

## **A General Guide to Bylaw Enforcement Within the Town of Faro**

The Chief Administrative Officer and delegated employees are given the task to investigate written complaints received from the public about alleged violations of various municipal bylaws. These regulations may include such things as:

- Property Conditions;
- Excessive Noise;
- Signs (Unauthorized placement/construction);
- Business Licensing;
- Zoning;
- Building; and
- Snow/Ice removal

The goal of the Bylaw Enforcement is not to penalize the citizens of the Town of Faro or visitors to our Town but, rather, to achieve compliance through education and the provision of information in order to preserve the quality of life to which each citizen is entitled.

### **The Town of Faro Bylaw Enforcement**

While there are certain areas of enforcement that are safety related and require proactive enforcement, the majority of these bylaws are enforced on a complaint only basis. This ensures that town staff are serving the needs of the community and that the complaints received are of high importance.

Enforcement procedures may take many courses. These enforcement proceedings are normally increasingly costly to the person in non-compliance, and may include direct enforcement (Town staff or contractors remove or resolve the non-compliance at the property owner's cost), municipal ticketing, the seeking of a court injunction, or the laying of charges under the bylaw provisions. Each complaint is different and the enforcement proceedings are decided upon based on the individual case. In addition, should complaint issues arise on an ongoing basis charges may be placed against the property owner and eventually collected as taxes. These regulations ensure that property owners remain responsible for what occurs on their property.

Enforcement proceedings, vary in most cases, however are generally completed within a month of the initial complaint. Depending on the volume of complaints, co-operation of the property owner or person in violation, specific circumstances of the case, and enforcement proceedings required, completion of the complaint may take longer.

It may be that complaints received will be considered either as a civil matter between the two property owners, or as minor non-enforceable infractions. These

issues may include trees overgrowing property lines and fence disputes (we do enforce fence height regulations, but not siting.)

### **How to make a written complaint:**

Complaints need to be submitted in writing. To make a written complaint regarding a violation of regulations contained in one of the bylaws, the Town requires the complainant provide their name, address, and phone number, as well as their relationship to the issue that the complaint is regarding. Should the complainant refuse to provide this information, no action may be taken by town staff. In cases relating to alleged health or safety issues, this policy may be disregarded.

The Town of Faro will receive complaints in various ways:

- by phone at 994-2728 (urgent health or safety issues);
- by fax at 994-3154;
- by email to [cao-faro@faroyukon.ca](mailto:cao-faro@faroyukon.ca) ; and
- in person at the Town Office (Monday to Friday 10:00-2:00).

Please ensure that all complaints include a name, address, phone number, relationship to the property or individual that you are making the complaint about, and the issue. Should the complaint be made in print, one of the town staff may wish to call and confirm information, or ask further questions regarding the issue.

### **Considerations to be taken when initiating a complaint:**

Complainant information is considered as confidential and will not be released to the person whose property is under complaint, unless the town is ordered to do so.

The Town may request or require a complainant to act as a witness, should a case be required to be settled in court. This is usually done as a last resort, should the Town's case be weak or should town staff be unable to determine that a violation has occurred without the evidence of the complainant. A complainant would normally be informed of this requirement at the time of the initial complaint or during the investigative process.

Often complaints are resolved amicably between neighbours. As a result, and if possible, it is recommended that each resident of the Town of Faro attempt to resolve their issues before contacting the Town Office for assistance.

***Approved at Regular Council Meeting on June 3<sup>rd</sup>, 2008 by Resolution # 163-08***