



2021

# Administrative Monetary Penalties - Business Case for Expansion



11/23/2021

# ***Administrative Monetary Penalties - Business Case for Expansion***

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# Administrative Monetary Penalties - Business Case for Expansion

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

The City of Markham (the City) successfully launched its Administrative Monetary Penalties System (AMPS) in 2015 for the disposition of parking offences. AMPS is an alternative service delivery mechanism to the lengthy, costly Provincial Offences Act (POA) Courts process. At the time of this report, York Region's POA cases were averaging 650 days to resolution from the charge receipt date. Prior to COVID, this was approximately 280 days. Considering that it generally takes about 2 years before the City decides to pursue the charge in court, spending significant resources attempting to gain compliance, POA offences have often taken more than 3 years to resolve. The POA court process has been viewed by offenders as a way to delay with multiple adjournments and costly proceedings.

It is important to note that less than 3% of all municipal bylaw charges are disposed of in POA court. This is not new. The ongoing issues with costly, time consuming POA processes has been the source of many studies. In 2011, the Law Commission of Ontario released its recommendations to "modernize" the POA system and look for ways to simplify the system and increase the use of AMPS. Under AMPS, a defendant can dispute a parking ticket (penalty notice) by requesting a

Screening Officer review. A City-employed Screening Officer meets with the defendant, reviews the evidence of the offence, and renders a decision. The Screening Officer has the authority to affirm, vary or cancel the penalty. Should the defendant disagree with the Screening Officer's decision, the matter is referred to an independent Hearing Officer who makes a final decision.

According to the City's statistics, requests for screening officer reviews for parking offences has been declining from about 17% to 9% of all tickets issued. Only 0.7% have resulted in hearings being scheduled, and 77% of those are disposed of before hearing. In contrast to POA court, AMPS screenings are scheduled on average of 1.5 to 2 months from offence date and hearings completed within 6 months. Not only are AMPS quicker, but they are also less costly and time consuming. It is clear from the City's experience that AMPS are successful for parking; the City has the foundational processes, policies and procedures in place to expand AMPS to other areas.

In 2016, following changes to the *Municipal Act*, the City passed bylaw 2016-84 – "A By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences". This bylaw includes designated provisions and short form wordings from several bylaws: Animal Control, Mobile and Stationary Licensing, Water Meters, Open Air Burning, Rapid Key Boxes and Public Nuisances. To date, the only non-parking AMP that has been implemented is Water

Meters (fail to comply with an Order to schedule a replacement).

Since 2016, the City has consulted with departments to explore the feasibility of AMPS in the areas identified in bylaw 2016-84 as well as other possible opportunities. The City recognizes, however that, if it was to expand its AMPS program, it needs a systematic, phased approach to ensure that it has the resources necessary to handle increased volumes. While implementation of parking and water meter AMPS has been very successful, the answer is not simply to add more AMPS; integrated systems, resources and communications are needed.

Consultations with other municipalities revealed that to successfully implement non-parking AMPS, extensive communications with the public is needed to demonstrate the benefits of AMPS over POA. Training for staff, ensuring systems and tools are in place to handle volumes and clear processes with linkages to bylaws should be in place to support each type of AMP. The most common expansion area for AMPS includes animal control, business licensing, property standards and noise.

In undertaking this project, the City has recognized that some business transformation is required through a combination of process change and technological innovation to expand AMPS to areas beyond parking. Further, the governance and organizational structure needs to be put in place should AMPS expand across departmental lines. To this end, the City procured a new platform, GTECHNA, successfully implemented in other municipalities, for non-parking AMPS. At the time of this report, the software solution was being implemented.

To address the question of AMPS expansion, the City applied for and successfully secured a grant from the Audit and Accountability Fund. WSCS Consulting Inc. (WSCS) was retained to assess the feasibility of AMPS for all the City's regulatory bylaws and to develop a business case. In doing so, all bylaws were reviewed, and processes assessed to establish criteria for effective AMPS. Resource requirements were identified and a roadmap for staged implementation created.

WSCS undertook several focus groups, documentation reviews and system walkthroughs involving staff and management from across the City. We also analyzed data and performance measures to understand the results of the various processes and identify areas of challenge. Staff and management were canvassed for their improvement recommendations and system requirements. And a benchmarking survey was conducted with other similar size municipalities to understand better how AMPS has been expanded elsewhere. A detailed set of needs and system requirements were developed because of these consultations.

WSCS was challenged in its efforts by a lack of data in some areas. Some departments currently responsible for bylaw enforcement do not keep records of staff time spent on violations, number and type of violations, time to resolution, outcome, etc.. Best efforts were made, and assumptions are noted in the report. However, it is clear from the results in parking and the ongoing issues with POA timelines and costs, that move to AMPS will only prove fruitful. The use of POA in many of the bylaw offences is simply not sustainable and will continue to result in long wait times and lost revenues.

Following our extensive consultations, it became clear that not all bylaw offences are “AMP friendly”. In some cases, there is a desire to continue the POA route where the issue is one that the City wants to highlight as a deterrent to others and/or health and safety is at risk. Further, the ability to issue the penalty notice is an important element to AMPS. Those bylaws whereby the offender is identifiable either as a property or vehicle owner/driver are much easier to enforce as opposed to individuals at large. Complexity and enforceability was also taken into account in evaluating each bylaw. Finally, volumes of complaints and length of time to resolve also factored into the recommendations. In order to provide an objective assessment of each bylaw, WSCS developed a decision matrix (Appendix A) based upon criteria that the City will be able to utilize to determine the suitability for AMPS for any new bylaw.

Upon review of Markham’s AMPS Bylaw for non-parking violations, it should be noted that some of the recommended AMPS in this report are currently not captured in bylaw 2016-84; some of these bylaws frequently impact residents. As well, there are other areas for regulatory enforcement under consideration by the City, that may be suitable for AMPS and should be considered in this project moving forward.

Based upon our assessment, application of the criteria, analysis of volumes, coupled with consultations, we would recommend the implementation of AMPS over a 2-year period with 2 phases to ensure that the resources and processes are in place and continually improved based upon lessons learned after each phase.

We have analyzed the complaints received by type and have assumed that, on average, 30% of the complaints would result in an AMP being issued for approximately 2,000 tickets per year in the bylaws under consideration. From the experience in parking, requests for screening reviews are between 9-17% of tickets issued. Hearings have been requested less than 1% of all tickets. However, we do believe that, because the fines are higher than parking and more complex, that more screenings and hearings will be requested for the AMPS under consideration. If POA Part 1 offence court filings is any indication, there were between 19 (in 2019) and 153 (2017) cases filed by the City. Hence, it is estimated that 400 screenings and 100 hearings per year is a reasonable estimate for the additional AMPS. As AMPS are brought on in phases, it will be imperative to analyze the type of AMPS that result in greater ‘litigation’.

FIGURE 1 shows the recommending phasing for AMPS expansion over the next 2 years. The phasing will allow the City to assess each phase and make appropriate adjustments with lessons learned prior to proceeding to the subsequent phase. We would also suggest that the City include a general provision in the AMPS bylaw and update all relevant bylaws to provide for a “obstruction or hinder an officer” provision as an AMP. We heard, during our consultations, that obstruction is a challenge and impedes officers from enforcement and investigations in a variety of areas. However, if the City so chooses, it could implement all of the AMPS in year 1 which is considered to be OPTION 2 as shown in Table 1.

Should the City agree with the expansion of AMPS in two years, the City needs to ensure that the resources, human and technological, are in place to ensure that it has the processes and tools for implementation. Since many departments are involved in AMPS and there will be significant organizational

changes, we are of the option that a dedicated Project Manager is needed in order to oversee the enterprise-wide approach. While we have made specific recommendations,

the City could decide to extend some of these if it believes it is not ready for the full expansion due to a lack of resources or need to further evaluate the impacts.

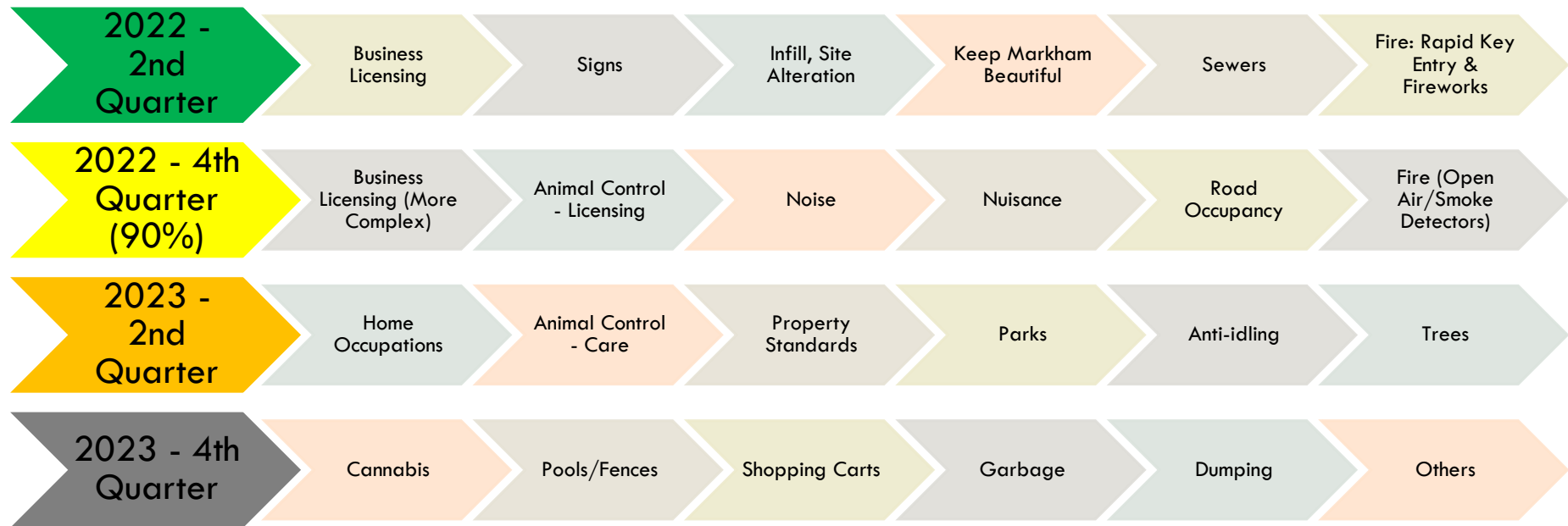


FIGURE 1: RECOMMENDED AMPS EXPANSION PHASES

Recommended Additional Bylaws/Short Form Wordings to add to the AMPS Bylaw 2016-84 (not currently contained in tables):

#### Phase 1: 2022 – 2<sup>nd</sup> Quarter

- Signs Bylaw 2002-94
- In-Fill Construction Bylaw 2018-77
- Keep Markham Beautiful Bylaw 2017-27
- Sewers Bylaw 2014-71
- Fireworks Bylaw 2018-90

#### Phase 1: 2022 – 4<sup>th</sup> Quarter

- Noise Bylaw 2017-74
- Smoke alarms installation bylaw 1994-107
- Road Occupancy Bylaw 2018-109

#### Phase 2: 2023 – 2<sup>nd</sup> Quarter

- Property Standards Bylaw 2017-26
- Parks Bylaw 167-92

- Home Occupations Bylaw 53-94
- Tree Preservation Bylaw 2008-96

### **Phase 2: 2023 – 4<sup>th</sup> Quarter**

- Cannabis bylaw 2018-135
- Swimming pool enclosures bylaw 2015-96
- Fence Bylaw 277-97
- Shopping carts bylaw 2008-37
- Garbage Collection/Disposal bylaw 32-95
- Garbage - Dumping and Disposal of Waste bylaw 126-72

### **Option 2: 2022 – All implemented by end 2<sup>nd</sup> Quarter**

Areas under consideration for regulatory enforcement that we have seen in other municipalities

- Ride sharing services (e.g. Uber)
- Shipping containers on private property
- Licensing dog walkers
- Inadequate Heat
- Anti-Graffiti
- Snow Clearing
- Secondary Suites/Two Units

Our review revealed that the City is in a good position to roll out AMPS based upon its success in parking and recent purchase of software to support non-parking AMPS. It is important to note that York Region has also undertaken a Court Modernization project to identify opportunities to divert offenses eligible for AMPS to this administrative process. The region is exploring a shared services platform with

municipalities in York Region for camera-based offences such as automated speed enforcement and red-light cameras.

AMPS is the way of the future at both municipal and regional levels. And this shared services platform is a good opportunity for the City of Markham to include in its AMPS expansion project.

The expansion of AMPS to non-parking violations has some unique challenges. Because it involves more complex offences, multiple departments, and many bylaws, it needs to be implemented with due consideration to resources, systems, communication and training. To this end, we undertook an assessment of current bylaw and AMPS business processes, policies and systems to assess the City's 'readiness' for AMPS expansion and potential improvements that would be needed for success.

### **Recommended Organizational Changes for AMPS expansion**

While parking AMPS have been very successful, as the City expands the use of AMPS, complexity will increase as regulatory enforcement of many of the bylaws require specialized knowledge. Consequently, the subject matter experts (SMEs) from each department will need to be involved to assist screening and hearing officers.

While this is true in the current POA process, efficient, effective processes will be of utmost importance for the success of AMPS expansion. Therefore, documenting the processes, updating bylaws, and configuring systems and handhelds will be required throughout the phasing of additional AMPS. Research of the benchmarks show that most municipalities have



consolidated bylaw enforcement and AMPS into one department.

Recommended positions in support of AMPS expansion include:

1. **AMPS Manager/Policy Advisor** – This role would oversee the implementation of new AMPS, ensuring that bylaws are updated and ensure fairness/due process. As well, this will be the key contact with all departments to ensure that the subject matter experts are consulted. This position would report to the Commissioner, Corporate Services to ensure independence (arm's length) from the enforcement branch.
2. **Policy/Business Analyst** – This position would develop all the process maps, policy papers, test systems, track key performance indicators and assist bylaw officers with utilization of handhelds, systems etc. The position will also assist in developing training materials, key performance indicator reports in AMANDA as well as GTECHNA, and providing analysis of the AMPS program as well as comparison to POA. After each phase recommended in this report, this position should develop an assessment of processes, make recommendations for improvement before moving to the next phase. This position would report to the AMPS Supervisor.
3. **Scheduling Officer/Administrator** – This position will manage the new 'online' scheduling system, work with the Contact Centre, manage the Screening Officers', Hearing Officers, Departmental Experts and Legal Counsel schedules. As well, this person would ensure that all relevant documents are available to the defendant through the online portal, create the folders

as required and ensure the Screening Officers, Hearing Officers and Legal Counsel have the information required prior to the screening/hearing. After screenings/hearings, this position would be responsible for ensuring the updated fines are captured in the online portal and updates to AMANDA. This position could serve as a backup Screening Officer as well.

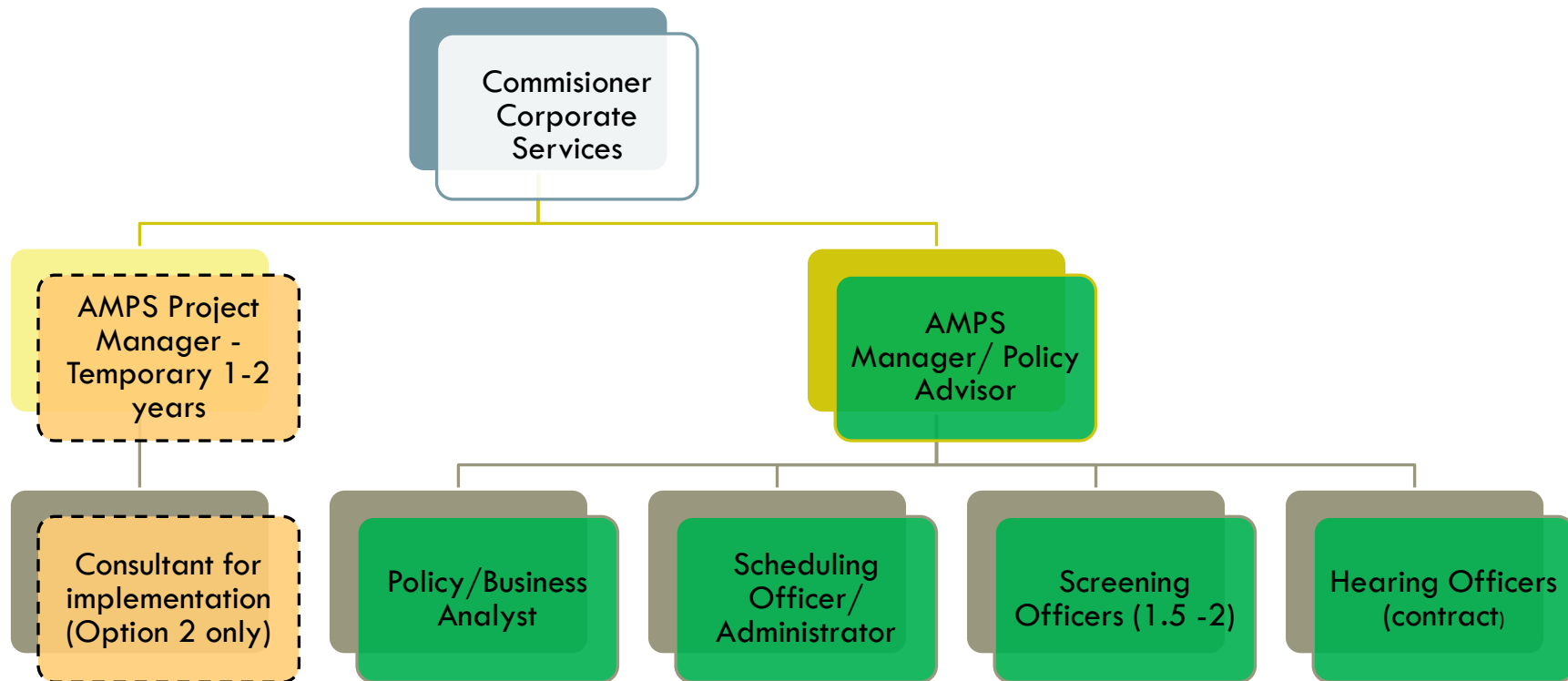
4. **Screening Officers** – Markham currently has 1 Screening Officer (part time). For parking AMPS, before COVID, screenings were between 12 and 25 minutes. In 2019, 9,144 screenings were scheduled, 7571 were held on 195 days (38/day). This declined to 25/day in 2021, likely partly due to COVID. We would suggest that, while the AMPS are being expanded, the City increase the current complement of Screening Officers to one full time and monitor the volume over the next two years. 2 of the 10 benchmarked municipalities have 2 Screening Officers; the remaining have 1 with additional support.
5. **Hearing Officers (Contract)** - The City currently has 3 Hearing Officers on contract. In 2019-2021, there was an average of 17 days of hearings at \$400/day. An expansion of 1 additional day per month for additional hearings from AMPS expansion would likely be sufficient, at least in phase 1.
6. **Enforcement Officers** - While we do not see a requirement for additional Bylaw Officers, once implemented, the City may wish to review hours of service.



- 7. Project Manager – Implementation Only - Temporary (Contract or Consultant) – If Option 2, is chosen, we would recommend that a PM and Consultant be hired for implementation in 2022.**

**FIGURE 2:** Illustrates the recommended organizational changes.

**FIGURE 2:PROPOSED AMPS ORGANIZATION**



Estimated revenues in endeavours such as this are challenging as they are dependent on multiple factors. In **Error! Reference source not found.** we have attempted to provide the estimated revenues and expenses for the AMPS implementation should it commence at the beginning of 2022 over 2 phases (Phase 1 = 90% of the AMPS) with similar assumptions gained through benchmarking and consultations. Table 1 provides Option 2 – implementation all AMPS by end of 2<sup>nd</sup> quarter 2022 with go-live on July 1, 2022. In order to be ready, the systems, processes, policies, procedures and training would need to be complete by end of 2nd quarter 2022 (1<sup>st</sup> quarter under Option 2). Should this be delayed, the revenue estimates as well as expenses will likely also be pushed into 2023. The table also provides a 'low' estimate as well as a 'high' estimate over 10 years. Variation will be dependent on the speed at which the phases are implemented, the number of infractions that are included in the bylaw at each stage, training of the officers and determination of hours of service as well as the penalty amounts.

Revenues were estimated by utilizing average complaint data over the period 2017-YTD 2021( and assuming that 25% would result in an AMP in the first phase and escalating to 75% by full implementation. It is important to note that the assumption is based upon the average number of complaints over this period but complaints have risen 60% since 2017 and so the average is a low estimate. Further, there are complaints that get referred to Bylaw officers that do not fall in these categories. We have also utilized an average fine of \$275 per AMP which is also low in contrast to some municipalities where their non-parking AMPS average over \$300 (eg. London) and does not include any 'escalation' for repeat offenders or penalty increases for inflation. In terms of the 'greatest' impact on revenues, the introduction of AMPS for Yard Maintenance/Property Standards, Animal Control, Licensing and Signs provides the greatest revenue drivers and are included in Phase 1. In Option 2, all AMPS will be live in 2022 and therefore, the revenues are estimated to be advanced one year.

This is a conservative estimate. Most other municipalities are seeing \$1-2 million in revenues and have higher AMP penalties. The data used for estimates only includes what is recorded as a complaint (no proactive or patrolling etc). Growth has also not been included nor estimates where current enforcement tool is difficult or unavailable without AMPS. (eg. Licensing infractions, obstruction etc). Some reduction in revenues may occur with digital hearings but benchmarks are seeing less than 1% of all fines being appealed.

In terms of Expenses, the compensation rates are at the top end of scale and include benefits at 27.75% but no inflation is included (nor for revenues). Screenings are estimated to increase over the implementation as well as Hearings. Benchmarked municipalities indicated that they added additional 10 additional hearing dates per year. One-time costs are expected in Phase 1 but additional handhelds and replacements are expected each year. We recommend that the City engage a Project Manager over 2 years in Option 1. If Option 2 is chosen, we recommend that the City add an additional consultant to undertake the detailed changes to the bylaws and create all the process maps and procedures. In both options, staff will need to be trained, Option 2 would require this in 2<sup>nd</sup> quarter 2022.

Anticipated savings also includes the reduction in time spent by Bylaw Enforcement Officers as there will be reduced number of repeat site visits and court preparation (See Appendix A). We have assumed that Legal Service time spent will be neutral at this point as the number of POA cases will likely reduce but hearings are expected to increase. While we have not advanced the savings in Option 2 but it will likely result in earlier results. Hence, these savings are also conservative.

| Table 1: OPTION 1: IMPLEMENTATION OVER 2 PHASES<br>Description of Revenues and Costs |  | Year      |            |            | Estimated Savings/Costs Avoidance over 10 years (Low) | Estimated Savings/Cost Avoidance over 10 years (High) |
|--|--|-----------|------------|------------|---|---|
|  |  | 2022      | 2023       | 2024       |   |   |
| Estimated AMPS Revenues  |  |           |            |            |   |   |
| AMPS Penalty Revenues  | Phase 1 (Assumes AMPS are operational by 2nd quarter - 25% of current average complaints for result in an AMP - growing to 75% in year 3). | -\$94,000 | -\$440,000 | -\$660,000 | -\$1,998,000  | -\$5,814,000  |
|  | Phase 2 (Assumes additional AMPS added but not operational until 2024)   |           |            | -\$200,000 | -\$2,000,000  | -\$1,600,000  |
| Total Estimated Revenues by year   |  | -\$94,000 | -\$440,000 | -\$860,000 | -\$3,998,000  | -\$7,414,000  |
| Estimated AMPS Expenses  |  |           |            |            |   |   |
| Ongoing Expenses   | AMPS Manager/Policy Advisor (Full Time)  | \$146,913 | \$146,913  | \$146,913  | \$1,469,125   | \$1,469,125   |
|  | Business/Policy Analyst (Full Time)  | \$125,835 | \$125,835  | \$125,835  | \$1,258,350   | \$1,258,350   |
|  | Scheduling Officer/Administrator (Full Time commencing July 2022)  | \$48,000  | \$96,000   | \$96,000   | \$480,000   | \$912,000   |
|  | AMPS Screening Officer ( move current position to full time - Add additional based upon volume of Screenings)                              | \$30,000  | \$60,000   | \$60,000   | \$300,000   | \$570,000   |
|  | AMPS Hearings Officer time – already on contract (add as needed - approximately 1 day per month)   | \$2,400   | \$4,800    | \$4,800    | \$24,000  | \$45,600  |
| Total Ongoing Expenses   |  | \$353,148 | \$433,548  | \$433,548  | \$3,531,475   | \$4,255,075   |

|  |  | Year              |                   |                   | Estimated Savings/Costs Avoidance over 10 years (Low) | Estimated Savings/Cost Avoidance over 10 years (High) |
|--|--|-------------------|-------------------|-------------------|---|---|
| Table 1: OPTION 1: IMPLEMENTATION OVER 2 PHASES<br>Description of Revenues and Costs |  | 2022              | 2023              | 2024              |   |   |
| Implementation Expenses  | Project Manager (Contract for implementation)  | \$150,000         | \$150,000         |                   | \$150,000   | \$300,000   |
|  | Training for Staff - Possible Shared Service   | \$50,000          |                   |                   | \$50,000  | \$50,000  |
|  | IT Licenses and Handheld Devices, Printers (annual funding for additional and replacements)  | \$150,000         | \$20,000          | \$20,000          | \$200,000   | \$330,000   |
| <b>Total Implementation (One Time) Expenses</b>                                      |  | \$350,000         | \$170,000         | \$20,000          | \$400,000   | \$680,000   |
| <b>Total Estimated Expenses by year</b>  |  | <b>\$703,148</b>  | <b>\$603,548</b>  | <b>\$453,548</b>  | <b>\$3,931,475</b>                                    | <b>\$4,935,075</b>                                    |
| <b>Total Costs (Savings) by year</b>   |  | <b>\$609,148</b>  | <b>\$163,548</b>  | <b>-\$406,452</b> | <b>-\$66,525</b>                                      | <b>-\$2,478,925</b>                                   |
| <b>Estimated AMPS Capacity Savings/Cost Avoidance</b>                                |  |                   |                   |                   |   |   |
| Estimated Savings  | Reduced Legal Costs for preparation and appearance (Estimated to be neutral as hearings may increase)  | 0                 | 0                 | 0                 |   | \$0   |
|  | Reduced costs for Bylaw Enforcement – Elimination of multi-site visits (See Appendix A)  | -84,000           | -168,000          | -190,000          | -840,000  | -\$1,772,000  |
|  | Reduced costs for Bylaw Enforcement – Court prep and attendance – reduced overtime (Estimated based upon the number of POA cases x 7 hours work) | -38,235           | -76,470           | -76,470           | -382,351  | -\$726,468  |
| <b>Total Estimated Savings/Increased Capacity by year</b>                            |  | <b>-\$122,235</b> | <b>-\$244,470</b> | <b>-\$266,470</b> | <b>-\$1,222,351</b>                                   | <b>-\$2,498,468</b>                                   |
| <b>Total Costs (Savings) by year - including Capacity Savings and Cost Avoidance</b> |  | <b>\$486,912</b>  | <b>-\$80,923</b>  | <b>-\$672,923</b> | <b>-\$1,288,876</b>                                   | <b>-\$4,977,392</b>                                   |

