



**LEGISLATIVE AND
COURT SERVICES
MEMORANDUM**

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TO: MAYOR A. NUTTALL AND MEMBERS OF COUNCIL

FROM: W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

WARD: ALL

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: ADMINISTRATIVE PENALTY PROGRAM

DATE: MAY 1, 2024

The purpose of this Memorandum is to provide members of Council with responses to inquiries concerning data to support staff's recommendation of staff person/number of violations to support hiring additional Screening Officers.

Staff are part of a municipal working group who are all working towards the implementation of an Administrative Penalty (AP) Program for Automated Speed Enforcement (ASE). The member municipalities include representatives from Barrie, Ottawa, York Region, Newmarket, Brampton, Waterloo, and Essa Township.

Discussions have been occurring with these municipalities regarding Screening Officer capacity when dealing with parking and by-law matters. Most municipalities will be implementing implementing ASE violations to an AP Program in 2024 in addition to the other violations covered under their AP Programs as the Province only recently authorized the use of AP Programs for ASE violations, m.

The dispute rate percentages (6.7%-25%) vary considerably between different municipalities. As a result, it difficult to obtain data that would provide for a fair comparison across municipalities. The projections made by staff are believed to be an accurate reflection of how the program will unfold in the City of Barrie in its current format. If approved, the two requested Screening Officers positions would be utilized for the administration of the AP Program until such time as staff have more data to analyze related to violation volumes and the resources required.

Staff initially proposed the ratio for additional resources to streamline the approvals for resources that would allow for timely processing of screening requests that adjust with the volumes of such requests. This was proposed utilizing similar concept as was approved in 2017 for the hiring of Building staff, as follows:

17-G-152 BUILDING SERVICES ENTERPRISE MODEL

1. That the principle of growth paying for growth continue to be applied through the implementation of a full cost recovery enterprise model related to inspections, plans examination and enforcement of the Building Code Act.
2. That authority be granted for the hiring of additional inspectors, plans examiners, and zoning administrators where it can be demonstrated to the satisfaction of the Chief Building Official, Director of Planning and Building Services and General Manager of Infrastructure and Growth Management that additional staff are required to meet agreed service levels and that all costs for such additional staff would be recovered through permit fees for appropriate service levels.



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3. That Schedule "K" of Fees By-law 2017-014 be amended to add the permit fee schedule attached as Appendix "A" to Staff Report PLN016-17.

As the experience with AP Programs for ASE charges is very recent, Council may wish to only provide authorization for the initial two Screening Officer positions at this time and require staff to report back for authorization to hire additional Officers. This could be achieved through the introduction of the following amendment:

"That motion 24-G-100 of Section "G" of the General Committee Report dated April 23, 2024 concerning the Administrative Penalty System be amended by:

- a) Deleting paragraph 3 and replacing it with the following:

"That the City Clerk be authorized to hire two Screening Officers/Junior Prosecutors, funded by additional Automated Speed Enforcement program revenue and staff report back to General Committee regarding any additional resource requirements due to the volume of violations to be processed"; and

- b) Deleting paragraph 6."