



STAFF REPORT ACTION REQUIRED

Enforcement Activities in City Divisions

Date:	November 21, 2013
To:	Executive Committee
From:	Deputy City Manager, Citizen Centred Services "B"
Wards:	All
Reference Number:	P:\2013\Cluster B\DCM\EX13025

SUMMARY

As requested by Executive Committee at its meeting of September 24, 2013, this report provides details on enforcement activities provided by a number of City divisions, particularly as it relates to staffing, shifts, service levels, and productivity.

The Municipal Licensing and Standards, Toronto Building, Toronto Fire Services, Toronto Water and Transportation Services divisions each have some degree of regulatory accountability for the enforcement of the by-laws relevant to their area of responsibility, all of which are aimed at promoting public safety and ensuring compliance with their governing legislation.

Municipal Licensing and Standards, Toronto Building, Toronto Fire Services, Toronto Water and Transportation Services were consulted and contributed to the preparation of this report.

RECOMMENDATIONS

The Deputy City Manager recommends that:

1. Executive Committee receive this report for information.

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

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

DECISION HISTORY

At its meeting of September 24, 2013, Executive Committee requested the City Manager to provide a detailed report to the Executive Committee on enforcement activities across all City divisions, particularly as it relates to:

- variances in staffing complements;
- gapping;
- service level changes and adjustments;
- productivity based on violations and charges laid;
- analysis of evening, weekend and holiday staffing complements; and
- analysis of whether staffing complements are effective to fulfill the objectives of the division.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EX34.3>

ISSUE BACKGROUND

In July 2013, City Council approved a process for the review of divisional service levels and activities for City programs at the Standing Committee most applicable to the Division reporting. Recommendations arising from Standing Committees are being referred to the 2014 budget process for consideration and to staff to guide them during the administrative budget review process.

During the service level review presentation, a request was made for more specific details around the City-wide status of enforcement activities, including staffing, related workloads, and sufficiency of complement to fulfill divisional objectives.

COMMENTS

There are a number of City divisions with accountability for some level of enforcement of municipal by-laws and/or provincial statutes. These divisions deploy their enforcement/inspection staff at varying shift days and hours, deemed most applicable to the work to be undertaken. The focus of this report is on enforcement within City divisions, accordingly Toronto Public Health is not included in this report. This report provides an outline of each of the relevant City divisions' enforcement accountabilities and current deployment/staffing initiatives.

Distribution of Enforcement Responsibilities

Municipal Licensing and Standards

The Municipal Licensing and Standards (ML&S) division has responsibility for the enforcement of a wide variety of by-laws. The division is responsible for the enforcement of more than 29 by-laws, including: Property Standards, Zoning, Postering, Graffiti, Business Licensing, Animals, Signs, Grass and Weeds, Vital Services, Clothing Drop Boxes, Waste, Illegal Dumping, Parks and others. The division also enforces the Dog Owner's Liability Act, a provincial statute; provides a proactive building audit program (MRAB); has developed a Housing Occupancy Standards Team to address rooming house investigations city-wide; and deployed a dedicated team to combat Graffiti. ML&S is one of the Integrated Service Divisions receiving complaints through 3-1-1.

The division is currently undergoing a realignment of its enforcement activities, which will deploy its' enforcement resources across Investigation Services and a new service unit, By-law Enforcement. Toronto Animal Services will remain intact, with some of its enforcement responsibilities being transitioned to the Parks and Waste Enforcement teams.

Toronto Building

Building Inspectors conduct mandatory inspections for new building construction and demolition of buildings to ensure that the buildings are in compliance with the Building Code. They also investigate building construction related complaints, resolve issues or take appropriate enforcement action and respond to building related emergencies.

Sign Unit inspection staff conduct inspections related to sign permits and building permits for signs. They also respond to sign related complaints and investigation requests.

Toronto Fire Services

Fire Services is committed to protecting life, property and the environment from fire, hazardous materials, natural disasters and other emergencies. The Fire Prevention and Public Education unit provides information about emergencies, fire regulations, home inspections, and coordinates the Alarm for Life campaign educating the public on the use of smoke alarms and carbon monoxide detection. Fire Public Education provides education and school fire safety programs in accordance with the Fire Protection and Prevention Act, 1997. Fire Prevention enforces by-laws on false alarms, smoke detectors, carbon monoxide detectors and enforces the Ontario Fire Code.

