

**Report to  
Rapport au:**

**Community and Protective Services Committee  
Comité des services communautaires et de protection  
20 June 2019 / 20 juin 2019**

**and Council  
et au Conseil  
26 June 2019 / 26 juin 2019**

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**Submitted by  
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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2019-EPS-GEN-0005**

**SUBJECT: By-law and Regulatory Services – Service Review and 2018 Annual  
Report**

**OBJET: Examen et rapport annuel 2018 des Services des règlements  
municipaux**

## **REPORT RECOMMENDATIONS**

**That Community and Protective Services Committee recommend that Council:**

- 1. approve 22.00 Full-Time Equivalent (FTEs) to be funded through revenues in the By-law and Regulatory Services budget, as described in this report; and,**
- 2. receive for information the By-law and Regulatory Services 2018 Annual Report attached as Document 1.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité des services communautaires et de protection recommande au Conseil :**

- 1. d'approuver l'embauche de 22 équivalents temps plein (ETP) payés au moyen des recettes au budget des Services des règlements municipaux, comme décrit dans ce rapport; et,**
- 2. de prendre connaissance du rapport annuel 2018 des Services des règlements municipaux (document 1).**

## **EXECUTIVE SUMMARY**

By-law and Regulatory Services (BLRS) within the Emergency and Protective Services department is responsible for the administration and enforcement of more than 50 municipal by-laws and provincial acts within the City of Ottawa addressing a wide range of municipal issues. The BLRS Service Review and 2018 Annual Report provide an overview of trends in the service demand and staffing resources from 2011 to 2018. The annual report presents the most recent and more specific performance metrics from 2018.

Overall, since 2011, By-law and Regulatory Services has experienced a 14.5% increase in requests for service from 76,008 in 2011 to 87,056 in 2018. In 2018, there was an 8% increase in requests for service.

The resulting pressures on service delivery are the consequence of new programs and new by-laws having been added to BLRS's portfolio through Council directives or otherwise, such as Vehicle-for-Hire regulations, domestic animal/small wildlife transport, Heritage Matters taskforce, smoke-free regulation changes (including cannabis), noise-related enforcement and the Private Parking Enforcement Agency Program.

In response, BLRS has taken steps such as increasing hours of coverage and creating 22 temporary FTEs to handle the increasing demand. The temporary positions have been funded through revenues from the By-law and Regulatory Services budget. As per Council direction, any permanent FTEs must be approved by Council. Staff is therefore requesting 22 permanent FTEs which will be funded through existing revenue sources. There is no budget pressure for these positions.

## **RÉSUMÉ**

Les Services des règlements municipaux de la Direction générale des services de protection et d'urgence ont pour mandat d'appliquer et de faire respecter plus de 50 règlements municipaux et lois provinciales à Ottawa, traitant ainsi un large éventail de questions d'ordre municipal. L'examen et le rapport annuel 2018 des Services des règlements municipaux donnent une vue d'ensemble des tendances en demandes de service et en dotation en personnel de 2011 à 2018. Le rapport présente les indicateurs de rendement les plus récents et les plus précis de 2018.

Il y a eu 76 008 demandes de services en 2011 et 87 056 en 2018, ce qui représente une hausse de 14,5 %; l'année 2018 a connu à elle seule une hausse de 8 %.

Il en résulte des pressions sur la prestation de services, causées par l'ajout de nouveaux programmes et règlements municipaux au portefeuille des Services des règlements municipaux suite aux décisions du Conseil ou autres : réglementation sur les véhicules de location, transport des animaux de compagnie et des petits animaux sauvages, groupe de travail sur les questions patrimoniales, modifications à la réglementation sans fumée (dont le cannabis), application de la réglementation sur le bruit et Programme des agences de contrôle du stationnement sur les propriétés privées.

C'est pourquoi les Services des règlements municipaux ont pris certaines mesures, comme prolonger leurs heures de service et créer 22 ETP temporaires pour arriver à répondre à la demande croissante. Ces postes temporaires ont été financés par les recettes issues de leur budget. Conformément à sa directive, le Conseil doit approuver les postes d'ETP permanents. Le personnel demande donc que l'on crée 22 postes d'ETP permanents, qui seront financés par des sources de revenus existantes. Aucune pression budgétaire n'est associée à ces postes.

## **BACKGROUND**

By-law and Regulatory Services within the Emergency and Protective Services department is responsible for the administration and enforcement of more than 50 municipal by-laws, as well as a number of provincial acts within the City of Ottawa. As outlined in the 2018 Annual Report (Document 1), By-law and Regulatory Services staff work together to maintain compliance with municipal regulations and standards, and provincial legislation, while providing a high level of service to residents, businesses, and visitors of the City of Ottawa. Enforcement is undertaken through a reactive model, based on resources. Any proactive enforcement is undertaken under specific circumstances only and where resources have been identified.

By-law and Regulatory Services also coordinates and administers a number of on-going City functions and programs including the Spay/Neuter Clinic, Property Standards and License Appeals Committee, Animal Control Tribunal, Large Wild Mammal Emergency Response Protocol, and is also responsible for administering the Municipal Animal Shelter Services Agreement with the Ottawa Humane Society, and 21 cost-recovery agreements with Private Parking Enforcement Agencies.

The BLRS Business Licensing Unit administers 33 license categories, including tobacco vendors, food premises, snow plow contractors, as well as pet registration, lottery licenses, and vehicle-for-hire licenses. In 2018, the unit issued over 13,000 business licenses and 422 lottery licenses.

At amalgamation in 2001, the by-law services units of the 11 former municipalities came together to form the current By-law and Regulatory Services (BLRS). Over that time, numerous additional programs, new by-laws to administer and enforce, and other service demands have been added to BLRS's portfolio through Council directives or otherwise, without additional staff resources or funding. As such, staff has conducted a focused and fulsome review of the services provided in relation to service standards and resources.

Based on the foregoing, as well as a number of relevant Council directions resulting from issues such as the transfer of responsibilities from the Ottawa Police to BLRS, staff undertook a service review to ensure consistent delivery of services across the City using the most cost-effective approach. The overall goal of the service delivery review was to assess and develop a service delivery model for by-law administration and enforcement, as well as policy development, to improve the sustainability, cost effectiveness and management of delivering these services to the citizens of Ottawa.

