



AGENDA

SPC ON COMMUNITY AND PROTECTIVE SERVICES

March 13, 2019, 9:30 AM
IN THE COUNCIL CHAMBER
Members

Councillor D. Colley-Urquhart, Chair
Councillor G-C. Carra, Vice-Chair
Councillor S. Chu
Councillor J. Gondek
Councillor R. Jones
Councillor J. Magliocca
Councillor E. Woolley
Mayor N. Nenshi, Ex-Officio

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
 - 4.1 Minutes of the Regular Meeting of the SPC on Community and Protective Services 2019 February 13
5. CONSENT AGENDA
 - 5.1 Status of Outstanding Motions and Directions (as of 2019 March 1), CPS2019-0327
6. POSTPONED REPORTS
(including related/supplemental reports)
None
7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
 - 7.1 Corporate Public Art Program Review Update, CPS2019-0014
 - 7.2 Social Wellbeing Policy Report, CPS2019-0276

7.3 Calgary Aboriginal Urban Affairs Committee Governance Review – Deferral, CPS2019-0277

7.4 Calgary Transit Access Expanded Programs Evaluation, CPS2019-0142

7.5 Parks and Pathways Bylaw Review, CPS2019-0222

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS
None

8.2 NOTICE(S) OF MOTION
None

9. URGENT BUSINESS

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
None

10.2 URGENT BUSINESS

11. ADJOURNMENT

Members of Council may participate remotely, if required.



MINUTES

SPC ON COMMUNITY AND PROTECTIVE SERVICES

**February 13, 2019, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT: Councillor D. Colley-Urquhart, Chair
Councillor S. Chu
Councillor J. Gondek
Councillor E. Woolley
Mayor N. Nenshi, Ex-Officio
Councillor J. Farkas
Councillor D. Farrell

ALSO PRESENT: Acting General Manager K. Black
Acting City Clerk T. Rowe
Legislative Assistant L. Gibb

1. **CALL TO ORDER**

Councillor Colley-Urquhart called the Meeting to order at 9:35 a.m.

2. **OPENING REMARKS**

Councillor Colley-Urquhart provided opening remarks.

3. **CONFIRMATION OF AGENDA**

Moved by Councillor Gondek

That the Agenda for the 2018 December 05 Regular Meeting of the SPC on Community and Protective Services be confirmed.

MOTION CARRIED

4. **CONFIRMATION OF MINUTES**

4.1 Unconfirmed Minutes of the Regular Meeting of the SPC on Community and Protective Services, 2018 December 05

Moved by Councillor Chu

That the Minutes of the SPC on Community and Protective Services held on 2018 December 05, be confirmed.

MOTION CARRIED

5. **CONSENT AGENDA**

5.1 Cannabis Impact and Waterpipe Smoking Restrictions Deferral Report, CPS2019-0152

On behalf of the SPC on Community and Protective Services and Council, Councillor Colley-Urquhart acknowledged Chief Bylaw Officer Alvin Murray on his upcoming retirement, and thanked him for his 29 years of commitment and service to The City of Calgary.

Moved by Councillor Gondek

That with respect to Report CPS2019-0152, the following be approved:

That the SPC on Community and Protective Services recommend that Council:

1. Defer the report on the impact of cannabis legalization on vulnerable populations to Council through the SPC on Community and Protective Services Committee no later than 2019 Q4; and
2. Defer the report on smoking and waterpipe restrictions to Council through the SPC on Community and Protective Services Committee no later than 2019 Q4.

MOTION CARRIED

6. POSTPONED REPORTS

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1 Public Safety Near Supervised Consumption Services, CPS2019-0221

The following documents were distributed with respect to Report CPS2019-0152:

- A presentation entitled "Public Safety Near Supervised Consumption Services, CPS2019-0221", dated 2019 February 13;

The following documents were accepted into the Corporate Record:

- A document entitled "Speaking notes from panel representatives";
- Speaking notes from Sherry Crawford;
- A letter from Park Palisades, dated 2019 January 25;
- Speaking notes from Maris Chisholm;
- A presentation from Will Lawrence; and
- An email from Stacey Whitman.

The following speakers addressed Committee with respect to Report CPS2019-0221:

- David Low;
- Peter Oliver;
- Nicholas Etches;
- Amy Woroniuk;
- Kathy Chistiansen;
- Larry Heather;
- Sherry Crawford;
- Jessica McEachern;
- Tim Ayas;
- Stacey Whitman;

- Anne Murphy;
- Heather Schade;
- Maris Chrisholm;
- Will Lawrence;
- Murray Shoturma; and
- Jackie Cooke

Moved by Councillor Woolley

That with respect to Report CPS2019-0221, the following be approved, **after amendment:**

That the SPC on Community and Protective Services direct Administration to:

1. Consider the information from the panel presentations and discussion at the 2019 February 13 meeting when developing recommendations in response to Notice of Motion C2019-0123;
2. **Report directly to the 2019 February 25 Meeting of Council with an update on actions taken to date to address Notice of Motion C2019-0123 and outline additional potential City actions and other next steps underway with stakeholders to form a collaborative implementation framework that examines responsibilities outside the City of Calgary's jurisdiction and seek to formalize potential partnerships; and**
3. **And Report to the SPC on CPS with Regular updates.**

And further, that the distributions from the public be attached to the 2019 February 25 Report to Council.

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

10.2 URGENT BUSINESS

None

11. ADJOURNMENT

Moved by Councillor Farkas

That this meeting adjourn at 4:08 p.m..

MOTION CARRIED

The next Regular Meeting of the SPC on Community and Protective Services is scheduled to be held on 2019 March 13.

CONFIRMED BY COMMISSION ON

CHAIR

ACTING CITY CLERK

UNCONFIRMED

**Community Services Report to
SPC on Community and Protective Services
2019 March 13**

**ISC: UNRESTRICTED
CPS2019-0327**

Status of Outstanding Motions and Directions (as of 2019 March 1)

EXECUTIVE SUMMARY

This report outlines outstanding motions and directions for the Standing Policy Committee on Community and Protective Services as of 2019 March 1.

ADMINISTRATION RECOMMENDATION:

That the SPC on Community and Protective Services receive this report for information.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 October 03 the SPC on Community and Protective Services received for information and approved CPS2018-1135 Status of Outstanding Motions and Directions which provided a 2018 Q4 update.

On 2007 February 06, the Personnel and Accountability Committee approved PAC2007-05 Status of Outstanding Motions and Directions, directing Administration to bring forward as an item of business to each Standing Policy Committee (SPC) a list of tabled and referred motions and reports; such lists were to be reviewed by each SPC on a quarterly basis.

BACKGROUND

This quarterly report provides a summary of outstanding motions and directions for the SPC on Community and Protective Services.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Upon reviewing outstanding motions and directions (see attachment), reports are being brought forward in a timely manner, allowing for some flexibility to respond to current events.

Stakeholder Engagement, Research and Communication

Not applicable.

Strategic Alignment

Not applicable.

Social, Environmental, Economic (External)

Financial Capacity

Current and Future Operating Budget:

Not applicable.

Current and Future Capital Budget:

Not applicable.

Risk Assessment

Not applicable.

Community Services Report to
SPC on Community and Protective Services
2019 March 13

ISC: UNRESTRICTED
CPS2019-0327

Status of Outstanding Motions and Directions (as of 2019 March 1)

REASON(S) FOR RECOMMENDATION(S):

This report allows members of the SPC on Community and Protective Services to be aware of upcoming reports.

ATTACHMENT(S)

1. Status of Outstanding Motions and Directions (as of 2019 March 1)

Status of Outstanding Motions and Directions (as of 2019 March 1)
Standing Policy Committee (SPC) on Community and Protective Services

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
01	Public Art Program Review Update	2018 June	Report back to Council with refinements based on further engagement and an update on progress toward implementation no later than Q1 2019, at which time if progress is satisfactory, the suspension of the Public Art Policy should be lifted. (CPS2018-0359)	Council	2019 March 13
02	Social Wellbeing Policy	2018 May	Develop a social wellbeing Policy and return to Council through the SPC on CPS no later than Q1 2019. (CPS21018-0362)	Council	2019 March 13
03	CAUAC Governance Review (Deferral)	2018 November	<ol style="list-style-type: none"> 1. Hire an external consultant with expertise in Indigenous governance, who, after being authorized by Administration, is to undertake a comprehensive review of Calgary Aboriginal Urban Affairs Committee (CAUAC) in conjunction with the work on developing an Indigenous Relations Office, and report back to Council in Q1 of 2019 with recommendations on modernizing the Terms of Reference. 2. Ensure that the work of the CAUAC review by the external consultant evolves into current best practice Indigenous governance in contrast to previous traditional colonial practices that have been a constraint in the past. 3. Ensure that the review provides a mechanism to meet the needs of Indigenous interests in Calgary. (Motion Arising related to N2018-1036)	Council	2019 March 13
04	Calgary Transit Access Expanded Programs Evaluation	2018 October	That Given Council's direction to implement an accessible taxi centralized dispatch system, Council direct Calgary Transit and Law to evaluate opportunities for expanded customer offerings through the Access Calgary Extra (ACE) Card and Calgary Transit Access programs, and that Administration reports back to Council on this matter through the SPC on CPS by the end of Q1 2019. (Motion Arising related to CPS2018-1033)	Council	2019 March 13
05	Parks and Pathways Bylaw Update	2018 July	Provide an update on the Parks and Pathways Bylaw that was approved by Council in 2004, including the following specific direction (from Notice of Motion C2018-0934): Review the existing bylaw rules governing mobility devices such as scooters, skateboards, roller skates and personal mobility devices with	Council	2019 March 13

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
			electric motors and to bring forward any necessary bylaw amendments to facilitate the use of such devices no later than Q1 2019.		
06	Proposed 2019 Special Tax Bylaw	2017 March	Report on special tax bylaw required to set rates for the Calgary Parks Enhanced Landscape Maintenance program.	Council	2019 April 10
07	Livery Transportation Services Fee Review	2018 April	Undertake a full review of the fee structure in the Livery Transport Bylaw 6M2007 and report back to Council through the SPC on Community and Protective Services no later than 2019 Q2. (CPS2018-0378)	Council	2019 May 8
08	Combative Sports Commission Annual Report	2014 November	Combative Sports Commission to report annually as per the Combative Sports Commission bylaw.	Council	2019 May 8
09	Golf Course Operations	2018 November	Bring forward a plan for a real estate and redevelopment assessment (including costs) which may include decommissioning, repurposing, and/or divesting of public golf course(s) for reinvestment in the remaining amenities to sustain the overall operations of public golf courses in Calgary. And further, report back directly through the SPC on Community and Protective Services no later than May 2019. (Motion Arising related to C2018-1158)	Council	2019 May 8
10	Multilingual Communications & Engagement Policy	2018 April	Develop and report back to Council through the SPC on CPS no later than Q2 2019 on recommendations for a policy, strategy, and implementation plan that includes standards of service for translation and interpretation, timelines, resources, and budgets that incorporates the work done on the channel strategy for multicultural communities. (C2018-0504)	Council	2019 June 12
11	Emergency Response Plan – Freight Rail Corridors	2018 June	Formulate an emergency response plan to the freight rail corridors that focuses on utilizing portions of public lands, and report back to the Standing Policy Committee on Community and Protective Services no later than Q2 2019. (PUD2018-0663)	Council	2019 June 12
12	Mental Health and Addictions Strategy	2018 July	Convene a community-wide mental health, addiction and crime prevention strategy, modeled on the systems approach taken in the Ten Year Plan to End Homelessness and Enough for All, involving a broad base of community stakeholders and leveraging partnerships with service providers and other orders of government. (Notice of Motion, C2018-0956)	Council	2019 June 12

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
13	Gender Equity and Diversity Scoping Report	2018 May	Develop a strategy to advance gender equity and diversity and report back to Council through the SPC on Community and Protective Services no later than Q2 2019. (CPS2018-0362)	Council	2019 June 12
14	Public Safety Near Supervised Consumption Services	2019 February	<p>1.Consider the information from the panel presentations and discussion at the 2019 February 13 meeting when developing recommendations in response to Notice of Motion C2019-0123;</p> <p>2.Report directly to the 2019 February 25 Meeting of Council with an update on actions taken to date to address Notice of Motion C2019-0123 and outline additional potential City actions and other next steps underway with stakeholders to form a collaborative implementation framework that examines responsibilities outside the City of Calgary's jurisdiction and seek to formalize potential partnerships; and</p> <p>3. And Report to the SPC on CPS with Regular updates. (CPS2019-0221)</p> <p>Develop an implementation framework and report back to Council through the SPC on Community and Protective Services no later than 2019 Q2. (C2019-0256)</p>	Council	Q2 2019
15	Water Fluoridation	2019 February	<p>NOW THEREFORE BE IT RESOLVED that Council:</p> <ol style="list-style-type: none"> 1. Engage the University of Calgary's O'Brien Institute for Public Health (OIPH) to conduct an objective assessment of the evidence: <ol style="list-style-type: none"> 1. In the extant literature; and, 2. By enlisting other University of Calgary partners such as the School of Public Policy as appropriate. 3. In consideration of jurisdictions in the world where tooth decay rates are decreasing; and, 4. In consideration of a cost-benefit analysis of water fluoridation with regard to more direct dental interventions, particularly in consideration of the lack of access to affordable dental care in Calgary; and, 5. In consideration of dental health as a public health vector with regard to other disease vectors impacting our population; and, 	Council	TBD

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
			<p>6. In consideration of piloting other potential approaches to public dental health like Scotland's Child Smile program; and,</p> <p>7. In consideration of a more up to date and comprehensive comparison between dental caries rates in Calgary post de-fluoridation and Edmonton; and,</p> <p>8. By examining other questions and concerns from members of City Council by conducting individual interviews; and,</p> <p>2. Invite the University of Calgary's OIPH to report and present their findings to Council through to the SPC on CPS no later than June 2019, and, invite the study's Principal Investigator, Dr. Lindsay McLaren, to present her findings and recommendations, and respond to questions concurrently.</p> <p>1. Engage other potential willing and qualified bodies, such as Dr. Hardy Limeback BSc PhD (Biochemistry) DDS, Head, Preventive Dentistry, University of Toronto, to similarly assess water fluoridation and other programs to improve dental health.</p> <p>2. Invite any other party participating in this inquiry to present findings at the same time.</p> <p>(Notice of Motion C2019-0219)</p>		
16	Flyover Park	2018 November	<p>1. Coordinate Roads & Real Estate Development Services to develop a focused private sector offering of surplus Roads Lands adjacent to Flyover Park wherein the land sale or lease and/or tax capture from private development of that site could help fund the park; and</p> <p>2. Report on progress to the SPC on Community and Protective Services by Q2 2019. (C2018-1158)</p>	Council	Q2 2019
17	Indigenous Relations Office	2018 November	Present a scoping report through the SPC Community and Protective Services by Q3 2019, reflecting meaningful and regular engagement with First Nations, The Metis, Inuit and urban Indigenous Calgarians on the determination of IRO's collective collaborative vision and core functions. (CPS2018-1216)	Council	2019 Q3
18	Short Term Rentals	2018 December	Undertake work to create a new, tiered licence category in the Business Licence Bylaw 32M98 for Tourist Accommodation and bring forward	Council	Q3 2019

