
Subject: Municipal By-Law Enforcement Officer Appointments

Report to: Corporate Services Committee

Report date: Wednesday, September 11, 2019

Recommendations

1. That the following Regional staff **BE APPOINTED** as Municipal By-Law Enforcement Officers for the purpose of enforcing Regional Business Licensing By-laws and other designated legislation:
 - Angelo Apfelbaum, Badge #600
 - Gino Pasquariello, Badge #601
 - Justin Andersen, Badge #602
 - Michael Langelaan, Badge #603
 - Lyn Nottingham, Badge #604
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Key Facts

- On June 1, 2019 the responsibility for business licensing was transferred from Niagara Regional Police back to Niagara Region.
- Niagara Region may appoint Municipal By-Law Enforcement Officers pursuant to the *Police Services Act, R.S.O. 1990, c. P.15, subsection 15(1)* and when appointed are deemed Peace Officers pursuant to subsection 15(2) of the same Act. Those appointees are further designated as Provincial Offences Officers under the *Provincial Offences Act, R.S.O. 1990, c. P.33, subsection 1(1)(d)*.
- The appointments allow staff to escalate enforcement options when deemed necessary.

Financial Considerations

The 2019 Operating Budget for the Business Licensing Division includes funds for staff wages and benefits and business operations. Revenue received from the issuance of business licences will offset the costs of the operation.

Analysis

The Region's Vehicle for Hire and Business Licensing By-law 2018-75 came into force and effect on June 01, 2019 and allows the Region to license, govern, inspect and provide enforcement for the vehicle for hire industries, second-hand industry, salvage and auto wrecking industries and tow truck industry throughout the Niagara Region.

The Region's Adult Entertainment By-law 2018-76 also came into force and effect on June 01, 2019 and allows the Region to license, govern, inspect and provide enforcement for the adult entertainment industry in Niagara-on-the-Lake, Fort Erie and Welland.

The Cities of St. Catharines and Niagara Falls gave delegated authority to the Region to administer and enforce their local by-laws pertaining to adult entertainment and body-rub industries.

The City of Thorold gave the Region delegated authority to administer and enforce the local adult entertainment by-laws.

The appointments allow Business Licensing and Enforcement staff to enforce Regional By-laws and designated local municipal by-laws and use enforcement provisions contained in the *Provincial Offences Act, R.S.O. 1990, c. P.33* and the *Municipal Act, 2001, S.O. 2001, c.25*.

Enforcement provisions shall only be used when all other methods of regulatory compliance have been exhausted.

The Region's Business Licensing Division is located at 5853 Peer Street, 2nd floor, Niagara Falls, and provides licensing services Monday to Friday and inspection and enforcement services 7 days a week.

Alternatives Reviewed

N/A

Relationship to Council Strategic Priorities

The Region's Business Licensing Division fosters innovation by doing business differently and advancing organizational excellence in public service.

Other Pertinent Reports

N/A

Prepared by:

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Recommended by:

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Commissioner/Treasurer
Corporate Services

Submitted by:

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Appendices

None