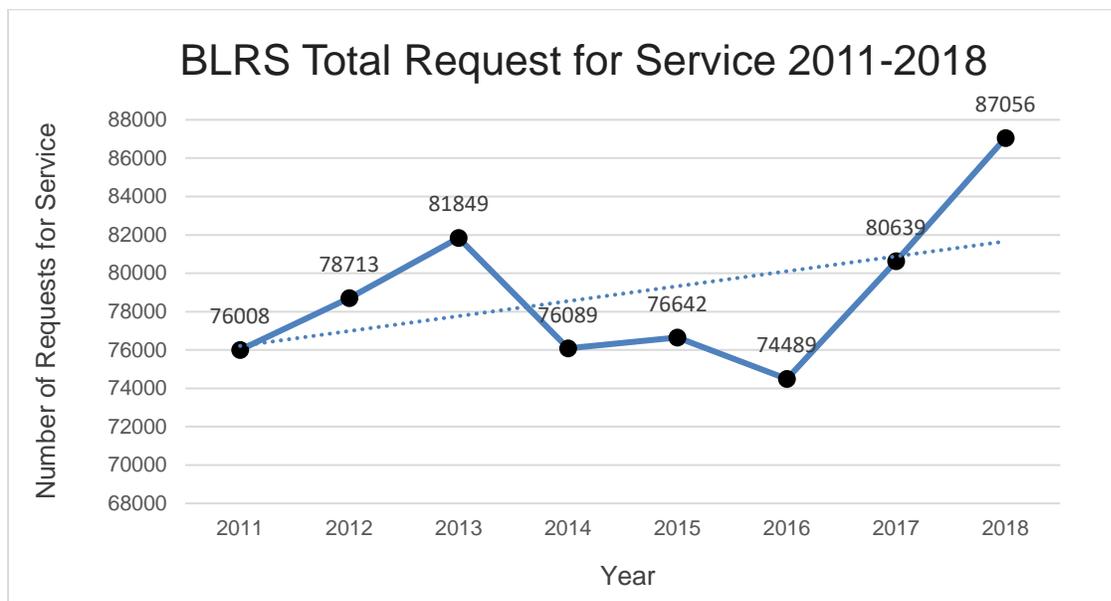
A number of inputs were considered as part of this review, including the retention of an external consultant (KPMG) in 2017, followed by discussions with senior management and other relevant stakeholders, and integration of the Corporate philosophies of flattening the organization and allowing service areas to focus on operations. Further, since that time, staff developed an organizational approach to give effect to the results of this review as well as taking into consideration the 2016 Corporate restructuring, the enactment of significant new regulations (e.g. Vehicle-for-Hire By-law), and the impacts of significant events (e.g. Ottawa 2017, floods, tornado) on BLRS' ability to deliver regular services.

## DISCUSSION

### Service Demand

Since 2011, By-law and Regulatory Services has experienced a 14.5% increase in requests for service, with an increase of 8% in 2018 alone, as depicted in Figure 1. Further details regarding Service Request volumes and trends are outlined in the 2018 Annual Report (Document 1).

**Figure 1: Total Requests for Service 2011 – 2018**



In addition, license/permit issuance, inspection and auditing activity, which is not directly associated with a service request and therefore, is not reflected in the aforementioned data. Those additional activities are precipitated in a different way and for reasons other than potential enforcement action resulting from by-law violations. Cumulatively, these

additional work activities represent a significant pressure for By-law and Regulatory Services. The following reflects the volume of these activities on average annually:

- 3,000 temporary sign permits issued
- 450 lottery licenses issued
- 10,000 business licenses issued over 33 categories
- 200 food truck and cart inspections
- 125 special event inspections
- 600 expired business license inspections/follow-ups
- 2,000 taxicab and limousine vehicle inspections
- 12,000 Private Transportation Company driver records audited

A number of other factors have contributed to BLRS' increase in service demands over the years, including the following:

- By-law and Regulatory Services manages the Business Ambassador Program which was developed through Service Ottawa. This program supports new and existing businesses to navigate through the licensing process. It provides a single point of contact who assists applicants throughout the licensing process. Food premises and food trucks/carts are By-law and Regulatory Services' highest volume licensing categories, with perhaps the most complex conditions of issuance and renewal of all licensing regulations. On average, this program supports the development of over 150 new businesses annually, in addition to providing other relevant services, including coordination of the Designated Space Program (for vending on the right-of-way), the Street Food Vending Program, and the Canada Day vendor program.
- In 2016, the responsibility for the back-end information technology and other management associated with Private Parking Enforcement Agencies (PPEAs) was transferred from Court Services to By-law and Regulatory Services. The program allows private companies to issue City tickets for parking infractions in private parking lots. The Private Parking Enforcement Agency program represents significant revenue to the City and to the PPEAs participating in the cost-recovery aspect of the program. There are currently 123 licensed Private Parking Enforcement Agencies, 21 of which have cost-recovery agreements with the City.

- Starting April 1, 2016, the Ottawa Police Service (OPS) ceased to respond to by-law (primarily noise) and parking related service requests, as part of a package of efficiencies resulting from its own service review. Consequently, By-law and Regulatory Services developed a strategy to meet the additional service demand. Analysis showed, and as reported in the By-law and Regulatory Services 2016 Annual Report (ACS2017-EPS-GEN-0016), that 93% of all noise complaints are received and addressed during By-law and Regulatory Services hours of operation. The remaining 7% of service requests are being effectively managed through the alternate response program. For parking control, 99% of service requests are received and addressed during hours of operation. The remaining 1% occur when disruption is minimal. Each of these service requests is investigated early the next morning and enforcement action is taken accordingly. In 2016, a total of 2,209 additional calls were received by By-law and Regulatory Services as a result of the Police Services' efficiencies; however these calls were offset by the implementation of mitigation measures, such as the Alternate Response Program and necessitated changes to the shift schedules of By-law Officers resulting in significant increase in hours of enforcement and dispatch coverage without additional resources.
- "MASSA" is the Municipal Animal Shelter (historically referred to as the "pound") Services Agreement held between By-law and Regulatory Services and the Ottawa Humane Society (OHS). The Agreement sets out the conditions and requirements under which domestic animals (cats and dogs) are to be sheltered, in accordance with relevant provincial legislation and the Animal Care and Control By-law. By-law and Regulatory Services administers MASSA and works with the OHS on a variety of operational and policy-type issues daily. The terms and conditions of the MASSA are reviewed and re-negotiated at the beginning of each new Term of Council.

