REPORT OF THE

STANDING POLICY COMMITTEE ON

PROTECTION AND COMMUNITY SERVICES

DATED APRIL 10, 2000

On motion of Councillor Vandal, Clause 7 of the Report of the Standing Policy Committee on Protection and Community Services, dated April 10, 2000, was considered.

Community Incentive Grant Application - Grosvenor Square Business Improvement Zone File PR-2.6(32) (Vol. 7)

612 - 7. The Standing Policy Committee on Protection and Community Services has been advised that the City Centre Community Committee, at its meeting on March 21, 2000, considered an application from the Grosvenor Square Business Improvement Zone for a Community Incentive Grant in the amount of $6,720.00, to assist with the cost of installing planters and murals on Grosvenor Avenue and Stafford Street.

The application does not meet the eligibility criteria contained in the Community Incentive Grant Program.

The City Centre Community Committee recommended approval of a Community Incentive Grant to the Grosvenor Square Business Improvement Zone in the amount of $5,500.00, for the purpose requested.

The Standing Policy Committee on Protection and Community Services concurred in the recommendation of the City Centre Community Committee, and recommends:

I. That the following eligibility criteria for the Community Incentive Grant Program, be waived in this instance, namely:-

a) The organization is to be a non-profit community recreation and sport organization or is a non-profit organization offering recreational services, and

b) The project is to make a significant contribution to the long-term benefit of the community-at-large in terms of improved facilities.

II. That a Community Incentive Grant in the amount of $5,500.00, not to exceed a maximum of fifty percent (50%) of the total project cost, be approved to the Grosvenor Square Business Improvement Zone for the purpose requested, subject to the following conditions:

a) Confirmation of other funding sources;

b) Approval of final plans and specifications for the project by the Director; and

c) The applicant entering into a formal agreement with the City of Winnipeg.

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

Due to a tie vote, the Executive Policy Committee submits this clause to Council without recommendation.

Moved by Councillor Vandal
That the clause be considered.
Carried.

Moved by Councillor Vandal,
That the recommendation of the Standing Policy Committee on Protection and Community Services be adopted.

Report of the Standing Policy Committee on Protection and Community Services dated April 10, 2000

The recommendation of the Standing Policy Committee on Protection and Community Services was put.

The Deputy Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Angus, Gerbasi, Golden, Lubosch, Smith, Steek, Thomas, Timm-Rudolph and Vandal. 9

Nay: Councillors Clement, De Smedt, Prystanski, Eadie, His Worship Mayor Murray and Councillor Lazarenko. 6

and the recommendation of the Standing Policy Committee on Protection and Community Services was declared carried.

REPORT OF THE

STANDING POLICY COMMITTEE ON

PROTECTION AND COMMUNITY SERVICES

DATED MAY 8, 2000

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Protection and Community Services, dated May 8, 2000, was considered clause by clause.

Moved by Councillor Vandal,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7 and 8, be adopted.

Councillor Clement requested that Clause 2 be pulled from the Consent Agenda.

Councillor Angus requested that Clause 3 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,4,5,6,7 and 8 was put and declared carried.

Amendments to the City of Winnipeg Noise Control By-law No. 2480/79 to Regulate Unnecessary and Harmful Noises
File ER-1.2 (Vol. 15)

613 - 1. On December 6, 1979, Council passed By-law No. 2480/79. The By-law regulates the unnecessary and harmful noises within the City of Winnipeg, by prohibiting certain identified noise nuisances and providing exceptions to those prohibitions in Section IV.

Currently, the Commissioner of Planning and Community Services is identified as being responsible for the administration of the By-law.

Though the By-law indicates that the Commissioner of Planning and Community Services (now the Chief Administrative Officer) is responsible for its administration, in fact, the Chief of Police has taken the major role in the administration and enforcement. As the process is currently operated, the Chief Administrative Officer does not have any related duties and as such it seems appropriate that the By-law be amended accordingly.

There is a section in the By-law which notes that exemptions from the By-law are permitted if a permit is obtained from the Chief of Police. Section IV 4.1.8 states, the authority to the Chief of Police for the issuance of "noise permits" which in effect, grants exemption from the By-law to the holder of the permit for an identified period of time. While the By-law implies the Chief's authority, it does not specifically indicate that the Chief of Police has the authority to exempt an individual from the By-law. Further, the By-law is silent on the ability of the Chief of Police to revoke the noise permit.

The recommended amendments relative to Section V, clarify the role of the Chief of Police, provide clear authority to revoke or deny a permit if necessary and outline an available appeal process.

Generally speaking, the Winnipeg Police Service issues approximately 150 noise permits per year. Permits are applied for on average two weeks prior to the event. The Winnipeg Police Service has in the past not turned down a permit because of the lack of authority to do so. If the authority as requested had been in place in 1999, it is estimated that approximately six permits would have been denied. If all the recommendations contained in this report are concurred with, it is expected that the number of permits refused may increase from the above estimate.

