



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Council

File No.: 4000-01

From: Manager of Bylaw Services

Date: June 14, 2023

Subject: **Bylaw Service Activities and Performance Update Jan-May 2023**

PURPOSE: To update Council on Bylaw Services activities.

BACKGROUND:

Bylaw services are community-based and customer focussed. These services have a significant impact on individual and community well-being quality of life. To maximize value, these services must be efficient, effective, consistent, and equitable. Critical success factors associated with high performance/highly productive units include the following:

- robust performance measurement systems, accountability, and transparency
- well built organizational structure
- standard operating procedures grounded in best practices (SOPs)
- modernization of City policies
- strong relationship building with community partners, businesses and residents
- contemporary community-based/customer focussed and team-based culture and approach
- rigorous record management systems
- highly trained staff
- well developed staff health and safety systems
- comprehensive internal and external communications systems
- all-inclusive short and long-term goal oriented operational strategic plan
- innovative technological solutions

The above systems development list is not exhaustive. These systems are in the process of being developed and implemented. Strong systems take approximately 4-5 years to build. Updates on these critical success factors are presented below in the Discussion section of this report.

DISCUSSION:

1) Robust Performance Measurement Systems, Accountability, and Transparency

This report is the first Bylaw Services performance report presented to Council. Significant performance accountability systems have been built and there is more to be done. Bylaw Services will report to Council bi-annually with 2023 as the base year for performance metric reporting with the exception of encampment data, which commenced October 1, 2022.

Basic performance accountability metric systems have been developed in an Excel environment. Working collaboratively with IT, an encampment metric app (4th quarter 2022) and a “calls for service” metric app (1st quarter 2023) have also been developed.

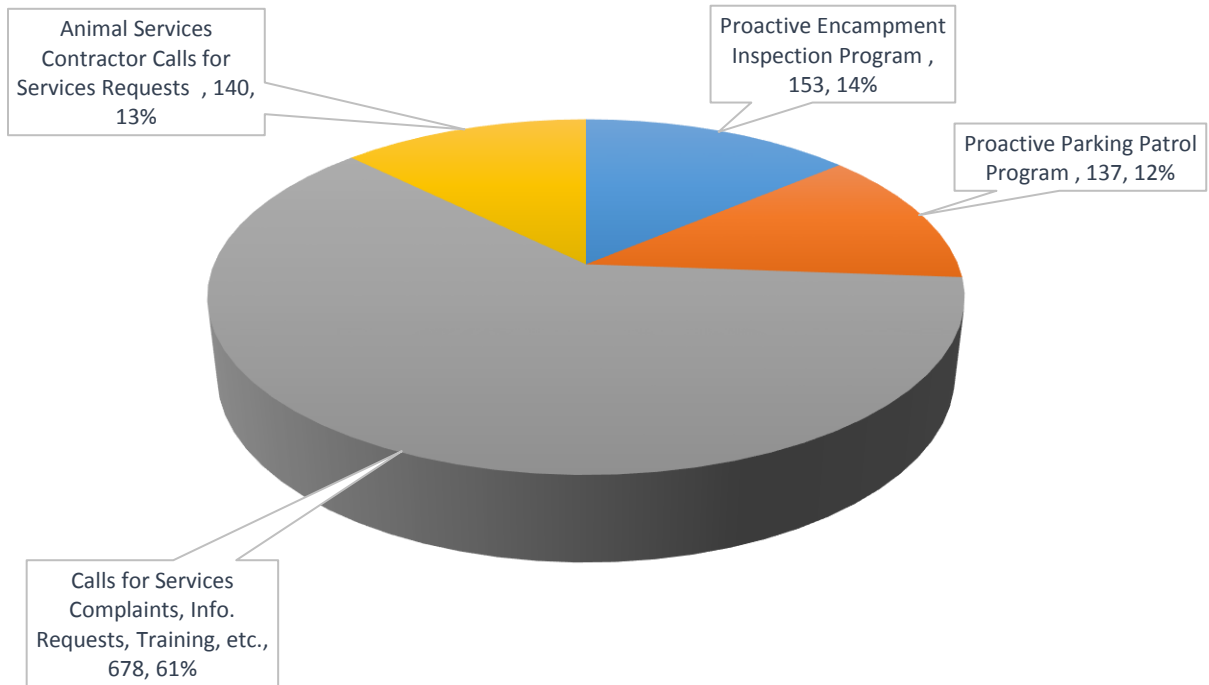
A Tempest “calls for service” module will be built and implemented later this year/2024, allowing for mobile input and access to bylaw files. From the “calls for service” system, performance metrics and reporting will be further enhanced. Furthermore, indicator benchmarking with other jurisdictions will be explored in 2024.