In 2017, the Ontario Society for the Prevention of Cruelty to Animals rendered governance decisions that impacted the Ottawa Humane Society such that it underwent organizational changes that resulted in the elimination of its Rescue and Investigations Department. This department had been transporting sick/injured domestic animals and small wildlife. As a result of this service gap, in the fall of 2017, By-law and Regulatory Services was directed by senior management to take on sick/injured domestic animal and small wildlife transport, which was implemented effective January 2018. Over the course of 2018, By-law and Regulatory Services undertook about 1,200 transports. This function does not fall within any other By-law and Regulatory Service or City program, and is not part of the service Agreement with the Ottawa Humane Society, nor has it ever been part of that Agreement.

- Since 2001, By-law and Regulatory Services has also been involved in and/or coordinated Large Wild Mammal Emergency Response Services without additional staff or funding resources. The costs of any necessary contracted services for chemical immobilization or other associated services have been covered through By-law and Regulatory Services' budget.
- By-law and Regulatory Services handles approximately 400 media inquiries on average annually – among the highest volume across the Corporation. Each media inquiry requires an average of two to three hours to research and complete, including reviews and approvals within BLRS. In December 2017, a temporary Public Information Officer was established in BLRS. The PIO designs promotional and informational activities and specialized programs to promote Ottawa By-law Services; builds strong working relationships with the Public Information and Media Relations unit, allied agencies and the media; organizes public meetings/events; provides communication advice; and monitors and maintains the social media presence of BLRS in our community. Since the addition of the PIO, Twitter and Facebook followers and interactions have increased significantly. For example, one tweet was read by 246,000 people and one Facebook post received 103,799 interactions. In 2018, the PIO attended over 20 school information sessions and BLRS staff participated in a wide variety of community and charity events in our community.
- By-law and Regulatory Services also receives over 3,000 informal inquiries annually from Councillors and external stakeholders, including other agencies and levels of government that are not included in the Service Request data. Many of these inquiries can require 3 hours, on average, to research and complete, including consultation with other departments, reviews and approvals.

### **Municipal Comparators:**

As part of the Service Review, KPMG compared Ottawa to three other Ontario municipalities (Document 2). The comparators include Hamilton, Toronto and Windsor. In comparison to these jurisdictions generally, Ottawa BLRS has a greater service demand than resources to meet that demand, as summarized below, as well as a significantly larger land mass, with a mix of urban, suburban and rural communities, that present unique challenges and have an impact on service delivery.

(Note: \*includes 12 temporary FTEs assigned to non-parking related enforcement; FTE = full time equivalent; SR = service requests)

Ottawa:	*73 FTEs	62,524 SR	857 SR/FTE
Hamilton:	54 FTEs	7,006 SR	130 SR/FTE
Toronto:	469 FTEs	110,000 SR	235 SR/FTE
Windsor:	26 FTEs	13,953 SR	537 SR/FTE

Parking enforcement staff is removed from these ratios given that Ottawa is the only municipality of the four which handles parking enforcement in addition to other enforcement functions. In Toronto and Windsor, parking enforcement is delivered by agencies separate from by-law services.

There are other significant variations between Ottawa and these municipalities, including: Ottawa BLRS operates the longest on-duty hours, handles Smoke Free Ontario Act (SFOA) and after-hours noise complaints. By-law enforcement staff of these other municipalities do not enforce these areas generally, and provide fewer hours of operation. In Windsor, the Police handle all after hours noise complaints, and in Hamilton and Toronto, Police routinely assist on noise calls. In Toronto and Windsor public health inspectors enforce the SFOA.

In summary, Ottawa By-law and Regulatory Services, as compared to the other three municipalities, offers the broadest range of services and the longest by-law enforcement hours of coverage.

Further, service standards vary greatly between these municipalities. In Windsor, most SR types aim to be closed “within 21 days” and officers are to complete a minimum of 10 investigations per day. Windsor aims to meet these standards 90% of the time. Toronto’s service standard is 24 hours response time for emergency calls, and 5 days for non-emergencies, whereas animal calls in Toronto are to be responded to within 2 to 48 hours. Hamilton, when contacted, reported that they were in the process of introducing service standards, tracking days to license, charges laid, outstanding fines, and calls received.

Ottawa BLRS prioritizes all service requests as Priority 1, 2, or 3 – based upon the immediate safety risk associated with the concern being reported – with clear service standards of Priority 1 within 24 hours, Priority 2 within 48 hours, and Priority 3 within 96 hours. Over the course of 2017 and 2018, BLRS was challenged, but attained the Priority 1 performance goal of achieving the standard 90% of the time, and was achieving Priority 2 service standards about 85% of the time. The temporary positions added to BLRS in 2018 allowed the Service to continue to achieve Priority 1 service

standards 90% of the time, and have been critical to achieving Priority 2 service standards about 85% of the time. Priority 3s, which comprise the majority (~60%) of the non-parking related service requests, are currently being achieved about 70% of the time, with some seasonal variation. Many of these Priority 3 calls are the more in-depth zoning/property standards type calls. Only with adequate resourcing to address the increasing service demand will BLRS be in a position to achieve its service standards 90% of the time for all three priority levels.

The following summarizes the information outlined above:

**Priority 1** (Target: respond within 24 Hrs 80% ) = 5,807 SRs total

**Priority 2** (Target: respond within 48 Hrs 80%) = 13,136 SRs total

**Priority 3** (Target: respond within 96 Hrs 80%) = 29,979 SRs total

*NOTE:* The ~38,000 parking SRs are prioritized on a case-by-case basis and are excluded from the above-noted numbers.

In 2018, BLRS achieved the following performance results for the tracked enforcement calls based on the above-noted service standards:

**Priority 1** calls met the service standard 96.0% of the time

**Priority 2** calls met the service standard 86.9% of the time

**Priority 3** calls met the service standard 71.3% of the time.

### **KPMG Recommendations**

KPMG was retained to complete a service delivery review and provide recommendations for potential areas of efficiency and improvement to By-law and Regulatory Services. The full report is attached as Document 4.

