



Bylaw Enforcement Review

May 2025

PRESENTERS: James Ridge
Kevin Ramsay

Why a review, and why now?



- There had not been a review of the bylaw function in many years (if ever)
- Significant changes are happening in bylaw enforcement, particularly parking
- There is a growing desire for after hours enforcement
- There is a growing desire for more proactive enforcement
- There are concerns about the capacity of the current single Bylaw Officer

The Process



Confidential interviews including: Bylaw Officer; senior staff; managers and staff who work closely with bylaw; former Director of Civic Initiatives and Community Safety; CEO of Victoria Animal Control Services; Victoria Police Esquimalt Detachment Commander; and, Mayor Desjardins

Reviewed numerous documents: Strategic plan; policies; bylaws; bylaw statistics; budgets; organization structure

Examined other comparator municipalities

Current State – November 2024



- One Bylaw Officer
- One part-time Bylaw Officer
- Only coverage during office hours, 5 days a week
- No after-hours enforcement
- Largely complaints based
- Over 70% of enforcement is parking, largely 'Resident Only Parking'
- Bylaw Officer is also the lead on unhoused camping in parks

Current State – November 2024



- No collections contract for five years
- Over 72% of tickets (to end of 2024) unpaid
- Some segments of the community know that tickets can be ignored
- The number of people ignoring tickets is almost certainly growing
- The fundamental purpose of parking enforcement is to change behaviours; this is not occurring
- \$112,892 of fines have not been paid in the last five years

Nuisance, Property, and Noise Complaints



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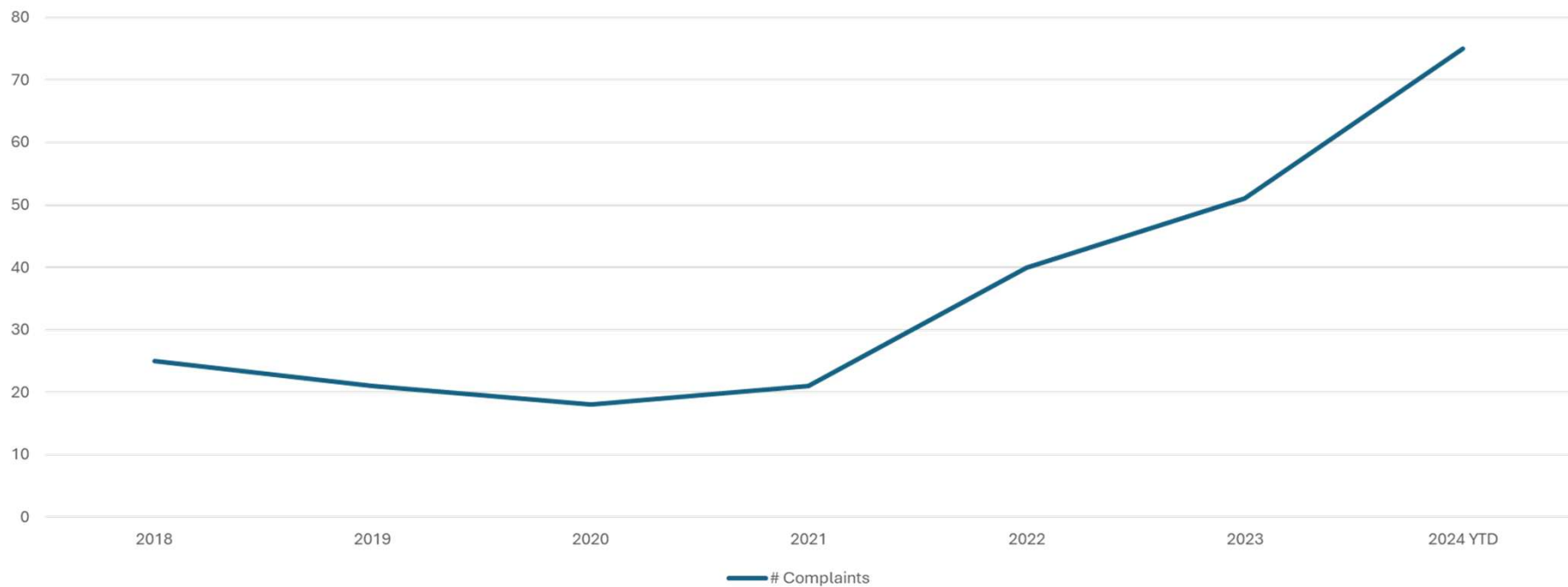


