REPORT OF THE
COMMITTEE ON PROTECTION, PARKS AND CULTURE
DATED DECEMBER 4TH, 1992

On motion of Councillor O'Shaughnessy, the Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992, was considered clause by clause.

Her Worship the Mayor and Councillors:

Execution of Standard Facility Rental Agreements File PR-2

154 - 1. On November 17th, 1982, Council delegated the authority to sign Standard Facility Rental Agreements to the General Manager and (then) three Division Directors of the Parks and Recreation Department. By-law No. 3344/83, formalizing that delegation of authority, was passed by Council on January 19th, 1983.

On August 1st, 1990, Council passed By-law No. 5487/90 amending By-law No. 3344/83, by delegating this authority to the General Manager and the four Division Directors.

The agreements in question are a standard rental agreement, developed in consultation with the Law Department for use by all Parks and Recreation Branches for seasonal ice rentals, seasonal pool rentals, park site uses, as well as any other special functions held in Parks and Recreation facilities.
Section 101.1(1) of The City of Winnipeg Act provides, in part, that "The City may pass by-laws providing for the manner of or the necessity for the execution of any document, instrument or agreement by the City or by any person acting on behalf of the City....".

The Parks and Recreation Department processed 4,944 Facility Use Agreements in 1991. The signing of that many agreements, mostly by the Director of Recreation and Community Parks, took considerable time. The Community Branch Managers and the Manager of Regional Parks Services each deal with the facility users on a regular basis, have first-hand knowledge of the facility uses covered by the agreements, and should be authorized to sign the standard use agreements.

Given the substantial number of rental agreements to be signed each year, a considerable amount of time is spent by the Director of Recreation and Community Parks and the Director of Regional Parks & Operations (or the General Manager or one of the other Division Directors) signing these standard agreements. Furthermore, the necessity to have these agreements forwarded to 2799 Roblin Boulevard for signing, and then back to the respective Community or Regional Parks Branches, may result in unnecessary delays to the applicant - many of whom apply for their rental agreement "at the last minute".

Therefore, in order to provide prompt service to permit applicants, and to eliminate unnecessary involvement of senior management staff in what is essentially a routine function that should be handled at the Branch level, it is recommended that signing authority for this document be extended to include the Community Parks and Recreation Managers, the Manager of Regional Recreation Services and the Manager of Regional Parks Services.

Your Committee on Protection, Parks and Culture therefore recommends as follows:-

I. That the authority to sign rental agreements for the use of Parks and Recreation Department facilities, on a seasonal basis and/or for various special functions, be delegated to the Managers of Community Parks and Recreation, the Manager of Regional Recreation Services and the Manager of Regional Parks Services, conditional on the rental agreements being in a form satisfactory to the Acting City Solicitor at all times and the department not having the authority to alter the approved standard format agreement.

II. That the Acting City Solicitor be instructed to prepare the necessary By-law to amend By-law No. 3344/83 to implement the above change.

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

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

Repeal of By-law No. 16227 -
Panhandling and Begging File EL-1

155 - 2. By-law No. 16227 was enacted by The City of Winnipeg on August 25th, 1947. Section 1 of that By-law presently provides as follows:

> "1. Begging. No mendicant shall, from door to door or in the streets, solicit charity or importune others for help or aid in money, nor shall any malformed, deformed or diseased person expose himself or be exposed in any street or public place in order to excite sympathy or induce help or assistance from general or public charity."

The By-law also contains provisions prohibiting such things as drunkenness, vagrancy, indecency, immorality, gambling and the sale of newspapers by girls.

Section 1 of By-law No. 16227 appears to originate from By-law No. 1599, enacted by The City of Winnipeg on May 8th, 1899, which contained the following provision:-

> "Begging
>
> 1. No person shall go about from door to door soliciting charity or as a common beggar, nor shall any person in the streets importune others for help or aid in money, nor shall any malformed, deformed or diseased person expose himself or be exposed in any street or public place in order to excite sympathy or induce help or assistance from general or public charity."