The key recommendations from the KPMG report were as follows:

1. Re-organize the Service to improve service delivery
2. Conduct a lean six sigma process review (Kaizen) of key business processes, specifically dispatch, noise complaint RFS and elected official RFS
3. Review the elected official's role in by-law enforcement and ensure their voice is heard throughout the enforcement activities
4. Invest in public outreach and social media through the creation of a position responsible for media relations and social media

5. Leverage the Emergency and Protective Service's technology investment to improve BLRS' operational decision making and resource deployment
6. Develop a broader public safety model that involves the police, fire, paramedic and by-law/parking enforcement in a structured and focused relationship
7. Implement weekly intelligence briefings for front line supervisory enforcement officers
8. Review the appropriateness of the work from home policy for the property standards unit
9. Review the resourcing required for legislative support within BLRS based upon Council legislative agenda
10. Appoint an internal solicitor in BLRS to support and guide the development of by-laws and policies.
11. Cross train by-law enforcement officers in property standards and restructure the property standards enforcement unit so they are available other enforcement activities.

Staff agreed in principle with KPMG's recommendations. Document 3 provides a summary of the recommendations with the actions that are either underway or that will be taken to address the issue accordingly. These actions are also outlined in the remainder of this report.

### **Implementation of KPMG Recommendations To-Date**

Following further analysis, By-law and Regulatory Services has undertaken the process of implementing changes based on KPMG's recommendations and other stakeholder inputs.

#### **1. By-law and Regulatory Services Re-Organization:**

In July 2018, By-law and Regulatory Services restructured to improve efficiency of the Service, with the establishment of three primary units, reporting to the Director's Office:

- By-law Enforcement
- Operational Support and Regulatory Services
- Parking and Licensing Enforcement

Staff is currently allocated to these units, as detailed below and in Document 1, BLRS' 2018 Annual Report.

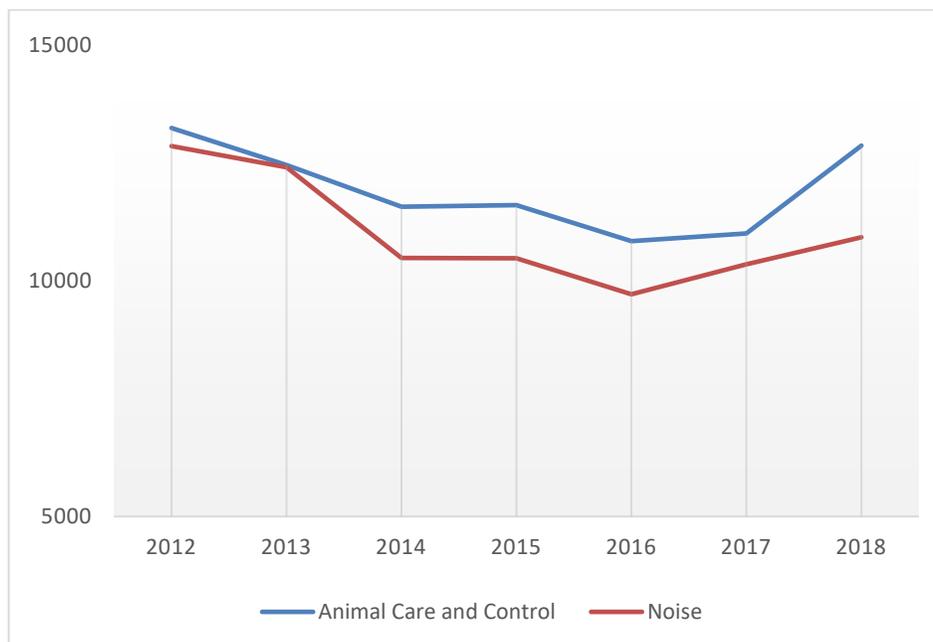
### **By-law Enforcement Unit:**

The By-law Enforcement Unit is responsible for general by-law enforcement, including Animal Care and Control, Noise, Parks, Property Standards and Maintenance, smoke-free regulations, Zoning and others.

This unit consists of 57 officers, providing city-wide service seven days a week from 6 a.m. until 2 a.m. the following day – with extended hours until 4 a.m. on Saturday and Sunday mornings. The City of Ottawa's by-law enforcement unit is one of only a few in Canada providing this level of service.

This unit responds to about 49,000 service requests annually, including animal care and control, noise and property standards, which are among the top four service areas contributing to demand on BLRS. There is an upward trend in the volume of service requests for each of these areas (as depicted in the Figures below) which is expected to continue given the increasing population, intensification, aging infrastructure, and other factors. Further, these subject areas are not inherently self-sustaining, so rely on revenue from other sources to cover costs of service delivery.

**Figure 2: Trends in Animal Care and Control, and Noise Service Requests from 2012 to 2018**



**Figure 3: Trends in Property Standards Service Requests from 2012 to 2018**

### **Operational Support and Regulatory Services Unit:**

The Operation Support and Regulatory Services Unit is responsible for coordinating and administering programs including the Spay/Neuter Clinic, the Property Standards and License Appeals Committee and the Animal Control Tribunal. The unit also administers the Municipal Animal Shelter Services Agreement with the Ottawa Humane Society, and the 21 Private Parking Enforcement Agency agreements. The unit also is responsible for dispatch, training, logistics (e.g. fleet), performance and data analysis, noise exemption application processing, corporate complaint and ATIP responses, and various other similar functions. The unit, including dispatch and spay/neuter clinic, is comprised of 21 staff who deliver this wide range of programs and services.

The veterinarian and staff of the Spay/Neuter Clinic perform about 2,500 pet sterilization surgeries annually, and support other BLRS programs through a longer-term reduction in the number of unwanted animals needing shelter. The Clinic also issues pet licenses, as one example, which aid in the return of lost/stray cats and dogs to their homes.

The Operations Support team responds to about 100 ATIP requests and processes about 140 noise exemption applications annually, as well as routinely updating over 250 Knowledge Base Articles for use by 3-1-1 agents responding to calls from the public. About ten (10) Animal Control Tribunal and thirty (30) Property Standards and License Appeals Committee hearings are convened annually.