TABLE 1: OPTION 2 - IMPLEMENT ALL AMPS IN 1ST HALF 2022

|                                   |  | Year      |            |            |   |   |
|-----------------------------------|--|-----------|------------|------------|---|---|
| Description of Revenues and Costs |  | 2022      | 2023       | 2024       | Estimated Savings/Costs Avoidance over 10 years (Low) | Estimated Savings/Cost Avoidance over 10 years (High) |
| Estimated AMPS Revenues           |  |           |            |            |   |   |
| AMPS Penalty Revenues             | Assumes all AMPS operational by July 2022  | -\$94,000 | -\$640,000 | -\$860,000 | -\$4,534,000  | -\$7,614,000  |
| Total Estimated Revenues by year  |  | -\$94,000 | -\$640,000 | -\$860,000 | -\$4,534,000  | -\$7,614,000  |
| Estimated AMPS Expenses           |  |           |            |            |   |   |
| Ongoing Expenses                  | AMPS Manager/Policy Advisor (Full Time)  | \$146,913 | \$146,913  | \$146,913  | \$1,469,125   | \$1,469,125   |
|                                   | Business/Policy Analyst (Full Time)  | \$125,835 | \$125,835  | \$125,835  | \$1,258,350   | \$1,258,350   |
|                                   | Scheduling Officer/Administrator (Full Time commencing March 2022)                               | \$72,000  | \$96,000   | \$96,000   | \$600,000   | \$936,000   |
|                                   | AMPS Screening Officer ( move current position to full time - Add additional in July 2022)       | \$60,000  | \$60,000   | \$60,000   | \$390,000   | \$600,000   |
|                                   | AMPS Hearings Officer time – already on contract (add as needed - approximately 1 day per month) | \$4,800   | \$4,800    | \$4,800    | \$48,000  | \$48,000  |
| Total Ongoing Expenses            |  | \$409,548 | \$433,548  | \$433,548  | \$3,765,475   | \$4,311,475   |

|  |   | Year              |                   |                   |   |   |
|--|---|-------------------|-------------------|-------------------|---|---|
| Description of Revenues and Costs  |   | 2022              | 2023              | 2024              | Estimated Savings/Costs Avoidance over 10 years (Low) | Estimated Savings/Cost Avoidance over 10 years (High) |
| Implementation Expenses  | Project Manager (Contract for implementation + Consultant to map all processes, update bylaws)        | \$300,000         |                   |                   | \$300,000   | \$300,000   |
|  | Training for Staff - Shared Service   | \$50,000          |                   |                   | \$50,000  | \$50,000  |
|  | IT Licenses and Handheld Devices, Printers  | \$170,000         | \$20,000          | \$20,000          | \$200,000   | \$350,000   |
| <b>Total Implementation (One Time) Expenses</b>                                      |   | \$520,000         | \$20,000          | \$20,000          | \$550,000   | \$700,000   |
| <b>Total Estimated Expenses by year</b>  |   | <b>\$929,548</b>  | <b>\$453,548</b>  | <b>\$453,548</b>  | <b>\$4,315,475</b>                                    | <b>\$5,011,475</b>                                    |
| <b>Total Costs (Savings) by year</b>   |   | <b>\$835,548</b>  | <b>-\$186,452</b> | <b>-\$406,452</b> | <b>-\$218,525</b>                                     | <b>-\$2,602,525</b>                                   |
| <b>Estimated AMPS Capacity Savings/Cost Avoidance</b>                                |   |                   |                   |                   |   |   |
| Estimated Savings  | Reduced Legal Costs for preparation and appearance (Estimated to be neutral as hearings may increase) | 0                 | 0                 | 0                 |   | \$0   |
|  | Reduced costs for Bylaw Enforcement(See Appendix A)   | -84,000           | -168,000          | -190,000          | -840,000  | -\$1,772,000  |
|  | Reduced costs for Bylaw Enforcement – Court prep and attendance – reduced overtime                    | -38,235           | -76,470           | -76,470           | -382,351  | -\$726,468  |
| <b>Total Estimated Savings/Increased Capacity by year</b>                            |   | <b>-\$122,235</b> | <b>-\$244,470</b> | <b>-\$266,470</b> | <b>-\$1,222,351</b>                                   | <b>-\$2,498,468</b>                                   |
| <b>Total Costs (Savings) by year - including Capacity Savings and Cost Avoidance</b> |   | <b>\$713,312</b>  | <b>-\$430,923</b> | <b>-\$672,923</b> | <b>-\$1,440,876</b>                                   | <b>-\$5,100,992</b>                                   |

TABLE 2: ESTIMATED AMPS REVENUES FROM COMPLAINTS

| <b>Average Fine = \$275</b>                              | <b>(25% OF COMPLAINTS RESULT IN AMPS X \$275)</b> | <b>(50% OF COMPLAINTS RESULT IN AMPS X \$275)</b> | <b>75% OF COMPLAINTS RESULT IN AMPS X \$275)</b> |
|--|---|---|--|
| <b>Bylaw Area</b>  |   |   |  |
| Property Standards/Yard Maintenance                      | \$65,481  | \$130,961   | \$196,442  |
| Animal   | \$29,989  | \$59,978  | \$89,966   |
| Signs  | \$27,376  | \$54,753  | \$82,129   |
| Licensing  | \$19,113  | \$38,225  | \$57,338   |
| Obstruction of a Street or Boulevard and not a vehicle   | \$18,384  | \$36,768  | \$55,151   |
| Nuisance/Noise   | \$15,072  | \$30,143  | \$45,215   |
| Driveway Expansion                                       | \$12,746  | \$25,493  | \$38,239   |
| Fences - Maintenance and Standards or Cost Determination | \$11,866  | \$23,733  | \$35,599   |
| Trees  | \$9,708   | \$19,415  | \$29,123   |
| Swimming Pools   | \$6,490   | \$12,980  | \$19,470   |
| Altering Grade of Land                                   | \$1,719   | \$3,438   | \$5,156  |
| Construction Infill                                      | \$1,134   | \$2,269   | \$3,403  |
| Anti Idling Complaint                                    | \$811   | \$1,623   | \$2,434  |
| Dumping  | \$784   | \$1,568   | \$2,351  |
| Parks and Public Spaces                                  | \$578   | \$1,155   | \$1,733  |
| Heat in Apartments                                       | \$303   | \$605   | \$908  |
| Abandoned Buildings                                      | \$220   | \$440   | \$660  |
| Water Restrictions                                       | \$189   | \$378   | \$567  |
| Pesticides   | \$103   | \$206   | \$309  |
| Annual Average Estimated Revenues                        | \$222,064   | \$444,127   | \$666,191  |



## BACKGROUND

### WHAT ARE AMPS

Administrative Monetary Penalties System (AMPS) is a simple, fair, cost-effective, and efficient process for dealing with minor municipal by-law infractions.

Introduced in 2006 through an amendment to *the Municipal Act, 2001*, the Administrative Monetary Penalties System (AMPS) allowed for the administration and adjudication of municipal parking by-law infractions.

In June 2015, Markham City Council passed a By-law to implement an AMPS program for parking offences. The system was successfully launched in October 2015 and streamlined the parking bylaw enforcement and administration process, reduced infraction challenges by violators, and increased revenue.

AMPS is administered by the City of Markham and replaces the existing Provincial Offences Court parking dispute process. AMPS allows for a parking dispute to be handled by a municipal Screening Officer. The Screening Officer can affirm, vary, or cancel the parking penalty. The Screening Officer's decision can be appealed to a municipal Hearing Officer, an independent third party contracted by the municipality. The decision of the Hearing Officer is final.

In 2016, *the Municipal Act 2001* was amended to allow for the expanded application of AMPS to municipal regulatory by-laws beyond parking.

And in June 2016 - Markham City Council passed By-law 2016-84 to allow for the expansion of the application of AMPS to all City regulatory by-laws.

### PROVINCIAL OFFENCES

The Ontario Court of Justice hears virtually all provincial offences matters as well as offences against municipal by-laws by pursuant to the Provincial Offences Act.

Examples of such cases include:

- *Highway Traffic Act* charges such as speeding or traffic violations
- Municipal by-law charges relating to matters such as excessive noise, animal control, or garbage disposal; and
- Charges laid under provincial legislation such as the *Environmental Protection Act*, and the *Occupational Health and Safety Act*

Except for parking offenses, over 230 Markham bylaw offenses rely on the Provincial Offences Act and Court of Justice to ensure enforcement and collection of fines and fees

### THE PROVINCIAL OFFENCES CURRENT STATE

- Delays of 2 years plus to bring municipal matter to conclusion
- 20/25 hung provincial court Markham matters going back to 2019

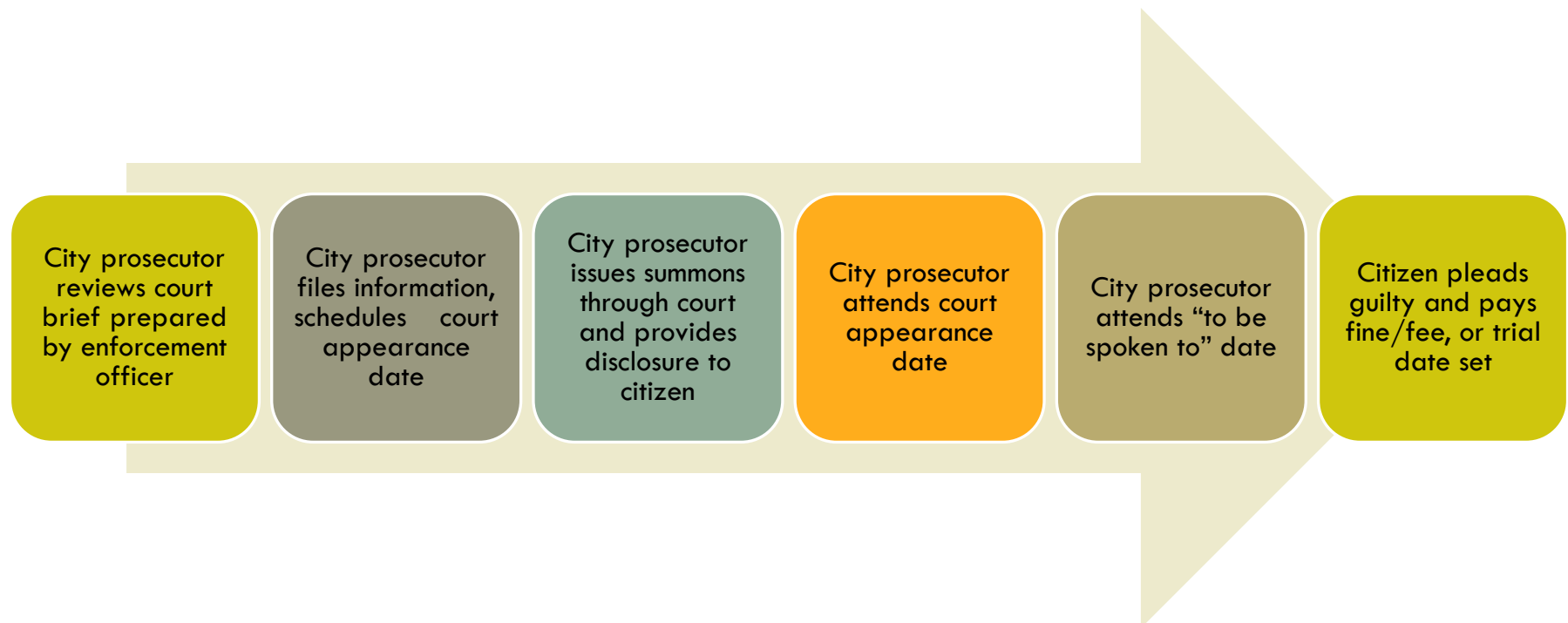
- Reduced ad hoc court hours for scheduling municipal offenses
- Expensive resources involving lawyers and judges
- Inefficient paper-based court process

- Risk to community health, safety and enjoyment

### Current Challenges

- Costly and complex
- Lengthy court delays
- Ineffective compliance, deterrence
- Unsuitable for simple bylaw infractions
- Consumes inadequate court resources
- Subject to 'gaming' by citizens
- Staff dissatisfaction

## THE PROVINCIAL OFFENCES PROCESSES



## SUCCESS OF AMPS

The City of Markham introduced AMPS for parking offenses in October 2015. At a high level, the success of AMPS can be described as follows:

### Improved Customer Service:

- More flexibility regarding penalty resolution through municipal screening process
- Less intimidating municipal hearing process than the provincial court
- Less time consuming

### Savings of Municipal Staff Time and Money:

- Less time spent processing infractions
- Closed loopholes that contribute to delay and non-payment of penalties
- Time saved preparing for and attending provincial court
- Enforcement costs saved with greater compliance
- Recovery of administrative and processing costs for non-shows

### Increased revenues:

- Reduced number of disputes
- More timely payment

### Greater municipal control:

- Hearings scheduled by municipality
- Better managed hearing time and staff costs
- Safe and secure environment for residents through effective enforcement and deterrence

Increased provincial court capacity

- Reduced backlog and congestion in provincial courts = increased court capacity for more serious municipal and provincial offenses

## THE CURRENT STATE

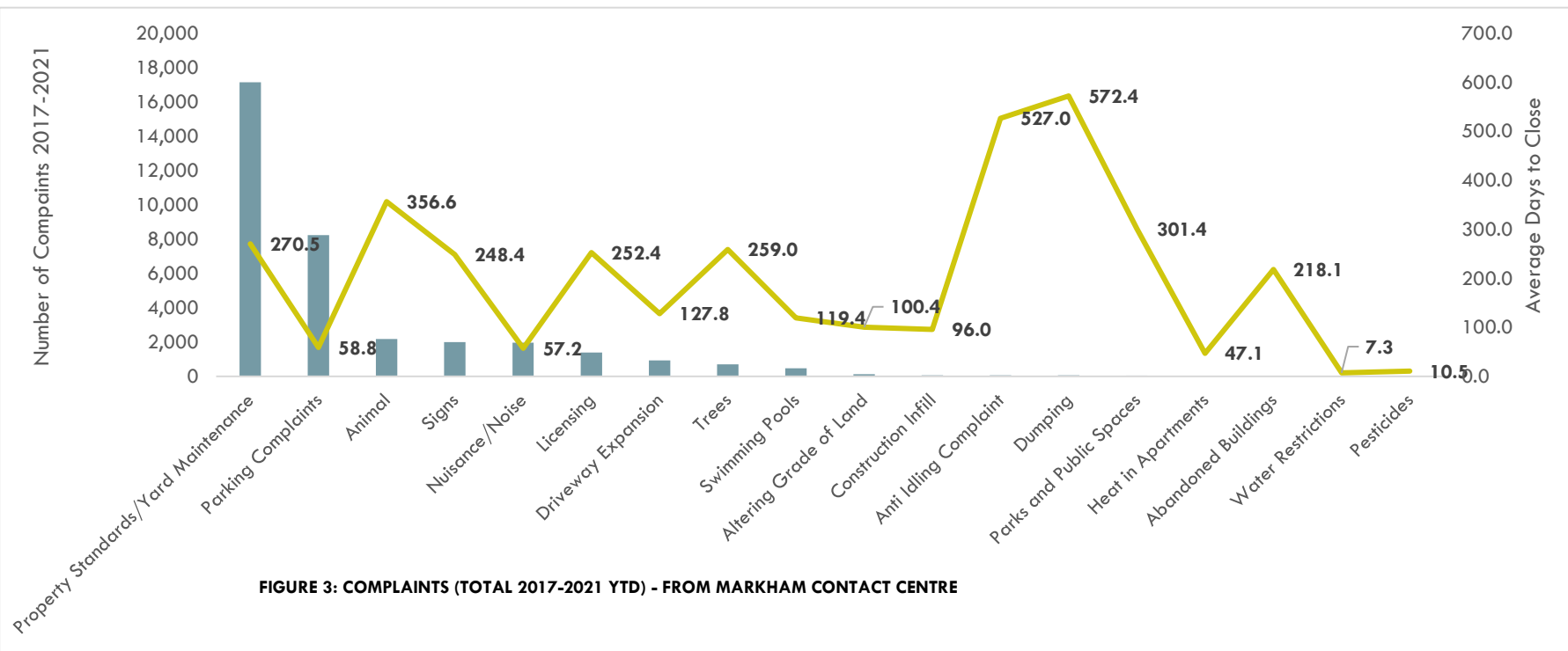
**Problem Statement:** Bylaws are intended to create a set of rules that allow residents to live comfortably and securely in a community. In most cases, enforcement comes from a complaint about an incident or issue from someone other than the person breaking the rule. When the violation occurs on a property or in a vehicle, it is often relatively easy to identify the offender and issue a notice. Challenges arise when the violation occurs in a public space where the offender's identity may be difficult to ascertain and service of a notice problematic. In these instances, bylaw enforcement becomes more challenging.

In general, other than Parking AMPS, the process of bylaw enforcement when a person disputes a penalty notice or ticket, requires a charge and appearance at Provincial Offences court. Court cases are time consuming, costly, and sometimes result in no benefit to the City. Some defendants simply dispute penalties to delay payment and increase the chances the penalties get dropped due to lack of resources or delay. Compliance and deterrence are ineffective as a result. Moreover, the outcome of bylaw breaches at Provincial Offences court is unpredictable, depending on many factors beyond the City's control.

## Bylaw Complaints and Investigation Statistics

According to Markham's Contact Centre (**FIGURE 3**), the most common complaint falls under the category of property standards (Keep Markham Beautiful Bylaw) followed by parking complaints. This figure shows the average days to resolve the complaint which reveals that the complaints that are less common take longer to resolve. It is important to note that, some areas such as long grass/weeds contained in yard maintenance contribute to the longest time to resolve (660 days). As shown in **FIGURE 4**, Bylaw enforcement and investigations is primarily focused on yard maintenance. The process maps contained in Appendix A, demonstrate that occupies most of the Bylaw Enforcement Officer time and often requires multiple site visits to promote compliance.

Unfortunately, we were unable to obtain the data to illustrate how many 'repeat' customers or 'repeat' visits. However, as show in the next section, enforcement is challenging and the current system is not deterring offences. The introduction of AMPs in more bylaw areas will provide a new tool for Bylaw Enforcement Officers. It is estimated that about \$200k a year (Appendix A) can be saved in capacity and redirect these resources to increase proactive activities and quicker response.



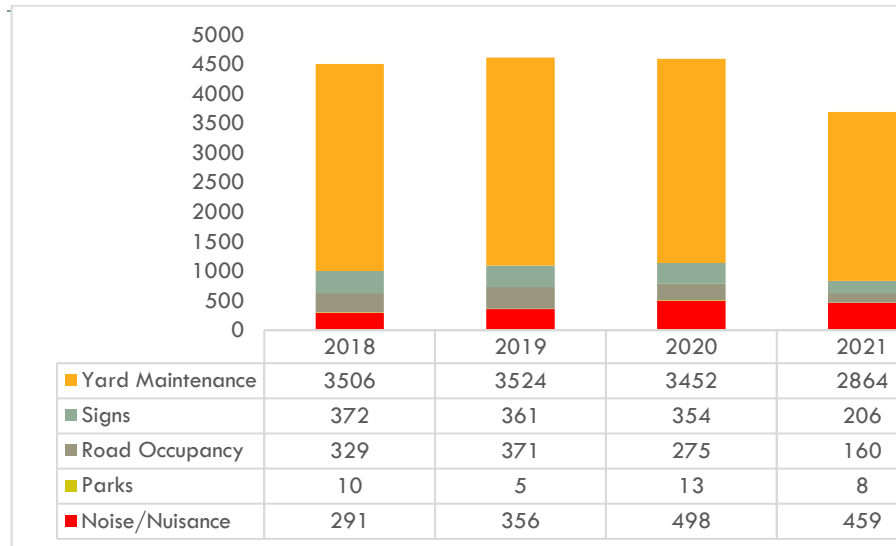


FIGURE 4: BYLAW ENFORCEMENT COMPLAINTS/FOLDERS

### AMPS – Parking Bylaw Enforcement

The City introduced AMPS for parking offences in 2015 and has experienced fewer fine disputes and increased fee recovery. Overall, the AMPS parking enforcement system functions well. Some of the key success factors include:

- Improved customer service
- Time savings and reduced costs
- Increased reliability in revenue collection
- Enhanced municipal control
- Increased POA court capacity for serious matters

There are opportunities for improvement in a few areas which can help also with the expansion of AMPS beyond parking offenses. These areas include:

- Streamlining business processes for ticket issuance, screening, and adjudication including online access to evidence, booking portals/schedules
- Greater use of digital tools (e.g. digital e-ticketing, remote printing, access to all issues by property) for all tickets, ability to add and update AMANDA folders in the field
- Better Key Performance Indicators including turnaround time from offence date to resolution, percentage of complaints/tickets, time spent/cost per case vs. revenues
- Number of cases saved from POA and costs savings.
- Tracking of “orders to comply”, failure to comply, compliance before AMPS issued, number of repeat offenders by bylaw.
- Detailed process flow in AMANDA folders with standardized online forms with consistent naming conventions and documented procedures

### Results of Parking AMPS

Table 3 below shows that over 3 years, the City issued 114,440 parking tickets of which, on average, 14% requested a Screening Review and 0.59% requested a Hearing. It should be noted that over the 2.5 years, that no shows accounted for 3,015 (19%) of the screenings and 67 (10%) of hearings scheduled. Therefore, the ‘appeal’ rate is actually less than 14%.

Table 4 and Table 5 show that the reductions of at screening and hearings is about 40% and 60% respectively. It is important

| Year               | # of Parking<br>Violations | # Requested<br>Screenings | %age Parking             |                               |                         |
|--------------------|----------------------------|---------------------------|--------------------------|-------------------------------|-------------------------|
|                    |                            |                           | Violations<br>requesting | # of<br>Scheduled<br>Hearings | Sum of % of<br>Hearings |
| 2019               | 54,685                     | 9,144                     | 17%                      | 206                           | 0.38%                   |
| 2020               | 38,305                     | 3,336                     | 9%                       | 238                           | 0.62%                   |
| 2021               | 21,450                     | 3,450                     | 16%                      | 226                           | 1.05%                   |
| <b>Grand Total</b> | <b>114,440</b>             | <b>15,930</b>             | <b>14%</b>               | <b>670</b>                    | <b>0.59%</b>            |

to note, however, that 15% either paid before the hearing or did not show, resulting in full fine. 50% of hearings resulted in withdrawals, dismissals or suspended sentence. These cases should be analyzed to determine if there are areas required for training or improvements. In total, the reductions were \$700k over 3 years (13% reduction), which is considered to be very successful. Having earlier payments and reduced cost of administration of POA processes is very beneficial to the City.

According the Markham staff, the turnaround time from date of offence to screening and hearing is as follows: (not tracked – recommended key performance indicator):

| Year               | Sum of # of<br>Screening<br>Tickets | Sum of Voids<br>Total<br>(Screening) | Sum of No Shows<br>(Screening) | Sum of<br>Pre-<br>reduction<br>Amount | Sum of \$<br>Result<br>(Screening) |
|--------------------|-------------------------------------|--------------------------------------|--------------------------------|---------------------------------------|------------------------------------|
|                    |                                     |                                      |                                |                                       |                                    |
| 2019               | 9,144                               | 277                                  | 1296                           | \$990,645                             | \$563,555                          |
| 2020               | 3,336                               | 147                                  | 763                            | \$356,046                             | \$220,390                          |
| 2021               | 3,450                               | 162                                  | 956                            | \$311,040                             | \$216,485                          |
| <b>Grand Total</b> | <b>15,930</b>                       | <b>586</b>                           | <b>3015</b>                    | <b>\$1,657,731</b>                    | <b>\$1,000,430</b>                 |

| Year               | Average of days to Screening | Average of days to hearing |
|--------------------|------------------------------|----------------------------|
| 2017               | 35                           | 142                        |
| 2018               | 26                           | 62                         |
| 2019               | 86                           | 239                        |
| 2020               | 142                          | 293                        |
| 2021               | 97                           | 213                        |
| <b>Grand Total</b> | <b>80</b>                    | <b>196</b>                 |

TABLE 5: HEARING RESULTS

| Year               | Sum of # of<br>Tickets<br>Scheduled for<br>Hearing | Sum of<br>Reschedule/A<br>djourned<br>(Hearing) | Sum of No<br>Shows<br>(Hearings) | Sum of<br>Paid<br>Before<br>Hearing | Sum of Withdrawn By<br>Prosecutor PRIOR to<br>Hearings (Lack of<br>Evidence, Authorized<br>by Mgmt, Etc)-Total | Sum of<br>Dismissed By<br>Hearing Officer<br>DURING<br>Hearings-Total | Sum of Suspended<br>Sentence By<br>Hearing Officer<br>DURING Hearings-<br>Total | Sum of<br>PreReduct<br>ion \$<br>Amount<br>(Hearings) | Sum of Revenue<br>(Reduced To,<br>Affirmed, with<br>nonappearance<br>fees) (Hearings) |
|--------------------|--|---|----------------------------------|-------------------------------------|--|---|---|---|---|
|                    |  |   |                                  |                                     |  |   |   |   |   |
| 2019               | 206  | 31  | 17                               | 10                                  | 36   | 27  | 8   | \$25,100  | \$9,635   |
| 2020               | 238  | 92  | 23                               | 9                                   | 27   | 21  | 17  | \$23,425  | \$10,485  |
| 2021               | 226  | 61  | 27                               | 9                                   | 28   | 24  | 25  | \$30,490  | \$10,910  |
| <b>Grand Total</b> | <b>670</b>   | <b>184</b>                                      | <b>67</b>                        | <b>28</b>                           | <b>91</b>  | <b>72</b>   | <b>50</b>   | <b>\$79,015</b>                                       | <b>\$31,030</b>   |

## Non-AMPS Bylaw Enforcement (Provincial Offenses Court)

Bylaw enforcement typically involves the following summary court prosecution process as follows (see process map in Appendix C:

### Infraction to Decision to Prosecute

1. A complaint is received through the Call Centre
2. A file is created in Amanda
3. An officer is assigned to inspect
4. Officer visits site. If non-compliance determined, officer speaks with offender or leaves a written caution (10-15 days to bring into compliance)
5. Officer returns to site – if compliance, close file; if no compliance, issue work order, \$64 administrative fee, and give 12 days to comply
6. Officer returns to site. If non-compliance, may return several times and may have several complaints. If there are multiple issues, there is eventually a decision to prosecute. It is often 1-2 years before Crown brief prepared and forwarded to City prosecutor.

### Court Process

7. City prosecutor reviews Crown brief, swears information, and files with court. Gets an appearance date.
8. City prosecutor prepares disclosure and provides to defendant for appearance date.
9. City prosecutor appears at court. Matter gets put over to be spoken to, often two or three times.
10. Matters either result in guilty plea or set for trial. typically end in guilty plea. 99% of the City bylaw POA offenses end in a guilty plea (average turnaround from court filing to resolution (280 (2019) to 651 days (2021)). Currently there are over 1,400 charges

pending at York Region for municipal bylaws (almost 15,000 cases for all POA offences). There is consistently about 8% default rates for municipal bylaws and at end of June 2021, over \$40 million bylaw fines outstanding provincial wide.

There are many steps and manual processes in non-AMPS enforcement which, the implementation of AMPS will significantly reduce. This is particularly true of the “multiple visits” and time to comply or pay the fine. Key regarding non-AMPS enforcement, however, is the costly and time-consuming court process.

