

**THE CORPORATION OF THE  
TOWNSHIP OF MCGARRY  
BY-LAW NO. 2012 - 05**

**BEING A BY-LAW TO HIRE A  
BY-LAW ENFORCEMENT OFFICER**

**WHEREAS** Section 11 of the Municipal Act as amended provides Council can enact By-Laws to regulate structures, including fences.

**AND WHEREAS** Council has enacted a Property Standards By-Law, a Clean Yard By-Law and a Temporary Structure By-Law.

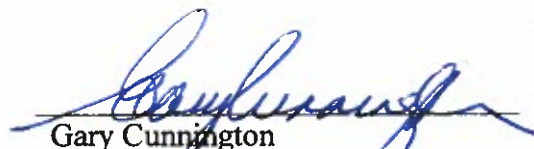
**AND WHEREAS** Council is desirous to enforce their Property Standards By-Law, and other By-Laws enacted.

**NOW THEREFORE** Council of the Township of McGarry enacts as follows:

1. THAT Council does hereby appoint Mr. Randall Sheldon as By-Law Enforcement Officer and Property Standards Enforcement Officer for the Township of McGarry.
2. THAT Mr. Sheldon shall be employed as per the terms of a service contract, being Schedule "A" attached to and forming part of this By-Law.
3. THAT Mr. Sheldon shall perform the duties outlined in Schedule "B" attached to and forming part of this By-Law.
4. THAT Mr. Sheldon shall be designated as a Provincial Offences Officer for purpose of Enforcing Township By-Laws.
5. THAT this By-Law shall take effect on January 1, 2012.

READ a first, second and third time this 14<sup>th</sup> day of February, 2012.

  
Clermont Lapointe  
Reeve

  
Gary Cunningham  
Clerk-Treasurer

**By-Law Enforcement Agreement, Schedule "A"**

This Agreement made in duplicate, this 14th day of February 2012.

BETWEEN:

THE TOWNSHIP OF McGarry

Hereinafter referred to as the "Corporation"  
- And -

Randy Sheldon

Hereinafter referred to as the  
"By-Law Enforcement Officer"

WHEREAS the Corporation desires to enter into a Service Contract for By-Law Enforcement Officer Services;

AND WHEREAS Randy Sheldon has agreed to provide these services on the terms and conditions as set out in this agreement;

NOW THEREFORE in consideration of the premises and the mutual Agreements hereinafter contained, the Parties mutually agree as follows:

1. **APPOINTMENT:** The Corporation agrees to engage the services of the By-Law Enforcement Officers to perform the duties, as outlined in the "Services Description" attached hereto as Schedule "B". The By-Law Enforcement Officer agrees to provide the services conscientiously and faithfully throughout the term of the contract.
2. **TERM:** The term of this contract shall be for One year(s), commencing the 1st day of January, 2012 and may be extended at anytime by mutual agreement of both Parties.
3. **DUTIES:** The By-Law Enforcement Officer shall provide "on call" services to the Corporation. Complaints received by the Township will be directed to the By-Law Enforcement Officer by the Head of Council or a person designated.
4. **REMUNERATION:** An Administrative Fee of 75.00 per month shall be due and payable together with the sum of Twenty-five (\$25.00) per hour for each hour worked, and forty-five cents (\$0.45) per kilometer for vehicles used in conjunction with the By-Law Enforcement Services for the Township of McGarry. The Administration Fee will be paid after approval of the first Council Meeting of each month. All other remuneration shall be paid as soon as practical after the submission of each invoice.
5. **TERMINATION:** The By-Law Enforcement Officer may terminate this contract on thirty (30) days written notice to the Corporation. The Corporation may terminate this contract prior to the end of the term, on thirty (30) days written notice.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

THE TOWNSHIP OF McGarry

Per:

Clermont Lapointe Reeve

Gary Cunningham Clerk

Randy Sheldon  
Randy Sheldon, By-Law Enforcement Officer

SCHEDULE "B" to Agreement

Between the Township of \_McGarry\_\_\_\_\_ and Randy Sheldon, By- Law Enforcement Officer

THE TOWNSHIP OF McGarry \_\_\_\_\_

**SERVICES DESCRIPTION**

**REPORTING RELATIONSHIP:**

Reports to and works under the direction of the Council or designated person.

**PURPOSE OF THIS POSITION:**

To provide a variety of enforcement services, pertaining to the By-Laws of the Corporation and applicable provincial and federal legislation.

**SCOPE OF THIS POSITION:**

- As By-Law Enforcement Officer, the position is designated as the Provincial Offences Officer under legislation for legal action on By-Laws.
- Maintains confidentiality of ratepayers, fellow employees and Council in the spirit of the Municipal Freedom of Information and Protection of Privacy Act and individual rights and privileges.

**RESPONSIBILITIES:**

- Responds to complaints regarding alleged violations
- Conducts investigations into allegations as necessary and appropriate
- Provides information on By-Laws and enforcement conditions to ratepayers in both verbal and written form
- Enforces By-Laws through Court Action when required
- Performs such other related duties as may be reasonably required
- Attends meetings of Council, as required
- Reviews and makes necessary recommendations to existing By-Laws

**WORKING CONDITIONS:**

- Nature and variety of duties place this position in a high public profile
- Timely and accurate Progress Reports are required by the Director of the Community Service or delegate
- Stress is a factor due to the reality of potential conflict with citizens regarding enforcement
- Required to work outdoors in all weather conditions
- Maintain an On-Call schedule as required

**WORKING RELATIONSHIPS:**

- **With Council/Designate:** receives assignments in response to citizens enquiries as well as direction and guidance as required
- **With other staff:** Maintains harmonious relationships as a member of the Township Team
- **With the Public:** Explains the content of legislation and By-Laws and promotes self compliance

**KNOWLEDGE AND SKILL:**

- Relevant and responsible experience in By-Law enforcement
- Exhibits high initiative and self direction
- Good knowledge of Corporation's By-Laws and Provincial Legislation
- Good knowledge of municipal operations
- Good analytical and organizational skills and an ability to communicate effectively
- Ability to rationalize with citizens so they are more likely to comply with statutes and By-Laws