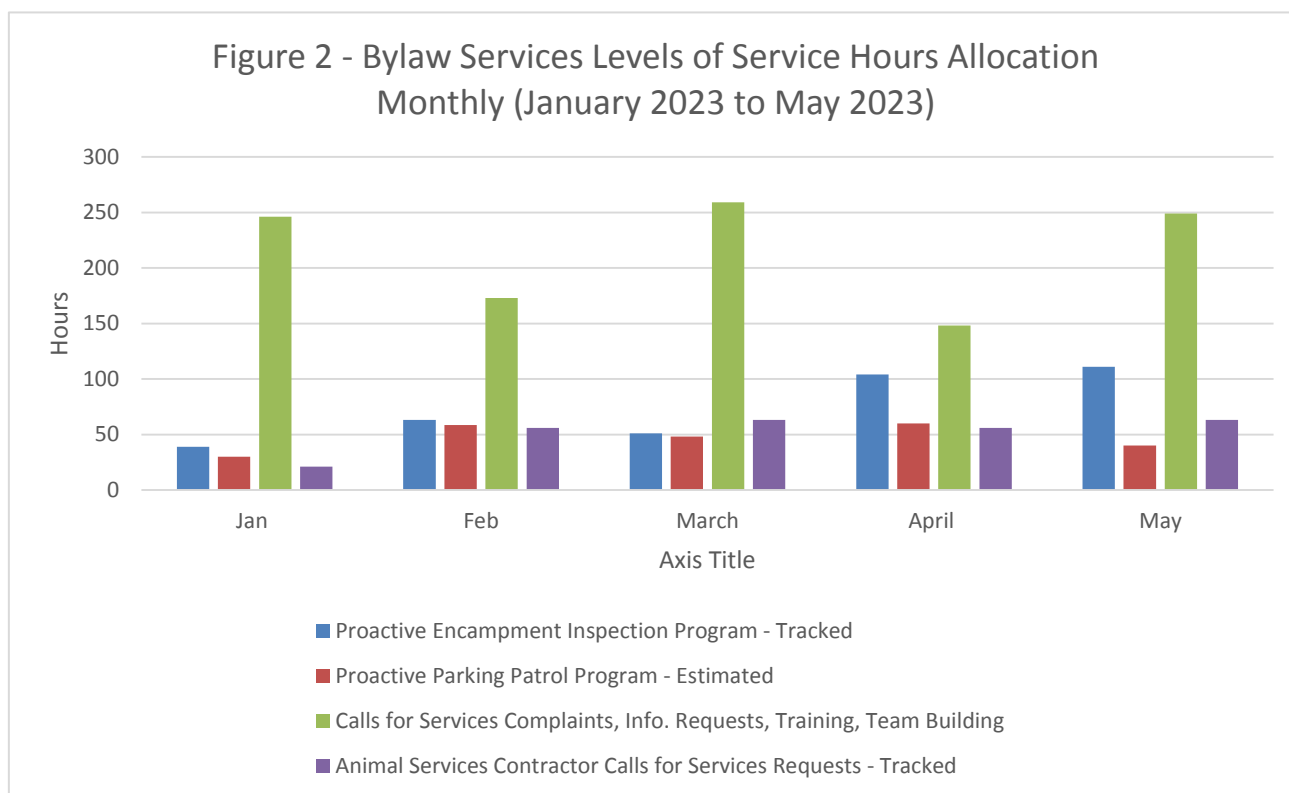
Initial results including levels of service, proactive encampment inspection highlights, proactive parking highlights, and “calls for services” highlights are presented below.

Levels of Service Highlights (Hours)

Figures 1 and 2 below demonstrate the levels of service allocated to proactive encampment inspections and parking patrols; “calls for services” requests, information requests received, training, and team building; and animal services “calls for services” requests.