In recently years a number of charges have been laid against panhandlers under Section 1 of By-law No. 16227. Those charges were dealt with in By-law Court following a plea of guilty or entry of a default conviction. In all cases, fines of approximately $50.00 or a reprimand were imposed.

The remaining provisions of By-law No. 16227 have not been recently enforced.

In January and February, 1992, the Winnipeg Police Department charged a number of panhandlers under Section 1 of By-law No. 16227. Those individuals obtained counsel and gave notice that they were challenging the by-law provision as being contrary to The Canadian Charter of Rights and Freedoms. Those charges were originally scheduled for hearing on October 8th and 9th, 1992, but were brought forward in By-law Court for reasons noted in this report and stays of proceedings were entered on all charges.

I. Current Provisions of Section 1 of By-law No. 16227:

The arguments which were made to attack Section 1 of By-law No. 16227 are summarized as follows:

A. The words "mendicant" and "any malformed, deformed or diseased person" indicate that the by-law violates the equality provisions contained in The Charter and discriminates against individuals and groups with a physical disability.

B. The by-law restricts the manner in which persons can communicate with others on City streets and therefore contravenes the guarantee of freedom of expression contained in The Charter.

C. The by-law prohibits a pursuit which provides an individual with a means of support or livelihood and therefore violates the guarantee of right, liberty and security of the person contained in The Charter.

Since Section 1 of the By-law, on its face, violates these three aspects of The Charter, it would predictably be struck down by a Court unless the City could call witnesses to prove that the restrictions are "demonstrably justified in a free and democratic society". If such evidence were called, the Court would determine the by-law's validity by balancing the effect of the restrictions upon the individuals with the necessity and social purpose of the restrictions.

Given the particular wording of Section 1, coupled with the other subject matter of the By-law, it was the Law Department's opinion that it would have been impossible to call sufficient evidence to persuade a Court to uphold the by-law provision.

In addition to the Charter consideration, there would have been a predictable difficulty in proving a charge under Section 1. Section 1 creates an offence for any mendicant to solicit charity. In order to obtain a conviction, the

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

City would therefore have had to prove that the persons charged are "mendicants". Historically, the word "mendicant" appears to have meant a person of a religious order who relied upon public alms as their means of support. The word now appears to have taken on the meaning of a person who is a habitual beggar and owns no real or personal property. Although perhaps evidence could be lead that certain homeless persons own no property, the possibility of proving a person to be a habitual beggar would require continued surveillance with little chance of success.

II. Alternative Anti-Begging Provisions:

The Law Department has explored the possibility of replacing the provisions of Section 1 of By-law No. 16227 with a more modern "anti-begging" provision which would be enacted as a new by-law. Consideration was given to drafting a new by-law provision (eliminating such words as "mendicant", "malformed, deformed or diseased person") which would either prohibit persons from publicly soliciting money on their own behalf or which would, more specifically, prohibit persons from soliciting money in the streets in a manner which is intimidating or obstructive. These options are not recommended at this time for the following reasons:-

A. If the City were to try to enact a by-law aimed at specifically controlling intimidating behaviour or pedestrian disruption there would be a likelihood that the by-law would be found to wrongfully infringe upon the area of criminal law. The City cannot constitutionally enact by-laws which amount to criminal law. Specifically the City cannot pass by-laws which duplicate the provisions of The Criminal Code or which a Court would find are matters which were considered by the Federal Government in enacting The Criminal Code and which the Federal Government saw fit not to criminalize.

Section 175 of The Criminal Code creates an offence to "loiter in a public place and in any way obstruct persons who are in that place". Section 175 probably does not apply to the majority of panhandlers as case law indicates that convictions will only be obtained under that section if there is evidence that movement in the public place is totally or virtually prevented. However, it is likely that a Court would find that because The Criminal Code deals generally with obstruction of traffic in public places, a by-law could not be passed to supplement and strengthen its provisions.

