

By-law Enforcement Division	Issue Date:	6/28/2021
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### 1 PURPOSE STATEMENT

- 1.1 The purpose of this policy is to provide guidance to staff, elected officials and the general public regarding by-law enforcement policies and practices of the Township of King in the receipt of complaints and initiation of investigation and enforcement proceedings related to regulatory by-laws, and applicable law.
- 1.2 The Township aims to address complaints and inquires equitably, comprehensively and in a timely manner.
- 1.3 Council exercises discretion in deciding which by-laws to enact and how to enforce them. By-laws have a profound and direct impact on the quality of life, health and safety, economic well-being, and the reputation of our community. Accordingly, Council must balance the impacts of enforcement with the expectations of members of the community, the efficient allocation of public resources, as well as the objective level of risk presented by the event.

### 2 POLICY OBJECTIVE

- 2.1 The objective of the implementation of this policy is to obtain compliance with municipal by-laws and applicable law through effective enforcement based on consistency and fairness.
- 2.2 The aim of this policy is to contribute to the Township's commitment to service excellence and good governance by addressing all requests and complaints equitably and efficiently, while acknowledging that there may be a need to address frivolous, vexatious, or unreasonably persistent requests, complaints or behaviour that consume a disproportionate amount of Township time resources and impede staff from attending to other essential issues.
- 2.3 Our goal is to make King a great place to live, work and play. By-laws are a core part of the structure in place to achieve this goal as they promote safety, create standards to support good neighbour interactions, and prevent behaviours that undermine the quality of life in our community, such as litter, graffiti, noise and unsightly properties.
- 2.4 In supporting this goal, the aim of this policy is to achieve voluntary compliance with King by-laws, and applicable law, as monitored by by-law enforcement officers, and to provide proactive enforcement through optimum solutions as needed to maintain community standards.
- 2.5 This policy is based on the following four principles:
  - a) Avoid arbitrary or inconsistent decisions;
  - b) Ensure similar cases are treated in a similar way;
  - c) Provide By-law Enforcement Staff with guidance on, and limits to, exercising discretion; and



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- d) Provide the public with clarity and details on how and why enforcement decisions have been made.
- 2.6 No person shall attempt, directly or indirectly, to communicate with employees or other persons performing duties related to the administration of enforcement for the purpose of improperly influencing or interfering, financially, politically or otherwise, with the administration of the enforcement.
- 2.7 Recognizing that the Township has an established complaint intake process, if complaints are received by Members of Council, such complaints will be forwarded to appropriate By-law Enforcement Staff without further or additional involvement by the Member.
- 2.8 The Manager of the By-law Enforcement Division is ultimately responsible to ensuring this policy is followed, and
  - a) the Manager's decisions in interpreting and applying this policy are final and binding; and
  - b) No person shall interfere with, hinder or obstruct any provision of the policy or the discretion of the Manager.

### 3 APPLICATION/SCOPE

- 3.1 This policy applies to all employees, and contractors of the Township of King who are involved in enforcing the Township's by-laws and Council Members in the administration and process.
- 3.2 During an emergency and/or pandemic, subject to the approval of the Chief Administrative Officer or Director of Growth Management Services, this policy is subject to change to meet business needs.

### 4 **DEFINITIONS**

- 4.1 **Anonymous Complaints,** where the complainant has not provided otherwise required identifying information, such as name, address and/or contact information, will not be investigated unless pressing and substantial issues of safety or health are identified in the complaint.
- 4.2 **Business Day** means a day in which normal business operations are conducted and is generally considered to be between the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday. A business day excludes weekends, public holidays and when the Municipal Centre is closed (i.e. for inclement weather).
- 4.3 **By-law** means a by-law enacted by the Township of King and may include other bylaws where agreements are made for enforcement, including Region of York, parking and sign by-laws.
- 4.4 Chief Administrative Officer means the Chief Administrative Officer of the



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Township of King and his/ her designate(s), unless otherwise specified and may be referred to herein as CAO.

