Date: December 12, 2017
To: Mayor Mary Smith and Council Members
From: Robert Lamarre Manager of Building and Planning
Subject: By-law Enforcement Contract
Status: For Endorsement

Recommendation
That the report of the Manager of Building and Planning regarding the execution of a fee for service contract to perform By-law enforcement services be received; and

That By-law 2017-078 to authorize the execution of a fee for service Agreement between The Corporation of the Township of Selwyn and Kawartha Guard Service be brought forward for consideration under the By-law section of the agenda.

Information
Council approved of the execution of fee for service contracts with Kawartha Guard Service (KGS) which have been in place since July 1, 2016. During the life of the contracts, KGS responded to dozens of complaints with a high degree of success. I found their approach to be measured and commensurate with the scope and scale of the problem.

Having KGS available to address typical by-law enforcement matters during the peak construction period has enabled us to provide a better level of service to the building industry and to address by-law infractions in a more timely manner.

Construction activity in 2016 and 2017 has been very robust and I anticipate that this will be the case for several years to come. I believe that in order to maintain a reasonable level of service delivery related both the building permit and by-law enforcement functions, we’ll need the additional support provided by KGS.

Complainants will continue to submit their complaints to the Township (email, mail or in person). I will vet them and provide KGS with those that I believe are appropriately managed by their firm. I will continue to provide them with a clear understanding of the appropriate approach given the context and will brief them on any relevant history if necessary. KGS is then compelled to investigate the complaint between 8:30 and 4:30 Monday to Friday within 2 days of its receipt and are to keep me abreast of their actions by submitting incident reports within 24 hours of their creation.
KGS also successfully managed the new No Parking provisions in the area of Dutch Marine in Bridgenorth this past season. The issuance of notices by KGS was very effective and there was no requirement to have any vehicles and/or trailers towed during the season. It is hoped that enforcement of these requirements will become less over time as people become used to the new regulations.

Given the success we’ve had to date, I am proposing that we execute a fee for service contract with KGS that contains a termination clause in lieu of a completion date. This will eliminate the need to bring a report to council at the end of every year and allow us to continue to rely on KGS to deliver their service until either party decides to terminate the agreement with 60 days’ notice.

As the agreement won’t be open for negotiation on an annual basis, we have incorporated an annual increase into the agreement. The current hourly rate of $21.50 will be raised to $24.00 in 2018 and to $25.00 in 2019 as a result of the recent changes to the minimum wage. From that point forward the rate would increase 2% annually. This still provides for a very cost effective way for the Township to provide these services. The Township will compensate KGS at the relevant hourly rate and a mileage rate of $0.46/km (2018) (this rate is also subject to a 2% annual increase).

This is a fee for service contract with no guarantee with respect to work load.

**Strategic Plan Reference**

*Goal # 2 - Achieve excellence in governance and service delivery.*

**Financial Impact**

The Department 13 budget contains a sub-contract account which has typically been underspent. I do not anticipate that the increase hourly rate for 2018 will necessitate an increase in the budget.

**Attachments**

- Fee for Service Agreement

**Robert Lamarre**

Prepared By: Robert Lamarre
Manager of Building and Planning

**Janice Lavalley**

Reviewed By: Janice Lavalley, CAO