



## THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

### STAFF REPORT

**DATE:** October 3, 2023  
**TO:** Committee of the Whole  
**FROM:** Mike Williams, Director of Protective Services  
**SUBJECT:** **Bylaw Service Review**

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#### **RECOMMENDATION:**

**THAT Committee of the Whole recommend to Council to approve the inclusion of two staff positions and the associated operating expenses in the 2024 Budget.**

**AND THAT staff be directed to develop and implement an internal bylaw enforcement service and maintain a contract for the provision of animal control enforcement.**

#### **BACKGROUND:**

**Contract with MLES:** Municipal Law Enforcement Services (MLES) has been contracted by the Municipality of Mississippi Mills since 2010 to handle by-law enforcement functions. MLES is responsible for various tasks, including handling complaints, enforcing by-laws, attending Provincial Offences Court, and managing Provincial Offences ticketing. They are also responsible for providing all necessary tools, equipment, and labor for these tasks. The current contract is for 20 hours a week of service for by-law and animal control services. Any additional hours approved by the Municipality during the hours of 8:00 a.m. to 5:00 p.m. will be billed at the regular hourly rate up to a total of 44 hours per week. Should the Municipality require the services of MLES on evenings, weekends or statutory holidays, it may be arranged with MLES at 1.5 times the regular rate.

**In-House Organization Change:** In August 2019, the municipality implemented an in-house organizational change through the Planning and Building Administration Clerk. This change was intended to improve services for residents and involved additional oversight of the work previously contracted to MLES.

**Role of the Planning and Building Administration Clerk:** The Planning and Building Administration Clerk now plays a significant role in the by-law enforcement process. Their responsibilities include receiving and monitoring complaints, triaging complaints to determine appropriate action, contacting property owners/tenants for voluntary compliance, coordinating with internal staff for enforcement, forwarding complaints to MLES for investigation and enforcement, providing follow-ups to complainants, and tracking activity and file closure.

**Contact Information:** The Planning and Building Administration Clerk's contact information (email address and phone number) has become the primary point of contact for by-law inquiries or complaints on the municipality's website. MLES's contact information is provided for urgent after-hours service. Complaints can also be reported on the municipality's website, with these reports directed to the Planning and Building Administration Clerk.

**Information Sharing:** To standardize information sharing and record-keeping, an internal Geographic Information System (CGIS) platform was implemented in January 2020. The Planning and Building Administration Clerk enters all calls into CGIS by the address of the location of concern. Additionally, starting from January 1, 2021, calls going directly to MLES are also entered into CGIS on their end.

These changes reflect an effort to improve the management of by-law enforcement services, enhance communication with residents, and maintain comprehensive records of complaints and enforcement actions.

## **SERVICES PROVIDED BY MLES:**

By-law Enforcement Services provided by MLES consists of the following four areas:

1. Animal Control Services;
2. Parking Enforcement;
3. General By-law Enforcement; and
4. Administration Services

## **ANIMAL CONTROL SERVICES:**

Animal Control Services primarily respond reactively to calls for assistance. While there's a desire to increase proactive patrols, limitations in our overall workload restrict our ability to conduct routine patrols in public areas like parks and walking paths.

When bylaw receives a dog complaint, the information is verified and then dispatched to the officer on patrol. The officer proceeds to investigate the complaint by interviewing all parties involved. Based on the officer's findings, the most suitable resolution is determined, which may involve issuing a warning or charging the offender.

If a charge is warranted, the officer will issue a Provincial Offence Notice. MLES's enforcement approach involves issuing a warning for minor violations without a prior similar history within the year. A second warning might be issued for accidental or uncontrollable violations, while charges are immediately applied for serious or dangerous infractions, such as vicious dog bites or attacks.

MLES has a contractual arrangement with the Mississippi Vet Clinic (until November 1, 2023) and utilizes their kennel facilities approximately three to five times annually.

The time spent on each animal complaint by MLES varies widely, ranging from two to ten hours, depending on the circumstances. These can range from simple barking dog complaints to severe dog attacks causing injuries to humans or other animals.

## **PARKING ENFORCEMENT:**

Parking Enforcement encompasses both proactive patrols and reactive responses to assistance calls. Proactive patrols are carried out sporadically when officers are present in the Municipality. Additionally, a by-law officer provides Overnight Winter Parking Enforcement from November 1st to April 15th each year.