By-law enforcement through court prosecution is expensive involving legal services, court services, and judicial services. As an example, the average salary for a justice of the peace is \$140,000. Many courts have reduced the number of hours allocated to municipal bylaw enforcement. Pre-covid, the City was allocated a full day every two months. Currently, court scheduling is sporadic and depends on dates available, which are in short supply. The City currently has 20/25 hung matters going back years due to delays because of inadequate court resources. These matters are being prioritized based on the nature of the offence (e.g. health and safety). The court process remains paper based and requires in person attendance (although some online processes and virtual hearings are being implemented). The court system of enforcement appears to be at a tipping point and can no longer support the City’s compliance and deterrence objectives. As the City grows, bylaw infractions will increase and enforcement, compliance and deterrence become even more important. This creates risk for the City and its citizens, as well as impacting the City’s strategic growth objectives tied to a safe and healthy community.



As can be seen in Table 6, York Region POA for municipal bylaw charges average about 7,000 per year. It shows that less than 2% of these charges go to trial. The remainder are disposed of before trial. Table 8 shows that on average time to dispose a Part 1 offence is 273 days (it was 200 days up to 2020). It is important to note, however, this does not include the time from the date of offence to the date of charge which appears to be about 2 years. According to Markham's Legal Counsel, there are 84 matters that have been held up due to COVID. Currently, there are outstanding POA fines of \$40million province-wide. As seen by Table 7, the number of charges and fines show about a 50% payment rate. The most common charges are licensing followed by animal control and signs.

TABLE 6: YORK REGION POA MUNICIPAL BYLAW CHARGES

| Municipality | # of Charges | Sum of % of All | Charges Disposed at           |                             |                           |                    | Sum of Total |
|--------------|--------------|-----------------|-------------------------------|-----------------------------|---------------------------|--------------------|--------------|
|              |              |                 | Charges Disposed Before Trial | Charges Trial Without Trial | Charges Disposed at Trial | Charges With Trial |              |
| York         | 39,762       |                 | 31,283                        | 4,979                       | 574                       |                    | 36,836       |
| 2015         | 7,104        | 4.56%           | 6,281                         | 720                         | 68                        |                    | 7,069        |
| 2018         | 7,040        | 4.60%           | 5,970                         | 1,202                       | 120                       |                    | 7,292        |
| 2017         | 7,650        | 5.00%           | 5,965                         | 887                         | 108                       |                    | 6,960        |
| 2016         | 7,096        | 4.80%           | 5,947                         | 773                         | 122                       |                    | 6,842        |
| 2019         | 7,771        | 5.50%           | 5,954                         | 1,394                       | 154                       |                    | 7,502        |
| YE JUN 2021  | 3,101        | 2.70%           | 1,166                         | 3                           | 2                         |                    | 1,171        |

TABLE 7: CITY OF MARKHAM PART 1 OFFENCES BY YEAR - OUTSTANDING FINES

| Bylaw Standards    | Sum of #   | Sum of Total Fine | Sum of Total Paid |
|--------------------|------------|-------------------|-------------------|
| 2017               | 153        | \$13,100          | \$15,970          |
| 2018               | 53         | \$5,830           | \$4,355           |
| 2019               | 19         | \$1,880           | \$1,460           |
| 2020               | 54         | \$20,050          | \$0               |
| <b>Grand Total</b> | <b>279</b> | <b>\$40,860</b>   | <b>\$21,785</b>   |

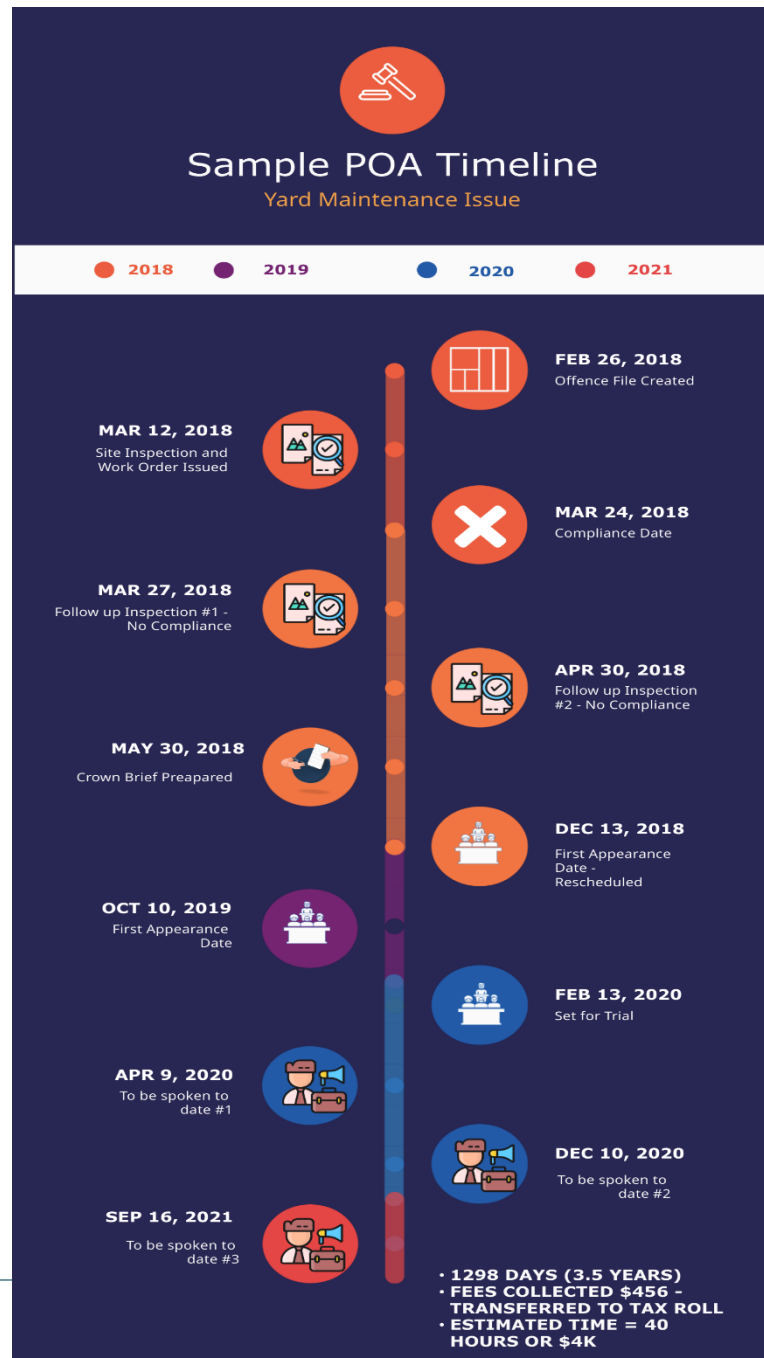
TABLE 8: AVERAGE DAYS TO DISPOSE PART 1 AT TRIAL FROM DATE OF CHARGE

| year | Avg. Days to Disposition at Trial-Part I |
|------|--|
| 2014 | 199                                      |
| 2015 | 182                                      |
| 2016 | 155                                      |
| 2017 | 211                                      |
| 2018 | 265                                      |
| 2019 | 265                                      |
| 2020 | 257                                      |
| 2021 | 651                                      |

TABLE 9: CITY OF MARKHAM PART 1 OFFENCES BY TYPE 2017-2020

| Bylaw Standards    | Sum of #   | Sum of Total Fine | Sum of Total Paid |
|--------------------|------------|-------------------|-------------------|
| Mobile Licence     | 144        | \$12,790          | \$14,140          |
| Covid              | 43         | \$18,730          | \$0               |
| Stationary Licence | 35         | \$3,635           | \$3,400           |
| Animal Control     | 15         | \$595             | \$685             |
| Signs              | 14         | \$1,760           | \$1,060           |
| Noise              | 10         | \$1,255           | \$1,340           |
| Parking            | 6          | \$360             | \$360             |
| Bylaw Standards    | 5          | \$890             | \$190             |
| Property           | 2          | \$255             | \$510             |
| Building           | 1          | \$100             | \$100             |
| Tree               | 1          | \$300             | \$0               |
| Zoning             | 1          | \$0               | \$0               |
| Anti Idling        | 1          | \$0               | \$0               |
| Road Occupancy     | 1          | \$190             | \$0               |
| <b>Grand Total</b> | <b>279</b> | <b>\$40,860</b>   | <b>\$21,785</b>   |

A sample timeframe of an existing charge for Yard Maintenance issue is as follows:



Total number of days to trial = 1,298 days (3.5 years). Total fees collected (transferred to tax = \$456). Estimated time = 40 hours or \$4,000.

The analysis of the business processes of non-AMPS enforcement, particularly in the areas of animal control, licensing, Keep Markham Beautiful (property standards), and fire, revealed non-value-added steps and activities leading to long cycle times. This was due to duplication of effort, waiting, transportation, and bottlenecks creating excess inventory of work in certain areas. The root causes of the problem can be summarized in five main areas: environment, processes (methods), materials, technology (equipment), and measures.

### Environment

- The City of Markham is a leading municipality that strives to provide excellent service and positive outcomes for clients. However, the speed at which the City has grown, and the increase in regulatory enforcement are creating staff workload pressures. These pressures have resulted in an 'ad hoc' reactive approach to enforcement rather than an intentional and structured proactive approach.
- As part of the consultation process, staff and management expressed excitement at the opportunity to implement AMPS beyond parking offenses. However, all emphasized that expansion of AMPS would require a change in governance, technological solutions, and additional resources to

successfully implement AMPS and ensure sustainability.

- The technologies the City recently procured, namely GTECHNA, to support AMPS expansion appear to have the functionality required. The GTECHNA implementation will require a concerted effort to document and train staff before launch.
- Management is supportive of AMPS beyond parking and understands the implementation challenges associated with this change. The change must be managed through constant communications, effective project management and business support.

### Processes and Methods

- The existing non-AMPS bylaw enforcement and court processes are complex and time consuming, only partly due to regulatory requirements. They cause substantial delay in enforcement procedures and reduce the effectiveness of compliance and deterrence as noted above.
- The City has done a good job, compared to other municipalities, in documenting AMPS parking bylaw enforcement policies and procedures, including a Contact Centre Staff Training Manual. However, non-AMPS enforcement policies and procedures are not fully documented and there appears to be variation in application and confusion in some AMANDA folders. There also does not appear to be a standardized approaches to charges nor an

easy way to determine the outcomes of charges from beginning to end.

- Workflows have been created in AMANDA, some of which are overridden, causing manual work; other workflows are redundant and need to be updated.
- Scheduling of screenings and hearings continues to be quite manual as well as data collection. We understand that GTECHNA will assist in this regard and allow for online scheduling and self-service.

### Materials

- Document management is collected in AMANDA for non-parking violations. There continues to be paper tickets and orders issued are mostly paper based.

### Technology and Equipment

- The City is implementing GTECHNA, a software application successfully introduced in other municipalities for non-parking AMPS. This will assist a great deal in the enforcement expansion efforts.
- Securing enforcement equipment, such as handheld devices, for issuing penalty notices and fines, will be essential for efficiency and effectiveness of officer activity. The absence of these devices for non-parking offenses has an impact on productivity and measurement.

## Measures

- The City's Contact Centre collects data which also includes key performance indicators based upon time (e.g. Expected resolution for many complaints is 45 days. Other measures such as days to comply, outstanding orders as a percentage of all complaints, are not currently tracked by the Contact Centre or the affected departments. As well, it would be important to track the number of screenings/hearings a percentage of total tickets, turnaround time for resolution etc. We have done this for the review but suggest that this measure, among others be part of ongoing reporting and analysis, particularly as the City expands AMPS to non-parking offences.
- Staff performance and time tracking is not currently undertaken so it is difficult to determine the true cost savings of moving regulatory enforcement more broadly to AMPS.
- Reporting from AMANDA needs improving and does not easily support key performance indicators. There needs to be some resources committed to developing new reports to assist better case management.

<sup>1</sup> <https://www.photoenforced.com/Markham-Canada.html>

## York Region – AMPS Camera Based Offenses

York Region is developing a shared services business case for the use of AMPS for camera-based offences such as automated speed enforcement, red-light cameras, and other bylaw offences, across municipalities. The province is currently considering allowing AMPS to include:

- Automated speed enforcement (ASE)
- Red light cameras (RLC)
- School bus cameras (SBC).

These cameras have the potential to generate significant violation volumes that would overwhelm Court Services. York Region would like to replace a portion of the current POA charges for offences eligible under AMPS.

According to the red-light camera map, there are currently 4 red light cameras in designated school zones. Enforcement when fines are disputed is through the court system.<sup>1</sup> There is also an Automated Speed Enforcement Site on Highway 7 at St. Patrick Catholic Elementary School.<sup>2</sup>

WSCS believes there are great opportunities to participate in a shared AMPS program with York Region. There are several pros:

- ☐ Increases the City of Markham's enforcement capacity, expanding its AMPS parking program to camera-based traffic offenses.
- ☐ Addresses citizens' concerns regarding effective traffic speed management.
- ☐ Diverts speed violations out of the court system.

<sup>2</sup> [York Region ASE location map](#)

- 
- ☐ Provides digital modernization opportunities.
  - ☐ Creates greater efficiencies and cost-effectiveness through a regional approach.
  - ☐ Significant increase in revenues.

The cons of this opportunity which require further exploration include:

- ☐ The cost of the shared-service model; it needs to be understood and analyzed.
- ☐ The restriction of processing volumes by a shared service contract. Markham will need to accurately forecast offense volumes.
- ☐ The lack of control over customer service quality in a shared processing center managed by the region.

### **Non-municipal AMPS**

In addition to regional governments (e.g., York Region), the provinces and federal government have moved some provincial and federal statutory violations to AMPS. The province of Ontario uses AMPS for many of its *Highway Traffic Act* violations. AMPS apply to some Canada Occupational Health and Safety violations. The federal Canadian Border Services Agency (CBSA) began using AMPS in 2002 as a sanctions regime that authorizes the CBSA to issue civil monetary penalties for the violation of CBSA's trade and border legislation in the commercial stream (*Customs Act*, *Customs Tariff*). The purpose of AMPS is to provide the CBSA with a means to deter non-compliance by its clients, and thereby to encourage compliance; there is a cost for non-compliance.

## PROCESS ANALYSIS

This process analysis focuses on AMPS for parking offenses implemented in 2015, and regulatory bylaws related to the proposed areas of AMPS expansion: fire, rapid entry key box, Keep Markham beautiful, licensing, animal control.

### AMPS – Parking Offenses

By-law 2015-93: AMPS for parking has many strengths as well as opportunities for improvement. There are 63 short form wordings for the parking offenses covered by AMPS. The top five parking infractions that account for 80% of revenue include:

- ☐ Parking on City streets between 2:30 AM & 6:00 AM
- ☐ Parking in a fire route
- ☐ Parking on private property without owner's consent
- ☐ Parking in a designated accessible parking spot
- ☐ Parking in a prohibited location

The AMP System is governed by key policies which include:

- ☐ Financial Hardship – inability to pay
- ☐ Extension of time to review with Screening and/or Hearing Officer
- ☐ Political interference
- ☐ Conflict of interest
- ☐ Financial management and reporting
- ☐ Complaints made by the public about the administration of the system.

Procedures for AMPS parking are overall simple and efficient, fair, and balanced. They involve the issuing of a penalty notice, the requirement for payment within an established timeframe, the review of the notice by a screening officer, if desired by the resident. The screening officer can vary, cancel, or affirm the penalty. The resident can appeal the screening officer's decision to a hearing officer. The hearing officer's decision is final.

The org chart below captures the resources and structure involved in the administration of AMPS for parking.

The Contact Centre has an AMPS Staff Training Manual to assist with addressing resident inquiries and to ensure efficient processing of customer requests.

And there are guides available for screening and hearing officers:

- ☐ Screening Officers Guide to Adjudicating Parking Offenses
- ☐ Hearing Officers Guide to Adjudicating Parking Offenses

There are several forms available on the City's website which facilitate the administration of AMPS for parking, including:

- ☐ Extension of time to request screening, hearing review
- ☐ Authorization to act as agent
- ☐ Request for disclosure

There are also guides for residents, including “How to prepare for your Screening Review” and “How to prepare for your Hearing Review”.

## AMPS Parking

### Strengths:

- ☐ Adequate policies and procedures
- ☐ Simple, clear process for staff and residents
- ☐ Job aids for screening and hearing officers

### Opportunities:

- ☐ To streamline business process for issue management, ticket issuance, screening, and hearing
- ☐ To use digital tools (e.g., digital e-ticketing)

## Bylaws: Fire, Rapid Entry Key Box, Fireworks, Keep Markham Beautiful, Animal Control, Business Licensing

By-law 2016-84: To implement an Administrative Monetary Penalty System for Non-Parking Offences including Animal Control (29 short form wordings), Mobile Business Licensing (59), Stationary Business Licensing (31), Water Use (5), Prescribe Times for Setting Fire (12), Rapid Entry Key Box (3), Prohibit and Regulate Public Nuisances (5).

The areas recommended for AMPS expansion below are currently managed through an *ad hoc* enforcement process that can lead to the Provincial Offences court.

**Fire** has 12 short form wordings with offenses. The Fire Department management indicated they have little to do with bylaw enforcement *per se*.

There is an open-air burning bylaw which requires residents to apply for permits. The fire department will carry out inspections to ensure a permit is issued and the resident has complied. The resident applies online, and the file comes to the department in Amanda. If the property is outside a certain area, the resident must call the City and apply with a paper form for a license. Permits last for five days and the resident must call dispatch before starting and after finishing the burn each day.

When residents don't get a permit, most of times, they did not know one was needed. The resident must put out the fire. The officer and deputy fire chief will discuss whether a fine or education is appropriate.

In circumstances where there is no permit and a fire has spread, the City of Markham will invoice the homeowner for costs related to fire truck and fire fighters deployment and can pursue the matter in court if necessary to recover costs. There are no guidelines to help in the exercise of discretion related to educating or charging a resident.

The greatest volume of fire department complaints in the City of Markham deal with outdoor fire pits in suburban backyards.

The deputy chief suggested that a broad AMPS charge might be the most appropriate: set or maintain a fire in contravention of the Fire Code. He noted that the department would want to maintain its ability to recover costs in



circumstances where intervention requiring a fire truck and fire fighters was required and where fire damage was extensive.

Assigning captains as enforcement officers, as well as the ability to issue a warning first prior to a fine, was identified as important, as well as tracking repeat offenders.

**Rapid Entry Key Box** has 3 bylaw offenses. The bylaw requires a building's keys to be placed inside the box, and the property owner to provide the keys to the fire marshal. The deputy chief indicated that on most occasions, the fire department shows up, the property owner doesn't have a box and is told to get one; most comply. In the rare event of non-compliance, the fire department will complete a document to order the owner to install the box within 30 days.

The department suggested that "obstruction of an officer" or "failure to comply" could be used as an AMPS offence.

Anyone designated by the fire chief as assistant to the fire marshal has enforcement authority. The names of these individuals needs to be documented. And Standard Operating Procedures (SOPs) created and published to ensure consistency and effectiveness in enforcement.

The discharging of fireworks will require a permit soon. The deputy chief acknowledged the importance of keeping this change consistent with the expansion of AMPS.

**Keep Markham Beautiful** (Yard Maintenance) is similar to many municipalities that have property issues such as long grass. This is by far the largest bylaw complaint at an average of over 3,600 per year. The City's bylaw officer must

investigate each one by visiting the site. The bylaw officer will issue a caution notice first and give the residents 10 days to cut the grass. If the resident fails to do so, the City issues a work order with a service fee of \$65. If in compliance, the City will close the file. If violation is ongoing, there is \$200 fine. The City hires a contractor to cut the grass and the Invoice goes on the resident's taxes. There may be many inspections before this is resolved. It is typically repeat offenders that will result in a charge being laid.

The Bylaw officers have printers in their vehicles. They post caution notices on site and send a notice by mail. If no compliance with the caution notice, the bylaw officers will let the City's administrative clerk know. The clerk will create a work order and have a contractor cut the grass. The contractor will send the invoice to the clerk who in turn emails it to the tax department. The tax department adds the invoice cost to the resident's taxes. All documents are attached in Amanda. However, there does not appear to be detailed process documents to follow.

**Animal control** has 29 short form wordings with offences. Animal enforcement was brought inhouse in April 2021. Previously, enforcement was contracted to SPCA. Markham now has two full time animal control bylaw officers employed previously by SPCA and four parttime. One officer is on call 24/7. There are currently no policies and procedures to assist the officers and other staff with enforcement. A process map was created to move animal control to AMPS but was never implemented.

Staff expressed a need for AMPS in licensing and off leash offences. There was also support for AMPS in other offense areas such as “too many animals”, “failure to comply” and “hindering an officer”. Staff do not think that AMPS would be appropriate for more serious offenses, such as animal cruelty. New and renewal animal licensing is done online. The City of Markham has few pet licenses when compared to the overall pet population; 41% of households have pets, yet the City has low license rates. Each pet has a Tag with a number and link to a City of Markham file. Officers have technology in their vehicles to issue notices related to the standard licensing fee: \$20 for cat, \$30 for dog. Renewal is sent automatically by email or mail. As shown in Table 10, pet licenses are very low in comparison to the expected in the City of Markham’s Animal Services Review undertaken in 2021. On this basis, the City is losing between \$1.4 and 2.4 million annually.

**RECOMMENDED:** While not specifically in scope of this review, the City should consider outsourcing pet licensing to a firm such as DocuPet with the view to increase licenses.

**TABLE 10: CITY OF MARKHAM NUMBER OF ANIMAL LICENSES ISSUED**

| Year | # of Cat Licenses | # of Dog Licenses | Cat Fee | Dog fee | Estimated # of Cats | Estimated # of Dogs | Difference in Cats | Difference in Dogs | Estimated Lost revenues |
|------|-------------------|-------------------|---------|---------|---------------------|---------------------|--------------------|--------------------|-------------------------|
| 2016 | 690               | 5,492             | 20      | 30      | 31770               | 31770               | 31080              | 26,278             | 1,409,940               |
| 2017 | 851               | 6,826             | 20      | 30      | 31770               | 31770               | 30919              | 24,944             | 1,366,700               |
| 2018 | 809               | 6,578             | 20      | 30      | 31770               | 31770               | 30961              | 25,192             | 1,374,980               |
| 2019 | 800               | 6,844             | 20      | 30      | 31770               | 31770               | 30970              | 24,926             | 1,367,180               |
| 2020 | 482               | 4,075             | 20      | 30      | 31770               | 31770               | 31288              | 27,695             | 1,456,610               |
| 2021 | 382               | 3,118             | 20      | 30      | 31770               | 31770               | 31388              | 28,652             | 1,487,320               |

**FIGURE 5: ESTIMATE OF CATS AND DOGS - CITY OF MARKHAM ANIMAL SERVICES REVIEW 2012**

**Comparison of Total Dog Population in Calgary and Markham Using Various Estimation Approaches**

| Municipality | Total Urban Population 2011 | Total Households 2011 | Dog population using Calgary Approach | Dog population using AVMA Approach | Dog population using Ipsos-Reid Approach |
|--------------|-----------------------------|-----------------------|---------------------------------------|------------------------------------|--|
| Calgary      | 1,096,833                   | 445,848               | 115,496                               | 281,776                            | 249,675                                  |
| Markham      | 301,709                     | 93,202                | 31,770                                | 58,903                             | 52,193                                   |

**Comparison of Total Cat Population in Calgary and Markham Using Various Estimation Approaches**

| Municipality | Total Urban Population 2011 | Total Households 2011 | Cat population using Calgary Approach | Cat population using AVMA Approach | Cat population using Ipsos-Reid Approach |
|--------------|-----------------------------|-----------------------|---------------------------------------|------------------------------------|--|
| Calgary      | 1,096,833                   | 445,848               | 115,496                               | 317,890                            | 454,765                                  |
| Markham      | 301,709                     | 93,202                | 31,770                                | 66,453                             | 95,066                                   |

On the enforcement side of policies and procedures, the department has few. For a dog barking complaint, the enforcement officer asks the complainant to complete a “bark log”. The officer will review the log, and if serious, will go and meet with dog owner who is issued a warning and violation notice. The officer would keep a record of the issue and would lay a charge if no improvement. Complaints of violations are made via the Contact Centre (about 58 per year) and captured in AMANDA.

For animal control purposes, City of Markham is divided: east, west. The officer assumes work based on the area he/she covers unless the matter is urgent.

Staff also identified areas where they believe enforcement would be difficult and/or the number of violations small, e.g., feeding wildlife.

Staff noted some ongoing court processes related to keeping pigeons in residential area and dog bites (notice to muzzle) which may end up in provincial court.

Staff identified licensing dog walkers (6 dogs per person) as an area where an offence may need to be added.

**Business Licensing (Mobile and Stationary)** covers approximately 90 short form offence wordings. The Business Licensing and Standards Department supports the use of AMPS for as many of these offences as possible.

Around 90% of the licensing process is currently covered off online and by email. During Covid, no inspections were completed when the licensee signed a document stating that no changes occurred over the year since licensing. The one challenge for the department remains the payment method.

Licensing has a small team of 4, including two senior licensing officers, one coordinator and one supervisor. The

Department's focus has been "receive, process, issue". Violations are tagged for the Bylaw and Licensing Group to enforce.

The largest number of Part 1 POA charges fall into this category (64%). There are some areas that appear to be particularly problematic such as tow trucks licensing and body rubs.

The same process as the one that exists for AMPS parking was proposed for business licensing.

Management suggested that business licensing could have possibly two charges to start with: Stationary - failure to obtain and failure to post; Mobile – failure to obtain and failure to produce. These could also be coupled with "failure to comply" and "hindering an officer". These charges would be followed slowly with specific charges, e.g., taxi - failure to post rates.



Management noted that some business licensing offenses were now obsolete given changes in technology and systems and that a review would be needed to bring the bylaw up to date.

Management confirmed that increased enforcement will likely require more staff. Currently, the system is reactive rather than proactive. The Department maintains it needs 4 dedicated officers for licensing.

The department also noted that property standards has its own corporate structure and enforcement division, and that clarifying roles and responsibilities would be helpful to move forward.

Management suggested the City consider placing business licensing card readers in officer vehicles.

TABLE 11: PART 1 OFFENCES - LICENSING

| Bylaw area  | 2017       | 2018      | 2019      | 2020     | 2017               | 2018              | 2019              | 2020            |            |                    |
|---|------------|-----------|-----------|----------|--------------------|-------------------|-------------------|-----------------|------------|--------------------|
|  <b>Mobile Licence</b>     | <b>110</b> | <b>31</b> | <b>2</b>  | <b>1</b> | <b>\$9,735.00</b>  | <b>\$2,735.00</b> | <b>\$0.00</b>     | <b>\$320.00</b> | <b>144</b> | <b>\$12,790.00</b> |
| Mobile Licence  | 2          | 3         |           | 1        | \$60.00            | \$720.00          |                   | \$320.00        | 6          | \$1,100.00         |
| Mobile Licence Driving School In  | 4          | 2         |           |          | \$355.00           | \$460.00          |                   |                 | 6          | \$815.00           |
| Mobile Licence Refreshment Veh  | 3          |           |           |          | \$500.00           |                   |                   |                 | 3          | \$500.00           |
| Mobile Licence Taxcab Driver  | 2          | 2         |           |          | \$195.00           | \$275.00          |                   |                 | 4          | \$470.00           |
| Mobile Licence Taxicab Owner  | 3          | 1         |           |          | \$275.00           | \$255.00          |                   |                 | 4          | \$530.00           |
| Mobile Licence Tow Truck Driver   | 62         | 14        |           |          | \$7,255.00         | \$565.00          |                   |                 | 76         | \$7,820.00         |
| Mobile Licence Tow Truck Owne   | 34         | 9         | 2         |          | \$1,095.00         | \$460.00          | \$0.00            |                 | 45         | \$1,555.00         |
|  <b>Stationary Licence</b> | <b>18</b>  | <b>7</b>  | <b>8</b>  | <b>2</b> | <b>\$1,185.00</b>  | <b>\$1,175.00</b> | <b>\$1,275.00</b> | <b>\$0.00</b>   | <b>35</b>  | <b>\$3,635.00</b>  |
| Bylaw Standards Bodyrub Parlou  | 5          |           |           |          | \$250.00           |                   |                   |                 | 5          | \$250.00           |
| Stationary Licence Food Premise   | 10         | 3         | 7         | 2        | \$375.00           | \$410.00          | \$1,275.00        | \$0.00          | 22         | \$2,060.00         |
| Stationary Licence Garage   | 1          | 3         |           |          | \$255.00           | \$510.00          |                   |                 | 4          | \$765.00           |
| Stationary Licence Personal Car   | 1          | 1         | 1         |          | \$305.00           | \$255.00          | \$0.00            |                 | 3          | \$560.00           |
| Stationary Licence Tobacco Sale   | 1          |           |           |          | \$0.00             |                   |                   |                 | 1          | \$0.00             |
| <b>Grand Total</b>  | <b>128</b> | <b>38</b> | <b>10</b> | <b>3</b> | <b>\$10,920.00</b> | <b>\$3,910.00</b> | <b>\$1,275.00</b> | <b>\$320.00</b> | <b>179</b> | <b>\$16,425.00</b> |

## THE DESIRED STATE

Ultimately, the City and its citizens want the bylaws to be complied with or they wouldn't feel it necessary to pass them. If bylaws are unenforceable, they are generally viewed as unnecessary or 'red tape.'

