Agenda – Standing Policy Committee on Property and Development – September 9, 2026

REPORTS

Item No. 8 **Amendment to Municipal By-law Enforcement Act (MBEA) Enabling By-law to Establish Administrative Penalties for Winnipeg Building By-law Contraventions**

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That Council enact a by-law to amend the MBEA Enabling By-law No. 59/2016, a draft of which is attached as Appendix A to this report.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

ADMINISTRATIVE REPORT

Title: Amendment to Municipal By-law Enforcement Act (MBEA) Enabling By-law to establish administrative penalties for Winnipeg Building By-law contraventions

Critical Path: Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Mikolayenko (Acting)	H. Borys	B. D'Avignon, acting for T. Graham	J. Dunford

EXECUTIVE SUMMARY

In February, Council approved new provisions to the Winnipeg Building By-law 4555/87 (Building By-law). The Public Service recommends creating seven new penalties for when someone does not comply with these new provisions. This would enable City officials to issue tickets when needed.

New contraventions of the Building By-law include:

- Knowingly submitting false information
- Covering a defect before a re-inspection
- Failing to provide access to a designated employee
- Failing to ensure construction materials are stored and secured

Full details are available in Appendix A.

To be able to issue tickets, the City must update the Municipal By-law Enforcement Act Enabling By-law. Penalties can be up to $1,000 for each day that a by-law contravention remains unresolved.

The Department has been streamlining enforcement efforts since 2017. It routinely reviews the enforcement tools available. The issuance of tickets has been an effective tool to incentivise compliance with city by-laws.

RECOMMENDATIONS

1. That Council enact a by-law to amend the MBEA Enabling By-law No. 59/2016, a draft of which is attached as Appendix A to this report.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

REASON FOR THE REPORT

The provincial *Municipal By-law Enforcement Act* CCSM c. M245 (Act) permits the City to establish administrative penalties be paid for contravention of its by-laws where the by-law contraventions subject to penalty notice and corresponding penalty amounts are established by by-law.

Council approval is required for amendments to City by-laws.

IMPLICATIONS OF THE RECOMMENDATIONS

Amendments to the MBEA By-law will improve efficiency of City resources and compliance with the Building By-law.

There are no direct financial implications associated with the recommendations of this report as penalties are not intended to generate revenue.

HISTORY/DISCUSSION

The Municipal By-law Enforcement Act (Act) allows the City to issue penalty notices and require administrative penalties be paid for contraventions to its by-laws, provided the requirements of the Act are met. Requirements include, amongst other things, that the City pass a by-law designating the specific by-law contraventions subject to penalty notice and the amount of administrative penalty for each contravention.

For this purpose, the MBEA Enabling By-law No. 59/2016 was enacted in 2016 and has been updated regularly to include administrative penalties for contraventions of several City by-laws. Specific sections, including contravention summaries, administrative penalties and early payment discounts are included as Schedule A to the MBEA By-law. The MBEA By-law also sets out various required procedural and appeal processes applicable to penalty notices required or contemplated by the Act.

On February 26, 2026, Council approved new provisions to the Building By-law. To help enforce compliance with these new provisions, the Public Service recommends adding new administrative penalties to the MBEA By-law. The new penalties are for the following contraventions of the Building By-law:

- Knowingly submits false and/or misleading information
- Owner covers a defect prior to a required reinspection
- Owner failing to ensure all construction materials, waste and demolition debris are stored and secured on site
- Constructor failing to ensure all construction materials, waste and demolition debris are stored and secured on site
- Owner or occupant permitting premises to be in unsafe condition
- Owner or occupant failing to provide access to designated employee

The draft amending by-law, attached as Appendix A, provides a full list of proposed contraventions and corresponding penalties/early payment discounts.

The Department has been streamlining enforcement efforts since 2017 and routinely reviews the enforcement tools available. The issuance of penalty notices has proven to be an effective method of directing contraventions of City of Winnipeg By-laws into compliance.

Planning, Property and Development (PPD) By-Law Enforcement Services - Background

Currently, the PPD Enforcement Services Unit has a cadre of eight special constables who are Enforcement Services Officers, focused on the enforcement of building, electrical, plumbing, zoning and land use matters to ensure compliance with City of Winnipeg by-laws, as well as regulatory components of the Manitoba Building Code, Manitoba Electrical Code, and the Manitoba Fire Code.

Enforcement is achieved through a collaborative effort within all of PPD, but primarily with the Residential and Commercial Inspections Branches.

Complaints come from a variety of sources, including those assigned through the City's 311 system, from inter departmental referrals or through directed enforcement. When cases come in, they are triaged by intake staff and assigned for investigation.

There are several different types of enforcement outcomes that depend on the severity of the incident and the incident history of the property and owner. Enforcement outcomes can range from by-law violation notices, a written Compliance Order or Stop Work Orders, MBEA penalty notices or Provincial Offences Act charges.

The administrative penalties for by-law infractions are intended to be a deterrent for non-compliance of by-law related matters.

The chart below indicates the number of MBEA Penalty Notices (PNs) that have been issued by the PPD Enforcement Services Unit from 2019 to present, and the value of those PNs.
The Enforcement Services Unit within the PPD Development & Inspections Division is responsible for issuing Penalty Notices for contraventions to the Building By-law.

Year	Number of MBEA Penalty Notices Issued	Value of MBEA Penalty Notices Issued
2019	374	$ 298,000
2020	301	$ 230,200
2021	71	$ 55,800
2022	168	$ 140,900
2023	493	$ 393,800
2024	381	$ 299,550
2025	264	$ 219,400
2026 (Q1)	167	$ 129,350
Totals:	**2,219**	**$ 1,767,000**

FINANCIAL IMPACT

Financial Impact Statement Date: May 11, 2026

Project Name:

Planning, Property and Development By-Law Enforcement

COMMENTS:

There are no direct financial implications associated with the recommendations contained in this report.

Mike McGinn May 11, 2026
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services
- Winnipeg Parking Authority

OURWINNIPEG POLICY ALIGNMENT

This report aligns with Our Winnipeg Policy 4.8: Building Safety: Enforce compliance with building codes and property maintenance standards, to ensure housing quality, safe building occupancy, and extended building lifecycles.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan and its Goals and Objectives, and it was determined that it is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that it is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Rob Clements
Date: May 21, 2026

Attachment:

Appendix A – Amendment to MBEA Enabling By-law