Before 2017, the Municipality of Mississippi Mills Receptionist handled the majority of paperwork related to parking tickets. During peak season (November to April), the receptionist dedicated approximately 3.5 hours daily to parking ticket paperwork. During the off-peak season (May to

October), around 1.5 hours per day were spent on parking tickets. Reception still plays a role in parking ticket processing, but with a reduced workload, as MLES has assumed most of the associated tasks.

Each parking ticket issued is recorded in a spreadsheet and tracked until it's finalized, either through payment, court appearance, or submission for plate denial. Several tasks are involved in this process, including license plate searches, document submissions to Provincial Court, issuance of Notice of Impending Conviction (NIC) to vehicle owners on MTO records, payment follow-ups, and issuance of Certificate of Conviction (CRC) if necessary. Monthly summary sheets are provided by MLES to the Municipality.

See parking ticket chart below. Please note that the numbers for issued parking tickets were down for 2020 due to Covid. With so many people working from home there were more vehicles parked on the road during the day in excess of three hours, however vehicles were not ticketed unless a complaint was received.

<b>Year</b>	<b>Parking Tickets</b>
<b>2018</b>	397
<b>2019</b>	421
<b>2020</b>	394
<b>2021</b>	290
<b>2022</b>	282

#### **GENERAL BY-LAW ENFORCEMENT:**

General By-law Enforcement is predominantly reactive as MLES is responding to all complaints from residents concerning alleged violations of all municipal by-laws that have an enforcement component.

By-laws that are enforced by MLES are as follows:

Animal Control	Fences
Election Signs	Littering
Noise	Pools
Property Standards	Safe Property
Seasonal Stands	Sign By-Law
Taxis	Use and Care of Roads
Traffic and Parking	Waste Management
Water Usage	Zoning

With By-law attending to Property Standards and Safe Property complaints, the Municipality's Building Inspectors are not being overwhelmed with these issues and can deal with inspections and their job-related duties.

In addition to By-law Enforcement, MLES officers assist other Municipal Departments with the service of documents, laying charges and court preparation.

By-law calls for assistance/complaints are normally not concluded or resolved with one visit. When complaints require action by an officer there are hours spent with the investigation even for the

simplest of calls. Once a violation has been identified, the officer has personal contact with the violator in order to issue a warning or issue a charge. It is rare that the officer will contact the violator on his /her first attempt. In many cases the violator tries to avoid the officer as it is only through the officers' persistence that the violator is actually located and that a face-to-face meeting occurs.

Numerous Property Standards complaints necessitate extensive and time-consuming investigations, along with follow-up visits. Even complaints related to parking, noise, and animal control may require continuous monitoring and officer intervention even after the initial resolution of the complaint.

See chart below for a breakdown of Calls for Assistance from 2018 - 2022

Year	Animal	Parking	Property	Noise	Other Calls	Total Calls
2018	190	107	170	39	84	590
2019	183	148	184	25	80	620
2020	170	128	168	34	96	671
2021	216	219	82	55	86	658
2022	176	183	79	28	82	548

## **ADMINISTRATION SERVICES:**

### **Dispatch of Calls**

MLES receives the call/complaint from one of three sources: from the Municipality or by email or telephone directly to MLES after business hours. Calls are categorized and prioritized by the municipality and MLES and then forwarded to an Officer by email directly to the officer's phone. The original complaint remains on file for two years, after which it is archived.

### **Records Management**

The original call sent to the officer by e-mail includes the original voicemail message. The original voicemail left on the Complaint Line by the complainant always remains with the file. As the investigation continues, the original report is updated mainly by municipal staff until the complaint is resolved. Complaints and reports are traceable by Category, Address and Telephone Number and are archived for two years.

### **Court Administration**

MLES acts as an intermediary with the Court System, whether the case involves a disputed parking ticket or a contested Provincial Offence Notice for a by-law violation. Preparation for court proceedings, particularly in contested parking ticket or Provincial Offence Notice cases, demands significant hours of dedicated effort. MLES and the municipality's Receptionist work in concert to prepare the necessary documents for court for parking tickets, and with the Building and Planning Clerk for other Provincial Offences. Every effort is made to avoid a court appearance and resolve the matter. Nonetheless, in some instances, court appearances become inevitable. MLES is fairly successful at resolving matters without court appearances, however, they still attend court when required.

