



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 4000-00

From: Director of Corporate Services

Date: December 6, 2023

Subject: Bylaw Policy and Strategic Plan for Bylaw Compliance

PURPOSE: To seek Council approval of the City of Courtenay Bylaw Policy, and the City of Courtenay Strategic Plan for Compliance Strategy.

BACKGROUND:

The current Bylaw Enforcement Policy was adopted by Council at the August 8, 2017 Council meeting. The intent of the Policy was to ensure a consistent, fair, and transparent approach to bylaw enforcement. The policy was developed based on the *Bylaw Enforcement Best Practices Guide for Local Governments* (The Office of the Ombudsperson, 2016), and did not include community engagement on policy priorities, consider division capacity and service levels, or include a strategy for achieving the policy objectives. As the community and its bylaw service needs have evolved rapidly over the past six years, a more comprehensive and fulsome review of the Bylaw Enforcement Policy was needed to ensure the City is able to meet current and future service expectations. The Bylaw Policy (the Policy) and Strategic Plan for Bylaw Compliance (the Strategy) were identified by Council as a strategic priority for 2023.

DISCUSSION:

To develop both the Policy and the Strategy, the City focused on reviewing the current bylaw services enforcement policy, processes, and procedures. The City sought input on priorities, expectations and operational capacity through engagement activities including: interviews with external contributors and internal City departments, an online public survey, and pop up engagement events.

Key contributors included Island Health, the Comox Valley Coalition to End Homelessness, the Downtown Courtenay Business Improvement Association, RCMP, the Community Justice Centre, the Department of Fisheries and Oceans, and BC Forestry. The cross-sectional dialogue with these interested parties provided a wide perspective on community principles, needs, opportunities, and challenges. The information gathered resulted in the following themes that significantly informed the Policy and Strategy:

- **Collaboration and Partnership:** Recognize that a collective effort is necessary to tackle complex problems.
- **Balancing Enforcement and Trust Building:** Build trust and positive relationships within the community while maintaining order through enforcement actions.
- **Balanced Resource Allocation:** Apply a client-focused model when determining resource allocation to better address and balance response to both social challenges and other priority issues identified by the community.
- **Siloed Departments:** Address barriers to effective communication, collaboration, and coordination between departments to ensure the provision of a high level of service.
- **Process Streamlining:** Increase service and compliance efficiency through technology, and the development of cross-departmental procedures.

- **Leveraging Existing Resources:** Identify and utilize the strengths and capabilities already present within the organization to achieve efficient outcomes and address challenges effectively.

City of Courtenay's Bylaw Compliance Strategic Plan

The City of Courtenay's Strategic Plan for Bylaw Compliance (Attachment 1) is dedicated to reinforcing adherence, fostering awareness, and streamlining enforcement to the benefit of all community members, providing a clear roadmap to effectively implement the following six objectives:

Objective 1: Collaboration and Partnership	2024	2025	2026
Enhance relationships with key contributors including outreach support services, health services and the RCMP by participating in roundtables and identifying communications channels to facilitate collaboration.	Start	Ongoing	Ongoing
Share appropriate resources and data to enhance the collective approach to problem-solving complex compliance issues.		Start	Ongoing

Objective 2: Balancing Enforcement and Trust Building	2024	2025	2026
Create awareness about the purpose and benefits of bylaw enforcement through the development of a Good Neighbour Guide.	Start	Ongoing	Ongoing
Develop and update staff policies and procedures to create consistency in processes with handling resident complaints.		Start	Ongoing
Provide conflict resolution training to bylaw enforcement officers to enhance communication.	Yes		Yes

Objective 3: Build Cross-Departmental Teams	2024	2025	2026
Form a cross-departmental working group to coordinate bylaw enforcement responses.	Start	Ongoing	Ongoing
Leverage technology to facilitate efficient information sharing between departments to enhance coordination and service delivery.	Start	Ongoing	Ongoing
Protect personal information by developing policies and practices that ensure information shared between departments is compliant with the Freedom of Information and Protection of Privacy Act.	Start	Ongoing	Ongoing

Objective 4: Process Streamlining	2024	2025	2026
Create standardized workflows and procedures cross-departmentally.		Start	Ongoing

Identify and implement complaint management tools that will enhance service and efficiency.		Start	Ongoing
Identify and implement efficient ticket dispute and adjudication processes.	Start	Ongoing	Ongoing
Provide training and support to staff to adapt to new procedures and investigative approaches, leveraging digital solutions.	Start	Ongoing	Ongoing

Objective 5: Leveraging Existing Resources	2024	2025	2026
Allocate staff resources to align with identified priorities as outlined in the Bylaw Policy.	Start	Ongoing	Ongoing
Develop a talent management strategy to retain and develop personnel.			Start
Enhance and promote digital platforms for residents to access bylaw services.			Start

Objective 6: Trauma and Culture Informed Practice	2024	2025	2026
Identify training opportunities for bylaw enforcement staff that focus on culture-informed practice, trauma-informed practice, mental health, violence de-escalation and prevention, and addiction.	Start	Ongoing	Ongoing
Review and update bylaw compliance procedures to reflect the principles of trauma and culture-informed practice.		Start	
Collaborate with internal and external agencies to create approaches to responding to bylaw matters related to the unhoused to ensure enforcement activities do not lead to re-traumatization.		Start	Ongoing

The City of Courtenay Bylaw Policy

The Bylaw Policy (Attachment 2) serves as a foundation upon which our shared spaces and interactions are built and provides essential guidelines for protecting public health, safety, and welfare, while also addressing various community needs and aspirations. Through the principles of compliance, and in alignment with the City's commitment to inclusivity and respect for human rights, the City will foster a more connected, safer, and stronger community.

