

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering and Transportation

To: Mayor and Members of Council

From: Ann-Marie Millson
Manager, Engineering (Transit & Capital Asset Management)

Date: September 7, 2022

Subject: Use and Care Bylaw Amendment – Grass Cutting and Driveway

Recommendation

It is recommended that:

1. A by-law to amend By-law 145-2020 Regulate Use and Care of Municipal Highways be approved.

Background

The Council of the Corporation of the Municipality of Chatham-Kent passed By-Law Number 145-2020 at the November 9, 2020, meeting (Appendix A). The amendment to 145-2020 is to clearly define the property owner's responsibility for maintenance of property in terms of boulevards and the driveway apron (Appendix B and C).

The requirement for the amendments to the by-law were provided to Council at the March 7, 2022, Council meeting to identify opportunities for cost efficiencies with the future tender release of the 5 year Municipal Grass Cutting Contract.

Comments

The Municipality of Chatham-Kent is proposing to amend By-Law Number 145-2020 (Regulate Use and Care of Municipal Highways), to clearly define the property owner's responsibility for maintenance and care of the property in terms of boulevards and the driveway apron.

Proposed changes are recommended prior to the release of a new 5-year contract for the Corporate Grass Cutting Contract for municipal-owned properties. At the March 7, 2022 Council meeting, administration identified the following items as opportunities for cost efficiencies with the future of the Municipal Grass Cutting Contract (Appendix D):

- Review and propose a new By-law with clarity as to what each property owner is responsible for in terms of grass maintenance on the municipal right-of-way.

- Engage the taxpayers through public engagement sessions on the proposed new Bylaw.
- Education and correspondence with property owners that could be in violation of the new proposed By-law. The above actions are required to find efficiencies and savings to base budget costs associated with the grass cutting.

To satisfy the public engagement sessions, a Let's Talk Page was available from August 5 to August 26, 2022, as well, a press release and social media postings were used to inform citizens of the proposed change, and to promote interaction on the Let's Talk Page. Documents were posted on the Let's Talk Page for citizens to review and leave comments. The summary of the results of the survey and all documents provided to the public including the media release issued on August 5, 2022 are attached to this report (Appendix E and Appendix F).

Council's approval of this by-law will allow administration to move to the education and correspondence stage. The tender will be released for properties owned by the Municipality. Any properties that were added to the contract that were long grass by-law infractions will be removed from the list of properties managed under the grass tender. Notifications to property owners affected under the amended by-law will be sent out over the next few months prior to the new grass contract start date of May 2023.

The amendments to the by-law should not negatively affect current homeowners who have been maintaining their property. No additional burdens have been added, only clarification to terminology within the by-law

The changes assist with aligning homeowners care of grass on municipal right-of-way and the long grass by-law by providing clear definitions.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

- ☐ Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- ☐ A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- ☐ People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- ☒ Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

- ☒ Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- ☒ Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- ☐ Has the potential to support all areas of strategic focus & critical success factors
- ☐ Neutral issues (does not support negatively or positively)

Consultation

The Engineering and Transportation Division consulted with Public Works and Parks, Recreation and Cemeteries Divisions prior to public consultation.

A Let's Talk Page was created, and feedback was available to the public from August 5 to August 26, 2022. A summary of questions and comments submitted to Let's Talk are attached to this report (Appendix F).

Financial Implications

No direct financial information is available at this time. The passing of this by-law amendment will allow staff to analyze current properties being cut under the grass contract that should be governed by the new by-law.

Notices will be sent to property owners to assist with educating the homeowners' requirement for care of grass on municipal right-of-way and by providing clear definitions.

The intent is to reduce the number of properties maintained under the municipal grass contract.

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Reviewed by: Chris Thibert, P.Eng., Director Engineering, Engineering and Transportation

Reviewed by: Ryan Brown, P.Eng., Acting General Manager, Infrastructure and Engineering Services

Consulted and confirmed the content of the consultation section of the report by:

Robert Pollock, Director, Parks, Recreation and Cemeteries

Jerry Corso, Acting Director, Public Works

Dave Taylor, Director, Legal Services

Attachment(s):

Appendix A - Use and Care By-Law 145-2020

Appendix B - Highlights of Use and Care By-law Amendment – Grass Cutting and Driveway

Appendix C - Use and Care By-Law Amendment – Grass Cutting and Driveway

Appendix D - RTC 4466 Request to Extend Corporate Grass Cutting Contract for One Year Term

Appendix E - Media Release

Appendix F – Let's Talk Survey Comments and Feedback Document