### **By-law Review**

Senior administration within MLES will upon request conduct the review of various by-laws and draft by-laws for consideration by several Municipal Department Heads. As by-laws become outdated

due to inherent deficiencies, legislative changes, or legal precedents established by the courts, thorough reviews are conducted, and revisions are implemented to ensure their continued relevance.

**REVENUE:**

See chart below for a breakdown of revenue sources from 2018-2023

	<b>2018 (Actual)</b>	<b>2019 (Actual)</b>	<b>2020 (Actual)</b>	<b>2021 (Actual)</b>	<b>2022 (YTD)</b>	<b>2023 (Budgeted)</b>
<b>Dog Tags</b>	\$7,960.00	\$7,200.00	\$6,525.00	\$6,470.00	\$6,790.00	\$7,318.00
<b>Parking Fines</b>	\$9,358.25	\$10,191.55	\$7,313.75	\$885.00	\$45,612.65	\$8,146.87
<b>Provincial Offences</b>	\$122,643.18	\$73,441.37	\$19,847.77	-	-	\$60,094.44
<b>Total Revenue</b>	\$139,961.43	\$90,832.92	\$33,686.52	\$7,355.00	\$52,402.65	\$75,559.31

**Dog Tags:** All dogs within the Municipality of Mississippi Mills must be licensed. Dog licenses expire on December 31st of each year and can be renewed by visiting the Municipal Office or by mailing the Dog Tag Registration Form along with the appropriate proof documents and applicable fees.

**Parking Fines:** When a vehicle is found to be in contravention of the parking or stopping provisions of the municipality’s by-law, the issuing officer may issue a Parking Infraction Notice with a set fine provided for the violation.

**Provincial Offences:** Municipal by-law charges which include excessive noise, animal control etc. For parking fines, if payment is not made in accordance with the procedure set out on the Parking Infraction Notice, the Provincial Offences Act shall apply.

**DISCUSSION:**

**MLES CONTRACTED SERVICES - PROS:**

**1. Flexibility**

Scheduling of staff and the assignment of officers, shift coverage due to illness.

**2. Access to Additional Resources**

Contracting out to MLES provides the Municipality of Mississippi Mills with access to all the human and physical resources that MLES has. On occasion MLES has required extra personnel to deal with some by-law complaints. The additional resources, in situations such as this, have been provided by deploying other on-duty MLES officers to deal with the issue and at an additional cost the Municipality.

**3. Expertise**

MLES senior management and staff have numerous years of by-law enforcement experience and do not require any supervision to perform their duties. Municipal Chief Administrative Officers (CAOs), Clerks, Chief Building Officials, and even some Mayors frequently seek their guidance, direction, and advice.

## INTERNAL BY-LAW SERVICES – PROS:

### 1. Response Time

Internal staff can respond more swiftly to reported concerns, increasing the likelihood of witnessing incidents firsthand before circumstances change. This rapid response capability equips the by-law department to address issues promptly, be it through dialogue, warnings, or fines.

### 2. Increased Coverage

The employment of full-time or part-time staff enables broader coverage and patrolling than the current 20-hour weekly contract. Presently, MLES By-law officers primarily respond reactively to complaints, which may convey an unequal application of enforcement across the municipality. Internal staff can adopt a more proactive stance and allocate resources effectively.

### 3. Direction & Control

Internal employees would work under the direction and control of the municipality. They would follow the municipality's policies, procedures, and guidelines, carrying out their tasks and responsibilities as outlined by their specific job description and organizational expectations. Furthermore, they would be integrated into the municipality's daily operations and would contribute to the ongoing functions of the municipality.

### 4. Consistency & Collaboration

Hiring internally ensures consistency in the officers handling complaints, fostering uniformity in service delivery, resident relationships, and operational routines. Internal staff also collaborate more consistently with their colleagues, leading to improved communication and enhanced overall productivity through daily interactions and shared experiences.

### 5. Community Engagement & Visibility

Full-time Officers can invest more in community engagement, building trust and rapport with residents and educating them on municipal bylaws and regulations.

## BY-LAW ENFORCEMENT COMPARISONS

Comparable municipalities were contacted to provide more information of their respective by-law enforcement operations. Below is a high-level summary of their responses.

