



CITY OF YELLOWKNIFE

Policy Title: **BY-LAW ENFORCEMENT POLICY**
Approved By: **Council Motion #0083-19**
Effective Date: **March 26, 2019**

1 INTRODUCTION

This Policy articulates the process guiding Municipal Enforcement Officers in performing their daily responsibilities by providing context to assist in decision-making and establishes Council priority setting. It also provides transparency to the enforcement process for the general public.

2 PURPOSE

The By-law Enforcement Policy (the Policy) is intended to uphold effective municipal by-law enforcement and provide transparency to enforcement action. The City of Yellowknife does this through a range of tools including public education, voluntary compliance, warnings and ultimately, legal action.

The Policy promotes a consistent approach to enforcement of municipal by-laws and investigation on complaints. The Policy also establishes a process for annual Council strategic priority-setting for municipal enforcement to ensure resources are applied towards enforcement areas of greatest concern.

3 POLICY

The City of Yellowknife will prioritize proactive enforcement action on matters related to public safety. All other by-law enforcement action will be undertaken in response to complaints. In addition, Council will set strategic priorities for municipal enforcement annually.



3.1 Guidelines

For consistency and transparency for members of the public, the following operational guidelines will influence Municipal Enforcement Officers' action in responding to complaints and enforcing municipal by-laws.

1. Circumstances which may impact public health/safety, or Officer safety require proactive enforcement, including investigation, and are the first consideration for immediate response or direct action by Municipal Enforcement Officers.
2. The majority of City by-laws are enforced on a complaint basis only. Complaints may come from members of the general public, members of City Council, other City staff, partner agencies, or other Municipal Enforcement Officers.
3. Municipal Enforcement Officers will respond to complaints and will investigate by-law violations they become aware of, in a manner consistent with the provisions of this Policy.

3.2 Priority Setting for Enforcement

High level priority setting for municipal enforcement shall be at the discretion of Council.

4 **DEFINITIONS**

Proactive Enforcement - Municipal Enforcement Officers taking their own initiative to address issues involving the health and safety of members of the public as well as other by-law violations

Reactive Enforcement - Municipal Enforcement Officers responding to formal complaints received

5 **APPLICATION**

Municipal Enforcement Officers are appointed under Section 137 of the *Cities, Towns and Villages Act* of the Northwest Territories.

A Municipal Enforcement Officer, while carrying out his/her duties is considered a Peace Officer as defined by the Criminal Code of Canada. The designation as a Peace Officer is limited to that time when the Municipal Enforcement Officer is enforcing or attempting to



enforce any provision of a by-law or Territorial legislation which the Municipal Enforcement Officer has authority to enforce.

The Policy applies to all municipal by-law enforcement undertaken by the Municipal Enforcement Division including responding to complaints, investigations and prosecutions. By-law enforcement can be sought through voluntary compliance encouraged through risk education or warnings. If circumstances indicate, Municipal Enforcement Officers can take other action such as the issuance of fines, compliance orders, court proceedings, driver suspension or vehicle impounding.