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Nuisance, Property, Noise Complaints



Streets and Traffic (parking) Complaints



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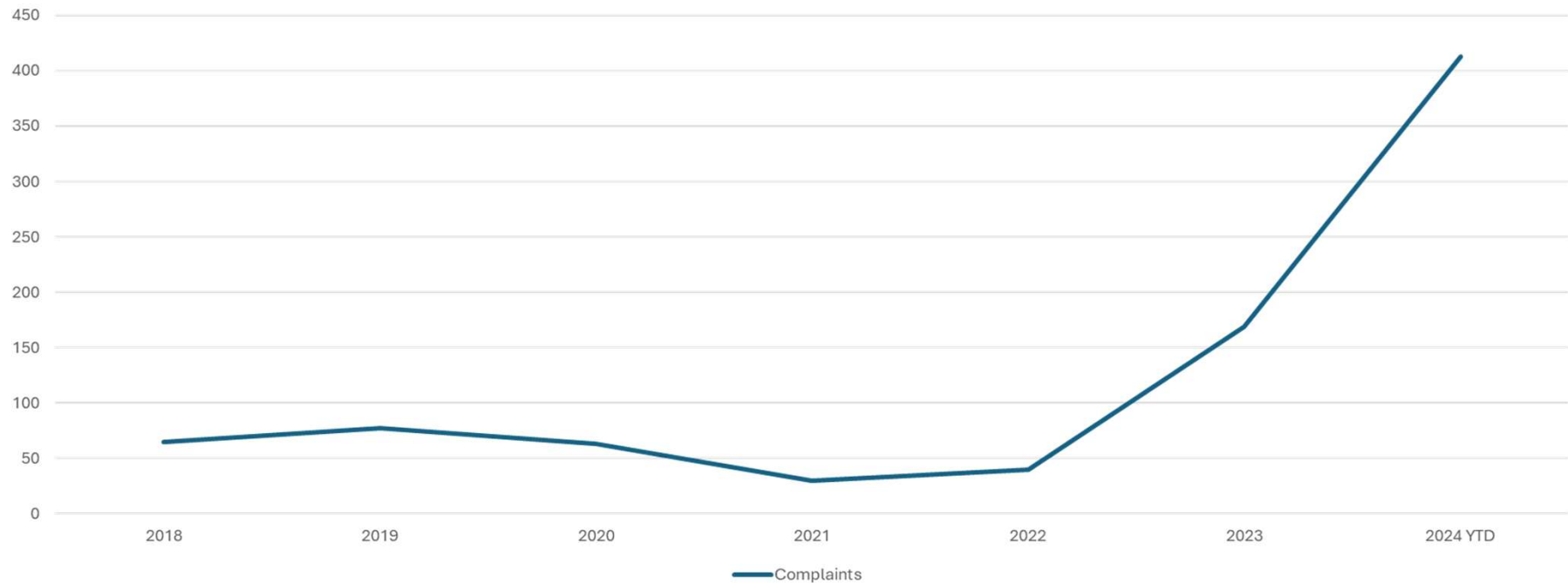


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Streets and Traffic Complaints



Uncollected Fines (Dollars)