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
			amendments to this bylaw to Council through the SPC on Community and Protective Services no later than 2019 Q3; Revise the Lodging House licence category in the Business Licence Bylaw 32M98, to clarify the definition and scope for application to rooming, lodging, and boarding houses, and bring forward amendments to this bylaw to Council through the SPC on Community and Protective Services no later than 2019 Q3. (CPS2018-1328)		
19	Proposed Acquisition (Residual Ward 3 – Sub Area) – Ward 03 (17171 6 ST NE)	2018 November	Report to SPC on CPS by Q3 2019 related to confidential recommendations. (UCS2018-1139)	Council	2019 Q3
20	CAUAC Annual Report	2014 February	CAUAC to report annually to Council starting in 2015, through the SPC on Community and Protective Services, on progress towards its Strategic Plan.	Council	2019 October 9
21	2017 BiodiverCity Advisory Committee Annual Report	2015 January	BiodiverCity Advisory Committee to report back annually as per their Council-approved Terms of Reference.	Council	Q4 2019
22	FCSS Funding Recommendations	2016 November	Section 6.1.2B in the FCSS Policy requires that Council approve or amend funding recommendations. Section 6.2.1b requires that the SPC on Community and Protective Services make recommendations to Council to approve or amend funding recommendations. Administration to come by end of December each year, ideally the last SPC on Community and Protective Services meeting of the year, to provide Council enough time without having to be Urgent Business.	Council	Q4 2019
23	Cannabis Bylaw Effect on Vulnerable Population	2018 April	Administration to consult with key stakeholders and report back to Council, through the SPC on Community and Protective Services, no later than 2019 June on the implications and impacts of said bylaws with specific regard to minimizing unintended consequences and/or inequity amongst vulnerable populations. (CPS2019-0152 - deferral to Q4 approved)	Council	Q4 2019

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
24	Public Smoking, Waterpipe, Hotel/Motel prohibitions	2018 June	Administration to engage citizens and key stakeholders (including Alberta Health Services) to further strengthen Smoking and Vaping Bylaw 23M2018, with consideration given to prohibiting: <ul style="list-style-type: none"> Waterpipe smoking in workplaces, public premises and specified outdoor places; Smoking in multi-unit public housing administered by the City of Calgary; Smoking and vaping in hotel and motel rooms, in outdoor public parks and at outdoor public events; And report back to Council, through the SPC on Community and Protective Services with recommendations and bylaw amendments no later than Q2 2019. (CPS2019-0152 - deferral to Q4 approved)	Council	Q4 2019
25	Cannabis Legalization – Festivals and Events	2018 June	Administration to work with stakeholders to monitor cannabis consumption areas at festivals and events and report back to Council through the SPC on Community and Protective Services in 2019 Q4. (CPS2018-0718)	Council	Q4 2019
26	Business Improvement Area Policy & Governance Framework	2018 December	Report back on the Business Improvement Area policy and governance framework to no later than one year after the Provincial legislative changes related to Business Improvement Areas are finalized. (CPS2018-1097)	Council	TBD
27	Community Representation Framework	2018 December	Return to Council through the SPC on Community and Protective Services with a progress report on the implementation of the Community Representation Framework no later than the end of Q1 2020. (CPS2018-1393)	Council	Q1 2020
28	Social Wellbeing Advisory Committee Terms of Reference	2018 July	Administration to work with the Social Wellbeing Advisory Committee following the appointment of members at the 2018 October Organizational Meeting of Council and return to the SPC on Community and Protective Services no later than Q2 2020 with its first annual report. (CPS2018-0870)	Council	Q2 2020

#	ITEM	INITIAL DATE	SUBJECT (Direction to Administration)	SOURCE	ANTICIPATED MEETING DATE
29	Wheelchair Accessible Taxi Service	2018 October	Direct Administration to monitor the effectiveness of the Accessible Taxi Incentive Program and report back to Council through the SPC on Community and Protective Services, no later than 2021 Q1. (CPS2018-1033)	Council	Q1 2021
30	Accessible Taxi Incentive Program Update	2018 March	Administration to monitor the effectiveness of the Accessible Taxi Incentive Program for up to two years and report back to Council, through the SPC on Community and Protective Services, no later than 2021 Q2. (CPS2018-1033)	Council	Q2 2021
31	Golf Course Operations	2018 November	Report back to Council through the SPC on Community and Protective Services by Q2 2021, with an update on progress toward the options outlined in this report. (CPS2018-1256)	Council	Q2 2021
32	PAC2007-05 Status of Outstanding Motions and Directions	2007 February	Administration to bring forward as an item of business to each Standing Policy Committee a list of tabled and referred motions and reports for each committee; such lists to be reviewed by each Standing Policy Committee to be dealt with on a quarterly basis. (PAC2007-05)	PAC	Quarterly

**Community Services Report to
SPC on Community and Protective Services
2019 March 13**

**ISC: UNRESTRICTED
CPS2019-0014**

Corporate Public Art Program Review Update

EXECUTIVE SUMMARY

This report provides a status update on Administration's work responding to Council direction to examine current practices of the Public Art Program (the Program) which included nine specific directions in Five Key Areas of Focus: (1) a pooled funding model, (2) parallel procurement strategies, (3) governance model, (4) communication and engagement strategies, and (5) non-government investment opportunities.

In undertaking this work, this report outlines a new strategic direction for The City of Calgary responding to gaps and barriers identified by Council, key stakeholders and the community-at-large for delivering public art in Calgary. The new strategic direction will shift to a public art delivery model based in community priorities as opposed to infrastructure priorities, which will be supported by a flexible, pooled funding model.

The proposed public art delivery model addresses Council's Five Key Areas of Focus through the following Three Foundational Pillars (Attachment 1):

1. ***Accessible*** in all aspects of a project or program including location, participation, application and information.
2. ***Prioritizing investment*** in the local creative economy.
3. ***Transparency*** in decision making and financial reporting.

Notwithstanding the progress made to date, until the new public art delivery model is fully developed, Administration will continue to maintain the suspension on new capital projects under the Public Art Policy throughout 2019.

ADMINISTRATION RECOMMENDATIONS:

1. That the SPC on Community and Protective Services recommend that Council direct Administration to complete the transfer of previously-approved budgets to a Corporate Public Art program: capital activity 446510; and
2. Report back to Council through the SPC on Community and Protective Services no later than Q1 2020 on a public art workplan and strategy for 2020 – 2022, and review the suspension of the Public Art Policy at that time.
3. That the SPC on Community and Protective Services refer this report as an item of urgent business to the Combined Meeting of Council on 2019 March 18 to meet Council's direction to report back by the end of Q1 2019.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 June 25, Council approved Amendments to the following Administration Recommendations:

That the SPC on Community and Protective Services recommend that Council Direct Administration to:

1. Pool the per cent for public art from all eligible capital projects and create a capital program for public art to enable flexibility and improved reporting;

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**ISC: UNRESTRICTED
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Corporate Public Art Program Review Update

2. Develop a parallel procurement strategy better suited to encourage applications from local, national and international artists;
3. As relates to the public art board:
 - engage the external consultant to work with the board on reviewing its mandate, membership, and terms of reference to reflect best practices in other cities and to return to Council prior to the 2018 Organizational Meeting.
4. Form a temporary Public Art Administration Committee inviting representative stakeholders like: artists, Members of Council, CADA and Public Art Advisory Committee to develop a Public Art Strategy, governance model and four-year Action Plan that ties to the Infrastructure Calgary's priorities.
5. Implement a suite of engagement strategies to enable public engagement throughout all stages of public art projects;
6. Dedicate communications and engagement resources to maintain to ensure ongoing, timely, information for the public;
7. Direct Administration to work with the external consultant to engage with members of Calgary's arts community, including but not limited to, members of the Calgary Public Arts Alliance and Calgary Arts Development Authority.
8. Investigate placement, ownership, and funding approaches to partner with nongovernment sectors as a means to increase value-for-dollar and accessibility; and
9. Report back to Council with refinements based on further engagement and an update on progress toward implementation no later than Q1 2019, at which time if progress is satisfactory, the suspension of the Public Art Policy should be lifted.

Attachment 2 provides a detailed listing of Previous Council Direction since 2004.

BACKGROUND

The City of Calgary has invested in public art for more than a century, building a collection of over 1300 diverse works of art. In 2004, Council enacted a *Per cent for Art* policy, allocating one per cent of the budget for all capital projects to public art. *Per cent for Art* policies are standard among North American municipalities and have existed among U.S. cities as early as 1959. Following the creation of The City of Calgary's Public Art policy, the Program was formalized with the intent to preserve Calgary's long history of providing "...the opportunity for cultural experiences that are freely accessible to all" (City Council, 2004).

In 2013, *Travelling Light* became the focus of debate due to cost, lack of public accessibility, and gaps in communication and engagement. To address these issues, a full review of the program was conducted. This review resulted in amendments to the Public Art Policy in 2014, moving the one per cent for art contribution to include a sliding scale model, with minor changes to public engagement requirements as expressed through Calls for Artists. The installation of Bowfort Towers in 2017 raised similar criticisms: cost, location, transparency of communication and public engagement. The cumulative impact has resulted in a loss of trust and credibility in the current Public Art service delivery model from citizens, Council, and the arts community.

To rebuild these relationships and earn trust, Administration is outlining a new strategic direction for the Public Art Program.

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**ISC: UNRESTRICTED
CPS2019-0014**

Corporate Public Art Program Review Update

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Administration has been focusing on the Five Key Areas of Focus from Council's 2018 June directives, and engaged and consulted with internal and external stakeholders to ensure differing perspectives were considered. Progress has occurred in each area:

Five Key Areas of Focus: Achievements

(1) *A pooled funding model – complete:* With Council's approval of Recommendation 1, Administration will meet Council's direction and create a pooled fund for The Program. The total funding eligible for a pooled public art program for 2019 – 2022 is \$3.2 million per year, over four years. This funding pool will be transferred into a public art program that will be governed by the Public Art Executive Steering Committee, until such time that the governance of The Program is updated. The Public Art Executive Steering Committee will update their Terms of Reference to include oversight of the public art pooled funding program.

(2) *Parallel procurement strategies – underway:* Administration investigated best practices and alternatives for potential future procurement strategies. After engaging directly with the arts community, we heard that artists want a more active role in developing the language, documents and processes in this area. Administration will continue to work directly with the artist community to reduce barriers and create an open procurement process tracking to pilot a new process for Q1 2020. This work is described further in Attachment 3.

(3) *Governance model – underway:* Council has identified that The Program requires additional oversight on processes and decision-making by creating both an internal Public Art Administrative Committee and strengthening the role of the Public Art Board. Council has also identified that Program oversight should include participation from the artist community. To fulfill Council's direction, Administration has engaged and consulted with internal and external stakeholders to begin the development of an inclusive decision-making framework. Implementation of the framework will align with Administration's return to Council in Q1 2020. Until implementation, oversight and accountability of the Program will continue to exist through the Public Art Executive Steering Committee, the Public Art Board and other external stakeholders such as the Indigenous Guiding Circle. An update on these activities is in Attachment 4.

(4) *Communications and engagement strategies – underway:* Stakeholder groups identified this as a major area for improvement arising from a variety of factors, such as a lack of resources and the accessibility of information. Administration has developed objectives that can be applied to a public art project from concept to delivery (refer to Attachment 5). Strategies should be tailored to project needs and be created based on evaluating the risks and public impact of a project. Dedicated resources have been allocated to The Program, meeting Council's direction. Administration, with key stakeholders, will monitor engagement and public participation on public art projects on an ongoing basis to validate the effectiveness of communication and engagement strategies used.

(5) *Non-government investment opportunities – underway:* Various municipalities have been reviewed to understand best practices and potential processes that could be adopted to enhance non-government investment opportunities. Through this research it has been

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**ISC: UNRESTRICTED
CPS2019-0014**

Corporate Public Art Program Review Update

determined that neither a national or international standard exists; municipalities have designed investment in public art according to their city's needs. Administration will continue to work cross corporately to leverage current non-government sector relationships and build a process that suits the Calgary context. An update on these activities is in Attachment 6.

Next steps

As previously discussed, to build a successful municipal Public Art Program significant effort must be put into rebuilding trust and confidence with the local community. To rebuild trust over the next year, Administration will continue to build a public art program strategy that involves the artist community and general public, in addition to the following activities through 2019:

- Maintain the suspension on new capital public art projects under the Public Art Policy, until we have a new validated process.
- Operate Public Art Community Programming, to honour previous commitments and maintain a public art presence in the community.
- Continue conservation efforts and ongoing public education of the existing public art collection.

Stakeholder Engagement, Research and Communication

Since the initiation of The Program review in 2017, Administration has engaged over 9,000 people in research to improve the Public Art Program. Stakeholders included the general public, members of the local artist community, members of Calgary Arts Development and representatives from across the Corporation. Administration has continued to use this engagement research and expand upon these findings through other engagement activities including:

- Two workshops and online survey, January 2018 (over 100 participants)
- Online survey, March/April 2018 (over 7,400 participants)
- Telephone survey, April 2018 (approx. 500 participants)
- Citizen's View Panel, April/May 2018 (over 1,000 participants)
- Internal Stakeholder Engagement session on public art project practices October 2018 (20 participants)
- Four focus groups and multiple stakeholder meetings, September 2018 to February 2019 (over 50 participants)

Strategic Alignment

Investment in public art aligns with the goals of multiple guiding documents at The City of Calgary, including: the Municipal Development Plan (which acknowledges that arts and culture programming plays an important role in contributing to economic development and prosperity); the Indigenous Policy and White Goose Flying (which call on Administration to work with indigenous artists); the Cultural Plan (which speaks to the role of public art in place making); and the City Shaping Framework for the Green Line (which suggests public art to fulfil the goal of connecting people living in communities along the line to significant cultural destinations), amongst others.

Social, Environmental, Economic (External)

Public art is a major contributor to social capital and quality of life. The enhanced spaces created by public art encourage gathering and connection, which impacts the development of

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community hubs and social cohesion. *Example: River of Light* on the Bow River, *Indefinite Arts Utility Box Partnership* in Fairview, *BRT Transit Shelters* city wide, *Bow Passage Overlook* in Inglewood.

The Program has demonstrated the effective use of public art in helping educate citizens about critical environmental issues, such as the important role that the Bow and Elbow Rivers play in the life of our city. *Example: Outflow* in Parkdale Plaza, *Watershed+* city wide, *Manhole covers design project* city wide.

Public art in Calgary provides the opportunity for many local artists, fabricators, architects, engineers and others involved in the public art process to participate in and derive economic benefit. *Examples: Integrated design at 162nd & Macleod Trail, Delta Garden+The Unseen City* in West Eau Claire Park, *roger that* at Tuscany LRT Station.

The Program plays an essential role in both attracting and retaining creative thinkers and workers. Combined with indirect economic spin-offs including tourism, investment in public art contributes to Calgary's economic diversification. Council has acknowledged the important role of the arts in the economy, as have Calgary Economic Development and Tourism Calgary.

Financial Capacity

Current and Future Operating Budget:

There is no impact to the current operating budget. If changes from the current budget are required, Administration will bring forward a detailed budget to support the future public art strategy as part of future budget adjustments.

Current and Future Capital Budget:

The adoption of these recommendations will not directly impact current and future capital budgets. Budgets for public art are dependent on infrastructure funding approvals and the application of the Public Art Policy funding provisions. Every four years Administration will need to evaluate eligible funding sources and move funds to a corporate public art program. The amount will fluctuate based on the four-year Corporate capital budget allocation.

Risk Assessment

There is a risk to removing the per cent for art that has been tied directly to infrastructure projects. It may be perceived that this change may eliminate future initiatives to enhance new infrastructure. To mitigate this risk, Administration will continue to promote the strategic embedding of artists into the infrastructure design process to best meet community needs.

Rebuilding the public art program with a new strategic direction will take time and require buy in from key stakeholders. Lifting the suspension on capital public art projects before developing a solidified strategic plan while rebuilding stakeholder relationships will put the success of The Program at risk. To mitigate this Administration will prioritize working with external stakeholders to realign communications, procurement processes, and the governance model for The Program. The rebuilding of trust requires time and effort.