As noted in the Executive Summary, bylaw 2016-84 – "A By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences" identifies 12 areas for AMPS expansion: Animal Control, Anti-Idling, Business Licensing – Mobile, Business Licensing – Stationary, Fire, Nuisance, Parks, Property Standards, Road Occupancy, Signs, and Tree Preservation. And as noted, there are other bylaws not in bylaw 2016-84, as well as other regulatory areas under consideration, that provide opportunities for AMPS.

WSCS is recommending a 2 phased approach to implementation, with a preliminary focus on bylaws related to **licensing, property standards/Keep Markham Beautiful, animal control, signs and fire**. A phased approach will allow for the gradual deployment of resources to effect implementation as well as prepare the public for the impact of the changes over time. However, should the City opt to implement all AMPS in 2022, the criteria is less relevant. However, the criteria can be used as the City develops new bylaws, this rating system will be useful to determine if it is 'AMP Friendly'.

WSCS is also recommending participation in the York Region shared services AMPS project focused on camera-based traffic offenses.

Table 12 provides a decision matrix to assist in decision making utilizing objective criteria to assess each bylaw short form wording to determine the best options for the expansion of AMPS. The higher the calculation, the better the AMP. As shown in the table, those that scored very high (over 275 points, were selected for phase 1. These were then prioritized based upon volume of complaints received.

The following criteria were used to make these recommendations:

- ☐ Complexity of charge
- ☐ Deterrence, compliance effect
- ☐ Current enforcement
- ☐ Publicity/political interest
- ☐ Departmental readiness

Other factors considered, included:

- ☐ Relative ease of implementation
- ☐ Likelihood of Council and public support
- ☐ Significant scale and scope of bylaw offenses
- ☐ Ease of adaptability to a phased approach
- ☐ Consistency with other municipalities' AMPS expansion
- ☐ Regional/municipal co-operation
- ☐ Volume of complaints and length of time to resolve

TABLE 12AMPS MATRIX FOR PHASED OFFENCE IMPLEMENTATION

| # | CRITERIA                                  | CRITERIA WEIGHTING FACTORS   | DESCRIPTION   | WHY THIS CRITERIA   |
|---|---|--|---|---|
| 1 | Recipient of notice and ability to charge | 9: Property owner<br>8: Vehicle Owner/Driver<br>5: Prior/Current Permit holder or customer<br>3: Individual at large   | Owner of the property<br>Vehicle License plate<br>Prior customer information<br>Member of public.     | Possible transfer to roll<br>MTO – transfer to license<br>Able to mail notice<br>Most difficult to charge |
| 2 | Complexity of charge                      | 9: Low<br>5: Medium<br>3: High   | Assessment of the complexity includes ability for officer to ascertain compliance.                    | The lower the complexity, the better for AMPS   |
| 3 | Deterrence Compliance Effect              | 9: High<br>5: Medium<br>3: Low   | Degree to which AMPS will deter repeat offenders or others.   | The higher the deterrence effect, the better the AMPS.  |
| 4 | Current Enforcement                       | 9: No current enforceability (AMPS provides good alternative)<br>7: Somewhat enforceable (AMPS may help)<br>4: Highly Enforceable without AMP<br>1: Non AMP friendly | If the AMPS provide additional enforceability that the officers do not currently have, good for AMPS. | No current enforceability, better for AMPS (eg. Obstruction of an officer).                               |
| 5 | Publicity/political/Health & Safety       | 9: Low<br>5: Medium<br>3: High   | If there is political or health and safety issues, likely not good for AMPS.                          | The lower the political/health and safety interest, the better for AMPS.                                  |
| 6 | Departmental Readiness                    | 9: High<br>5: Medium<br>3: Low   | Based upon consultations, change management assessment.   | The higher desire and readiness for AMPS by the department, the more likely successful.                   |

| CALCULATED WEIGHTED CRITERIA | DESCRIPTION  | AMPS PHASE    |
|------------------------------|--|---------------|
| OVER 275                     | EXCELLENT FOR AMPS – EASY TO IMPLEMENT WITHOUT SIGNIFICANT PROCESS CHANGES                     | PHASE 1: 2022 |
| 151 - 275                    | ENFORCEMENT BY AMPS MORE DIFFICULT – NEED TO ASSESS SUCCESS OF PHASE 1 AND 2 BEFORE PROCEEDING | PHASE 2: 2023 |
| 0 - 150                      | NOT GOOD FOR AMPS  | NO AMPS       |

Table 13 below shows the results of the calculated criteria by short form wording, or in the case where the wording does not exist, the analysis of the bylaw itself. The table shows that, in phase 1, licensing, property/bylaw enforcement and fire scored the highest. Should the City select Option 2: all AMPS implemented in 2022, all would be moved into 2022.

TABLE 13: CALCULATED PHASING OF BYLAWS FOR AMPS

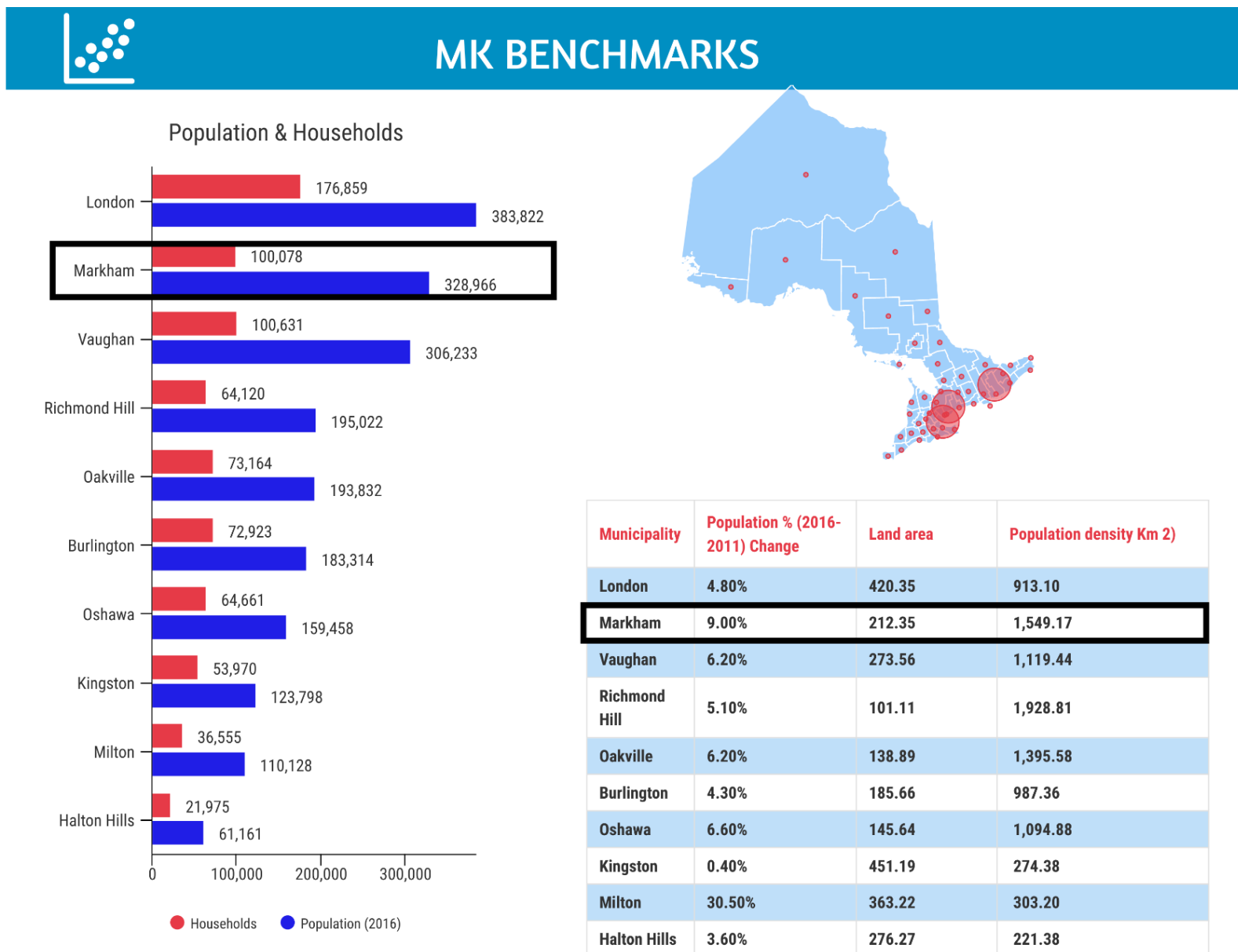
| Number of offences              |                             | PHASE         |               |         |             |
|---------------------------------|-----------------------------|---------------|---------------|---------|-------------|
| GROUP                           | BYLAW #                     | PHASE 1: 2022 | PHASE 2: 2023 | NO AMPS | Grand Total |
| ANIMAL CONTROL                  | 2005-254 AS AMENDED         | 10            | 17            | 1       | 28          |
| ANTI-IDLING                     | 2005-192 AS AMENDED         | 1             |               |         | 1           |
| BUSINESS LICENSING - MOBLIE     | 2012-92 AS AMENDED          | 111           | 21            |         | 132         |
| BUSINESS LICENSING - STATIONARY | 2012-158                    | 32            |               |         | 32          |
| FIRE                            | 2001-236                    | 3             |               |         | 3           |
| FIRE                            | 2018-90 AS AMENDED          | 3             |               |         | 3           |
| FIRE                            | 85-97 AMENDED BY 2018-85    | 4             | 6             | 1       | 11          |
| NOISE                           | 2003-137 AS AMENDED         |               | 13            |         | 13          |
| NUISANCE                        | 2018-55                     | 2             | 3             |         | 5           |
| PARKS                           | 167-92 AS AMENDED           | 1             | 3             |         | 4           |
| PROPERTY STANDARDS              | 2012-119                    | 8             | 2             |         | 10          |
| ROAD OCCUPANCY                  | 2013-136 AS AMENDED         | 5             | 14            |         | 19          |
| SIGNS                           | 2002-94 AS AMENDED          | 41            | 67            |         | 108         |
| TREE PRESERVATION               | 2008-96 AS AMENDED          | 1             | 3             | 1       | 5           |
| WATER METERS                    | 2012-142                    | 2             |               |         | 2           |
| CANNABIS                        | BY-LAW 2018-135, AS AMENDED | 3             |               |         | 3           |
| CONSTRUCTION IN-FILL            | BY-LAW 2018-77, AS AMENDED  | 14            |               |         | 14          |
| SWIMMING POOL                   | BYLAW 2015-96               |               | 1             |         | 1           |
| GARBAGE COLLECTION/DISPOSAL     | BYLAW 32-95                 |               | 1             |         | 1           |
| DUMPING OF WASTE                | BYLAW 126-72                |               | 1             |         | 1           |
| SMOKE ALARM INSTALLATION        | BYLAW 107-94                |               | 1             |         | 1           |
| SHOPPING CARTS                  | BYLAW 2008-37               |               | 1             |         | 1           |
| HOME OCCUPATION                 | BYLAW 53-94                 |               | 1             |         | 1           |
| Grand Total                     |                             | 241           | 155           | 3       | 399         |

# BENCHMARKING

WSCS conducted an AMPS benchmarking survey with 10 municipalities between May-September 2021.

Details of the survey and responses are attached as Appendix B to this report. Below is a summary of key elements.

1. Most municipalities have a



Unit/Department that handles the enforcement of most municipal by-law infractions.

2. Contracted services by municipalities in by-law enforcement include hearing officers and animal control officers primarily.



3. Estimated By-law enforcement expenses for 2020 varied considerably from \$4.5M for the City of Vaughan to \$1.27M for the City of Oakville. The City of Markham expenses were estimated at \$4.4M. It is important to note that some municipalities had shared expenses with other departments.
4. Estimated By-law enforcement revenues for 2020 also varied considerably from a \$6M high (includes parking) in the City of Oakville to a low of \$140,000 (may be incorrect) in Richmond Hill. The City of Markham revenues were \$2.5M.
5. Full time staff resources dedicated to the administration of AMPS also varied, linked to the number of bylaws enforced using AMPS. Staff resources ranged from a low of 4 in Burlington to a high of 44 in London. Markham currently has 41 staff. Most staff are enforcement officers, followed by hearing officers. London has the most enforcement officers (35), followed by Markham (34) and Oakville (30). London has 3-5 hearing officers and Markham has 3. Most municipalities have 1 or 2 administrative staff.
6. The software used to administer the AMP System is primarily AIMS (Burlington, Richmond Hill, Oakville). London is using Gtechna and Milton hopes to use it as well in the future. Burlington and Vaughan use Ticket Tracer as backend data base software. Markham is currently using ParkSmart but plans to migrate to Gtechna. Amanda is used for bylaw enforcement more broadly speaking, together with Gtechna, AIMS, and ParkSmart.
7. Municipalities rated the success of AMPS implementation in their communities highly (exceeded objectives = 11%, 67% = meeting objectives). Survey respondents rated success based on the following objectives:
  - Improved customer service
  - Time savings and reduced costs
  - Increased reliability in revenue collection
  - Enhanced municipal control
  - Increased POA court capacity
8. The use of AMPS for regulatory bylaw enforcement varies greatly across municipalities
  - a. Animal Control – 4 municipalities out of 9 use AMPS.
  - b. Buildings – 1 out of 9 uses AMPS
  - c. Fire – 1 out of 9 uses AMPS and only for fireworks
  - d. Community Standards – 1 out of 9 uses AMPS for community standards in the areas of cannabis, property standards, waste collection, sight lines, water meter use. 2 out of 9 uses AMPS for business licensing, mobile licensing, snow and ice removal, illegal dumping, clothing donation bins, fence maintenance. No one uses AMPS for zoning, occupancy, buffer (shorelines), infill, storage, accessory dwelling units, residential rentals.
  - e. Vehicles – 4 out of 9 use AMPS for tow trucks, 3 out of 9 for limos and taxis
  - f. Noise – 4 out of 9 use AMPS

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g. Parking – 6 out of 9 use AMPS

9. Seven municipalities indicated that each year over the past 3 years, they have had very few appeals of hearing officer decisions to the courts – approximately 4 per year.
10. Six municipalities out of 8 indicated they undertook some public education and communication initiatives during expansion of AMPS. This included public participation meetings, articles in newspapers, flyers delivered to commercial businesses, website notifications.
11. Four out of 7 municipalities indicated they have key performance indicators (KPI's) to measure AMPS effectiveness. The key performance indicators identified were:
  - a. Number of by-law complaints by type
  - b. Percentage of compliance based on complaints
  - c. Number and dollar value of infraction notices issued by type
  - d. Percentage of infractions paid by due date
  - e. Inventory/Aging of fines by type
  - f. Number of by-law infractions in court by type
  - g. Percentage of complaints/investigations open 30 days, 60 days, + 90 days
  - h. Cost of enforcing animal control by-law vs. revenue generated
  - i. Number of parking tickets voided
  - j. Number of Screenings that result in Hearings
  - k. Number of no shows for appointments
  - l. Amount (\$) of reductions applied because of Screenings and Hearings

12. Some key lessons identified by municipal survey participants in changing/expanding AMPS include:
  - a. Documenting policies and procedures.
  - b. Having a policy on the prevention of political interference in the AMPs program is essential as is providing Members of Council with an established message they can use in responding to their constituents (about why they can't intervene in AMPs).
  - c. Educating the residents that AMPs is really a municipal court system that must be run independently.
  - d. Having a software tool that can easily generate various reports (without enlisting ITS help)
  - e. Ensuring you have a reliable vendor for your parking/non-parking AMPs software system
  - f. Having sufficient staff to administer your program - some mistakenly believe AMPs automatically allows you to reduce staff levels.
  - g. Ensure that the municipality has dedicated IT resources throughout the project and a good contract to ensure the vendor delivers on expectations.
  - h. Create a separate AMP organization to ensure that Screening and Hearings Officers are arm's length from bylaw enforcement and legal services.

## HOW DO WE GET THERE? SUMMARY OF RECOMMENDATIONS

The key recommendations are summarized below and categorized broadly as follows: Getting Ready, Implementation and Performance Measures. Each recommendation is explored in more detail throughout the report.

### Getting Ready

The key to the successful implementation of AMPS in areas other than parking is “readiness building”.

The following recommendations will assist the City in “Getting Ready” for AMPS implementation:

- ✓ Confirm the project sponsor and Steering Committee membership
- ✓ Recruit/select a project manager to manage the project. The project manager must be dedicated to the expansion of AMPS for the duration of the implementation to ensure its success.
- ✓ Develop a communications and marketing plan as well as an AMPS web page (intranet for staff, external for others). The project manager can be charged with this task. The plan should include quarterly project sponsor updates to the CAO and Council, and monthly project

manager updates to the project sponsor, business lead, and steering committee.

- ✓ Identify a business lead
- ✓ Recruit/Select a Business Analyst(s) to provide support to the departments in developing and documenting business processes.
- ✓ Continue the AMPS Expansion Implementation Committee. At a minimum, this Committee should include:
  - Project Manager (Implementation)
  - Manager/AMPS Supervisor
  - Business lead
  - Scheduling Officer/Administrator
  - Business Analyst
  - One representative from each department involved in AMPS (SMEs)
  - Information Technology Services representative

### Implementation

Implementation of projects of this scale takes time and perseverance. At a general level, the City is encouraged to:

- ☐ Ensure business support, resources, software, hardware are available to successfully implement AMPS solution.
- ☐ Involve as many staff as possible in the AMPS project.
- ☐ Implement using a phased approach.

- Develop an implementation and ongoing training plan through a combination of team-based learning for staff and online for external users.

Key to any implementation is the identification and mitigation of risks. Below are two key risks that often impede successful implementation and some possible mitigation strategies:

- Availability/commitment of Business resources to support project objectives
  - Work out resource plan with business in advance of beginning project initiatives
  - Work with department managers to identify staff, clarify tasks required from business units and review target work plan for project completion.
- Availability of technical resources to complete project objectives
  - Engage external vendor to assist with project deliverables and obtain availability commitment.

If all resources and support noted are in place, WSCS Consulting anticipates that the 2 phases will take 2 years. If the City would prefer to phase in over a longer period of time, the anticipated revenues will be lower but may be prudent depending upon the resources committed up front.

Below are some key implementation recommendations:

## 1. REVIEW AND REVISION OF BYLAWS

As noted earlier, there are bylaws not contained within By-law 2016-84 with no short form wordings, that may be suitable for AMPS. A review of these bylaws would be beneficial.

Some of these bylaws, such as Infill, have provisions that allow for the use of either AMPS or the court. For others, it will be necessary to add AMPS to the bylaw to authorize its use (e.g., swimming pool enclosures). Some staff identified a need to create other bylaw offenses (e.g., licensing dog walkers). And some staff identified bylaws that contain offenses that are obsolete and/or of little import to the community and rarely enforced (e.g., feeding wildlife). A thorough review to bring the City's bylaws up to date is needed.

**RECOMMENDATION: Undertake a comprehensive review and revision of bylaws to ensure AMPS applicability and bylaws meet regulatory needs of the City of Markham.**

## 2. CHANGES TO POLICY AND PROCESS

To maximize efficiency and effectiveness, the City of Markham during its AMPS expansion, can build on its success with AMPS for parking through policy and process change.

**RECOMMENDATION: Review policy and process to maximize efficiency and effectiveness, leveraging technology and process mapping to improve regulatory performance and outcomes.**

## 3. CONFIRM THE SELECTION OF BYLAWS FOR AMPS EXPANSION

The following bylaws are being recommended for AMPS expansion in a phased approach: **Licensing, Rapid Entry Key Box, Fireworks, Keep Markham Beautiful,**

The following criteria were used to make this recommendation:

- 
- ☐ Complexity of charge
  - ☐ Deterrence, compliance effect
  - ☐ Current enforcement
  - ☐ Publicity/political interest
  - ☐ Departmental readiness
- 

Other factors considered, included:

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- ☐ Relative ease of implementation
  - ☐ Likelihood of Council and residents support
  - ☐ Significant scale and scope of bylaw offenses
  - ☐ Ease of adaptability to a phased approach
  - ☐ Consistency with other municipalities' AMPS expansion
- 

Appendix A contains a detailed matrix analysis based on the bylaws above at the level of specific offenses.

**RECOMMENDATION: Confirm the selection of bylaws and offenses for AMPS expansion by using a matrix analysis that considers factors such as complexity and deterrence effect.**

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#### 4. GOVERNANCE

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Important to this implementation will be a clear governance structure that creates efficiency and effectiveness in decision making across departments, with clarity regarding roles and responsibilities. Business licensing for example, noted that property standards has its own corporate structure and enforcement division. business licensing staff utilize Bylaw Enforcement to address violations and enforce bylaw provisions.

The AMPS benchmarking survey of 10 municipalities lays out a 'centralized' model of governance for municipalities with expanded AMPS coverage. 80% of survey respondents indicated that they have a separate Unit/Department that handles the enforcement of most municipal by-law infractions.

**RECOMMENDATION: Consolidate AMPS in one area with a Manager and appropriate policy assistance. Ensure that the AMPS Implementation Committee continues to oversee the implementation and address corporate wide and departmental concerns.**

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#### 5. CAPITAL COSTS

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Capital costs, including both software and hardware, are estimated as follows:

- 
- ☐ Software implementation – Gtechna \$100k - \$150k (depending on Options)
  - ☐ Computer hardware (laptops, monitors, handheld devices) \$ 50k
  - ☐ Hearing office space and setup (furniture, security camera, video equipment for virtual connections) – Believe this to be zero.
- 

**RECOMMENDATION: Ensure capital costs for AMPS expansion are accurately calculated and budgeted in advance of implementation.**

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#### 6. TRAINING

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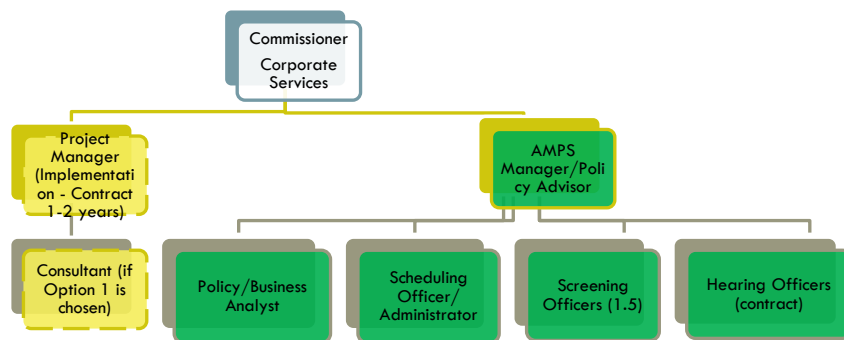
Training needs to include implementation training for users as well as administrators. Web based training will be required

to provide for changes in staff roles and responsibilities and ongoing development. Some existing staff may assume enforcement responsibilities and will require adequate training to assume this role. Estimated at \$50k.

**RECOMMENDATION:** Develop a comprehensive training plan by Phase to ensure that both Bylaw and AMPS staff fully understand the AMPS requirements, policies and bylaws as well as systems. If Option 2 is chosen (all AMPS implemented in 2022), training will need to be undertaken in 2<sup>nd</sup> quarter 2022.

## 7. STAFFING RESOURCES

The expansion of AMPS will require some additional resources particularly in the areas of enforcement officers, administration, screening, and hearing officers. In Phase 1, the following is recommended, reporting to the Commissioner to ensure independence (arm's length) from the enforcement branch.



**RECOMMENDATION:** Add a fulltime/permanent Manager, Business Analyst, Scheduling/Administrator and Screening

**Officer roles. Monitor workload for each phase including recoveries to assess additional resources. While we do not see a requirement for additional Bylaw Officers, we do recommend that the City look at reorganizing to be able to meet after hours requirements.**

## Performance Metrics and Reporting

Performance metrics and reporting are important to determine success or improvement areas. Metrics should be balanced to include both financial and non-financial measures and should benchmark before and after project implementation. It was noted during the review of non-parking business processes that results of bylaw enforcement as well as time spent was not consistently captured. Since the project will be phased and piloted, the City has an opportunity to capture metrics and information prior to full implementation. The following approach is recommended:

- ✓ Reinforce the requirement to capture time worked on applications in AMANDA before and after AMPS implementation.
- ✓ Develop, track, and publish performance measures specifically to monitor the progress and return on investment of the AMPS implementation and other process improvements. Some key measures include:
  - Time to complete each major process
  - Number of offenses paid without dispute
  - Increase in revenue by type
  - Number of screenings, hearings, and outcomes per offence type
  - Time to resolve from date of offence to decision

- Number of by-law complaints by type/AMPS as a percentage of total
  - Percentage of compliance based on complaints
  - Number and dollar value of infraction notices issued by type
  - Percentage of infractions paid by due date
  - Inventory/Aging of fines by type
  - Number of by-law infractions in court by type
  - Percentage of complaints/investigations closed in 30 days, 60 days, + 90 days
  - Cost of enforcing by-laws (AMPS and POA separated) vs revenue generated
  - Percentage of Screenings that result in Hearings
  - Percentage of no shows for appointments
  - Percentage of Hearings decisions by type
  - Percentage and number of reduction amount at screenings and hearings.
- ✓ Develop a stakeholder feedback mechanism to assess the degree to which customer expectations are met. This should be both ongoing and point in time.

**RECOMMENDATION:** As part of the Policy/Business Analyst role, develop an ongoing reporting framework with dashboards for key performance indicators. These should be fully analyzed at end of each phase with lessons learned

**for continuous improvement. The AMPS Implementation Committee should review these reports quarterly at least in the first phase and semiannually on an ongoing basis.**

## CONCLUSION

The City is embarking on an exciting journey that will allow for more cost-effective and efficient bylaw enforcement, improved client service, and staff satisfaction. It is important that the City manage the change carefully to ensure success. This involves transparent and effective communication with all stakeholders, beginning with City residents, Council, staff, and management.