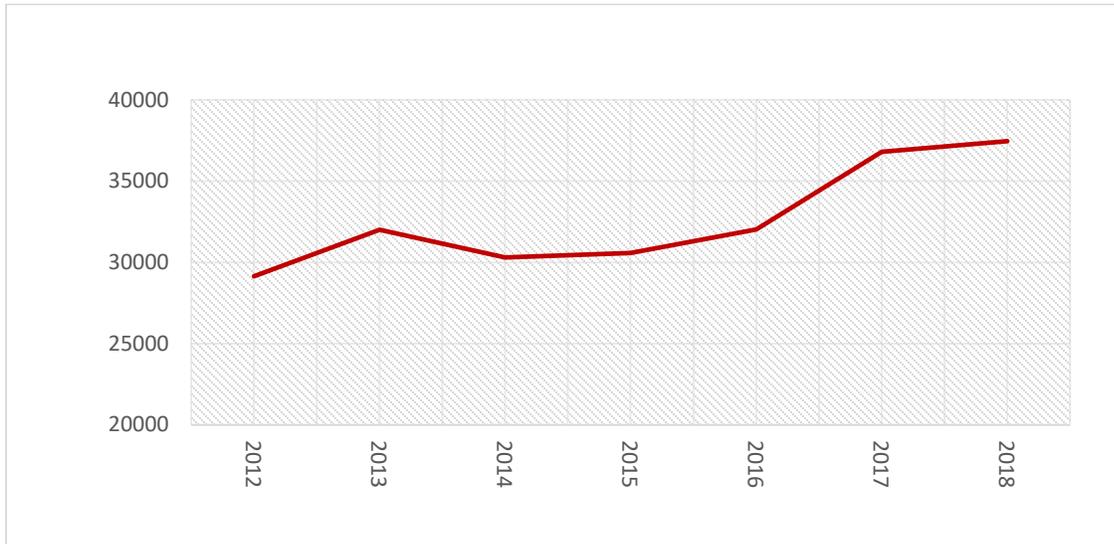
By-law Dispatch handles the 87,000 or so BLRS service requests forwarded by Service Ottawa each year, by dispatching them or otherwise, including administration of the alternate response program wherein letters, rather than officers, are sent to complaint addresses for first offences with no prior offences on record. Over 5,000 alternate response letters are issued annually.

**Parking and Licensing Enforcement Unit:**

With a mandate to facilitate traffic management in the city, the Parking Enforcement section of this unit includes 48 full-time and 29 part-time officers. The Licensing Compliance section includes 22 front counter, enforcement and inspections staff, with the responsibility of administering and enforcing the 33 licensing schedules (e.g. food premises, refreshment and itinerant vending, public garages, kennels, adult entertainment parlours, etc.) and the three Vehicle-for-Hire By-law licensing categories, as well as smoke-free and special enforcement functions.

The unit issues over 350,000 parking infraction notices (Part II Provincial Offence Notices) annually, resulting in over \$21M revenue for the City. In addition to regular patrol activities, the Parking Enforcement Unit also responds to over 37,000 service requests initiated by residents annually. The figure below depicts trends in parking enforcement service requests from 2012 to 2018.

KPMG's review included an analysis of trends in parking enforcement activities and concluded that no additional staff resources were required in this unit at that time. Potential demand pressures can be addressed through deployment adjustments as well as technology investments, such as dispatch modernization, as detailed under Item 5 in this report. This approach addresses a September 13, 2017 Council motion that staff review staffing levels for parking control officers.

**Figure 4: Service Requests for Parking Enforcement 2012 – 2018**

Licensing administration and enforcement staff issue about 13,000 business licenses, and 400 lottery licenses annually, and typically conduct over 100 special event, and 190 food truck/cart inspections. The introduction of the temporary Business Ambassador position has been very helpful to entrepreneurs seeking to open a variety of new food-related businesses in Ottawa, including food trucks, bakeries, restaurants and butchers. The Ambassador has been favourably received by entrepreneurs in our community.

By-law Enforcement Officers typically conduct 2,200 taxi and limousine inspections and over 3,000 taxi licenses/plates holders licenses were issued or renewed by the Business Licensing team. Frequent and ongoing audits of Private Transportation Company (PTC) driver records are conducted, including: insurance coverage, valid driver license verification, vehicle safety documentation, Police Records checks and detailed trip data. Over 27,000 documents have been audited since the first PTC became licensed in October 2016. PTC enforcement activities are ongoing throughout the year. Temporary VFH Enforcement Officer and PTC Performance Analyst positions have been funded to enforce and monitor VFH licensing compliance.

#### **Director's Office:**

The Office of the Director of By-law and Regulatory Services consists of the By-law Issues Management Specialist, the Public Information Officer (temporary) and an Administrative Assistant, who support the Director as well as the other work units across the Service. Staff in this unit manage the aforementioned 400 media inquiries, the majority of the 3,000 informal inquiries, various communications programs (including public outreach and social media) and daily emerging issues, in addition to

providing information, support and a conduit into BLRS for other EPS Services, such as Business Support Services and the newly established Public Policy Development branch, as well as for other City departments.

A number of key BLRS initiatives that also have Corporate implications, such as the AGCO-Ottawa Compliance Project and the Heritage Matters Task Force, are led through staff of the Director's office, who also represent BLRS' interests on major initiatives and reviews undertaken by other departments where there is an impact on BLRS. The Large Wild Mammal Emergency Response Protocol, in collaboration with Ottawa Police, the National Capital Commission and the Ontario Ministry of Natural Resources and Forestry, is managed by staff in this Office, as is BLRS' participation in significant emerging issues, some with provincial implications, such as the recent changes to legislation related to cannabis legalization and to the Ontario Society for the Prevention of Cruelty to Animals.

**General:**

Enforcement will continue to be undertaken through a reactive model, based on resources. Any proactive enforcement will continue to be undertaken under specific circumstances only and where resources have been identified.

**2. Process Improvement Initiatives:**

Phase 1 of the Dispatch Modernization Project, implemented in 2018, involved the integration of GPS into By-law and Regulatory Services' fleet and associated Service Request dispatch systems, including radios. Using various technology platforms, such as Qlik, GPS data, Lagan, and MAP, Phase 2 of the project will involve deployment of staff resources and vehicles, on the basis of location, not place in the queue. The desired end state is that service requests are dispatched to the officer closest to the origin of the call as opposed to the officer next in the queue for assignment which will increase efficiency and reduce travel time to locations of service requests.

