

RURAL MUNICIPALITY OF WEST RIVER
RESOLUTIONS

DATE January 13, 2022

MOTION #2022-06

MOTION CARRIED _____

MOTION LOST _____

Moved by Councillor _____ Sharon Slauenwhite

Seconded by Deputy Mayor _____ Robert Clow

WHEREAS

To comply with Municipal Government Act section (227) (e) of Contravention of bylaw made under Municipal Government Act section (226) (3), and

WHEREAS

Chief Administrative Officer has obtained approval from the Minister of Fisheries and Communities on December 14, 2021,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the proposed add-on component to the Official Plan and Land Use Bylaw project contract with SJ Murphy Planning & Consulting (MOTION # 2021- 37) at the cost of \$21,105.00 plus HST (as per the attached proposal) and authorized the CAO to execute it.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail _____

Mayor

Laala Jahanshahloo _____

Chief Administrative Officer



Rural Municipality of West River

Official Plan & Bylaw

Estimate: Enforcement Add-on

Prepared by SJ Murphy Planning and Consulting
December 3, 2021

Rural Municipality of West River
PO Box 309
Cornwall, PE
COA 1H0
c/o Laala Jahanshahloo,
Chief Administrative Officer

Dear Ms. Jahanshahloo:

Please find below an estimate for an add-on component to the Official Plan and Bylaw project that would involve the development of plan and bylaw enforcement-related bylaws and the components that would accompany them. This work through SJ Murphy Planning and Consulting would involve consulting with subject matter experts as I deem appropriate or required.

The components of this project would be as follows:

- **Bylaw Enforcement Officer Bylaw** - this would include the matters required under the *Municipal Government Act* (MGA), along with any other matters that are identified as being pertinent. While ultimately the bylaw may be combined with the ticketing bylaw referenced below, each bylaw represents a different requirement under provincial legislation and would need to be assessed in their own right.
- **Bylaw Enforcement and Municipal Offence Ticket Bylaw** - at this time, the municipality has indicated interest in a framework for municipal offence tickets for planning and development control enabled under the MGA, clause 227 (e). As I understand it, the municipality is not looking to establish ticketing for any other types of violations at this time.
- **Forms and Tickets** - these would, for the most part, be included as schedules in the bylaw(s) but would need to be developed individually.
- **Process Flows** – these include a checklist of the steps to enforcement and critical actions for each (documenting the interactions, photos of the violation, etc.), recognizing that in the matter of enforcement, no single checklist or process flow will be able to address all potential scenarios that might arise.
- **Templates** - templates to use for the different stages of bylaw enforcements, where appropriate, to guide the verbal notice, cease and desist letters in particular.
- **Bylaw Enforcement Officer** – an overview of appropriate or minimum qualifications and considerations in the selection of an enforcement officer.



My estimate for the level of effort and associated costs, including any subcontracting or consultation with subject matter experts, is as follows:

Bylaw(s)	\$6,500
Forms and Tickets	\$4,000
Process Flows	\$3,600
Templates	\$3,000
Bylaw Enforcement Officer Overview	\$3,000
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Subtotal	\$20,100
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Fixed rate disbursements/ Administration and Handling (5%)	\$1,005
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HST	\$3,165.75
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Total	\$24,270.75

Considerations and Terms

As this work will involve research and the development of new resources, I cannot provide an exact figure for the cost, but I would propose the above as an upper limit and would consult with the municipality should I find that there would be challenges in completing the work within the level of effort and cost set out above. Work would be billed based on the actual level of effort dedicated to this project. The municipality be responsible for all expenses incurred by SJ Murphy Planning & Consulting associated with the project.

It would be understood that the bylaws, tools, and checklists would not remove the general responsibility of the municipality to seek legal advice in relation to specific enforcement situations.

Timeline

As much of the ticketing aspects of the project will flow from the Land Use Bylaw framework and contents, I would propose to add this project to the later end of the official plan process, with an anticipated completion date to coincide with the deliverable date for the official plan administrative tools associated with the original official plan workplan, being the end of June, 2022.

Should you have any questions on any of the above or would like to discuss in further detail, please do not hesitate to reach out.

Respectfully submitted,

Samantha Murphy, RPP, LPP, MCIP

SJ Murphy Planning & Consulting

