REPORT OF THE

STANDING POLICY COMMITTEE ON

PROTECTION AND COMMUNITY SERVICES

DATED MARCH 5, 1999

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Protection and Community Services, dated March 5, 1999, was considered.

Moved by Councillor Vandal,
That the Consent Agenda, Clause 1, be adopted.

Carried.

Operation of Outdoor Pools to the End of August, 1999 File PR-2.2 (Vol. 18)

432 - 1. Council, at its meeting held on September 10, 1998, ruled automatic referral of the following motion to the Standing Policy Committee on Protection and Community Services, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Lazarenko,
Seconded by Councillor Steek,

WHEREAS The City of Winnipeg has 97 outdoor wading pools of which 16 were privately operated during 1998;

AND WHEREAS the total operating budget for 81 pools over a 42 day operation period was $454,000.00;

AND WHEREAS wading pools are the primary source of summer recreation for many youth in all wards of the City but particularly those in the inner city;

THEREFORE BE IT RESOLVED that all City of Winnipeg wading pools be kept open an additional 10 days in 1999 (until the end of August, weather permitting) and that the additional appropriation of approximately $100,000.00 be given favourable consideration during the 1999 budget review.

On November 17, 1998, the Standing Policy Committee on Protection and Community Services requested that an extension of time of 90 days be granted inasmuch as this matter has been laid over for consideration during the 1999 Budget Review. On November 25, 1998, Council granted the Committee an extension of 90 days.

On March 5, 1999, the Standing Policy Committee on Protection and Community Services considered the 1999 Annual Current Estimates and recommends that this be filed inasmuch as the matter has been considered under the purview of the 1999 Current Estimates.

Adopted by consent.

REPORT OF THE

STANDING POLICY COMMITTEE ON

PROTECTION AND COMMUNITY SERVICES

DATED MARCH 8, 1999

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Protection and Community Services, dated March 8, 1999 was considered clause by clause.

Moved by Councillor Vandal,
That the Consent Agenda, Clauses 2,3,4,5,6 and 7, be adopted.

Carried.

Proposed Amendments - Fire Prevention By-law No. 1322/76 - Requirements for Hard-Wired Smoke Detectors in Residential Rental Properties
File GF-1 (Vol. 16)

433 - 1. The Standing Policy Committee on Protection and Community Services at its meeting on November 17, 1998, requested a report regarding the adoption of a by-law which requires all residential rental properties to have hard wired smoke alarms.

In light of the numerous fire tragedies in which citizens have lost their lives as a result of non-functioning battery-operated smoke alarms, the Emergency Response Service has undertaken an extensive review and investigation to determine the impact of requiring hard-wired smoke alarms in all residential rental properties. This review and investigation included:

- Meetings with associations representing property owners who would potentially be impacted by a hard-wired Smoke Alarm By-law;
- Discussions with the manufacturers of smoke alarms, the National Fire Protection Association (NFPA), and Underwriters' Laboratories of Canada;
- The review of statistical information from the Emergency Response Service, Office of the Fire Commissioner, NFPA and other sources;
- Information collected from a Home Fire Safety Survey program conducted by firefighters during the summer of 1998;
- The results of a national survey recently conducted by the Emergency Response Service to determine if other jurisdictions have legislation requiring hard-wired smoke alarms in residential properties, and
- A review of manufacturer's installation instructions.

Current Code Requirements

Smoke Alarms are required by law. The Winnipeg Fire Prevention By-law No. 1322/76 adopts the Manitoba Fire Code which requires the following:

- Smoke alarms must be installed in all homes, apartment suites, hotel and motel rooms, etc.
- Smoke alarms must be installed in the vicinity of each sleeping area or bedroom. This would generally include hallways or areas outside of bedrooms.
- Smoke alarms must be installed on each floor of a residence which has a bedroom.
- Smoke alarms must be installed, tested and maintained in conformance with the instructions supplied by the manufacturer and included with the smoke alarm at time of purchase.
- Smoke alarms, either battery operated or hard-wired, have been required in all existing homes, apartments, etc., since 1987.

The Manitoba Building Code requires all newly constructed homes, apartments, etc., built after 1981, to have hard-wired smoke alarms. The Building Code allows hard-wired smoke alarms to be installed so that each bedroom is protected by a smoke alarm either inside each bedroom or, if outside, within 5 metres, measured following corridors and doorways, of the bedroom door.

