

THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE

BY-LAW NUMBER 2021-072

being a By-law to adopt a "By-law On Call Policy"
known as Policy Number 88

Whereas the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 9, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas the Council of The Township of Southgate has deemed it desirable to adopt a policy with respect to on call by-law staff members,

Now therefore be it resolved that the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** the "By-law On Call Policy" known as Policy No. 88, attached hereto as Schedule A is hereby adopted; and
2. **That** this by-law shall come into force and effect on the date of its passing.

Read a first, second and third time and finally passed this 2nd day of June, 2021.

John Woodbury – Mayor

Lindsey Green – Clerk



By-Law Enforcement On-Call Policy

Purpose

The purpose of this policy is to clearly define the compensation, responsibilities and procedures for By-Law Enforcement staff when required to be on call and respond to after hours calls.

Policy Scope

This Policy applies to all Township employees that are By-Law enforcement officers.

1. Compensation

The compensation for the By-Law Enforcement officer that is on-call is as follows:

- a. One (1) hour of pay per day paid at the regular hourly rate (known as "Standby Pay") for the scheduled employee regardless of whether they are called in or not. This time can be used within one (1) pay period or paid out. This time will not impact on the calculation of overtime/banked time.
- b. If called out, compensation will be 2 hours minimum or the time worked including travel to and from the location of the call, whichever is greater plus mileage at the quarterly mileage rate. The time can be banked or paid at a rate time and one-half regardless of "regular" hours worked throughout the week; the officer will specify on their timesheet if it is banked time or paid time.

2. On Call Schedule

- a. A rotational schedule will be posted a minimum of three (3) months at a time.
- b. The on-call schedule will be for weekends only (Friday at 4pm until Monday at 7:30am; with the exception of holidays – see below).
- c. Statutory Holidays will be covered by the officer scheduled to be on-call for that weekend. Statutory Holidays should be divided out equally between staff.
- d. This is a seasonal after-hours service offered from April 1st to November 30th each calendar year focused at responding to outdoor complaints.

3. By-Law Enforcement Officer Duties

The By-Law Enforcement Officer on call must:

- a. Carry the By-Law cell phone and return calls and/or messages as soon as is possible.
- b. Be available to respond in-person to complaints received when required, to provide an onsite response as soon as is possible, subject to other By-law Enforcement calls taking priority.
- c. Record and document all actions taken while on call (example phone call conversations, in-person visit details, etc.)
- d. Notify Chief Building Official immediately if unable to be available for scheduled on-call duties for a justified reason (example sickness or family emergency).
- e. Follow all safety protocols listed in Section 5 of this Policy.

TOWNSHIP OF SOUTHGATE

Policy # 88

By-Law Enforcement On-Call Policy

Approved: June 2, 2021



4. Chief Building Official Duties

The Chief Building Official must:

- a. Create the rotational schedule and post a minimum of three (3) months in advance.
- b. Assist the officers to alter the schedule if conflicts occur.
- c. Be part of the rotating On-Call By-law Enforcement weekend schedule.
- d. Provide a documented report for all after hours complaints, with call-in date, time and onsite response time, as well as resolution or enforcement action required.

5. Safety Protocols

When responding to after hours calls in person, officers must:

- a. Use best judgement of the situation to determine if responding alone is safe.
- b. If the situation is not determined safe, police must be called to assist the officer and/or respond instead of the officer.

6. Discipline

Employees that do not follow all sections of this policy will be subject to disciplinary actions.