



**Report**  
**Staff Report**  
**The Corporation of the City of Brampton**  
**9/4/2024**

**Date:** 2024-08-13

**Subject:** **Updating User Fee By-law 380-2003 - Routine Disclosure**

**Contact:** Janice Adshead, Deputy Clerk, City Clerk's Office

**Report number:** Legislative Services-2024-668

**RECOMMENDATIONS:**

1. That the report from Janice Adshead, Deputy Clerk, City Clerk's Office to the Committee of Council Meeting of September 4, 2024, re: **Updating User Fee By-law 380-2003 – Routine Disclosure**, be received;
2. That a by-law be brought forward for Council's consideration to amend User Fee By-law 380-2003, as amended, for the purpose of adding fees for the routine disclosure of records related to:
  - I. By-Law and Enforcement;
  - II. Closed Circuit Television (CCTV) video; and
3. That the fees identified in Attachment 1 be included in the proposed by-law to amend the User Fee By-law.

**OVERVIEW:**

- Under MFIPPA, there are established processes and costs associated with the production and preparation of information requested under the Act.
- The City of Brampton is seeing a marked increase in volume and complexity of requests for By-law and Enforcement records, as well as CCTV video footage.
- A new, Routine Disclosure process and fee structure has been identified to streamline the receipt, review and dissemination of these records.
- Pending Council approval, the recommendations in this report will result in incremental revenues of approximately \$5,000.

**BACKGROUND:**

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) provides the public a formal right of access to records that are within the City's custody or under its control, subject to limited and specific mandatory and discretionary exemptions to disclosure.

While MFIPPA sets out a process for formal requests under the Act, the City has the right to release records in response to requests made in the absence of a formal request under the Act. This informal release of information is referred to as Routine Disclosure (RD).

Under MFIPPA, the fees that can be applied are prescribed, and have not been updated since the legislation was enacted in 1991. The application fee is \$5 per request.

**CURRENT SITUATION:**

Year over year, there has been an uptick in the volume of requests received by the Access and Privacy team. In 2024, the number of requests has risen dramatically, in part resulting from an increased number of Enforcement Officers and a rise in the number of CCTV cameras in use within the City.

In 2023, of the 216 requests for access to information that were received, 24% were for By-law and Enforcement records, and 12.5% were for CCTV video. To date in 2024, of the 174 requests that were received, 28% were for By-law and Enforcement records, and 18% were for CCTV video.

Implementing a RD process for Enforcement and CCTV should result in a decrease in the number of formal requests received under MFIPPA. It will also allow the City to charge an appropriate and standardized fee for records using a cost-recovery model. Should the requestor not receive all the information they are seeking, or should they seek information that is not made available through RD, they then have the right to submit a formal Access to Information request under MFIPPA.

Regardless of if a request comes through a RD process, or through a formal Access to Information Request, the same requirement to protect personal information would apply, and appropriate redactions would be made prior to any release of information.

Formalizing a RD process and user-fee for Enforcement and CCTV information has many benefits including:

- recovering costs to produce records;
- reducing administration efforts such as removing the need to produce acknowledgement letters, decision letters, index of records, and statistical reporting to the IPC;
- removing legislated restrictions such as 30-day timeframes;

- improving transparency and accessibility; and
- providing the City with a streamlined approach to releasing information.

Currently the City routinely discloses information through informal channels for building permits, plans and drawings; site plans; fire occurrence reports; and environmental records all of which charge between \$5 - \$149, as per the User Fee By-law.

**CORPORATE IMPLICATIONS:**

**Financial Implications:**

Pending Council approval, the recommendations in this report will result in incremental revenues of approximately \$5,000.

Staff will continue to monitor the impacts and adjust future budgets if necessary.

**STRATEGIC FOCUS AREA:**

This report achieves the Government & Leadership strategic focus area by ensuring that user fees are reflective of current operations and achieve cost-recovery for commonly requested information.

**CONCLUSION:**

The City will continue to review efficiencies for the Routine Disclosure program and implement and/or adjust user fees on a regular basis as required. The fees associated with RD will be included within the User Fee By-law going forward.

Authored by:

Reviewed by:

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Laura Johnston  
Commissioner, Legislative Services

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Chief Administrative Officer

**Attachments:**

- Attachment 1 – Draft User Fee By-Law 380-2003 Amendment