

The Corporation of the Municipality of Brockton



By-Law 2020-001

Being a By-Law to Appoint Lisa MacDonald as the Animal Control and By-Law Enforcement Officer for the Municipality of Brockton.

Whereas the *Municipal Act, 2001*, R.S.O., 2001, S.O. 2001, Chapter 25, Section 9, as amended assigns to Municipal Councils the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under the Act or any other Act which includes the hiring of employees; and

Whereas Section 55 of the *Comprehensive Ontario Police Services Act, 2019*, S.O. 2019, c. 1, as amended permits Councils to appoint Municipal Law Enforcement Officers to enforce municipal by-laws;

Whereas Section 15.1 of the *Building Code Act, 1992*, S.O. 1992, c. 23 and section 6.03 of By-Law 2018-057, being a By-law to Prescribe Standards for the Maintenance and Occupancy of Property and to Repeal By-Law 2005-40 the Property Standards By-Law for the Municipality of Brockton, authorizes Council to appoint an Officer who is responsible for administering and enforcing by-laws in relation to Property Standards;

Whereas section 8 of the *Weed Control Act*, R.S.O. 1990, c. W.5 provides that the council of a lower tier municipality may by by-law appoint one or more persons as municipal weed inspectors to enforce the Weed Control Act in the area within the council's jurisdiction

Whereas Section 226.1 of the *Residential Tenancies Act, 2006*, S.O. 2006, c.17 as amended permits a local municipality to appoint Inspectors;

Now Therefore the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That The Corporation of the Municipality of Brockton Council hereby appoints Lisa MacDonald as the Animal Control and By-Law Enforcement Officer for the Municipality of Brockton pursuant to the *Comprehensive Ontario Police Services Act* effective July 29, 2019;
- 2.0 That The Corporation of the Municipality of Brockton hereby appoints Lisa MacDonald as a Property Standards Officer for the Municipality of Brockton in accordance with the *Building Code Act*.
- 3.0 That The Corporation of the Municipality of Brockton hereby appoints Lisa MacDonald as an Inspector for the Municipality of Brockton in accordance with the *Residential Tenancies Act*.
- 4.0 By virtue of the appointment herein, Lisa MacDonald shall be a Provincial Offences Officer pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, P. 33.
- 5.0 That the position description for the Animal Control and By-Law Enforcement Officer be attached as "Schedule A" and forms part of this By-Law.
- 6.0 This By-Law shall come into full force and effect upon final passage.
- 7.0 This by-law shall repeal and replace By-Law 2019-086.

8.0 This By-Law may be cited as the “Appoint Lisa MacDonald as Animal Control and By-Law Enforcement Officer By-Law”.

Read, Enacted, Signed and Sealed this 14th day of January, 2020.

Mayor – Chris Peabody

Clerk – Fiona Hamilton

Animal Control and By-Law Enforcement Officer

Municipality of Brockton

Task List



Summary:	The Animal Control and By-law Enforcement is responsible for investigating, administering and enforcing the provisions of all By-laws of the Municipality, as well as applicable provincial statutes.		
Location:	Brockton	Group:	(none)
Department:	Administration	Family:	
Scenario:	Brockton	Reports To:	Clerk
Job ID:		Last Updated:	April 2019
Supervises:	N/A		

Tasks:

Administration

1. Respond to general enquiries from residents of Brockton.
2. Respond to complaints from local citizens, elected officials and businesses.
3. Respond to public safety issues related to by-law enforcement and complaints and take appropriate action.
4. Explain the By-law to the violators.
5. Conduct regular patrols and perform day to day enforcement activities, including monitoring parking.
6. Maintain detailed records of incidences.
7. Investigate and track complaints and complaint areas and manage files to completion.
8. Ensure evidence is gathered in an appropriate and legal manner.
9. Seek out and obtain witness statements and caution statements from accused on investigative matters.
10. Following search and seizure procedures when necessary and appropriate.
11. Store and secure evidence if needed.
12. Issue orders, work with lawyer, serve as municipality's designate in court proceedings, attend court for and give testimony related to prosecutions.
13. Provide a monthly report showing, but not limited to, callouts, patrols and impoundments and other enforcement duties performed for the month.
14. Provide Emergency service after hours, weekends and statutory holidays.
15. Provide public education and awareness and promote safety in order to reduce the incidence of accidents, emergencies and By-law infractions.
16. Complete administrative tasks as required.
17. Monitor the By-law Budget.
18. Cooperate with other law enforcement agencies.