B. If the City were to enact a general by-law prohibiting persons from publicly soliciting money on their own behalf, it would still have to contend with The Charter arguments that the provision violates an individual's freedom of expression and life, liberty and security of the person. For the City to successfully meet these challenges it would have to be able to introduce evidence that panhandling has some harmful effect upon the public which is sufficiently important to outweigh these Charter freedoms. The Law Department has interviewed a range of persons who were thought most likely to provide that sort of evidence including representatives from the following:-

Winnipeg Police Department
Businesses, organizations and a church located in areas where panhandling is common and who have made public statements concerning panhandling
Downtown Winnipeg BIZ
Main Street Project
Winnipeg Harvest
Alcohol Foundation of Manitoba
Social Planning Council of Winnipeg
City of Winnipeg Social Services Department

Those interviews did not result in locating any potential witness who would give evidence to support an anti-begging by-law. Rather, the following positions emerged:

- Almost all persons spoken to felt a by-law provision would be redundant to The Criminal Code and had no place in today's society.

- It is futile to impose a fine upon panhandlers under a by-law as the obvious result would be further panhandling.

- Many panhandlers are addicted to alcohol or substances. If prevented from panhandling they would probably obtain money to support their habits through illegal means rather than change their behaviour.

- A small percentage of panhandlers are aggressive and bothersome. Any controlling by-law would have

to distinguish that group from the majority of panhandlers who simply stand beside a building asking for money and do not cause a problem. In addition, the by-law would have to distinguish buskers, who similarly are soliciting money, but who are seen as a positive feature in the downtown area.

- The effect of panhandling should be characterized as an inconvenience rather than any more tangible harm. Many people interviewed felt that the public is more offended by the way some panhandlers look and smell rather than the actual request for money. The fact that panhandling generally occurs in daylight and in crowded areas weighs against the argument that the public is really intimidated by this behaviour.

C. Difficulties in enforcing an "anti-begging" by-law are foreseeable. The Winnipeg Police Department and several other agencies have advised that members of the public are reluctant to lay complaints against panhandlers or appear as witnesses in prosecutions against panhandlers. That being the case, enforcement of an anti-begging by-law would likely have to occur through undercover operations conducted by the Police Department.

Information was gathered as to whether any other Canadian cities have an anti-begging by-law in effect. The Law Department is only aware of one other Canadian city having such a by-law, namely the City of Ottawa.

The Ottawa by-law was discussed with the solicitor in the City of Ottawa Law Department who is familiar with its background and enforcement. The Law Department was advised that the City of Ottawa enacted an anti-begging provision in its Nuisance By-law in 1991. By-law enforcement in Ottawa has occurred primarily through police undercover operations as the public has been unwilling to lay complaints. A significant number of charges have gone to Court and in many cases the accused persons have failed to appear. Suspended sentences have been imposed by the Court in almost all cases. The City of Ottawa Law Department is concerned that the by-law is not achieving its ends and is too costly to enforce and is presently considering a recommendation that the by-law be repealed. The Ottawa Law Department advises that its by-law has not yet been challenged under The Charter but that inquiries from a local civil liberties association suggest that the matter may be under review.

III. Suggested Course of Action:

During the past summer several initiatives were taken to try to discourage panhandling in downtown Winnipeg.

A. The Downtown Winnipeg BIZ established a program known as "Change for the Better", which encourages the public to refuse to give money to panhandlers but rather to place spare change in donation boxes on store counters throughout the City for the benefit of agencies which provide help to people in need. Presently 260 local merchants are participating in that program.

The Change for the Better program was developed following a review of the recommendations contained in a study on homelessness in the City of Philadelphia, a copy of which is on file in the City Clerk's Department.

B. The Alcohol Foundation of Manitoba has conducted an intervention program this summer in which two outreach workers were placed on the street to attempt to educate panhandlers and direct them to appropriate social agencies.

The Executive Director of Downtown Winnipeg BIZ and the Winnipeg Police Department have advised that the problem of panhandling was reduced somewhat since these programs have been operating. Both programs will be evaluated by the end of October.

Instructions have recently been provided to the Winnipeg Police Department by the Department of Justice of the Province of Manitoba that charges for committing an assault or causing a disturbance should be laid against panhandlers under The Criminal Code in serious situations. It should be noted that The Criminal Code defines an assault as including a threat "by an act or gesture, to apply force to another person."