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Establishing a Need for More Comprehensive Solutions

The underlining concern is to determine what is necessary to achieve a high rate of operability for smoke alarms and hence reduce the likelihood of fire-related deaths and injuries. Local statistics continue to show that non-operable smoke alarms are present in residences where casualties occurred. The Fire Prevention Branch receives hundreds of complaints for non-operable smoke alarms annually. Fire Inspectors continue to identify an alarmingly high number of battery operated smoke alarms, in residential rental properties, which do not function. This is especially evident in rooming houses, smaller multiple unit apartment blocks and older apartment buildings. Unfortunately the consequences of individual lifestyles impact the lives of other tenants in multiple family residences.

Although aggressive and persistent public education campaigns have contributed to a significant increase in the number of smoke alarms installed in residences, a significantly high proportion of those smoke alarms fail to function. A recent home safety survey conducted by Winnipeg firefighters revealed that a large proportion of homes (94%) have smoke alarms, however 40% of those respondents were found to be complacent when it came to maintaining their smoke alarms. Not having smoke alarms is not the problem - inoperable smoke alarms is.

The Fire Prevention Branch recently conducted a survey of more than 100 major metropolitan Fire Departments throughout Canada and the United States. Highlights of that survey revealed the following:

- 81% of the respondents indicated that they experience a high rate of non-operability with battery powered smoke alarms in residential buildings.
- 88% of the respondents have educational programs to address the non-operability of battery powered smoke alarms.
- 53% of the respondents indicated that they have legislation requiring hard-wired smoke alarms in residential buildings. This may, however, be attributed primarily to more recent building code requirements for newer buildings.
- 93% of the respondents who have legislation requiring hard-wired smoke alarms have indicated a reduction of life and property loss since the introduction of legislation.
- 72% of the respondents indicated that they would support legislation requiring hard-wired smoke alarms in all existing residential buildings.

It should be noted that the City of Brandon presently requires hard-wired smoke alarms in all residential rental properties. This legislation has been in effect since 1993. In discussion with fire officials in Brandon it was suggested that this legislation has resulted in a significant reduction of non-operable smoke alarms. They estimate that 95% of all smoke alarms function. Vancouver has similar hard-wired smoke alarm requirements.

Assessing Smoke Alarm Failures

There are numerous reasons why battery operated smoke alarms are not reliable. Smoke alarm failures usually result from dead, missing or disconnected batteries. This is generally due to nuisance activations or as a result of forgetting to test the alarm every month and replace the battery every year. The life-saving effectiveness of smoke alarms is dependent on proper maintenance. The lack of maintenance may be attributed to factors such as:

- neglect by the tenant and/or landlord
- a dangerous sense of complacency (occupants often assume that installed smoke alarms work or conversely mistakenly assume an alarm to be false when in fact it is not)
- physical or cognitive restrictions
- poor socio-economic conditions generally associated with factors such as aging and low-income.

Nuisance activations generally cause occupants to disable a smoke alarm. Batteries are often removed because of annoying alarm activations from cooking or as a result of steam or humidity which causes activation. In many occupancies smoke alarms are often located near bathrooms or kitchen areas which have very poor ventilation, resulting in nuisance alarms and subsequently non-operability. This problem is intensified in single room occupancies such as rooming houses or hotel/motel rooms which permit cooking. Many nuisance activations are also a result of incorrectly located smoke alarms. Older smoke alarms also contribute to an increase in nuisance activations or a decreased ability to react promptly to actual fires.

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Alternative Concepts

(1) Education campaigns to stress the importance of testing and maintaining smoke alarms.

The Emergency Response Service has and continues to, aggressively promote the importance of installing, testing and maintaining smoke alarms. Comprehensive media campaigns have been undertaken to promote smoke alarm requirements. Campaigns have included public education to reinforce the need for properly installed, tested and maintained smoke alarms and comprehensive information brochures have been produced and distributed to owners and tenants. These have detailed responsibility requirements as well as the penalties associated with tampering and improper installations or maintenance. Unfortunately, experience has shown that this approach alone has not resolved the issue concerning high incidences of inoperable battery operated smoke alarms. It should be noted that Public Education remains a viable and important component of any proposed solutions.

(2) Increase the frequency of inspection

This approach would have a tremendous negative impact on the inspection capabilities of the Fire Prevention Branch and cannot be considered as either feasible or realistic for the City.

Alternatively, building owners could conduct their own inspections and provide verification to the Emergency Response Service. Again, this would require additional City resources and personnel in order to properly manage. Increasing the frequency of inspection does not address the problem of inoperable smoke alarms as experience has shown that tampering of smoke alarms occurs regardless of the frequency of inspection.

(3) Require tamper seals with warning labels on smoke alarms

The Emergency Response Service could produce and make available, information stickers which can be installed on smoke alarms. These stickers would provide information regarding the impact of tampering with these devices. This was recommended by the Apartment Investors Association of Manitoba as a necessary component to reduce the ongoing situations with tampering. It is difficult to determine if such an initiative would have an impact and enforcing this requirement would be extremely difficult. This initiative has some merit and will be considered as part of a Public Education component.