Pursuant to Sub-Section 149(1.3) of The City of Winnipeg Act, Council has the discretion to establish a minimum and maximum penalty for an offence, which includes the authority to establish progressively higher penalties that exceed the former limits for repeat offences. Also, pursuant to Section 149(6) where a corporation commits an offence, each director or officer who authorized, consented to, connived at, or knowingly permitted or acquiesced in, the doing of the act that constitutes the offence, is likewise guilty of the offence and is liable to a penalty. The penalties as established will apply equally to all individuals, corporations and officers or directors of corporations.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

It should be noted that the establishment of minimum fines by the City does not remove the discretion available to a judge in sentencing an individual or corporation charged under the By-law. Sub-Section 7(1) of The Summary Convictions Act, provides that if a Justice is satisfied from the evidence at trial, or from information received after a plea of guilty, that an offence with which an accused is charged occurred through accident or under circumstances not wholly attributable to the fault of the accused, the justice may reduce the fine, grant a reprimand, suspend the sentence or order a discharge.

The establishment through legislation, by Council, of minimum and maximum fines serves to provide a more definitive and effective range of penalties for enforcement and sentencing purposes. While in some instances a judge may impose a lessor sentence than the minimum fine, in general, a minimum and maximum fine for an offence presents a judge with an appropriate range for the exercise of discretion in sentencing.

There is no financial impact in this connection.

On September 7, 1999, the Standing Policy Committee on Protection and Community Services requested that the Administration review the Noise Control By-law No. 2480/79 with proposed recommendations on amending maximum noise levels and time restrictions for outdoor activities or concerts.

On November 29, 1999, the Standing Policy Committee on Protection and Community Services considered a report from the Chief of Police, dated November 12, 1999, and laid the matter over to their next meeting scheduled for January 10, 2000.

On January 10, 2000, the Standing Policy Committee on Protection and Community Services reconsidered the matter and concurred in the Administrative recommendations with the exception that the Appeal process be delegated to the Standing Policy Committee on Protection and Community Services and forwarded same to Council for favourable consideration.

On January 26, 2000, Council referred back Clause 1 of the Report of the Standing Policy Committee on Protection and Community Services, dated January 10, 2000, with respect to amendments to the Noise Control By-law No. 2480/79.

On February 7, 2000, the Standing Policy Committee on Protection and Community Services referred the matter, together with a communication from Councillor Timm-Rudolph, to the Chief of Police, Winnipeg Police Service for review and recommendation back to the meeting of the Standing Policy Committee on Protection and Community Services scheduled for March 6, 2000.

On May 8, 2000, the Standing Policy Committee on Protection and Community Services considered a report from the Chief of Police, dated February 24, 2000. The Committee reaffirmed its previous recommendations with the following additional amendments, namely:

- That a Section be included in the by-law detailing acceptable decibel levels for outdoor concerts and events; and

- That a mechanism be included in the by-law for testing the decibel levels of outdoor activities,

and submits same to Council for favourable consideration.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the City of Winnipeg Noise Control By-law No. 2480/79, regulating unnecessary and harmful noises, be amended as follows:

A) Amend Section IV (Exemptions)

I) add Section 4.1.10 to include work performed in respect of the maintenance of public works.

B) Repeal Section V (Administration), and substitute it with the following:

Section V (Administration and Enforcement)

5.1 This by-law shall be administered by the Chief of Police.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

5.2 The Chief of Police may issue a permit to exempt the holder from the provisions of this by-law. The permit may contain conditions which must be maintained in order for the permit to remain valid. Conditions include, but are not limited to:

i) time limitations; unless authorized by the Chief of Police, a noise permit will be valid only between the hours of 9:00 a.m. and 10:00 p.m., Sunday to Thursday, and 9:00 a.m. to 12:00 midnight, Friday and Saturday;
ii) permit holder to remain on site at all times;
iii) permit holder to abstain from the consumption of intoxicants;
iv) notification requirements.

5.3 Any permit issued by the Chief of Police may at any time thereafter be revoked by the Chief of Police or his designate, replying upon the evidence of a peace officer related to the conduct of a person or persons, whether ascertained or not, that a noise nuisance as described in this by-law was caused or occurred.

5.4 Any person who deems himself aggrieved by a decision of the Chief of Police, may within fifteen (15) days from the date of the decision, appeal to the Standing Policy Committee on Protection and Community Services;

5.5 Upon hearing the appeal, the Committee may:

i) rescind, suspend or modify any decision given by the Chief of Police;
ii) make such other decision or order as in the circumstances of each case it deems just.

and the decision or order of the Committee, upon being communicated to the appellant, stands in place of the decision or order against which the appeal was made.