In our opinion, the City is doing all the right things – it has embarked on this business process review to address issues prior to implementation; it has reached out to other municipalities and continues to refine its policies and processes; it has identified key bylaw areas; it is investing in technology and human resources. The City is open and ready for change, a change that will result in greater compliance and deterrence, increased revenues, lower costs, and greater resident and staff satisfaction.



## APPENDIX A: AMPS EXPANSION MATRIX BY PHASE

| PHASE            | GROUP                             | BYLAW<br>TITLE/GROUP | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|------------------|-----------------------------------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
| PHASE 1:<br>2022 | ANIMAL<br>CONTROL                 | ANIMAL<br>CONTROL    | Fail to have renew cat licence  | 294                   | 5  | 9                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Fail to renew dog licence   | 294                   | 5  | 9                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Have a dog in prohibited park or public park  | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Keep domestic pigeon contrary to regulations  | 288                   | 9  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Keep livestock where not permitted  | 288                   | 9  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Keep more than maximum permitted dogs   | 288                   | 9  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Keep more than the maximum permitted cats   | 294                   | 9  | 9                       | 5                                  | 7                      | 9  | 3                         |
|                  |                                   |                      | Keep rabbits contrary to Regulations  | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Keep wild, exotic or prohibited animal  | 288                   | 9  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Operate a kennel without a licence  | 294                   | 9  | 9                       | 9                                  | 7                      | 5  | 3                         |
|                  | ANTI-IDLING                       | ANTI-IDLING          | Keep a vehicle idling for longer than 3 minutes   | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|                  | BUSINESS<br>LICENSING -<br>MOBLIE | DRIVING<br>SCHOOL    | Driving Instructor – fail to obtain license   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Driving Instructor – permit/give instruction on a street designated as a restricted area  | 285                   | 8  | 5                       | 9                                  | 9                      | 5  | 5                         |
|                  |                                   |                      | Driving Instructor permit/give instruction to student driver when student is not in possession of the required license to operate a vehicle | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|                  |                                   |                      | Driving school instructor fail to affix the driving school licence plate to the rear bumper of the plate                                    | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |



| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Driving school operator fail to affix the driving school licence plate to the rear bumper of the vehicle.                                     | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Driving School Operator/Driving Instructor – instruction given in vehicle without dual brake for operator in place                            | 285                   | 8  | 9                       | 3                                  | 9                      | 9  | 3                         |
|       |       |                      | Driving School Operator/Driving Instructor permit/give instruction in a vehicle that does not have a sign with the driving school information | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Operator of a Driving School – employ Instructor not licensed pursuant to the By-law  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Operator of Driving School – fail to permit access to premises/vehicles/books/records   | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Operator of Driving School fail to advise Licensing Officer of Instructors employed by him  | 293                   | 8  | 5                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Owner/Operator of a Driving School – fail to obtain license   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | LIMOS |                      | Limousine Driver – fail to obtain license   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Limousine Driver – operate unlicensed limousine   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Limousine Owner – fail to obtain license  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Limousine Owner – permit unlicensed driver to operate a limousine   | 309                   | 8  | 5                       | 9                                  | 9                      | 9  | 5                         |
|       |       |                      | Limousine Owner/Driver – operate limousine without license plate affixed  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       | REFRESHMENT VEHICLE  | Refreshment Vehicle operator – fail to obtain license                                      | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Refreshment Vehicle owner – fail to obtain license   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Refreshment Vehicle owner – permit unlicensed operator to operate a refreshment vehicle    | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       | TAXI CAB DRIVER      | Fail to produce license  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Hinder or obstruct authorized person performing a duty or exercising a power under By-law. | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab driver – carry too many passengers in taxicab                                      | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Taxicab driver – drive a taxicab without owner's plate affixed                             | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab driver – drive or act as the driver without a license                              | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab driver – fail to submit vehicle for inspection when required to do so              | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab driver – operate a taxicab without a roof light                                    | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Taxicab driver – operate taxicab while view is obstructed                                  | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Taxicab driver operate a taxicab without a side number                                     | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Taxicab owner – employ or use person other than licensed taxicab driver to drive taxicab   | 293                   | 8  | 5                       | 9                                  | 9                      | 9  | 3                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       | TAXI CAB<br>OWNER    | Taxicab broker – act or be the broker of a taxicab without a license                                     | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab lessee – fail to submit vehicle for inspection when required to do so                            | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab owner – act or be the owner of a taxicab without a license                                       | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab owner – fail to affix plate in a location approved by Licensing Officer                          | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab owner – fail to attach illuminated roof sign   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Taxicab owner – fail to submit vehicle for inspection when required to do so                             | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Taxicab owner/lessee – fail to have on the taxicab owner's plate numbers on front fenders of the taxicab | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Taxicab owner/lessee allow vehicle to be operated with exterior body damage/rust                         | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       | TOW TRUCK<br>DRIVER  | Tow truck driver - fail to be civil and behave courteously.  | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck driver - fail to comply instructions.  | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck driver - fail to keep permanent daily record.  | 317                   | 8  | 5                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver - fail to keep rate sheet.  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck driver - fail to produce tow truck driver's licence  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck driver - fail to take due care of all vehicles and property towed.                             | 279                   | 8  | 3                       | 5                                  | 9                      | 5  | 9                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck driver - Interfere with contract hiring.  | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver - operate a tow truck without a licence.   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck driver - operate an unsafe or defective tow truck.  | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver demand, request, or receive a drop fee.  | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck driver drive or have care and control of a tow truck unless he/she is licensed as a tow truck driver.         | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck driver fail to clean up debris from the collision scene.  | 341                   | 8  | 5                       | 9                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver fail to tow vehicle by most direct route.  | 317                   | 8  | 5                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver induce person by making false representations.   | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver make charge for incompetency / inefficiency.   | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver operate a tow truck which lacks any equipment required by Section 23 of this schedule, in good repair. | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver operate, a tow truck unless it is clean and free from mechanical defects.                              | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver permit a person to be a passenger in a tow truck.  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck driver remove vehicle from the scene of accident before police investigation completed.                       | 341                   | 8  | 5                       | 9                                  | 9                      | 9  | 9                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck driver solicit services within 200 metres of collision scene.  | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver suggest to customer particular salvage yard, body shop, storage yard or any other public garage, building or place. | 305                   | 8  | 5                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck driver-fail to dress in uniform shirt displaying company business name.  | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       | TOW TRUCK<br>OWNER   | Tow truck driver drive or have care and control of a tow truck unless the owner of the tow truck is licensed.                        | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck driver operate, a tow truck unless equipped with an owner's plate.   | 317                   | 8  | 5                       | 5                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner - fail to affix in a secure and visible manner to the rear portion of the vehicle, the tow truck plate.              | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to affix in a secure manner the licence renewal validation tag to the tow truck plate.                        | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to be civil and behave courteously.   | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner - fail to comply instructions.   | 293                   | 8  | 5                       | 5                                  | 9                      | 5  | 9                         |
|       |       |                      | Tow truck owner - fail to ensure equipment is clean and in good repair.  | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner - fail to ensure that every vehicle carry a run-sheet.   | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner - fail to give access to records.  | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck owner - fail to keep in the tow truck the tow truck owner's licence or a copy of such licence. | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to keep permanent daily record of services provided.                              | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner - fail to keep rate sheet.   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to make available for inspection run sheet.                                       | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to obtain a licence for every tow truck owned.                                    | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide (2) wheel blocks.  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide and maintain winching or hoisting device.                              | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner - fail to provide at least one 2.27 kg fire extinguisher.                                | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to provide at least two safety chains.  | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to provide booster cables.  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide broom.   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide device for securing the steering wheel.                                | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide dual rear-wheel truck.   | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to provide first aid kit.   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to provide flares and reflector kits.   | 293                   | 8  | 5                       | 9                                  | 9                      | 9  | 3                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck owner - fail to provide intermittent amber warning light.         | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide pry bar.                                  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide reflective safety vest for driver.        | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide rope.                                     | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide shovel.                                   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide towing lights.                            | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to provide wheel wrenches.                           | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to take due care of all vehicles and property towed. | 281                   | 8  | 5                       | 3                                  | 9                      | 5  | 9                         |
|       |       |                      | Tow truck owner - Interfere with contract hiring.                           | 291                   | 8  | 3                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner - operate a tow truck without a licence.                    | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - operate an unsafe or defective tow truck.                 | 291                   | 8  | 3                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner charge rate other than in schedule of rates.                | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner demand or request fee other than in scheduled of rates.     | 305                   | 8  | 5                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner demand, request, or receive a drop fee.                     | 305                   | 8  | 5                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner induce person by making false representations.              | 291                   | 8  | 3                       | 3                                  | 9                      | 9  | 9                         |
|       |       |                      | Tow truck owner make charge for incompetency / inefficiency.                | 303                   | 8  | 3                       | 5                                  | 9                      | 9  | 9                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck owner operate a tow truck unless it is clean and free from mechanical defects.                                    | 279                   | 8  | 3                       | 5                                  | 9                      | 5  | 9                         |
|       |       |                      | Tow truck owner operate tow truck unless equipped with a tow truck owner plate.   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner operate tow truck unless such tow truck is licensed.  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner permit a person to be a passenger in a tow truck.   | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner permit owner's plate to be affixed to tow truck, other than the tow truck for which the licence was issued. | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner permit to be operated an unsafe or defective tow truck.   | 281                   | 8  | 5                       | 3                                  | 9                      | 5  | 9                         |
|       |       |                      | Tow truck owner permit to be operated tow truck unless equipped with a tow truck owner plate.                               | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner permit to be operated tow truck unless such tow truck is licensed.  | 297                   | 8  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner permit to be operated, a tow truck unless equipped with an owner's plate.                                   | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       |       |                      | Tow truck owner permit to be operated, a tow truck unless it is clean and free from mechanical defects.                     | 281                   | 8  | 5                       | 3                                  | 9                      | 5  | 9                         |
|       |       |                      | Tow truck owner permit unlicensed driver to operate a tow truck.  | 317                   | 8  | 5                       | 5                                  | 9                      | 9  | 9                         |



| PHASE | GROUP                                 | BYLAW<br>TITLE/GROUP    | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|---------------------------------------|-------------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                                       |                         | Tow truck owner suggest to customer particular salvage yard, body shop, storage yard or any other public garage, building or place. | 285                   | 8  | 5                       | 5                                  | 9                      | 9  | 5                         |
|       | BUSINESS<br>LICENSING -<br>STATIONARY | STATIONARY<br>LICENSING | Adult Entertainment Parlour Attendant-fail to obtain license  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Adult Entertainment Parlour Operator (Goods)-fail to obtain a license   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Adult Entertainment Parlour Operator-fail to obtain license   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Adult Entertainment Parlour Owner (Goods)-fail to obtain license  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Auctioneer-fail to obtain a licence   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Barbershop/Hair Salon Owner-fail to obtain licence  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Billiards Hall Owner-fail to obtain license   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Body Rub Parlour Operator-fail to obtain a licence  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Body Rub Parlour Owner-fail to obtain a licence   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Bowling Alley Owner-fail to obtain license  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Charity Clothing Donation Bin Owner-fail to obtain a licence  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Driveway Paving Contractor-fail to obtain licence   | 324                   | 3  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |                                       |                         | Dy Cleaner Owner-fail to obtain a licence   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Eating Establishment-fail to obtain a licence   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                                       |                         | Fail to Post Licence  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |

| PHASE | GROUP    | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|----------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |          |                      | Fail to Produce Licence  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Golf Driving Range Owner-fail to obtain licence                      | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Horse Riding Establishment Owner-fail to obtain a<br>license         | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Obstruct/Hinder an Inspection  | 302                   | 9  | 5                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Operate a business selling fireworks without a<br>Licence            | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Place of Amusement Operator (Video Arcade)-fail<br>to obtain license | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Place of Amusement Operator-fail to obtain license                   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Place of Amusement Owner (Video Arcade)-fail to<br>obtain license    | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Place of Amusement Owner-fail to obtain license                      | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Public Garage Owner-fail to obtain a licence                         | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Public Hall Owner-fail to obtain a licence                           | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Salvage Yard Owner-fail to obtain a license                          | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Second Hand Vendor-fail to obtain a licence                          | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Sign Installer-fail to obtain a licence                              | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Special Sales Event-fail to obtain a licence                         | 324                   | 3  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |          |                      | Temporary Vendor-fail to obtain a licence                            | 324                   | 3  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |          |                      | Tobacco Shop Owner-fail to obtain licence                            | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | CANNABIS | CANNABIS             | Hinder or obstruct or attempt to hinder or obstruct<br>an Officer    | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Smoke, hold or use lighted Cannabis in any Public<br>Place           | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |          |                      | Vaporize Cannabis in any Public Place                                | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |

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|-------|--------------------------|--------------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       | CONSTRUCTI<br>ON IN-FILL | CONSTRUCTI<br>ON IN-FILL | Alter, obstruct or damage any highway without a road occupancy permit   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Alter/obstruct/damage highway by depositing material  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Cause or permit condition on property that creates or might create a health, fire or accident hazard  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Cause or permit excessive accumulation of waste materials on a Construction Site  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Cause or permit nuisance by dust  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Emit or permit the emission of noise from equipment connected to construction during prohibited times   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Emit or permit the emission of noise from loading/unloading, delivering, packing/unpacking, or otherwise holding containers, products or refuse   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Excavate/ damage part of highway, including sod, boulevard trees, light poles, street signs or other objects on highway without a road occupancy permit   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Fail to comply with a work order  | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Fail to erect or maintain a construction information sign   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                          |                          | Park equipment, motorized equipment other than those authorized and licensed under the MTO, containers, trailers, or any landscape/construction material on a highway without a road occupancy permit | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |

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|-------|-------|---|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |   | Permit the alteration, obstruction or damage to any highway without a road occupancy permit                                 | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |   | Remove tree protection identified by the City in a tree protection plan or other related document or direction              | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |   | Stacking or piling any materials or equipment, or any structures within 1.2 m, in any direction of a fire hydrant           | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | FIRE  | PRESCRIBE<br>TIMES FOR<br>SETTING FIRES | Set a fire or allow fire to burn without obtaining a permit from the Chief Fire Official                                    | 366                   | 9  | 9                       | 9                                  | 7                      | 9  | 9                         |
|       |       |   | Set or maintain a fire a at a distance of less than 15m from any property line  | 294                   | 9  | 9                       | 9                                  | 9                      | 3  | 3                         |
|       |       |   | Set or maintain a fire at any outdoor fireplace or any other burning appliance unless approved by the Chief Fire Official   | 294                   | 9  | 9                       | 9                                  | 9                      | 3  | 3                         |
|       |       |   | Set or maintain a fire in the front or side yard of any commercial or industrial development zoned property within the City | 294                   | 9  | 9                       | 9                                  | 9                      | 3  | 3                         |
|       |       | RAPID ENTRY<br>KEY BOX                  | Fail to comply with any provision of the By-law   | 378                   | 9  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |       |   | Fail to have every Rapid Entry Key Box contain sufficient keys to unlock all the door within the secured area               | 378                   | 9  | 9                       | 9                                  | 9                      | 9  | 9                         |

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|-------|-----------------------|---|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                       |   | Fail to provide a Rapid Entry Key box where the alarm system or automatic sprinkler control valve is secured behind locked doors | 378                   | 9  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |                       | FIREWORKS                                     | Fail to Post Licence   | 324                   | 3  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |                       |   | Obstruct/Hinder an Inspection  | 378                   | 9  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       |                       |   | Operate a business selling fireworks without a Licence   | 378                   | 9  | 9                       | 9                                  | 9                      | 9  | 9                         |
|       | NUISANCE              | PUBLIC<br>NUISANCES                           | Fail to comply with an Order or work Order   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                       |   | Hinder or obstruct or attempt to hinder or obstruct an Officer   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | PARKS                 | PARKS   | Park any vehicle in a park between 12:00a.m. (midnight) and 6:00a.m.   | 321                   | 8  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | PROPERTY<br>STANDARDS | KEEP<br>MARKHAM<br>BEAUTIFUL<br>(MAINTENANCE) | Fail to comply with a work order   | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                       |   | Fail to maintain abutting boulevard in accordance with Bylaw   | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Fail to maintain hedges, bushes, and shrubs from becoming overgrown  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                       |   | Fail to maintain property clear of waste material  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |

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|-------|-------------------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                   |                      | Fail to remove ice & snow from exterior walkways, steps, landings, and ramps                        | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Fail to remove ice & snow from the roofs of the buildings   | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Permit ground cover on abutting boulevard to exceed height greater than 15cm or 6 inches            | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Permit ground cover to exceed height greater than 15cm or 6 inches                                  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       | ROAD<br>OCCUPANCY | ROAD<br>OCCUPANCY    | Construct a driveway apron across the boulevard greater than the curb without a permit              | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Construct, install or place any fence on a boulevard  | 306                   | 9  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |                   |                      | Construct, install or place any rock(s) on a boulevard  | 306                   | 9  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |                   |                      | Construct, install, or place any (light) post on a boulevard  | 306                   | 9  | 9                       | 9                                  | 9                      | 5  | 3                         |
|       |                   |                      | Create vehicle or trailer access to property across the boulevard without a permit                  | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       | SIGNS             | SIGNS -<br>GENERAL   | Attach a sign on a trailer that is parked or located for the primary purpose of displaying the sign | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Attach a sign on a vehicle that is parked or located for the primary purpose of displaying the sign | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Display a sign on a trailer that is parked for the primary purpose of displaying the sign           | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |

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|-------|-------|--|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |  | Display a sign on a vehicle that is parked or located for primary purpose of displaying the sign     | 297                   | 8  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Permit the alteration of a sign without a permit   | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |  | Permit the display of a sign without a permit  | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |  | Permit the erection of a sign without a permit   | 282                   | 9  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |  | Sign-painted on the exterior wall of a building  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Sign-which includes landscaping or floral display  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       | SIGNS-<br>PORTABLE,<br>BANNER,<br>MOBILE | Banner sign-at a prohibited location   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |  | Display a banner on public property  | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |  | Erect a real estate sign within 300 meters of any other real estate development sign on the property | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Erect a subdivision development sign prior to subdivision being advertised has been draft approved   | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Erect banner sign in special sign district   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |  | Erect billboard sign in special sign district  | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |  | Erect internally illuminated sign in special sign district   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |  | Erect mobile sign in special sign district   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |

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|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Erect readograph sign in special sign district  | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Fail to place subdivision development sign in the location within the subdivision it advertises           | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Fail to remove subdivision development sign when all units have been sold                                 | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Ground sign-fail to display the municipal address number in numerals that are a minimum height of 150mm   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Ground sign-located within 3m of a driveway entrance  | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Ground sign-located within 3m of an exit at the street line   | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Ground sign-located within 45m of another ground sign on the same lot                                     | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Lawn Signs-erect election sign more than one sign on a residential lot                                    | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Locate a subdivision development sign within three hundred meters of another subdivision development sign | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect an election sign wider than 1.22m  | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Mobile sign at prohibited location  | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Mobile sign in prohibited colours   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Mobile sign-fail to affix name and telephone number of the sign company in a visible location             | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |       |                      | Mural-painted on the exterior wall of a building  | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |



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|-------|----------------------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                      |                      | Portable sign-leave outside at close of business   | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                      |                      | Portable sign-located within 10 meters lateral distance from any other portable or mobile sign on the same lot or premises | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Portable sign-no City of Markham sticker affixed   | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                      |                      | Portable sign-not completely on private property   | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Poster-fail to indicate the name of the person or business responsible for placing the poster                              | 276                   | 3  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       |                      |                      | Real Estate sign-not in compliance with sign restrictions  | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Subdivision development sign-exceed maximum area as permitted  | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Wall sign-extends beyond the extremity of the wall façade on which it is mounted   | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Wall sign-not parallel to the wall to which it is attached   | 306                   | 9  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                      |                      | Wall sign-projects more than 0.5metres from the wall to which it is attached   | 278                   | 9  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       | TREE<br>PRESERVATION | TREE<br>PRESERVATION | Obstruct an officer in exercise of his or her duty   | 338                   | 9  | 5                       | 9                                  | 7                      | 9  | 9                         |
|       | WATER<br>METERS      | WATER<br>METERS      | Fail to comply with an Order to schedule and replace the water meter with the City or authorized third party               | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |

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|------------------|--------------------------|---|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
| NO<br>AMPS       |                          |   | Operate or take Water from any city hydrant without a hydrant permit issued by the City      | 330                   | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|                  | ANIMAL<br>CONTROL        | ANIMAL<br>CONTROL                       | Fail to keep animals under sanitary conditions   | 114                   | 3  | 3                       | 3                                  | 1                      | 3  | 3                         |
|                  | FIRE                     | PRESCRIBE<br>TIMES FOR<br>SETTING FIRES | Set or maintain a fire on any public road, park or other public property                     | 114                   | 3  | 3                       | 3                                  | 1                      | 3  | 3                         |
|                  | TREE<br>PRESERVATI<br>ON | TREE<br>PRESERVATIO<br>N                | Fail to comply with a condition of a permit  | 132                   | 5  | 3                       | 3                                  | 1                      | 3  | 3                         |
| PHASE 2:<br>2023 | ANIMAL<br>CONTROL        | ANIMAL<br>CONTROL                       | Fail to comply with Muzzle Order; fail to microchip dog within 14 days of Order              | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to comply with Muzzle Order; fail to muzzle and leash dog when off the owner's property | 248                   | 3  | 5                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to comply with Muzzle Order; fail to tether or confine dog on owner's property          | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to control dog in off-leash park  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to have a dog tag affixed to dog  | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to keep dog under control and on a leash  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to licence cat  | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to licence dog  | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to stoop and scoop  | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|                  |                          |   | Fail to have cat tag affixed to cat  | 234                   | 3  | 3                       | 9                                  | 9                      | 9  | 3                         |
|                  |                          |   | Have a dog within 5m of designated park area   | 248                   | 3  | 5                       | 9                                  | 9                      | 9  | 3                         |

| PHASE | GROUP                             | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-----------------------------------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                                   |                      | Inappropriate tether   | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Keep animal that causes noise  | 264                   | 9  | 3                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Keep indigenous wildlife within the Town   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Permit cat running at large  | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Permit dog running at large  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Remove wildlife from public lands  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       | BUSINESS<br>LICENSING -<br>MOBLIE | DRIVING<br>SCHOOL    | Operator of Driving School – Fail to furnish rates and charges to student before instruction commences | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   | TAXI CAB<br>DRIVER   | Taxicab driver – fail to have a current tariff card available  | 261                   | 8  | 9                       | 3                                  | 9                      | 5  | 3                         |
|       |                                   |                      | Taxicab driver – fail to keep daily trip sheets  | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Taxicab driver – operate a taxicab which interior is not clean   | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Taxicab driver – operate a taxicab which interior is not in good repair                                | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   |                      | Taxicab driver – operate a taxicab with meter seal not properly affixed                                | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                                   |                      | Taxicab driver operate a taxicab which exterior is not free from exterior body damage                  | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                   | TAXI CAB<br>OWNER    | Taxicab owner/lessee fail to have current taxi tariff card in the taxicab                              | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                                   |                      | Taxicab owner/lessee permit taxicab to be operated without a sealed meter                              | 261                   | 8  | 9                       | 5                                  | 9                      | 3  | 3                         |
|       |                                   | TOW TRUCK<br>DRIVER  | Tow truck driver - fail to present itemized bill.  | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |

| PHASE | GROUP | BYLAW<br>TITLE/GROUP | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Tow truck driver demand or request fee other than in scheduled of rates.   | 257                   | 8  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |       | TOW TRUCK<br>OWNER   | Tow truck owner - fail to have name printed on both sides of tow truck.  | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to have number of owner's plate on both sides of tow truck.                                     | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to have sign of brokerage printed on both sides of tow truck.                                   | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner – fail to keep in the tow truck a copy of a schedule of rates.   | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to keep permanent daily record.   | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner - fail to present itemized bill.   | 273                   | 8  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Tow truck owner - fail to retain run sheets for (6) months.  | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner alter or amend schedule of rates without giving written notice.  | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner demand or request payment for services other than in accordance with schedule of rates.                | 257                   | 8  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |       |                      | Tow truck owner operate a tow truck which lacks any equipment required by Section 23 of this schedule, in good repair. | 243                   | 8  | 3                       | 3                                  | 9                      | 9  | 3                         |

| PHASE | GROUP               | BYLAW<br>TITLE/GROUP                              | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|---------------------|---|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       | DUMPING<br>OF WASTE | DUMPING OR<br>DISPOSING OF<br>GARBAGE OR<br>WASTE | (blank)   | #N/A                  | 9  | 9                       | 9                                  | 9                      | 9  | 3                         |
|       | FIRE                | PRESCRIBE<br>TIMES FOR<br>SETTING FIRES           | Maintain a fire when the wind is in such a direction or intensity to cause the possible spread of fire to neighbouring buildings or properties. | 204                   | 9  | 3                       | 9                                  | 1                      | 3  | 3                         |
|       |                     |   | Set or maintain a fire unless the equipment and resources designated on the permit are available at the fire site at all times during the fire  | 266                   | 9  | 5                       | 9                                  | 9                      | 3  | 3                         |
|       |                     |   | Set or maintain a fire where the consumption of material will exceed the limit of material set by the Chief Fire Official                       | 252                   | 9  | 3                       | 9                                  | 9                      | 3  | 3                         |
|       |                     |   | Set or maintain a fire at a distance of less than 15m any building, hedge, fence vehicular roadway of any kind or overhead wiring               | 240                   | 3  | 9                       | 9                                  | 9                      | 3  | 3                         |
|       |                     |   | Set or maintain a fire in contravention of the Fire Code  | 264                   | 9  | 3                       | 3                                  | 7                      | 5  | 9                         |
|       |                     |   | Set or maintain a fire unless there is a space clear and free from combustible material around the perimeter of such fire of at least 9m        | 266                   | 9  | 5                       | 9                                  | 9                      | 3  | 3                         |

| PHASE | GROUP                              | BYLAW<br>TITLE/GROUP  | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|------------------------------------|-----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       | GARBAGE<br>COLLECTION<br>/DISPOSAL | GARBAGE<br>COLLECTION | (blank)   | (blank)               |  |                         |                                    |                        |  |                           |
|       | NOISE                              | NOISE                 | Emit or cause to permit the emission of noise by shouting or amplified sound at prohibited times  | 266                   | 9  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from a combustion engine which is not used for conveyance at any time   | 243                   | 8  | 3                       | 3                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from loading, unloading, or handling refuse unless for residential purposes at prohibited times   | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from snow making equipment at prohibited times  | 266                   | 9  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from the amplification of sound at prohibited times   | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from the operation of a commercial car wash at prohibited times (Please note this is for all other types of car washes other than touchless as per item 4.) | 266                   | 9  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                                    |                       | Emit or cause to permit the emission of noise from the operation of a commercial car wash at prohibited times (Please note this is for touchless car washes)  | 266                   | 9  | 5                       | 3                                  | 9                      | 9  | 3                         |

| PHASE | GROUP           | BYLAW<br>TITLE/GROUP        | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-----------------|-----------------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                 |                             | Emit or cause to permit the emission of noise from the operation of any tool for domestic purposes at prohibited times                       | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                 |                             | Emit or cause to permit the emission of noise from the operation of construction equipment at prohibited times                               | 269                   | 8  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                 |                             | Emit or cause to permit the emission of noise from the operation of solid waste bulk lift or refuse compacting equipment at prohibited times | 255                   | 8  | 3                       | 5                                  | 9                      | 9  | 3                         |
|       |                 |                             | Emit or cause to permit the emission of noise from the persistent barking by any domestic pet at any time                                    | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                 |                             | Emit or cause to permit the emission of noise from the use of wind chimes at prohibited times  | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                 |                             | Emit or cause to permit the emission of noise from yelling, shouting, hooting at prohibited times  | 198                   | 3  | 3                       | 3                                  | 9                      | 9  | 3                         |
|       | <b>NUISANCE</b> | <b>PUBLIC<br/>NUISANCES</b> | Allow sponsor, cause or permit a Public Nuisance   | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                 |                             | Fail to leave the property after having been directed to leave the Property  | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                 |                             | Owner, allow, cause or permit a Public Nuisance  | 266                   | 9  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       | <b>PARKS</b>    | <b>PARKS</b>                | Be found in a park between 12:00a.m. (midnight and 6:00a.m.  | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |
|       |                 |                             | Enter a park between 12:00a.m. (midnight) and 6:00a.m.   | 212                   | 3  | 5                       | 3                                  | 9                      | 9  | 3                         |

| PHASE | GROUP                 | BYLAW<br>TITLE/GROUP                          | OFFENCE  | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|-----------------------|---|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                       |   | Use Park for wedding photography without a permit  | 240                   | 3  | 9                       | 3                                  | 9                      | 9  | 3                         |
|       | PROPERTY<br>STANDARDS | KEEP<br>MARKHAM<br>BEAUTIFUL<br>(MAINTENANCE) | Dump, place or permit to be dumped placed or deposited household waste or waste on any highway         | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Dump, place or permit to be placed or deposited household waste or waste on any grounds or vacant lots | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       | ROAD<br>OCCUPANCY     | ROAD<br>OCCUPANCY                             | Alter, obstruct or damage any highway without a permit   | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Alter/obstruct/damage highway by depositing material   | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Alter/obstruct/damage highway by depositing snow/ice   | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Attempt to hinder or obstruct any person who is exercising their power under the Road Occupancy By-Law | 224                   | 3  | 5                       | 9                                  | 9                      | 5  | 3                         |
|       |                       |   | Contractor, fail to repair or clean up all contraventions identified on the Notice of Obstruction      | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                       |   | Fail to comply with a condition of a permit issued pursuant to the Road Occupancy By-law               | 224                   | 3  | 5                       | 9                                  | 9                      | 5  | 3                         |
|       |                       |   | Fail to comply with any provision of the Road Occupancy By-law   | 252                   | 3  | 9                       | 9                                  | 9                      | 5  | 3                         |