**Figure 1 - Bylaw Services Levels of Service Allocation
January 2023 to May 2023 (Hours)**



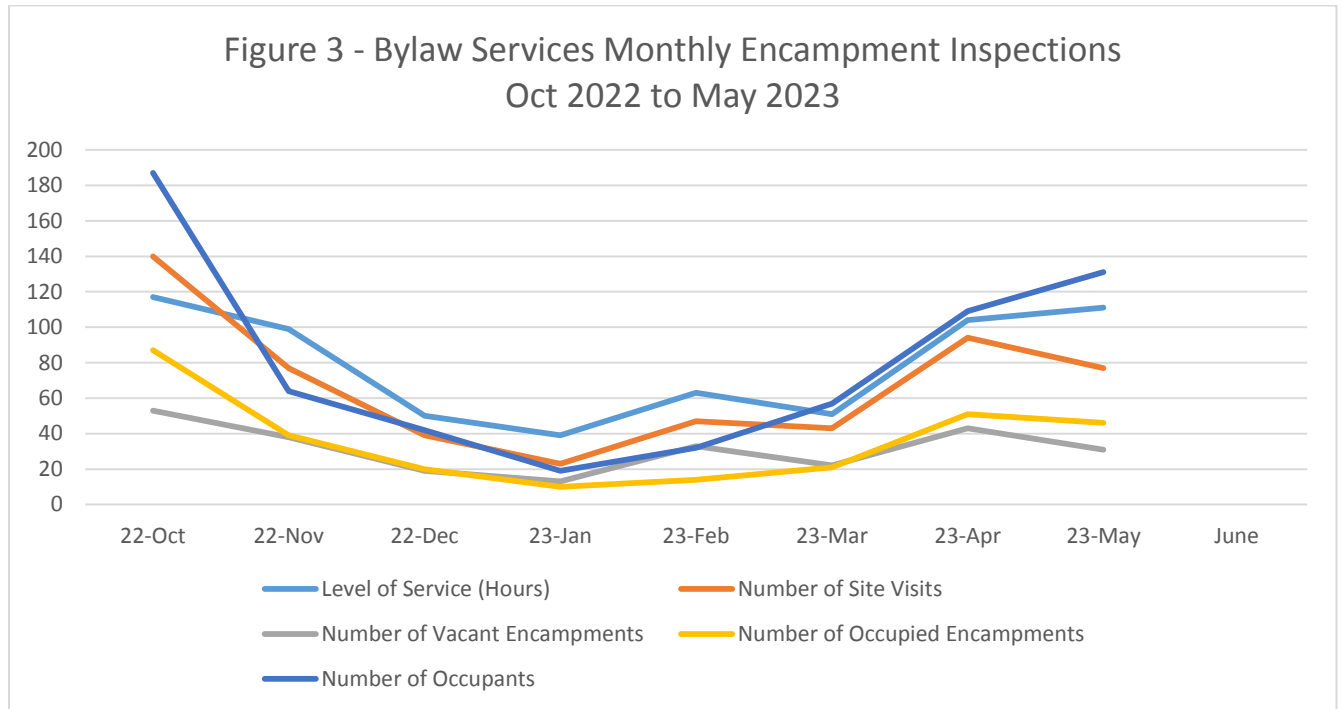


- From January 2023 to May 2023, the majority of bylaw enforcement time (678 hours, 61% of total hours) was allocated to “calls for service” investigations, information requests, and training.
- The level of service (hours) allocated to proactive encampment inspections increases when the seasonal shelters close at the end of March to mid-November.
- The current level of service allocated to animal control contracted services is 14 hours per week.

Proactive Encampment Inspection Highlights

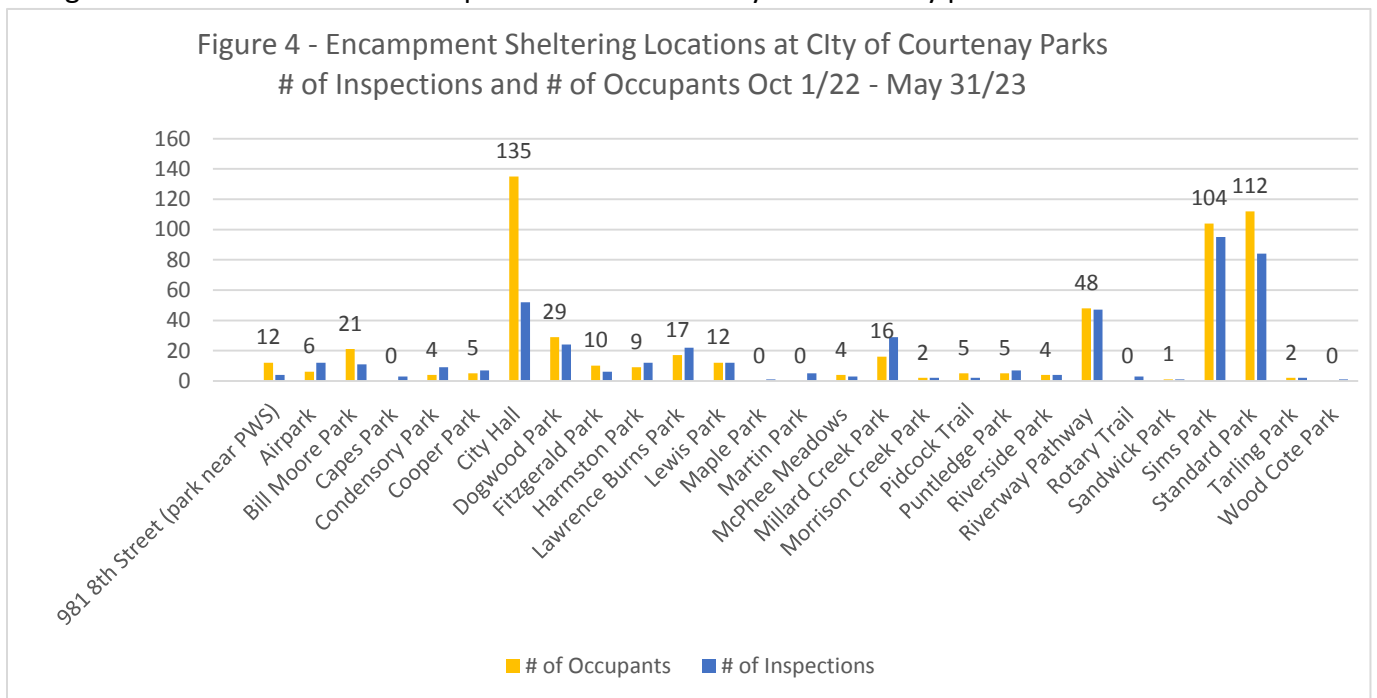
Since the Fall of 2021, working collaboratively with other City departments and community outreach organizations, Bylaw Services developed and implemented a proactive homeless encampment inspection program.