- 4.5 **Director** means the Director of Growth Management Services of the Township of King and his/ her designate(s), unless otherwise specified.
- 4.6 **Discretion** means the latitude to decide what should be done in a situation given all the available information.
- 4.7 **Essential Services** are defined by the Township's Senior Leadership Team (and/or applicable legislation).
- 4.8 **Frivolous Complaint** means a complaint that is reasonably determined by Township Staff to be (a) without reasonable or probable cause, (b) without merit or substance, or (c) trivial.
- 4.9 **Manager** means the Manager of By-law Enforcement Services of the Township of King and his/her designate(s), unless otherwise specified.
- 4.10 **Non-Essential Services** are defined by the Township's Senior Leadership Team (and/or applicable legislation).
- 4.11 **Officers (also Municipal Law Enforcement Officers)** means provincial offenses officers or employees, contractors, or agents appointed, or hired by the municipal council of the Corporation of the Township of King to enforce municipal by-laws of the Township, including their designate.
- 4.12 **Patrol Service Level** means an Officer tasked with periodic or routine patrols through all or parts of municipality to seek out violations. By-law cases with patrol status are *medium* priority.
- 4.13 **Proactive Service Level** means a level of service applied to a serious violation observed during course of duties, where an Officer will take necessary steps to correct the violation. By-law cases with proactive status constitute the *high* priority.
- 4.14 **Reactive Service Level** means an Officer will initiate an investigation upon notification of a *valid complaint* from the public. By-law cases with reactive status are *low* priority.
- 4.15 **Valid Complaint** means a complaint that describes the location (municipal address) and general nature of a potential by-law contravention, which includes the complainant's name, address and telephone number, reported by a land owner, tenant, occupant business owner/operator, and which is reported in a timely manner with all completed forms, as applicable depending on the complaint type, and is not a vexatious complaint.
- 4.16 **Vexatious Complaint** means a complaint that is frivolous and/or which is pursued in a manner that is reasonably perceived by Town Staff to be (a) malicious, (b) intended to embarrass or harass the subject, or (c) intended to be a nuisance or in



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bad faith.

- 4.17 **Violation of High Priority** means a violation highly likely to cause health and safety issues to the public.
- 4.18 **Violation, Low Priority** means a potential violation unlikely to cause health and safety issues to public; negatively impact the community or environment.
- 4.19 **Violation, Medium Priority** means a potential to cause health and safety issues to the public, negatively impacting the community or the environment.

### 5 ADMINISTRATIVE FAIRNESS

- 5.1 Administrative fairness refers broadly to an overall approach to administrative decision-making that is transparent, fair and accountable. With respect to By-law Enforcement, administrative fairness is characterized by:
  - a) By-laws that are authorized by, and consistent with, Council direction and legislation;
  - b) A written policy for fairly and reasonably exercising discretion when enforcing by-laws;
  - c) Written standards and expectations of conduct by Officers when they interact with the public;
  - d) Clear, consistent and available public information regarding by-laws and enforcement practices, and how to make complaints and appeal decisions, if appeal options are available;
  - e) A process for receiving, assessing and responding to complaints in a timely manner;
  - f) A consistently applied and well-documented investigative process that establishes a clear factual basis for enforcement;
  - g) Adequate notice to affected persons before any enforcement is taken
  - h) Enforcement decisions that are authorized by applicable legislation and bylaws;
  - i) Enforcement decisions that are consistent with policy and with other similar decisions, are equitable, and are proportionate to the problem being addressed;
  - j) Reasons for enforcement decisions that are appropriate, that set out the basis for the enforcement and that provide information about how to appeal, as applicable; and
  - k) Appeal processes, as applicable, that are accessible and fair, and that are communicated to affected persons in a timely manner.



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- 5.2 Demonstrating a commitment to administrative fairness increases the public's confidence in our By-law Enforcement Program and provides Council with confidence that everyone is being treated in a fair manner.
- 5.3 By-law enforcement practices based on administrative fairness principles are beneficial in several important ways, including the following:
  - Abiding by principles of administrative fairness assists staff to reduce conflict in matters of by-law compliance and enforcement. Officers interact with the public, sometimes in high-conflict situations when enforcing By-laws. Enforcement decisions often affect people on their property or in their home. When enforcement decisions are seen to be reasonable and appropriate, conflict may be reduced.
  - b) Establishing and promoting fair by-law enforcement processes can reduce the number of complaints received and resolve issues more quickly and effectively, thus saving time and resources. By-law enforcement processes that are clearly laid out and accessible to all involved enable staff not only to work more efficiently in dealing with complaints, but also to be consistent in the actions taken when problems arise. This clear, open approach can lead to fewer by-law complaints. Furthermore, a fair enforcement framework can also assist with limited resources and maintain enforcement capacity.
- 5.4 Adopting a consistently fair and reasonable approach to by-law enforcement assists to build stronger community relationships where it demonstrates clearly a commitment to administrative fairness by being responsive, transparent and accountable.

