SUBJECT: Appointment of Municipal Law Enforcement Officers for Animal Control under By-law No. 01-084 (PED06378) (City Wide)

RECOMMENDATION:

(a) That the following persons be appointed as Municipal Law Enforcement Officers, pursuant to Section 15(1) of the Police Services Act, R.S.O. 1990, Chapter P.15:

“Susan M. McGrath
Bradley J. Potts”

(b) That the appointment of the following person as a Municipal Law Enforcement Officer be rescinded:

“Michael Bain”

(c) That a by-law to amend By-law No. 01-084 accordingly and in the form attached to Report No. PED06378, as Appendix "A", be passed and enacted.
EXECUTIVE SUMMARY:

Due to staffing changes in the Animal Control and Standards and Licensing Sections of the Planning and Economic Development Department’s Building and Licensing Division, it is necessary to appoint the persons identified in recommendation (a) as Municipal Law Enforcement Officers and to rescind the appointment of the person identified in recommendation (b).

BACKGROUND:

At its meeting of March 1, 2006, Council approved the hiring of one additional Animal Control Officer to accommodate an anticipated increase in enforcement demand associated with recent amendments to the Dog Owners Liability Act. The subject increase in enforcement personnel corresponds with a 1.6 FTE reduction in Animal Care and Maintenance staff resulting from the closing of the Animal Control facility in Stoney Creek.\(^1\)

Additionally, as of June 2, 2006, Mr. Bain’s employment as a Municipal Law Enforcement Officer with the City came to an end and, as of July 24, 2006, Ms. McGrath was appointed to the position of Manager of Standards and Licensing. Consequently, it is appropriate to revise Schedule “A” of By-law No. 01-084 accordingly.

ANALYSIS RATIONALE:

N/A

ALTERNATIVES FOR CONSIDERATION:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications

There are no staffing or financial implications not already identified in the current budget.

Legal Implications

Save for the enactment of the subject amending by-law, no legal implications apply.

\(^1\) Planning and Economic Development Report 06-011
POLICIES AFFECTING PROPOSAL:

The subject recommendations are in compliance with extant corporate policies respecting the appointment of employees as Municipal Law Enforcement Officers.

CONSULTATION WITH RELEVANT DEPARTMENTS / AGENCIES:

Human Resources staff were consulted and assisted with the recruitment and termination processes.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens. Licensing and Standards, Animal Rescue and Pound Keeping services delivery will be maintained at acceptable levels.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected. Effective enforcement of municipal and provincial animal control regulations reduces the risks associated with animal/human conflict. Effective enforcement of property standards regulations reduces the risks associated with premises that are poorly maintained.

Economic Well-Being is enhanced. ☑ Yes ☑ No

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☑ No

CB/SMM
Attach. (1)
CITY OF HAMILTON

BY-LAW NO. 06-

To Amend City of Hamilton By-law No. 01-084
Being a By-law to Appoint Municipal Law Enforcement Officers

WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS Section 11(1) of the Municipal Act, 2001 S.O. 2001, c.25, as amended, authorizes the council of any single tier municipality to pass by-laws respecting matters within its spheres of jurisdiction;

AND WHEREAS the Council of the City of Hamilton, on the 15th day of May, 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 01-084.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows.

1. By-law No. 01-084, as amended, is hereby further amended by adding to Schedule “A” thereof the following names:

   "Susan M. McGrath
   Bradley J. Potts"

   and by deleting from Schedule “A” thereof the following name:

   "Michael Bain"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including Schedule “A” thereto, is hereby confirmed unchanged.
3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED AND ENACTED this day of , 2006.

_________________________________ _______________________
MAYOR CLERK