From April to mid November, routine inspections of encampments are conducted 5-days per week for approximately 3.5 hours each morning. During the Winter months when encampment activity decreases, the level of service from Bylaw Services and PWS adjusts to 1-2 times per week. Please see Figure 3 below for monthly Bylaw Services encampment inspection data.



- The number of occupants, site visits, occupied encampments, vacant encampments, and level of service (hours) decline dramatically from November to the end of March due to the increase in seasonal temporary shelter space for persons experiencing homelessness.
 - (The number of occupants means the total number of occupants for all locations in a given month.)

Figure 4 below illustrates encampment locations at City of Courtenay parks.



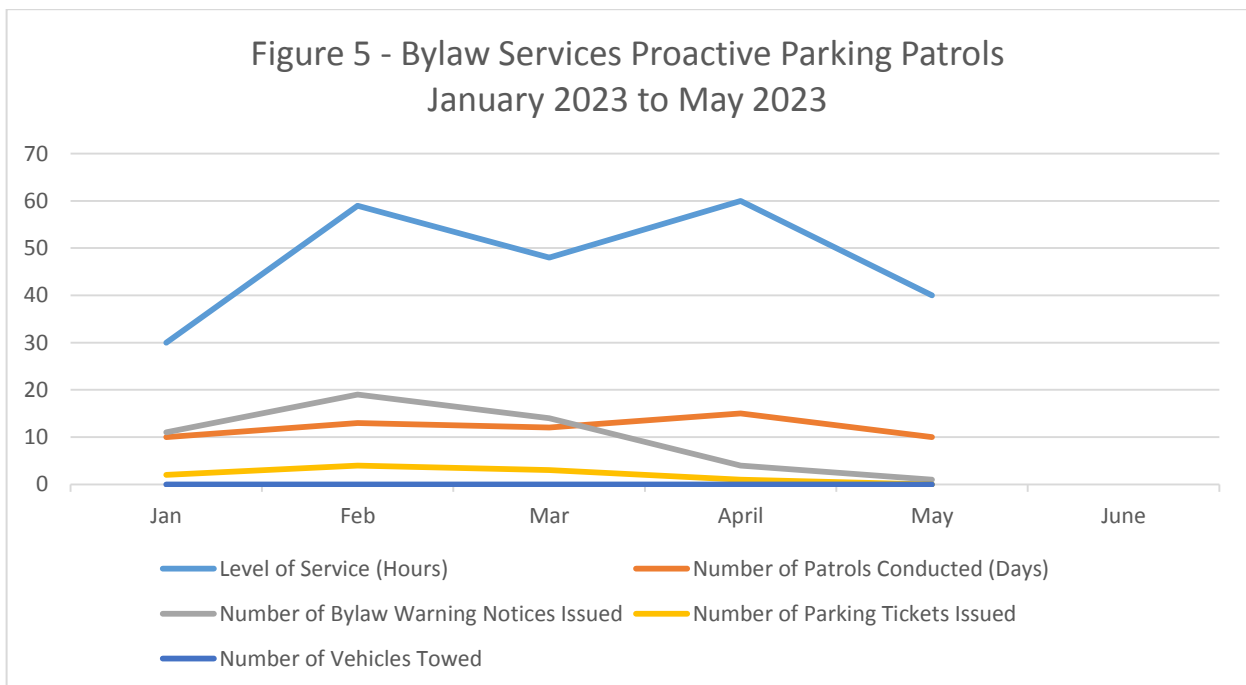
- From October 1, 2022 to May 31, 2022 the most frequented parks used for sheltering were City Hall, Millard Creek Park, various locations on the Riverway Pathway, Sims Park, and Standard Park.
 - 460 inspections of shelters in City parks were conducted over this time period.
 - 560 occupants were sheltering.
- Sheltering also occurred at prohibited locations such as City leased property, boulevards and streets, City owned vacant properties, and City owned parking lots.
 - From October 1, 2022 to May 31, 2023, 80 inspections of these locations were conducted involving 71 occupants.

