SUBJECT: Appointment of Municipal Law Enforcement Officers under By-law No. 01-084 being a By-law to Appoint Municipal Law Enforcement Officers (PED06047) (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:

“Marlene Loretta St. Louis
Ann Theresa Jordan
Marc Guilbeault
James Robert Pearson
Darren Charles Scott
John Derrick Snowdy
Matthew Agapit Tait Clermont
Magdalena Luchter-Chelminska
Andrew Pilakowski
Brenda Dawson”

(b) That the following entries in Schedule “A” of City of Hamilton By-law No. 01-084, be deleted, namely:

“Scott Robert McLeod  Hugh Campbell  Rosalee Frederick
Ian MacDonald  Wayne Lockhart  David Vanamm
Kashif Khan  John O’Brien  Wayne DiLabbio
Cindy Cannon  Joe Mathieson  George Babcock
Janice Stewart  Jim Wilson  Brian Lanto
John McCaffrey  Dean Vandermeulen  Art Dubois
Peter Ilic  Barb Maher  Norman Wamsley
Christine Fullarton  John Vollmer  Shaun Stanley
Marshall Baker  John McManus”
(c) That a by-law to amend By-law No. 01-084 accordingly, in the form attached hereto as Appendix “A” to Report PED06047, be passed and enacted.

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Lee Ann Coveyduck  
General Manager  
Planning and Economic Development Department

**EXECUTIVE SUMMARY:**

Due to staffing changes respecting municipal employees assigned to the Parking Enforcement Section of the Hamilton Municipal Parking System, under the jurisdiction of the Planning and Economic Development Department, it is necessary and appropriate to appoint the persons set out in recommendation (a) as Municipal Law Enforcement Officers. Recommendation (b) removes from Schedule “A” of By-law No. 01-084 entries respecting persons no longer employed by the City as Municipal Law Enforcement Officers.

**BACKGROUND:**

Appointment of the persons set out in recommendation (a) as Municipal Law Enforcement Officers will provide for consistent and expeditious enforcement of various municipal by-laws, including but not necessarily limited to by-laws regulating parking.

**ANALYSIS/RATIONALE:**

Appointment of the persons set out in recommendation (a) authorizes these individuals to carry out their responsibilities in enforcing various municipal by-laws. Deletion of the individuals listed in recommendation (b) is a housekeeping action to keep the listing in the by-law current.

**ALTERNATIVES FOR CONSIDERATION:**

Concluding that the recommended appointments are not warranted would result in decreased efficiency respecting the enforcement of the aforesaid municipal by-laws and would be inconsistent with Section 227 of the *Municipal Act, 2001* and Section 15(1) of the *Police Services Act.*
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Staff anticipates no increase in operating costs or revenues beyond those included in the current budget estimates. In view of the fact that the subject appointments fill positions which are, at present, vacant, there are no staffing implications. Save for the enactment of the subject amending by-law, appointing the persons identified in recommendation (a) as Municipal Law Enforcement Officers, no legal implications apply.

POLICIES AFFECTING PROPOSAL:

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

RELEVANT CONSULTATION:

Human Resources staff were consulted and assisted with the interview and recruitment process.

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
Quality services are provided which residents can rely on in support of the community's quality of life.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Enforcement of the aforementioned by-law is consistent with the City's goal of maintaining a healthy, safe and green city under Section 3(f) of the Strategic Plan by improving the safety of residents.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Service quality and community priorities are reflecting in the recommendation

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No
The recommendation creates value for the community, environmental and economic well being by meeting Provincial requirements and leading to a sustainable community.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
The recommendation adds to the creation of a respectful, desirable and supportive workplace in which persons appointed to the role of Municipal Law Enforcement Officers are legally authorized to carry out their duties under Section 15(1) of the Police Services Act, R.S.O. 1990, Chapter P. 15.
CITY OF HAMILTON

BY-LAW NO. __________

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

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 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 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:

   “Marlene Loretta St. Louis
    Ann Theresa Jordan
    Marc Guilbeault
    James Robert Pearson
    Darren Charles Scott
    John Derrick Snowdy
    Matthew Agapit Tait Clermont
    Magdalena Luchter-Chelminska
    Andrew Pilakowski
    Brenda Dawson”
To Appoint Municipal Law Enforcement Officers

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

“Scott Robert McLeod  Hugh Campbell  Rosalee Frederick
Ian MacDonald  Wayne Lockhart  David Vanamm
Kashif Khan  John O’Brien  Wayne DiLabbio
Cindy Cannon  Joe Mathieson  George Babcock
Janice Stewart  Jim Wilson  Brian Lanto
John McCaffrey  Dean Vandermeulen  Art Dubois
Peter Ilic  Barb Maher  Norman Wamsley
Christine Fullarton  John Vollmer  Shaun Stanley
Marshall Baker  John McManus”

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule 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