



City of Port Colborne
Special Meeting of Council 12-18
Wednesday, May 23, 2018 – 5:00 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Item(s) for Consideration:**

Notes	Item	Description / Recommendation	Page
JDM BB RB AD FD YD DE BK JM	1.	<p><u>Planning and Development, By-Law Enforcement Division, Report No. 2018-71, Subject: By-law Appointment of Municipal Law Enforcement Officers Sawyer Madden, Carter McColl and Evan Acs</u></p> <p>That Sawyer Madden be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector.</p> <p>That Carter McColl be appointed as a Municipal Law Enforcement Officer.</p> <p>That Evan Acs be appointed as a Municipal Law Enforcement Officer to enforce the Zoning By-law.</p>	3
JDM BB RB AD FD YD DE BK JM	2.	<p><u>Canadian Corps Association Unit 43, 70 West Street, Port Colborne Re: Request for Temporary Licence Extension for Special Events on June 30 and July 1, 2018 (Canada Day Celebrations)</u></p> <p>That the Council of The Corporation of the City of Port Colborne does not object to the application for a Temporary Licence Extension to an existing liquor licence held by the Canadian Corps Unit 43, located at 70 West Street, Port Colborne, for special events being held on June 30, 2018 and July 1, 2018 (Canada Day Celebrations), as outlined in the correspondence</p>	5

		<p>dated March 7, 2018, subject to the condition that the applicant satisfies and complies with all applicable regulatory requirements, rules and provisions; and</p> <p>That the request for a Noise By-law Exemption be referred to the By-law Enforcement Division, and that the applicable fee be waived in accordance with the City policy (not-for-profit).</p>	
JDM BB RB AD FD YD DE BK JM	3.	<p><u>St. Patrick Catholic Elementary School Re: Request for Use of Picnic Tables for a School Event to be held on June 7, 2018</u></p> <p>That the correspondence from St. Patrick Elementary School requesting the use of City picnic tables for a School Event to be held on June 7, 2018 be received, and;</p> <p>That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of St. Patrick Catholic Elementary School.</p>	7

6. Consideration of By-laws:

By-law No.	Title
6582/37/18	Being a By-law to Appoint Sawyer Madden as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector
6583/38/18	Being a By-law to Appoint Evan Acs and Carter McColl as Municipal Law Enforcement Officers
6584/39/18	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of May 23, 2018

7. Adjournment:



Report Number: 2018-71

Date: May 23, 2018

Subject: **By-law Appointment of Municipal Law Enforcement Officers Sawyer Madden, Carter McColl and Evan Acs**

1) **PURPOSE**

The report was prepared by Sherry Hanson, Supervisor, By-law Enforcement Division and authorized by Dan Aquilina, Director of Planning and Development.

It is requested that Council appoint by by-law, Sawyer Madden, as the Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector; Carter McColl, summer student, as a Municipal Law Enforcement Officer to enforce parking and various by-laws; and Evan Acs, Planner, as the Municipal Law Enforcement Officer to enforce the Zoning By-law.

2) **HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

Due to the resignation of one of the City's Municipal Law Enforcement/Property Standards Officers, the By-law Enforcement Division requires a person to enforce various Provincial Acts and City by-laws including the Property Standards and Maintenance by-law.

It is required that the Officer be approved under the Police Services Act as a Municipal Law Enforcement Officer to enforce the City's by-laws. The Property Standards and Maintenance by-law must be enforced by a "Property Standards Officer". This Officer, must be appointed by by-law and assigned the responsibility for enforcing and administering this by-law. The *Ontario Weed Control Act* requires an officer to be appointed to enforce weed inspections and be appointed as a "Weed Inspector" to enforce this Act.

The By-law Enforcement Division has a By-law Student this year to deal with parking and grass complaints.

Presently, the Planner has no authority to enter on to property to inspect and review potential infractions and a Municipal Law Enforcement Officer must attend and bring the Planner to assist with the review of the property to determine if any infractions exists and provide options and associated application fees.