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REASON(S) FOR RECOMMENDATION(S):

1. Approving the transfer (pooling) of previously-approved budgets to the Public Art Program will (1) increase accountability for dollars spent by the Public Art Program; (2) enable better and more flexible allocation of budgets; (3) improve budget tracking and reporting.
2. To appropriately move the program from an infrastructure project focus to a community priority focus, Administration will need to dedicate significant time to working with the general public and artist community to realign the procurement process and governance model. The rebuilding of trust requires time and sincere, focused attention. For the remainder of 2019, Administration will continue to maintain the suspension on new capital public art projects; operate Community Public Art Programs; provide education and conservation on the existing public art collection; and work with key stakeholders and the general public to build a public art program that is reflective of Calgary's priorities. By Q1 2020, Administration will bring forward a workplan and strategy for 2020 – 2022.

ATTACHMENT(S)

Attachment 1: Three Foundational Pillars
Attachment 2: Previous Council Direction
Attachment 3: Parallel Procurement Strategies
Attachment 4: Governance Model
Attachment 5: Communication & Engagement Strategies
Attachment 6: Non-Government Investment

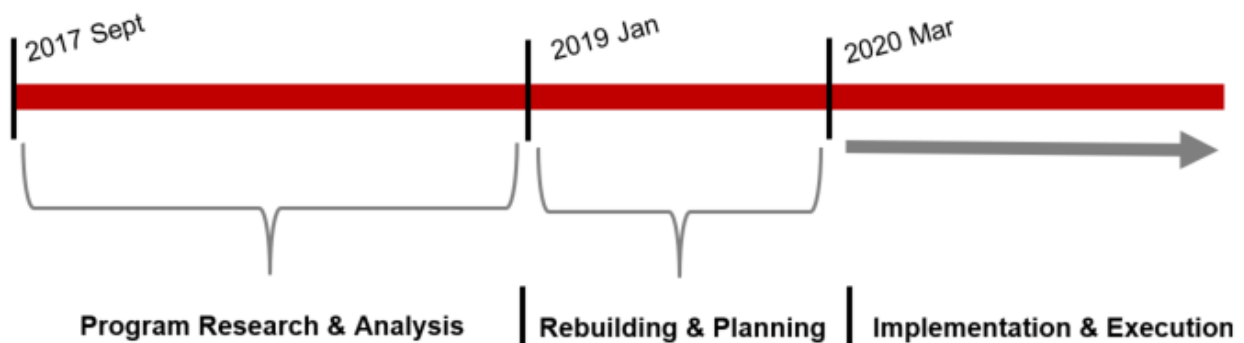
Three Foundational Pillars

Throughout the research and analysis phase of The Public Art Program (The Program) review, three reoccurring themes became apparent. These three themes have been identified as pillars to be used to build a successful Public Art Program, aligning with the needs of Calgarians, and guide the rebuilding of trust in The Program. The pillars are:

- **Accessible:** An art project must be accessible to the public from beginning to end, in all aspects; information, application, participation and location. A project must be accessible: at the application stage to make certain that there is a diverse selection of artists and concepts represented; at the selection of a projects location for open public access and ongoing public interaction with the art, and in how communities and citizens might participate in the physical creation of the project.
- **Prioritize investment in the local creative economy:** Citizens are interested in understanding the value of their tax dollars, the services provided by them, and how they contribute to the local economy. To align with these interests, The Program will focus on tying public art activities to expanding the local creative economy and arts sector. This includes partnering with local institutions and organizations, pursuing procurement strategies that remove barriers for local, regional and national artists, and increasing the number of diverse applicants on future public art projects and programs.
- **Transparency:** The update and rebuilding of The Program will ensure selection and decision-making processes are clear and transparent in relation to public art activities and opportunities for public participation.

As each public art project budget is attached to a major infrastructure project, current public art financial reporting is challenging. A pooled funding model will allow for consistent financial reporting practices, which will allow for proactive communication on public art budgets.

Rebuilding and establishing trust takes time but is necessary to gain credibility. The below timeline outlines each phase needed to rebuild a successful Program.



Previous Council Direction

On 2017 September 13, Council approved NM2017-32, Amendments to the Corporate Public Art Policy, directing Administration to report back with a progress update in Q1 2018 and again in Q2, 2018 with recommendations on a new process including the following:

- a) Best practices around fully engaging the public with the public policies, practices and The Public Art Policy Management Framework.
- b) Mechanisms for the prioritization and allocation of tax dollars for art funding during economic downturns and Council engagement.
- c) How to accommodate concept submissions from artists that foster and enhance local, regional, national, and culturally appropriate artists.
- d) How Council can be briefed on short-listed submissions by the Public Art Board, and how, in turn, the public can be engaged for their feedback.
- e) Who will make the selection of a successful candidate and how it will be communicated back to the public and to Council.
- f) When and how the suspension of the Corporate Public Art Policy should be lifted.
- g) Report back on the outcomes/progress of the 2014 Notice of Motion.

Council also directed Administration to suspend all new public art projects scheduled for RFP until Q2, 2018. At the same time, Council recognized that there were many art projects that had been tendered and contracted in accordance with current Council approved policy and process, and would, therefore, continue to completion.

On 2013 December 16, Council approved NM2013-34, directing administration to undertake a review of the Public Art Policy, including:

- developing options for a sliding scale of percentage funding based on the amount of capital budget for projects, including consideration of placing a maximum dollar amount for any capital project;
- developing options for greater public participation including but not limited to changing the composition of project selection juries, the method of selection of the project jury, as well as increasing opportunities for input by the general public into the selection process for the public art;
- developing a strategy to help build local capacity of artists to compete for public art projects locally, nationally and internationally;
- amending the policy for greater flexibility in the use of a portion of public art funding for the restoration and/or enhancement of on-site heritage assets;
- amending the policy for greater flexibility in incorporating public art as functional components of the infrastructure; and
- developing a strategy for pooling of funds in locations with a high public benefit or for long-term creation of large iconic or monumental pieces of public art at key locations within the city.

Additional Council direction on this Notice of Motion included:

- reiterate that all City business units must comply with the policy in the development of capital projects;
- The City of Calgary lobby the provincial government that any new capital funding programs for municipalities allow for greater flexibility, as per the Policy, to pool funds for greater public benefit; and
- Administration consults with members of Council and brings a report to Council no later than 2014 May.

As a result of the investigation and analysis into the six areas, five amendments were made to the Corporate Public Art Policy, as follows:

1. Changing the public art allocation to a sliding scale with a cap instead of a consistent 1% across all capital projects.
2. Simplifying the eligibility requirements for capital projects to include public art.
3. Amending the description of public art to clarify that it can be functional.
4. Adding that the Policy allows for the use of a portion of the public art allocation for specific projects to be used to restore on-site heritage assets as determined on a case by- case basis.
5. Adding that private sector donations toward public art will be accepted.

In addition, Administration undertook a number of changes and additions to the public art process that were identified as opportunities for improvement that surfaced during the review and did not require Policy amendments. These were captured in a Public Art Policy Management Framework that serves as an operational guide for all City staff.

In 2009, the Policy underwent an extensive review that included input from Council, senior administration and a wide cross-section of the community resulting in additional direction and clarification to Administration to ensure the appropriate development, management and maintenance of all public art for The City of Calgary.

On 2004 January 12 Council approved the Public Art Policy (CPS2003-95), which adopted a “percent for public art” strategy calculated at 1% of the total capital project costs for City of Calgary capital budgets over \$1 million.

Parallel Procurement Strategies

Council Direction: 2. Develop a parallel procurement strategy better suited to encourage applications from local, national and international artists;

In a 2018 online survey, 738 Calgarians expressed that they want The City to better support local artists, and make it easier for Calgarian, Albertan and Canadian artists to apply to public art projects. Through stakeholder engagement, the local arts community has shared that current City procurement practises are cumbersome, complicated and in some cases require an upfront financial investment not required by public art programs in other municipalities.

To address current challenges, and encourage local, national and international talent to apply for future art opportunities, Administration will be shifting from gathering feedback to holding ongoing working group sessions with the local artist community to create an open and welcoming procurement process. This collaborative approach will take place over 2019, with a recommended procurement process ready for implementation in 2020.

Calgarians also stated that they want The City to better support the local creative economy, which can be supported through a parallel procurement process. It should be noted that Administration recognizes the importance of bringing international talent to Calgary to ensure that local talent continues to be invited to other cities; and that Administration is still held accountable to national and international trade agreements that may result in an award to an international artist. To align with the pillars of success, when international artists are selected, Administration is committed to finding opportunities to prioritize investing in the local creative economy. These opportunities will be explored within the Social Procurement pilot utilizing, for example, the Community Benefit Agreement framework which could include requiring artists to provide project-related education locally, mentorship opportunities with the local arts community, as well as encouraging work with local fabricators. Creating a parallel procurement strategy paired with a flexible, pooled funding model will allow Administration to focus on finding opportunities to invest in the local creative economy, which aligns with the pillars for success.

Next steps

Q2 – Q3 2019: Work with the artist community to build a more user-friendly submission process. This includes: language used in Calls to Artists; less complex submission package requirements, and more flexible submission options. Work clarifying options for trade agreement exceptions and exploring options for sole-sourcing Indigenous Artists.

Q3 2019: Work with vendors in the Calgary community to build a more user-friendly submission process for fabrication through social procurement methods and installation projects.

Q1 2020: Report back on these activities to Council.

Governance Model

Council Direction: 3. *As relates to the public art board: engage the external consultant to work with the board on reviewing its mandate, membership, and terms of reference to reflect best practices in other cities and to return to Council prior to the 2018 Organizational Meeting.*

4. *Form a temporary Public Art Administration Committee inviting representative stakeholders like: artists, Members of Council, CADA and Public Art Advisory Committee to develop a Public Art Strategy, governance model and four-year Action Plan that ties to the Infrastructure Calgary's*

Current Public Art Program Oversight

There are three bodies that provide oversight to the Public Art Program (The Program), which include:

- The Public Art Executive Steering Committee (Internal)
 - Existing Administrative oversight of Public Art program review and the Corporate Public Art Program budget.
- The Public Art Board (External)
 - Under review and refinement. Refer to below.
- Public Stakeholders (External)
 - Such as the Indigenous Guiding Circle.

Each of these groups provide guidance, direction and advise on Program activities. As part of The Program review, Administration has been working with these groups and other internal and external stakeholders build an appropriate governance model for The Program.

Going forward

The Public Art Board

The Public Art Board (The Board) has been actively reviewing and revising their mandate, terms of reference and membership to understand their role as a governance board.

The Board is committed to continuing to work collaboratively with Administration, key community stakeholders and the general public to understand its role in the decision-making framework as it pertains to The Program.

The Board has taken the following steps to meet Council's direction:

- **September 26, 2018** – Consultant engaged Board on Term of Reference (ToR);
 - **Changes included:** Including “ambassadorship” as a responsibility and defining Board role as strategic versus operational.
- **October 15, 2018** – The Board reviewed the Consultant's proposed ToR changes;

- **Changes included:** Requiring an annual report to Council, requiring a review of all acquisitions and donations.
- **October 22, 2018** – Organizational Day;
 - **Changes included:** Removal of the word “Advisory” from The Board title, and addition of two Council members.
- **January – February 2019** – Ongoing review and edits of the ToR;
 - **Changes included:** Defining the duties of The Board Chair, defining the composition of Board membership including Selection Criteria in relation to Board applicants.

Currently, The Board is reviewing the following areas of the ToR: conflict of interest, location of meetings for public access, and minimum required attendance.

Public Art Administrative Committee

Administration consulted with both internal and external stakeholders through focus groups and community engagement sessions starting in September 2018. On 2019 January 28 focus group sessions were held on creating a new internal Public Art Steering Committee for decision making on public art projects. Focus group attendees were from the artist community, Calgary Arts Development, the Public Art Board and subject matter experts from across the Corporation. It was determined at this session that more investigation and discussion with the local artist community was needed to build an inclusive governance model.

Next steps

Q2 2019: The Public Art Board will continue to work with Administration to finalize their ToR in advance of the 2019 Boards, Commissions and Committees public advertising deadline.

Q2 – Q3 2019: As it relates to the Public Art Steering Committee, Administration will work with the artist community to determine the mandate, decision framework and develop a skills matrix to determine membership of the Committee.

Q3 2019: *The Board* will report back to Council with their new ToR.

Q1 2020: Report back on these activities to Council.

Communications & Engagement Strategies

Council Direction: 5. Implement a suite of engagement strategies to enable public engagement throughout all stages of public art projects;

6. Dedicate communications and engagement resources to maintain to ensure ongoing, timely, information for the public;

7. Direct Administration to work with the external consultant to engage with members of Calgary's arts community, including but not limited to, members of the Calgary Public Arts Alliance and Calgary Arts Development Authority.

All stakeholder groups identified Communication and Engagement as a major area of improvement for The Public Art Program (The Program). To address gaps, public participation and communication activities will be provided from concept to completion for the duration of a project and incorporate the following objectives:

- **Engagement:** Collecting citizen feedback to influence location, design and implementation of public art projects across Calgary
- **Outreach:** Ongoing communications to citizens, through a variety of channels, to build awareness and buy-in
- **Education:** Working with communities and institutions to further the understanding of art in Calgary including educational programs and events

As identified in a 2018 online survey regarding the Public Art Program, Calgarians indicated they would like to be involved in the following three areas: concept selection, artist selection and jury panel selection. Administration will continue to work with the general public and the artist community to better understand when and how to appropriately engage the public in these and other relevant activities.

As per Council's direction, Administration has been able to dedicate two resources funded through The Program, as of 2018 December.

Next steps

Ongoing: Measure and collect data on current engagement and communications practices.

Q2 – Q3 2019: Engage the general public and key program stakeholders to understand when and how to appropriately include public participation in public art projects.

Q4 2019: Build a communications and engagement strategy based on information gathered at stakeholder meetings.

Q1 2020: Report back on these activities to Council.

Non-Government Investment

Council Direction: 8. Investigate placement, ownership, and funding approaches to partner with non-government sectors as a means to increase value-for-dollar and accessibility;

Administration has researched multiple municipalities, and examined current internal corporate practices to understand best practices and potential processes and opportunities that could be adopted to enhance non-government investment opportunities. Key findings include:

- Density bonussing is used to provide Public Art but there is no apparent standard or best practice in Canada or the United States.
 - Larger municipalities like Los Angeles, Vancouver and Toronto use both mandatory and optional participation through development policy.
- There are several areas within The City of Calgary that are dedicated to working with external, non-government partners on sponsorships and partnerships that can be leveraged.

There are several areas within The City of Calgary that are dedicated to working with external, non-government partners on sponsorships and partnerships that can be leveraged. The Public Art team has been working cross corporately with areas such as Planning & Development to understand what current process and supports are in place and develop a process to encourage private investment in public art.

Next steps

Ongoing: Work with internal partners to continue to leverage partnership opportunities.

Q2 2019: Meet with non-government partners regarding investing in public art and develop a tool kit for assistance and support.

Q3 2019: Integrate Public Art into the internal development review process.

Q1 2020: Report back on these activities to Council.

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Social Wellbeing Policy Report

EXECUTIVE SUMMARY

On 2018 May 28, Council approved the Social Wellbeing Principles which include that The City of Calgary (The City) will:

- Strive to provide equitable services. This includes removing barriers to access and inclusion;
- Advance the active and shared process of Truth and Reconciliation in collaboration with the community;
- Seek opportunities to support and grow culture in Calgary; and
- Aim to stop problems before they start, using a prevention approach.