	North Grenville	Greater Napanee	Severn	Carleton Place
<b>Population</b>	16,451	15,892	13,477	11,901
<b>Internal/External?</b>	Internal	Both Internal at 35 hrs a week with full on call animal control	Canine control is contract, all other by-law enforcement is internal	Both
<b>How long operating as is?</b>	Internally for 20 + years	Animal control was contracted since 2011, with one in house by-law officer until 2020. Officer then left, by-law services moved to contract. Senior by-law enforcement officer then added. In 2023, budget crisis lead to animal control contract being restricted for 15 hrs per week with a premium for additional calls and the contracted services cut.	Canine has always been contract, either SPCA or other contractor/third party, and by-law otherwise has always been internal	15 plus years

	<b>North Grenville</b>	<b>Greater Napanee</b>	<b>Severn</b>	<b>Carleton Place</b>
<b>How many by-law staff?</b>	4 total. Currently 3, including a manager. 1 position open	Currently only have one by-law enforcement officer and the contracted animal services	One full time and one part time officer	2.5 officers internal plus animal control contract
<b>How many hours? Coverage?</b>	35 hours a week  Monday to Friday. We will be implementing a schedule to provide coverage going into the evenings. Currently the two officers work 8:30 to 4:30pm. Once we have the 3rd officer, a rotation will be scheduled to cover the evenings.	35 hours per week.  Monday to Friday, with peak season (May - Sept) having one evening shift per week and one Saturday per month	35 hours a week  May to mid-September staff schedule changes to accommodate a mix of weekday, evenings and weekend shifts. Rest of the year staff are Mon-Friday.	36.25 hours a week  7 days a week 7 am to 8pm. On call for overnights
<b>Annual call volume?</b>	In 2022 – 586 calls for service, that does not include conducting inspections related to Kennels, Refreshment Vehicles etc. In 2023 – 580 calls for service so far.	By-law services, including zoning and property standards but excluding fire by-law calls, are upwards of 350 legitimate calls for services, with countless other unfounded calls that do not dictate a site visit.	No idea, we do not have a system that logs volume accurately.	1487 inquiries in 2022, 259 resulting in complaints
<b>How many fines?</b>	In 2022 - 100 parking tickets In 2023 - 153 parking tickets so far. Limited amount of Provincial Offences tickets issued each year.	The majority of by-laws have been enforced through orders to comply and work being done come the expiry of the order which is billed back to the owner. Issued 1 part III this year and approximately 5 part Is.	Most tickets relate to parking or canine (no tag/licence). 2023 so far – \$ 1,570 paid. There are no fines attached to property standards or clean yards/long grass.	500-700 2023 budget forecast was \$35,000 POA revenue and \$30,00 bylaw fines
<b>By-Law Revenue</b>			\$500 (2022)	
<b>What services do you provide?</b>	Parking Animal Control Property Standards inspections Refreshment Vehicle inspections Kennel licensing and inspections Sign and other by-laws enforcement Soon to assist Public Works with Sewer Use enforcement with business inspections.	Parking, grass, yards, zoning, property standards, other misc. duties as the town requires, and other less frequent by-laws such as ATVs, skateboards and the like.	parking, animal control, property standards, clean yards, long grass, noxious weeds	Parking, property standards, noise, animal control, parks, licensing, grass, snow throwing, waste collection, watering, crossing guard replacement, boat launch machine maintenance, chicken coops inspections, chip truck inspections, pool bylaws, sign bylaw, clothing bins, anti idling bylaw. ANIMAL CONTROL CONTRACT WITH MLES

<p><b>By-Law Expense</b></p>	<p>Total 2023 budget - \$455,932</p>	<p>\$85,867 (2022) \$51,084 (2021) Inclusive of salaries and contract costs, the total budget for the department is upwards of \$120,000 inclusive of equipment, benefits and the like.</p>	<p>2023 Budget is \$142,811 (includes supplies, gas, uniforms, conference, employee wages &amp; deductions, legal, subcontractor used for property cleanups)</p>	<p>\$367,600.00 (2023 budget operating costs) Animal Control Contract with MLES = \$30,000</p>
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## OPTIONS:

### **OPTION 1: Maintain existing service level provided by the current MLES contract**

The current MLES contract for general bylaw enforcement and animal control is for 20 hours of service per week. Service includes responding to complaints, enforcement, attendance at Provincial Offences Court, and managing the administration of tickets. Also included is 0.5 FTE for the Building and Planning Clerk for administration.