3) **STAFF COMMENTS AND DISCUSSIONS**

The successful candidate for the vacant full-time Municipal Law Enforcement Officer position was Sawyer Madden who will be starting on May 28, 2018. The successful candidate for the By-law Summer Student position was Carter McColl, who started on May 15, 2018.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

a) Do Nothing

This section is not applicable.

b) Other Options

This section is not applicable.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Proactive by-law enforcement enhances the appearance of the City and has been a desire of Council.

6) ATTACHMENTS

None. The appointing by-laws are attached to the Council agenda.

7) RECOMMENDATION

That Sawyer Madden be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector.

That Carter McColl be appointed as a Municipal Law Enforcement Officer.

That Evan Acs be appointed as a Municipal Law Enforcement Officer to enforce the Zoning By-law.

8) SIGNATURES

Prepared on May by:



Sherry Hanson, C.P.S.O.
Senior Municipal Law Enforcement Officer

Reviewed by:



Dan Aquilina, RPP, MCIP, CPT
Director of Planning and Development

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer



Canadian Corps Association, Unit #43

70 West Street, Port Colborne, Ontario,

Canada, L3K 4C8

905-835-8335

March 7, 2018

Ms. Carrie McIntosh
Deputy Clerk
City of Port Colborne
66 Charlotte Street
Port Colborne, ON, L3K 3C8

RE: CANADA DAY

Dear Ms. McIntosh

We are requesting acceptance by the City of Port Colborne under the Port Colborne Noise Control By-law 4588/119/04 for potential noise levels during the Canadian Corps CANADA DAY event to be set at similar levels as the other CANADA DAY event supported by Council. We also request a letter of non-objection to be approved so that we can forward it to the Alcohol and Gaming Commission of Ontario in support of our request of them for an Extension to our current Liquor License, to include the parking lot and driveway of the Canadian Corps Unit #43 at 70 West Street, Port Colborne during CANADA DAY festival June 30 to July 1, 2018. There is no change or alteration from 2017 in the area to be included in our request for an extension.

We have an 8 feet high sound barrier wood fence on the south, west and north portions of the property to assist us to comply with the City's noise by-laws. We have contracted to rent the sound stage trailer used for last year's event from K Motion. Like last year, we plan to serve food on the north side of our property, in compliance with Niagara Public Health regulations with our application forwarded to the Regional Public Health, Environmental Health Division. As in previous years, we plan to serve alcohol under an Extension to our current Liquor License. Our alcohol servers, security and ticket sellers have or will obtain Smart Serve accreditation as determined by the governing authorities. Our security consists of members of the Canadian Corps with designated security clothing and controlled gating.

A letter has been delivered to Niagara Public Health informing them of our intentions in areas under their jurisdiction. This includes information in regard to the preparing, cooking and serving of food, permanent and portable washroom facilities, waste collection and disposal, etc.

A letter has been delivered to Niagara Public Health informing them of our intentions in areas under their jurisdiction. This includes information in regard to the preparing, cooking and serving of food, permanent and portable washroom facilities, waste collection and disposal, etc.

We plan to have entertainment to start Saturday 8:00 pm and finish by 12:00 am as well as entertainment on Sunday from 12:00 pm to 12:00 am. The Request for Relief from Noise By-law Application Form has been forwarded to you, an Area Neighbours Consent Form will be completed and submitted prior to the date of the Council Meeting to consider this request. Council kindly waived the Variance fee in the past for which we are very grateful; we request of Council that the Variance Fee be waived again this year.

CANADA DAY is also a part of our Veterans Club's major fund raiser as well as CANAL DAYS, we hope we will be allowed to operate as we did the last year for this event.

We have attached a site plan indication the location of the fencing, sound stage, portable toilets and serving area. We look forward to working with the City on CANADA DAY and gaining your support for the Special Occasion Permit.

We ask that you forward copies of this letter to the relevant City Departments for their examination and approval. We will be sending introductory letters to the Fire Department and the Building Inspector.