C) Repeal Section VI (Penalty), and substitute it with the following:

6.1 1) A person who contravenes a provision of this By-law is guilty of an offence and is liable on summary conviction to the following penalties, which shall not exceed $5,000.00:

a) for the first offence, to a fine not less than $50.00;
b) for a second offence, to a fine of not less than $100.00;
c) for a third or subsequent offence, to a fine not less than $150.00.

2) Notwithstanding the penalties prescribed in Sub-Section (1), an individual may also be liable on summary conviction to imprisonment for a term not exceeding six months or to both a fine as specified herein and imprisonment.

II. That a Section be included in the by-law:

a) Detailing acceptable decibel levels for outdoor concerts and events; and
b) That a mechanism be included in the By-law for testing the decibel levels of outdoor activities.

III. That the City Solicitor/Manger of Legal Services be requested to prepare the necessary amending by-law for submission to Council.

IV. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

Funding for Existing Police Athletic Clubs
File GF-2.5 (Vol. 11)

614 - 2. On January 10, 2000, the Standing Policy Committee on Protection and Community Services requested that the Winnipeg Police Service provide a report to the Committee, outlining the specific programs presently being run in all schools particularly those in the inner city, the frequency of those programs, a strategy for improving police presence in inner city schools and the allocation of resources.

On February 7, 2000, the Standing Policy Committee on Protection and Community Services considered a report from the Chief of Police, Winnipeg Police Service dated January 24, 2000, with respect to a status report on programs offered by the Winnipeg Police Service, School Resource Unit.

On March 6, 2000, the Standing Policy Committee on Protection and Community Services considered another report from the Chief of Police, Winnipeg Police Service, dated February 28, 2000, with respect to the criteria for the establishment, cost, source of funding and location of existing Police Athletic Clubs.

The Winnipeg Police Service opened thirteen Police Athletic Clubs in suburban Winnipeg school gymnasiums in September of 1998, as a crime prevention program to address the issue of youth crime. Two university students were hired for each site to provide area youth with structured and supervised alternative recreational activities from Monday to Friday between 6:30 p.m. and 9:30 p.m. A Police Officer with medical restrictions was assigned to coordinate this program and Constables assigned to the School Resource Unit were rotated through the program on weekly basis to visit the sites and interact with the participants. 1935 youths joined the programs with 43% attending at least four times a week.

Criteria

The criteria used for locating the clubs was based on a belief which had developed within the Police Community Services Division that there were pockets of low-income families in each Winnipeg suburb outside the core area where children did not receive the same support from care giving agencies as children in comparable circumstances in the core area. These children could not afford to participate in organized activities or did not want to participate in a highly competitive environment where only the best players were chosen. The School Divisions were consulted and appropriate schools were chosen, most of which are located adjacent to low income housing developments.

Location of Existing Clubs

St James School Division:
Buchanan Elementary School, 815 Buchanan Road
Stevenson-Britannia Elementary School, 1777 Silver Avenue

Assiniboine South School Division:
Westdale Junior High school, 6720 Betsworth Avenue

St Vital School Division:
George McDowell School, 366 Paddington Road
St George School, 151 St. George Street

Transcona-Springfield School Division:
École Regent Park, 411 Moroz Street

Seven Oaks School Division:
West Kildonan Collegiate, 8174 Main Street
James Nesbitt School, 70 Doubleday Drive

Fort Garry School Division:
R.H.G. Bonneycastle School, 1100 Chancellor Drive

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Winnipeg School Division No. 1:
Cecil Rhodes School, 1570 Elgin Avenue
Isaac Brock Elementary School, 1265 Barratt Avenue
Lord Roberts Elementary School, 665 Beresford Avenue

River East School Division:
Valley Gardens Junior High School, 220 Antrim Road

Cost

The average money paid out to support the Clubs from December, 1998 to December, 1999 was $20,000.00 per month. Added to this was the "in kind" costs to the Winnipeg Police Service of two Constables, a vehicle and incidentals, amounting to approximately $14,000.00 per month.

Funding

Funding for the Police Athletic Clubs came from three sources, the Provincial Government (Winnipeg Development Agreement), the Federal Government (Human Resource Development Canada), and the City of Winnipeg (in kind Police resources). The Provincial Government (WDA) commitment was for $150,000.00 per year and the Federal commitment was for $97,052.00 per year.

In September of 1999, the Federal Government (HRDC) withdrew its commitment when it was determined that this program did not meet the criteria of the fund from which it was being drawn. A further commitment from another Provincial fund and a shortening of the season from September to June allowed the Clubs to continue.

The Provincial Crime Prevention Coordinator informed the Winnipeg Police Service that there will be no provincial funding for the Police Athletic Clubs in their present form after August 2000.