Principles of Compliance	
A Balanced Approach	Considering the potential for safety, liability, impact of the infraction, and resource availability, the City will operate on both a proactive and reactive basis. Calls for service will be prioritized in accordance with the priority levels defined in the policy.

Trauma-Informed Response	The City prioritizes a trauma-informed response and acknowledges the diversity in its community. Grounded in an understanding of and responsiveness to the impact of trauma, Bylaw Services will embed trauma-informed response into its policies, procedures, and practices, seeing to resist re-traumatization actively. By blending cultural awareness with trauma-informed practices, enforcement becomes effective, empathetic, and considerate of diverse experiences. A trauma-informed response will help build trust, foster better community relations, and contribute to the overall well-being and safety of the community.
Engagement with Curiosity	Bylaw staff will engage with curiosity when interacting with those involved in bylaw infractions, fostering understanding and empathy.
Commitment to Safety	To ensure fairness and proportionality, the City will conduct risk assessments based on the severity of the impact on individuals or those around them, recognizing that less urgent situations may have response delays due to response priorities.
Commensurate Intervention	The intervention will be commensurate with the assessed risk, avoiding both overreaction and underreaction to ensure a just and equitable approach.
Confidentiality	To ensure all information provided related to requests for service details remains confidential in line with the Freedom of Information and Protection of Privacy Act protocols will be in place.

Using a CARE (Communicate, Advise, Reinforce and Enforce) model to facilitate compliance will ensure adherence to regulations, encouraging changes in behaviour that will prevent reoccurring violations. Additionally, providing clarity and defining priority levels (1 = high, 2 = medium, 3=low) for requests for service will ensure matters are address in a logical order based on risk factors such as safety and environmental impact. To clarify bylaw priority levels, the Good Neighbour Guide (outlined below) and the corresponding brochures will indicate the priority level of common complaints e.g. dog at large, parking violation, unauthorized tree cutting etc.

Enhancing Community Awareness: Introducing the "Good Neighbor Guide"

Through our public engagement process, it became clear that there is a significant gap in public knowledge regarding the City's bylaw services and the roles of community members regarding compliance and compliant processes. With the current state analysis, survey insights, and contributor feedback in mind, the development of the "Good Neighbour Guide" will serve as a comprehensive educational tool designed to demystify bylaws by outlining how "being neighbourly" can make for a more peaceful community. The City anticipates the release of the "Good Neighbour Guide", persona-based brochures (e.g. Bylaws for Pet and Animal Owners, Bylaws for Business Owners, Bylaws for Parks Users etc.), and a video awareness raising campaign to take place throughout 2024. Brochures and corresponding video promotions will be released throughout the year empowering responsible behaviour through education and awareness.

FINANCIAL IMPLICATIONS:

Costs for the production and printing of the Good Neighbour Guide and corresponding brochures will be covered under the Corporate Services 2024 operating budget. Video production will be provided inhouse.

Initiatives identified in the Strategic Plan for Bylaw Compliance requiring funding will be put forward in the appropriate budget year for Council's consideration.

ADMINISTRATIVE IMPLICATIONS:

The distribution of promotional and awareness raising materials will become part of the bylaw services compliance approach. The Communication Division will share materials via the City's website and social media channels as part of their regular operational workplan.

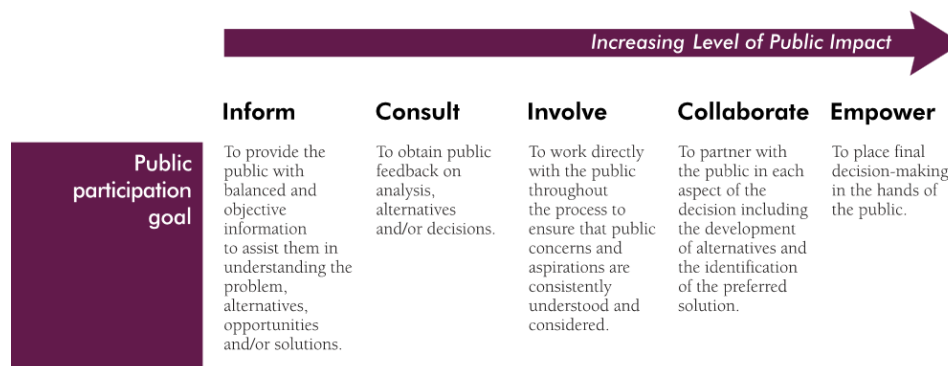
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Streets and Transportation - Review City's approach to parking standards downtown: Bylaw Enforcement Policy review and update

PUBLIC ENGAGEMENT:

Staff have informed, consulted, involved and collaborated with the public based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council approve the City of Courtenay Strategic Plan for Bylaw Compliance and the City of Courtenay Bylaw Policy.
2. THAT Council refer the City of Coutenay Strategic Plan for Bylaw Compliance and the City of Courtenay Bylaw Policy back to staff and provide further direction.

ATTACHMENTS:

1. City of Courtenay Bylaw Compliance Strategic Plan
2. City of Courtenay Bylaw Policy

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