Parking Patrol Highlights

Parking patrols are now conducted 3 to 5 times per week for approximately 4 hours per day.

The *Bylaw Services Parking Complaint Investigations and Proactive Parking Patrols Standard Operating Procedure (SOP)* was developed and implemented in the 4th quarter of 2022 and revised in the 1st quarter of 2023. Filing systems and a warning notice/ticket tracking system in Excel environments were also established in the 4th and 1st quarters of 2022 and 2023 respectively.

Figure 5 below illustrates monthly proactive parking data from January 1 to May 31, 2023.



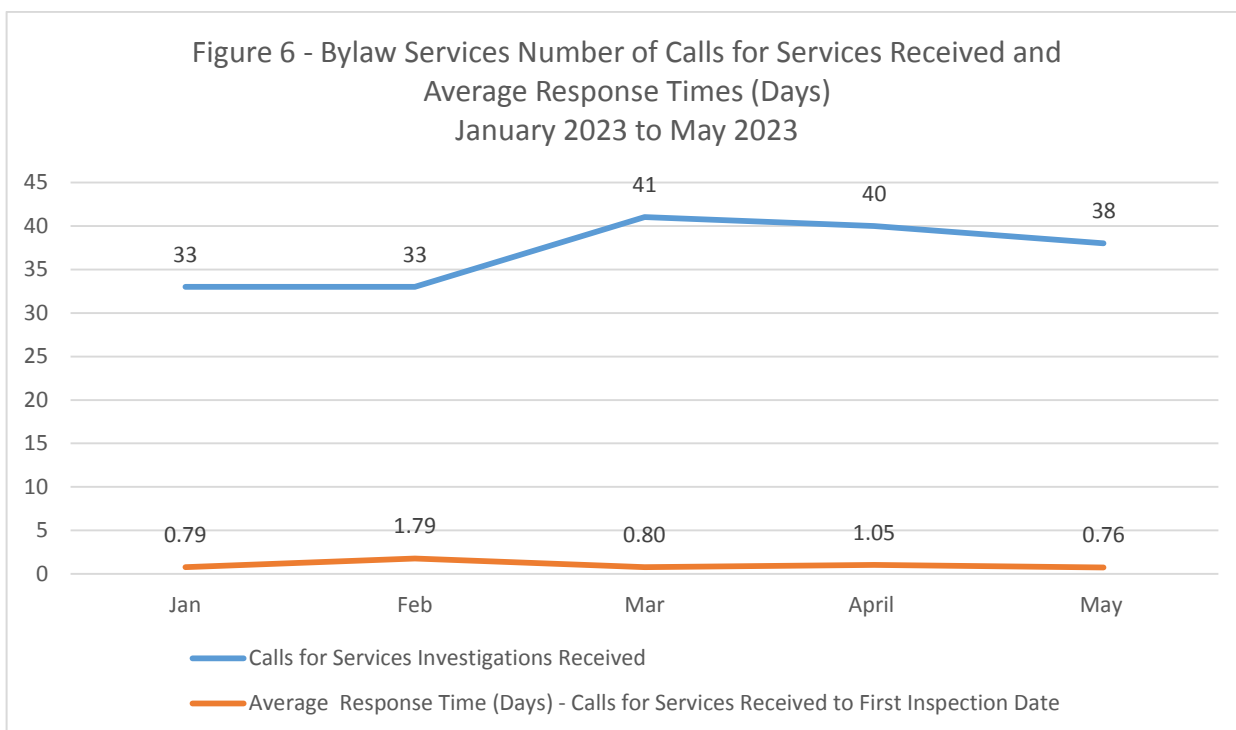
- The levels of service (hours) has been fairly consistent through most of the time period. A slight dip occurred in May due to training initiatives and vacation time taken.

- When the program was first implemented, a higher number of bylaw warning notices and tickets were issued.