(4) Relocating smoke alarms to different locations to help reduce the number of nuisance alarms and/or to ensure proper operation

Many nuisance activations are as a result of incorrectly located smoke alarms. These types of nuisance alarms can often be addressed by moving a device to a different location. This would include moving smoke alarms away from cooking areas or areas in which steam or humidity cause activation. In a small dwelling where bedrooms may be close to cooking areas, placing one alarm inside each bedroom may be a more practicable choice as it makes them less prone to nuisance alarms.

Since smoke and heat generated by a fire rises, spreads out and then begins to bank down from the ceiling a dead air space is created where the ceiling and wall meet. Effective operation of a smoke alarm may be hindered by placing it in a dead air space. An alarm shouldn't be placed near an interior door either, because air movement around the door frame might cause it to miss the alarm, or near an outside door, window, or air register where drafts might push smoke away from the alarm. This dead air space measures about 4 inches along the ceiling from the corner and about 4 inches down the wall. In some instances it may be necessary to mount a smoke alarm on a wall provided they are not placed in a dead air space. Proper placement of smoke alarms is one of the most critical factors for ensuring effective operation and continued reliability. This report's recommendations reflect the need for properly locating smoke alarms.

(5) Replacement of smoke alarms that are 10 years old or older

This approach would help reduce the number of nuisance alarms and contribute to a higher rate of reliability for installed devices. The current recommended replacement age of hard-wired or battery type smoke alarms is 10 years. The Emergency Response Service has and continues to recommend the replacement of aging smoke alarms, however experience has shown that this practice is generally not pursued by building owners. The City of Winnipeg passed a "Residential Fire Safety Upgrading" by-law in 1986. This by-law, in part, required the installation of smoke alarms in existing multi-family residential buildings. It should be

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

noted that the life expectancy of these alarms has expired and now require replacement anyway. Aging is a significant factor which impacts the effectiveness and reliability of smoke alarms. In no case should a smoke alarm be used for more than 10 years. This report's recommendations address the issue of aging smoke alarms.

(6) Require the installation of photoelectric-type alarms

Publications suggest that photoelectric-type alarms are slightly more resistant to unwanted alarms caused by cooking vapours or bathroom moisture and may provide some relief in small households where an alarm must be installed near kitchens and bathrooms. There is no conclusive data to support claims that by switching from an ionization-type of smoke alarm to a photoelectric-type would significantly reduce nuisance activations. Manufacturers of smoke alarms do not, at present, differentiate between the application of these two types of smoke alarms. Ionization-type alarms are at present the most cost-effective and popular. In many situations, a pause or silence button is a necessary feature for smoke alarms. The photoelectric smoke alarm is not presently available with a pause feature and therefore is not a viable alternative.

(7) Require the installation of a 10 year lithium power non-tamper smoke alarm with a pause feature

This type of smoke alarm has a lithium battery which is guaranteed to operate for ten years. Certain units cannot be tampered with in the sense that the battery cannot be removed. These are also provided with a pause feature which allows the occupant to silence the alarm when a nuisance activation occurs. Another advantage of these devices is that they are not affected by power outages. It should be noted that this is a new technology and has only been available on the market for a short period of time. A common disadvantage of this type of smoke alarm is that it can be easily removed from its mounting bracket. However, initial discussions with some manufacturers indicate a willingness to consider changes that will overcome this disadvantage. Further discussions will continue to determine whether this is a viable option.

(8) Require the installation of hard-wired smoke alarms

Hard-wired smoke alarms do not require batteries as their primary power supply and do not permit removal of their primary power source for use elsewhere and are statistically much less susceptible to power source interruptions leading to non-operability. In fact, studies have shown that only 1% of hard-wired smoke alarms are disconnected from the A/C power source. As hard-wired smoke alarms are required in homes, apartments, etc., since 1981, a significant proportion of residential buildings in Winnipeg already have hard-wired smoke alarms. The only hard-wired smoke alarms presently available with a pause feature also happen to have a battery backup. It is the opinion of the Emergency Response Service that a battery backup is not a necessity since power outages in our City are generally short in duration as well as infrequent. Hard-wired smoke alarms have a long history of providing dependable service and are thereby considered to be a viable solution as reflected in our recommendations. The down side of installing hard-wired smoke alarms in existing residential buildings is the cost of the installation.

Summary

New legislation will not eliminate all fire deaths and injuries associated with the high rate of non-operable smoke alarms. The lack of maintenance is one of the many factors impeding the life-saving effectiveness of smoke alarms. Properly installed and operational smoke alarms provide an early warning system but do not guarantee the safety of occupants. Physical or cognitive restrictions, drugs and alcohol, poor socio-economic conditions, aging, a lack of pre-planning or a dangerous sense of complacency may all impact the abilities of occupants to safely evacuate a building.