Toronto Water

The Environmental Monitoring and Protection unit is responsible for the compliance and enforcement of the Sewers By-law and the Water Supply By-law. Client base includes: Industrial Commercial and Institutional, multi-residential and residential clients. Toronto

Water is one of the Integrated Service Divisions receiving complaints through 3-1-1. Pollution complaints are also received from Members of Council, other City divisions and the Ministry of the Environment.

Transportation Services

Transportation Services enforcement activities relate to construction, events, off-street and on-street parking permits, snow, idling and seasonal blitzes, such as the spring clean-up. The division enforces 7 chapters of the Toronto Municipal Code, including: Use of Streets and Sidewalks, Idling of Vehicles and Boats, Snow and Ice Removal, Parking on Residential Front Yards and Boulevards, Polling and Notification, Permit Parking and Traffic and Parking. Transportation Services is one of the Integrated Service Divisions receiving complaints through 3-1-1.

Summary of Enforcement Staff Complement and Deployment

The tables below illustrate the staffing levels of each division, including their shift deployment models.

Table A below, illustrates the history of approved and filled enforcement complement for each division. The vacancies for enforcement staff have been reduced from 63 in 2011 to 42 in 2013 or 33%.

Number of Enforcement Staff by Division						
Division	2011 Approved Positions	2011 Filled Positions	2012 Approved Positions	2012 Filled Positions	2013 Approved Positions	2013 Filled Positions
Municipal Licensing & Standards	259	228	232	209	230	217
Transportation Services	42	36	39	31	39	28
Toronto Water	38	35	37	32	35	28
Toronto Building	131	121	130	121	130	124
Toronto Fire Services	101	88	101	92	116	111
Grand Totals	571	508	539	485	550	508

Table A

Table B below, illustrates the deployment model for each division, generally identifying the distribution of enforcement personnel by various shifts throughout Monday to Friday. This table includes the approximate number of positions anticipated to work in the evening or night shifts. The actual number of staff working on any given day can vary due to rotational and/or varying shift schedules.

Deployment of Enforcement Staff by Division (Monday - Friday)			
Division	Days	Evenings	Nights
Municipal Licensing & Standards	176	6	10
Transportation Services	33	0	0
Toronto Water	15	1*	1*
Toronto Building	130	1*	1*
Toronto Fire Services	116	0**	0**
Grand Totals	470	8	12

Table B * denotes emergency on call **inspectors called for emergency events

Table C below, illustrates the deployment models identifying the number of enforcement personnel working on each of day, evening, and night shifts on Saturdays and Sundays.

Deployment of Enforcement Staff by Division (Saturday - Sunday)			
Division	Days	Evenings	Nights
Municipal Licensing & Standards	12	1	6
Transportation Services	4	0	0
Toronto Water	1*	1*	1*
Toronto Building	1*	1*	1*
Toronto Fire Services	0	0**	0**
Grand Totals	18	3	8

Table C * denotes emergency on call **inspectors called for emergency events

Table D below, illustrates the typical deployment of enforcement personnel on statutory holidays, across each of day, evening and night shift.

Deployment of Enforcement Staff by Division (Statutory Holidays)			
Division	Days	Evenings	Nights
Municipal Licensing & Standards	6	0	2
Transportation Services	4	0	0
Toronto Water	1*	1*	1*
Toronto Building	1*	1*	1*
Toronto Fire Services	0**	0**	0**
Grand Totals	12	2	4

Table D * denotes emergency on call **inspectors called for emergency events

Summary of Enforcement Productivity

The tables below illustrate the volume of complaints, inspections and charges/notices issued by each division. It is important to note that there are variations amongst divisions and their areas of responsibility and that the data in the tables below are not necessarily comparable. For example, Municipal Licensing and Standards' inspections are primarily in response to complaints whereas Toronto Building's inspections are not complaint related, rather they are mandatory inspections to confirm compliance.

Table E below, illustrates the number of service requests/complaints/calls for service that each of the enforcement divisions received in each of the past three years.