“Calls for Services” Highlights

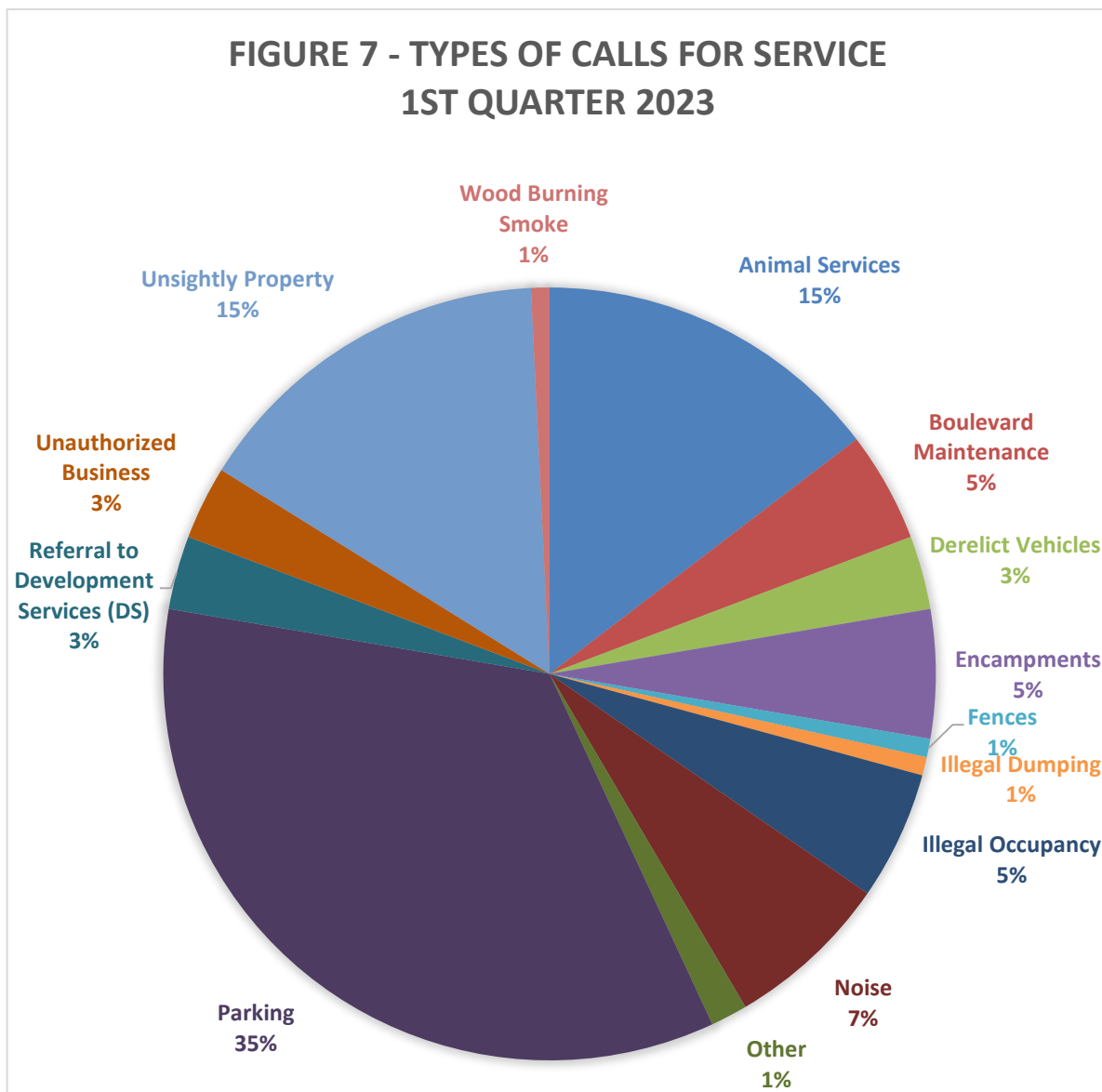
In the summer/fall of 2022, a “calls for services” e-file system and complaint-based tracker were developed and implemented in Excel environments. All incoming “calls for services” requests are now tracked. Furthermore, general inspection data are entered into a performance metric app.

Figure 6 below illustrates the monthly “calls for services” received to first inspection date.



- During the first 5 months of 2023, Bylaw Services received 33 to 41 “calls for service” requests on a monthly basis. These “calls for service” have been investigate by 2 BEO’s in addition to the proactive encampment and parking program work conducted. (A third BEO has just been hired in May of 2023.)
- The average response rates for January through May Bylaw Services “Calls for Service” Indicators are very quick. Many calls are investigated on the day received. As a result, the median response rate (the middle most observation) is “0” for all 5 months.
- Length of time (days) from opening a file to closing it will be implemented when the Tempest database is operational.

