



REQUEST FOR A DECISION

Regular City Council Meeting – December 13, 2021

To: Her Worship Mayor Kate Rogers and Members of City Council

From: Brad Cameron, Assistant Director Public Safety
Communications & Safety Services

Date: November 29, 2021

Title: By-law Officer Appointment

ISSUE:

The Council of the City of Fredericton requires that each enforcement officer be given the authority to issue City of Fredericton Municipal By-law tickets.

RECOMMENDATION(S):

A. Recommendation:

It is recommended that the following resolution be forwarded to City Council for consideration: BE IT RESOLVED that the Council of the City of Fredericton authorizes, appoints, and designates Jonas Watson as a By-law Enforcement Officer effective immediately, pursuant to Section 72 of the Local Governance Act and subsection 14(3) of the Police Act, in order to administer and enforce the following by-laws within the territorial boundary of the City of Fredericton: By-law No. L-8, A By-law Respecting Park Lands and Recreation Areas, and amendments thereto; By-law No. L-9, A By-law Relating to the Old Public Burial Ground, and amendments thereto; By-law No. R-2, Maintenance and Occupancy Standards for Residential Properties By-law, and amendments thereto; By-law No. R-4, A By-law Respecting the Control of Gravel and Sand Pits, and amendments thereto; By-law No. R-6, A By-law to Regulate Taxi Owners and Operators of the City of Fredericton, and amendments thereto; By-law No. R-7, A By-law to License Peddlers, and amendments thereto; By-law No. R-11, A By-law Respecting Pawnbrokers & Second Hand Dealers in the City of Fredericton, and amendments thereto; By-law No. R-14, A By-law to Regulate Vehicles for Hire, and amendments thereto; By-law No. S-4, A By-law Respecting the Regent Street Wharf, and amendments thereto; By-law No. S-5, A By-law Respecting Fireworks, Spring Guns and Air Rifles, and amendments thereto; By-law No. S-6, A By-law to Establish a Curfew, and amendments thereto; By-law No. S-16, A By-law Respecting Dangerous or Unsightly Premises, and amendments thereto; By-law No. S-9, A By-law to Prevent Nuisances, and amendments thereto; By-law No. S-11, A By-law Respecting Animal Control, and amendments thereto; By-law No. S-17, A By-law Respecting Disturbance by Noise, and amendments thereto; By-law No. T-1, A By-law to Regulate Traffic, and amendments thereto; By-law No. T-4, A By-law Respecting Streets and Sidewalks, and amendments thereto; By-law No. T-6, A By-law Respecting Public Motor Buses, and amendments thereto; By-law No. T-8, A By-law Relating to Loitering and Begging in the City of Fredericton, and amendments thereto; By-law No. W-4, A By-law to Regulate the Collection and Disposal of Garbage and other Material, and amendments thereto; By-law No. Z-5, A Zoning By-law for the City Of Fredericton, and amendments thereto. And BE IT FURTHER RESOLVED that this appointment shall continue until Jonas Watson ceases to be employed by the City of Fredericton or until the appointment under this resolution is rescinded by City Council, whichever comes first.

BACKGROUND & DISCUSSION:

The Local Governance Act, under section 72 states:

72 A council may appoint by-law enforcement officers for the local government and may determine their terms of office.

Further, subsection 14 (3) of the Police Act states:

14(3) Within the territorial boundaries of the municipality for which he is appointed, a by-law enforcement officer has the powers and immunities of a police officer for the purposes of enforcing such by-laws of the municipality for which he is appointed as are stipulated in his appointment, but has in no other regard the powers or immunities of a police officer.

FINANCIAL: There are no immediate impacts on the current operating budget.

LEGAL : In order to ensure compliance with the provisions under the *Local Governance Act* and the *Police Act*, by- law enforcement officers must be duly authorized, appointed and designated by resolution of City Council; otherwise, successful enforcement may not be achieved. The officer then has the jurisdiction to write and serve tickets within the territorial boundary of the municipality for infractions inscribed under the noted by- laws but for no others.

COMMUNICATIONS : The Department / Division has determined that there are no communication considerations associated with this matter. Neither Corporate Communications nor Strategic Communications were consulted with respect to this administrative report.

SPOKESPERSON:

Prepared by: Brad Cameron, Assistant Director Public Safety Communications & Safety Services

Approved by: Dwayne Killingbeck, Fire Chief