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**STAFF REPORT: Planning & Building Services Department - REVISED**



**REPORT TO:** Council  
**MEETING DATE:** December 16, 2013  
**REPORT NO.:** B.13.43  
**SUBJECT:** Appointment of Municipal Law Enforcement Officers

**PREPARED BY:** Sharon Long, Administrative Assistant Planning & Building

**A. Recommendations**

THAT Council receive Staff Report B.13.43 “Appointment of Municipal Law Enforcement Officers”; and

THAT Council enact an amendment to By-law No. 2008-92, as amended, 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.

**B. Background**

On February 19<sup>th</sup>, 2007, Council enacted By-law No. 2007-12 (Addendum 1) 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 19<sup>th</sup>, 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 will be enforcing this by-law.

We have received a request from Blue Mountain Security to delete Rosalynn Blackwell, Harold Cornish, Nicholas Edens, Kendra Gibson, Marius Turuta, Shawn Willette and Ben Collins and add Wayne Watts, Jenna Moffatt, Kolasa Mirosław, Kimberley Mancini, Mike Bartolo, Bryan Graham, Brandon Nixon, Kristin Bennett, Mario Borrelli, Michaela Lynn Martin & John Rhodes to the list. Town Staff are recommending that these people be appointed as Municipal Law Enforcement Officers for the enforcement of the By-law Nos. 2007-12, 2004-116 (Disabled Person Parking By-law) and 2001-88 (Fire Route) for properties that Blue Mountain Security are responsible for.

E & H Property Management has also advised that Carmelo Colangelo is no longer working for their Company.

**C. The Blue Mountains' Strategic Plan**

*"Providing a strong, well managed municipal government."*

**D. Environmental Impacts**

N/A

**E. Financial Impact**

Marginal increase in parking related fines are expected.

**F. In Consultation With**

- F.1 Greg Miller, Manager, Building & By-law
- F.2 Wayne DeWitt, MLEO
- F.3 David Finbow, Director, Planning & Building Services

**G. Attached**

- 1. Copy of By-law 2007-12.
- 2. Draft Appointment By-law.

Prepared by:

Respectfully submitted by:

Sharon Long  
Administrative Assistant  
Planning & Building  
Services

Greg Miller  
Manager, Building &  
By-law/CBO

David Finbow  
Director, Planning & Planning &  
Building Services

**TOWN OF THE BLUE MOUNTAINS**  
**BY-LAW NO. 2007 - 12**

**WHEREAS** Section 100 of the *Municipal Act, 2001*, S.O. 2001, enables a local municipality to enact a by-law to regulate or prohibit 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;

**AND WHEREAS** Section 100.1 of the *Municipal Act, 2001*, S.O. 2001, enables a local municipality to enact a by-law to regulate or prohibit parking or leaving of a motor vehicle on privately-owned land without the consent of the owner of the land;

**AND WHEREAS** Section 101 of the *Municipal Act, 2001*, S.O. 2001, enables a local municipality to enact a by-law to provide for the removal and impounding or restraining and immobilizing of a motor vehicle on privately-owned land without the consent of the owner of the motor vehicle and at the motor vehicle owner's expense;

**AND WHEREAS** Section 170(15) of the *Highway Traffic Act*, R.S.O. 1990, applies in the instance of the removal and impounding of a motor vehicle on privately-owned land;

**NOW THEREFORE** Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:


1. No person shall park or leave a motor vehicle on privately-owned land without the consent of the owner of the land clearly visible on the sun visor, front driver side windshield, rear view mirror or dashboard of the motor vehicle.
2. Upon discovery of a motor vehicle parked or left standing in contravention of Section 1 of this By-law, a municipal law enforcement officer may cause the removal and impounding of the motor vehicle and all costs and charges associated with the removal, care and storage of the motor vehicle are at the motor vehicle owner's expense.
3. For the purposes of this by-law,
 

"consent of the owner" shall mean a sticker, placard or permit issued by and bearing the name of the owner of the land; and,

"privately-owned land" shall mean any land that is not owned or occupied by the Town of The Blue Mountains, County of Grey, Province of Ontario or the Government of Canada.
4. A sign required to be erected at each entrance to the land pursuant to Section 100 (b) of the *Municipal Act, 2001*, shall contain wording and be in a form in accordance with Schedule "A" attached hereto and forming part of this By-law.
5. Every person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a penalty as provided in the *Provincial Offences Act*.

Read a first and second time this 19<sup>th</sup> day of February 2007.

Read and third time and passed this 19<sup>th</sup> day of February, 2007.