Further to the request from the Standing Policy Committee on March 6, 2000, the Winnipeg Police Service contacted the Federal Government (Human Resource Development Canada), who again reiterated their position that there are no HRDC funds which have criteria that is compatible with the structure of the Police Athletic Clubs. Presently the Police Athletic Clubs provide three hours of employment an evening for full time university students when the HRDC criteria/mandate is to supplement full time employment opportunities for unemployed youth. It is not feasible to adapt the Clubs' structure to their mandate.

The Federal Government (HRDC) suggested contacting the University Employment Program Coordinator at the University of Manitoba, however the University had no program which fit the mandate of the Police Athletic Club program at this time.

The Provincial Crime Prevention Coordinator was also contacted, but there were no funds available for the Police Athletic Clubs in their present form and at the present locations. The Coordinator did state that the Province is forming a committee composed of representatives from:

Manitoba Justice Department
Manitoba Culture and Heritage
Sports Manitoba
Aboriginal Sports Council
City of Winnipeg Community Services

This committee will categorize and study Winnipeg communities and determine its needs. In the future, this committee might determine that some form of Police Athletic Club might be desirable in a limited number of core area neighbourhoods.

The Federal and Provincial Governments and the Winnipeg Police Service do not have funds available to continue the Police Athletic Clubs as they now exist after August 2000. The present structure will be dissolved in July of 2000. If a need is determined by the Provincial Government committee, then a new structure may be developed and long term funding established.

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On May 8, 2000, the Standing Policy Committee on Protection and Community Services reconsidered the issue and received as information two evaluations on the Police Athletic Clubs, namely: An Evaluation of the Police Athletic Clubs, prepared by Sport Mediation and Educational Services and a Profile of the Winnipeg Police Athletic Club, prepared by PRA Inc.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the City of Winnipeg approach the Federal and Provincial Governments to assist with funding the Police Athletic Clubs after August 2000.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Moved by Councillor Vandal,
Adoption of the clause.

Carried.

Traffic Enforcement Technology - Red Light Cameras and Photo Radar
File GF-2 (Vol. 52)

615 - 3. The Standing Policy Committee on Protection and Community Services has been advised that in an effort to enhance road safety, diverse traffic enforcement approaches must be pursued. The Winnipeg Police Service supports the introduction of photo enforcement technology to aid in efforts to keep Winnipeg streets safe.

The Winnipeg Police Service has researched traffic enforcement technologies that automatically photograph a vehicle disobeying a traffic law. These image capturing enforcement systems include speed cameras and red light cameras. Historically, photo radar and red light cameras have been introduced together to ensure financial viability for both the jurisdiction and the vendor.

Initially the City of Winnipeg requested that the Province provide enabling legislation for photo radar enforcement. In the end, only legislation for red light cameras was passed.

On November 19, 1997, Council adopted the Red Light Camera - Strategic Safety Plan. The Plan directed that:

> "the Winnipeg Police Service and Corporate Finance Department be authorized to do all things necessary to call for proposals for the implementation, management and maintenance of four Red Light Camera systems at sixteen locations"

with all aspects of the program being out-sourced.

A Request for Proposal was issued January 12, 1999. As of the closing date of February 9, 1999, the Service received no proposals. This lack of response from members of the industry created the need for the Winnipeg Police Service to reconsider the parameters of the RFP and again research available technology.

Community concern about traffic issues in the City of Winnipeg has escalated in recent years. Effective and efficient traffic law enforcement and traffic related services are designed to reduce collisions, resultant fatalities and injuries. Sensible speed limits and traffic regulations are one thing; observance of laws and general driver behaviour on the roads are something else.

Photographic detection devices are used extensively worldwide and have proven to be effective in reducing motor vehicle collisions and modifying driver behaviour. Traffic enforcement through camera technology plays an important role in public safety by offering appropriate countermeasures.

Since the introduction of red light cameras and speed measuring devices, many cities boast the number of road accident victims significantly declined. Statistics from other countries indicate greater traffic safety when red light cameras are used in conjunction with photo radar programs.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

It is commonplace for motorists to modify their driving behaviour in the presence of police. However, this is not the solution. The occasional short-lived adaptation by drivers has virtually no affect on established dangerous driving habits that could lead to the sacrifice of a life. An alternative to this is the acquisition of better technology that allows enhanced enforcement of appropriate regulations.

In considering the rationale of technology-based traffic initiatives, enforcement through Photo Radar and Red Light Cameras overlie similar objectives:

- improve road safety
- reduce collisions, injuries and fatalities
- improve traffic flow
- improve public and police officer safety
- enhance effectiveness of traffic enforcement

Intersection Safety

Traditional enforcement of traffic control violations at busy intersections is infrequent and inefficient. Currently if the violation is observed, police often must pursue a violating vehicle through the intersection to stop it. This increases the potential for a traffic collision and can compromise the safety of the public and the police member.