Disconnected or missing batteries are the primary reasons that smoke alarms do not work. The battery problem is closely linked to the nuisance-activation problem. It becomes apparent then to reduce the nuisance activation problem. This can, in part, be achieved by properly locating smoke alarms and by utilizing recent new technology, such as pause features, to help address the nuisance activation problem. Smoke alarms are now available with this pause feature which when utilized will silence an alarm for up to 15 minutes unless the amount of smoke intensifies which will cause the unit to continue to sound.

The power source problem (ie: dead or missing batteries) can be addressed by either hard-wired smoke alarms which do not require periodic power source replacement, do not permit removal of their power source and are statistically much less susceptible to power source interruption or by utilizing a 10 year lithium power non-tamper

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

pause featured smoke alarm in which the battery cannot be removed. The Emergency Response Service has researched and examined all types of smoke alarms currently available on the market. The 10 year smoke alarms offer a reasonable solution to ensure ongoing operability. Currently there are three 10 year models on the market.

A summary of their acceptability follows:

1) Life Saver Gold Model #0916CALL and Firex Model #CC are not acceptable alternatives as the battery (power supply) is easily removed from the device and the device is easily removed from its mounting plate.

2) First Alert Model #SA10YRA is an acceptable alternative provided that the manufacturer can modify the mounting plate to require a special tool or knowledge for removal of the device from the plate. This model would be as close to "non-tamper" as possible due to the fact that the battery (power supply) cannot be removed. It is also provided with a pause or hush feature enabling the occupant to silence the alarm should a false alarm occur. It is our view that this device, when properly installed and tested, will provide the same level of protection and reliability as a hard-wired alarm. This alternative is also much more financially attractive to owners as the cost of supplying and installing the device is relatively low (approximately $30.00). The First Alert Model to be offered will be marketed with special packaging features to allow building owners to identify the model acceptable to the Emergency Response Service.

All manufacturers were contacted and surveyed regarding possible changes to their alarms to truly make them non-tamper. Only First Alert indicated an ability and commitment to modify their design. The other manufacturers did not offer formal responses to the Administrations queries. If other manufacturers indicate their intention and ability to redesign existing smoke alarms to meet the needs of this by-law then those devices would be taken into consideration.

The implementation of any new legislation will necessitate a comprehensive Public Education and media campaign to ensure that building owners and tenants are aware of the requirements and time frames necessary for compliance.

This may involve the development of new educational materials and smoke alarm stickers to assist in educating occupants and to provide warnings against attempted tampering.

The Emergency Response Service will utilize fire suppression crews to assist the Fire Prevention Branch in ensuring compliance with the requirements and aggressively enforce all situations where non-compliance has occurred.

The new legislation will clarify the owner and tenant responsibilities to ensure ongoing testing and maintenance of smoke alarms after their installation. The consequences of damaging or tampering with smoke alarms will also be addressed. Other by-laws such as the "Residential Fire Safety Upgrading" By-law and the "Maintenance and Occupancy" by-law will be reviewed to ensure that their requirements will not conflict with any new requirements which are intended to have precedence.

Financial Implications to the Landlord

Financial implications to the landlord/building owner are dependent on the option chosen to achieve compliance. Costs associated with achieving compliance include:

- cost of the smoke alarm
- labour costs associated with the installation
- permit fees

A survey of retail outlets was conducted to determine the cost of smoke alarms. The following table illustrates the retail purchase price of smoke alarms.

TYPE	RETAIL COST
Hard-Wired Alarm	$12.00 to $14.00 each
Hard-Wired Alarm with Pause or Hush Feature	$25.00 to $32.00 each
First Alert - 10 Year Non-Tamper / with Pause or Hush Feature	$27.00 to $30.00 each

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Electrical contractors were also surveyed to determine the cost of supplying and installing hard-wired smoke alarms (excluding taxes and permit fees.)

	Supply & Install Hard-Wired Alarm	Supply & Install Hard-Wired with Pause/Hush
One & Two Family Homes	$91.00 to $220.00 each	$104.00 to $228.00 each
Multi Family Up To 10 Suites	$91.00 to $240.00 each	$104.00 to $258.00 each
Multi Family Over 10 Suites	$91.00 to $275.00 each	$104.00 to $293.00 each

An electrical permit will be required for the installation of all hard-wired smoke alarms. The permit application and inspection fee is $23.00 for the installation of the first hard-wired smoke alarm and an additional $1.50 each for all other smoke alarm installations indicated on the same permit.

