

Council considers adopting proactive enforcement policy

Written By PETER RICHARDSON

Council heard a report from Town Clerk Jennifer Willoughby regarding the recent review of the Town's Bylaw Enforcement Policy.

It had previously been suggested that Shelburne change to a proactive enforcement policy, rather than the current reactive policy, which is driven by complaints.

After studying some six separate municipalities, all of whom use the reactive process, including Brampton, it was noted that apart from parking issues, which are unanimously handled in a proactive manner, all of these Municipalities find the complaint driven process to be adequate and less costly. The clerk reiterated the cost factor for Council, explaining that Shelburne simply does not have either the staff or resources to initiate a proactive procedure at this time.

For those not entirely familiar with how the Bylaw Enforcement Policy works in town, it is essentially a complaint driven process. Before the bylaw officer becomes involved in investigating and enforcing an incident of bylaw non-compliance, a resident must first register a complaint with Town Hall staff. At this point, the bylaw Officer will investigate and determine what course of action is justified, if any.

In a proactive process, the bylaw officer, or other officials, can act upon an infraction upon identifying one. Although many might see this as a preferential way to enforce Town bylaws, it comes with several drawbacks, most of which are costly.

First, you must have an adequate number of bylaw officers to patrol the town daily, and look for potential issues. This requires, not only added staffing costs, but also enough vehicles to allow the patrolling to happen. You then need to try to avoid the possibility of a particularly delinquent resident accusing the Town of persecuting them, for some reason.

With the aforementioned reactive system, the costs are substantially lower and the possible perception of unwarranted Town persecution is eliminated, as someone must complain before an investigation is started.

Mayor Wade Mills stated that Shelburne has actually had such accusations raised, by one resident, on racial and other grounds, but the complaint was unfounded, since, as stated, some resident, not the Town had filed a complaint, which resulted in an investigation.

The report went on to address several enforcement related matters, as well as explain that the complaints are all anonymou, so although your neighbour might suspect who filed the complaint, they can not verify the fact, except if the matter goes to Provincial Court.

It was noted that previously, Shelburne had been enforcing both Mulmur and Melancthon bylaws, however this agreement has now been terminated, as it proved to be too much for one officer to handle properly.

The Clerk stressed that Shelburne needs a policy officially in place, and requested that Council do so. Her report and the accompanying bylaw were accepted by Council unanimously.

Tax collection procedures

Following this, the Treasurer, Carey Holmes presented her report on changes to the Tax Collection Procedures, noting that the Town now accepts tax payments by both MasterCard and Visa.

Carey also noted that payment arrangements for tax arrears are negotiated with individuals, but that in the future , should a payment

arrangement not be honoured, it will now be terminated and the arrears given over to the Town solicitors .

Animal slaughter bylaw

A new bylaw concerning the slaughter of animals for consumption was proposed by Councillors Lindsay Wegener and Walter Benotto, following a complaint recently regarding a resident slaughtering rabbits in their back yard.

The complaint stated that the rabbits were screaming and that this whole process was disturbing. Coun. Wegener suggested that apart from the possible stress to one's neighbours, she felt that there were issues with health and safety, as well as the method of slaughter. Coun. Benotto said that there was no need for this to be done in public, and that the blood could attract predators and vermin.

He saw no issue with this being done in a garage or shed, out of sight and away from children and neighbours, but not in public in the yard. The proposed bylaw, would prohibit the slaughter of animals, except in a licensed slaughter house. Although on the surface, this would seem to be a simple matter, it does have complications as many cultures do slaughter their own food, including farmers and hunters here in Ontario. It could also bring into question the rights of hunters or fishermen, to bring home their kill and process it into meat for their own consumption.

The clerk suggested that rather than a separate bylaw, the matter could easily be addressed in the Town's Public Nuisance bylaw. The matter will be further discussed at the next Council meeting, before any action is taken.

Fire Board votes

In other business, the Fire Board Agreement was discussed once again and it was suggested that Shelburne be given three votes, thus creating a plurality, on the Board rather than a majority and in preference to the existing two.

In this way, Shelburne would be better represented, as it currently pays 52 percent of the Fire Department costs, yet can be out voted by the other members. With three votes, Shelburne would only need the support of one other board member to pass a resolution or other business.

On-street parking

The issue of on-street overnight parking on New Years Eve was brought up by Coun. Wegener.

The CAO responded that staff had evaluated the idea and had decided that rather than potentially block the streets, for emergency crews or snow removal , they felt that opening the Town parks and parking lots for the evening would be a better solution.

The proposal was that overnight parking would be allowed from midnight Dec. 31 until 5 p.m. Jan. 1.

Mayor Mills asked about Christmas Eve and Council decided to allow the same privileges for that date as well.