### 6 BY-LAW ENFORCEMENT SERVICES GENERAL PROVISIONS

- 6.1 To ensure consistency and fairness to all residents, business owners and landowners within King, the following general provisions and guidelines will be followed by Officers:
  - a) In responding to complaints, except in cases related to public health and safety, the priority will be to respond to valid complaints.
  - b) During the regular course of their duties, the Officer may seek out by-law infractions for issues of public health and/or safety or other by-law violations.
  - c) It is not possible to actively ensure that all the Township's various regulatory by-laws are always being complied with. Enforcing the Township's by-laws is, therefore, discretionary and dependent on context and circumstances.
  - d) King promotes an enforcement philosophy that seeks voluntary by-law compliance, which is often achieved through education, information, and non-penalty enforcement, including providing a reasonable timeframe to comply.



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- e) Compliance may be encouraged through notification of fines and other enforcement measures associated with the offence.
- f) Individual members of Council are not involved with the sanctioning of an investigation or making decisions about who shall be investigated and what steps shall be taken.
- g) Some complaints may be considered either as a civil dispute between property owners, such as storm drainage, or as a minor issue which are not subject to enforcement, such as trees overgrowing property lines. These will not be acted upon by By-law Enforcement.
- h) Complaints submitted by an individual, where the location or subject matter is not in the reasonably immediate vicinity of the individual's work or place of abode, or where the subject matter does not have a direct impact on that individual, will be reviewed and assessed on the merits of the complaint particulars and may not be acted upon.

### 7 ENFORCEMENT OPTIONS

- 7.1 Officers, at their discretion subject to review by the Manager, may use any of the following enforcement options:
  - a) Prosecution under the *Provincial Offences Act*;
  - b) Municipal ticketing (parking enforcement);
  - c) By-law offence notice, "Notice of Violation/Order to Comply/Written Notice";
  - d) Direct enforcement including remediation;
  - e) Civil proceedings/injunction proceedings;
  - f) Matters may be held in abeyance; and
  - g) No action may be taken.

### 8 CONFIDENTIAL INFORMATION

- 8.1 Personal information collected by the Township as a result of a written complaint and any information collected during a by-law investigation is protected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M-26.*
- 8.2 Officers shall keep confidential all personal information it collects from its citizens and the public.
- 8.3 Officers will only collect personal information that is necessary for the monitoring and enforcement of a by-law infraction.
- 8.4 The identity of the requestor will not be disclosed to the alleged offender or any member of the public. It is not necessary for the requestor to request confidentiality.



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Likewise, the response of the alleged offender will not be disclosed to the requestor, whether it is in writing or made orally.

- a) Notwithstanding any provision herein any Person reporting the alleged infractions of Township by-laws are to be advised that their identity and any personal information they provide will be kept confidential, unless they are required to testify in court or it is part of an audit or a similar process.
- 8.5 Due to legal requirements, the anonymity and confidentiality given to requestors and alleged offenders cannot be assured if the investigation results in court, an audit, or similar proceedings.
- 8.6 Requestors and alleged offenders are to be advised that any personal information that they provide about other parties is subject to disclosure by order of the Information and Privacy Commissioner of Ontario.
- 8.7 While the investigation is ongoing or while a resulting matter is before the courts, no information regarding the matter will be made available to the public or the requestor.

### 9 APPLYING PRINCIPLES OF PROPORTIONALITY, EQUITY, AND CONSISTENCY

- 9.1 Officers will apply principles of proportionality, equity and consistency in by-law enforcement decisions by:
  - a) Considering whether an enforcement measure is proportionate to the harm caused by the violation;
  - b) Considering whether a person's circumstances would make enforcement unjust; and
  - c) Considering whether an enforcement measure is consistent with overall policy and past practice.

### 9.2 **PROPORTIONAL ENFORCEMENT**

a) By-law enforcement action will be proportional to the nature of the violation. That is, enforcement measures should appropriately address the harm that is caused by the violation. For example, large fines are likely not an appropriate response to a minor by-law violation.

