



Staff Report

Legal Services – By-law

Report To: COW-Finance, Admin, Fire, Legal, Community Services
Meeting Date: January 30, 2023
Report Number: FAF.23.027
Title: Amendment to By-law 2022-49, Being a By-law to regulate the parking, standing and stopping of motor vehicles on roads and properties under the jurisdiction of the Town of The Blue Mountains, and By-law 2018-67, being a By-law to appoint Municipal Law Enfo
Prepared by: Wayne DeWitt, Supervisor By-law Enforcement

A. Recommendations

THAT Council receive Staff Report FAF.23.027, entitled “Amendment to By-law 2022-49, Being a By-law to regulate the parking, standing and stopping of motor vehicles on roads and properties under the jurisdiction of the Town of The Blue Mountains, and By-law 2018-67, being a By-law to appoint Municipal Law Enforcement Officers”;

AND THAT Council enact an amendment to By-law No. 2022-49, Being a By-law to regulate the parking, standing and stopping of motor vehicles on roads and properties under the jurisdiction of the Town of The Blue Mountains. The amendment would add the parking lot located at 190 Gord Canning Drive to the list of parking lots where Blue Mountain Resort Security staff can enforce the Parking By-law.

AND THAT Council enact an amendment to By-law No. 2018-67, as amended, being a By-law to appoint Municipal Law Enforcement Officers, that would add the parking lot at 190 Gord Canning Drive to the column that specifies which properties Blue Mountain Resort Security staff are permitted to enforce the Parking By-law. Additionally, the amendment to By-law 2018-67 would update the list of persons appointed as Municipal Law Enforcement Officers for the purposes of enforcing specific parking-related by-laws of the municipality on specific lands.

B. Overview

The purpose of this report is to outline amendments to By-law 2018-67 and By-law 2022-49, to add the parking lot located at 190 Gord Canning Drive to the list of parking lots where Blue Mountain Resort Security staff can enforce the Parking By-law, and to update the list of persons appointed as Municipal Law Enforcement Officers for the purposes of enforcing specific parking-related by-laws of the municipality on specific lands.

C. Background

Parking infractions for private parking areas in The Town are enforced by designates of the private property owners. These designates are also appointed by Council as Municipal Law Enforcement Officers to enforce the Parking By-law infractions that are specific to private property.

We have received a request from Blue Mountain Resort to add the parking lot located at 190 Gord Canning Drive to By-law 2022-49. The letter of request (Attachment 3) specifies that this is a staff parking lot for employees of Blue Mountain Resort. However, there is an ongoing issue with resort guests parking in this lot, leaving staff members without parking spaces. Currently, there are signs at the lot entrance referencing that it is staff-only. Should Council approve the amendment to By-law 2022-49, additional “No Parking” and “Staff Parking Only” signs, referencing By-law number 2022-49, will be erected throughout the lot in visible locations.

We have also received a request from Blue Mountain Resort Security to remove John Sparkes, Steve Forbes, Adam McPhee, Tyler Johnson, Alexandra Jansen-Gallant, and Vishnu Sankarankutty from the list of persons appointed as MLEOs to enforce specific parking-related by-laws of the municipality on specific lands.

Town Staff recommends an amendment to By-law No. 2018-67, being a By-law to appoint Municipal Law Enforcement Officers for the purposes of enforcing specific parking-related by-laws of the municipality on specific lands, to add the parking lot located at 190 Gord Canning Drive to the associated lands as noted in the “Property” column of ‘Schedule A’ in the attached Draft By-law. The amendment would also remove the above-noted people from the “Names” column of ‘Schedule A’.

Schedule “A” of the attached draft amending By-law outlines the revised list of appointed MLEOs and the associated lands as noted in the “Property” column on which they are authorized to enforce specific parking-related by-laws.

D. Analysis

Appointing third-party personnel as Municipal Law Enforcement Officers for the purpose of parking enforcement on private lands allows effective parking control to be exercised, without additional costs to the Town.

E. Strategic Priorities

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

F. Environmental Impacts

N/A

G. Financial Impacts

Appointing third-party personnel as Municipal Law Enforcement Officers for the purpose of parking enforcement of private lands allows effective parking control to be exercised and enforced with revenue remaining with Town and additional enforcement at no additional cost to The Town.

H. In Consultation With

N/A

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

J. Attached

1. Draft Amendment to By-law 2022-49
2. Draft Amendment to By-law 2018-67
3. Letter of Request from Blue Mountain Resort

Respectfully submitted,

Wayne DeWitt
Supervisor By-law Enforcement

Will Thomson
Director Legal Services

For more information, please contact:
Wayne DeWitt, Supervisor By-law Enforcement
bylawadmin@thebluemountains.ca
519-599-3131 extension 243

Report Approval Details

Document Title:	FAF.23.027 Amendment to By-law 2022-49 and By-law 2018-67.docx
Attachments:	<ul style="list-style-type: none">- Att. 1 Draft Amendment to By-law 2022-49.pdf- Att. 2 Draft Amendment to By-law 2018-67.pdf- Att. 3 Letter from BMR.pdf
Final Approval Date:	Jan 19, 2023

This report and all of its attachments were approved and signed as outlined below:

Wayne DeWitt - Jan 19, 2023 - 10:26 AM

Will Thomson - Jan 19, 2023 - 1:33 PM