**SUBJECT:** Appointment of Municipal Law Enforcement Officers for Parking Control under By-law No. 01-084 (City Wide) (PED06415)

**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:

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"Frank Thiessen
   Allen Kitchen
   Meghan Loomes"
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(b) That the appointments of the following persons as Municipal Law Enforcement Officers be rescinded:

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"Marlene Loretta St. Louis
   Dennis Blayney
   Lucy Smith
   Melissa Ann Stevenson"
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(c) That a by-law in the form attached to Report PED06415 as Appendix "A" to amend By-law No. 01-084 accordingly be passed and enacted.

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Lee Ann Coveyduck  
General Manager  
Planning and Economic Development Department
EXECUTIVE SUMMARY:

Due to staffing changes in the Hamilton Municipal Parking System (HMPS) Section of the Planning and Economic Development Department’s Downtown Renewal Division, it is necessary to appoint the persons identified in recommendation (a) as Municipal Law Enforcement Officers and to rescind the appointments of the persons identified in recommendation (b).

BACKGROUND:

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, by by-law, who shall be peace officers for the purposes of enforcing the by-laws of the municipality.

On the 15th day of May, 2001, Council enacted By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton and, as a result of changes in the HMPS staff complement, including its contractual staff complement, it is necessary and appropriate to amend the subject by-law by including the names of newly hired officers and deleting the names of persons no longer employed by HMPS as Municipal Law Enforcement Officers.

ANALYSIS OF ALTERNATIVES:

Concluding that the recommended appointments are not warranted would result in decreased efficiency respecting the enforcement of municipal parking regulations as they apply on-street, on private and municipal properties and in municipal parking lots and municipal parks. Further, declining to enact the subject amending by-law would be inconsistent with Section 227 of the Municipal Act, 2001 and Section 15(1) of the Police Services Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Implications

There are no financial implications.

Staffing Implications

The recommendations merely accommodate changes in personnel and have no overall affect on the HMPS staff complement.

Legal Implications

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

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

CONSULTATION WITH RELEVANT DEPARTMENTS / AGENCIES:

Human Resources staff were consulted and assisted with the recruitment process respecting City employees.

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. Parking enforcement will be maintained at acceptable levels.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
An effective parking enforcement program contributes, in part, to the health and safety of a community by reducing traffic safety hazards through regulation and deterrence.

Economic Well-Being is enhanced. ☑ Yes ☐ No
The enforcement of parking by-laws assists in maintaining free-flow transportation thereby contributing to the economic vitality of the City.

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

PDB/MBH/kag
Attach. (1)
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 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:
   “Frank Thiessen
   Allen Kitchen
   Meghan Loomes”

   and by deleting from Schedule “A” thereof the following name:
   “Marlene Loretta St. Louis
   Dennis Blayney
   Lucy Smith
   Melissa Ann Stevenson”
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 25th day of October, 2006.

_________________________________ _________ _______________________
MAYOR      CLERK