Should a building owner choose the option to install 10 year non-tamper smoke alarms in place of hard-wired, it is recommended that no permit or inspection fee be required. In all probability, this option will be chosen in most cases as there is considerably less financial impact to building owners.

The recommended time frames are based on the number of suites in a building. It was felt that the larger the building, the greater the financial impact, which in turn justifies longer time frames for compliance. It should also be noted that the recommended time frames for compliance would be much shorter for the 10 year non-tamper option. This is primarily due to the significant differences in the financial impact of choosing the hard-wired smoke alarms in comparison to the 10 year non-tamper option.

A list of reference materials and sources as well as the number of fire casualties in the City of Winnipeg where smoke alarms were inoperable or not installed is on file in the Office of the City Clerk.

The Standing Policy Committee on Protection and Community Services concurred in the recommendations, as amended, and recommends:

I. That the City of Winnipeg Fire Prevention By-law No. 1322/76 be amended as follows, namely: -

That hard-wired smoke alarms or ten year lithium power non-tamper pause featured smoke alarms, as described, be installed in all residential rental properties, and

Where smoke alarms are to be installed in:

(a) Areas prone to nuisance alarms, such as sources of smoke, steam or moisture from kitchens and/or bathrooms, or

(b) Single room occupancies such as rooms in rooming houses, bachelor suites, dormitories, or in hotel/motel rooms where cooking is permitted, the installation of smoke alarms must conform to the following additional requirements:

i. Smoke alarms must have a pause, hush, silencer or false alarm control feature;
ii. Smoke alarms must be mounted on an inside wall away from openings and 4 to 12 inches from the ceiling but in no case lower than the highest door opening;
iii. If a smoke alarm is within 10 feet from a bathroom door it must be mounted on an inside wall as close as possible to the bedrooms and as far as possible from the bathroom door;
iv. If there are bedrooms located directly off the kitchen, a smoke alarm may be installed inside each bedroom. (This typically refers to those situations in which there is no hallway or other space separating the kitchen from the bedroom);
v. In situations where compliance to clauses (i) to (iv) cannot be achieved, the authority having jurisdiction shall approve alternate locations for installation.

II. Compliance to these requirements should be phased in over a reasonable period of time. The time frames which could be considered are as follows:

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Type of Occupancy	Compliance Time
One and two family dwellings and buildings which contain up to and including 10 rental units or suites	1 year
Buildings which contain more than 10 rental units or suites	1 year

III. Where hard-wired smoke alarms were previously installed under former upgrading requirements and/or codes:

(a) they cannot be replaced with a ten year lithium power non-tamper pause featured smoke alarm, and
(b) they must meet the additional installation requirements of Recommendation No. 1.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Moved by Councillor Vandal,
Adoption of the clause.

Carried.

Final Instalment - 1999 Operating Grants to Cultural Organizations
Files FG-3 (Vol. 36), FG-1.1

434 - 2. On November 7, 1984, Council established the Winnipeg Arts Advisory Council and delegated it with the responsibility for screening grant applications, defining criteria and making recommendations as to appropriate grant levels for cultural organizations. The Winnipeg Arts Advisory Council forwards its recommendations to the Standing Policy Committee on Protection and Community Services for consideration.

On March 8, 1999, the Standing Policy Committee on Protection and Community Services considered and approved recommendations from the March 1, 1999, meeting of the Winnipeg Arts Advisory Council for final instalment operating grant funding to various cultural organizations.

The Council Policy on Cultural Grants administered by the Standing Policy Committee on Protection and Community Services provides that the Committee shall adjudicate all applications within the global allocation and have final authority to approve grants which qualify under this policy, to an amount of $50,000.00 per individual grant. The Committee shall submit to Council, with its recommendation for approval, all requests for grants in excess of this amount.

The Standing Policy Committee on Protection and Community Services therefore recommends:

I. That the final instalments for the 1999 Primary Operating Grants be approved to the following cultural organizations:

Organization	Category	1999 Interim Operating Grant Received	1999 Final Operating Grant Recommendation	Total 1999 Operating Grant Recommendation
Le Festival du Voyageur Inc.	Festivals	$31,190.00	$63,110.00	$94,300.00
Folk Arts Council of Winnipeg Inc./Folklorama Inc.	Festivals	36,300.00	73,500.00	109,800.00
Manitoba Opera Association	Music	17,890.00	36,310.00	54,200.00
Manitoba Theatre Centre	Theatre	52,640.00	106,860.00	159,500.00
Prairie Theatre Exchange	Theatre	19,800.00	40,200.00	60,000.00
Royal Winnipeg Ballet	Dance	87,120.00	176,880.00	264,000.00
Winnipeg Art Gallery	Museums/Galleries	118,800.00	221,200.00	340,000.00
Winnipeg Symphony Orchestra	Music	58,220.00	119,688.00	177,900.00

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

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

Adopted by consent.