Red Light Cameras

Red Light Camera systems have proven to be successful in reducing the number and severity of right angle collisions at intersections with signals and increasing intersection safety awareness in numerous jurisdictions in Canada. Traffic enforcement technology enables police services to enforce traffic laws at hazardous intersections by continually monitoring the traffic signal. A camera automatically photographs the licence plates of vehicles whose drivers run red lights.

The technology functions with a high-precision camera designed exclusively for traffic photography. Current red light cameras exist in both 35mm film and digital formats. With a fixed high-shutter speed and a synchronized flash, images are captured when the camera is activated by electronics built into the system and connected to vehicle detection loops imbedded in the roadway.

The signal processing camera equipment captures high-resolution photos that clearly depict the violation in sequential images. Typically, the first photo is taken before the vehicle has crossed the stop line, and the second while the vehicle is in the intersection. In addition, the system may capture the licence plate of the vehicle in a close-up. The camera records the date, time of day, and time elapsed since the red light phase started, and the speed of the vehicle.

All aspects of this photo-generating process are tracked in order to provide a chain of custody for the evidence. After verification of proper operation of the camera system, the back-end technology processes all violation data, stores images in a database, and produces approved citations.

Roadway Safety

Speed is a major contributing factor in road collisions, injuries and fatalities. There has been significant research on the relationship of speed with collisions. Basic laws of physics determine that the frequency of collisions increases with higher speeds, along with the degree of the outcome – damage to property and people, severe injury or fatality. The speed at which a vehicle is travelling affects the reaction time of the driver, the distance required to stop the vehicle and the energy involved in the impact.

Reduced speeds enable motorists to drive with advantages that could increase the potential for collision avoidance, which are outlined as follows:

- Vehicles travelling at slower speed move a shorter distance during the time the driver reacts to a perceived problem;

- Slower moving vehicles require a shorter distance for braking. Speeders are at a serious disadvantage due to the reduced reaction time and increased braking distance;

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- Crash severity increases exponentially with speed at impact. The velocity of a vehicle determines the energy of a crash. For example, doubling the vehicle speed increases the energy in a crash four times, and

- At higher impact speeds, crash force increases exponentially with crash speed. The vehicle speed at the time of impact determines severity of injury. For example, the greater the impact speed, the greater the change in velocity at the time of impact, the greater the deceleration forces and the greater the transfer of kinetic energy.

Photo Radar

At present, the Winnipeg Police Service uses conventional radar enforcement. However, this method is costly and has minimal effect on reducing excessive speed on roadways. Detection and apprehension of one speeder allows others to continue unimpeded. Additionally, conventional radar places members of the public and the pursing officer in potentially hazardous situations. Conventional radar requires the police officer to be stationed "down the road." As the motorist approaches, the officer stops the vehicle, issues the violation ticket and makes detailed notes regarding observations of the offence. This is highly non-violator specific. Operation of the system requires the operator to match or exceed the speed of the offending vehicle. In situations with multiple vehicles, multiple lanes of traffic or high rates of speed, the margin of error greatly increases.

Photo radar is "across the road" radar where the front or rear licence plate of the violating vehicle is photographed. In this case, the radar crosses the road at a specific angle and a weak signal, with a maximum measured distance for effective capture of a violation. As a vehicle crosses the beam of radar, the camera is triggered. The photo includes computer data pertaining to the specific violation

for court purposes, such as time, date, speed and location. All physical observations of the violation are recorded on the photograph, including weather and road conditions, traffic levels, and vehicle position on the road.

Potential locations for photo radar include those sites not accessible by conventional radar. Enforcement at high-risk locations previously inaccessible due to road geometrics and traffic volume and type increases speed deterrence. There is a hypothesis that as the certainty of detection through speed enforcement increases, the likelihood of speeding decreases. Speed enforcement initiatives aim to change behaviour based on driver awareness that speeders get caught. Enforcement locations that have the potential to cause major change in driver behaviour given continued publicity and sustained enforcement include:

- high traffic volume / low speed zones, such as downtown streets where congestion prevents pursuit of offenders

- high traffic volume / high speed zones, such as routes coinciding with high collision intersections

- areas where obstructions cause hazards for pursuit, such as single or multiple bridge configurations

- enforcement sites where covert operations raise awareness of high-risk speeding behaviour, such as school zones or pedestrian corridors

Photographic detection devices are used worldwide and in other Provinces in Canada and have proven to be effective in reducing motor vehicle collisions and modifying driver behaviour.

Calgary introduced photo radar in 1988 and currently operates three cameras. Edmonton introduced photo radar in 1993 and currently operates three cameras with plans to increase to five by 2004. British Columbia introduced photo radar in 1996 and operates 33 cameras province-wide.