### 9.3 EQUITABLE ENFORCEMENT

- a) By-law enforcement action will be equitable that is, applied in a way that is just considering the circumstances. This means that staff will consider the circumstances and a person's ability to comply before determining whether enforcement is appropriate and what enforcement tools they should use.
- b) This does not mean that by-laws cannot be enforced against any individuals. Rather, equity is a principle of fairness informing the Officers' discretion to



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decide whether and how to enforce by-laws.

#### 9.4 CONSISTENT ENFORCEMENT

- a) Consistency is also an important part of a fair by-law enforcement process and in the application of determinative principles and standards. Similar cases will be treated in a similar matter by following a generally consistent approach to by-law enforcement.
- b) Officers are not required to follow the same approach in every case; however, if they enforce the same by-law differently in similar circumstances, their decisions may appear to be arbitrary. When deciding what action is appropriate, an Officer should consider whether there is a compelling reason to deviate from policy and past practice given the circumstances.
- c) When Officers do deviate from policy or practice, they will explain this to the individual who is affected. For example, a different enforcement approach may be justified if an individual has a history of non-compliance, the violation is more severe than other cases, or the circumstances would make enforcement in the usual way unjust.

### 10 MAKING, RECEIVING, AND RECORDING COMPLAINTS

#### 10.1 PROCESS FOR MAKING A BY-LAW COMPLAINT

- a) Complainants shall reside in or own property in King or own, operate, or be an employee of a business in King. Exceptions may be made, on a case-bycase basis, where the subject matter of the complaint has a direct impact on the complainant.
- b) With the exception of complaints referenced in sections 10.1 (c) and 10.1 (d), complaints will be accepted only in writing, including but not limited to by way of the prescribed complaint form, by letter, email, or as requested by the investigating Officer.
- c) Verbal complaints will be accepted in matters not requiring direct witness evidence, as set out in the Service Level Matrix.
- d) Verbal complaints will be received also in instances of serious and immediate health and safety or environmental concerns and where all necessary and required information is provided, as requested. Written confirmation of this complaint may be required afterward.
- e) All complaints shall be processed in the priority set out in the "Service Level Matrix", attached Appendix "A" to this Policy.

### 10.2 **RECEIVING AND RESPONDING TO A BY-LAW COMPLAINT**

a) Officers and/or ServiceKING staff will acknowledge the receipt of a valid



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complaint to the complainant no later than <u>1-3 business days ("next business</u> <u>day"</u>) in cases where they are not the person who received the actual complaint.

- b) The complainant will be provided with an overview of the next steps and when to expect a response on the status of their concerns.
- c) The complainant will be provided a case number to reference in future correspondences with the Officer.
- d) Where appropriate, By-law Staff will communicate to the complainant that some by-law matters will take a lengthy amount of time before being resolved and may be deemed a civil matter in some instances.

### 10.3 RECORDING A BY-LAW COMPLAINT

- a) Officers shall record the following information in the Township's applicable database system:
  - i. The date the complaint was received
  - ii. The location in question
  - iii. The complainant's information
  - iv. The details of the complaint
  - v. The potential By-law being violated; and
  - vi. All action and steps to resolve a by-law matter by By-law Enforcement Staff.

### 10.4 **RESPONDING TO FRIVOLOUS, REPEAT OR MULTIPLE COMPLAINTS**

- a) Repeat complaints on similar issues will be assessed on their merits, even if numerous, to determine the appropriate response and action, if any.
- b) Previous attempts by by-law enforcement to address a repeat issue and steps taken will be reviewed.
- c) Where compliance with a potential by-law infraction has been confirmed, further action on a repeat or frivolous complaint may not be acted upon unless new information is provided by the complainant.
- d) Complaints from an individual who makes repeated complaints on the same or substantially the same issue or makes frivolous complaints may be restricted by the Manager, Director or Chief Administrative Officer after assessing the circumstances.
- e) The Manager will;
  - i. clearly communicate to the complainant, in writing, the nature of the



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restrictions, the reasons for them and circumstance when they may be reconsidered.

- f) The restricted communication on a by-law enforcement matter does not prevent or limit other necessary contact with Township staff with respect to unrelated matters.
- g) Where multiple complaints are received from different people about substantially the same issue, staff may assess and determine a response for the complaints as a group rather than individually. In doing so, however, staff must consider any nuances of the different complaints and respond to each issue received from each complainant.