Recommendations for Amusement Tax Exemption File FL-6 (Vol. 18)

435 - 3. 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:

Croatian Folklore Ensemble for:
"Lado" Folk Dance Ensemble of Croatia Concert at the Jubilee Place on April 25, 1999

India School for Dance Music and Theatre Inc. for:
Millennium Memories at the Gas Station Theatre on May 30, 1999
Recital XIX - Year-End Performance of Students at the Gas Station Theatre on June 13, 1999

Malayali Association of Manitoba Inc. for:
Musical at the Jubilee Place Auditorium on May 8, 1999

Manitoba Registered Music Teachers Association (Scholarship Series) for:
Manitoba Registered Music Teachers Association Scholarship Series Semi-Finals at Eva Clare Hall, University of Manitoba on April 25, 1999, and

Manitoba Registered Music Teachers Association Scholarship Series Finals at Eva Clare Hall, University of Manitoba on May 8, 1999

St. David's Society of Winnipeg for:
Welsh Song Recital by Mari Morgan at St. George's Anglican Church on July 30, 1999

St. Norbert Arts and Cultural Centre for:
In The Lounge Performance Series at the St. Norbert Arts and Cultural Centre on March 13, 20, 22, 25 and 27, 1999 *

* Some events will have taken place before the recommendation is considered by Council on March 24, 1999.

Ruth Cansfield Dance Company Inc. for:
Untitled at the Gas Station Theatre on April 15 to 17, 1999

Winnipeg Art Gallery for:
Art in the Age of Van Gough at the Winnipeg Art Gallery on May 16, 1999 to July 11, 1999

Rozmai Ukrainian Dance Ensemble for:
Annual Dance Recital at the Pantages Playhouse Theatre on May 12, 1999

Shakespeare in the Ruins for:
Richard III at the St. Norbert Arts and Cultural Centre on May 11, 1999 to July 3, 1999

Manohar Performing Arts of Canada Inc. for:
Musical Workshop and Demonstration at the Winnipeg Art Gallery on March 28, 1999

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Selkirk and District Ukrainian Dance School for:
Annual Recital at the Pantages Playhouse Theatre on May 1, 1999

Manitoba Amateur Body Building Association for:
"Manitoba Novice Championships" at the Walker Theatre on April 10, 1999

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.

Request for Amusement Tax Exemption - Organizations Operating Amusements Not Meeting the Criteria Identified in Schedule "C" of the Amusement Tax By-law No. 3107/81
File FL-6 (Vol. 18)

436 - 4. The Standing Policy Committee on Protection and Community Services has been advised that the Director, Winnipeg Arts Advisory Council, on March 1, 1999, could not make a recommendation for the following amusement tax exemptions because the applications did not meeting the criteria identified in Schedule "C" of the Amusement Tax By-law No. 3107/81 and/or were received too late and could not be processed before the event took place, namely: -

Cadet Honour Band of Prairie Region for:
Cadet Honour - A Salute to the Peoples of Canada at the Centennial Concert Hall on April 6, 1999

Mennonite Central Committee - Manitoba for:
Break the Barrier Concert at The Meeting Place Church on April 9, 1999

St. Edwards Church/St. Edwards School for:
"Celebrate Jesus" Concert at 836 Arlington Street on March 26 and 27, 1999

Lake Winnipeg Mission Camp Society for:
Camp Arnes 50th Anniversary Celebration Concert at the Walker Theatre on March 20, 1999

Spiritual Assembly of the Baha'i's of Winnipeg for:
Baha'i' Commemoration of Racial Unity at the Pantages Playhouse Theatre on March 21, 1999

On March 8, 1999, the Standing Committee on Protection and Community Services recommended that Amusement Tax Exemptions be granted for the above mentioned organizations.

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.

All the above noted applications do not comply with the criteria set forth in the Amusement Tax By-law No. 3107/81, which states that exemptions are available for not-for-profit "...cultural organizations where the events/amusements are directly related to the character of the organization. Cultural organizations will be interpreted to include..musical, artistic, ethno-cultural, museums, galleries..."

In addition to not meeting criteria, the Lake Winnipeg Mission Camp Society and the Spiritual Assembly of the Baha'i's of Winnipeg completed applications for amusement tax exemptions and were not received in sufficient time to be considered by Council. The Amusement Tax By-law states that the 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 organizations were aware of this requirement but did not submit their applications in sufficient time for the Winnipeg Arts Advisory Council to review and prepare their recommendation to the Committee on Protection and Community Services.