We are aware that this request must be reviewed by the appropriate CANADA DAY staff and that a report must be prepared and presented to Council. We wish to remind you that applying to the AGCO for the extension to our liquor permit can be a lengthy process so we wish to apply as soon as possible and we hope to receive approval from Council by the end of April 2018. Please advise me on the date of the Council meeting to consider this request.

A site plan and Executive member list is attached, if you have any questions or comments please contact me at 905-835-0069 or drtremo@yahoo.ca.

We thank you for your time and consideration in this matter and await your determination and reply.

Yours truly,



Debra Trempe
Canada Day Committee Co-Chairman
Canadian Corps Association Unit #43

Cc: Amber LaPointe, City Clerk

May 16th, 2018

Amber Lapointe
City Clerk
City of Port Colborne
66 Charlotte Street
Port Colborne, Ontario L3K 3C8

City of Port Colborne
RECEIVED
MAY 16 2018
CORPORATE SERVICES
DEPARTMENT

Dear Ms. Lapointe,

The Catholic School Council at St. Patrick Catholic Elementary School is organizing an end of the year Fun Night to raise funds for new technology for student use at the school. Our Fun Fair will take place on Thursday June 7th from 5:00pm – 8:00pm. As part of our event includes a barbecue, our council would like to offer an area for our students and families to sit and enjoy their food. Unfortunately the school does not have picnic tables to provide seating and are we hoping the city would be able to provide 10 picnic tables to the school on this date.

We look forward to hearing from you.

Sincerely,

St. Patrick Catholic School Council

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The Corporation of the City of Port Colborne

By-law no. 6582/37/18

Being a by-law to appoint Sawyer Madden as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector

Whereas the *Police Services Act, R.S.O. 1990, C.P. 15* Section 15 provides that a municipal council may appoint persons to enforce the by-laws of the municipality;

Whereas the *Ontario Weed Control Act* requires the municipality to appoint a weed inspector for the purpose of enforcing the Provisions of the Act;

Whereas the Council of The Corporation of the City of Port Colborne enacted By-law 4229/135/02 being a by-law to prohibit the throwing, placing or depositing of debris on property, to require adequate and suitable heat in rented living accommodation and to provide standards for the occupancy and maintenance of properties in the City of Port Colborne, on the 28th day of October 2002;

Whereas The Corporation of the City of Port Colborne is desirous of appointing a Municipal Law Enforcement Officer, Weed Inspector and a Property Standards Officer;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Sawyer Madden be and is hereby appointed Municipal Law Enforcement Officer for the City of Port Colborne;
2. Sawyer Madden be and is hereby appointed Weed Inspector for the City of Port Colborne;
3. Sawyer Madden be and is hereby appointed Property Standards Officer for the City of Port Colborne;
4. That By-law No. 6332/12/16 A By-law to Appoint Heather Stones of as Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector be hereby repealed.
5. This By-law shall come into force and take effect on the date of passing.

Enacted and passed this 23rd day of May, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-law no. 6583/38/18

Being a by-law to appoint Evan Acs and Carter McColl as
Municipal Law Enforcement Officers

Whereas the *Police Services Act, R.S.O. 1990, C.P. 15* Section 15 provides that a municipal council may appoint persons to enforce the by-laws of the municipality;

Whereas at its meeting of May 23, 2018 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Department of Planning and Development, By-law Enforcement Division Report No. 2018-71, Subject: By-law Appointment of Municipal Law Enforcement Officers Sawyer Madden, Carter McColl and Evan Acs;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That Evan Acs be and is hereby appointed as a Municipal Law Enforcement Officer for the City of Port Colborne;
2. That Carter McColl be and is hereby appointed as a Municipal Law Enforcement Officer for the City of Port Colborne;
3. This by-law shall come into force and take effect on the date of passing.

Enacted and passed this 23rd day of May, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-Law No. 6584/39/18

Being a By-Law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of May 23, 2018.

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council;

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special Meeting of May 23, 2018 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 23rd day of May, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

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