Council directed Administration to develop a Social Wellbeing Policy by 2019 Q1. The proposed Social Wellbeing Policy (Attachment 1) provides a flexible policy for Administration and Council to address multiple social needs to deliver effective and efficient services to Calgary's diverse community. Ultimately, applying these principles to all City services strengthens The City's contributions to improving quality of life for Calgarians. Pursuant to the adoption of the Social Wellbeing Policy, Administration recommends that the 13-year-old Fair Calgary Policy (CSPS019) (Attachment 2) be rescinded.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommend that Council:

1. Approve the Social Wellbeing Policy (Attachment 1); and
2. Rescind the Fair Calgary Policy (CSPS019) (Attachment 2).

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 November 14, Council approved Administration's recommendation in One Calgary 2019-2022 Service Plans and Budget (C2018-1158) Attachment 7 that *"a report back on the indicator reporting plan will be included as part of the Social Wellbeing Policy report in Q1 2019"*.

On 2018 May 28, Council adopted the Standing Policy Committee on Community and Protective Services recommendations contained in CPS2018-0362 to *"Approve the Social Wellbeing Principles and direct Administration to develop a social wellbeing policy and return to Council through the SPC on CPS no later than Q1 2019"*.

On 2006 November 13, Council approved CPS2006-63 resulting in the adoption of the Fair Calgary Policy. On 2008 November 24, Council approved CPS2008-93 which included an amendment to Fair Calgary Policy's definitions and on 2012 January 11, Council approved CPS2012-01 which included an addendum to the Fair Calgary Policy on *the Standards for Design and Implementation of Tax-Supported Age-based Differential Fee Programs and Low-Income Subsidy Programs*.

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Social Wellbeing Policy Report

BACKGROUND

The City of Calgary aims to make life better every day for Calgarians by delivering citizen-centric services. Fifteen years ago, The City took a bold step towards sustainability by considering social, economic and environmental impacts in all its services through the introduction of the Triple Bottom Line (TBL) Framework and Policy. To support the social component of the TBL Policy, The City developed the Fair Calgary Policy in 2006. In the intervening 13 years, there have been changes in best practices and understanding of social issues and in 2017, Calgary Neighbourhoods began updating the Fair Calgary Policy. As a first step, Administration developed a set of guiding principles to support a holistic and intersectional approach to social wellbeing that reflects key themes found in City policies, strategies and Council directives. The Social Wellbeing Principles were approved by Council in 2018 May through CPS2018-0362 and Administration was directed to develop the Social Wellbeing Policy (Attachment 1) by 2019 Q1.

Calgary's demographics are changing along with the public's awareness of social inequalities as a result of recent social movements and education on social issues. There is also a growing expectation that Administration consider multiple identity factors to ensure that City services are more responsive and effective for a growing and diverse population. This is evidenced by recent notices of motion on Multilingual Communications and Engagement, Gender Equity and Diversity Strategy and Social Procurement, for instance. The proposed Social Wellbeing Policy will support The City to be proactive in developing and delivering services that meet the needs of Calgarians, while contributing to citizen quality of life.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Social Wellbeing Principles are intended to guide City practices on a long-term basis. The principles were designed to be simple, understandable and universally applicable across City services. They were developed by reviewing common themes in Council directives and strategies or policies with a focus on community needs (for example, Age-Friendly Strategy, Cultural Plan for Calgary and the Gender-Equity and Diversity Strategy which is currently under development).

The Social Wellbeing Policy supports the delivery of services that are both effective and efficient. It addresses equitable access to City services and aims to reduce barriers between The City and the above-mentioned segments of Calgary's population. The Social Wellbeing Policy is designed to:

- Streamline how social needs and cultural opportunities are considered in City services and embed these considerations into service providers' existing processes (e.g.: service plans and budget processes).
- Provide coordinated supports and tools to City employees with guidance on how to respond to multiple social needs as identified in various City strategies and in line with the One Calgary approach.
- Allow for common evaluation and reporting of social outcomes.
- Support Administration and Council to create and receive useful analysis of the social impacts of their decisions.

One of the main objectives of the Social Wellbeing Policy is to act as a foundational Council policy to provide high level guidance on City responses to existing or future community needs.

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This reduces the need for multiple Council policies. Strategies aligning to the Social Wellbeing Principles provide further detail on The City's plans to respond to specific social issues or needs of diverse groups. For example, the proposed Multilingual Communications and Engagement Policy (CPS2018-0945) will be embedded within the Social Wellbeing Policy with further detail provided through Social Wellbeing Policy schedules or other guiding documents or City processes to ensure equity and consistency for marketing, communications and engagement with multicultural communities in Calgary.

Should Council approve this Policy, Administration will review relevant policies and determine if there are opportunities to consolidate under the Social Wellbeing Policy. Working closely with relevant community groups or advisory committees, Administration will make recommendations to Council to advance the purpose and objectives of the identified policies. These may include a range of approaches, such as maintaining or revising existing Council policies, transforming the policy into administrative policies, adding schedules to the Social Wellbeing Policy addressing specific social needs or issues, or developing plans or strategies with detailed actions and measures.

The Social Wellbeing Policy takes a principle-based rather than a rule-based approach. This allows The City time to evolve its practice and integrate the Social Wellbeing Principles into its organizational culture. In contrast, a rule-based approach allows an organization to change its practices quickly to comply with a policy but often results in maintaining a minimum standard of practice that may not evolve with community expectations.

A principle-based approach to policy requires transparency from The City to demonstrate how it is living up to its standards. Progress towards implementing the Social Wellbeing Policy will be presented to Council through the Social Wellbeing Advisory Committee's annual update. Administration, in consultation with relevant advisory committees and stakeholder groups, will also develop and publicly report on measures that demonstrate progress towards advancing the Social Wellbeing Principles. Administration, in consultation with relevant advisory committees and stakeholder groups, will develop and publicly report on measures that demonstrate progress towards advancing the Social Wellbeing Principles over the next year. The Social Wellbeing Policy also presents a new opportunity to align the reporting of various social strategies under a common reporting structure which will be developed in the current business cycle.

Should the Social Wellbeing Policy be approved, Administration will determine how best to incorporate the Social Wellbeing Principles within existing processes identified in the policy statements (section 1.6). This approach helps to ensure effective uptake of consideration of the Social Wellbeing Principles in all the work done at The City. This may result in additional schedules added to the Policy to provide Council and the public with information on how we are advancing the policy statements.

Stakeholder Engagement, Research and Communication

The Social Wellbeing Advisory Committee has provided feedback throughout the development of the Policy. Calgary Neighbourhoods has consulted with the following business units to seek input or collaboration on the draft Policy:

- Calgary Community Standards;
- Calgary Growth Strategies;

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- Calgary Housing;
- Calgary Parks;
- Calgary Recreation;
- Customer Service & Communications;
- Community Planning;
- Corporate Analytics & Innovation;
- Corporate Initiatives;
- City Manager's Office;
- Human Resources;
- Intergovernmental & Corporate Strategy;
- Law;
- Resilience & Infrastructure Calgary;
- Supply Management; and
- Transportations Planning.

Research for the Policy consisted of reviewing similar practices and policies from other municipalities and orders of government in Canada. Administration reviewed how other municipalities embed social considerations into organizational practice and tools used to support employees to advance social goals. However, the Social Wellbeing Policy is a made-in-Calgary solution that aligns existing initiatives under a foundation of common principles, processes, and reporting.

A communication plan and change management approach for the implementation of the Social Wellbeing Policy is currently in development.

Strategic Alignment

The Social Wellbeing Policy aligns with and support the actions of the follow Council policies, strategies, plans and initiatives (not an inclusive list):

Policies

- Calgary's Corporate Accessibility Policy
- Indigenous Policy
- Triple Bottom Line Policy
- Welcoming Communities Policy

Strategies, Plans & Initiatives

- Advisory Committee on Accessibility (ACA) Strategic Plan 2017-2026
- Age-Friendly Strategy
- Calgary Aboriginal Urban Advisory Committee Strategic Plan
- Calgary's Local Immigration Partnership's Local Settlement Strategy 2018-2020 (partnership with Immigration, Refugees and Citizenship Canada)
- City of Calgary Food Action Plan- Calgary Eats
- City Shaping Framework
- Community Action on Mental Health and Addictions Strategy (in development)
- Crime Prevention Investment Plan (including Siim ohksin: Wahnkotiwin)

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- Cultural Plan for Calgary
- Inclusion in the Workplace Framework
- Enough for All – Calgary's Poverty Reduction Strategy (delivered through Vibrant Communities Calgary)
- Foundations for Home Calgary's Corporate Affordable Housing Strategy
- Gender-Equity and Diversity Strategy (in development)
- imagineCalgary
- Multicultural Marketing, Communications and Engagement Strategy
- Prevention Investment Framework with Mental Health and Addictions Lens
- Social Sustainability Framework 2.0 and FCSS Funding Priorities (name may change)
- White Goose Flying

The Social Wellbeing Policy advances the following Council Priorities: a prosperous city; a city of inspiring neighbourhoods; a healthy and green city; and a well-run city.

Social, Environmental, Economic (External)

- Social: The Social Wellbeing Policy will support The City to better assess, understand and respond to the diverse needs of Calgarians and contribute to positive social conditions for Calgarians through effective delivery of City services.
- Environmental: The physical environment and extreme weather events have differential impacts on diverse Calgarians. Social Wellbeing Policy will support The City to consider social impacts as The City takes on its new role to foster the wellbeing of the environment, as described in the Municipal Government Act.
- Economic: The impacts of the Social Wellbeing Policy on service delivery will ultimately lead to a better quality of life for citizens which results in direct or indirect improvements to the economic wellbeing of Calgarians.

Financial Capacity

Current and Future Operating Budget:

The development of this Policy and tools to advance the Principles are funded with existing budgets approved in One Calgary.

Current and Future Capital Budget:

There are no capital budget considerations associated with this report.

Risk Assessment

By advancing the Social Wellbeing Policy, The City may face the following risks:

- As with other change initiatives, without proper awareness and support, the fundamental shift required to embed the principles into our ongoing work will not be achieved.
 - To mitigate this risk, the roll-out of the Social Wellbeing Policy will include awareness and learning opportunities that support City employees to understand how consideration of the Social Wellbeing principles applies to their work and improves the quality of their service to Calgarians.
- The Corporation recognizes new inequalities or gaps in services for Calgarians that will be costly to remedy.

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- Ensure service owners understand they can prioritize the biggest needs or shift priorities in future budget cycles.
- Perceptions that one encompassing social policy might obscure the needs of specific populations.
 - Administration will seek the advice of advisory committees and relevant community stakeholder groups as The City develops its plans to advance the Social Wellbeing Policy. Administration will develop a clear approach to meeting the needs of diverse groups prior to proposing any changes to existing Council policies.

By not advancing the Social Wellbeing Policy, The City may face the following risks:

- Service concerns or failure to meet changing customer expectations.
 - Approval of the recommendations supports The City to advance its understanding of diverse needs, its ability to address related barriers and ultimately deliver effective services that contribute to equitable outcomes for all Calgarians. Mitigating actions also include continued implementation of existing community strategies and services.
- Diminishing public confidence and trust.
 - Approval of the recommendations solidifies The City's reputation as a leader in the community that is representative of and inclusive of the population it serves.
- Costs associated with retrofits.

Approval of the recommendations supports The City to understand the social needs of Calgarians and barriers they may face in accessing services or infrastructure. In some cases, this Policy may prevent costs associated to retrofit infrastructure or change service design.

REASON(S) FOR RECOMMENDATION(S):

Approval of the Social Wellbeing Policy supports The City to deliver effective services that meets the social needs of all Calgarians. This policy will replace the Fair Calgary Policy (CSPS019) which is dated and no longer meeting the needs of The City and Calgarians.

ATTACHMENT(S)

1. Attachment 1 – Proposed Social Wellbeing Policy
2. Attachment 2 – Fair Calgary Policy (CSPS019)

Council Policy

Policy Title: The Social Wellbeing Policy
Policy Number: TBD
Report Number: TBD
Adopted by/Date: TBD
Effective Date: The date adopted, or a later date if directed by Council
Last Amended: Date of last amendment
Policy Owner: Calgary Neighbourhoods

1. POLICY STATEMENT

- 1.1 The City of Calgary (The City) will follow the Social Wellbeing Principles when making decisions; developing plans, policies and strategies; and delivering *City services*. These principles are:
- A. The City will strive to provide *equitable services*. This includes removing barriers to *access* and *inclusion*.
 - B. The City will advance the active and shared process of *Truth and Reconciliation* in collaboration with the community.
 - C. The City will seek opportunities to support and grow *culture* in Calgary.
 - D. The City will aim to stop problems before they start, using a *prevention* approach.
- 1.2 The City will advance processes and mechanisms to identify emerging social needs of Calgarians and develop response plans that may be put in place with appropriate partners and services.
- 1.3 The City will consider all aspects of *accessibility* in *City service* delivery and maintain a multi-year plan for how The City will meet *accessibility* requirements.
- 1.4 The City will develop measures, evaluate, and publicly report on, the progress made in the advancement of the Social Wellbeing Principles.
- 1.5 To support The City to advance the Social Wellbeing Principles of *equity, Truth and Reconciliation, culture* and *prevention*, The City will:
- 1.5.1 Seek the advice of the Social Wellbeing Advisory Committee or other relevant Boards, Commissions and Committees as requested by City Council, Administration, or as indicated in the Social Wellbeing Advisory Committee work plan;
 - 1.5.2 Provide representatives of The City including members of Council, employees, and Boards, Commissions and Committee with relevant learning opportunities including training;
 - 1.5.3 Use data to understand the needs of Calgarians to inform service delivery; and

- 1.5.4 Develop tools and provide support to integrate consideration of the Social Wellbeing Principles into City processes as described in 1.6.
- 1.6 The City will embed consideration of the Social Wellbeing Principles of *equity, Truth and Reconciliation, culture and prevention*, in:
 - 1.6.1 the design, delivery and evaluation of City *services*;
 - 1.6.2 The City's strategic vision (the Municipal Development Plan / Calgary Transportation Plan);
 - 1.6.3 the development of service plans and budgets;
 - 1.6.4 the processes that support project management;
 - 1.6.5 the delivery of communication, marketing and information provided to the public;
 - 1.6.6 the process of public *engagement*;
 - 1.6.7 the completion of Corporate reports;
 - 1.6.8 advocacy to and collaboration with other orders of government to address relevant social issues; and
 - 1.6.9 the development of new or revised Council and Administration Policies.

2. **PURPOSE**

- 2.1 The purpose of this policy is to outline policy statements and procedures for how City *services* can contribute to achieving quality of life and increased *civic participation* for all Calgarians.
- 2.2 This Council policy addresses the need to:
 - 2.2.1 Provide guidance on how The City can reduce barriers and continually improve delivery of services to all Calgarians, considering aspects of diversity including but not exclusive to: age, disability, family status, gender, gender identity/expression, marital status, Indigenous heritage/identity, level of income, place of origin, place of residence, race, religious beliefs, and sexual orientation; and
 - 2.2.2 Develop an efficient and effective approach to the coordination of relevant existing or future strategies that advance the Social Wellbeing Principles.

