

THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE

POLICY MANUAL

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POLICY TITLE:	SUBJECT:
By-Law Enforcement Complaints	Complaints regarding By-Law related concerns raised by the public.
POLICY SECTION: C	POLICY NO: 12
EFFECTIVE DATE: October 18 <sup>th</sup> , 2023	ENACTED BY: Resolution, By-Law 23-68

**1 – PURPOSE**

The Township of the North Shore is committed to a consistent and uniform process to respond to complaints received from members of the public relating to by-law related concerns promptly and effectively.

The following policy establishes guidelines and standards for the efficient handling and resolution of complaints and assists in providing excellent service to the public.

**2 – DEFINITIONS**

- (1) “**Complaint**” means alleged Municipal by-law infraction
- (2) “**Complainant**” means the individual filing the complaint with the Township of The North Shore
- (3) “**Clerk**” means the appointed Municipal Clerk employed by the Township of The North Shore
- (4) “**O.P.P.**” means the Ontario Provincial Police
- (5) “**Officer**” means the By-Law Enforcement Officer as appointed by the Council of The Township of The North Shore, or duly appointed individual
- (6) “**Township**” means the Corporation of the Township of The North Shore

**3 - GENERAL PRINCIPLES**

- (1) The Township will deal with all complaints promptly, courteously, impartially and professionally. All complainants will be treated with respect and will not receive adverse treatment or any form of reprisal.
- (2) Anonymity will be maintained between the complainant and the alleged offender, except where necessary in a court of law. However, should this complaint proceed to court, you may be required to give evidence as a witness and your name, and your filed complaint will become a matter of public record.

(3) If staff is in the opinion that complaints are frivolous or the complaint results in staff expending resources on a single issue, the Municipality reserves the right not to respond unless new information is provided.

(4) The policy applies to formal By-Law Enforcement complaints that are received by the By-Law Enforcement Officer or at the Municipal Office in writing, by e-mail, by mail or by fax.

(5) A matter that directly relates to the immediate threat or safety of the public, an Officer may proceed to investigate in the absence of a complaint form.

#### **4 – FILING A COMPLAINT**

Complaints are to be submitted on the Complaint Form provided (Appendix A).

- If the person making the in-person complaint cannot complete the form themselves, the person receiving the complaint shall do so on their behalf and review the completed form with them for their signature (note: the complainant must sign and date the Complaint Form for the complaint to proceed).
- In the event the form cannot be used, it is at the discretion of the Officer what method of written submission will be accepted, on the condition that the information as outlined below, is provided.
- All complaints will be received courteously, investigated and acted upon fairly and in a timely manner.
- All complaints received will be forwarded to the Clerk and the By-Law Enforcement Officer.

The following information is required to initiate an investigation:

- (a) details of incident
- (b) location of incident
- (c) when incident happened
- (d) who was involved
- (e) what was said or done
- (f) have the authorities been notified/involved
- (g) what kind of resolution is being sought

The policy applies to formal By-Law Enforcement complaints received from members of the public relating to by-law related concerns that are received by the By-Law Enforcement Officer or at the Municipal Office in writing, by e-mail, by mail or by fax.

#### **5 - RECEIPT OF ACKNOWLEDGEMENT**

The Officer shall acknowledge within five (5) business days a receipt of the complaint being received by the Township. This acknowledgement can be in the form of letter, email, phone, fax or any other preferred method of contact indicated by the complainant.

## **6 - INVESTIGATION**

The Officer shall review the issues identified by the complainant and in doing so may:

- a) Review relevant municipal and provincial legislation
- b) Review the Township's relevant policies and procedures
- c) Review any existing file documents
- d) Interview employees or members of the public involved in the matter
- e) Identify actions that may be taken to address the complaint or improve municipal operations.

Resolution of complaints through voluntarily compliance rather than formal action should always be the preferred solution. The By-law Enforcement Officer may seek cooperation of the respondent and allow reasonable time for compliance.

## **7 - ENFORCEMENT PROCEEDINGS**

Enforcement proceedings will commence where and when voluntary compliance cannot be achieved to rectify the By-Law violation(s). Any formal action proposed by staff to address an infraction that may have financial or legal implications for the Township, shall first be reviewed by the Clerk.

## **8 - ASSISTANCE FROM THE ONTARIO PROVINCIAL POLICE**

Complaints may be directed to the O.P.P. for assistance if the complaints cannot be resolved by the By-Law Enforcement Officer or are not By-Law related. The O.P.P. may also be called for assistance if a matter escalates to the point where safety concerns are raised.

## **9 - MONITORING, TRACKING AND REPORTING**

All complaints and correspondence will be tracked and filed.

All personal information collected in carrying out this policy will be dealt with in a confidential manner in accordance with the Municipal Freedom and Protection of Privacy Act, RSO 1990, c M.56.