

Staff Report

Community Services Department



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REPORT TO: Community and Infrastructure Services Committee

DATE OF MEETING: October 4, 2021

SUBMITTED BY: Gloria MacNeil, Director of By-law Enforcement, 519-741-2200 ext. 7952

PREPARED BY: Gloria MacNeil, Director of By-law Enforcement, 519-741-2200 ext. 7952

WARD(S) INVOLVED: All

DATE OF REPORT: September 21, 2021

REPORT NO.: CSD-2021-15

SUBJECT: Additional Staff for Proactive Sidewalk Enforcement

RECOMMENDATION:

That Council refer the expansion of the proactive sidewalk enforcement program to the 2022 budget process.

REPORT HIGHLIGHTS:

- During the 2021 budget process, Council directed staff to report back with related impacts of hiring additional proactive bylaw inspectors for the 2021-2022 winter season.
- Adding additional officers to the proactive snow and ice program would allow for greater coverage in more areas of the city.
- The additional operating costs of adding four additional staff to support an increase to the proactive bylaw inspection program is approximately \$163,191.30

BACKGROUND:

During the 2021 budget process, Council directed staff to report back with related impacts of hiring additional proactive bylaw inspectors for the 2021-2022 winter season, and to make any additional recommendations for improving our sidewalk snow clearing strategies.

REPORT:

Council approved a pilot program for four proactive snow and ice officers in the 2018-19 winter season. The program ran successfully for two full seasons at which time Council approved the implementation of a permanent program in 2020.

Proactive Program:

The permanent proactive program began in November 2020 and operates annually from November 15 until April 15th. Each year staff have preselected areas of the city where there is generally a higher volume of pedestrian use, including areas of the city where there are schools and retirement homes.

Each year, staff hire four full time temporary employees who are responsible for conducting proactive, daily inspections (unless it is actively snowing or the 24 hours has not lapsed since the last snow fall). These staff will walk up and down the sidewalks within a preselected neighbourhood and inspect each sidewalk to determine if the sidewalk has been adequately cleared of all snow and ice to ensure safe passage for all pedestrians including those who may have difficulty with mobility or require a mobility device such as wheelchair, walker, cane, stroller, etc.

If a sidewalk is not adequately cleared or if there is ice present on the sidewalk, staff will leave a notice for the occupants of the residence. The notice advises that staff were on site, it provides an overview of the bylaw requirements and advises the occupants they have 24 hours to clear the sidewalk of snow and ice. Staff also provide a pamphlet that explains the importance of clearing your sidewalk and being a good neighbour. The notice provides the officers name and contact information should the homeowner/occupant want to discuss the notice or if they require further information.

The challenge with the proactive program is that it often generates more complaints and creates frustration amongst residents who may be making an effort to clear their sidewalk however the end result is not adequate/sufficient or does not comply with the requirements of the bylaw.

Reactive Program:

The City has had a reactive snow and ice program in place for over 25 years. This program solely relies on complaints being received by members of the public in which an officer will respond out and conduct an inspection of the sidewalk that was complained about and in addition, will also inspect eight properties on either side of the complaint address, therefore one complaint will result in a minimum of 17 inspections.

The same processes is followed and applied in both the proactive and reactive snow and ice programs. Once staff have determined the sidewalk is not in compliance with the snow and ice bylaw, staff will leave the same notice and pamphlet at the address advising of the bylaw, the expectations and the 24 hour time frame to bring the sidewalk into compliance.

The reactive program generally results in less complaints from residents as these complaints for the most part tend to be more severe in nature and often tend to be properties where little to no effort has been made.

Both programs allow for one snow and ice notice to be left at each residence in the city each season, the notice is meant to serve as education and a reminder that residents are required to clear their sidewalk within 24 hours of the cessation of a snow fall and it must be cleared of all snow and ice.

The charts below show the total number of violations recorded for both the proactive and reactive programs as well as the total number of violations that were sent to the contractor for clearing over the past three winter seasons.

Reactive Complaints

Year	Total Violations Inspected	Total sent to Contractor for Clearing
2020-21	1881	324
2019-20	2055	219
2018-19	2842	182

Proactive Complaints

Year	Proactive Violations Found	Total sent to Contractor for Clearing
2020-21	1419	193
2019-20	1743	91
2018-19	2548	57

Adding additional officers to the proactive snow and ice program would allow for greater coverage in more areas of the city. This would ensure better coverage throughout the city rather than focusing on designated/specific areas for an entire season. The goal of the program would be to have staff proactively work through every ward and ultimately every street within each neighbourhood. The end result would be to encourage ongoing compliance amongst all residents as residents would not be aware of when the team would be in their neighbourhood.

Additional staffing would also provide Bylaw Enforcement with the resources to focus on problem areas and provide targeted enforcement on locations with high volumes of complaints and non-compliance. Currently, we do have a program in place for chronic repeat offenders where a history of non-compliance has been established. Once an address has been deemed to be chronically in non-compliance they are placed on a list with our contractor and the sidewalk is automatically inspected and cleared if required by the contractor after each snow fall. We previously had five addresses on this list however several of the properties have sold and we currently only have one.

Staff would continue to respond to complaints reactively and apply our enforcement process as we always have.

Contractor:

In 2015, staff contracted out snow clearing of sidewalks associated with the Snow and Ice Bylaw. The agreement currently in place with the contractor, requires that they respond the following business day to clear any sidewalks that were inspected and forwarded by staff for non-compliance. The contractor is committed to this response time and have resourced their staffing levels to ensure they are able to maintain response times within our 24 hour commitment.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Expanding the program would have a direct impact on the Operating Budget. The cost of four additional officers for the proactive program is approximately \$163,191.30.

COMMUNITY ENGAGEMENT:

This report has been posted to the City's website with the agenda in advance of the Committee/Council meeting.

ACKNOWLEDGED BY: Michael May, General Manager Community Services Department & DCAO