3. **DEFINITIONS**

- 3.1 In this Council policy:
 - 3.1.1 "Access" means services align with the ability for individuals to participate. This often is achieved through the removal of barriers

impeding access, which may include: social, financial, language, cultural, geographic and physical barriers. The result is everyone is given the opportunity to participate in all aspects of society;

- 3.1.2 “Accessibility” means removing barriers to *access* specifically for people with disabilities (which may include but is not exclusive to physical, sensory and cognitive disabilities) to participate in City services;
- 3.1.3 “City Service” or “Service” means the delivery of outputs that meet the needs of residents and contribute to overall outcomes delivered by The City of Calgary. This includes enabling *services* (services that set the framework, policies and conditions by which internal City services operate; or provide the foundational support for the delivery of public services).
- 3.1.4 “Civic Participation” means Calgarians are involved in dialogue and/or actions to address important public issues;
- 3.1.5 “Culture” means the opportunities to express the unique identity of a community or social group. Examples include art, food, performance and other creative expressions that deepen social connections, increase cultural understanding and dialogue, reduce isolation and enliven communities. In the context of this policy, *culture* refers to the strategic priorities in the Cultural Plan for Calgary;
- 3.1.6 “Engagement” means the purposeful dialogue between The City and citizens and stakeholders to gather information to influence decision making;
- 3.1.7 “Equitable” or “Equity” means conditions are adjusted to meet people's diverse needs, strengths and social realities. It requires recognition that different barriers (often systemic) exist for diverse individuals or groups. The result of *equity* is all people have the opportunity to benefit equally from City *services*;
- 3.1.8 “Inclusion” means environments in which any individual or group is respected, valued, and supported to fully participate in society. In these environments people feel included;
- 3.1.9 “Prevention” means the conditions or personal attributes that strengthen the healthy development, wellbeing, and safety of individuals across the lifespan, and/or communities, and prevent the onset or further development of problems;
- 3.1.10 “Social Wellbeing” means the social conditions that impact an individual's quality of life, access to opportunities, and inclusion in society;
- 3.1.11 “Truth and Reconciliation” means a shared and active process between Indigenous and non-Indigenous peoples to establish and maintain mutually respectful relationships. It is about acknowledging what has

happened in the past, addressing the impact of colonial policies and then following through with action;

4. **APPLICABILITY**

4.1 This Council policy applies to members of City Council and Administration.

5. **LEGISLATIVE AUTHORITY**

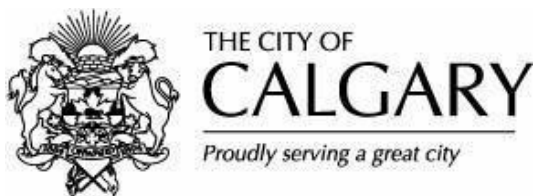
5.1 Pursuant to s 3 of the *Municipal Government Act* (Alberta) “the purposes of a municipality are (a) to provide good government, (a.1) to foster the well-being of the environment (b) to provide services, facilities or other things that, in the opinion of Council, are necessary or desirable for all or a part of the municipality, (c) to develop and maintain safe and viable communities and (d) to work collaboratively with neighbouring municipalities to plan, deliver, and fund intermunicipal services”.

6. **AMENDMENT(S)** (Mandatory)

Date of Council Decision	Report/By-Law	Description

7. **REVIEWS(S)** (Mandatory)

Date of Policy Owner's Review	Description



COUNCIL POLICY

Policy Title: Fair Calgary Policy

Policy Number: CSPA019

Report Number: CPS2006-63, CPS2008-93, CPS2012-01

Approved by: Council

Effective Date: 2006 November 13th and amended 2008 November 24 and 2012 January 23

Business Unit: Calgary Neighbourhoods

PREAMBLE

International: Members of the United Nations commit themselves “to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character . . . ” (Article 3.1).

Whereas, Canada is committed to the Universal Declaration of Human Rights and in particular the “. . . recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace of the world “. . . and in recognizing that children require special consideration such that they “. . . are entitled to special care and assistance.” [UN Doc. A/810 (1948)].

Whereas, “. . . in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,” International Covenant on Economic, Social and Cultural Rights, UN Doc . 1979,

Whereas, Canada is committed to the UN Convention on the Rights of the Child and in particular recognized that “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” (UN Doc. A/RES/44/25, 1990).

National:

Whereas, the Canadian Charter of Rights and Freedoms states that, “Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability,” and further that this “. . . does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability” [Canadian Charter of Rights and Freedoms, Schedule B., Constitution Act, 1982, s. 15(1, 2)];

Whereas, the Canadian Human Rights Act, provides that discriminatory practices include the denial of goods, services, facilities, accommodation and employment where such denial is based on eleven prohibited grounds of discrimination, being race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for which a pardon has been granted [Canadian Human Rights Act, R.S.C. 1985, c H-6, ss. 3(1), 5 and 7];

Provincial:

“Whereas, it is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal in: dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income or family status;

Whereas, multiculturalism describes the diverse racial and cultural composition of Alberta society and its importance is recognized in Alberta as a fundamental principle and a matter of public policy;

Whereas, it is recognized in Alberta as a fundamental principle and as a matter of public policy that all Albertans should share in an awareness and appreciation of the diverse racial and cultural composition of society and that the richness of life in Alberta is enhanced by sharing that diversity; and

Whereas, No person shall (a) deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public, or (b) discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are customarily available to the public, because of the race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, place of origin, marital status, source of income or family status of that person or class of persons or of any other person or class of persons;” [Alberta Human Rights, Citizenship and Multiculturalism Act, R.S.A., 2000, c. H-14, Preamble, s. 1(1), 4

Whereas, the Municipal Government Act authorizes a municipality “. . . to provide services, facilities or other things. . . “and provides for the general jurisdiction to pass by-laws respecting “. . . the safety, health and welfare of people and the protection of people and property. . .”; Alberta Municipal Government Act, R.S.A., 2000, c M-26, s.3(b), 7(a).

Therefore, City Council is committed to enhancing the social well-being of Calgarians and our communities in a desire to make this city a great place to live for all. It does this by recognizing and affirming the value and diversity of its people, places and spaces. Through development of policies, programs, services and facilities The City supports and strengthens the things that connect us to each other and across generations, to our communities, our province, our country and around the world.

DEFINITIONS

The following terms are defined in the context of this policy only and application is focused on The City of Calgary.

Fairness means decisions are made in a manner that achieves equality by enabling or providing what people ought to have or by providing a greater benefit to the most disadvantaged or through maximizing everyone's well-being.

Livability refers to an urban system and contributes to the physical, social and mental well being and personal development of all its inhabitants. It is about delightful and desirable urban spaces offering social, cultural and sacred enrichment.ⁱ

Social Capital refers to the formal and informal features of a community that are shared by its members based on trust, reciprocity, networks and collective action. It is the raw material of civil society that is created by everyday interactions of people. Social capital contributes to civil society, economic vitality and the health and well-being of people in communities.

Social Inclusion includes:

- **Valued recognition** – Conferring recognition, dignity and respect on individuals, families and groups.
- **Human Development** – Nurturing the talents, skills, capacities and choices of children and adults to live a life they value and to make a contribution both they and others find worthwhile.
- **Involvement and Engagement** – Having the right and necessary support to make/be involved in decisions affecting oneself, family and community, and to be engaged in community life.
- **Proximity** – Sharing physical and social spaces to provide opportunities for interactions, if desired, and to reduce social distances between people.
- **Material well being** – Having the material resources to allow children and their parents to participate fully in community lifeⁱⁱ

Social Infrastructure involves networks of legislative, policy and funding mechanisms that support programs, services and facilities and spaces that enable people to connect, participate and interact in many ways for a variety of social and community purposes. It also includes the networks that contribute to access to employment, recreation, and social programs, and includes the networks created through federal, provincial, municipal, business, voluntary and community auspices to enable people to meet their needs and enhance their well-being.

Adequate Income is defined as the amounts of the Low Income Cutoffs as established annually by Statistics Canada for cities with populations greater than 500,000.

User fee is “a payment charged in exchange for a good or service provided by the government.” (The City of Calgary User Fees and Subsidies Policy CFO010)

Differential pricing/Market segmentation pricing is “the practice of setting different prices for different consumers of a good, depending on the characteristics of the consumers.” (The City of Calgary User Fees and Subsidies Policy CFO010)

Subsidy is “the portion of production costs that is recovered through taxes or other revenue sources rather than by the sale of the good or service in order to keep the price of the good or service at a desired level.” (The City of Calgary User Fees and Subsidies Policy CFO010)

Individually targeted subsidy/ Individual tax support is “A subsidy that reduces the price of a good or service for individuals that meet specific criteria. (The City of Calgary

User Fees and Subsidies Policy CFO010) Principle 6 of the city of Calgary's User Fees and Subsidies Policy (CFO010) states: "in cases where individuals may have resources below an acceptable level and are not able to make the choice to consume and pay for City goods and services, The City could provide a subsidy to the individual in order that they are allowed the choice to consume."

Social Sustainability:

- reduces the economic, social and political inequities within the population;
- centres a collective commitment both to sharing common values and principles of social citizenship and to respecting and accommodating diversity within the population;
- recognizes, values and supports the contributions of all community members to the economic, social and cultural life of society; and
- reflects, in both the substance and the process, positive change in policies, programs, systems, institutions and organizations.ⁱⁱⁱ

Well-being is the human experience related to the quality of life and refers to the urban community and system that contributes to the physical, social and mental well-being and the personal development of all Calgarians. In this context, well-being, livability and sustainability are complimentary and represent the intersection of the social, environmental and economic themes of the Triple Bottom Line.

BACKGROUND

In 1998 October, City Council approved Municipal Social Policy Statement (CSPS031). This statement was based on existing Council decisions, summarized in fourteen separate statements and divided into three distinct groups: the personal roles of individual Calgarians, their relationships to various social systems and the role of The City.

Over the last decade, Calgary's growth has transformed the city into a cosmopolitan community with increasing diversity. This unprecedented growth in population, area and wealth has created numerous opportunities and challenges. In response, and to ensure that Calgary is a socially inclusive, livable and sustainable city, City Council adopted the Melbourne Principles on 2005 September 15, to guide future development. Through the imagineCALGARY initiative, The City consulted broadly with Calgarians and their communities, organizations, institutions and places of work to develop a vision and plan in the move toward a more sustainable city over the next one hundred years.

On 2005 September 05 City Council formally adopted the Triple Bottom Line (TBL) Policy "*. . . to ensure a more comprehensive, systematic and integrated approach to decision making. . .*" and that this approach "*. . . underlies all strategies and actions.*" The TBL framework and policy represent "*. . . a decision-making, planning, and reporting framework that has emerged as an important tool for achieving sustainable development and has been identified by Council as a key means for moving toward their vision.*" (TBL Policy, 2005 September 12)

On 2006, February 13, City Council approved the Fair Calgary Policy Framework as the City Council's Priorities (CP3.9) requested the Administration to address "barriers to services in selected service areas and/or specific demographic groups where necessary," and also "undertake a policy development process on social inclusion and accessibility to services."

Fair Calgary will be the overarching policy and framework for the “social” of the Triple Bottom Line Policy (LUP003, EM003, CS003) and from that perspective will:

1. “Incorporate sustainable development principles by considering and addressing the social, economic, environmental and smart growth impacts of all its decisions and actions, with regard to planning, policy, strategies, services, operations, approvals, and all other City business.” (TBL Policy, 2005 September 12)
2. “Protect and enhance the economic, *social* and environmental well-being of present and future generations of Calgarians.” (TBL Policy, 2005 September 12)

PURPOSE

The purpose of this policy is to support and strengthen The City’s contribution to the social infrastructure of Calgary by an overarching policy and framework for the “social” of the Triple Bottom Line so that all Calgarians are:

- (1) capable of using the programs, services, facilities and public spaces provided directly by The City of Calgary; and
- (2) capable of participating in and contributing to The City’s decision-making and public policy development process.

The following Principles establish the basis for the relationship between The City of Calgary, its residents and its employees in the development and implementation of its policies, programs, services, facilities and public spaces. The Principles and Fairness Filter are designed to achieve and contribute to the Social Policy Outcomes.

SOCIAL POLICY

The City of Calgary is committed to ensuring fairness in its actions, decisions and services to Calgarians based on the following Principles, Framework and Outcomes.

Principles of Fairness

- **Equality:** In keeping with Canada’s international obligations, the Canadian Charter of Rights and Freedoms and provincial Human Rights legislation, The City of Calgary’s policies, programs, services, facilities and public spaces will recognize the intrinsic and equal value of every person who will be regarded and treated respectfully, without unfair discrimination on the basis of gender, ability, association, family status, age, length of residence, colour, social class, race, ethnicity, national origin, faith, language, income, political beliefs, gender identity, or sexual orientation.
- **Equity:** Individuals and families will be treated equally if they are in similar or like circumstances; social inequalities will be considered fair only to the extent that they result in policies and measures that rebalance the benefits to the least advantaged individuals and families and are provided in a manner that respects their dignity.
- **Dignity and Respect:** Everyone will be regarded with dignity and respect and with the right to self-fulfillment to the extent that mutual respect and the exercise of this right do not prevent the same right of others. The City’s programs,

services, facilities, public spaces and policy measures will reflect the inherent and equal dignity of every person and will be used to promote the capability of everyone to realize their personal goals for self-fulfillment and for their contribution to their community and social cohesion.

- **Participation:** The right and obligation for participation in the processes of governance and decision-making belongs to every Calgarian. Participation in the process of democracy will be based on mutual valued contributions to each other as well as influencing decision-makers in leading to action.
- **Comprehensiveness:** Individuals and families will be entitled to The City's services, programs, facilities and public spaces on similar terms and conditions that will ensure them the opportunity to determine their participation.
- **Subsidiarity:** The City's programs, services, facilities and public spaces for Calgarians will be delivered at a community or regional level wherever possible unless they can be provided more effectively at a more centralized level.
- **Aboriginal Peoples:** In the implementation of these principles and in the development of public policy, The City of Calgary will acknowledge the unique historical place and contemporary experiences of Aboriginal people in the history of this community.
- **Children:** In the provision of services and in the development of public policy, the special place of children and their importance to the future of society and Calgary, will be acknowledged and affirmed by provisions that are consistent with their age and development.

Fairness Filter Framework

The Fairness Filter is a framework to optimize the capability of Calgarians' participation in and use of The City's programs, services, facilities and public spaces within the resources allocated by Council. The various factors that influence the elements of the Filter are not intended to be exhaustive, and may vary for specific Business Units.

- **Accessibility:** The factors that optimize Calgarians' use of public services, including the adaptations necessary for children and persons with special needs will be examined to ensure that the relationship between the location of the supply of service(s), the locations of users and the ease of use by Calgarians have been addressed. The factors to be considered include, available resources, travel time, design and distance together with the terms and conditions contained in the Calgary Corporate Accessibility Policy (CSPS003) that became effective on 2005 December 12. Outreach and information on City programs, guidelines and procedures will be clear and regularly updated.
- **Availability:** Factors that determine or influence the ease of use such as scheduling, a known point of entry, hours of service, the volume of programs, services, facilities and public spaces will be such that Calgarians who value them are capable of using them.
- **Affordability:** The setting of fees charged to Calgarians for personal or family use of The City's programs, services, facilities and public spaces will reflect the relationship of cost to Calgarians' financial capabilities and the value attached to

the use of the services and may require setting of differential fees to be based on income, service location, community, duration of service and the type of service, including special measures to persons without adequate income, to ensure affordability for all Calgarians.

In order to make The City's programs and services more affordable for low-income Calgarians, all low-income subsidy programs will be based on a consistent primary eligibility residency criterion. Effective 2009 January 1, all recipients shall be residents of Calgary at the time of application and annual renewal. This primary eligibility criterion shall be met prior to consideration of any secondary, program-specific eligibility criteria.

Due to the diverse nature of The City's low-income subsidies, the responsibility for the development and management of all secondary eligibility criteria is the responsibility of the individual business unit that provides the subsidy.

