

Summer Village of Ghost Lake Policy For Bylaw Enforcement and Complaint Response

Purpose

1. The purpose of this policy is to:
 - a. Ensure accountability exists and that every complaint is addressed by the Summer Village
 - b. provide a procedures for filing complaints and
 - c. provide a procedure for the Summer Village responding to complaints.

Definitions

2. The following definitions will be used in this policy:
 - a. *Council* means the Council of the Summer Village of Ghost Lake.
 - b. *Chief Administrative Officer* means the Municipal Administrator of the Summer Village of Ghost Lake as appointed by the Council.
 - c. *Bylaw Enforcement officers* include RCMP, Fish and Wildlife officers, Alberta Provincial Sheriffs, Bylaw Enforcement Officers, Peace Officers, Fire Guardians, Development Officer and any other enforcement officer identified by Council with the authority to enforce any or all of the Summer Village of Ghost Lake bylaws, regulations and policies or any legislation within the Summer Village of Ghost Lake.

Policy Details

3. All complaints regarding the breach of any bylaw of the Summer Village of Ghost Lake are to be in writing, addressed to the Village Office with the name contact information on the complainant(s), date and time of the event/incident; type of event/incident, location and/or address of the event/incident and general description of the event/incident, license plate if applicable. The complaint form will include in the heading the following:
 - a. The form is for reporting non-emergency complaints
 - b. Suggestion to try to resolve problems in a neighbourly manner before contacting the Village Office, indicating that often problems can be resolved without involving the Summer Village
 - c. Request to check specific requirements of legislation before submitting a complaint to the Summer Village
 - d. Complaints will not be accepted without complainant's name and required contact information
 - e. The Summer Village will not act on anonymous complaints
 - f. Anonymity will be maintained between the complainant and the alleged violator, except where necessary in a court of law.

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4. The Chief Administrative Office and/or the enforcement officer will review legislation to determine if there is an infraction based on the information provided by the complainants and determine the level of enforcement.
5. Complaints are handled both by priority and by the order received.
6. Actions taken may include:
 - a. Written notice to the person(s) who are in breach of the bylaw that will include a timeframe to rectify the situation. A written notice will include the section of the bylaw, regulation or rule that has been breached and will also include a warning that further action may be taken if the issue has not been resolved within the timeframe in the notice.
 - b. Verbal warning to educate and mitigate the violator from continuing the breach of legislation
 - c. Charges if the Enforcement Officer decides the situation requires punitive measure.
7. In the event the financial estimate for enforcement ie. time, legal, etc are forecasted to exceed the cumulative balance of remaining annual budget allocation for bylaw enforcement and bylaw enforcement reserves less anticipated fines, the Chief Administrative Officer shall advise Council of the general nature of the complaint and enforcement and seek approval for additional funding allocation for enforcement of the violation.
8. The Chief Administrative Officer and Enforcement Officers respond independently from Council and do not discuss details of any complaint with Council or any member of Council.

Confidentiality Issues

9. The anonymity and confidentiality given to complainants and the alleged violators under this policy cannot be assured if an investigation results in court proceedings.
10. When a complaint is made, personal information will be collected under the authority of Section 32 and 33(1)(c) of the Freedom of Information and Protection of Privacy Act, section 642 of the Municipal Government Act or any other applicable legislation. If the Summer Village receives a request to disclose personal information in complaints and responses under the Freedom of Information and Protection of Privacy Act, the Summer Village policy is to refuse disclosure under Section 17 and Section 20(1)(d) of the Act unless consent is obtained from the person who supplied the information. The Summer Village, however is subject to orders issued by the Information and Privacy Commissioner under the Act and will not necessarily appeal an order for disclosure.

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Policy Review

11. Council will review this policy, at a minimum, every five years.

Adopted by Council on the 11th day of December, 2017.