The Attorney General of B.C. announced that prior to Photo Radar, 66% of drivers exceeded the speed limit at photo radar sites. That number dropped to 40% after the first year of photo radar. The Insurance Corporation of British Columbia found a 20% decline in fatalities after the first year of photo radar in B.C.

Other Canadian municipalities operating photo radar are Strathcone, Red Deer, Lethbridge, Medicine Hat and Fort McMurray, Alberta.

Regina is currently operating a pilot program for red light cameras.

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On November 16, 1994, Council adopted Clause 16 of the Report of the Executive Policy Committee dated November 9, 1994, regarding the Image Capturing Enforcement Program (Photo Radar).

On September 27, 1995, Council adopted Clause 7 of the Report of the Committee on Protection, Parks and Culture dated September 11, 1995, regarding the Image Capturing Enforcement System - Photo Radar.

On July 24, 1997, Council at its reconvened meeting adopted Clause 10 of the Report of the Committee on Protection, Parks and Culture dated July 11, 1997, regarding the Image Capturing Enforcement Systems - Red Light Camera and Rail Crossing Cameras.

On November 19, 1997, Council adopted Clause 6 of the Report of the Committee on Protection, Parks and Culture dated November 3, 1997, regarding Red Light Cameras Strategic Traffic Safety Plan.

On May 8, 2000, the Standing Policy Committee on Protection and Community Services considered a report from the Chief of Police, dated May 3, 2000, regarding Traffic Enforcement Technology - Red Light Cameras and Photo Radar.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the Province of Manitoba be requested to enact legislation which will allow the use of photo radar in the City of Winnipeg.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Moved by Councillor Vandal,
Adoption of the clause.

The motion for the adoption of the clause was put.

Councillor Timm-Rudolph called for the yeas and nays, which were as follows:-

Yea: Councillors O'Shaughnessy, Angus, Gerbasi, Lubosch, Prystanski, Smith, Steek, Thomas, Vandal, Eadie, His Worship Mayor Murray and Councillor Lazarenko. 12

Nay: Councillors De Smedt, Golden and Timm-Rudolph. 3

and the motion for the adoption of the clause was declared carried.

The Winnipeg Police Service Rules and Regulations File GF-2 (Vol. 52)

616 - 4. The Standing Policy Committee on Protection and Community Services has been advised that on October 2, 1974, Council passed By-law No. 784/74 establishing the Winnipeg Police Commission. The Police Commission in turn passed By-law No. 1, a set of Regulations established to govern the discipline, control and operation of the Winnipeg Police Service.

The City of Winnipeg Act, Section 453(1), provides that the City may pass by-laws to regulate the government of the Police Service; this includes the conduct and duties of members of the Service for preventing neglect or abuse, and for rendering the Service efficient in the discharge of its duties.

Members of the Police Service recognize the highly responsible and important position they hold in society. Through their dedicated and effective service they must consistently prove to the citizens of Winnipeg that they are worthy of public confidence and respect.

The Regulations of the Police Service provide the template upon which members can consider their own actions and provide the mechanisms to resolve those actions when deemed inappropriate.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

There have been substantial societal and departmental changes that have occurred since 1974, which have in many cases made large sections of the current Regulations out of date, impractical and impossible to enforce.

The amended version, as outlined on Schedule "A", brings the Regulations into the new millennium. The objectives and purpose have been maintained, while at the same time provide clear direction and control over the actions of Police Service members.

Both the Winnipeg Police Association and the Senior Officers Association have been consulted in the amendment process, which has been underway for the last four years. Both Associations agree that the updated Regulations are essential and long overdue. They have provided comments and requested changes to the document, which in many cases have been adopted.

The new Regulations represent many hours of careful thought and reflection and it is hoped they reflect what is appropriate for a Police Service in this new era of policing.

There is no financial impact and Council approval is required.

The Standing Policy Committee on Protection and Community Services recommends:

I. That Council approve the attached Regulations, as outlined on Schedule "A", governing the conduct and duties of members of the Winnipeg Police Service.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council.

III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

Recommendations for Amusement Tax Exemption File FL-6 (Vol. 21)

617 - 5. The Standing Policy Committee on Protection and Community Services has considered recommendations received from the Winnipeg Arts Advisory Council for exemption to the Amusement Tax By-law.