Animal Control

19. Provide the enforcement of all Municipal animal control By-laws as required
20. Respond to calls regarding livestock, exotic and non-domestic animals at-large or posing a threat to the health, welfare, and safety of the community, seeking means to impound, confine, and relocate animals as necessary.
21. Pick up and impound stray dogs to the Pound Keeping Facility designated by the Corporation in the Animal Control By-law.
22. Make every reasonable effort to contact the owner of a licenced dog to advise such owner that the dog has been impounded.
23. Procures a licence registered by the Municipality for any un-licenced dog before being released from the pound.
24. Assist obtaining licences for all dogs in the Municipality.
25. Euthanize a dog in the case of a dog which is injured or should be destroyed without delay for humane reasons or for reasons of safety to person or animals.
26. Try to reach an understanding and obtain compliance with the By-law.
27. Arrange for action to be taken when orders are not followed (removing animals from homes).
28. Enforce pertinent rabies control ordinances and resolutions.

29. Arrange for the appropriate regulatory authority to investigate reports of animal cruelty, neglect, and abuse.
30. Promote responsible pet guardianship through school programs and education.

By-Law Enforcement

31. Discuss By-law requirements with involved parties and attempt to reach an understanding and obtain voluntary compliance with the By-law.
32. Provide the enforcement of all designated By-laws as required.
33. Enforce By-laws by issuing violation tickets, traffic tags or summonses and subpoenas, and prepare related legal documents.
34. Attend Provincial Offences Court or the Ontario Court of Justice as required to assist in the prosecution of offences.

Property Standards

35. Provide administrative support relating to property standards, including initial inspections of properties to determine compliance with all municipal By-laws, including the Municipality's Zoning By-law and Property Standards By-law.
36. Assisting with the resolution of complaints, provide information and guidance concerning property standards issues.
37. Assist the Building Department to correct problems when orders are not obeyed by arranging for required work to be done and invoicing the property owner, when requested.

Other

1. Complies with Municipality of Brockton policies and procedures.
2. Performs other tasks as assigned by management.

Skills

1. Completion of a Municipal Law Enforcement Officer program or a college diploma in the field of law enforcement; or graduate of the Ontario Police College or other recognized police training facility, or training with the Ministry of Natural Resources is considered an asset.
2. MLEO certification through the Municipal Law Enforcement Officers' Association of Ontario is preferred.
3. Certification as a Property Standards Officer considered an asset
4. Two years related experience in Animal Control or By-law Enforcement is an asset.
5. Working knowledge of the provincial court system.
6. Knowledge of proper investigative and interviewing techniques.
7. Strong communication (written, oral and interpersonal), analytical, report-writing, problem-solving, public relations and organizational skills.
8. Knowledge of Microsoft Windows and Office applications, financial information systems and associated evaluative techniques.
9. Ability to demonstrate tact and discretion in handling matters of a confidential or politically sensitive nature, and to maintain confidentiality.
10. Ability to deal effectively and courteously in all aspects of the position; to work effectively at fostering good rapport and cooperative working relationships; and to champion the corporate mission and values.
11. A valid Ontario Class G Driver's License with a clean Ministry of Transportation abstract and a reliable vehicle to attend to enforcement matters within the Municipality.
12. A clear criminal record (background check completed by municipality).
13. A current Standard First Aid certificate