

# Nuisance Gathering Enforcement

December 6, 2023

# Background

**Issue:** Nuisance gatherings throughout the City have created public disturbances and resulted in numerous complaints about amplified noise, loitering, fireworks misuse, vehicle noise and traffic issues.

## Enforcement Challenges

Staff are limited to responding with existing by-laws (Business Licensing, Debris and Anti-Littering, Fireworks Licensing and Use, Noise Control, Zoning)

Crowds may present safety concerns for residents and staff

Moving vehicle concerns can't be addressed by MLEOs

MLEOs cannot compel residents to provide ID

Response requires collaboration and coordination with PRP & other enforcement agencies

# Nuisance Gathering By-law

## Recommended Approach:

- Staff recommend implementing a Nuisance Gathering By-law that would prohibit large gatherings on public and private property that are blatantly violating existing by-laws and impacting the safety and well being of residents

## Objectives:

- Hold individuals, businesses and property owners accountable
- Minimize negative impact and effects on the community

## Enforcement:

- Charge attendees, the organizer(s) and the property owner(s) for violations
- New tools such as ability to close roads and charge for costs associated with increased enforcement of nuisance gatherings
- Proactive engagement, where feasible

# Definition of Nuisance Gathering

The new By-law will make it a contravention to host or participate in a Nuisance Gathering. It will specify that every person who causes or permits a Nuisance Gathering shall take all reasonable and lawful actions to end a Nuisance Gathering.

**A Nuisance Gathering will be defined as an event that results in one or more of the following activities:**

- Disorderly conduct
- Public drunkenness or public intoxication
- The unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances
- The deposit of refuse on public or private property
- Damage to or destruction of public or private property
- Pedestrian traffic, vehicular traffic, or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services
- Unreasonable noise, including loud music or shouting
- Unlawful open burning or fireworks
- Public disturbances, including public brawls or public fights
- Outdoor public urination or defecation

# New Actions Through By-law

The Nuisance Gathering By-law would grant staff the ability to take the following actions to address nuisance gatherings:

Joint operations with enforcement partners

Road closures






Part I fines

- A proposed Part I set fine of \$500

Part III summons

- A minimum Part III fine, upon conviction of \$500
- A maximum Part III fine, upon conviction of \$100,000
- The provision of a special fine, which may exceed \$100,000 and is designed to eliminate or reduce any economic advantage when contravening the new By-law

# Updates and Changes to Existing By-laws

|                                                        | Business Licensing                                                | Debris & Littering                                                                    | Fireworks Licensing & Use                                                | Noise Control                 | Property Standards                                                               |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tools in Existing By-law</b>                        | <ul style="list-style-type: none"> <li>Penalty for non-compliance</li> <li>Ability to impose conditions and suspend and revoke licences</li> </ul> | <ul style="list-style-type: none"> <li>Penalty for individuals</li> <li>Ability to require property owner to clean property or stop the disposing of debris</li> </ul> | <ul style="list-style-type: none"> <li>Penalty for fireworks misuse (Individual and property owner)</li> </ul>                                              | <ul style="list-style-type: none"> <li>Penalty for emitting or permitting nuisance sound</li> </ul>              | <ul style="list-style-type: none"> <li>Ability to compel property owners to maintain existing assets</li> <li>Proactive inspections and remediation fees</li> </ul> |
| <b>Process Changes and Updates to Existing By-laws</b> | <ul style="list-style-type: none"> <li>Internal Standard Operating Procedure (SOP) on timelines</li> <li>Revised fine structure</li> </ul>         | <ul style="list-style-type: none"> <li>Internal SOP on timelines</li> <li>Revised fine structure</li> </ul>                                                            | <ul style="list-style-type: none"> <li>Eliminate educational approach</li> <li>Revised fine structure</li> <li>Amendments to bolster enforcement</li> </ul> | <ul style="list-style-type: none"> <li>Eliminate educational approach</li> <li>Revised fine structure</li> </ul> | <ul style="list-style-type: none"> <li>Internal SOPs on timelines</li> <li>Revised fine structure</li> </ul>                                                        |

# Fees for Costs Associated with Increased Enforcement

Staff recommend that new fees be added to the new consolidated User Fees and Charges By-law, to enable the City to recover fees for the attendance of municipal by-law officers and other enforcement, including paid duty PRP officers, at a nuisance gathering, at a specified rate per officer, per hour.

Fees:

Enforcement: \$90 per MLEO per hour, with a minimum of two officers attending for a minimum of two hours

PRP Officers: \$170 per officer per hour, for minimum of three hours

# Implementation

## Joint Collaboration

- Collaboration with partner agencies will be crucial to the success of implementing the by-law
- To increase collaboration, staff will be establishing a Response Table with community partners including PRP, Fire and Emergency Services and Peel Public Health

## Force and Effect Date

- Staff recommend that the Nuisance Gathering By-law come into effect on January 1, 2024



**Thank you**