Your Committee on Protection, Parks and Culture is of the view that the City of Winnipeg should not take steps to attempt to regulate or prohibit panhandlers until the above programs have been evaluated and some experience is obtained by the Police Department in enforcing The Criminal Code. If those measures are insufficient to deal with the problem, the City could then re-evaluate its role and could consider options such as passing a by-law, recommending amendments to The Criminal Code and/or providing any necessary social service programs.

Your Committee on Protection, Parks and Culture therefore recommends:

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

I. That the Public Convenience and Welfare By-law No. 16227 and any amendments thereto, be repealed.

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

Your Committee on Protection, Parks and Culture submits for favourable consideration, draft by-law to implement the intent of the above.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Appointment of Council Representatives and alternates to the Winnipeg Arts Advisory Council Files FG-3 and GC-7

156 - 3. Council on November 10th, 1992, referred to the Standing Committees on Protection, Parks and Culture and Finance and Administration, the matter of the appointment of representatives and alternates from each Standing Committee to the Winnipeg Arts Advisory Council.

The Committees on Protection, Parks and Culture and Finance and Administration nominated the following Councillors for appointment as their representatives on the Winnipeg Arts Advisory Council, namely:-

Committee	Representative
Committee on Protection, Parks and Culture	Councillor Hyman
	Councillor Prystanski (alternate)
Committee on Finance and Administration	Councillor Thomas
	Councillor Boychuk (alternate)

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Cancellation of Double Depth Burials at the Transcona Cemetery File PC

157 - 4. The Transcona Cemetery, founded in 1914, was operated by the City of Transcona until 1977, when the operation of the cemetery became the responsibility of the City of Winnipeg Parks and Recreation Department.

The Transcona Cemetery occupies approximately 18 hectares and is located at the eastern edge of Transcona along Dugald Road, in the municipality of Springfield. There are approximately 150 burials each year.

A long-standing problem exists at the Transcona Cemetery which is situated in an area which has a very high water table. Quite often, when burials occur at the single depth level (approximately 6 feet), the grave fills with approximately 6 to 8 inches of water before the burial procedures are complete. When burials are required at the double depth level (approximately 10 feet) a very undignified and potentially dangerous situations occurs. At the double depth level, the graves are usually filled with water to a depth of approximately 12 inches or more) and more dramatically, the walls of the open grave frequently collapse.

When the walls of the grave collapse, the normal procedure is to brace the walls with plywood and metal braces. However, due to the underground pressure of the water on the very soggy clay soils, the entire area of the grave has the potential of being a very dangerous area not only for the cemetery staff but also to the funeral participants. In addition, previously buried coffins beside the open grave are at risk of being disturbed.

Cemetery employees are required to climb into the grave in order to brace the collapsing walls. However, due to this potentially dangerous situation, the Cemetery staff have indicated that, in future, they will refuse to work under such conditions. The situation has been reviewed and confirmed by the Department's Safety Officer, who advises that the situation should be changed before a serious accident occurs.

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

During the past 10 years, a total of 84 double depth interments have taken place, an average of 8.4 per year. Each time that a double depth interment takes place, there is the strong likelihood that the side walls could collapse and the possibility that an employee could get trapped in the open grave. Fortunately, during the past few years appropriate safety precautions have been implemented and no serious accidents have occurred.

The Cemeteries Branch has requested approval to discontinue the practise of double depth burials at Transcona Cemetery and to offer families who have already purchased a double depth plot the opportunity to have a single depth plot adjacent to or in close proximity to the original plot (opening and closing fees will still be in effect). There are only 4 pre-purchased plots which will be affected by this change in burial procedures. Letters will be distributed to all funeral homes advising them of this proposed change.

Your Committee on Protection, Parks and Culture recommends:

I. That the City of Winnipeg Cemeteries Branch discontinue the service of burials at the double depth level at the Transcona Cemetery only.