Figure 7 below illustrates the types of “calls for service” received during the first quarter of 2023.



- The most frequent complaint types investigated during the first quarter of 2023 include: Parking (35%), Animal Services (15%), Unsightly Properties (15%), Noise (7%), Encampments (5%), and Boulevard Maintenance (5%).

2) Well Built Organizational Structure

Current 2023 Bylaw Services resourcing consists of the following:

- 1 full-time manager (exempt)
- 3 full-time BEO's (union)
- Contractor: animal control officer – 2 days per week
- Casual bylaw enforcement officers and overtime - \$17,300 budget
- 1 part-time shared clerical resource - 0.20 Full-Time Equivalent (FTE)

Over the past two years there has been a notable increase in demand for bylaw compliance services in the community, including but not limited to the homelessness response, parking, wood smoke regulation, unsightly premises, complex environmental investigations, and zoning and building bylaw compliance matters. As previously reported, the City continues to focus on developing and enhancing its bylaw services division to meet the service expectations of Courtenay residents and Council.

Over the next year with more data, there will be a strong understanding of the levels of services provided and needed. Having said that, there are currently significant resource gaps in administrative functions including front line supervisor duties such as quality control and administrative clerical services.

3) Standard Operating Procedures Founded on Best Practices (SOPs)

SOP's are crucial to establish bylaw services that are efficient, effective, equitable, and consistent. They also guide approaches that are reasonable, fair, non-discriminatory, free of racism, transparent, and respectful.

Overall, many processes have been streamlined but there is a lot more work to do. Nine comprehensive SOP's have been developed and implemented since January 2022 and five additional ones are anticipated for completion later this year. Each completed SOP is signed off by the Manager and staff. Important foundational SOP's that have been completed include the following:

- Rights of Entry
- Bylaw Services Voluntary Compliance and Enforcement Activities Principles
 - Restorative justice is currently being explored with the Community Justice Centre in Courtenay.
- Bylaw Services 2-Person Team, Police Assistance, and Working Alone
- Bylaw Services 2-Person Team, Safe Distances, and Dangerous Person Approach Procedure
- Records Management E-Filing

4) Modernization of Council Policies

Currently, the *Parks Control Bylaw No. 1664* and *Bylaw Enforcement Policy #4000.00.01* are under review for Council consideration. A Bylaw Offence Notice system is planned for Council review in 2024.

5) Strong Relationship Building

To improve service delivery outcomes and efficiencies, Bylaw Services has focused on developing relationships with key contributors (i.e. outreach organizations, Island Health including the Medical Officer of Health, environmental groups, the R.C.M.P, the Island Corridor Foundation, other civic departments, neighbourhood groups, the BCSPCA, the federal Department of Fisheries and Oceans, provincial natural resource officers, K'ómoks First Nation, Situation Table (new), Community Justice Centre (new), the business community, other bylaw enforcement jurisdictions, etc.). A few examples of relationship initiatives are presented below:

- The success of the current homeless encampment strategy is dependent upon relationship building. Several outreach organizations and Island Health have assisted Bylaw Services with achieving voluntary compliance versus using enforcement activities. Public Works Services department conduct clean-ups of encampments in tandem with Bylaw Services. Outreach organizations conduct clean-ups of City properties. When required, R.C.M.P. engage in enforcement activities in order to maintain community well-being.
- In another example, a community-based clean-up project of the City and private lands located North West and West of Millard Creek Park was completed. The working group was led by Bylaw Services and comprised of private property owners, the Comox Valley Coalition to End Homelessness, several outreach organizations, personal experiencing homelessness, community volunteers, the R.C.M.P, the Fire Department, and the Youth and Ecological Restoration organization. These lands are now clean and financial efficiencies were achieved. Over 35,000 pounds of garbage was removed and disposed of. Working collaboratively, a monitoring plan is currently being implemented to maintain these properties in an acceptable condition.
- Bylaw Services is also developing relationships with outreach organizations and the Province to assist with vulnerable persons with unsightly properties clean-ups in order to attempt to increase voluntary compliance.
- Bylaw Services is working collaboratively with Development Services in order to define roles; to eliminate duplication; to improve customer service, response rates, and compliance; and to enhance quality of life including community and individual wellbeing.

6) Contemporary Community-Based, Customer Focussed, and Team-Based Culture and Approach

Bylaw Services community-based/customer focussed approach follows Council's five core values, which are ingrained in our SOP's and day-to-day activities. Human resource hiring practices, staff training, staff team building all incorporate a community-based, collaborative, relationship building, and customer focussed approach. Staff are engaged to develop and modify practices and systems. Two-way participative communications are encouraged.