- **Accommodation:** The organizational accommodations to issues of diversity and ability, will be implemented through the policy on Calgary Corporate Accessibility Policy (CSPS003), and eliminate where necessary barriers and systemic and discriminatory policies and practices and the adoption of special measures to support the participation and delivery of programs, services, facilities and public spaces to persons with disabilities and others with special needs.
- **Adequacy:** The amount and volume of programs, services, facilities and public spaces required to meet the needs of Calgarians will be determined on the basis of distribution of the supply of the services and available resources in relation to the needs and capabilities of Calgarians.
- **Acceptability:** The City's decisions, policies, programs, services, facilities and public spaces will demonstrate mutual respect, recognition and sensitivity in relation to ethno-cultural and racial diversity including age, gender, gender preferences as well as all other forms of diversity. The emphasis will be on ensuring that The City's opportunities for participation, decisions, actions, policies, programs, services and public spaces are non-discriminatory.
- **Achievement:** The outcomes and the levels of satisfaction experienced by Calgarians, that are associated with the impact and effectiveness of The City's actions and policies, will be measured as progress and incorporated in the Performance Measures of The City's Business Units

Outcomes

The outcomes of the Fair Calgary Social Policy focus on the programs, services, facilities and public spaces provided by The City of Calgary and contribute to social sustainability. Wherever possible, the Outcomes are aligned with imagineCALGARY.

- **Equity:** All Calgarians are treated equally in similar or like circumstances and the greatest benefits are allocated to the most disadvantaged. All Calgarians have fair access to programs, services, facilities and public spaces and are capable of participating and interacting in the processes of governance and decision-making.

- **Social Cohesion** is enhanced by strengthening connections, interactions and accessibility to the opportunities for participation in the community. Formal and informal supports are established and individuals' networks of support are optimized.
- **Healthy Living:** The urban system contributes to the physical, social, economic, emotional and psychological well-being and provides Calgarians with aesthetic enjoyment, recreational and personal development.
- **Social Integration** is fostered and supported by The City's contribution to the development of a harmonious and diverse community where mutual respect is the basis for everyone enjoying the same rights and responsibilities and where everyone is capable of participating and playing an active role in their community and neighbourhood. Social integration contributes to community social capital.
- **Security:** The city, its communities and neighbourhoods are safe, supportive and foster healthy social, economic, psychological and physical environments.

APPLICABILITY

The application of this social policy is in keeping with that of the TBL Policy, (LUP003, EM003 and CS003) as follows. *"The TBL Policy applies to the internal and operational actions, services and decisions of The Corporation of The City of Calgary. It also applies to the decisions The City makes that affect the public and public policy, including land use planning and approvals and budgeting/fiscal policy"* (TBL Policy, 2005 September 12).

ACTION PLAN

1. **Community Index of Well-being** – Develop an index of community well-being using the Fairness Filter framework, the corporate performance measures and, where possible, various qualitative and quantitative methods to assess The City's influence on Calgarians' overall wellbeing.
2. **Affordability** – Coordinate and align with the User Fee Review on an Access Program for Calgarians Living with Low-Income to examine the feasibility of consolidating the administration and eligibility guidelines of current subsidy services to assist Calgarians living with a low-income access The City's services and establish income as the basis for subsidy.
3. **Acceptability** – Support the development an Action Plan as outlined in the Agreement approved by City Council on 2006 July 24, (CPS2006-42), The Canadian Coalition of Municipalities Against Racism.
4. **Accessibility and Accommodation** – Council Policy (CSPS003) Calgary Corporate Accessibility Policy – Support implementation of this Policy through the development of the community index of wellbeing and performance measures.
5. **Sustainable City Plan** – As the integrated Land Use & Mobility Plan Team identifies social, environmental and economic principles and objectives, staff will work with the Fair Calgary Policy to ensure its implementation as part of the social sustainability in the context of the Municipal Development Plan and the Transportation Plan.

6. **Business Planning Process** – Work with Finance & Supply to integrate the Fair Calgary policy as part of the TBL Framework into the 2009-2011 Multi-year Budget and Business Planning Process and begin development of related performance measures.

EXCEPTIONS

There are no exceptions in the application of this policy unless authorized by Council.

EXPIRY

To ensure that this Policy is reviewed for relevancy in its present or amended form, this Policy expires on December 31, 2012.

AMENDMENTS

2008 November 24, CPS2008-93
2012 January 23 CPS2012-01

Effective 2016 February 01, Community & Neighbourhood Services became Calgary Neighbourhoods.

ENDNOTES

¹ The World Urban Forum 2006 Vancouver working Group Discussion Paper. International Centre for Sustainable Cities, Canada, 2006. p.2.

¹ The Laidlaw Foundation's Perspective on Social Inclusion. The Laidlaw Foundation, Canada, 2002. p.7.

¹ Background Paper and Project Overview, Phase 1. Inclusive Cities Canada, 2005. p.5.

ADDENDUM –adopted by Council 2012, January 23

Standards for the Design and Implementation of Tax Supported Age-based Differential Fee Programs and Low-income Subsidy Programs

Why are these standards needed?

Historically The City of Calgary has offered tax supported age-based differential fees and low-income subsidies to qualifying Calgarians who have chosen to provide necessary documentation to confirm their eligibility. These programs have been designed and implemented by the individual Business Units. Over the years this has resulted in a number of programs that have inconsistent eligibility criteria between them. This has created unsatisfactory situations for prospective beneficiaries of these programs. For example: there is inconsistent income eligibility amongst low-income subsidy programs. Based solely on income, an individual may qualify for benefits in one program but not another. There are also discrepancies in percentage discounts offered through tax supported age-based differential fees such as seniors' discounts ranging from 50-96% of the regular adult fees/fares.

To correct these inconsistencies and to align with the Fair Calgary Policy, approved by Council in 2006, it is necessary to have common Corporate standards for the design and

implementation of tax supported age-based differential fee programs and low-income subsidy programs.

Application

These standards apply to both existing and future tax-supported age-based differential fee programs and low-income subsidy programs. Compliance to these standards for existing programs will be detailed in individual transition plans from each Business Unit that currently offers these programs. Business Units introducing new tax supported age-based differential fee programs or low-income subsidy programs will also be required to comply with the standards described in the Fair Calgary Policy.

Definitions and Rationale

Tax supported age-based differential fees are recognized in the User Fees and Subsidies Policy (FCS2008-13, CFO010) definition of Differential pricing/Market segmentation pricing which states: "The practice of setting different prices for different consumers of a good, depending on the characteristics of the consumers."

Low-income subsidy programs are also recognized in the User Fees and Subsidies Policy. Section 10, page 07, states:

"User fees should be accompanied by a documented strategy for subsidies to qualified individuals. This strategy should include:

- a) identification of any individual subsidies which may apply to the goods or service, and whether the subsidy is the result of a City-wide subsidy program or specific to the good or service. Individual subsidies should be consistent with The City's Fair Calgary Social Policy CSPA034;
- b) the criteria for receiving an individual subsidy and identification of the application process for receiving an individual subsidy. The criteria and application process should be consistent with The City's Fair Calgary Social Policy."

The Fair Calgary Policy addresses the issue of consistency in the Equity Principle of Fairness which states in part: "Individuals and families will be treated equally if they are in similar or like circumstances..." Further the Comprehensiveness Principle of Fairness states: "Individuals and families will be entitled to The City's services, programs, facilities and public spaces on similar terms and conditions that will ensure them the opportunity to determine their participation."

Residence eligibility

All applicants at the time of initial application and subsequent renewals must be a resident of Calgary or resident of a municipality with which The City of Calgary has a specific agreement(s) regarding low income subsidies and/or tax supported age based differential fees. This criteria was approved by Council and became effective 2009 January 01.

Acceptable proofs of residence documents

Note: Unacceptable addresses include:

- ✓ P.O. Box #
- ✓ Street address without a postal code and name of municipality

Applicants may be required to produce additional picture identification. This identification could include:

- Current Alberta driver's license with photo (not expired)
- Current Alberta government identification card for non drivers (similar to driver's license).
- Current passport (not expired).

All applicants at the time of initial application and subsequent renewals will be required to produce one of the following documents:

- Current Alberta drivers license
- Current Alberta government identification card for non drivers (similar format to drivers license)
- Current utility bill or bank statement, dated within the previous 30 days, showing name and street address including postal code.
- Letter, dated within the previous 30 days, from a Registered Social Worker in Alberta, with registration number, that confirms that the applicant currently resides in Calgary. This letter will include a description of the residence (i.e. address or location).
- Letter, on letterhead and dated within the previous 30 days, from a Registered Social Worker in Alberta, with registration number, verifying that the applicant resides at a particular facility, shelter or institution. This letter will include the name, street address, name of municipality and postal code of the referenced facility.

Acceptable definitions of income

The following definitions, based on definitions from Statistics Canada, will be used to determine when to request proof of household income or individual income.

- **Economic Family:** a group of individuals related by blood, marriage (including same sex), adoption or common-law (including same sex), who share a common dwelling.
- **Unattached individual:** a person living alone or in a household where he/she is not related to other household members.

There could be situations where discretionary decisions are required. For example: if an individual is related to others living in a common dwelling but pays rent or room and board to a relative in the household, we could accept an application as an unattached individual from this person. Proof of such payments would have to be shown.

Acceptable proofs of income documents

Applicants may be required to produce additional picture identification.

Note: sponsored immigrants need to confirm eligibility with federal requirements.

An applicant will be required to produce one of the following current documents at the time of initial application and subsequent renewals:

- AISH
- Income tax notice of assessment for the immediate past tax year.
- Alberta Works – Alberta Child Health Benefit
- Alberta Works – Income Support
- Alberta Works – Learners
- Employment Insurance

- ✓ Letter from Registered Social Worker in Alberta, with registration number, dated within the previous 30 days of application/renewal, stating the accurate and appropriate household or individual income of the applicant.
- ✓ Letter from an authorized signatory of an incorporated non-profit agency in Alberta, on agency letterhead, authorizing an individual(s) to state income of an applicant who is also a client of the same agency. This would be followed by individual letters, on agency letterhead, dated within the previous 30 days of application/renewal, from one or more of the above authorized individuals stating the accurate and appropriate household or individual income of the applicant. The agency would assume all legal responsibilities for these authorized individuals.
- ✓ Seniors' Guaranteed Income Supplement (GIS).
- ✓ Resettlement program documentation

Acceptable proofs of age

- ✓ Current Alberta Drivers License
- ✓ Current Alberta government identification card for non drivers (similar format to Drivers License)
- ✓ Student Card*
- ✓ Government of Canada old age security card*
- ✓ Photo ID from CUPS
- ✓ Photo ID from Potential Place Club House
- ✓ Photo ID from Legal Guidance
- ✓ Photo ID from the Alex Community Health Centre
- ✓ Birth certificate*
- ✓ Current passport
- ✓ Blue Cross card stating "Coverage for Seniors" *
- ✓ Permanent resident card

*Indicates that photo identification is also required.

Length of approval

- ✓ Permanent for recipients of AISH.
- ✓ One year or less from date of approval, depending upon proof of income provided, with option of annual renewal.
- ✓ For age-based differential fees, annual renewal or per individual activity for recipients within age range.

Ability

For low income subsidies

Calgarians who are certified to be blind by the Canadian National Institute for the Blind (CNIB) receive free transit services for life. At the present time this benefit is not available with Access Calgary.

On 1999 October 18 Council approved the recommendation from Parks and Recreation and the SPC on Community and Protective Services which stated:

"The S.P.C. on Community and Protective Services recommends that Council direct that the "Disabled Rate" be incorporated into the Fee Assistance Program sponsored by Calgary Parks & Recreation, to ensure people with disabilities receive equitable access to Parks & Recreation Facilities and are not barred from use due to a financial, or any other barrier."

This decision meant that Recreation no longer has a financial subsidy program exclusively for disabled but that allocation of financial subsidy is based solely on the ability to pay.

For age-based differential fees

Historically, age based differential fees were created as proxies for low income amongst specified age groups, namely children, youth and seniors. Currently there is no relationship between age based differential fees and income or ability.

Transition

To achieve the standards that will align low-income subsidies and tax supported age-based differential fees with the Fair Calgary Policy it will be necessary for each applicable Business Unit to develop a plan of transition. These plans of transition will be unique to each Business Unit and could address the following:

- ✓ Schedule of implementation – this schedule could be a one-time change or phased in over a specified period of time (months/years). The start date of implementation could be immediate or sometime in the future.
 - ✓ Fee/fare adjustments (if applicable).
 - ✓ Grand-parenting (if applicable). In order to achieve alignment of all low-income subsidy and tax supported age-based differential fee programs with the Principles of the fair Calgary Policy, some changes in fares/fees could occur. In instances where fares/fees increase, it is recommended that grand-parenting be implemented for existing recipients. Existing recipients would continue to pay the fare/fee that was in effect prior to the change as long as they continued to qualify by income or age and residency and there was no interruption in their renewals.
 - ✓ Financial (budget) implications.
 - ✓ Staffing and training requirements.
 - ✓ Equipment, facility and other requirements.
 - ✓ Details of public information/awareness.
 - ✓ Protection of information.
-

**Community Services Report to
SPC on Community and Protective Services
2019 March 13**

**ISC: UNRESTRICTED
CPS2019-0277**

Calgary Aboriginal Urban Affairs Committee Governance Review – Deferral

EXECUTIVE SUMMARY

Administration is recommending deferring the report on modernizing the Calgary Aboriginal Urban Affairs Committee's (CAUAC) Terms of Reference to 2019 Q3. On 2018 October 22 Council directed Administration to hire an external consultant to do a comprehensive review of CAUAC's governance in conjunction with the future Indigenous Relations Office (IRO) and report back 2019 Q1. The search and retention of an external consultant to conduct this work was prolonged due to several factors such as the need for the specific skill set required including Indigenous Governance expertise and the desire to engage CAUAC in the selection process.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommend that Council defer the report on the modernization of CAUAC's Terms of Reference that was scheduled for 2019 Q1 to no later than 2019 Q3.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 November 19, Council directed, through report CPS2018-1216 during the One Calgary 2019-2022 Service Plans and Budget discussion, to receive a scoping report on the Indigenous Relations Office through the SPC on Community and Protective Services committee by 2019 Q3.

On 2018 November 07, through report CPS 2018-1216, Council was presented a preview of the proposed Calgary Indigenous Relations Office (IRO) and referred the recommendations to the One Calgary budget approval process.

On 2018 October 22, Council adopted the following Motion Arising with respect to Report N2018-1036:

"That Council direct Administration to:

1. Hire an external consultant with expertise in Indigenous Governance, who, after being authorized by Administration, is to undertake a comprehensive review of Calgary Aboriginal Urban Affairs Committee (CAUAC) in conjunction with the work on developing an Indigenous Relations Office, and report back to Council in Q1 of 2019 with recommendations on modernizing the Terms of Reference.
2. Ensure that the work of the CAUAC reviewed by the external consultant evolves into current best practice Indigenous Governance in contrast to previous traditional colonial practices that have been a constraint in the past.
3. Ensure that the review provides a mechanism to meet the needs of Indigenous interests in Calgary."

On 2017 July 24 Council adopted Notice of Motion NM2017-20 which directed Administration to scope the feasibility of a distinct Indigenous Relations Office.

On 2014 January 28, Administration presented a report (PFC2014-0083) updating the CAUAC terms of reference, presenting a 10-year strategic plan and implementation of the annual CAUAC progress report.

