

CORPORATE POLICY



Policy Title: Enforcement of the Parks By-Law
Policy Category: Administration Policy
Policy No.: A-012
Department: Community Services
Approval Date: July 14, 2014
Revision Date:
Author: Rhonda Larsh
Attachments: Parks By-Law
Related Documents/Legislation:
Parks By-Law
COM2014-016 Parks By-law Report to Council
Key Word(s): Parks

POLICY STATEMENT:

This policy addresses the enforcement of the Parks By-Law. The City of Waterloo is committed to protecting the integrity of parks while regulating activities for park users within the City of Waterloo in order to provide a safe and healthy experience for all residents.

PURPOSE:

This policy will provide consistent guidelines on how to enforce the Parks By-Law.

DEFINITIONS:

PARK: means municipal Property that is under the control and/or management of the City and which is set aside and used for:

1. Active recreational purposes (including: soccer pitches, baseball diamonds and other organized sports fields);
2. Passive recreational purposes (including: open space lands and recreational trails);
3. Conservation purposes (including woodlots, hazard lands and naturalized open areas);
4. Buffer land (including open areas established between competing land uses);
5. Drainage (including wetlands and stormwater management areas); and/or
6. Utility corridors.

This term excludes the City's golf courses and its cemeteries.

Mandatory Policy, *Municipal Act*: No
Policy Administration Team, Review Date June 11, 2014
Corporate Management Team, Review Date June 18, 2014

SCOPE:

This policy applies to staff authorized to enforce the Parks By-Law.

POLICY COMMUNICATION:

The policy will be distributed to the Commissioner of Community Services, Director of Environment & Parks Services and staff authorized to enforce the Parks By-Law.

POLICY:

1. Enforcement related to the Parks By-Law may be conducted on a re-active or pro-active basis.
2. Complaints and concerns relating to the Parks shall be directed to Environment & Parks Services in writing to the Waterloo Service Centre, 265 Lexington Court, P.O. Box 337, Station Waterloo, Waterloo, Ontario, N2J 4A8 or by telephone, email, or in person during regular business hours.
3. The inquiring party's personal information will be dealt with in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.
4. The Director of Environment and Parks, or his designate will determine action to be taken, if any, based on available staff, resources and scope of the inquiry.
5. The complaint will be forwarded to the appropriate Environment & Parks Services staff member for inspection/investigation.
6. Environment & Parks staff may make attempts to achieve compliance prior to enforcement action being taken.
7. When a contravention to the By-law occurs which does not warrant remedial action, education will be provided.
8. When a contravention to the By-law occurs which warrants remedial action, a work order will be created under the Parks By-Law. This work order will contain detailed information on remedial work required and an expected time frame for completion.
9. If remedial action has not been complied with, the City will carry out the work to bring the property into compliance, costs associated with this process will include all related labour and equipment costs, inspection fees and administration fees as outlined in the By-law. Costs shall be billed back to the private property owner and if not paid in a reasonable amount of time they shall be placed on the property tax roll and collected as municipal taxes.
10. In cases of repeat offenders, the offender may be subject to Provincial Offences Act charges, in addition to a work order issued under the Parks By-Law.

11. The investigating Parks and Environment staff member will determine any action to be taken with respect to an investigation, subject to the overriding direction of the Director of Environment & Parks Services, or his or her designate.

COMPLIANCE:

In cases of policy violation, the City may investigate and determine appropriate corrective action.