7. Rigorous Records Management Systems

Prior to 2022, the Bylaw Services records management filing system was hard copy oriented. Each officer had their own system.

Working collaboratively with the Manager of Legislative Services, a new e-filing shared system was developed and in alignment with and anticipation migration to the Tempest later this year/2024.

Currently, the animal services contractor records management filing has not been incorporated into the City of Courtenay e-filing system. It is anticipated that these records will be included by the 2nd quarter of 2023.

8. Highly Trained Staff

Field and SOP training has been extensive. Furthermore, off site training has focussed on respectful workplace, de-escalation, situational awareness, self-protection, trauma informed practices, cultural sensitivity, workplace violence prevention, mental health for front line workers, workplace health and safety, etc.

9. Staff Health and Safety Systems

Working collaboratively with the Occupational Health and Safety Advisor, Bylaw Services accomplishments include the following:

- Bylaw Services 2-Person Team, Police Assistance, and Working Alone SWP
- Bylaw Services 2-Person Team, Safe Distances, and Dangerous Person Approach Procedure SWP
- Covid Resuming Operations Safety Plan
- implementation of working alone safety APP
- Bylaw Services workplace health and safety risk assessment (annually)
- responsive reporting of critical incidents
- regular safety talks at staff meetings
- enhanced PPE including protective safety vests
- training (i.e., when caring hurts, mental health for front line workers, trauma informed practices, vehicle operation, non-violent intervention, conflict resolution, de-escalation, situational awareness, self-protection, drug awareness training, and Naloxone training)

10. Comprehensive Internal and External Communications Systems

Staff are trained to adhere to the City's core values, divisional guiding principles, and customer service principles (i.e., listen carefully, courteous, knowledgeable, respectful, empathetic, professional, etc.). When conducting investigations, contact with the complainants, residents and external contributors (e.g. RCMP, outreach etc.) throughout the investigative process is fostered and practiced.

11. All-inclusive Short and Long-Term Goal Oriented Operational Strategic Plan

An operational strategic plan is critical for the success of Bylaw Service. Following the completion of the Bylaw Policy update project and the Parks Control Modernization Project, the department operational workplans will be adjusted based on directed service levels.

12. Innovative Technological Solutions

When the Tempest database/records management system is implemented in 2023/24, officers will use handheld field technology to enter notes directly into a database in the field; thereby, eliminating duplicate data entry and increasing investigative capacity. Record histories, GIS information, etc. will be easily retrieved and process notice templates and performance reports will be automated. Other innovation technological solutions for parking will also be explored later in 2023.

13. Other Significant Activities

- renewed contract with the BCSPCA
- collection of outstanding ticket fines – collaboration with legal counsel
- unlawful tree cutting investigation
- encroachment agreement template (WIP)

POLICY ANALYSIS:

Not applicable.

FINANCIAL IMPLICATIONS:

All bylaw operations are included in the 2023 Corporate Services operating budget.

ADMINISTRATIVE IMPLICATIONS:

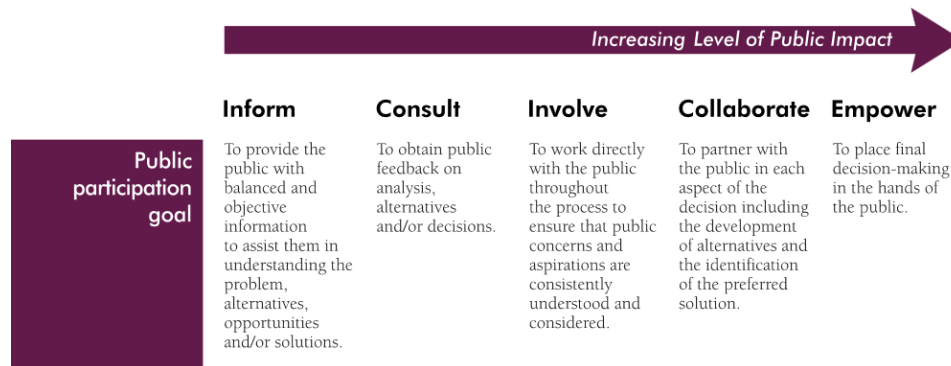
All administrative requirements are part of the Bylaw Services Division annual workplan.

STRATEGIC PRIORITIES REFERENCE:

None.

PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



RECOMMENDATION: THAT Council receive the “Bylaw Services Activities and Performance Update” briefing note.

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Reviewed by: Kate O’Connell, Director of Corporate Services

Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)