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|-------|-------------------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                   |                      | Hinder or obstruct any person who is exercising their power under the Road Occupancy By-Law          | 224                   | 3  | 5                       | 9                                  | 9                      | 5  | 3                         |
|       |                   |                      | Owner, fail to repair or clean up all contraventions identified on the Notice of Obstruction         | 254                   | 9  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Permit an animal to injure a boulevard tree  | 188                   | 3  | 5                       | 3                                  | 9                      | 5  | 3                         |
|       |                   |                      | Permit Holder, fail to repair or clean up all contraventions identified on the Notice of Obstruction | 218                   | 5  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Permit the alteration, obstruction or damage to any highway without a permit                         | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Remove or injure a boulevard tree  | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Undertake construction on land abutting a highway without a permit                                   | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       | SHOPPING<br>CARTS | SHOPPING<br>CARTS    | (blank)  | (blank)               |  |                         |                                    |                        |  |                           |
|       | SIGNS             | SIGNS -<br>GENERAL   | Abandoned sign   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Alter a sign without a permit  | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Animated sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Billboard sign   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Display a sign without a permit  | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Erect a sign without a permit  | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |                   |                      | Flashing sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Inflatable sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Obsolete sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Roof sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                   |                      | Sign-capable of being confused with a traffic sign   | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |

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|-------|-------|----------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Sign-capable of being confused with a traffic signal                | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-capable of being confused with and official sign               | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-horizontally marked on pavement                                | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Sign-horizontally painted on pavement                               | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Sign-interfere with the view of a traffic signal                    | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-interfere with the view of an authorized traffic sign          | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-interfere with the view of an official sign                    | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-located in a required parking space                            | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Sign-located on public property                                     | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-located on public right of way                                 | 228                   | 3  | 9                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-obstruct the view of a traffic signal                          | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-obstruct the view of an authorized traffic sign                | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-obstruct the view of an official sign                          | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-obstruct view of motorist so as to cause an unsafe condition   | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Sign-obstruct view of pedestrian so as to cause an unsafe condition | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Signs-Obstruct a required parking space                             | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Sign-within a daylight triangle                                     | 200                   | 3  | 5                       | 5                                  | 9                      | 5  | 3                         |
|       |       |                      | Video display sign  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |

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|-------|-------|--|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       | SIGNS-<br>PORTABLE,<br>BANNER,<br>MOBILE | Affix more than one poster to a poster sleeve  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Banner sign-exceed maximum height  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Erect an election sign on public property more than 28 days before the election              | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Fail to affix poster in designated poster sleeve   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Fail to place poster in designated poster sleeve   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Fail to remove an election sign within 72 hours of election                                  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Ground sign-located within 15.0m of a traffic light  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Install an election sign on public property more than 28 days before election                | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Lawn Signs-erect election sign higher than 2.0m above the ground                             | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Lawn Signs-erect election sign larger than .75m2   | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Lawn Signs-erect election sign less than 0.6m from the edge of the sidewalk                  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Lawn Signs-erect election sign less than 1.8m from the curb or travelled portion of the road | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |  | Lawn Signs-erect election sign without consent of the owner of private property              | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |

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|-------|-------|----------------------|--|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |       |                      | Major Road Signs-erect an election sign greater than 1.42m2  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect an election sign higher than 1.22m  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect an election sign higher than 2m above the ground  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect an election sign less than 1.0m2  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect election sign 1m of sidewalk  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect election sign greater than 50m from a corner  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect election sign in rural residential area other than on residential portion of the property | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect election sign in Special Sign District  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-erect more than one sign at the corner of an intersection                                       | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Major Road Signs-locate election sign within 3m of curb, edge, or shoulder of the highway                        | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Mobile sign-exceed maximum area  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Mobile sign-exceed maximum height  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Permit the erection of an election sign on public property more than 28 days before election                     | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |       |                      | Permit the installation of an election sign on public property more than 28 days before election                 | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |

| PHASE | GROUP                              | BYLAW<br>TITLE/GROUP               | OFFENCE   | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|------------------------------------|------------------------------------|---|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                                    |                                    | Permit the use of an election sign on public property more than 28 days before election                     | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Place more than one poster on a poster sleeve   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Portable sign- contains more than two sign faces  | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Portable sign-contain at least one sign face that exceeds the maximum size permitted                        | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Portable sign-exceeds maximum height  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Portable sign-exceeds maximum width   | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Portable sign-located within 3 meters lateral distance from closest edge of sidewalk driveway, or road curb | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Poster-exceed size requirements of 22cm, by 28cm  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Poster-fail to be properly attached to the poster sleeve  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Poster-fail to conform to the shape of the poster sleeve  | 224                   | 3  | 5                       | 5                                  | 9                      | 9  | 3                         |
|       |                                    |                                    | Use an election sign on public property more than 28 days before election                                   | 252                   | 3  | 9                       | 5                                  | 9                      | 9  | 3                         |
|       | SMOKE<br>ALARM<br>INSTALLATI<br>ON | SMOKE<br>ALARM<br>INSTALLATIO<br>N | (blank)   | (blank)               |  |                         |                                    |                        |  |                           |
|       | SWIMMING<br>POOL                   | SWIMMING<br>POOL                   | (blank)   | (blank)               |  |                         |                                    |                        |  |                           |
|       | TREE<br>PRESERVATI<br>ON           | TREE<br>PRESERVATIO<br>N           | Destroy a tree without a permit   | 168                   | 9  | 3                       | 3                                  | 1                      | 3  | 3                         |

| PHASE | GROUP                  | BYLAW<br>TITLE/GROUP | OFFENCE                        | Calculated<br>Ranking | Recipient of<br>notice and<br>ability to<br>charge | Complexity of<br>charge | Deterrence<br>Compliance<br>Effect | Current<br>Enforcement | Publicity/<br>Political/<br>Health &<br>Safety | Departmental<br>Readiness |
|-------|------------------------|----------------------|--------------------------------|-----------------------|--|-------------------------|------------------------------------|------------------------|--|---------------------------|
|       |                        |                      | Fail to comply with an order   | 168                   | 9  | 3                       | 3                                  | 1                      | 3  | 3                         |
|       |                        |                      | Injure a tree without a permit | 168                   | 9  | 3                       | 3                                  | 1                      | 3  | 3                         |
|       | HOME<br>OCCUPATIO<br>N | HOME<br>OCCUPATION   | (blank)                        | (blank)               |  |                         |                                    |                        |  |                           |

## APPENDIX B: BENCHMARKING SURVEY RESULTS

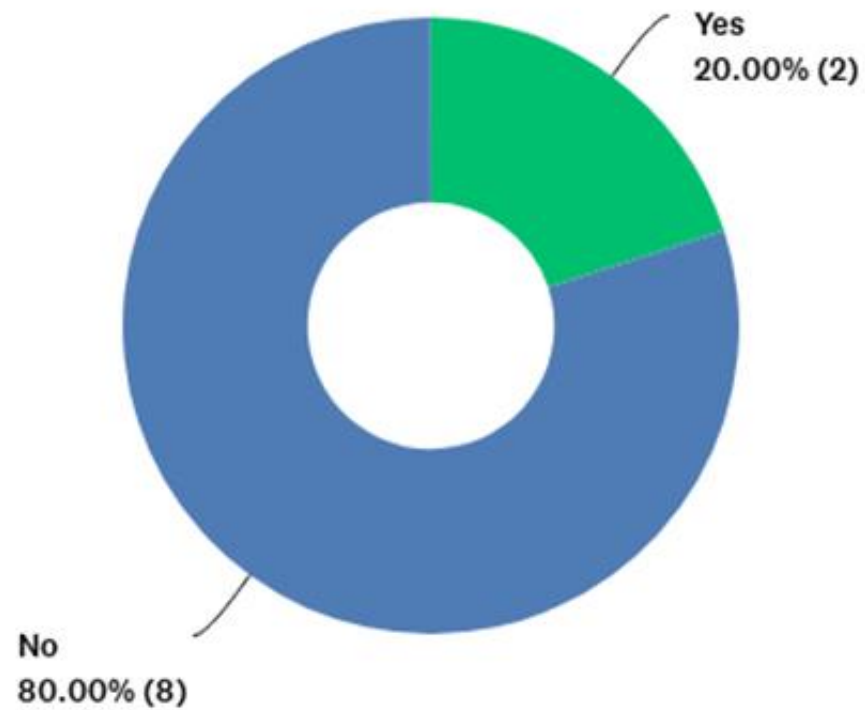
# BENCHMARKING SURVEY EXPANSION OF ADMINISTRATIVE MONETARY PENALTIES (AMPS)

Wednesday, October 13, 2021

Powered by  SurveyMonkey

## Q2: Is each department in your municipality responsible for enforcement of their own municipal by-law violations?

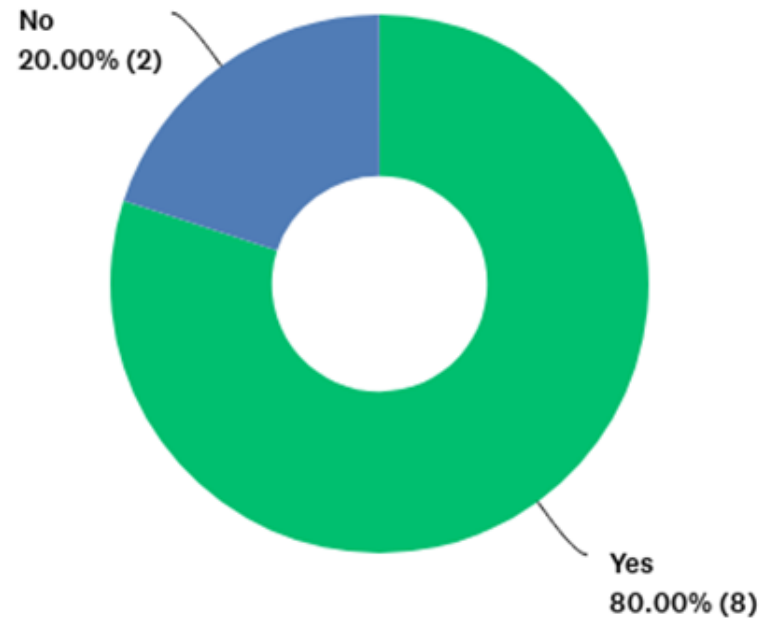
Answered: 10 Skipped: 0





**Q3: If you answered NO to #Question 2, does your municipality have a separate Unit/Department that handles the enforcement of most municipal by-law infractions?**

Answered: 10 Skipped: 0



## Staffing and Hours

| Name of Municipality:                    | Markham  | Burlington  | Halton Hills   | Kingston                   | London              | Milton   | Oakville       | Oshawa    | Richmond Hill   | Vaughan             |
|--|--|-------------|--|----------------------------|---------------------|--|----------------|-----------|-----------------|---------------------|
| Population                               | 328,966  | 183,314     | 61,161   | 123,798                    | 383,822             | 110,128  | 193,832        | 159,458   | 195,022         | 306,233             |
| Hours of Operation                       | 8:00 - 5:00  | 8:30 - 4:30 | 8:30-4:30  | 8:00 - 8:00 pm             | 8:30 -4:30          | 8:30-4:30  | 24/7           | 8:30-4:30 | 8:30 -4:30      | 8:30-4:30           |
| # of Hours per week                      | 42.5   | 40          | 40   | 60                         | 40                  | 40   | 168            | 40        | 40              | 40                  |
| Total # of Employees                     | 57   | 9.5         | 11   | 16                         | 23                  | 14   | 44             | 31        | 28              | 86                  |
| Population/employee                      | 5,771  | 19,296      | 5,560  | 7,737                      | 16,688              | 7,866  | 4,405          | 5,144     | 6,965           | 3,561               |
| Total # of Frontline Officers            | 23   | 7.5         | 11   | 12                         | 23                  | 9  | 30             | 22        | 23              | 60                  |
| Frontline: Bylaw Enforcement             | 15   | 7.5         | 5  | 12                         | 23                  | 9  | 30             | 22        | 23              | 60                  |
| Frontline: Parking                       | 34   |             | 5  |                            |                     |  |                |           |                 |                     |
| Frontline: Animal                        |  |             | 1  |                            |                     |  |                |           |                 |                     |
| Notes                                    | 16 Fulltime Parking Officers; 18 Part-Time Parking Officers; 15 Fulltime By-law Officers |             | 5 by-law, 1 Canine, 5 parking officers (parking and canine are contract positions) |                            |                     | 2-4 Contractor Employees. We hired Garda and they supply the staff |                |           |                 |                     |
| Total # of Clerical/Administrative Staff | 4  | 0           | 1  | 1                          | 1                   | 3  | 5              | 2         | 3               | 13                  |
| Total # of Policy Staff                  | 0  | 0           | 0  | 0                          | 0                   |  | 2              | 3         | 1               | 3                   |
| Total # of Management                    | 3  | 2           | 1  | 2                          | 5                   | 1  | 5              | 4         | 3               | 10                  |
| Total # of Contractor Individuals        | 3  |             | 6  | 2                          | 15                  | 4  | 10             | 0         | 2               | 2                   |
| Type of Services Contracted              | Hearing Officers for AMPs<br>Hearings  |             |  | Afterhours, yards cleanups | Animal Care/Control | Overnight Parking  | Animal Control |           | Animal Services | Hearings under AMPs |

## AMPS Staffing

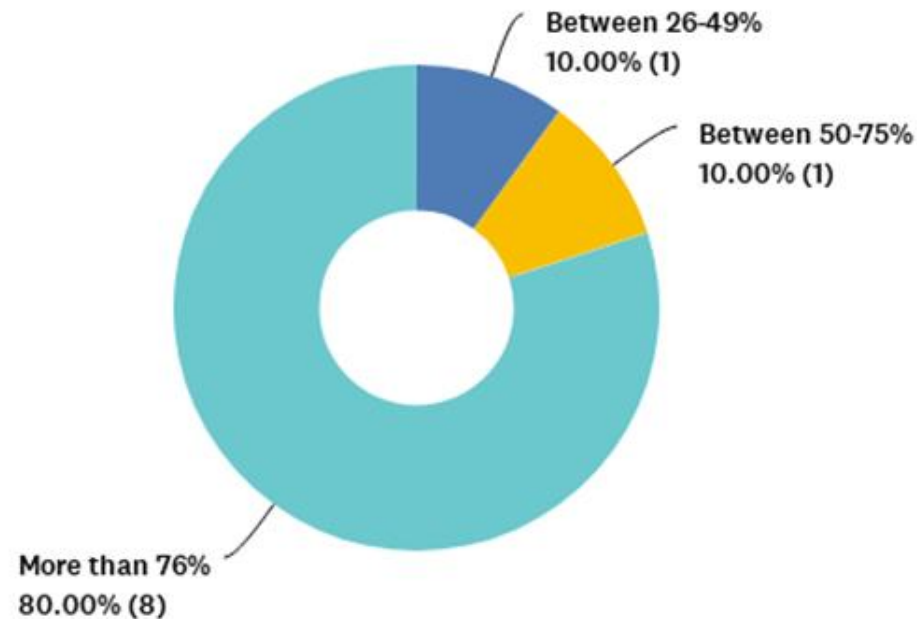
| Name of Municipality:               | Markham  | Burlington                                     | Halton Hills | Kingston | London   | Milton   | Oakville                                | Oshawa | Richmond Hill | Vaughan   |
|-------------------------------------|--|--|--------------|----------|--|--|---|--------|---------------|---|
| Clerical/Administrative             | 1 with 1 backup  | 1 FTE (rotated between 2 existing admin staff) |              | 1        | 2  | Using existing Clerk Staff to assist currently we have 3 FTE | 2                                       | 2      |               | 1 by-law clerk, but not dedicated - only clerks hearings) |
| Enforcement Personnel               | 16 FT and 18 PT Parking Officers (AMPs)                      |  |              | 12       | 23 plus all of Parking Service officers (8-12) | MLEO Generalist 6 FTE's 2 Animal Control Officers.           | 30                                      | 18     |               | 16 Officers deal almost exclusively with AMPs             |
| Hearings Officers (if applicable)   | We employ 3 Hearing Officers (Contract basis) -              | 1 FTE (3 Hearing Officers rotating)            |              |          | 3-5  | 1  |   | 0      |               | 1 (soon to be 2)  |
| Prosecutor                          | 1  |  |              | 1        | 3  |  | 1                                       |        |               | 1 (not dedicated)   |
| Screening Officer                   | 1 Part-Time  | 3 PT (1 FTE)                                   |              | 1        | 2  | 1  | 1                                       | 2      | 1             | 1   |
| Scheduling Officers (if applicable) | n/a - Officers typically don't attend Hearings or Screenings | 0  |              |          | 1  | Will be done through our online scheduler                    | scheduling done by administrative staff |        | 1             | 6 CSRs, but not dedicated                                 |
| Supervisory/Management              | 1  | (1 parking supervisor)                         |              | 2        | 1  | Not yet determined (L&E has 1 Manager and 1 Supervisor)      | 1                                       | 3      | 1             | 1 Client Services Supervisor, but not dedicated to AMPs   |

## Software

| Name of Municipality:         | Markham  | Burlington                     | Halton Hills                | Kingston  | London                | Milton           | Oakville                    | Oshawa                       | Richmond Hill           | Vaughan                              |
|-------------------------------|--|--------------------------------|-----------------------------|-----------|-----------------------|------------------|-----------------------------|------------------------------|-------------------------|--------------------------------------|
| Software - Tracking tool      | ARC and Amanda   | Amanda not connected with CRM' | Amanda                      | Cityview  | Amanda /CRM           | N/A              | Amanda/. Sales Force/. AIMS | City View                    | Energov                 | CTS/JD Edwards / migrating to Amanda |
| Software for License Issuance | Amanda   | GIS and AMANDA                 | Amanada                     | City View | Mobiforce for Amanada | Amanda Vtax MGIS | Amanda, Salesforce          | OLI phasing out for Cityview |                         | Amanda                               |
| Software for Ticket Issuance  | Parksmart phasing out for Gtechna, Portal for monthly parking pass | AIMS Parking Management        | Parkware Gtechna Paytickets |           |                       | Gtechna          | AIMS Parking Management     | Officer enforcement          | AIMS Parking Management | Gtechna and Ticket Tracer            |

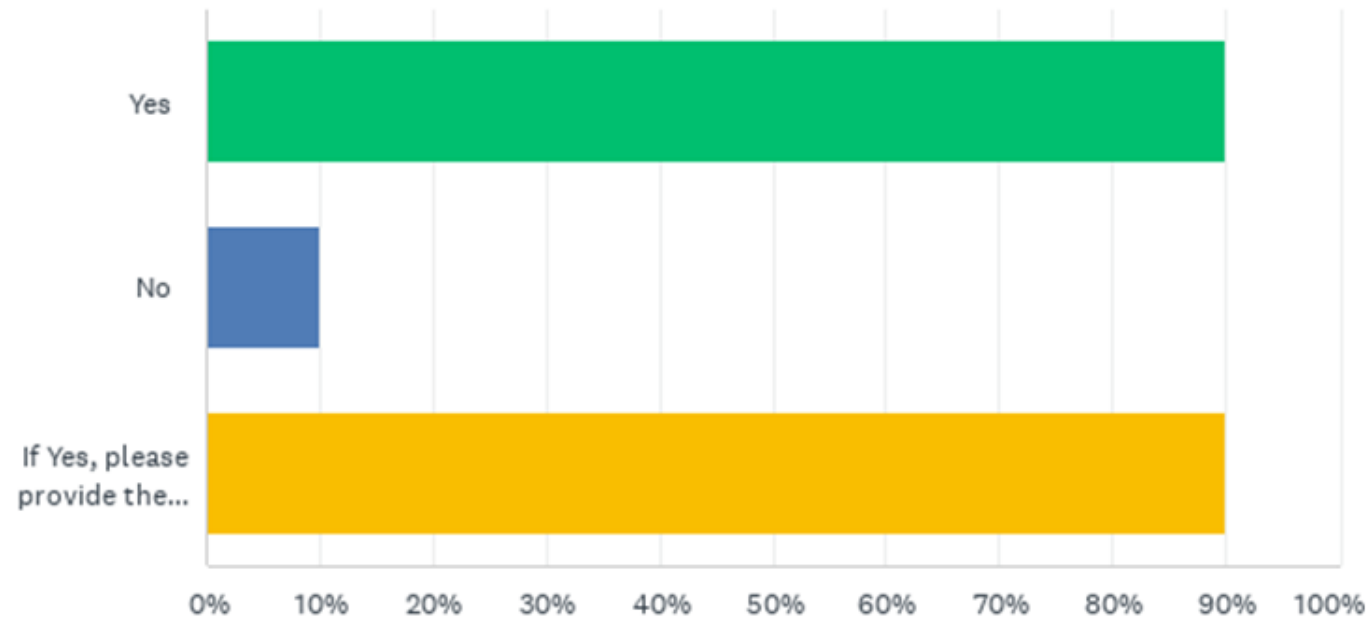
**Q9: Thinking about the municipal law enforcement unit what percentage of municipal by-laws are assigned to this unit for enforcement purposes? (Your answer can be an approximate %)**

Answered: 10 Skipped: 0



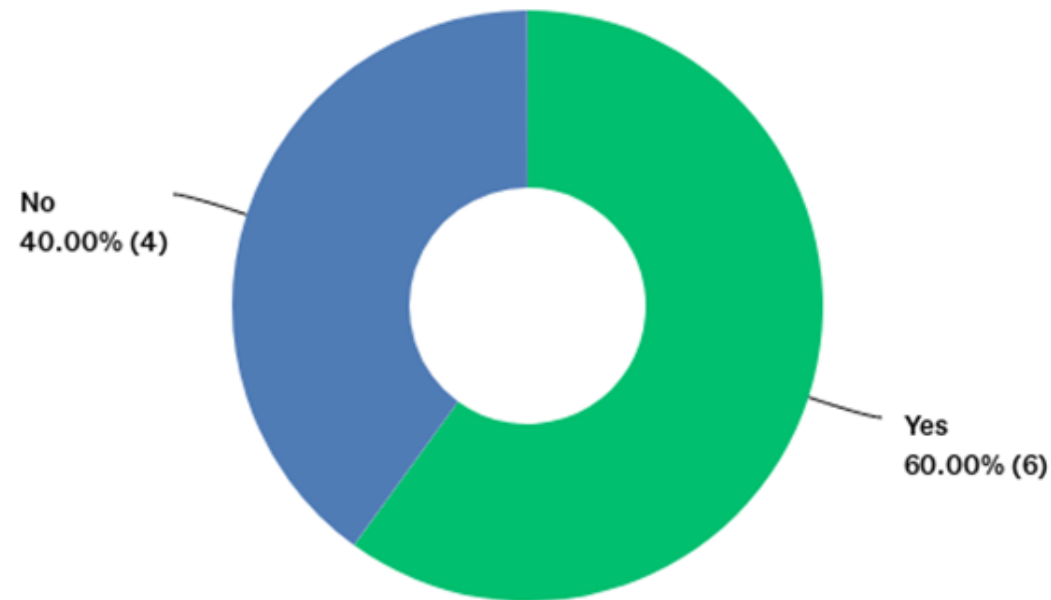
**Q14: Does your municipal by-law enforcement unit have a customer service/complaint tracking software tool for use in the delivery of their services?**

Answered: 10 Skipped: 0



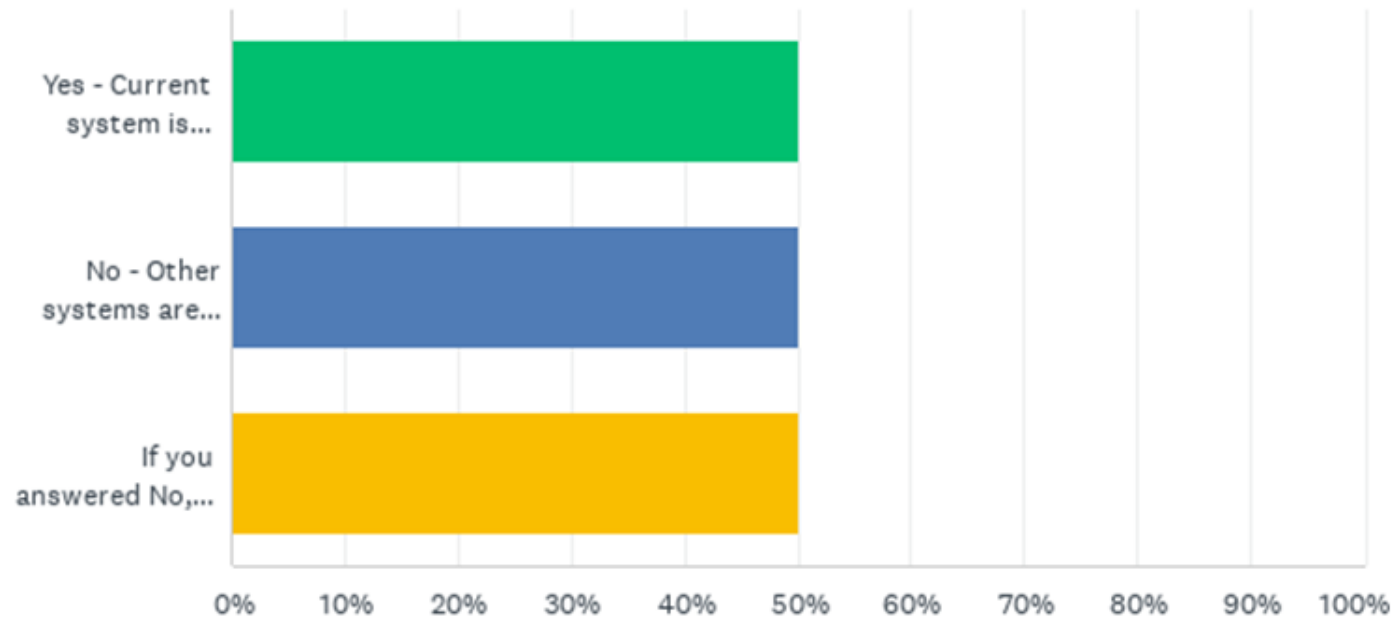
**Q17: Does the Bylaw Enforcement unit utilize any automated system for the issuance of any tickets or fines?**