By-law and Regulatory Services, like other services, prioritizes calls. Certain types of complaints, such as barking dog, fences, front yard parking, idling, pet licensing, and vehicle muffler noise, are not high priority, as these calls do not represent a public safety issue. For these types of calls, dispatch staff check for prior complaints and action taken at the address. If there are no priors and/or it is a first offence, a letter is sent to the occupant of the service address, outlining the complaint, the date on which it was received, the alleged violation, and any necessary corrective action. Further details in this regard are outlined the 2018 Annual Report (Document 1).

The Alternate Response Program reduces costs by not deploying an officer to the location for issues that are not a high priority and for first (alleged) offences.

### **3. Councillor Relations:**

Councillors provide valuable information to staff and often are first to receive complaints, questions and comments. Keeping Councillors informed is an important part of the enforcement process while balancing respect for privacy and legal requirements.

In addition, BLRS' Special Enforcement unit is comprised of officers who are dedicated and available to respond immediately to various high priority service requests, some of which may be a result of a Councillor concern.

Where there is Councillor involvement, the officer may gather from the Councillor any relevant information and will keep the Councillor informed, as appropriate. The matter may be elevated within By-law and Regulatory Services or Emergency and Protective Services management for further discussion, as circumstances warrant.

### **4. Investment in Public Outreach and Social Media:**

The Public Information Officer joined By-law and Regulatory Services in a temporary position in December 2017. Public outreach and social media activities increase profile, visibility and awareness opportunities. Since the Public Information Officer joined BLRS, the following has been implemented:

- By-law and Regulatory Services' Twitter account activity has increased significantly, including the doubling of the number of previous followers to over 3,600, in just one year. The Twitter account has been in place since 2012. A minimum of four topical and informational Tweets are posted daily on weekdays, two daily on weekends and statutory holidays. By-law and Regulatory Services' posts reach 175,000 viewers on average per month, which is increasing. Prior to 2017 when no staff were dedicated to social media and communications, the viewership was 2.5% of the current average monthly number. By-law and Regulatory Services' top Tweet was read by 246,000 people.
- A Facebook account was established. The account has over 1,000 followers as of January 2019 and, on average, shows at least one post daily. Infographics are used as a new public educational tool as these types of posts increase visibility to the reader; that is, they are more eye-catching. An infographic about cannabis use rules was "liked" 1,354 times, shared/commented on 3,616 times, and received 103,799 reactions. Video is also used as an engaging form of

information sharing. By-law and Regulatory Services' top Facebook video (about not parking within 1.5 meters of a driveway) was viewed 12,000 times and shared 128 times.

- By-law and Regulatory Services is considering establishing an Instagram account as an additional way to educate and share information with the public.

Other forms of public outreach undertaken by By-law and Regulatory Services include:

- School visits (21 in 2018)
- Participation in special events such as Capital Pride, Day of Pink, International Women's Day, Bell Let's Talk Day, local community fairs
- Participation in charitable giving initiatives such as holiday turkey donation at Shepherds of Good Hope, holiday food drive and donation, Polar Plunge in support of Special Olympics, fundraising for CHEO Mental Health for Kids (By-law and Regulatory Services' charity of choice), McHappy Day
- Outreach Days at the Spay/Neuter Clinic to sterilize the pets of homeless and vulnerably-housed Ottawans

The Public Information Officer position is invaluable in providing members of the public with information on the rules and regulations of the City, which has the potential to increase voluntary compliance with regulations.

## **5. Technology Investments:**

### **Client Relations Management (CRM) system:**

In 2018, By-law and Regulatory Services was the product owner and business lead on a new platform for receiving and handling service requests, the Client Relation Management system known as CRM. By-law and Regulatory Services piloted the system throughout 2018.

The pilot was successful, and as such, By-law and Regulatory Services began to import calls into this system in Q1 2019. The process will take a considerable amount of time because of the volume of service requests and the effort required to ensure and maintain the integrity of the data.

CRM will not be a full replacement of the current MAP system but will be an efficient platform for client interaction and ease of use by officers when responding to service

requests. The system is cloud-based so that any electronic device (cell phone, tablet, etc.) connected to the internet has the application and the officer or client can get immediate updates and direct uploads. Other functionalities that CRM introduced were the ease of searching information, reviewing call/case history and direct interaction with the client.

**Tableau:**

By-law and Regulatory Services is leveraging the Emergency and Protective Services department's investment in Tableau, a data analytic system. As of January 2019, data from Tableau cannot yet be fully utilized given constraints presented by the MAP system. However, Report Card data, such as number of service requests per officer, sick leave information and other measures, can be obtained and utilized to help manage staff resources and their allocation. By-law and Regulatory Services continues to work towards a more fulsome integration of the system.

**Digital Service Strategy:**

By-law and Regulatory Services is also participating the Digital Service Strategy, a City-wide initiative. The Digital Service Strategy projects include:

- The City of Ottawa mobile application – consideration is underway of providing access to various parts of By-law and Regulatory Services' business lines (e.g. pet licensing which is currently available online) on the mobile application
- On-line noise exemption applications
- On-line on street parking permits

These initiatives will assist By-law and Regulatory Services in being more efficient and providing easier access to members of the public.

**6. Public Safety Model and Partnerships:**

Since amalgamation in 2001, BLRS has been part of the Emergency and Protective Services department which includes the Ottawa Fire Services, Ottawa Paramedic Service, and Security and Emergency Management Service. The Ottawa Police Service is an entity separate from civic administration, is governed under separate provincial legislation and reports to a service board. BLRS is open to closer collaboration with police, however there are numerous implications, such as resourcing and training. BLRS will continue to work with police as part of current programs, and will also explore opportunities for additional collaboration.

Where advantageous, appropriate and necessary to meeting City objectives, By-law and Regulatory Services works collaboratively with a wide range of community partners. BLRS has relationships with other departments and organizations, as outlined below. The relationships take various forms including: provision of enforcement services, contractual arrangement for services from the organization, joint enforcement/programming initiatives, information sharing, and support through by-law expertise.