The Amusement Tax By-law No. 3107/81 does not permit granting an exemption retroactively, but the monies owing can be cancelled under Section 242 of the City of Winnipeg Act by by-law.

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

On March 8, 1999, the Standing Committee on Protection and Community Services considered the above matter.

The Standing Policy Committee on Protection and Community Services recommends:

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

Cadet Honour Band of Prairie Region for:
Cadet Honour - A Salute to the Peoples of Canada at the Centennial Concert Hall on April 6, 1999

Mennonite Central Committee - Manitoba for:
Break the Barrier Concert at The Meeting Place Church on April 9, 1999

St. Edwards Church/St. Edwards School for:
"Celebrate Jesus" Concert at 836 Arlington Street on March 26 and 27, 1999

II. That monies owing in respect of the amusement tax for:

Lake Winnipeg Mission Camp Society for:
Camp Arnes 50th Anniversary Celebration Concert at the Walker Theatre on March 20, 1999, and

Spiritual Assembly of the Baha'i's of Winnipeg for:
Baha'i' Commemoration of Racial Unity at the Pantages Playhouse Theatre on March 21, 1999

be cancelled under Section 242 of The City of Winnipeg Act and that the by-law be forwarded to Council for approval.

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.

Request for an Amusement Tax Exemption for the Jazz Winnipeg Festival
File FL-6 (Vol. 18)

437 - 5. On February 8, 1999, the Standing Policy Committee on Protection and Community Services considered a communication from the Director, Winnipeg Arts Advisory Council, dated February 1, 1999, with respect to an application for exemption from amusement tax for the following:

Jazz Winnipeg Inc. for:
Jazz Winnipeg Festival at various Winnipeg locations on June 18 to 30, 1999

The Winnipeg Arts Advisory Council considered the request and recommended that the Standing Policy Committee on Protection and Community Services request a legal opinion as to whether a festival can be viewed as one entity instead of a series of events.

On February 8, 1999, the Standing Policy Committee on Protection and Community Services heard in delegation Timothy Taylor, President and David Sherman, Executive Producer, Jazz Winnipeg Inc., with respect to their request for an amusement tax exemption. The Committee referred the matter to the Administration to review all not-for-profit festivals in the City of Winnipeg requesting amusement tax exemptions and requested that the Legal Services Division provide a legal opinion as to whether a festival can be viewed as one entity instead of a series of events and report back to the meeting scheduled for March 8, 1999.

On March 8, 1999, the Standing Policy Committee on Protection and Community Services reconsidered the matter and also heard Timothy Taylor, President and David Sherman, Executive Producer, Jazz Winnipeg Inc., in delegation.

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

The Standing Policy Committee on Protection and Community Services was advised that while a festival may be viewed as an amusement, within the definition of that term in the Amusement Tax By-law, a blanket exemption for an entire festival is only available where the criteria set out in Schedule "C" of the by-law are fulfilled and, where the established criteria are not fulfilled, the events or performances comprising the festival should be considered for an exemption on an individual basis.

The Standing Policy Committee on Protection and Community Services recommends:

I. That a blanket exemption should not be given to the Jazz Winnipeg Festival, for the festival as a whole, and that a temporary exemption be granted pending the receipt of further information, (to accommodate the Festival's difficulty with providing a definite list of performers 90 days before tickets go on sale).

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

Jazz Winnipeg Inc. for:
Jazz Winnipeg Festival at various Winnipeg locations on June 18 to 30, 1999, subject to confirmation of the local nature of the entertainment being provided by Jazz Winnipeg Inc., to the City of Winnipeg, Corporate Finance Department, at least 15 days prior to the sale of any tickets, and forwarded 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.

Community Incentive Grant Application - Friends of Omand's Creek
File PR-2.6(32) (Vol. 5)

438 - 6. On April 9, 1998, the Standing Policy Committee on Protection and Community Services considered and approved a Community Incentive Grant to the Friends of Omand's Creek in the amount of $25,000.00 to assist with the cost of the Omand's Creek Enhancement.

On February 9, 1999, the City Centre Community Committee, considered an additional communication from the Friends of Omand's Creek, dated January 12, 1999, requesting the waiver of a criteria for their Community Incentive Grant application. The Community Committee recommended that the criteria be waived on order for the project to exceed a maximum of fifty percent (50%) of the total cost.

When this application was first considered on April 9, 1998, it met the eligibility criteria contained in the Community Incentive Grant Program. However, since the Friends of Omand's Creek is requesting the waiver of a criteria, it now requires Council approval.

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

I. That the Community Incentive Grant for the Friends of Omand's Creek project exceed a maximum of fifty percent (50%) of the total project cost.

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

Adopted by consent.