Answered: 10 Skipped: 0



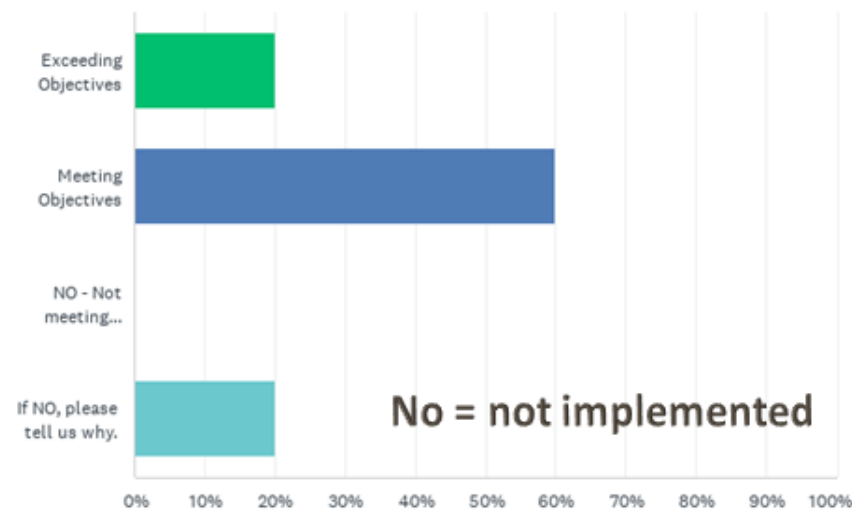
**Q19: Please advise if the current software is meeting your requirements or are you currently reviewing other options.**

Answered: 10 Skipped: 0



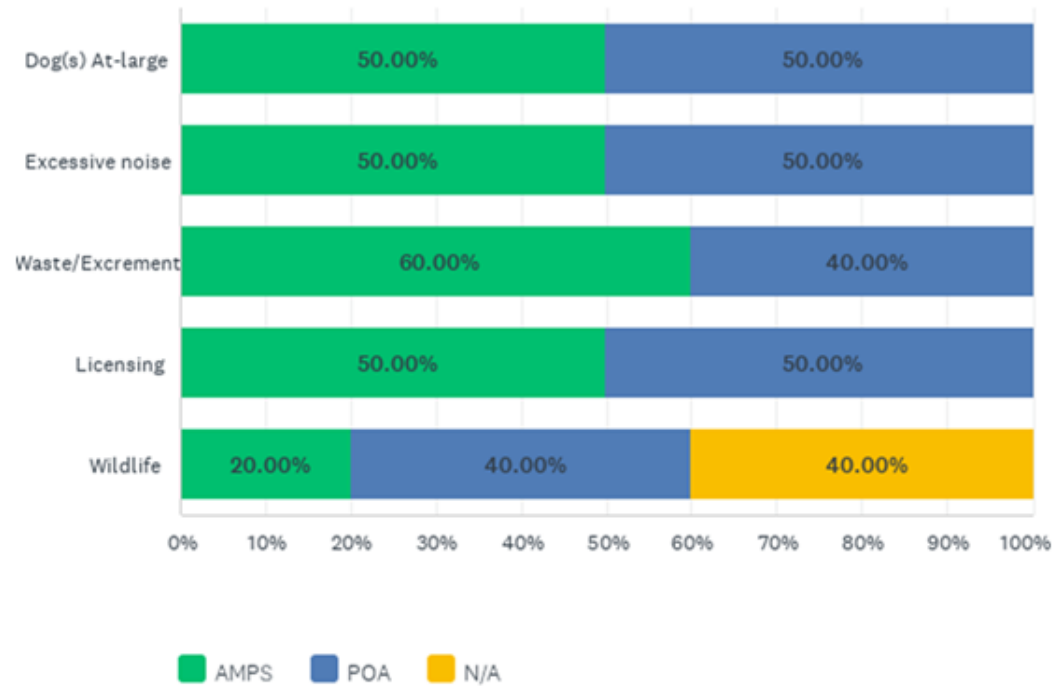


**Q20: Typically, most municipalities implemented “AMPS” for the purpose of achieving the following objectives; improving customer service, saving time and reducing costs in the recovery of infractions, increasing reliability in collection of revenues, enhancing overall municipal control and increasing POA court capacity. Considering these objectives, how would you rate the overall success of the Administrative Monetary Penalty System in your community?**



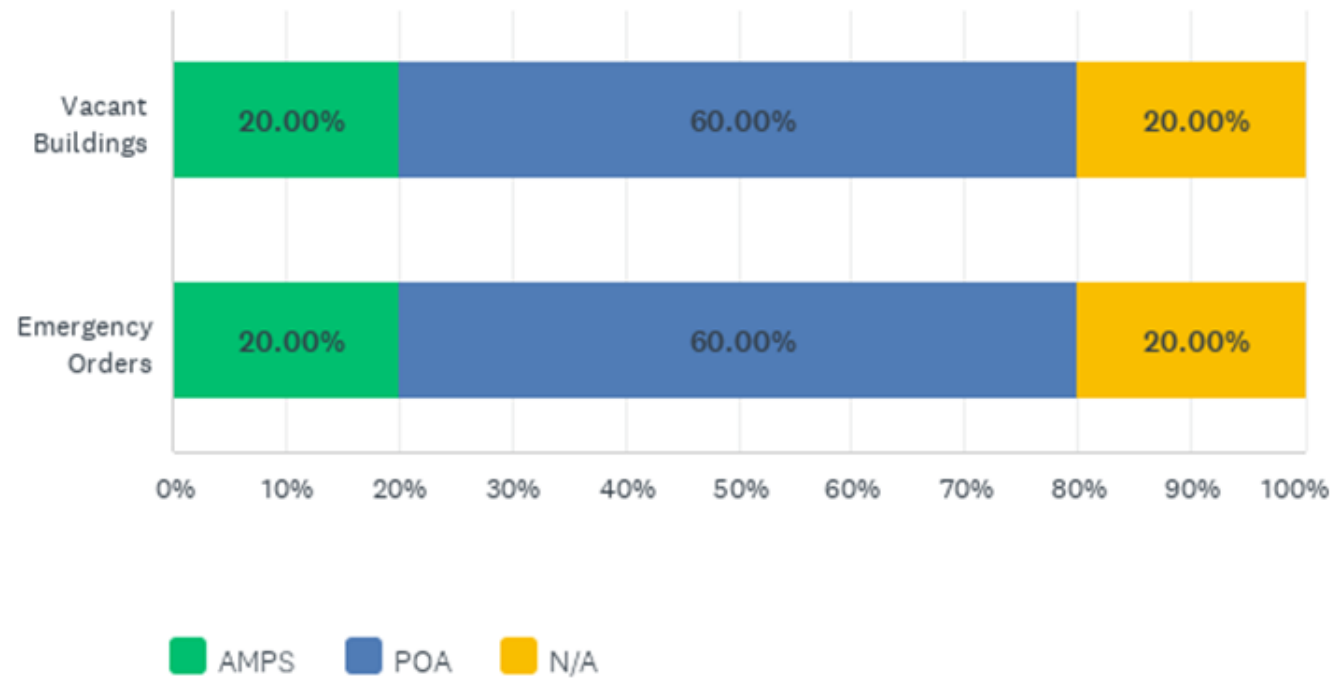
**Q21: Please identify the type of service delivery model used in your municipality for the following areas of municipal bylaw enforcement. ANIMAL CONTROL**

Answered: 10 Skipped: 0



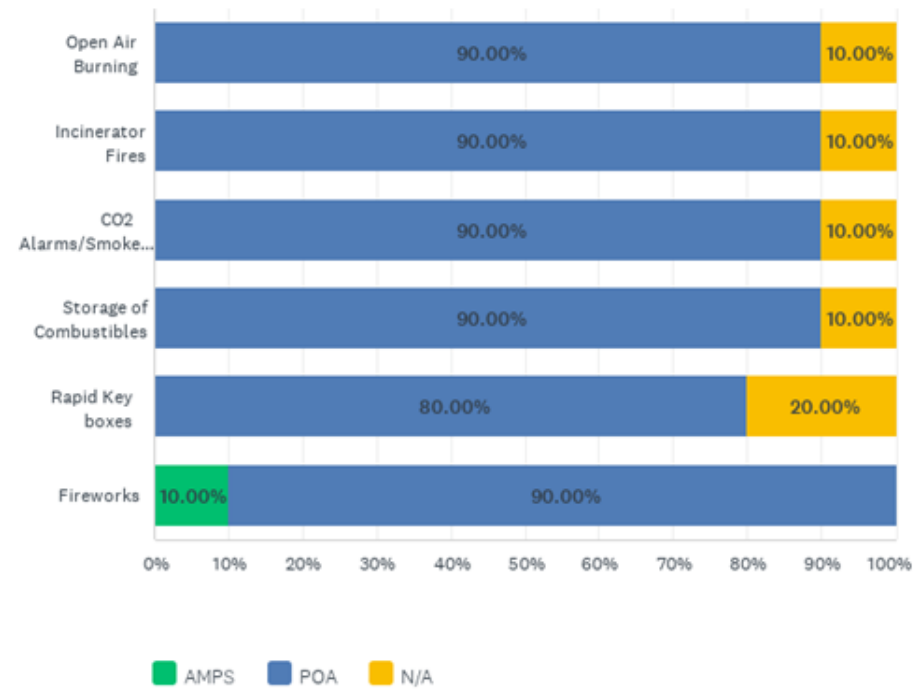
## Q22: BUILDING

Answered: 10 Skipped: 0

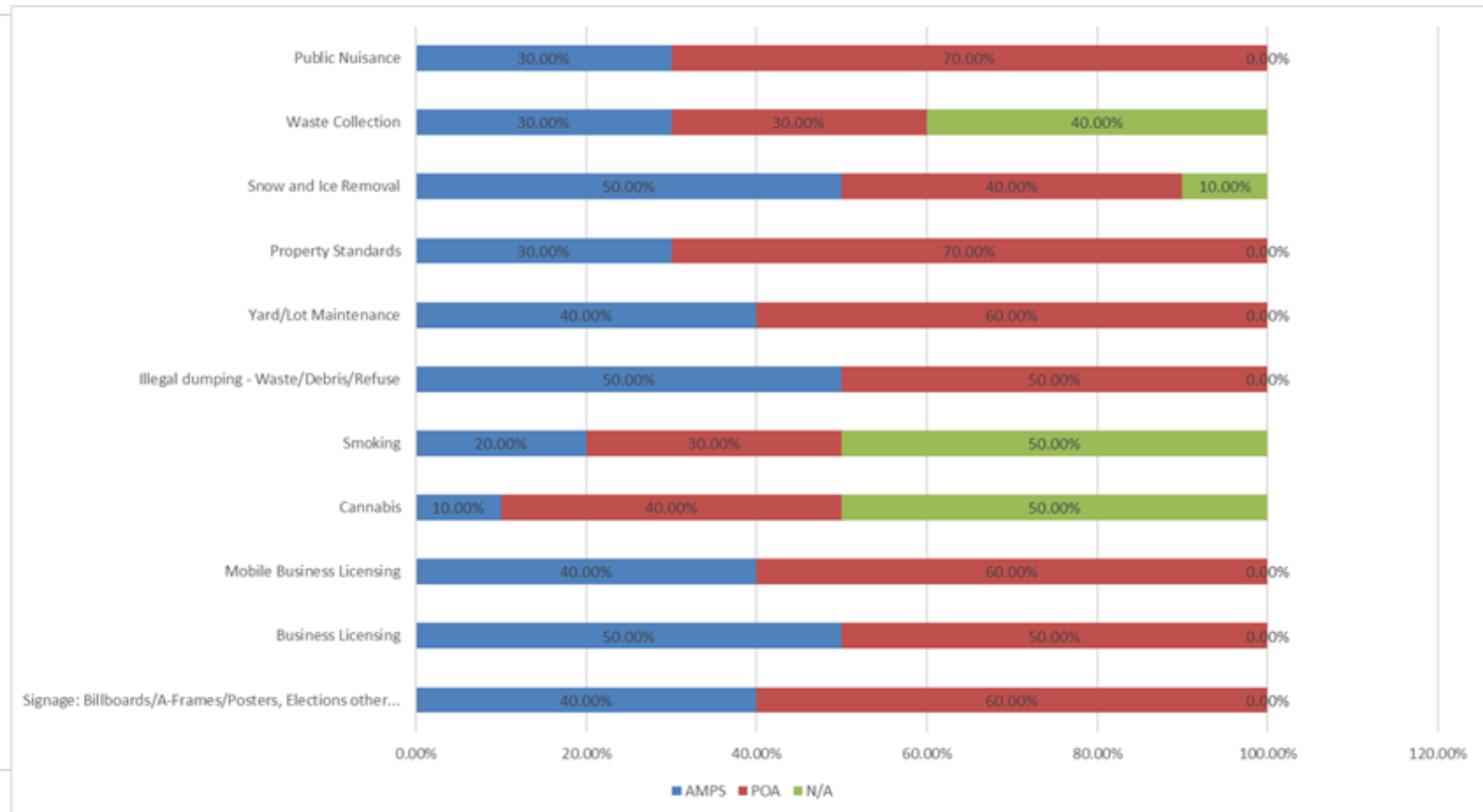


## Q23: FIRE

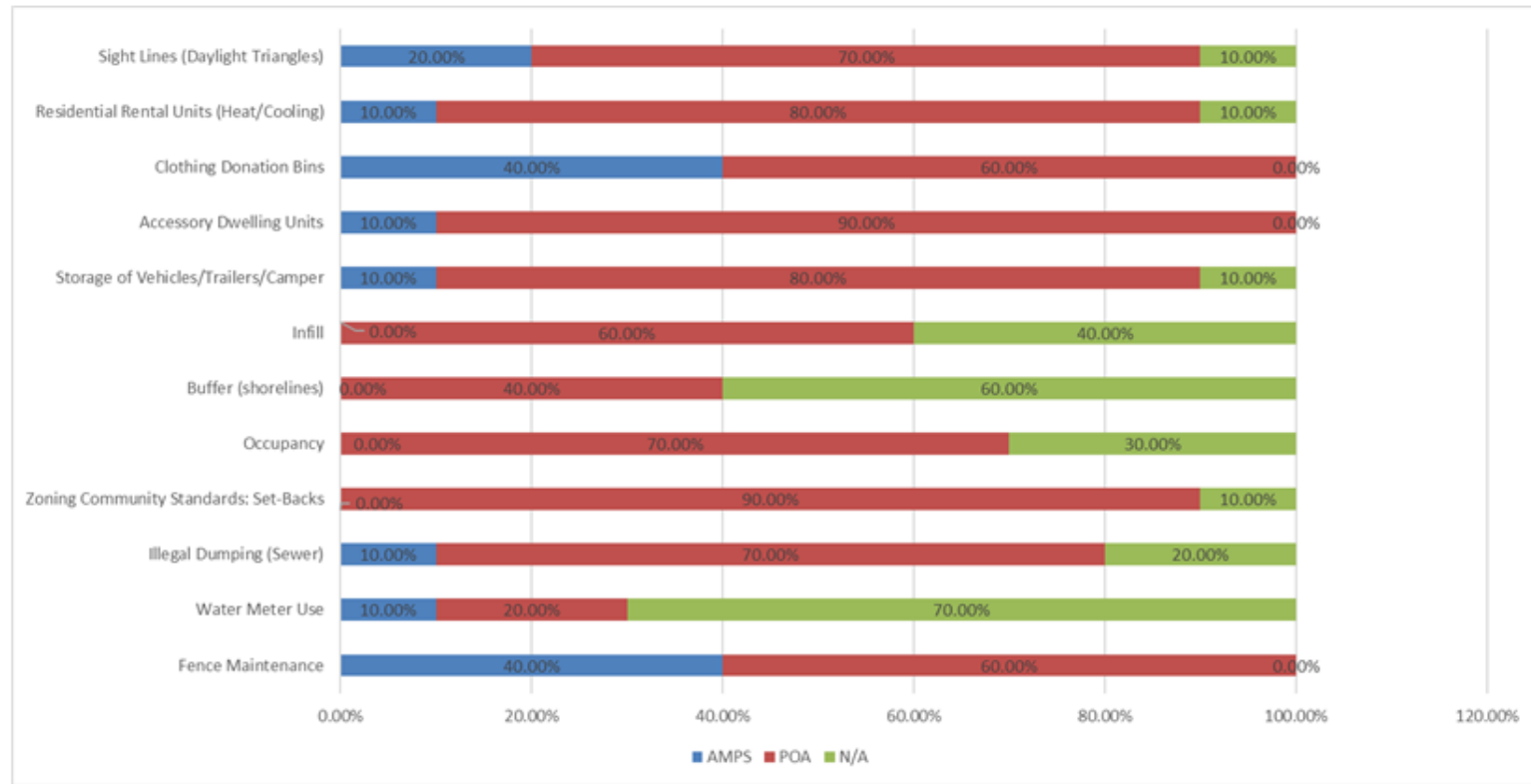
Answered: 10 Skipped: 0



## Q24: COMMUNITY STANDARDS



## Q24: COMMUNITY STANDARDS



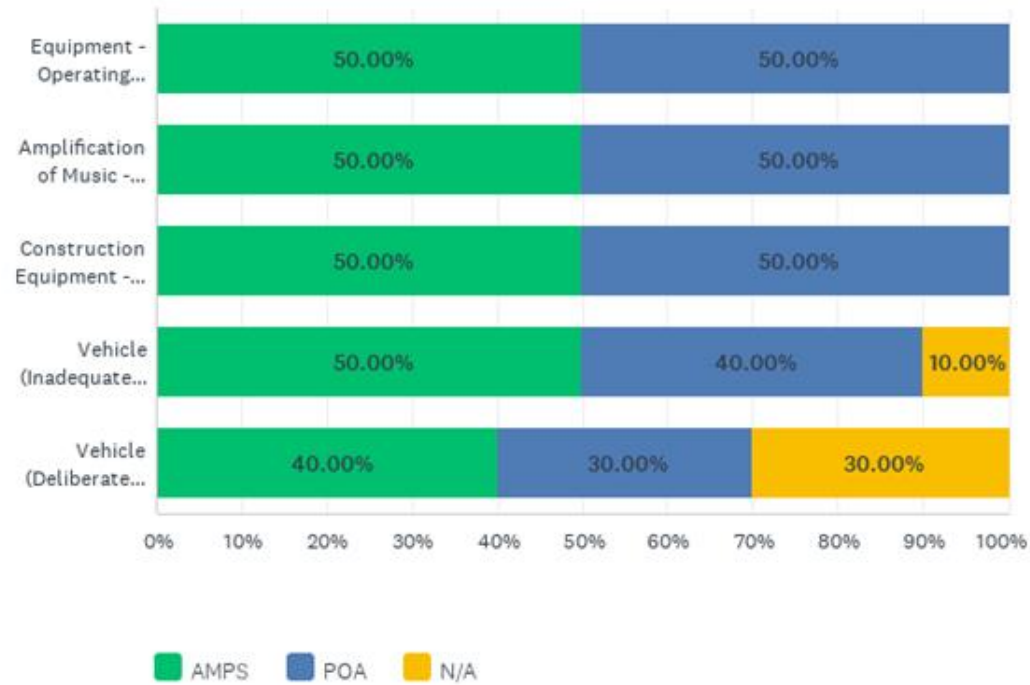
## Q25: VEHICLES

Answered: 10 Skipped: 0



## Q26: NOISE

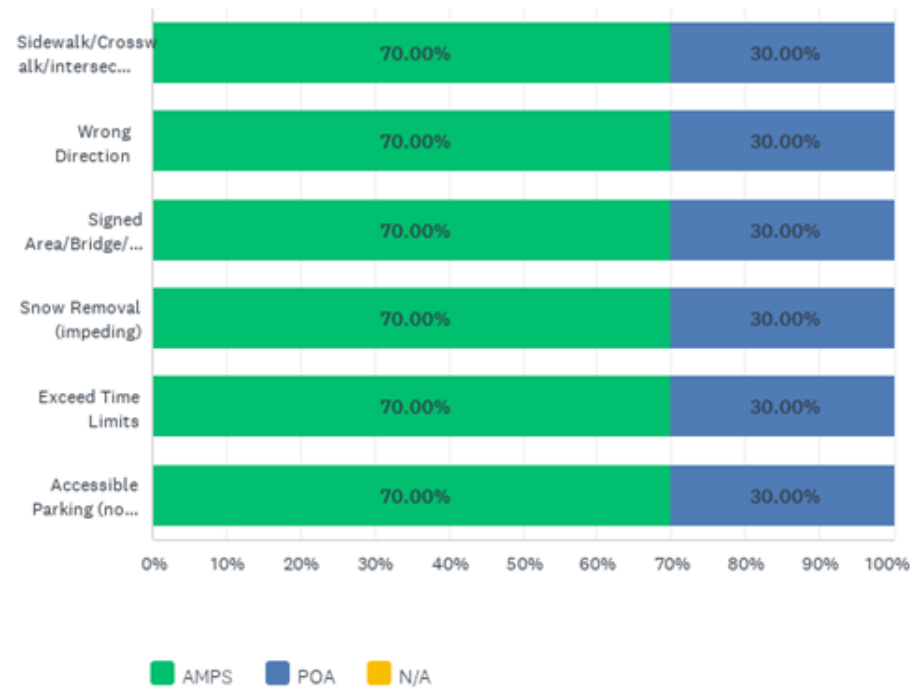
Answered: 10 Skipped: 0





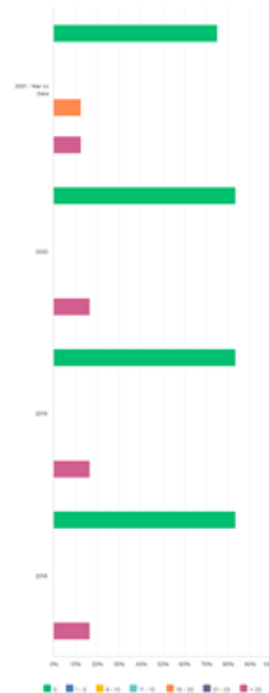
## Q27: PARKING

Answered: 10 Skipped: 0



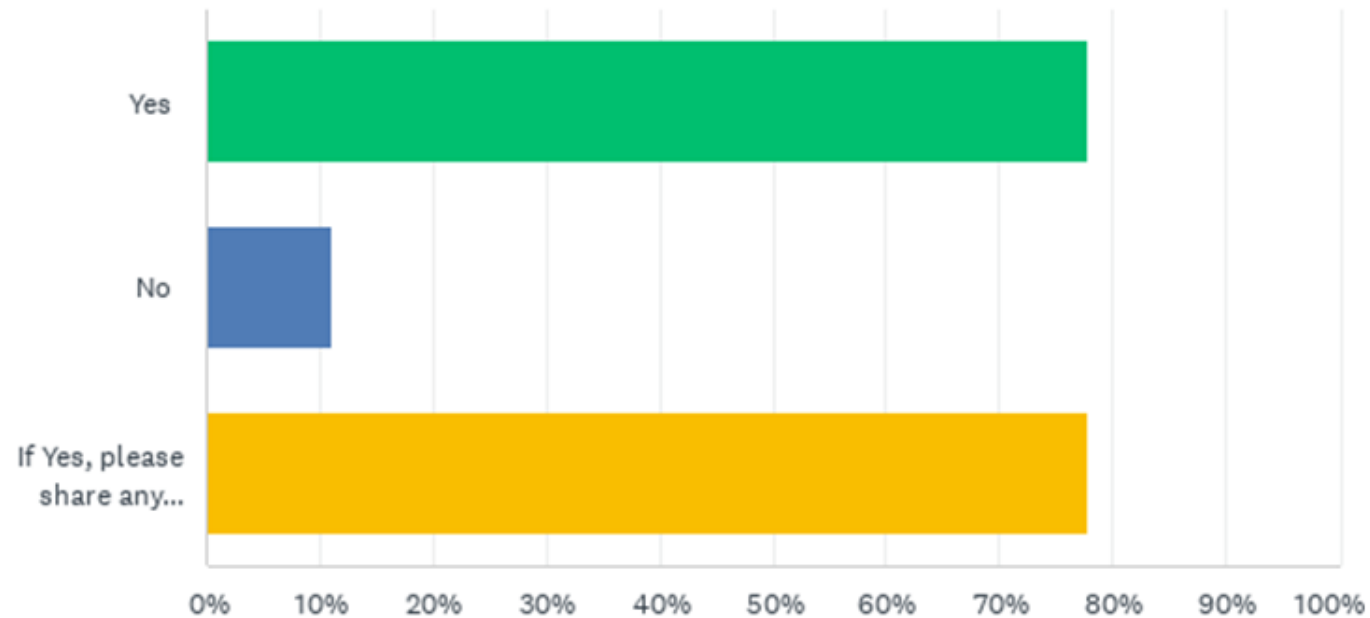
## Q29: On an annual basis, how many appeals of Hearing Officer decisions (to the Courts) have you had in the past 3 years?