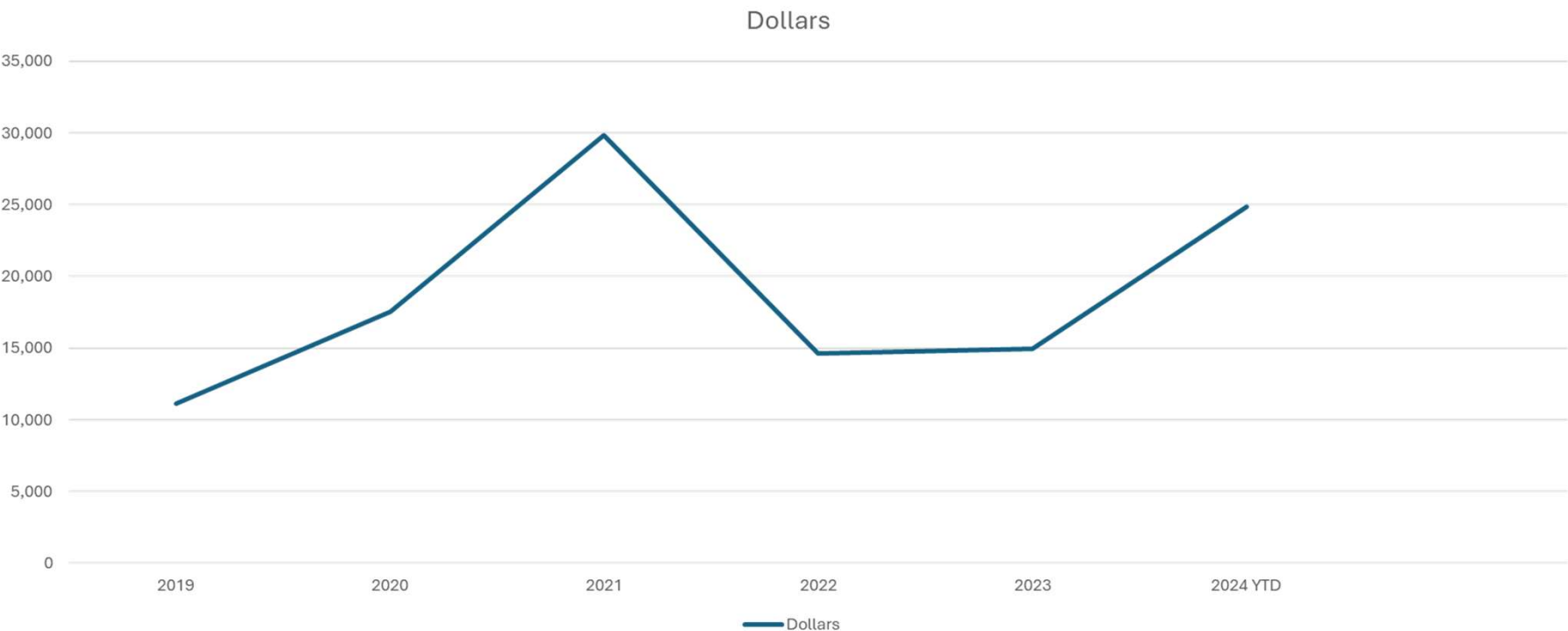
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Integrated Parking Management Plan



- Completed in June 2024
- Numerous recommendations to improve parking, enforcement, cycling infrastructure, and changes to some Township policies
- Plan recommends a change from Resident Only Parking to permit Parking

Staff Enforce a Range of Bylaws



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- Fire Protection and Control
- Business Licence and Regulation
- Solid Waste Collection and Disposal
- Smoke Alarm
- Streets and Traffic Regulation
- Commercial Vehicle Licencing
- Fireworks
- Pesticide Use Reduction
- Maintenance of Property and Nuisance Regulation
- Animal Management (Victoria Animal Services)
- Parks and Recreation Regulation
- Tree Protection
- Boulevard Maintenance
- Parking
- Watercourse and Drainage Regulation
- Installation of Lock-Boxes
- Blasting Bylaw
- Pawn shop bylaw

Analysis



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Staff Follow a Standard for Triage



- **Priority #1: Safety** – the alleged bylaw violation may adversely impact the environment or public safety.
- **Priority #2: Significant negative impact to adjacent properties** – the alleged bylaw violation is significantly impacting adjacent properties in a negative manner but does not pose an immediate risk to the environment or public safety.
- **Priority #3: General nuisance** – the alleged bylaw violation may be a matter that is a general neighbourhood concern. These violations tend to be cosmetic in nature and do not affect the environment or public safety.

Comparative Staffing



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City	Population	Staffing	Coverage	Bylaw Staff Per Capita
Esquimalt	17,533	1 full time staff	5 days a week	1 full time staff per 17,533
View Royal	11,575	1 full time staff	5 days a week	1 full time staff per 11,575
Langford	46,584	3 full-time staff, 4 part-time staff, and 4 seasonal staff.	7 days a week	1 full time staff per 15,530 1 Part time staff per 11,640
Sidney	12,318	1 full time staff	5 days a week	1 full time staff per 12,318
Sooke	15,086	1 full time staff	5 days a week	1 full time staff per 15,086
Comox	14,806	2 full time staff	5 days a week and special events	1 full time staff per 7,403
Vernon	44,519	7 full-time staff, 12 part-time	7 days a week	1 full time staff per 6,360 1 part time staff per 3,710
Penticton	36,885	14 full-time staff, 3 part-time staff	7 days a week	1 full time staff per 2,630 1 part time staff per 12,300

