are already trained and appointed as MLEO's, an amendment to By-law No. 2008-92 is all that is required to effect this.

C. The Blue Mountains' Strategic Plan

Providing a strong, well managed municipal government.

D. Budget Impact (cc: Treasury if required)

N/A

E. Attached

1. Letter from Shore to Slope Management Services Inc. dated February 4th, 2009.
2. Draft Amending By-law.

Prepared by:

Respectfully submitted:

Sharon Long
Administrative Assistant
Building & By-law

David Finbow
Director, Building & By-law



SHORE to SLOPE
MANAGEMENT SERVICES INC.



Mr. Wayne DeWitt
Municipal Law Enforcement Officer
Town of The Blue Mountains
26 Bridge Street, Box 310
Thornbury, ON N0H 2P0

HAND DELIVERED

February 4, 2009

Dear Mr. DeWitt,

As discussed on the telephone, I have been asked by the board of directors of GCC #18, known as Chateau Ridge, to proceed with enhancing enforcement of parking at the property. GCC #18 is located at 796404 Grey Road 19 in Town of The Blue Mountains.

At present, we already have required signage posted at the entrance to the parking lot and a contract in place with Blue Mountain Resort Security to enforce parking at the property. Additionally, a parking pass program is in use which requires each owner and/or guest to display a parking pass on vehicle dash and each parking space has a sign indicating unit number or visitor parking. Currently, BMR Security is limited to logging offenses and placing an infraction notes on illegally parked vehicles.

We would like BMR Security to have the ability to place municipal tickets on illegally parked vehicles as they currently do at GCC 24 (Cachet Crossing) as quickly as possible. BMR Security has already received the required training and it is our goal to have this new process in effect at GCC 18 by February 13th, 2009 as a meeting of the owners (Annual General Meeting) is taking place on February 14th, 2009.

Thank you in advance for your consideration and timely response to this important matter. Please feel free to contact me at the below or by cell at 705-441-5891, with approval or should you require anything further.

Sincerely,

Jeff Struewing
Vice President
E-mail jeffs@shoretoslope.com

**CORPORATION OF THE TOWN OF
THE BLUE MOUNTAINS**

DRAFT

BY-LAW NO. 2009 -

Being a By-law to amend By-law No. 2008-92 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 has enacted By-law No. 2008-92 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 Council is desirous of amending By-law No. 2008-92;

NOW THEREFORE Council of the Corporation of the Town of The Blue Mountains does hereby enact as follows:

1. Section 3 of By-law No. 2008-92 is hereby renumbered as 4. and the following is inserted as a new Section 3.

3. Catrina Burley, Howard Heipel, Melissa McInnes, Ryan Norris, Rick Ouellet and Michael Robinson are hereby appointed as a Municipal Law Enforcement Officers for the purposes of enforcing the following By-laws on lands known legally as Grey Condominium Corporation No. 18 ("Chateau Ridge"):

- | | |
|--------------------------|--|
| 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" |

2. This By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this _____ day of _____, 2009.

.....
E. Anderson, Mayor

.....
S. Keast, Town Clerk