### 11 COMMUNICATING ENFORCEMENT DECISIONS

- 11.1 Officers will provide a person affected by an enforcement decision with reasons for enforcement that:
  - a) Describes the concerns that led to the enforcement action and the evidence supporting those concerns;
  - b) Sets out the by-law section on which the decision is based;
  - c) Are clear and easily understood by the person affected by the decision; and
  - d) Provide information about options for review or appeal of the decision and applicable fees (outcome for non-compliance).

### 12 DISCONTINUING A SERVICE

- 12.1 Once begun, Officers will only end involvement in enforcement after all other reasonable options have been exhausted.
- 12.2 Before ending a service, Officers will provide a person with:
  - a) Written notice of the pending enforcement decision;
  - b) Reasons for the decision;
  - c) Information about how the person can comply with the requirements, if that is an option;

### 13 NOTICE PRIOR TO ENFORCEMENT ACTION

- 13.1 Personal contact, save and except for parking infraction notices, will be the preferred method of communication prior to any enforcement action.
- 13.2 Where feasible, appropriate, and within the sole discretion of the Officers may provide reasonable notice prior to taking enforcement action.
- 13.3 If notice is not given and a charge is laid, it does not prejudice the prosecution of any charge laid.



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- 13.4 Notice includes:
  - a) An explanation of the relevant by-law and how the person is alleged to have contravened it;
  - b) Reasonable time limits for compliance; and
  - c) The potential consequences of failing to respond or comply within the time limits; and
  - d) Next steps should non-compliance, no response be taken.
- 13.5 Officers will not take enforcement action before the expiry of the compliance time limits set out in a notice letter or verbal communication.

### 14 REASONABLE TIME LIMITS

- 14.1 Officers are authorized to use discretion to extend a time limit, if necessary, to achieve compliance, including for example to accommodate an out-of-country resident.
- 14.2 Officers should not, however, arbitrarily shorten a time limit, except in extraordinary circumstances, and not before attempting to communicate with the resident.
- 14.3 Further, it is essential that Officers are available if the resident has questions or wants to request an extension. These extension requests should be made in writing, acknowledging the matter and outlining why the request is being made.

### 15 NOTICE OF POTENTIAL CONSEQUENCES

15.1 When giving a Notice of Violation, Officers will advise the proponent in writing and/or verbally of the potential consequences of not complying with a by-law. For example, certain by-laws allow Officers to enter a person's property and clean it up at the owner's expense. The cost of the clean-up is then added to the property taxes if it is not paid within a specified, period.

#### 16 COMPLAINT PRIORITY: SERVICE LEVEL MATRIX

- 16.1 To ensure adequate resources to investigate all complaints, a Service Level Matrix will assist Officers to prioritize the level of service for each Township by-law and required legislation. The Matrix is designed to aid the Officers in their exercise of discretion.
- 16.2 Refer to Appendix A for the Service Level Matrix.
- 16.3 The desired level of service has been assigned a corresponding service level category of proactive, patrol and reactive (or complaint basis) with each defined as:

#### 16.4 ASSESSING COMPLAINT PRIORITIES

a) When assessing the priority of the bylaw violation, Staff will consider, but are not limited to, matters such as:



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- i. potential risk to public health and/or safety;
- ii. magnitude, nature and duration of the contravention;
- iii. history of non-compliance on the property or by the contravener;
- iv. potential short and long term, impact on a structure, property, the community, and the environment;
- v. potential for setting a precedent;
- vi. resources available to resolve the matter;
- vii. potential costs associated with enforcement action; and,
- viii. the likelihood of obtaining the desired results.

### 16.5 UPDATING THE SERVICE MATRIX

a) The Service Level Matrix appended to this Policy will be reviewed by the Manager on an annual basis and will be updated from time to time as Council makes any by-law service change decisions.

