Agenda - Council - March 23, 2005

Report - Standing Policy Committee on Protection and Community Services - March 7, 2005

Item No. 6 Amendments to Alarm By-law No. 4676/87
File GF-2.6

STANDING COMMITTEE RECOMMENDATION:

On March 16, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submits the following to Council:

1. That the Alarm By-law No. 4676/87 be amended to delete references to Schedule "A" and update the fine provision.

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

Report - Standing Policy Committee on Protection and Community Services - March 7, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 7, 2005, the Standing Policy Committee on Protection and Community Services concurred in the administrative recommendation and submitted its recommendation to the Executive Policy Committee and Council.

Re:	**Changes to Alarm By-Law 4676/87**
For submission to:	**Standing Policy Committee on Protection and Community Services**
Original report signed by:	**Chief of Police J. Ewatski – Winnipeg Police Service**
Report date:	**February 28, 2005**

Recommendation(s):

1. That Alarm By-Law 4676/87 be amended to delete references to Schedule "A" and update the fine provision.

2. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY

KEY ISSUES

The City of Winnipeg Alarm By-law No. 4676/87 contains sections that are out of date and in need of revision.

Implications of the Recommendation(s):

General Implications:

X None

☐ For the organization overall and/or for other departments

☐ For the community and/or organizations external to the City of Winnipeg

☐ Involves a multi-year contract

Comment:

Policy implications:

X No

☐ Yes

Comment:

Environmental Implications:

X No

☐ Yes

Comment:

Human Resource Implications:

X No

☐ Yes

Comment:

Financial Implications:

X Within approved current and/or capital budget

☐ Current and/or capital budget adjustment required

Comment:

REASON FOR THE REPORT:

Approval is required to amend The City of Winnipeg Alarm By-law No. 4676/87 as it contains sections that are out of date and in need of revision.

HISTORY:

The City of Winnipeg Alarm By-law was passed in Council on August 20, 1987. Since that time there have been a number of amendments to the By-law reflecting updated practices.

DISCUSSION:

A review of the City of Winnipeg Alarm By-law in 2004 revealed that there are a number of sections that are out of date and in need of revision.

Sections 5(2), 5(10) (b), and 5(11) (b) all refer to a Schedule "A" attached to the By-law.

Schedule A of the By-law is the Winnipeg Police Service Alarm Permit Application. Since implementation of the By-law, this administrative form has been amended a number of times to reflect current legislation, and to provide additional information for the issuance of an alarm permit. Corresponding changes to Schedule A of the By-law were not undertaken.

The amendment to the bylaw will allow the Winnipeg Police Service the ability to revise the Alarm Permit Application form as required, without having to amend a schedule attached to the by-law.

Section 7.1 of The City of Winnipeg Alarm By-law currently reads:

"Where an offence is alleged to have been committed under this by-law, an offence notice may set out a fine of $75.00 and costs of $22.50 for a total of $97.50 for the purposes of voluntary payment, pursuant to Section 13 of The Summary Convictions Act."

Although these costs remain the same, the provisions under The Summary Convictions Act have now changed to allow for justice services surcharge.

The wording of Section 7.1 of the City of Winnipeg Alarm By-law 4676/87 should be amended to reflect that costs will be calculated as set out in The Summary Convictions Act. This second amendment to the by-law will alleviate the necessity of revising the By-Law again should The Summary Convictions Act change.

The draft amendment to the by-law is attached for reference.

Financial Impact Statement:

Project Name: Amendment to Alarm By-law 4676/87

Date: Jan 10, 2005 First Year of Program **2005**

	2005	2006	2007	2008	2009
Capital					
Capital Expenditures Required					
Less: Existing Budgeted Costs					
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal					
Debt - External					
Grants (Enter Description Here)					
Reserves, Equity, Surplus					
Other - Enter Description Here					
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs					
Less: Incremental Revenue/Recovery					
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts					
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: There is no financial impact in connection with this recommendation.

Maureen Demkey

A/Manager of Finance & Administration

3080

IN PREPARING THE REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCE BY:

Legal Advisor K. Carswell – Winnipeg Police Service
Mr. D. W. Buhr, Legal Services Division

THIS REPORT SUBMITTED BY:

Department:	Winnipeg Police Service
Division:	Organizational Development and Support Division
Prepared by:	Sergeant Clare Refvik – Strategic Initiatives Unit
	Patrol Sergeant Darrall Kotchon– Strategic Initiatives Unit
File No.:	04-226

THE CITY OF WINNIPEG

BY-LAW NO. /2005

A By-law of The City of Winnipeg to amend By-law No. 4676/87, being a by-law of The City of Winnipeg to regulate and control burglary and robbery alarm systems and to require permits therefor.

THE CITY OF WINNIPEG**, in Council assembled, enacts as follows:**

1. By-law No. 4676/87 is amended:

(1) in subsection 5(2) by deleting "on the form attached as Schedule "A" to this by-law" and substituting "in the content and form as approved by the Winnipeg Police Service";

(2) by repealing Schedule "A";

(3) in clauses 5(10)(b) and 5(11)(b) by deleting "attached as Schedule "A" to this by-law" and substituting "approved by the Winnipeg Police Service";

(4) in section 7.1 by deleting "and costs of $22.50 for a total of $97.50 for the purpose of voluntary payment, pursuant to section 13 of *The Summary Convictions Act"* and substituting "and costs in the amount prescribed pursuant to *The Summary Convictions Act".*

DONE AND PASSED**, in Council assembled, this day of , A.D., 2005.**

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Mayor

_____
City Clerk

Certified as to form:

_____
***for* City Solicitor/**
Manager of Legal Services
File No. PR.10.3/87(1)

3082