



STAFF REPORT ACTION REQUIRED

INTEGRATED BY-LAW ENFORCEMENT – ML&S 2009 IN-YEAR BUDGET ADJUSTMENTS

Date:	October 7, 2009
To:	Budget Committee
From:	Executive Director, Municipal Licensing and Standards
Wards:	All
Reference Number:	p:\2009\cluster b\mls\bc001mls

SUMMARY

The purpose of this report is to recommend to Council, approval of 2009 Operating Budget technical adjustments related to the Integrated Bylaw Enforcement initiative that would:

- Transfer budget resources from the Solid Waste Management Services Division to provide for Bylaw Enforcement related to the 70% Waste Diversion Program.
- Transfer budget resources from the Parks, Forestry and Recreation Division to provide for Bylaw Enforcement related to Parks.
- Supports the Council approved program review initiative to realize efficiencies resulting from consolidating Bylaw Enforcement within the Municipal Licensing and Standards Division.

It is necessary to make several technical Operating Budget adjustments to reflect the transfer of staffing and non-staff resources required to implement Integrated Bylaw Enforcement. The budget adjustments reflect transfers between Municipal Licensing and Standards, Solid Waste Management Services and Parks, Forestry and Recreation Divisions. There is no net financial impact on the City's operating budget.

The General Managers of Solid Waste Management and Parks, Forestry and Recreation have been consulted in the preparation of this report and concur with these recommendations.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. The adoption of the in-year technical budget adjustments for the 70% Solid Waste Diversion Program, itemized in the form attached (Appendix A), from the Solid Waste Management Services Division to provide:
 - a) Gross Expenditures of \$1,316,090 for the establishment of 11 staff positions and related non-staff costs;
 - b) Inter-Divisional Recoveries of \$1,316,090 from the Solid Waste Management Division; and
 - c) Resulting in a Net Zero Budget Expenditure in Municipal Licensing and Standards Division, with no Net financial impact to the City's Operating Budget.

2. The adoption of the in-year technical budget adjustments for Parks Bylaw Enforcement, itemized in the form attached (Appendix B), from the Parks, Forestry and Recreation Division to provide:
 - a) Gross Expenditures of \$1,119,971 for the transfer of 14 staff positions and related non-staff costs;
 - b) Sundry Revenues of \$1,250; and
 - c) Resulting in a Net Budget Expenditure of \$1,118,721 in Municipal Licensing and Standards Division, with no Net financial impact to the City's Operating Budget.

Implementation Points

The recommended technical budget adjustments are proposed for the 2009 Operating Budget. For the 70% Waste Diversion Program, ML&S will establish the appropriate staff positions to implement the Program, once the budget transfers have been processed. For the Parks Bylaw Enforcement, 14 staff positions currently exist in Parks, Forestry and Recreation, which will be transferred to Municipal Licensing and Standards Establishment.

Financial Impact

There are no financial implications associated with the Integrated Bylaw Enforcement initiative. This reflects an internal re-allocation of operating budget funding from the Solid Waste Management Services Division and the Parks, Forestry and Recreation Division.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agrees with the financial impact information.

DECISION HISTORY

In July 2008 the consulting firm DPRA Inc. completed the Integrated Inspections, Enforcement and Prosecution Services Review and submitted its report recommending a range of changes to the City's enforcement regime. Included in these recommendations, was a transfer of Parks Enforcement responsibility, together with the necessary staff to maintain the existing level of service.

With respect to the City's 70% Waste Diversion Target, City Council at its meeting of June 19, 20 and 22, 2007 adopted a report and recommendations from the Acting General Manager and the Deputy City Manager and CFO. These recommendations included staff for the education and enforcement functions required to ensure the success of the Waste Diversion program.

COMMENTS

In 2005 staff responsible for enforcement of the City's waste collection by-laws were transferred to the Municipal Licensing and Standards Division. As part of a broad range of responsibilities, ML&S continue to provide the enforcement function, ensuring that there is compliance with every aspect of these by-laws.

Similarly, the undertaking of the Parks enforcement function will necessitate the movement of staff to ML&S and the related budget adjustments to facilitate this change.

With these changes there are anticipated benefits related to rationalization of enforcement functions within a single Division.

ISSUE BACKGROUND

Parks Bylaw Enforcement

In August 2007, DPRA Inc. was selected as the external consultant to assist the City with the review based on a Request for Proposal issued in July 2007.

This review examined service delivery processes related to inspections, enforcement and the administration of prosecutions for Toronto Water; Toronto Building; Municipal Licensing and Standards (ML&S); Fire; Transportation; Parks, Forestry and Recreation; and Toronto Public Health (noted hereafter as the seven Divisions). This was one of many program and operational reviews taking place across the City of Toronto operations.

The goal of the Toronto-wide review process was to assess programs and services the City delivers to ensure that they respond to the community's needs, to ensure services continue to be relevant, and that they are delivered effectively and efficiently.

The objectives for the review were two-fold:

1. to examine which processes, across the various Divisions providing inspections and enforcement services, could be integrated, realigned or streamlined to improve service delivery, and
2. the review engaged a cross-section of stakeholders and identify a range of suggestions to enhance customer service and improve service delivery.

In July 2008 the Integrated Inspections, Enforcement and Prosecution Services Review was completed and the final report was submitted. The recommendations were subsequently approved for implementation by the Deputy City Manager in August 2008.

As a first step, the City Parks enforcement responsibilities, together with the enforcement officers were moved to ML&S.

The recommendations included a transfer of the Parks enforcement function to Municipal Licensing and Standards together with the appropriate budget and equipment to maintain the existing service levels.

70% Waste Diversion Program

The City's initiatives to meet the 70% target for diversion of waste from landfills comprise a multi-faceted approach that encourages and supports a greater sensitivity to environmental concerns. These initiatives include a greater focus on recycling, separation of green bin material, organics and yard waste.

The success of these initiatives anticipates the need for a strong education component and a sustainable enforcement strategy. To this end the recommendations contained in the report adopted by City Council in June 2007, included an additional 19 FTE's to undertake these responsibilities.

In keeping with the recommendations in the June 2007 report, a progressive and escalating program of education and enforcement will be employed to ensure compliance with the City's by-laws that support the diversion objectives. With these actions, an on-going communication plan that is tailored to specific needs as the program develops will be implemented.

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SIGNATURE

Jim Hart
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ATTACHMENTS

Appendix A: Technical Budget Adjustment: 70% Waste Diversion Program 2009 In-Year Budget Adjustment

Appendix B: Parks Bylaw Enforcement Program 2009 In-year Budget Adjustment