II. That the Proper Officers of the City of Winnipeg do all things necessary in order to provide safe burial procedures at the Transcona Cemetery and provide alternative burial locations for families with double depth requirements.

III. That the Proper Officers of the City make the necessary changes to the Cemetery By-law No. 4015/85, Section 3.8.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Community Based Policing File GF-2

158 - 5. On January 30th, 1989, the Committee on Protection, Parks and Culture authorized the implementation of a Community Based Policing Program for a two-year trial period in Police District No. 6. The trial period concluded May 15th, 1991.

The two-year trial period involved many of the components currently known under the concept of Community Based Policing in Canada and the United States. Through a number of information sources, such as citizen and employee surveys, interviews and police performance statistics, the evaluation process indicated that Community Based Policing has some effective components which would be suitable for implementation in other Police Districts throughout the City of Winnipeg.

On July 15th, 1991, the Committee on Protection, Parks and Culture resolved that it supported, in principle, the establishment of Community Based Policing Programs throughout the entire City. The Police Superintendents in Districts 1 through 5 prepared proposals for implementing Community Based Policing Programs within their respective Districts.

On October 7th, 1991, the Committee on Protection, Parks and Culture considered a report submitted by the Chief of Police outlining Community Based Policing Program proposals for Police Districts 1 through 5. The Committee referred the matter back to the Police Department for a report on which Community Based Policing components could be implemented in Police Districts 1 through 5 within existing human resource and budget levels.

Prior to the matter of Community Based Policing Programs being discussed by the Committee on Protection, Parks and Culture on a City-wide basis at its meeting of October 7th, 1991, the Committee had previously approved various Community Based Policing Programs within Police Districts No. 1 and No. 3. In particular, the Committee had approved the establishment of small Community Police Offices on Broadway and Ellice Avenue, and a Storefront Police Office on Portage Avenue in District No. 1. The Committee had also approved the establishment of a Community Police Office on McGregor Street and a Storefront Police Office on Selkirk Avenue in District No. 3.

As a result of the direction given by the Committee on Protection, Parks and Culture on October 7th, 1991, and in an effort to be more responsive to the needs and wishes of their communities, the District Police Superintendents have assigned Police Officers to work with the community at solving area problems. The efforts of these Community Constables are augmented by the Crime Prevention Officers, one of whom is assigned to

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

each Police District from the Community Relations Division. The Crime Prevention Officer in each Police District works from the Community Relations Office in the Public Safety Building, but spends time in the District Community Police Office wherever necessary and when possible.

The following Community Based Policing Programs are in place or are submitted for approval within the various Police Districts:

District No. 1

Community Liaison Officer

For over ten years, a Sergeant I has served as a Community Liaison Officer. This Sergeant works closely with Care Services and Community Mental Health Officials to deal with the elderly and others in need of assistance. The officer services Districts 2, 5 and 6, as well as District 1.

Broadway and Ellice Avenue Police Offices

There is a Community Police Office situated at 563 Broadway with two Police Officers working from this office. The officers are assisted by citizen volunteers. A Community Police Office is also located at 563 Ellice Avenue. Two Police Officers work from this office with assistance of citizen volunteers. During the summer months, officers from both the Broadway and Ellice Offices patrol the areas on bicycles. The Committee on Protection, Parks and Culture had previously approved establishment of these offices with one officer working from each office. Your Committee on December 4th, 1992, approved a second officer to work from each office.

Portage Avenue Storefront Office

A Community Storefront Police Office is located at 370 Portage Avenue. This office was opened in 1990 with approval of the Committee on Protection, Parks and Culture and with funding assistance provided by the Downtown B.I.Z. organization. The office is staffed by six Community Constables, one Sergeant II, and a clerk. They work closely with an Advisory Committee composed of representatives from the Downtown B.I.Z. and interested citizen groups. The officers conduct foot patrols in the area bounded by Graham Avenue to Ellice Avenue and Fort Street to Memorial Boulevard. They also patrol the Portage Place and Eaton Place Shopping Malls and the Winnipeg Convention Centre Facility. They have proven very successful in the area of drug enforcement and control of panhandlers, as well as providing a visible police presence in the downtown area.

