

Response to Complaints Municipal Enforcement

Policy No. **26-007**

has been renumbered

Response to Complaints Municipal Enforcement

Policy No. **P-37-2009**

CA Reuser

Title: RESPONSE TO COMPLAINTS – MUNICIPAL ENFORCEMENT

Resolution: 197-2009

Revised:

Special Notes/Cross Reference:

Next Review Date: 2011

POLICY STATEMENT : The Town of Westlock Municipal Enforcement Department is committed to educating the community regarding bylaws and responsibilities as well as delivering professional enforcement services in a timely and effective manner.

PURPOSE : To provide an efficient system to respond to complaints.

DEFINITIONS

Bylaw Enforcement Officer - means those individuals appointment as Town of Westlock Bylaw Enforcement Officers or those individuals who have been appointed Community Peace Officer status through the Alberta Solicitor General and Public Security Program.

NUMBER and GENDER REFERENCES - All references in this Policy will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

GUIDELINES / PROCEDURES / RESPONSIBILITIES:

1. Bylaw Enforcement Officer will respond to complaints and will actively enforce all bylaw infractions that they become aware of, consistent with the guidelines set out below, notwithstanding that all matters related to public health and safety will be investigated as soon as possible.
2. In responding to complaints and except in cases related to public health and safety, the highest priority will be to respond to complaints where the complainants have provided their name, address and telephone number.
3. Complaints will be acknowledged within 24 hours of receipt. Complainant will be notified that the complaint has been received and what timelines and/or actions may be taken by Bylaw Enforcement
4. Priority on routine matters such that pose little or no threat to persons or property such as weeds, violations of Land Use Bylaw, etc. will be determined on the basis of the order received and the efficiency to be gained through investigating several complaints at once.
5. During the regular course of their duties, a Bylaw Enforcement Officer may seek out bylaw infractions where issues of public health or safety or other bylaw violations occur.
6. Bylaw enforcement is sought, in the first instance, through voluntary compliance. Individuals who are being investigated will be requested to cease the activity and given the opportunity to achieve compliance before further action is taken to the limits noted in municipal bylaws or as outlined below.
6. Compliance may be encouraged through notification of fines associated with the offence.

Town of WESTLOCK

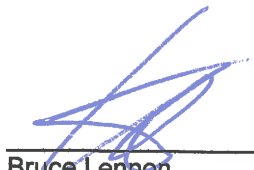
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7. Injunctive proceedings may be initiated if a violator fails to take first action to achieve compliance within the time limits as established by the By-law Enforcement Officer of the first warning correspondence.
8. Bylaw investigation is generally undertaken only in response to written complaints of a violation by any person or where complainants have provided their name, address and a telephone number where they may be contacted. Identities of complainants are protected under the *Freedom of Information and Protection Act*. The Municipality will generally not respond to anonymous complaints.
9. With the exception of noise complaints generally handled by the RCMP, noise complaints respecting barking dogs, loud equipment, etc. are to be handled by the By-Law Enforcement Officers.
10. Complaints respecting the parking or storage of vehicles on private property, contrary to the Land Use Bylaw, are to be handled by the By-law Enforcement Officer. The By-law Enforcement Officers will work with the RCMP to respond to complaints respecting the parking or storage of vehicles on municipal rights-of-way, boulevards, lanes or streets.
11. Elected Municipal Council is not involved in any way with the sanctioning of an investigation or making a decision on who shall be investigated.

PROCEDURES:

1. All complaints are directed to the Bylaw Enforcement Officer who will undertake a preliminary review of the complaint to ensure that the complaint is well founded. If no violation exists, the complainant and the violator are so advised and a record of the enquiry filed. If a violation exists, the alleged violator will be verbally asked to cease activity immediately. If required, the By-law Enforcement Officer will follow-up with a site visit to determine compliance.
2. The By-Law Enforcement Officer will verbally attempt to achieve voluntary compliance with the alleged violator and inform the violator of time limits for voluntary compliance. If the violation continues, compliance may be encouraged through use of fines outlined in the bylaw. Where deemed useful, alternate dispute resolution processes such as mediation or negotiation may be used to achieve compliance. If the violation does not cease, a full investigation will be undertaken, the By-Law Enforcement Officer may forward letters demanding compliance, and may undertake remedies authorized by bylaw. The By-Law Enforcement Officer will maintain a record of all complaints received and actions taken to resolve.
3. Where activity has not ceased or where compliance is not achieved, the By-Law Enforcement Officers will initiate legal proceedings.
4. At the end of the proceedings the complainant, the violator, and Town Manager will be advised of the outcome and the file closed.
5. Throughout the bylaw enforcement process, all parties must adhere to the regulations contained in the *Freedom of Information and Protection of Privacy Act* in order to protect the identities of the parties.


Darrell Garceau
Town Manager


Bruce Lennon
Mayor