The Standing Policy Committee on Protection and Community Services submits draft by-law and recommends:

I. That the following list of exemptions be added to Schedule "E" of the Amusement Tax By-law No. 3107/81, namely:

Gas Station Theatre for:
Beyond the Festival at the Gas Station Theatre on August 3 to 6, 2000

India School of Dance, Music and Theatre Inc. for:
Recital XX - Year-End Performance of Students at the Gas Station Theatre on June 11, 2000

Manitoba Choral Association for:
Summer Academy Choir in Concert at the Westminster United Church on August 27, 2000

Rainbow Stage (1993) Inc. for:
42nd Street at Kildonan Park on July 27 to August 27, 2000

St. Norbert Arts and Cultural Centre for:
Tibetan Opera Evening Concert at the St. Norbert Arts and Cultural Centre on July 20, 2000
Music in the Ruins at the St. Norbert Arts and Cultural Centre on August 9 to 19, 2000

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

Amusement Tax - The Opera Project - Vocal Master Class File FL-6 (Vol. 21)

618 - 6. The Standing Policy Committee on Protection and Community Services has been advised that due to the application for exemption being received too late, the Director of the Winnipeg Arts Advisory Council could not make a recommendation for the following amusement tax exemption:

The Opera Project for:
Vocal Master Class at the Westminister United Church on May 17 to 20, 2000

The Amusement Tax By-law states that organizations may apply for an exemption from the amusement tax for that amusement by filing with the Chief License Inspector, at least 90 days before tickets are to be offered for sale. The Opera Project did not submit their application in time for the Winnipeg Arts Advisory Council to review and prepare a recommendation for Amusement Tax exemption to the Standing Policy Committee on Protection and Community Services.

The Administration and the Winnipeg Arts Advisory Council concur that The Opera Project would have received an amusement tax exemption for the performance as it complies with the criteria set forth in Schedule "C" of the Amusement Tax By-law. The Opera Project did not collect the required tax on behalf of the City.

On May 8, 2000, the Standing Policy Committee on Protection and Community Services considered the matter.

The Amusement Tax By-law No. 3107/81 does not permit granting an exemption retroactively, but Council may by by-law cancel in whole or in part any taxes, debt, or monies owing to the City under Section 242 of The City of Winnipeg Act.

The cancellation of the monies owing has a minimal financial impact to the City.

The Standing Policy Committee on Protection and Community Services recommends:

I. That monies owing with respect to the amusement tax for The Opera Project for the Vocal Master Class at Westminister United Church which was held from May 17 to 20, 2000, be cancelled under Section 242 of The City of Winnipeg Act and that the by-law be forwarded to Council for approval.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

Community Incentive Grant Application - Carpathia School File PR-2.6(32) (Vol. 7)

619 - 7. The Standing Policy Committee on Protection and Community Services has been advised that the City Centre Community Committee, at its meeting on April 11, 2000, considered an application from the Carpathia School for a Community Incentive Grant in the amount of $7,000.00, to assist with the cost of technology and playground improvement at 300 Carpathia Road.

The application does not meet the eligibility criteria contained in the Community Incentive Grant Program.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

The City Centre Community Committee recommended approval of a Community Incentive Grant to Carpathia School in the amount of $7,000.00, for the purpose requested.

The Standing Policy Committee on Protection and Community Services concurred in the recommendation of the City Centre Community Committee, and recommends:

I. That the following eligibility criteria for the Community Incentive Grant Program, be waived in this instance, namely: -

a) The organization is a non-profit community recreation and sport organization or is a non-profit organization offering recreational services;

b) The project is to make a significant contribution to the long-term benefit of the community-at-large in terms of improved facilities;

c) The project is to benefit the community-at-large and remain accessible to all members of the community, and

d) The project is to clearly articulate a plan of activities including projected work schedules, material, labour, equipment and other project requirements and lead to the completion of a substantial physical product.

II. That a Community Incentive Grant in the amount of $7,000.00, not to exceed a maximum of fifty percent (50%) of the total project cost, be approved to Carpathia School for the purpose requested, subject to the following conditions:

a) Confirmation of other funding sources;

b) Approval of final plans and specifications for the project by the Director; and

c) The applicant entering into a formal agreement with the City of Winnipeg.

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

Adopted by consent.

Winnipeg Sport Facility Grant Fund - Expenditure of Unallocated Funds
File GC-8.8 (Vol. 10)

620 - 8. The Standing Policy Committee on Protection and Community Services has been advised that in 1987, the City of Winnipeg, Province of Manitoba and then Manitoba Sports Federation (now Sport Manitoba) entered into an agreement to fund the development of sport facilities in Winnipeg. This program became known as the Winnipeg Sport Facility Program (WSFP). Each party contributed $5,000,000 toward a total facility development fund of $15,000,000.

The fund initially paid for facility development associated with the 1990 Western Canada Summer Games hosted in Winnipeg. Facilities such as the Winnipeg Soccer Complex, Blumberg Softball Complex and a number of smaller projects were undertaken under Phase I at a cost of $7,000,000.

Phase II of the WSFP earmarked $8,000,000 for additional facility development that saw contributions toward the Maple Grove Rugby Park, Whittier Park Baseball Facility, Blumberg Soccer fields, Pan Am Pool Training Tank addition and a number of other facility improvements.