Main Street Police Office

Over the years, the Main Street area has deteriorated to the point where businesses have closed or moved away. The general feeling of the population is that Main Street is dangerous and this perception is a factor in why people stay away from this area. Police statistics show that there has been an increase of street crimes on Main Street. There is prostitution activity in the area east and west of Main Street. Persons who frequent the hotels and persons engaging in prostitution activities contribute to an increasing drug problem in the area. Incidents of vandalism and theft by street people are a regular occurrence. Intoxicated persons wandering or lying on the street are frequent and have a definite negative effect on the area.

There is a lack of a community based approach to solving these problems. Other agencies besides the Police have mandates which include the problems in the Main Street area. There needs to be some co-ordinated effort to bring these agencies and concerned citizens together to deal with these ongoing problems.

From the Police Department's experience with the Portage Avenue Storefront Operation and other Community Based Police Operations, a higher Police visibility will have a deterrent effect on the problems that exist on Main Street.

In an attempt to address the Main Street problems, the Police Department initiated a pro-active approach. As of August 10th, 1992, existing manpower has been redeployed in this area. Twelve Constables and one Supervisor have been assigned to police what has been defined as the "Main Street Zone". (King Street on the West, Higgins Avenue, C.P.R. Mainline on the North, Maple Street and Lily Street on the East, Market Avenue and William Avenue on the South). The officers' mandate is:

1. Respond to all calls for service in the Main Street Zone on two shifts between the hours of 07:00 to 02:30.

2. Apply a pro-active approach to identified problems in the zone by having a higher police visibility; officers

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

taking ownership of the problems in the zone; and developing solutions which include other agencies and citizens living and working in the zone.

It is anticipated that these initiatives will reduce the calls for service, reduce street crime, instances of intoxicated persons, drugs and prostitution activity in the zone which will change the perception of the area and bring people and businesses back. A Storefront Office will increase this high Police visibility in the Main Street area. It will also enable regular citizen and business advisory groups to meet with the Police and other involved agencies.

Since the establishment of this Main Street Zone initiative, positive responses have been received from business persons and citizens. The Downtown B.I.Z. Association, which was involved in the establishment of the Portage Avenue Storefront, has advised your Committee that it would have $60,000.00 available to assist in the establishment of a Main Street Storefront Office.

Mr. K. Wong, owner of the premises at 590 Main Street, has approached the Downtown B.I.Z. Association and offered these premises for use as a Storefront Office. These premises are located on the West side of Main Street just North of Alexander Avenue in plain view of not only persons on Main Street but persons travelling on the Disraeli Freeway. A three-year lease has been proposed, rent free, with the owner requesting only taxes and utilities be paid at $900.00 per month. The Downtown B.I.Z. Organization supports the establishment of the office in this location. The Police Department also feels that these premises and location are very suitable for this office with minor renovations.

For the information of members of Council, your Committee on Protection, Parks and Culture on December 4th, 1992, approved the establishment of the Main Street storefront office at 590 Main Street.

District No. 2

A Community Constable has been assigned from the District No. 2 Police complement. This Constable is working in close co-operation with the Crime Prevention Officer from the Community Relations Division. Working in concert with the Citizens for Crime Awareness - St. James-Assiniboia, they have secured office space in premises owned by Manitoba Hydro at the corner of Rutland Street and Ness Avenue. This is serving as a Community Police Office at a rent of $1.00 per year and with furniture donated by the Manitoba Hydro. This office is well located and provides excellent exposure for the Citizens for Crime Awareness and the Community Based Policing Program to operate within District No. 2. For the information of members of Council, your Committee on Protection, Parks and Culture has approved the continued Police participation in this Program.

District No. 3

Community Liaison Officer

A Sergeant I has worked for about ten years providing services to the elderly and others requiring assistance. This officer works in close co-operation with Care Services, Community Mental Health Officials and workers from City and Provincial Social Services Departments. He services Police Districts 3 and 4.