  
E. Anderson, Mayor

  
Serena Wilgress, Deputy Clerk

**SCHEDULE 'A'**

**FORM OF SIGN**

**SIGN REQUIRED TO BE PREDOMINATELY DISPLAYED AT EACH ENTRANCE TO THE LAND PURSUANT TO SECTION 100(B) OF THE MUNICIPAL ACT, 2001**

**MINIMUM SIGN OF SIZE: 30 CM X 45 CM**

**MINIMUM LETTERING HEIGHT: "PARKING BY PERMIT ONLY" – 3 CM  
ALL OTHER LETTERING – 1 CM**

**SIGN CONSTRUCTION: GALVANIZED STEEL WITH A  
REFLECTIVE BACKGROUND C/W A SOLID  
BLACK BORDER**

**TOWN OF THE BLUE MOUNTAINS BY-LAW NO. 2007- XX TO BE INCORPORATED  
ON SIGN**

**TOWN OF THE BLUE MOUNTAINS LOGO NOT TO APPEAR ON THE SIGN**

**OWNER'S LOGO AND/OR NAME  
OR  
PROPERTY NAME**

**PARKING BY  
PERMIT ONLY**

**VEHICLES LEFT PARKED OR STANDING  
WITHOUT THE PROPERTY OWNER'S  
CONSENT WILL BE TAGGED AND/OR  
TOWED AWAY AND IMPOUNDED  
AT THE VEHICLE OWNER'S SOLE  
EXPENSE AND RISK**

**TOWN OF THE BLUE MOUNTAINS BY-LAW NO. 2007-XX**

**OWNER'S NAME  
&  
MAILING ADDRESS**

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

**BY-LAW NO. 2013 -**

Being a By-law to amend By-law No. 2008-92, as amended, 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. That Sections 1, 3 and 5 be amended as follows:  
Delete: Rosalynn Blackwell, Harold Cornish, Nicholas Edens, Kendra Gibson, Marius Turuta, Shawn Willette and Ben Collins.  
Add: Wayne, Watts, Jenna Moffatt, Kolasa Miroslaw, Kimberley Mancini, Mike Bartolo, Bryan Graham, Brandon Nixon, Kristin Bennett, Mario Borrelli, Michaela Lynn Martin & John Rhodes.
2. That Sections 2 and 4 be amended as follows:  
Delete: Carmelo Colangelo
3. That Schedule "A" is hereby replaced by the attached Schedule "A".

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

Enacted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

.....  
E. Anderson, Mayor

.....  
C. Giles, Town Clerk

**SCHEDULE "A"**

<b>NAME</b>	<b>BY-LAW NO.</b>	<b>PROPERTY</b>
Howard Heipel	2008-92, 2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Melissa McInnes	2008-92, 2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Ryan Norris	2008-92, 2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Rick Ouellet	2008-92, 2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Michael Robinson	2008-92, 2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Michael Beesley	2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Caleigh McGuigan	2010-15 & 2010-33	GCC 18, GCC 24 & GCC 27
Jim Hay	2010-15	GCC 18, GCC 24 GCC 27
Kurtis Richardson	2010-15	GCC 18, GCC 24 & GCC 27
Scott C. Gordon	2012-5	GCC 18, GCC 24 & GCC 27
Ben Parsons	2012-5	GCC 18, GCC 24 GCC 27
Derrick A. R. Galati	2012-5	GCC 18, GCC 24 & GCC 27
Vanessa Boulding	2012-5	GCC 18, GCC 24 & GCC 27
William Bostock	2012-5	GCC 18, GCC 24 & GCC 27
Matthew Bostock	2012-5	GCC 18, GCC 24 & GCC 27
Rick Downer	2012-5	GCC 18, GCC 24 & GCC 27
John Tzavragos	2012-5	GCC 18, GCC 24 & GCC 27
James Cardwell	2012-5	GCC 18, GCC 24 & GCC 27
Wayne Watts	2013-	GCC 18, GCC 24 & GCC 27
Jenna Moffatt	2013-	GCC 18, GCC 24 & GCC 27
Kolasa Miroslaw	2013-	GCC 18, GCC 24 & GCC 27
Kimberley Mancini	2013-	GCC 18, GCC 24 & GCC 27
Mike Bartolo	2013-	GCC 18, GCC 24 & GCC 27
Bryan Graham	2013-	GCC 18, GCC 24 & GCC 27
Brandon Nixon	2013-	GCC 18, GCC 24 & GCC 27
Kristin Bennett	2013-	GCC 18, GCC 24 & GCC 27
Mario Borrelli	2013-	GCC 18, GCC 24 & GCC 27
Michaela Lynn Martin	2013-	GCC 18, GCC 24 & GCC 27
John Rhodes	2013-	GCC 18, GCC 24 & GCC 27
Allan Hobbs	2008-92	GCC 31
Scott Maxwell Skinner	2008-92	GCC 31
Cindy Gretton	2010-15	GCC 31 & GCC 52
Nichole Gretton	2010-15	GCC 31 & GCC 52
Catherine Gallinger	2011-21	GCC 31 & GCC 52
Cindy Gretton	2012-60 & 2013-40	GCC 35 & GCC 82
Nichole Gretton	2012-60 & 2013-40	GCC 35 & GCC 82
Catherine Gallinger	2012-60 & 2013-40	GCC 35 & GCC 82

- GCC 18 - Chateau Ridge
- GCC 24 - Cachet Crossing
- GCC 27 - Wintergreen Place
- GCC 31 - Heritage Corners
- GCC 35 - Applejack
- GCC 52 - Woods at Applejack
- GCC 82 - Far Hills