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## **2024 OPERATING BUDGET BRIEFING NOTE**

### **MLS Staffing Levels for Enhanced Response Bylaw Enforcement**

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#### **Issue/Background:**

1. On December 13, 2023, City Council requested the Executive Director, Municipal Licensing and Standards (MLS) to report to the Budget Committee during the 2024 budget process on the feasibility and cost of providing 24/7 bylaw enforcement across the City.
2. On January 11, 2024, the Economic and Community Development Committee requested the Executive Director, Municipal Licensing and Standards to forward a briefing note to the Budget Committee during the 2024 budget process on increasing noise by-law enforcement capacity, including the number of by-law enforcement officers, to improve response times as outlined in the Customer Service Standards for noise by-law compliance and enforcement.
- 3.

#### **Key Points:**

##### **MLS' enforcement complement and approach**

- Municipal Licensing and Standards (MLS) is responsible for the enforcement of more than 30 by-laws and statutes that are established under authority of the *City of Toronto Act, Planning Act, Building Code Act, Dog Owner's Liability Act, and Cannabis Control Act*.
- In 2024, MLS is requesting a complement of 312 enforcement officers. This includes 276 Bylaw Enforcement Officers (BEOs) and 36 Animal Control Officers (ACOs).
  - MLS has 7 dedicated enforcement teams (RentSafeTO, Multi-Tenant Houses, Short-Term Rentals, Specialized Enforcement and Resolution Team (SERT), Vehicle-For-Hire, Noise, Adult Services).
- MLS' current response model uses varying response strategies and/or investigation methods and response timelines, based on priority levels and enforcement team. Prioritizing service requests facilitates a more effective deployment of staff, versus treating all complaints equally.
  - First contact with the complainant can range from 24 hours to 10 days, based on the priority level and enforcement team/issue.
  - For example, the service standard for initial response to service requests for the Noise Team is 24 hours for Priority 1, 5 days for Priority 2 and 7 days for

Priority 3 requests. 94.31% of noise service requests were responded in 5 days or less in 2023.

- MLS uses a data-driven approach to identify required responses, and plan staffing accordingly.
- MLS is not resourced on an emergency basis (that is, enforcement officers are not immediately dispatched to address a complaint, such as noise).
  - For example, Bylaw Enforcement Officers on the noise team do not have the authority to immediately stop the noise event, but instead conduct technical measurements of the noise, taken while the noise is occurring, measured against specific threshold measures and may issue charges if there is non-compliance.
  - Public disturbance and public safety falls within the scope of the police service; further discussions/education/engagement with Toronto Police continue.
- BEOs support responses to persistent complaints through coordinated operational plans, such as contacting homeowners after a noisy party to caution them regarding complaints.

**Issue 1: Explore the feasibility and cost of providing 24/7 Bylaw enforcement across the City**

- Currently, bylaw enforcement officers are deployed on either one or two shifts, with coverage from 6am to 2am (depending on the team). To provide overnight coverage, a third shift would be required.
  - The new shift would focus on responding to service requests related to issues like noise, public spaces, business licensing, and priority rental housing-related requests (such as no heat).
- **Providing 24-hour coverage across the city would require the addition of a third shift of 35 new FTEs, at a cost of \$4,338,274.**
  - Staffing would include 27 BEOs (nine per district), four Supervisors, 1 People Services Consultant, and 3 Support Assistant B. Total staffing costs are projected to be \$3,693,824. Equipment costs (e.g. vehicles, training, uniforms) are projected to be \$644,450.
- Considerations for adopting a third overnight shift include the following cautions:
  - Health and safety concerns for officers responding to calls late at night.
  - Challenges hiring and retaining staff to work a less-desirable overnight shift.
  - Service request data provides limited rationale for overnight coverage. For example, between January 2020 and November 2023, 36% of noise service requests were registered with 311 between 9 p.m. and 2 a.m., and only 9% between 2 a.m. and 6 a.m.
  - Even if a third shift was adopted, bylaw enforcement officers would not be able to provide emergency service, nor provide proactive patrols. Officers would continue to use the priority response model.

**Issue 2: Increasing noise by-law enforcement capacity to improve response times**

- Noise is a significant issue and concern for residents across Toronto. Noise complaints are consistently one of the top requests for service the division responds to, with only property standards and wildlife issues receiving more service requests than noise.
- The Noise Team currently consists of 26 bylaw enforcement officers, as well as a manager, three supervisors, and three support staff.
  - There is enforcement coverage 20 hours a day, four days a week, and 10 hours of afternoon coverage seven days a week, from 4:15 p.m. to 2 a.m.
  - The Noise Team is one of MLS' largest specialized enforcement teams and staff receive specialized technical training to conduct sound level readings.
- The dedicated Noise Team responds to service requests using a priority response model. Requests are categorized using several data-driven factors, including incident length and duration, impact to the community, urgency, and identification from other partners.
- In 2022, there were a total of 19,467 service requests received, of which 17,161 service requests responded to:
  - 83 were priority 1, which includes matters that are continual, persistent and of unreasonable volume impacting neighbourhoods (e.g. - noise from large festivals or events occurring over multiple days) (response time 24 hours).
  - 15,077 priority 2, which include matters that are recurring, not in compliance with bylaw, and impact multiple people (e.g. - early morning construction noise or consistent amplified sound from a nearby restaurant) (response time 5 days).
  - 2,001 which were priority 3, includes matters that are unlikely to recur and have minimum public impact (e.g. - a contractor completing a residential roof repair over one or two days) (response time 7 days).
- The high volume of noise complaints in recent years has strained enforcement resources. Considering the volume of service requests averaged for 2022 and 2023, an estimated 860 files would be assigned to each Bylaw Enforcement Officer on an annual basis.
  - Note that not all service requests result in an investigation, as they may have been one-off requests or calls that were referred to another enforcement body.
- It is estimated that the addition of three By-law Enforcement Officers to the Noise Team would reduce the number of case files per officer per year to 750. Five additional BEOs would reduce it to approximately 700 per officer, and eight additional BEOs would reduce it to approximately 630 per officer per year.
  - This reduction in service requests per BEO would result in a decrease in response time. However, an estimate of the precise improvement in customer

service standards would need to be further analyzed, factoring in variables such as seasonality, priority level, and complexity of the file.

- The total cost for three additional BEOs would be \$373,551, including salary and benefits, and vehicle and equipment costs. Five additional BEOs would cost \$622,585. Eight additional BEOs would cost \$996,136.

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