North-End Y.M.C.A. Community Police Office

The Committee on Protection, Parks and Culture had previously approved establishment of an office utilizing one Police Officer working out of the North-End Y.M.C.A., 535 McGregor Street.

Selkirk Avenue Storefront Office

In the Fall of 1991, upon approval by the Committee on Protection, Parks and Culture, a Storefront Police Office was opened at 506 Selkirk Avenue in co-operation with the Selkirk Avenue B.I.Z. Organization. The office is staffed by four Community Constables and is augmented by citizen volunteers. This office serves the area bounded by Main and Arlington Streets, Church and Dufferin Avenues. The District also has four Community Zone Police Officers, two who work the Point Douglas area and two who work the Lord Selkirk Development area. These officers also patrol Main Street from Sutherland to Church Avenues using the Selkirk Avenue Storefront Office as a base.

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

District No. 6

The Community Based Policing Program in Police District No. 6 will continue to function with four Community Police Offices. Two community constables work from each of the offices with a single Sergeant I overseeing the entire Program.

The public has been most enthusiastic in its response to Community Based Policing Programs throughout the City.

Such programs have enhanced the image of the Winnipeg Police Department by making police officers more visible and accessible to the public. The ability of the police to solve problems and fight crime is aided by Community Based Policing Programs to a degree that a more effective police service is delivered. Results show that the Community supports the continuation of the programs in all areas of the City of Winnipeg.

Your Committee on Protection, Parks and Culture submits this report for the information of members of Council.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Request for Funding Support for construction, maintenance and operation of the Winter River Trail by The Festival du Voyageur Association.

File E-5.1.4

159 - 6. On July 31st, 1991, Council approved the following motion with respect to the operation of the Winter River Trail event staged along the Red and Assiniboine Rivers; namely:-

1. That funds in the amount of $40,000.00 be approved in 1992 to the Festival du Voyageur to defer costs of construction, maintenance and operation of the trail.

2. That assistance by the Parks and Recreation Department in an amount not to exceed $11,284.00 be provided in 1992 in the form of material, equipment and labour to initially construct the trail in January and to assist in clean-up once the festivities have ended for the year.

3. That the Festival du Voyageur be required to submit a detailed financial accounting for the project.

The "River Trail" along the Red and Assiniboine Rivers, having been operated as an annual winter event for the past several years, has become an extremely popular winter recreational activity in Winnipeg; not only focusing attention on the potential for recreation leisure activities in the Downtown area, but, as well, promoting public awareness of the year round benefits to be derived from the City's river system. For the past few years the Festival du Voyageur Association has undertaken the responsibility to construct, maintain and operate the River Trail in conjunction with their annual winter festival in the St. Boniface area.

During 1990, the Association requested and received grant funding in the amount of $40,000.00 from the City to defray costs associated with the River Trail. At the time the grant was being requested the Association had been seeking a five year commitment by the City's Parks and Recreation Department (1992 to 1996) to assist in the construction and clean-up of the winter event. This time frame coincided with that of the City's Five Year Capital Budget; beyond which a funding commitment on the part of the Parks and Recreation Department could not be made. The Association, in error, was under the impression that similarly the grant in the amount of $40,000.00 would automatically re-occur each year during the five year term. As such, it was recently discovered that no grant application had been made by Festival du Voyageur for the forthcoming 1993 winter season; despite the fact that the Association has already undertaken all the advance preparations for the event, based on the assumption that the associated grant funding would be forthcoming.

In consideration of the popularity of the River Trail and the public benefits derived in general by the City, and, in consideration of the lateness in the year, the Parks and Recreation Department is of the opinion that circumstances warrant special consideration for approval of the required grant at this time. It is the Department's view that it would be extremely unfortunate if the development of the winter facility had to be abandoned for the 1993 winter season; particularly as the year 1993 also marks the hundredth anniversary of parks and recreation in the City.