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Calgary Aboriginal Urban Affairs Committee Governance Review - Deferral

BACKGROUND

CAUAC was formed in 1979 at the request of the Treaty 7 Chiefs in response to the many Indigenous people who were leaving reserve to live in an urban setting. CAUAC has evolved over the decades and its focus has changed to provide more of a strategic lens to advancing Indigenous policy. In 2014, Council approved the committee's current Terms of Reference along with the CAUAC *10 Year Strategic Plan*. As a result of the *10 Year Strategic Plan* CAUAC shifted its focus from programming and needs-based to policy-based. CAUAC continues to work collaboratively with Administration and community partners to achieve the goals as set out in the *Strategic Plan*.

Administration has been working with CAUAC to strengthen the committee's governance. In 2018 a skills matrix was introduced as part of the regular recruitment of new CAUAC members. Candidates were interviewed in the selection process with these skill sets and qualifications in mind. Policy development, cross cultural awareness, communication and leadership are skills that are represented among current members.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Administration engaged in a collaborative process with CAUAC to select a consultant with expertise on Indigenous Governance. A consultant has been selected, however, the initially allocated timeframe for the project has been determined to be too short. A thorough and comprehensive review is planned and underway.

The consultant, Administration and the Chair and Vice-Chair of CAUAC met to launch the project on 2019 February 08. The consultant attended the 2019 February 12 CAUAC meeting to initiate the project with the committee and gain input into a ceremony that will honour the Indigenous approach to this work. The project completion date is planned for 2019 June. The key project deliverables include:

1. Ceremony, project kick off and background review
2. Research and future state exploration
3. Co-creation of CAUAC governance model
4. Reports and training, including a revised Terms of Reference, committee roles and functions, strategic plan and communications plan

Stakeholder Engagement, Research and Communication

CAUAC and Administration have been working collaboratively throughout the process. Co-creation is fundamental to the governance review. CAUAC been engaged in meetings regarding the governance review.

Strategic Alignment

- **2019-2022 Council Directives:** In support of A Well-Run City (W5), Administration will create sustainable and meaningful relationships with the Treaty 7, Métis Nation Region 3 and urban Indigenous citizens of Calgary.
- The **Indigenous Policy:** "The City will strive to learn from and work with Indigenous communities, grounded in the spirit and intent of reconciliation. The City is devoted to a

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shared pathway forward, and a firm commitment to building an equitable and inclusive city.”

- Council-approved **Social Wellbeing Principles**: “Advance the active and shared process of truth and reconciliation in collaboration with the community.”
- **ImagineCalgary**: “By 2020, all public institutions and systems create and implement an Aboriginal policy.”

Social, Environmental, Economic (External)

Ensuring that CAUAC continues to evolve in step with the rapidly changing and dynamic landscape of Indigenous culture in Calgary is critical. The City has identified the need for a significant commitment towards truth and reconciliation. That commitment will positively impact all Calgarians and address the damage inflicted on Indigenous people through the residential school experience.

Financial Capacity

Current and Future Operating Budget:

There are no new operating budget considerations associated with this report. The project will be funded within the current operating budget.

Current and Future Capital Budget:

There are no capital budget considerations associated with this report.

Risk Assessment

Modernizing the CAUAC Terms of Reference must be linked to the scoping report for the Indigenous Relations Office (IRO). The failure to link the two creates uncertainty by creating a potential misalignment between the IRO and CAUAC.

To date, The City’s approach to Indigenous relations have been aligned with western culture that have not effectively created space for Indigenous world views to emerge. To mitigate this challenge and to reduce the risk of past approaches from recurring, Administration and CAUAC will collaborate throughout the project to ensure that CAUAC has the space needed to be fully engaged with the process and therefore allow the Indigenous worldview to emerge through its governance.

REASON(S) FOR RECOMMENDATION(S):

Administration requires additional time to ensure that the consultant’s governance review is collaborative and thorough. This additional time will prevent possible misalignment with the establishment of Indigenous Relations Office’s responsibilities.

Ensuring adequate timelines to the CAUAC governance review creates the opportunity to achieve a high-quality governance structure. The product of good governance directly contributes to the advancement of reconciliation.

ATTACHMENT(S)

None

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ISC: UNRESTRICTED
CPS2019-0142

Calgary Transit Access Expanded Programs Evaluation

EXECUTIVE SUMMARY

At the 2018 October 15 regular meeting of Council, Council approved a motion arising requesting Administration to evaluate opportunities for expanded customer offerings through the Access Calgary Extra (ACE) and Calgary Transit Access (CTA) programs.

During our review of ACE, Administration found that the current RFP process was limiting for service providers. As a result, Administration is recommending that a Request for Service Qualification (RFSQ) replace the traditional RFP process, allowing for all brokerages to apply at any time instead of waiting for each RFP to expire. To accommodate the transition time required for this change and prevent any service disruption to customers, the current RFP was extended until 2019 June 28.

During the review of CTA, Administration determined that CTA shared-ride services require a significant amount of investment by providers to offer this specialized form of service. This investment includes integration of CTA software and IT infrastructure including Mobile Data Terminals, Automated Vehicle Location (AVL) of each vehicle, two-way radio systems, administrative staff, and on-road supervision and specialized driver training for transporting people with disabilities. It is possible that because of these significant investments required on the part of providers, they may be discouraged from bidding on such a contract. However, Calgary Transit will continue to work with Law and Livery Transport Services to monitor the accessible taxi system to see if there are opportunities to enable increased participation opportunities for shared-ride service providers upon the introduction of a centralized dispatch system.

In addition, as the contracts get closer to expiry, Calgary Transit will review the possibility of strategically allocating trips to enable more contractors to participate in the shared-ride service.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommends that Council:

1. Direct Administration to begin the RFSQ for the ACE program; and
2. Direct Administration to engage with the taxi industry prior to developing the next procurement strategy for CTA ride-share program.

PREVIOUS COUNCIL DIRECTION / POLICY

At its 2018 October 15 regular meeting, Council endorsed Administration's recommendation in Report CPS2018-1033 to pilot a third party accessible taxi centralized dispatch system, referring the decision for a one-time funding request to support the pilot to the One Calgary budget deliberations in 2018 November.

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**ISC: UNRESTRICTED
CPS2019-0142**

Calgary Transit Access Expanded Programs Evaluation

At the 2018 October 15 regular Council meeting, that with respect to Report CPS2018-1033, the following Motion Arising was also adopted:

“That given Council’s direction to implement an accessible taxi centralized dispatch system, Council direct Calgary Transit and Law to evaluate opportunities for expanded customer offerings through the Access Calgary Extra (ACE) Card and Calgary Transit Access programs, and that Administration reports back to Council on this matter through the SPC on CPS by the end of Q1 2019.”

BACKGROUND

Every year, Calgary Transit Access provides over one-million trips to more than 15,000 Calgarians that cannot use Calgary Transit services due to a disability. Calgary Transit Access ensures customers with limited mobility get safe, responsive and courteous public transportation services through their regular CTA shared-ride service programs and their Access Calgary Extra (ACE) program.

CTA’s regular shared-ride service programs are comprised of partnerships with various service providers, including taxi service providers, hourly contractors and City employed CTA bus operators. CTA contracts taxi drivers to provide this service who hold a taxi driver’s licence and have received supplementary training in addition to that provided by Livery Transport Services. CTA’s ACE program is made up of three contracted taxi companies—Checker Cabs, Associated Cabs, and Mayfair Taxi—who provide regular taxi service to CTA customers at a discounted taxi rate subsidized by CTA. By providing service through contracts, it enables CTA to offer a cost-effective way to provide quality service to customers with different levels of mobility.

As a result of the October 2018 Council direction mentioned above, Administration investigated alternatives to providing Calgary Transit Access programs.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The ACE Program

The Access Calgary Extra (ACE) card is a supplemental taxi service provided to customers who have Unconditional CTA shared-ride service (CTA customers that have no other public transportation options for their transportation needs) for a period of more than one year. The ACE program is currently a \$56-per-month subsidy that can be used on-demand with contracted taxi providers, including accessible taxis. The ACE card provides customers with an option for spontaneous or last-minute travel.

The current ACE program has had several RFP’s where the same contractors were awarded the contract. Those were Checker Cabs, Associated Cabs and Mayfair Taxi.

Rather than renewing the ACE program RFP, Administration reviewed the various options to broaden the opportunity for other suppliers to bid. The current ACE RFP expired 2019 January 31. At the time of Council’s motion to evaluate opportunities for expanded customer offerings, the ACE RFP was ready to be posted. With the direction to be more flexible, the RFSQ option was determined to be more in-line with the above motion.

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Calgary Transit Access Expanded Programs Evaluation

The RFSQ process allows any interested parties to put forward a bid for providing this service. This would allow brokerages to have the ability to apply at any time, and they would not have to wait for a new RFP to be issued.

Due to the review of the current process, the present RFP for service providers has expired and in order to offer continuous service without interruption, we extended the contract to 2019 June 28, to give time for the new model to be put in place.

Calgary Transit Access (CTA) Shared-Ride Service

The other program that Calgary Transit Access provides is a shared-ride program. This is a door-to-door shared-ride service that is booked in advance. Calgary Transit Access takes the booking requests, schedules the trips and provides each contractor with a manifest that they assign a driver to perform. This requires more investment from prospective contractors than that of those who perform services under the ACE contract. These investments include but are not limited to: integration of CTA software and IT infrastructure including Mobile Data Terminals, Automated Vehicle Location (AVL) of each vehicle, two-way radio systems, administrative staff, on-road supervision, and specialized driver training for transporting people with disabilities.

Based on three priorities—customer service, cost, and fair market support—CTA uses the Request for Proposal (RFP) process to allow interested businesses to bid on providing CTA shared-ride service. The RFP was used for various vehicle types i.e. mini-bus, accessible mini-vans and sedans. Currently, Southland Transportation, Care Calgary and Checker Cabs provide this service. The following are the contract terms for each of the above:

- **Checker taxi contract:** Expires May 2020 with possible extensions until 2026;
- **Southland bus contract:** Expires October 2020; and
- **Care Calgary accessible minivan contract:** Expires March 2020, with possible extension until 2023.

In addition, Calgary Transit will engage with the taxi industry prior to developing the next procurement strategy for CTA ride-share program to see if there are opportunities to enable increased participation for shared-ride service providers.

Stakeholder Engagement, Research and Communication

This report is in alignment with earlier research and engagement undertaken as part of Accessible Taxi Review Report CPS2018-0127, presented to Council 2018 March 19 (see Attachment 1).

Strategic Alignment

This report aligns with Council direction for One Calgary 2019-2022 to ensure that Calgary's transportation network offers a variety of convenient, affordable accessible and efficient transportation choices.

Social, Environmental, Economic (External)

CTA is committed to providing a safe, sustainable and customer focused transit system. Accessible transit service enhances mobility and reduces social isolation from those with disabilities in Calgary communities. Further, the taxi, limousine and vehicle-for-hire industries

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serve to facilitate the city's economic development while furthering the use of environmentally friendly modes of transportation by enabling personal travel through an integrated network that does not require purchasing a vehicle. Providing transportation options, particularly affordable accessible transportation, aligns with The City's goal of providing a great place to make a living, a great place to make a life.

Financial Capacity

Current and Future Operating Budget:

There are no budget implications for this Report.

Current and Future Capital Budget:

There are no budget implications for this Report.

Risk Assessment

Engagement with the industry for the CTA shared-ride program, may not result in consensus within the taxi industry. The RFSQ process may result in constant communication to our customers as to which taxi broker are participants of the ACE program, which may cause confusion; however, Administration perceives these risks to be low.

REASON(S) FOR RECOMMENDATION(S):

Transitioning from a traditional RFP to an RSFQ for the ACE Program enables CTA to have greater participation from the taxi industry and supports their three priorities—customer service, cost and fair market support.

ATTACHMENT(S)

1. Attachment 1 –CPS2019-0142- Summary of Engagement and Communication with Stakeholders

Summary of Engagement and Communication with Stakeholders

CPS2019-0142
ATTACHMENT 1

Advisory Committee on Accessibility (ACA)

Administration engaged the ACA to solicit feedback on earlier work on 2017 September 14 and on a draft of the proposed framework on 2018 February 15. In addition, ongoing discussions between the ACA Chair and Administration have occurred over the duration of the Accessible Taxi Review. Key input included:

- General disappointment expressed that the concerns of persons with disabilities are not being heard
- Significant frustration expressed over the delay in The City's decision-making related to its regulatory responsibilities around supporting improvements to accessible taxi service delivery
- General support for implementing an accessible incentive program, with suggestions that late hour service also be incented and rewards for exemplary service be considered
- Discussion about the 22 ATPLs that have been permanently surrendered, where concern was expressed that Council's mandate for 11 per cent of the total taxi fleet being accessible is currently not being met
- Concern that the proposed Accessible Taxi Central Dispatch would not be considered before 2020 Q2.

Taxi Brokers

Taxi Brokers were engaged for feedback on 2017 December 13, and again through one-one in-person meetings between 2018 January 9 and 22. Key input included:

Criteria-Based Accessible Incentive Program

- For the most part, brokers support implementing an incentive program in which accessible plate holders and drivers would be eligible to receive annual incentives, provided they meet clearly defined criteria.
- One broker suggested that, rather than an annual incentive, drivers receive an immediate bonus for every accessible trip they complete, accounting for costs associated with deadheading.

Data for Evaluating Criteria for Incentive

- Brokers were advised that The City would require additional data from their companies to determine whether drivers achieved the criteria to qualify for an annual incentive program (i.e. refusing dispatched accessible trips).
- Most brokers indicated they could provide the required data through their existing systems, but some acknowledged their administrative costs would increase to support the implementation of the program.

Funding an Incentive

- Administration explored with brokers the option of adding an accessible per trip fee to each taxi/TNC trip, collected along with weekly stand rents, that customers would pay to fund an accessible incentive program. Brokers have varying degrees of concerns. One broker suggested that such a program should be paid for by adding a surcharge to annual licence fees. Others believe that the program should be supported by mill rate and that the cost should not be solely paid for by customers. It was also suggested that TNCs pay for the cost of funding the program as a way of contributing to the delivery of accessible on-demand service. One broker viewed a per trip fee as a tax.
- Most brokers did indicate, however, that their processes could support collecting the accessible per trip fee through weekly stand rent. The fees collected would subsequently be remitted back to The City, who would evaluate and manage the distribution of the incentive to eligible accessible taxi plate holders and drivers.

Central Dispatch

Summary of Engagement and Communication with Stakeholders

CPS2019-0142
ATTACHMENT 1

- Most brokers supported the idea of an accessible central dispatch operated through CTA if the accessible incentive program does not sufficiently improve customer service, and many supported the idea of integrating an accessible dispatch with their dispatch systems. However, one broker who currently has a contract with CTA, did note the administrative costs and the technical challenges associated with integrating his system with CTA, suggesting that other brokers and accessible taxi plate holders should be made aware of these challenges.
- Some brokers also suggested that centralized dispatch should be extended to the entire taxi system to utilize the fleet more efficiently.
- One broker was opposed, suggesting that the centralized system would be in competition with its dispatch, and that the brokerage has a sufficient system in place to dispatch accessible trips.

Broker Accountability Model

- One broker expressed disappointment that Council did not approve this model on 2016 December 19, suggesting that concerns related to accessible taxi service delivery would have been resolved had it been implemented.
- Another broker, while in support of this model at the time it was proposed, acknowledged that he would not support it now given the impacts related to the introduction of TNCs into the livery industry.