Answered: 8 Skipped: 2



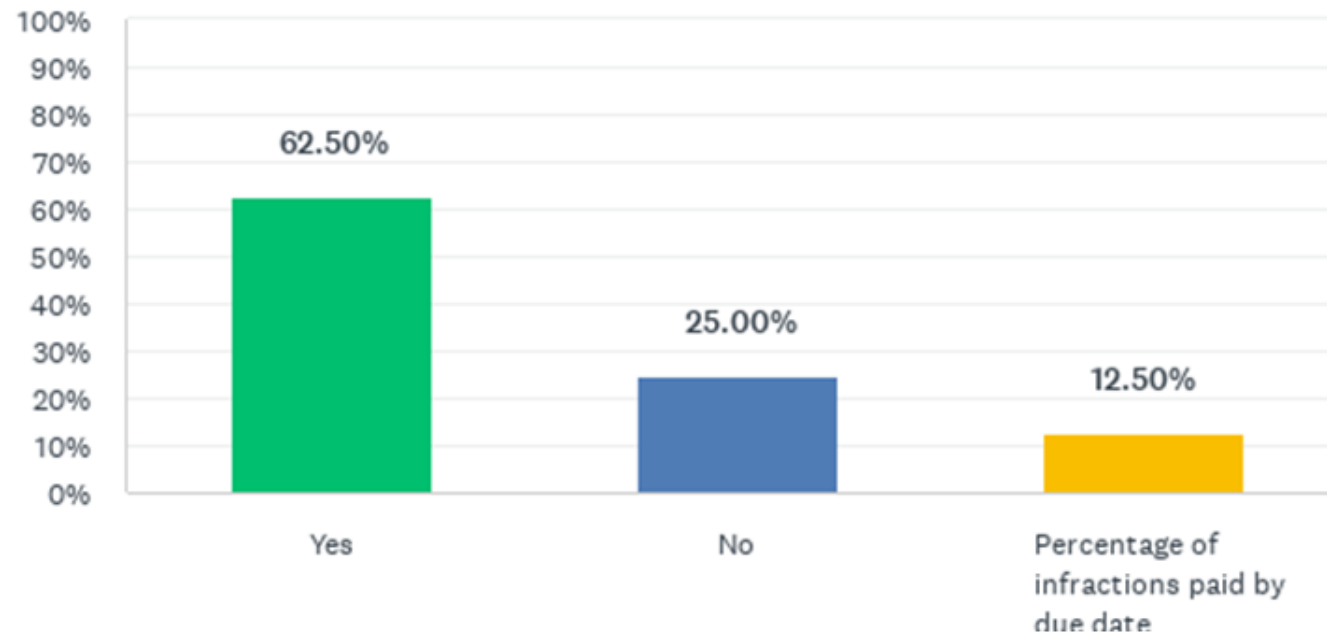
### Q30: When you expanded your AMPS program did you undertake any public education and or communications program?

Answered: 9 Skipped: 1



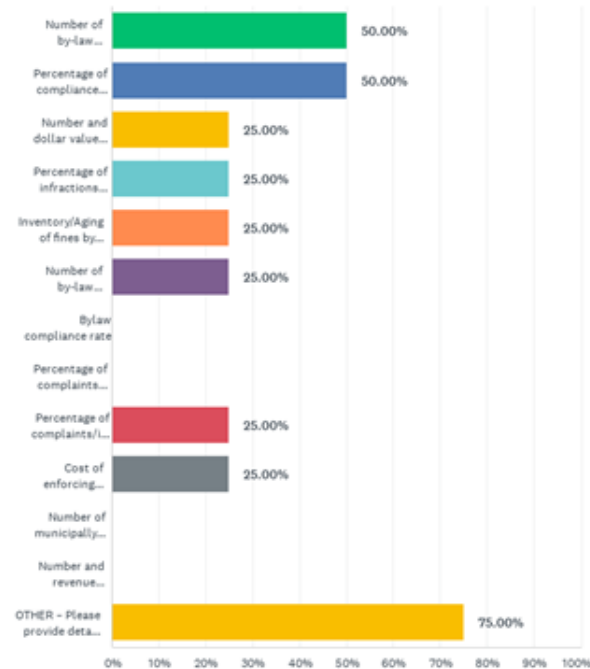
### Q31: Are you currently using any Key Performance Indicators (KPIs) to measure the overall effectiveness of the AMPS program?

Answered: 8 Skipped: 2

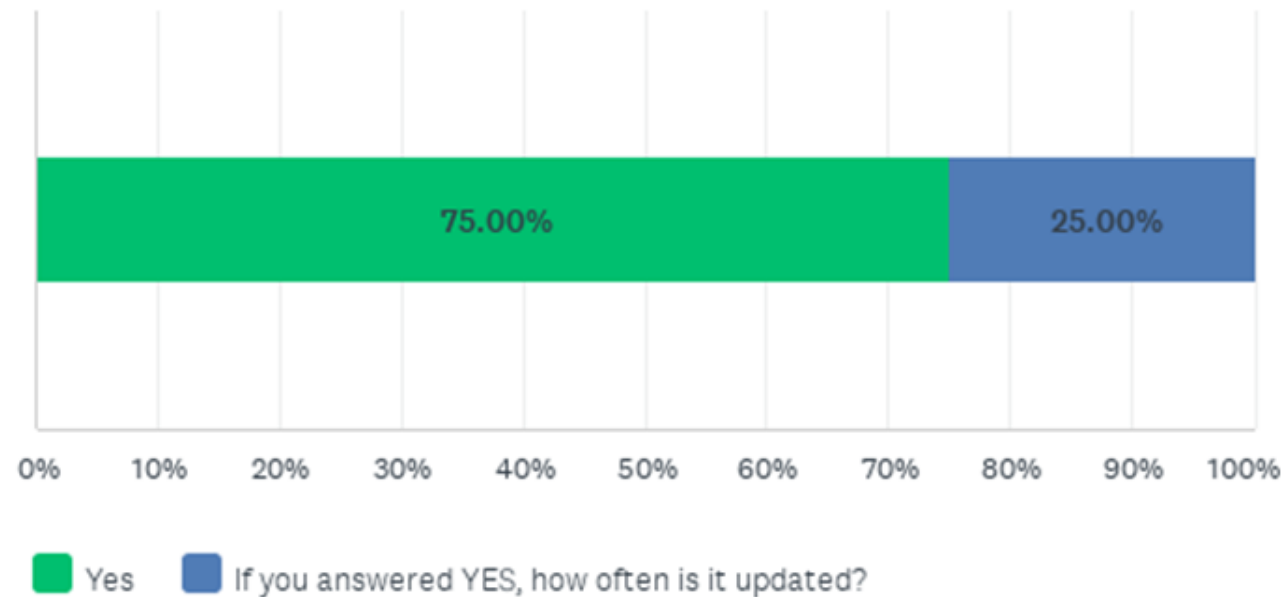


## Q32: If you answered yes to KPIs, which ones do you use to measure the overall effectiveness of the AMPS program? (Please check all that apply).

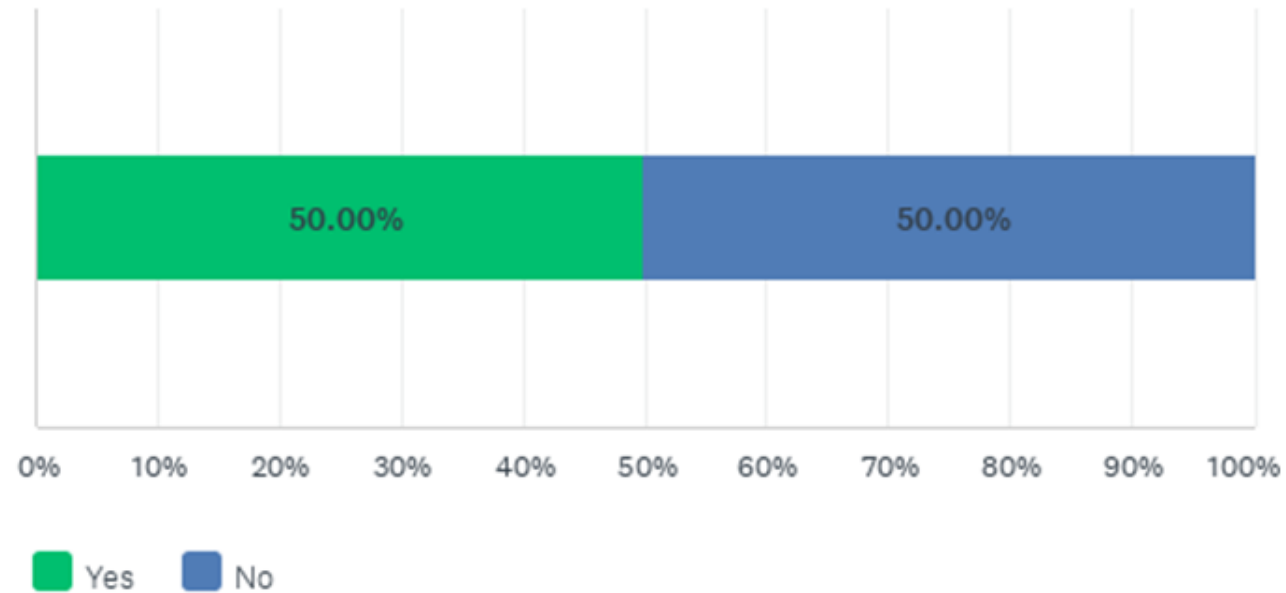
Answered: 4 Skipped: 6



**Q34: A bylaw enforcement policy provides a framework to: evaluate the enforcement process (ie: response times, prioritizing calls), is a useful training tool and can promote the efficient use of resources. Does your municipality have a bylaw enforcement policy in place?**

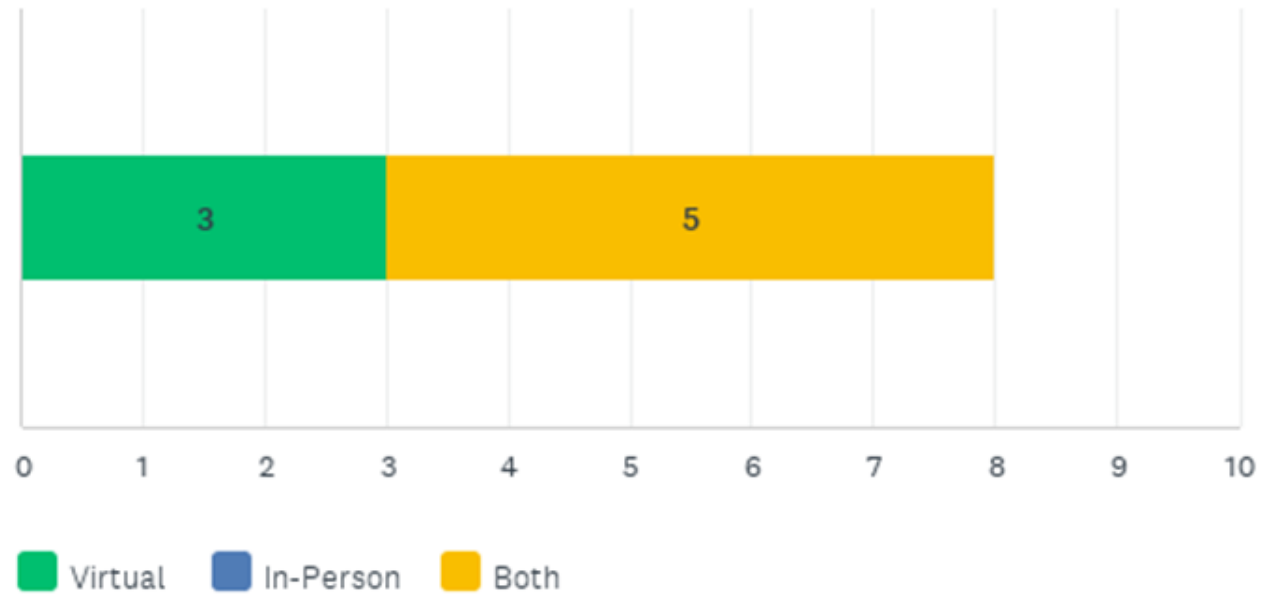


**Q35: Does your municipality undertake a risk assessment to determine higher priority bylaws based on the potential level of risk by category and severity of consequence to assist in proactive vs. reactive decision-making and enforcement?**



### Q36: How are your Hearings/Screenings held?

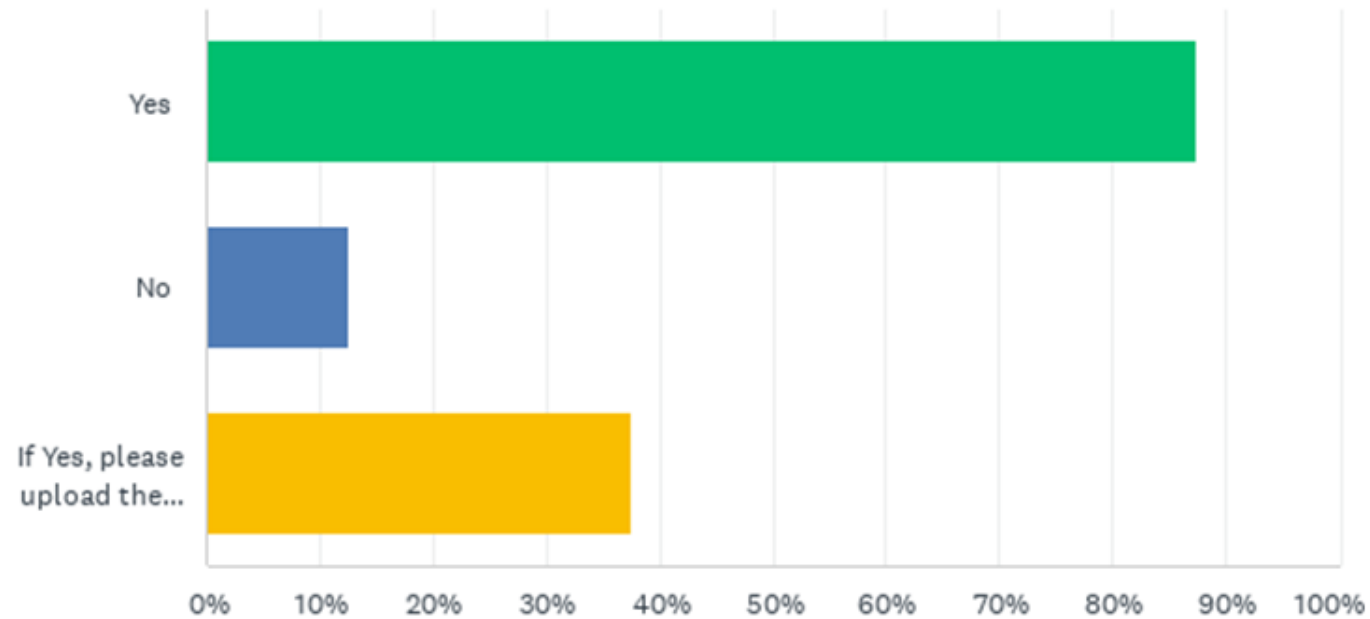
Answered: 8 Skipped: 2





### Q37: Are you willing to share your by-laws or procedures used in setting up the AMPS program in your municipality?

Answered: 8 Skipped: 2



## Share any insights (lessons learned) from the public education/communications process?

---

- ✓ Process was implemented several years ago and staff involved are no longer with the city. The current operation seems to be well received by the public with little confusion which indicates that the consultation and communication plans were successful.
  - ✓ Clearly explaining the reasons behind using amps. Less punitive in nature, more customer efficient and faster.
  - ✓ Public Participation meetings when reporting to Committee and prior to Council approval With shopping carts London delivered notices to all commercial locations providing carts to patrons before moving to AMPS for removals on C/P
  - ✓ Yes - but it was minimal - note on the website and an update to the information on the back of tickets. The general feeling was people who were new to receiving parking tickets would not really know the difference and so there was little value in engaging in a comprehensive public communications exercise.
  - ✓ We have not yet engaged the public, we plan to have a communication strategy within the coming months.
  - ✓ Plan for more communications than necessary. Expect the community to be reluctant - not believing the system is "official".
  - ✓ Flyers at community locations (libraries et.), Mayor article in local newspaper (The Liberal), and website notifications.
-

## Lessons learned – Implementation of AMPS

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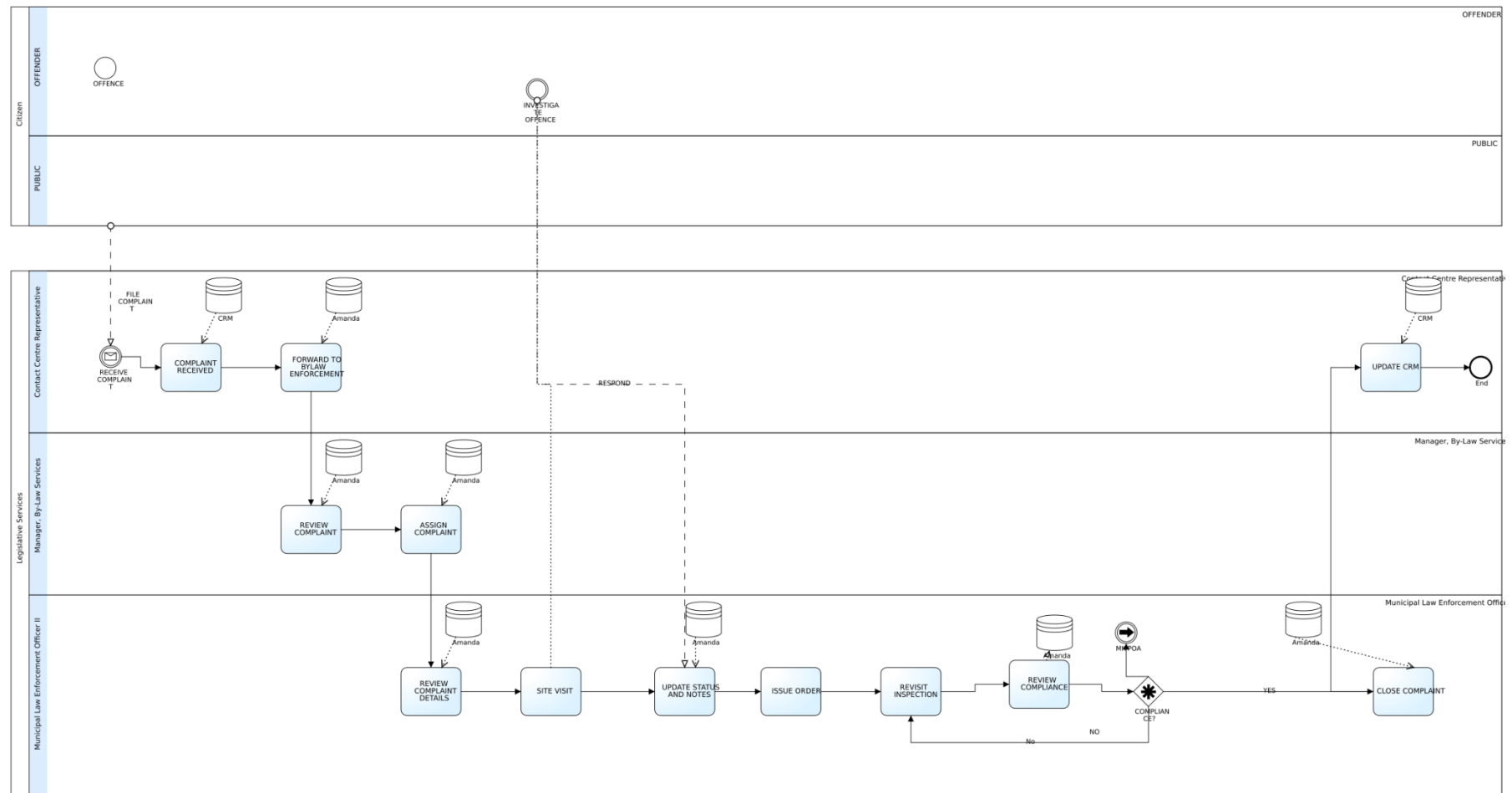
- ✓ Documentation is key. Having a policy on the prevention of political interference in the AMPS program is also essential as is providing Members of Council with an established message they can use in responding to their constituents (about why they can't intervene in AMPS) is also key!
  - ✓ Educating the residents that AMPS is really a municipal court system that must be run independently is very important too. Having a software tool that can easily generate various reports (without enlisting ITS help) is critical. Ensuring you have a reliable vendor for your parking/non-parking AMPS software system extremely important. You also must have sufficient staff to administer your program - some mistakenly believe AMPS automatically allows you to reduce staff levels - this has not been the case.
  - ✓ Have good policies in place to respond to Council and resident pressures
  - ✓ AMPS - ensure that the system is set up for electronic adjudication to improve efficiency. Bylaw - proper and adequate training for enforcement officers so they understand the difference between AMPS and POA.
  - ✓ Important that the process tightly reflect the requirements under the by-law (which in turn reflect the requirements in O. Reg. 333/07).
-

## APPENDIX C: PROCESS MAPS

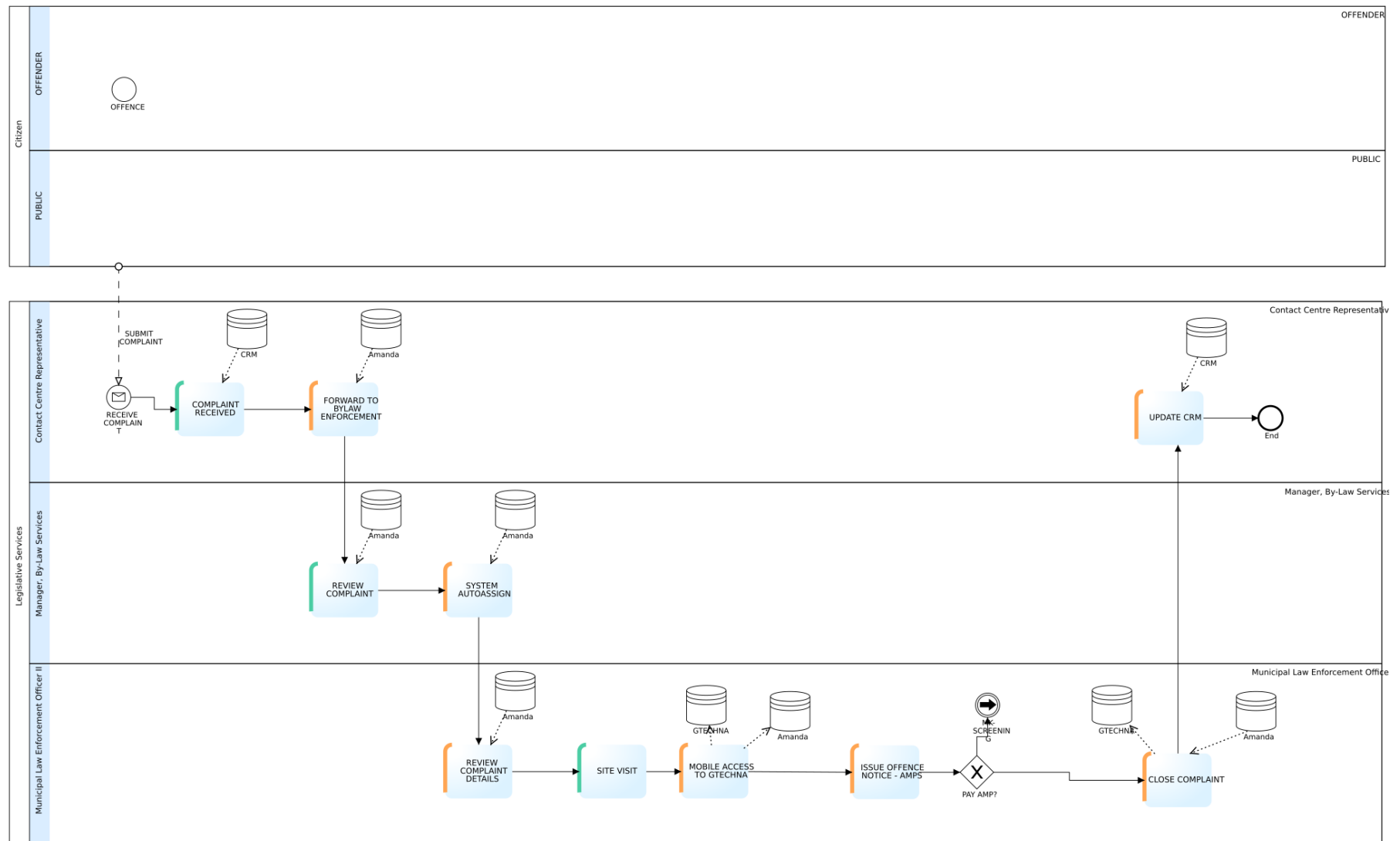
### CURRENT STATE – PROPERTY STANDARDS/YARD MAINTENANCE OFFENCE

MK-KEEP MARKHAM BEAUTIFUL INVESTIGATION \_(Version\_0-1)

Status: Mapping In Progress



## MK-KEEP MARKHAM BEAUTIFUL INVESTIGATION



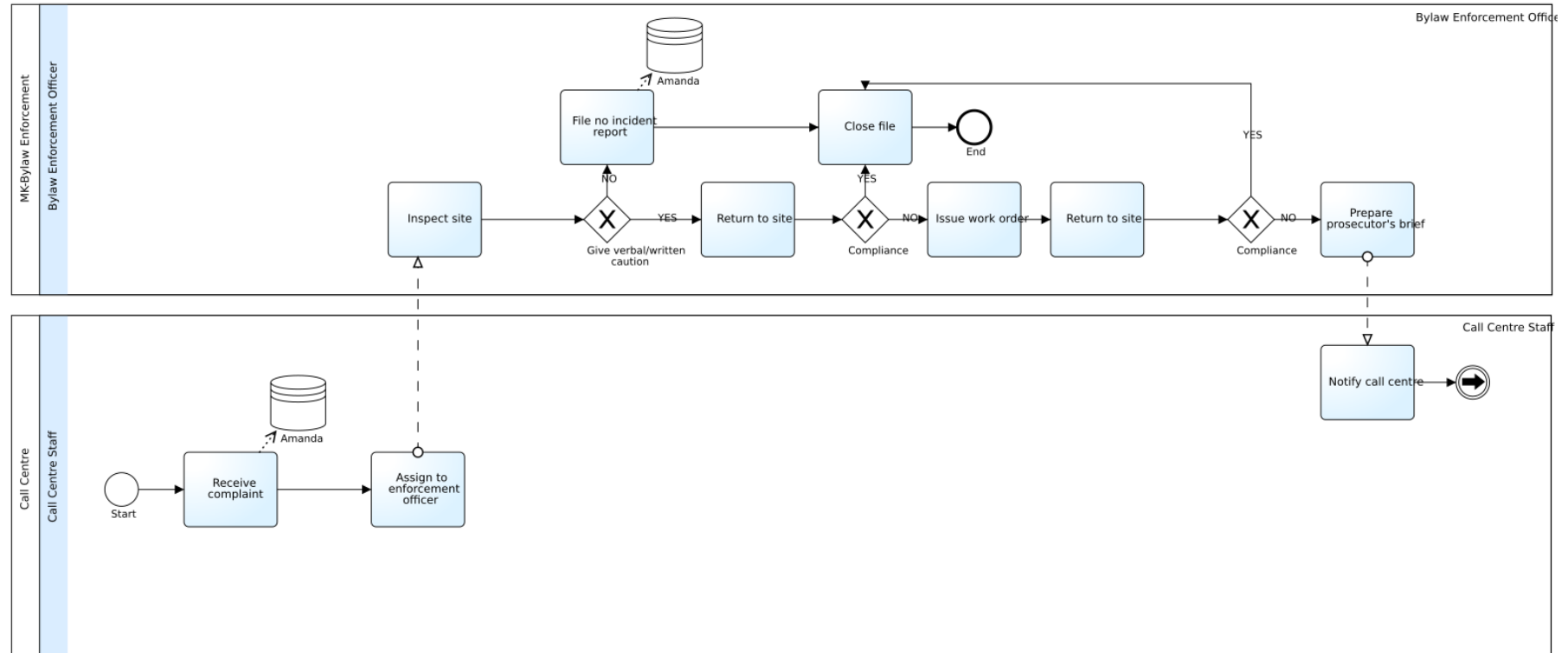
## CURRENT STATE VS FUTURE STATE – ANALYSIS OF NON-VALUE ADDED, CUSTOMER VALUE ADDED AND BUSINESS VALUE ADDED ACTIVITIES (EXECUTION TIME & COST - ESTIMATED)



## CURRENT STATE – INVESTIGATION TO PROVINCIAL OFFENCES COURT

MK-POA \_(Version\_0-2)

Status: Mapping In Progress



MK-POA2\_(Version\_0-1)

Status: Mapping In Progress