# of Complaints Received by Division			
Division	2011	2012	2013 YTD
Municipal Licensing & Standards	172,685	147,927	118,205
Transportation Services	14,029	16,537	19,336
Toronto Water	218	358	369
Toronto Building	4,665	4,997	4,444
Toronto Fire Services	3,920	3,906	4,067
Grand Totals	195,517	173,725	146,421

Table E

Table F below, illustrates the number of inspections, both proactive and reactive, for each of the enforcement divisions over the past three years.

# of Inspections Conducted by Division			
Division	2011	2012	2013 YTD
Municipal Licensing & Standards	296,395	256,924	196,074
Transportation Services	27,377	29,333	21,168
Toronto Water	13,193	11,972	6,839
Toronto Building	174,625	170,639	160,614
Toronto Fire Services	55,982	54,623	32,149
Grand Totals	567,572	523,491	416,844

Table F

Table G below, illustrates the number charges and notices issued by each of the enforcement divisions over the past three years.

# of Charges/Notices Issued by Division			
Division	2011	2012	2013 YTD
Municipal Licensing & Standards	42,780	35,106	26,468
Transportation Services	2,053	2,172	2,335
Toronto Water	1,059	1,036	533
Toronto Building	1,817	1,165	985
Toronto Fire Services	2,614	1,961	1,600
Grand Totals	50,323	41,440	31,921

Table G

Divisional Service Level and Recruitment Initiatives

Numerous divisions have commenced service delivery reviews, deployment reviews and initiated hiring processes to fill remaining vacancies.

A few examples of divisional initiatives include:

ML&S - In September, 2013, the division completed the recruitment process for seventeen (17) MSO1 positions and various other management and support roles. The division has undertaken a reorganization to more effectively align by-law enforcement services. The division is also currently undergoing an assessment of the deployment model in respect to hours of operation across each of the services, and the corresponding work volumes arising in each of the area/district offices. It is anticipated that this will drive a realignment of front line resources to continue to deliver efficient service. In the summer of 2013, the division piloted an alternate response approach to long grass and weed complaints, by instituting an advisory letter to the homeowner in lieu of an initial inspection. This pilot has seen sustained compliance rates, and alleviated thousands of unnecessary inspections. This type of review, relative to other divisional demands is to be undertaken.

Toronto Building - has been hiring aggressively throughout 2013 and has made significant progress in filling vacant positions. By year end the division's vacancy rate is projected to be close to 5% compared to 12% at the end of 2012. With the exception of 3 Senior Building Inspector positions being held for conversion to inspections Quality Assurance positions, all other inspection/enforcement related positions are slated to be filled.

Toronto Fire Services – Several reviews involving TFS such as the Fire Underwriters Survey and TFS/EMS Review identifies the need for an increase of Fire Prevention Inspectors and Educators. In addition to the 15 Fire Prevention Inspectors approved in

2013, 25 are recommended in 2014, and anticipated increases of 25 in 2015 and 2016 are projected to increase inspections in future years. Changes in technology available to inspectors are also being considered. TFS has been filling vacancies throughout 2013 as required by the collective agreement. In previous years the hiring freeze caused challenges, but an arbitration award late in 2012 clarified the obligation of the City in the filling of vacancies.

Toronto Water - in 2013, staff positions were repurposed to provide program support to the Environmental Monitoring and Protection unit and one Senior Environmental By-law Officer position was created to lead By-law officers. In general, all vacant positions are pursued for filling. Staffing levels when at full complement are adequate for the current compliance and enforcement needs.

Transportation Services - has been aggressively hiring enforcement staff due to higher than normal vacancies that have resulted from promotions and retirements. The recruitment process for ten (10) By-Law Officer positions has just been completed. However, additional challenges will be faced in 2014 with the expected retirement of some management staff. Staffing adjustments and work relocations were undertaken to facilitate the centralization of Front Yard Parking and Permit Parking functions to comply with the Auditor General's recommendations and increase service delivery levels. The division is continually assessing and reviewing enforcement service levels for enhancements and best practice models.

Each of the enforcement divisions have recently reported out on their service levels, and are generally indicating their ability to meet their standards and/or targets. Throughout the 2014 budget process, all City divisions reported through their applicable standing committees on their current service levels, including their analysis of whether the existing staffing complements were effective to fulfill the objectives of the individual division, and can be found in the relevant submissions. These discussions will continue, as the 2014 budget proceeds through Budget Committee, Executive Committee and City Council.

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