Report of the Committee on Protection, Parks and Culture, dated December 4th, 1992

Your Committee on Protection, Parks and Culture on December 4th, 1992 considered a budget for the operation of the Winter River Trail submitted by Mr. Louis Paquin on behalf of the Festival du Voyageur (copy of which is attached as Exhibit "A"). Your Committee, due to a tie vote, was unable to recommend approval of a grant in the amount of $40,000.00 to be funded by way of an additional appropriation to defer costs of construction, maintenance and operation of the Winter River Trail event, and directed that the matter be referred to Council without recommendation.

Your Executive Policy Committee recommends that a grant in the amount of $29,000.00 be approved to defer costs of construction, maintenance and operation of the River Trail Event and that an additional appropriation be adopted in this connection.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

In amendment,

Moved by Deputy Mayor Clement,
That the recommendation of the Executive Policy Committee be adopted.

Carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

(Note: Copy of Exhibit "A" referred to in the above clause is on file in the office of the City Clerk's Department.)

REPORT "A" OF THE
COMMITTEE ON PROTECTION, PARKS AND CULTURE
DATED DECEMBER 4TH, 1992

On motion of Councillor O'Shaughnessy, Report "A" of the Committee on Protection, Parks and Culture, dated December 4th, 1992, was considered.

Her Worship the Mayor and Councillors:

Administrative Support Services for the Arts Advisory Council File FG-3

160 - 1. On June 19th, 1991, Council adopted the recommendation of your Committee on Protection, Parks and Culture that the budget for administrative expenditures for the Winnipeg Arts Advisory Council not exceed 3.5% of the global arts allocation.

On November 6th, 1991, Council approved a personal services contract with Blaise Enright Peterson to serve as Administrator to the Winnipeg Arts Advisory Council for a one year period (January 1st, 1992 to December 31st, 1992). Effective July 14th, 1992, Ms. Enright Peterson resigned as Administrator to the Winnipeg Arts Advisory Council and on July 13th, 1992, your Committee appointed Ms. Billie Stewart as Administrator for the Winnipeg Arts Advisory Council for the period August 1st, 1992 to December 31st, 1992, under the same terms and conditions as outlined in Ms. Enright Peterson's contract at an annual rate of $30,000.00 per year. A copy of the contract between the City of Winnipeg and Billie Stewart for the period August 1st, 1992 to December 31st, 1992, is on file in the office of the City Clerk.

At its meeting on November 16th, 1992, the Winnipeg Arts Advisory Council recommended to your Committee on Protection, Parks and Culture as follows:-

> "That Billie Stewart's contract as Administrator for the Winnipeg Arts Advisory Council be renewed for the period January 1, 1993 to December 31, 1993 at the contract rate of $2,500.00 per month until March 31, 1993 and then $2,666.67 per month to December 31, 1993 (total for year - $31,500.00)."

Your Committee on Protection, Parks and Culture has concurred in the recommendation of the Winnipeg Arts Advisory Council and therefore recommends that:

I. The existing contractual agreement between the City of Winnipeg and Ms. Billie Stewart be extended for a further one year period (January 1st, 1993 to December 31st, 1993), subject to the terms and conditions being amended to read as follows:-

A. The City agrees that it shall pay Ms. Stewart for the work and services herein specified, same payable as follows:

I) For the period January 1, 1993 to March 31, 1993 @ $2,500.00 per month

ii) For the period April 1, 1993 to December 31, 1993 @ $2,666.67 per month, for a total amount per annum of $31,500.00, which amount will be paid bi-weekly.

II. The Proper Officers of the City do all things necessary to implement the foregoing including the execution of the agreement.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

COMMITTEE ON PROTECTION, PARKS AND CULTURE
CONSIDERATION OF BY-LAWS

161 - On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6086/92, a By-law of the City of Winnipeg to amend By-law No. 16227, being the City of Winnipeg Public Convenience and Welfare 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 EL-1.

COMMITTEE ON PROTECTION, PARKS AND CULTURE
QUESTION PERIOD

162 - Councillor Golden requested an update on the toboggan slide to be developed at the Forks.

Councillor O'Shaughnessy noted that the temporary toboggan slide was presently already in use and would have an official opening at 11:45 a.m., Friday, December 18th, 1992.

Councillor Golden requested that the permanent structure be completed for next year.