

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic Development

Subject: Inspections By-law – Housekeeping Amendment

Date: March 18, 2024

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development the following actions be taken:

- (a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on March 26, 2024, to amend the Inspections By-law.

Executive Summary

This report addresses a housekeeping matter in aligning recently approved fees and charges related to the issuance of notices and Orders related to by-law non-compliance with the Inspections By-law.

Linkage to the Corporate Strategic Plan

This report is aligned with the following strategic area of focus: Wellbeing and Safety: London has safe, vibrant, and healthy neighbourhoods and communities.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Community & Protective Services Committee: October 2008.

1.2 Strategic Plan

This report is aligned with the following strategic area of focus: Wellbeing and Safety: London has safe, vibrant, and healthy neighbourhoods and communities.

2.0 Discussion and Considerations

At its meeting held on November 28, 2023, Municipal Council approved a new fees schedule for the Fees and Charges By-law. A new fee was introduced for the issuance of notices and Orders related to by-law violations. Part of the operational process for the issuance of an Order involves an initial site inspection. The purpose of the attached amendment to the Inspections By-law is to provide clarity that a fee can be issued as part of an initial inspection in addition to a second or subsequent compliance verification inspection or an inspection resulting from a repeat by-law violation as is currently noted in the Inspections By-law. The intent of the fees associated with the issuance of notices and Orders is for cost recovery purposes. This approach is consistent with many municipalities across Ontario.

3.0 Financial Impact/Considerations

None

Conclusion

This report and accompanying amendment provides clarity in aligning recently approved fees and charges associated with the issuance of notices and Orders related to by-law non-compliance with the Inspections By-law.

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Director, Municipal Compliance

Recommended by: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix 'A'

Bill No.
2024

By-law No. A 30 __

A by-law to amend By-law No. A 30
"Inspections By-law".

WHEREAS section 436 the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that the City has the power to pass by-laws providing that the City may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS section 438 of the Municipal Act, 2001 provides that the City has the power to pass by-laws providing that the City may undertake inspections pursuant to orders issued under section 438;

AND WHEREAS sections 435 and 437 of the Municipal Act, 2001 set out certain additional powers and restrictions governing the powers of entry;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Inspections By-law A30 is hereby amended by deleting section 5A1 and replacing it with: " An inspection fee, as stated in the Fees and Charges By-law, may be imposed in one or more of the following circumstances, when an Officer conducts an inspection and the Officer determines: there is a violation of the by-law; there is a failure to remedy a by-law violation by the date of compliance set out in a written notice or Order; or there is a repeat by-law violation ".

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 26, 2024.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First reading –
Second reading –
Third reading –