### 17 RELATED DOCUMENTATION

- 17.1 Appendix A By-law Service Matrix
- 17.2 By-law Enforcement Process Mapping
- 17.3 Municipal Act
- 17.4 Municipal Freedom of Information and Protection of Privacy Act

### 18 APPROVAL AUTHORITY

Council	2021-074	Original Signed	6/28/2021
Authority	By-law	Township Clerk	Date

1



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				Service Level				Written Complaint
	By-law (Category/Regulation) (Example- provided)	By-law No.	Patrol	Proactive	Reactive	Priority	Essential Y/N	Y/N
1	Animal Control <sup>6</sup> (barking, dogs at large)	2016-85	•	•	•	High	Y	N*
2	Business Retail Holiday Act	1990-30			•	Low	Y	N
3	Civic Addressing (911)	95-24		•	•	Low	Y	N
4	Civil Matters (fence property line dispute)	N/A			•	Low	N	N
5	Clean Yards <sup>(long grass)</sup>	2016-68		•	•	Low	N	N
6	Dog Owners Liability Act <sup>6</sup> (DOLA)		•	•	•	High	Y	Y
7	Discharge of Firearms <sup>7</sup>	2014-04		•	•	Medium	Y	N
8	Dumping-illegal (garbage dumped)	2016-68			•	Low	Y	Y
9	Events Festivals			•	•	Medium	N	N
10	Fence: General <sup>2</sup> (fence height)	2012-132		•	•	Medium	Y	N
11	Fence: Pool Enclosure	2012-132		•	•	Medium	Y	N
12	Fill Regulation/ Site Alteration	2021-039		•	•	Medium	Y	N
13	Fireworks	2015-114			•	Low	Y	N*
14	License: Doggie Day Cares <sup>6</sup>	2012-175		•	•	High	Y	N
15	License: Kennels <sup>6</sup>	2012-175		•	•	High	Y	N
16	No Smoking: Near Entrance	2016-103			•	Low	Y	N
17	Noise Control (loud noise)	81-142		•	•	Medium	Y	Y
18	Open Air Burning <sup>7</sup>	2015-109			•	Low	Y*	N*
19	Parking <sup>3</sup>	2005-36	•	•	•	High	Y	Y
20	Patio& Merchandise Encroachment						Y	Y
21	Private Property Parking (park fire route)	2005-36			•	Low	Y	Y
22	Property Standards 4 (house disrepair)	98-182	•	•	•	High	Y	Y
23	Public Nuisance/ Obnoxious Use (dust, dour and noise)	74-53, 2005-23, 2016-71, 2017-66, 2016-68			•	Low	Y	Y
24	Reduced Load Restriction <sup>7</sup>	2017-103			•	Low	**	**
25	Restrict Motorized Vehicles <sup>7</sup>	2016-103			•	Low	**	**
26	Road Occupancy	2020-061		•	•	Low	Y	Y/N
27	Signs	2013-127	•	•	•	Medium	Y	N
28	Signs: Election Signs	2013-127			•	Low	Y	N
29	Snow Removal	93-93		•	•	Medium	Y	Y/N
30	Waste & Recycling	2018-77			•	Low	Y	Y/N
31	Zoning	74-53, 2005-23, 2016-71, 2017-66		•	•	Medium	Y	Y

#### Appendix 'A' – By-law Service Matrix – Page 1 of 2



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Enforce	Enforcement Program / Service Level:			
н	Patrol (High Priority): Periodic/routine patrols through all or parts of King to seek out violations			
м	Proactive (Medium Priority): Violation observed during course of Officer duties; Officers will seek to correct the violations(s)			
L	Reactive/Complaint Based (Low Priority): Investigation initiated upon a valid complaint to confirm violation and correct issue(s).			
By-law	Violation Priority Criteria:			
1	High: Violation(s) highly likely to cause health & safety issues to the public			
2	<b>Medium:</b> Potential to cause health & safety issues to the public, negative impact to community and/or the environment			
3	Low: Unlikely to cause health & safety issues to the public, negative impact to the community and/or environment			
Notes t	o Table:			
1	Downtown/BIA Only (Primarily by parking officers)			
2	Proactive for impact on <b>public</b> property			
3	Patrols focused on commercial areas and School Zones and residential zones with known issues			
4	Residential Tenancy Act mandatory as of July 2018			
5	Emergency Management and Civil Protection Act			
6	Enforced by Vaughan Animal Services (Contract Services)			
7	Other Agency (e.g. Police and MNNFR)			
*	<sup>**'</sup> Represents that this item may or may not be required to be in writing or may or may not be essential and will be determined by the Officer, or the Manager, where appropriate.			