By-law and Regulatory Services works internally with several City departments including:

- City Clerk and Solicitor (Legal Services, Legislative Services)
- Community and Social Services (Housing)
- Corporate Services (Finance, Fleet, Information Technology Services, Revenue, Supply)
- Emergency and Protective Services' Business Support Services as well as Business Support Services of other departments
- Emergency and Protective Services' Event Central, Ottawa Fire Services, Public Policy Development Branch
- Public Works and Environmental Services (Parks/Forestry, Roads/Parking, Solid Waste, Water)
- Planning, Infrastructure and Economic Development (Economic Development/Zoning, Infrastructure Services, Planning/Building Code)
- Recreation, Cultural and Facility Services (Facility Operations, Parks and Facilities Planning)
- Service Innovation and Performance (PIMR, Service Ottawa/Court/Client Service Centres/3-1-1)

By-law and Regulatory Services also works with allied agencies including:

- Alcohol and Gaming Commission of Ontario, Ontario Lottery and Gaming
- Crime Prevention Ottawa
- Ottawa Police Service

- Ottawa Public Health
- National Capital Commission
- Ontario Ministry of Natural Resources and Forestry
- Ottawa Humane Society
- Ontario Society for the Prevention of Cruelty to Animals

External organizations, with which By-law and Regulatory Services has a relationship, include:

- Allied animal/wildlife organizations (emergency veterinary hospitals, Rideau Valley Wildlife Sanctuary, Wild Bird Care Centre)
- Business Improvement Area groups
- Canada Post
- Ottawa Markets Corporation
- School Boards
- Town and Gown
- Union-Management Advisory Committee (CUPE 503)

These partnerships assist By-law and Regulatory Services to deliver services to the public.

To ensure By-law and Regulatory Services remains up-to-date on current practices, delivers effective service and is equipped to do so, the Service has established and/or participates in a number of committees. Internal committees/teams, which meet monthly at a minimum, to discuss various issues include:

- Brand Ambassador Committee
- Branch Leadership Team
- Operational Management Team

These committees ensure issues are addressed quickly and efficiently, important information is shared, and long-range plans to improve operations are developed.

External-facing committees, which meet to provide an appeal process for muzzle orders and property standards orders/license issues, respectively, and which are wholly administered by By-law and Regulatory Services include:

- Animal Control Tribunal
- Property Standards and License Appeals Committee

These Committees are part of the public process and allows for appeals of decisions. Significant staff time is required to coordinate and administer these committees.

By-law and Regulatory Services staff are members of the following professional associations:

- Association of Animal Shelter Administrators of Ontario
- Association of Municipal Managers, Clerks and Treasurers of Ontario
- International Association of Transportation Regulators
- Municipal Law Enforcement Officers Association
- Ontario Association of Property Standards Officers (OAPSO)

At this time, one By-law and Regulatory Services staff serves on the Board of Directors of OAPSO which requires periodic meetings and work throughout the year, as part of that staff person's regular duties. These professional associations ensure By-law and Regulatory Services staff is up-to-date on issues affecting its operation, including changes in legislation and emerging issues, and is aware of best practices.

By-law and Regulatory staff also participate to varying degrees in the following:

- Alcohol and Gaming Commission of Ontario-City of Ottawa Task Force and Compliance Project (ByWard Market) Working Group
- Cannabis Legalization Operational Team
- Heritage Matters Task Force
- Special Event Advisory Team (SEAT)
- Emergency and Protective Services' Employee Wellness and Accommodation Committee

- Emergency and Protective Services' Diversity and Inclusion Committee
- Joint Health and Safety Committee
- Multi-Agency Early Risk Intervention Team (MERIT)
- Rat Task Force

These Committees are either legislated or the result of a Council or Corporate direction to meet specific community needs.

### **7. Communications and Supervision:**

Communications with officers takes places in a number of ways but two key opportunities are daily briefings and the BLRS report card.

Daily briefings, or “parades”, are used to share information about and discuss the latest pertinent concerns and issues of the day – either from the Management Team to the frontline staff, or vice versa. Examples include: traffic patterns and special events that may impact operations, or specific cases being investigated. This type of exchange keeps lines of communication open and provides situational awareness for all staff on issues of importance to BLRS, the department and the City.

The Performance Report Card is a tool for a supervisor which provides a number of useful performance measures per officer, such as leave usage, number of service requests handled, time to close a case, enforcement activity. These measures are provided to supervisors monthly and assist supervisors in the day-to-day management of staff and workload. This leads to more effective management of the service.

### **8. and 11. Restructuring the Property Standards Enforcement Unit and Cross-Training:**

The “work-off-site” (including residence) policy in place since 2008 for Property Standards and Zoning Officers (PSOs) has changed in that new PSOs are required to report for duty daily to 735 Industrial (By-law and Regulatory Services headquarters).

The advantages of this policy change are that there are additional PSOs on the road who are ready to respond to service requests, management and coaching of staff is more effectively facilitated, and information is more easily shared between PSOs and managers. The disadvantages of this policy change are that there is limited office space available at headquarters, and limited vehicles and radios available to staff.

The more senior PSOs who are continuing with the previous “work-off-site” policy do not call-in, nor is there sufficient space or equipment currently at 735 Industrial to allow for this. By-law and Regulatory Services is currently undertaking reviews of special requirements and equipment to accommodate all PSOs, but resolution of these issues is contingent upon budget.

As part of the Service Review, there was discussion about re-directing PSOs to general by-law enforcement when call volume drops at certain times of the year. Information and analysis about call volumes, in recent years, demonstrates that they are not declining sufficiently at any time of year to justify or allow re-assignment of PSOs. During the winter months, PSOs use this somewhat-lower call volume period to catch-up on items related to property standards service requests, such as officer notes, file references, and court briefs. Further, PSO resources are assigned to special proactive programs such as Rooming House and Heritage/Vacant Building enforcement.

As well, differences in hours of coverage between general by-law enforcement officers (who enforce late-night noise, for example) and PSOs would further complicate re-assignment, and therefore, cross-training would seem unwarranted and imprudent.