Report of the Standing Policy Committee on Protection and Community Services dated March 8, 1999

Community Incentive Grant Application - Friends of Bruce Park Inc.
File PR-2.6(31) (Vol. 6)

439 - 7. The Standing Policy Committee on Protection and Community Services has been advised that the Assiniboia Community Committee, at its meeting on February 16, 1999, considered an application from the Friends of Bruce Park Inc., for a Community Incentive Grant in the amount of $2,782.00, to hire an on-site employee to monitor water quality of Truro Creek and Omand's Creek/Bruce Park.

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

The Assiniboia Community Committee recommended approval of a Community Incentive Grant to the Friends of Bruce Park Inc., in the amount of $2,782.00, for the purpose requested.

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

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

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

b) The project is not to compete with or duplicate other community facilities; and

c) 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 $2,782.00, not to exceed a maximum of fifty percent (50%) of the total project cost, be approved to the Friends of Bruce Park Inc., 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.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Vandal,
Seconded by Councillor Smith,
440 - THAT the June 7, 1999 meeting of the Standing Policy Committee on Protection and Community Services be rescheduled to Friday, June 11, 1999 to commence at 9:00 a.m. in the North Committee Room; and that the Schedule of Meetings be amended accordingly.

Carried.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

441 - 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. 7393/99, a by-law of The City of Winnipeg to amend the Amusement Tax By-law No. 3107/81. File FL-6 (Vol. 18)

By-law No. 7394/99, a by-law of the City of Winnipeg to amend By-law No. 1322/76 being The Winnipeg Fire Prevention By-law. File GF-1 (Vol. 16)

By-law No. 7395/99, a by-law of The City of Winnipeg to cancel certain monies owing to the city. File FL-6 (Vol. 18)

By-law No. 7396/99, a by-law of The City of Winnipeg to cancel certain monies owing to the city. File FL-6 (Vol. 18)

By-law No. 7397/99, a by-law of The City of Winnipeg to cancel certain monies owing to the city. File FL-6 (Vol. 18)

On motion of Councillor Vandal, the rule was suspended and By-law No. 7399/99, a by-law of The City of Winnipeg to amend By-law No. 5160/89, being the Food Service Establishment 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 EH-1.6 (Vol. 3)

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

QUESTION PERIOD

442 - In reference to recent media coverage about video cameras being mounted in the downtown area for surveillance purposes, Councillor Clement questioned whether the Standing Policy Committee on Protection and Community Services had reviewed the matter.

Councillor Vandal noted that the issue was part of a nine-point plan which had been brought to the former members of the Standing Policy Committee on Protection and Community Services under the previous Police Chief, David Cassels, and received as information. He advised that the Police Administration had received the request from the Province of Manitoba and the Business Improvement Zone Groups to operationalize the plan, noting that behind the scene discussions had taken place between Chief Ewatski and the Province of Manitoba, but that Council ratification had never been given. In addition, he indicated that Chief Ewatski has been asked to bring forward a status report on the initiative to the April 12 meeting of the Standing Policy Committee on Protection and Community Services for consideration.

Councillor Clement questioned which Provincial Minister was behind the issue, to which Councillor Vandal advised that it was the Minister of Justice.

Councillor Prystanski questioned if any concerns had been received from the Community Services Department about the levels of funding for community centre operations.

Councillor Vandal noted that no complaints or inquiries about levels of funding had been received. On a separate issue pertaining to the recent problems surrounding some of the community centres, he advised that specific initiatives were ongoing with the Internal Auditors and the Corporate Finance Department's risk assessment.

In reference to the current budget debate regarding funding levels of the Winnipeg Police Service, Councillor Prystanski questioned if there had been any concerns received from the Winnipeg Police Service regarding contractual agreements for the 40 additional police officers being funded by the Province of Manitoba and

Standing Policy Committee on Protection and Community Services - Question Period (continued)

the impact that may have with the reduction of 2.6 million to the Police Service budget.

Councillor Vandal advised that Chief Ewatski has provided assurance that the City is adequately staffing all sectors of the City of Winnipeg with police officers. Councillor Vandal noted that discussions were ongoing between the Justice Department and the Winnipeg Police Service about the implementation of the grant for the 40 police officers and further advised that he had been assured that those police officers would be there for the long term.

Councillor Prystanski asked if there had been written communications from the Winnipeg Police Service regarding funding levels, to which Councillor Vandal acknowledged that written communications had been received.

Councillor Prystanski requested that an update on the funding levels and the funding of the 40 police officers on their $2 million commitment to the City be placed on the agenda for the forthcoming meeting of the Standing Policy Committee on Protection and Community Services.

Councillor Vandal agreed to consider the matter for the next meeting.