24/7 Bylaw Enforcement/After-Hours



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- There is no defensible argument for 24/7 coverage - It would require hiring at least 4 more Bylaw Officers
- Few, if any, B.C. municipalities have 24/7 enforcement
- Usually, serious public safety complaints and noise are dealt with by police after hours
- Asking police to respond to nuisance after-hours enforcement, like parking, is a very expensive option
- After-hours enforcement is achievable, e.g. establishment of some fixed number of after hours and weekend enforcement (but not 24/7). This would usually be weekend daytime and some evening coverage

Implementing After Hours Enforcement



- Contract the service with one of several organizations that does parking enforcement, most of whom provide after-hours enforcement, or;
- Hire one or two auxiliary bylaw officers whose specific purpose is to work weekends or after-hours for a certain number of hours each week. These could be part-time positions with reasonably flexible hours so there could be some enforcement done on weekends and evenings

Enforcement Technology



- Current practice - Very inefficient process
 - Bylaw Officer writes tickets in the field
 - Staff member enters the information from the ticket into Excel
 - The ticket is then scanned so Finance staff can see a copy
- Technology exists that allows for full digital data entry in the field as the ticket is prepared
- Technology also exists to automatically read license plates and proactively undertake enforcement
- The Township owns Tempest, which has an excellent and widely used bylaw enforcement software module

Collections



- **There is no point in doing any after hours enforcement until you have a collections process in place**
- Either enter with a contract with a collections agency (you have had such a contract in the past), or:
- Contract with a full-service parking enforcement firm who also do collections

Approval of Resident Only Parking



- Like Esquimalt, most municipalities have a mechanism for residents to request Resident Only Parking. However, in most municipalities staff also complete a detailed parking study before Council considers the issue
- That is not the case in Esquimalt
- This practice should be reconsidered
- A full parking study should be undertaken to consider parking demand, emergency access, environmental impacts, enforcement needs



Recommendations



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Phasing



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Phase One: Collections



Recommendation	Priority	Comment
Enter into a contract for collection services for unpaid fines	High	Numerous providers are available
Undertake a public communications strategy to make the public aware that unpaid fines will be collected	High	This is critical to make the public aware that the Township is serious about collecting unpaid fines

Phase Two: Consider Outsourcing Parking Enforcement



Recommendation	Priority	Comment
Consider contracting parking enforcement to an external service provider	High	<p>A request for proposal, or request for expression of interest, would be relatively easy to prepare and would solicit responses that allowed a reasonable comparison of outsourcing options as well as the services that could be provided (after-hours enforcement, adjudication, collections, etc.)</p> <p>An RFP should ask for costing for both after-hours enforcement only, and all parking enforcement.</p>
Undertake a communications strategy to make the public aware that after-hours enforcement is now taking place	High	<p>This is also critical to make the public aware that after-hours enforcement will be introduced</p>

Alternately Hire 1-2 Auxiliaries to do some after-hours enforcement



Recommendation	Priority	Comment
Hire one or two part-time auxiliaries to provide some after-hours parking enforcement	High	These positions need not be full bylaw enforcement officers, but should be a more entry level classification focused only on parking enforcement

Buy and Use the Tempest Bylaw Software



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Recommendation	Priority	Comment
Purchase and implement the Tempest bylaw enforcement module	High	Other products are also available that do similar functions should the Tempest tool not meet Township needs

Approval of Resident Only Parking



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Recommendation	Priority	Comment
Revise the process for approving Resident Only Parking to include a parking analysis and recommendation from staff	Medium	This is a best practice and allows staff to assess emergency vehicle access, environmental issues, accessibility access, enforcement impacts etc.

New Bylaws and Programs



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Recommendation	Priority	Comment
All new bylaws and programs that might require enforcement should be reviewed by staff and the enforcement impacts identified for Council before the bylaws and programs are approved	Medium	This has not been consistently done in the past

Reconsider the planned shift to permit parking



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Task	Priority	Comment
Undertake a more thorough assessment of the pros, cons and costs of switching to permit parking	Medium	It is not clear that the change from ROP to permit parking will create efficiencies, or improve enforcement

Summary



- The bylaw enforcement function in Esquimalt operates reasonably well, largely due to the commitment and experience of the Bylaw Officer
- In the absence of a collection process, it is not clear that it is very effective
- This function is not efficient, and is not using modern technology
- There are options for introducing some after-hours enforcement capacity
- Consideration should be given to contracting parking enforcement to a full-service agency
- Taken together, these recommendations will substantially improve the effectiveness and quantity of bylaw enforcement in the Township

Questions



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