#### **9. and 10. Establishment of Public Policy Development Branch:**

Concurrent with the re-organization of By-law and Regulatory Services, the Public Policy Development (PPD) branch in Emergency and Protective Services was created separately from BLRS, and reports directly to the General Manager, in order to establish a unit dedicated to policy development and by-law reviews – a function previously in BLRS – to allow BLRS to focus on operations, improve service delivery and foster innovation. It is led by a Manager and is comprised of by-law review specialists. The PPD is responsible for establishing public policies and drafting corresponding by-laws related to areas of municipal concern such as public safety, nuisance control, and protection of persons and property including consumer protection, among others. The PPD provides strategic, policy and regulatory advice to departmental leads and members of Council and makes recommendations on the development and amendment of by-laws and policies. In addition, it is responsible for identifying, reviewing and new issues that may require corresponding regulations, and also ensuring that current regulations are responsive to emerging issues as required.

On April 24, 2019, Council approved the By-law Review Framework which represents the first step in a focused, coordinated approach to policy development and by-law reviews. Based on this Framework, the PPD will develop the 2019-2022 By-law Review Workplan which will set out priorities for by-law reviews and by-law development based

on departmental input and Councillor consultation. This Workplan is expected to be brought to Committee and Council in the Fall of 2019. Following approval of the Workplan, the PPD will proceed to undertake the prioritized by-law reviews based on established steps of sound public policy development, which include issues identification, research, public and stakeholder engagement, and drafting required by-laws, among others. The Rental Accommodations Study will be included on the current term of Council Workplan.

### **BLRS Staffing Requirements**

Historically, By-law and Regulatory Services has taken on new enforcement activities and programs but has not received any corresponding FTEs or funding. New initiatives such as Vehicle-for Hire regulations, domestic animal/small wildlife transport, the Business Ambassador Program, noise-related enforcement and the Private Parking Enforcement Agency Program, have resulted in additional pressures to the Service.

The transport of injured domestic animals and small wildlife was undertaken by By-law and Regulatory Services without any additional funding or staffing. This service is important to the public interest to ensure the safety of the public and of animals and therefore, must be provided by appropriately trained personnel.

Also, the Business Ambassador Program required one FTE (commonly referred to the Business Information Officer) to facilitate the issuance and regulatory process for applicants for food-related licenses (fixed premises and mobile vendors).

The Private Parking Enforcement Agencies Program which was previously with Court Services, requires one FTE to administer it as well as the associated agreements, training, enforcement appointments and other association functions.

In addition, there are many programs that require specialized or specific support to ensure the success of the program. The Large Wild Mammal Emergency Response Services are coordinated largely through one staff, including 24/7 on-call services, informally as part of an existing BLRS position. One FTE is now dedicated to the SEAT function given By-law and Regulatory Services' significant role in events.

Further, staff have been allocated to a number of other initiatives, including the Heritage Matters Force, Rooming House response, and audit of Private Transportation Companies under the Vehicle-for-Hire By-law, all of which require dedicated, focused staff with expertise in these areas.

BLRS has also been required over the last ten years to enforce many new by-laws without any corresponding increase in FTEs. These by-laws include the Idling By-law, the Vehicle-for-Hire By-law, Smoke-free By-law, and others. In response, BLRS has increased its hours of coverage to 144 hours per week of the 168 hours in a week.

To cope and respond to increasing workload and service demands therefore, BLRS has created 22 temporary full-time equivalent positions (FTEs) which are funded through revenues from the By-law and Regulatory Services budget. As per Council direction, any permanent FTEs must be approved by Council. Staff is requesting the addition of 22 permanent FTEs which will be funded through existing revenue sources. As such, there is no budget pressure for these positions.

Going forward, By-law and Regulatory Services will identify additional pressures as by-law reviews are completed, new by-laws are enacted, or other issues emerge, as well as with increasing service requests volume.

### **Risk Analysis**

Should Council not approve the recommended addition of 22 FTEs, a number of programs and services will be in jeopardy, and possibly eliminated. Those programs/services include but are not limited to: Business Ambassador Program; Heritage Matters Taskforce; Rooming House licensing enforcement; Vehicle-for-Hire By-law enforcement; PPEA administration and enforcement; transport of sick/injured domestic animals and small wildlife; public outreach and education; social media activities. Further, while By-law and Regulatory Services has temporarily filled the gaps, this Service cannot continue to support these positions temporarily due to collective agreement terms and conditions.

Given the ongoing increase in service requests, By-law and Regulatory Services will continue to experience resource pressures. This service review is based on 2016 data and additional resources may be required in the future in order maintain the services provided by BLRS to the citizens of Ottawa. Staff will continue to monitor trends in volume of service demand and performance in meeting that demand, and report back through the budget process, as appropriate.

In addition, the PPD is dependent on the requested FTEs for its staff complement and capacity. Should the FTE request outlined in this report not be approved, the PPD's policy development and by-law review work identified in the upcoming By-law Review Workplan will be affected.

**RURAL IMPLICATIONS**

There are no specific rural implications associated with this report as the recommendations apply City-wide.

**CONSULTATION**

There are no public consultations associated with the recommendation, as the report is administrative in nature.

**LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in this report.

**RISK MANAGEMENT IMPLICATIONS**

Potential risks have been identified and explained in the report, and are being managed by staff accordingly.

**FINANCIAL IMPLICATIONS**

Funding for the recommended 22 permanent FTEs has an operating budget impact of \$2.2 million annually, which will be offset by revenue from Private Transportation Company (PTC) licensing fees and parking enforcement fines for a net zero impact to the By-law and Regulatory Services (BLRS) Operating Budget. Upon approval of the recommendation, the BLRS Operating budget will be adjusted accordingly.

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with the recommendation of this report.

**TECHNOLOGY IMPLICATIONS**

There are no direct technology implications associated with the recommendation of this report.

**TERM OF COUNCIL PRIORITIES**

The recommendation, if approved, would enable BLRS to continue its alignment with Term of Council Priorities:

C1: Residents – Contribute to the improvement of my quality of life

SE1 and SE2: Service Excellence – Ensure a positive experience for every client interaction; Improve operational performance.

**SUPPORTING DOCUMENTATION**

Document 1 – By-law and Regulatory Services 2018 Annual Report

Document 2 – Municipal Comparators

Document 3 – Summary of KPMG Recommendations with City Responses

Document 4 – KPMG Report

**DISPOSITION**

The Emergency and Protective Services Department will implement direction received as part of consideration of this report.