The fund has been inactive since about 1997. At present, $58,844.03 remains unexpended and uncommitted.

Report of the Standing Policy Committee on Protection and Community Services dated May 8, 2000

The project under consideration is the purchase of fifteen (15) bleacher units and accompanying hardware, including stairways and handrails. These bleacher units are portable in nature in that they can easily be broken down and transported for reassembly at a variety of sporting venues and special events. As they will primarily be utilized at sporting facilities, the purchase of these bleachers qualify under the original criteria for the grant.

The project under consideration will, in fact, have a two-fold benefit for sports within the City of Winnipeg.

The bleacher units will initially be used to enhance the current seating capacity at the Winnipeg Soccer Complex by 1,125 seats, bringing their total permanent seating capacity to 5,635. While this permanent configuration will not in itself raise the facility to the seating capacity required for future international matches, it will create a situation that will allow for a relatively simple use of existing portable bleachers to raise the seating capacity to approximately 9,500 on an as-required basis. This flexibility will allow for the City of Winnipeg to qualify for hosting future international soccer events, including World Cup and Olympic qualifying matches.

A secondary benefit of this purchase relates to the portable nature of the seating in question. Because it is reasonably easy to break down and move these units for use at other venues, it will enhance the City of Winnipeg's capacity to host other major events at existing outdoor sporting facilities such as the Kildonan East site (the venue for the Pan Am Games Field Hockey events). The bleachers could also be utilized at a variety of special events hosted by the City of Winnipeg.

The City of Winnipeg administers the Winnipeg Sport Facility Grant fund. The recommended project meets the original criteria for projects funded by this program. The monies under consideration represent an unexpended and unallocated balance of an original fund.

The Standing Policy Committee on Protection and Community Services recommends:

I. That the City of Winnipeg dedicate the unallocated balance from the Winnipeg Sport Facility Grant Fund to the purchase of bleacher units, subject to the concurrence of the Province of Manitoba and Sport Manitoba.

II. That the Proper Officers of the City do all things necessary to implement the foregoing.

Adopted by consent.

STANDING POLICY COMMITTEE ON PROTECTION ANDCOMMUNITY SERVICES

MOTIONS

Moved by Councillor Vandal,
Seconded by Councillor Steek,
621 - WHEREAS there will not be a quorum for the July 6, 2000 meeting of the Appeals Committee (Standing Policy Committee on Protection and Community Services);

THEREFORE BE IT RESOLVED that the July 6, 2000 meeting be cancelled.

Carried.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

622 - On motion of Councillor Vandal, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 7610/2000, a by-law of The City of Winnipeg to establish and adopt regulations governing the Winnipeg Police Service. File GF-2 (Vol. 52)

By-law No. 7634/2000, a by-law of The City of Winnipeg to amend the Amusement Tax By-law No. 3107/81. File FL-6 (Vol. 21)

On motion of Councillor Vandal, the rule was suspended and By-law No. 7639/2000, a by-law of the City of Winnipeg to amend By-law No. 2480/79, being the Noise Control By-law, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File ER-1.2 (Vol. 15)

Council recessed at 11:56 a.m., and reconvened at 1:34 p.m., same members present, the Speaker in the chair.

Councillors Clement, Lubosch, Prystanski and Steek entered the meeting after Council had reconvened.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

QUESTION PERIOD

623 - Councillor Timm-Rudolph referred to the Provincial budget and requested the status pertaining to the City's position on ambulance services.

Councillor Vandal noted that the Provincial Government was contributing $750,000 for one more ambulance, $900,000 for inter-facility transfers and $500,000 for the Main Street project. He also stated that the TriData risk assessment report which was being tabled tomorrow would contain recommendations on what service delivery model would be best suited for Winnipeg.

Councillor Timm-Rudolph questioned whether the City would turn over the provision of ambulance services to the Province, given the funding shortfall.

Councillor Vandal noted that information would be coming forward imminently and that any decision to return ambulance services to the Province would be a decision of Council.

Councillor Timm-Rudolph noted that she and other members of Council had a conflict with the time scheduled for a working session on the TriData report and questioned the limited notice given and why Councillors had not been provided a copy of the report, as well as the urgency of the meeting.

Councillor Vandal noted that this was one of the more important issues being dealt with by Council and that the Council seminar was called to coincide with the availability of the report.

Councillor Angus referred to reports in the media regarding the recent 911 difficulties and asked if a brief report could be provided on two incidents.

Councillor Vandal noted that he was waiting on a comprehensive report from the Police Chief and would share a summarized version with Councillors as possible.

Councillor Steek referred to one of the 911 incidents being identified and questioned why police had not attended given that there were two other vehicles available in the City, to which Councillor Vandal responded that he had requested that the Chief of Police address this issue in his report.