### **OPTION 2: Increase service level provided by MLES**

The MLES contract could be adjusted to allow for additional hours of coverage. This option would also include the 0.5 FTE Building and Planning Clerk for administration.

### **OPTION 3: Hire Internal By-law Enforcement Officers**

Hire internal By-law Enforcement Officers. This option would also include the 0.5 FTE Building and Planning Clerk for administration.

## FINANCIAL IMPLICATIONS:

### **OPTION 1: Maintain existing service level provided by the current MLES contract**

The current MLES contract for by-law enforcement service is budgeted at \$37,143.30 per year with an additional \$27,591.00 per year for animal control. Any additional hours approved by the Municipality during the hours of 8:00 a.m. to 5:00 p.m. will be billed at the regular hourly rate up to a total of 44 hours per week. Should the Municipality require the services of MLES on evenings, weekends or statutory holidays, it may be arranged with MLES at 1.5 times the regular rate. Additional internal costs to administer the service also include 0.5 FTE of the Building and Planning Department, budgeted at \$41,348.36.

<b>Year</b>	<b>General Bylaw Enforcement</b>	<b>Animal Control Services</b>	<b>Additional Services Provided</b>	<b>Totals</b>
2018	\$26,816.88	\$22,384.32	\$ 900.00	\$50,101.20
2019	\$27,299.64	\$22,787.28	\$3,000.00	\$53,086.92
2020	\$42,320.20	\$23,628.69		\$65,948.89
2021	\$39,294.76	\$23,867.38		\$63,162.14
2022	\$40,458.84	\$24,266.64	\$5,175.40	\$69,900.88
2023	\$43,761.72	\$26,763.36	\$2,712.00	\$73,237.08

## **OPTION 2: Increase service level provided by MLES**

The MLES contract could be adjusted to allow for additional hours of coverage. If the contracted hours were to be doubled to 40 hours a week, the MLES contract would be estimated to cost roughly \$88,000 annually for general by-law enforcement alone.

## **OPTION 3: Hire Internal By-law Enforcement Officers**

To increase and extend the coverage of by-law services, the Municipality should hire two full-time By-law Enforcement Officers. It is estimated that the yearly cost to hire one in-house By-law Enforcement Officer would be at least \$80,000, including pension and benefits. At full-time hours of 40 hours a week with two staff, the coverage would be quadrupled from the current MLES contract for 20 hours a week to 80 hours a week.

Additional approximate annual costs would include:

Leased Vehicle \$6,000  
Fuel \$5,000  
Equipment  
Uniforms \$1,400  
Training \$2,000  
Office Supplies \$1,000  
Total: \$15,400

## **STRATEGIC PLAN**

A review of the current approach to contract municipal by-law enforcement was identified under the Safe and Sustainable principle of the Strategic Plan.

## **PUBLIC ENGAGEMENT**

The public will be informed of any changes to the Bylaw Services that are provided.

## **SUMMARY:**

The Municipality has had a contract with MLES for the past thirteen years. The services have generally met the needs of the municipality. The current contract of 20 hours of service a week can limit the response time and the availability of officers when requiring service after hours. Additional hours have been added in recent months to address issues that could not be resolved within the regular 20 hours of service a week. Given the anticipated growth of our Municipality, the demand for by-law services is expected to rise in the future.

Doubling the current contract with MLES would equate to paying for one full-time internal By-law Enforcement Officer. For the cost of adding an additional internal By-law Enforcement Officer, the coverage would double from 40 to 80 hours a week, while



maintaining a 0.5 FTE Building and Planning Clerk for administration. Comparable municipalities operate with internal By-law Enforcement with a varying degree of staff.

I recommend that the Municipality proceed with option three, hiring internal By-law Enforcement Officers. This move would lead to faster response times, extended service hours, and the potential for increased revenue generation, which could help offset staffing costs. Additionally, it would enhance our presence within the community, allowing us to engage in public education and community building efforts.

Respectfully submitted by,

Reviewed by:

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Mike Williams,  
Director of Protective Services

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Ken Kelly,  
CAO

**ATTACHMENTS:**

1. MLES Contract
2. Bylaw Service Presentation