Taxi Drivers – Regular Plates

Two Engagement Sessions for taxi drivers were held on 2018 Feb 7, and 16. Methods for advertising the sessions included emailing drivers directly, communicating to drivers at the Livery Transport Services front counter, posting bulletins at brokerages and Livery Officers speaking directly to several hundred drivers while on patrol, which included providing them with bulletins containing information about the sessions. A total of 19 drivers participated in the two sessions. Key input included:

- General support for the incentive as a good start to offsetting the extra costs of operating wheelchair accessible vehicles
- Regarding using a per trip fee added to the drop rate to fund the incentives, most participants were not opposed, but some indicated that adding an extra fee to the customer could indirectly impact the driver through lower tips

Taxi Drivers – Accessible Plates

Administration engaged with representatives from the Access Calgary Association, an organization of wheelchair accessible vehicle drivers with about 100 members, on 2017 October 26 and 2018 January 18. In addition, an engagement session with wheelchair accessible drivers was held 2018 February 8, in which 9 drivers participated. Key input included:

Annual Accessible Incentive Program

- The City was asked to take into account that the initial estimated cost of a wheelchair accessible vehicle is \$50,000 (which includes the \$15,000 capital cost of installing a ramp).
- Some participants expressed concern that the proposed incentive of up to \$5000 per year may not be enough to incent ATPL holders to continue operating their vehicles. Some suggestions included:
 - The City provide an up front grant of \$15,000 for new vehicles, plus annual subsidies of \$5000 for the higher maintenance costs of operating wheelchair accessible vehicles
 - Provide help to ATPL holders right away through a grant of \$3000

<ul style="list-style-type: none"> ○ Allowing the original ATPL holders (who received their plates in 2006) the option of switching to a regular Taxi Plate Licence
<p><u>Criteria for Evaluating Eligibility for Incentive</u></p> <ul style="list-style-type: none"> • Participants believe the focus on determining eligibility for an incentive should be based on not refusing trips rather than on completing a certain number accessible trips, because the driver cannot control whether they receive trips through dispatch, and does not take into account that wheelchair accessible customers may call drivers directly to arrange a trip (code 8). <p><u>Funding an Incentive:</u></p> <ul style="list-style-type: none"> • Participants cautioned about how an accessible per trip fee paid by customers of all taxi/TNC trips may be perceived by regular taxi drivers as transferring additional costs to them. • Participants identified administration costs associated with managing the collection of fees from drivers. <p><u>Additional Feedback:</u></p> <ul style="list-style-type: none"> • Many participants would like to receive the same specialized training provided to drivers who work for the brokerages that have contracts with CTA, but one participant affiliated with one of these brokerages has refused taking this training because the brokerage does not use the wheelchair accessible vehicles to deliver CTA contracted trips • Some participants asked to amend the bylaw to extend the allowable taxi vehicle age beyond eight years, provided it passes mechanical and safety inspections. • Consider providing a deadhead incentive • Allow customers who pay with ACE cards, issued to eligible CTA clients, to book wheelchair accessible taxis from any brokerage, not just through the companies under an existing contract with CTA.
<p>Transportation Network Companies (TNCs)</p> <p>TNCs were engaged for their feedback between 2017 December 12 and 2018 January 22. Key input included:</p> <ul style="list-style-type: none"> • City and provincial rules be updated to enable ridesharing companies to partner with city licensed taxis and limousines to engage in discussions about expanding service offerings and leverage technology. • CTA engage in partnerships with ridesharing or taxi companies to divert non-wheelchair passengers into more cost-effective point to point services and increase the reliability and service for wheelchair accessible passengers. • Reduce costs for accessible vehicle owners and drivers by removing limits on vehicle age that pass safety inspections • Maintain the \$0 ATPL annual licence fee. <p>One company indicated that some cities across Canada (Ottawa, Waterloo Region, Winnipeg) have implemented a per-trip fee on regulated trips to fund accessible transportation initiatives. This company identified challenges with a municipal performance incentive program, which include associated administration costs and potential fraud around the reporting of accessible trips completed. It was suggested the fund may be better used to provide free accessibility training for drivers and dispatchers, aimed at providing a more consistent user experience, or provide incremental funds for CTA to develop programs that divert non-wheelchair passengers into more cost efficient vehicles, thereby freeing up wheelchair accessible vehicles to provide more reliable service for these customers.</p>
<p>Livery Stakeholders</p> <p>Stakeholders, including former LTAC Members who contributed to earlier phases of the Accessible Taxi Review, were engaged for their feedback on 2018 January 18. Some</p>

participants expressed frustration that the challenges associated with delivering 24/7 on-demand wheelchair accessible taxi service are the same today as they were in 2006, following the initial release of Accessible Taxi Plate Licences. One participant noted that in cities where wheelchair accessible taxi service is working, it has been due to strong commitment from the top. Additional input included:

Criteria-Based Accessible Incentive Program

- Overall, participants support implementing an incentive program in which accessible plate holders and drivers would be eligible to receive annual incentives, provided they meet clearly defined criteria, to offset the costs incurred for operating a wheelchair accessible vehicle.
- One participant also suggested providing an immediate incentive on each trip delivered to account for deadheading, acknowledging that this might best be delivered through a central dispatch system.

Funding an Incentive

- Participants discussed that Calgary Transit Access receives a significant amount of mill rate funding to provide accessible transit service. It was suggested that The City should look at using some of these existing allocated funds to support improvements to delivering 24/7 on-demand wheelchair accessible taxi service.
- Administration explored with stakeholders the option of adding an accessible per trip fee to each taxi/TNC trip, collected along with weekly stand rents, that customers would pay to fund an accessible incentive program. Participants suggested that The City consider a funding model that includes using a combination of existing mill rate funds and a per trip fee.

Central Dispatch

- Participants support exploring the potential for an accessible central dispatch operated through CTA, to leverage existing infrastructure, if the accessible incentive program does not sufficiently improve customer service.

Additional Feedback

- Participants encouraged The City to consider the customers for this service, some of whom may be unable to communicate the importance of a 24/7 on-demand taxi service to their quality of life.
- Consistent driver training focused on servicing wheelchair accessible customers was suggested as a key component to an accessible incentive program.
- Other participants noted that, as our population ages and citizens are faced with more challenging mobility issues, we will see increased demand for wheelchair accessible taxis.
- One participant suggested The City develop a media campaign, promoting wheelchair accessible taxis as “dual-purpose” vehicles, acknowledging the challenges drivers face in attracting regular taxi trips that are needed to be viable.
- Participants suggested The City consider additional incentives for wheelchairs accessible taxi drivers, such as issuing fast lane vouchers at the airport after an accessible trip has been completed.

**Community Services Report to
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**ISC: UNRESTRICTED
CPS2019-0222**

Parks and Pathways Bylaw Review

EXECUTIVE SUMMARY

The Parks and Pathways Bylaw was last enacted in 2003. Since then a number of innovations have occurred that influence how we use parks, such as the use of drones in parks or electric bikes and scooters on pathways. The proposed Parks and Pathways Bylaw (Attachment 1) will allow more flexibility with these types of initiatives and be less proscriptive with acceptable uses in parks. The proposed changes to the Bylaw are coming forward following a comprehensive engagement process with an aim to better reflect Calgarians' desires as well as current operations.

ADMINISTRATION RECOMMENDATIONS:

- 1) That the SPC on Community and Protective Services recommend that Council give three readings to the proposed Parks and Pathways Bylaw (Attachment 1); and
- 2) That the SPC on Community and Protective Services refer this report as an item of urgent business to the Combined Meeting of Council on 2019 March 18 in order to align with TT2019-0205 (as per Council direction in C2018-0934 to facilitate the use of mobility devices with electric motors).

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 October 15, Council approved Notice of Motion C2018-1117, directing Administration to "develop a consistent inter-departmental strategy to better manage pathway closures and detours".

On 2018 July 23, Council approved Notice of Motion C2018-0934 directing Administration to "review the existing bylaw rules governing mobility devices such as scooters, skateboards, roller skates and personal mobility devices with electric motors and to bring forward any necessary bylaw amendments to facilitate the use of such devices no later than Q1 2019".

On 2004 January 12, Council approved report CPS2003-86 and gave three readings to the Parks and Pathways Bylaw 20M2003.

BACKGROUND

The Municipal Government Act authorizes municipalities to pass bylaws respecting the safety, health and welfare of people and the protection of people and property. The Parks and Pathways Bylaw is a set of rules to guide the action or behaviours of parks users. The rules are intended to provide a balance between protection of public assets and reduction of City liability, while ensuring a safe and enjoyable experience for park users. The Bylaw also allows Calgary Parks to fulfill its mission to "enable, contribute and sustain dynamic communities through great parks and open space". The current Parks and Pathways Bylaw (20M2003) is somewhat restrictive regarding allowed uses in parks. The proposed Bylaw provides wording that is more reflective of what is actually happening in our parks.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

A comprehensive review of the Bylaw has been completed, including internal and external engagement and a best practices review of other cities. A summary of all engagement is found in Attachment 2.

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**ISC: UNRESTRICTED
CPS2019-0222**

Parks and Pathways Bylaw Review

To better reflect plain language, as well as the numerous changes, the proposed Bylaw has been rewritten, rather than modified. Therefore a black line copy of the current Bylaw indicating changes is not possible. Attachment 3 provides a comparison between the current and proposed Bylaws, with significant changes under each section shaded in grey.

A summary of the major changes from the current Bylaw to the proposed Bylaw are as follows:

Correcting Overly Restrictive Bylaw Statements

The current Bylaw contains an extensive list of restricted activities such as horseshoes, archery, golf, lawn darts, hockey, any sport with an airborne ball, or “anything that is likely to attract a crowd”. This has led to the following concerns:

- Citing specific activities is inflexible and does not allow for the frequent changes we see in our recreation patterns. Many of the listed activities are no longer considered to be harmful or disturbing. For example, lawn darts now have safe rounded tips, and flash mobs are a desired fun activity, even though they can attract a crowd.
- The proscriptive list of activities does not take into consideration individual differences. An adult ball game could definitely be harmful if played among passive park users; however, a grandparent playing catch with their grandchild is perfectly acceptable, even though it may involve an airborne ball.
- More concerning, a definitive list is inevitably going to miss listing an activity that should be controlled. For example, recreational axe throwing is currently growing in popularity, yet it is not mentioned in the current Bylaw.

Instead of a proscriptive list of activities, Section 7 of the proposed Bylaw states “a person must not engage in activities that are:

- perceived to be reckless and could injure someone;
- could disturb the enjoyment of other park users;
- or could damage a park amenity or vegetation.”

This allows officers to use their fair judgement when enforcing the Bylaw, and is more reflective of actual current practices.

Drones

Drone regulation is complicated and falls to the Canadian Aviation Regulations with recent changes that take place June 1. The City of Calgary must be careful not to include anything in a bylaw that would contradict these Regulations. Any drone over a particular weight (currently 250 grams) has numerous requirements for operation. In the proposed Bylaw these drones will be allowed in our parks by permit, only. This will allow us to ensure the drone user has been authorized to use the drone, and that no one park has too many drones that may negatively affect other park users.

In the proposed Bylaw, a drone that has minimal rules imposed by the Canadian Aviation Regulations (currently under 250 grams) can be used without a permit, in designated areas.

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Park users who feel drones negatively impact their park experience would be able to avoid these areas. Calgary Parks is considering a few parks for use of these drones including West Baker Park, Elliston Park and North Glenmore Park. Other remote-controlled items such as model airplanes, cars, or boats, could also be allowed in designated areas.

Tobogganing

While every effort has been made to eliminate sections that are overly restrictive, it was determined that tobogganing would not be one of those clauses. The number of serious injuries associated with tobogganing continues to be significant, even more serious than skateboard injuries. Unfortunately, The City is still named in lawsuits resulting from toboggan accidents, and the Parks and Pathway Bylaw does provide some legal protection. Therefore the proposed Bylaw will continue to allow for tobogganing in designated areas.

Calgary Parks will attempt to designate more hills, and encourage communities to nominate a toboggan hill. Sometimes a simple modification such as moving a picnic table or tree is needed to make a hill safe. Situations where simple solutions are not available would present an opportunity to educate communities as to why the location is not safe for tobogganing.

Electric Recreational Vehicles

In 2018 July, Council directed Administration to bring forward any necessary bylaw amendments to allow the use of scooters, skateboards, roller skates, and personal mobility devices, all with electric motors, no later than 2019 Q1. Calgary Parks has worked with Transportation to ensure the proposed Bylaw will accommodate these vehicles.

The proposed Bylaw will empower the Director to determine what vehicles will be permitted on our pathways, such as electric assisted bikes, Segways, electric scooters, and even hoverboards. In order to have flexibility to accommodate new types of vehicles, the proposed Bylaw will allow Calgary Parks to maintain an ongoing list of the types of vehicles will be allowed. This list will be posted on Calgary.ca and will be updated regularly. Vehicles proposed to be on this list when the proposed Bylaw comes into effect are included in Attachment 4.

It is important to note that while these types of motorized recreational vehicles will be allowed on pathways, they are not permitted on sidewalks or roads as per the Alberta Transportation Safety Act. Education may be required so users understand where they can and cannot use these vehicles.

Pathway Restrictions

The pathway speed limit remains at 20km/hour, unless otherwise posted, as safety continues to be a priority. Further, cyclists wishing to travel faster than 20km/hour are now able to utilize cycle routes on the street. A number of other clauses related to pathways have been eliminated in the proposed Bylaw where they were overly restrictive, or were not applicable to the different types of recreational vehicles that would be allowed.

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Park and Pathway Closures

The proposed Bylaw allows for closure of park areas to address safety concerns, manage wildlife, conduct maintenance and repairs, or allow for rehabilitation of natural areas. In addition, to better manage pathway closures and detours, permits are now required to complete any construction projects that would impact the use of the pathway. This proposed Bylaw change directly responds to Council Direction in 2018 October to “develop a consistent inter-departmental strategy to better manage pathway closures and detours”.

Reflective of Current State

The current Parks and Pathways Bylaw (20M2003) is somewhat restrictive regarding allowed uses in parks; however, several clauses allow for the Director of Calgary Parks to make exemptions. This ability has made it possible to pilot new innovations such as vendors in parks, or use of goats to manage weeds. The proposed Bylaw now provides wording that is more reflective of what is actually happening in our parks.

Encroachment

The proposed Bylaw includes encroachment onto a park as an offence that carries a fine. Currently, it is simply a policy of Real Estate and Development Services, and is only enforceable through the Streets Bylaw 20M88, when encroachment occurs onto a street. The proposed Bylaw will also allow enforcement of encroachment onto a park.

Fines

Fines have increased for all offences, to reflect inflation and the severity or impact of the various offences. A list of fines is included in Schedule A of the proposed Bylaw, and a comparison of fines from the current Bylaw begins on page 23 of the Bylaw Comparison in Attachment 3.

As with all bylaws, it is intended that the proposed Bylaw would be enforced in a manner that emphasizes education over enforcement.

Stakeholder Engagement, Research and Communication

Stakeholder engagement was completed through several means including a citizen panel survey, an online Engage page, meetings with cultural and senior groups, and a review of all 311 calls over 2017. In addition, best practices from nine other municipalities were investigated. Full results of engagement and best practices review are included in Attachment 2. Calgary Parks endeavours to respond to park use trends; for example, Parks has undertaken public engagement to gauge interest in a pilot to allow alcohol in select park picnic areas.

Strategic Alignment

The proposed Bylaw aligns and supports many other City of Calgary bylaws, such as the Public Behaviour Bylaw, Tree Protection Bylaw, and Responsible Pet Ownership Bylaw. The proposed Bylaw also considers all relevant Calgary Parks policies and plans, including the overarching Imagine Parks plan that outlines a focus on people, open space, and governance and

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management. The proposed Bylaw aligns with the following 2019-2022 Citizens Priorities: a city of safe and inspiring neighbourhoods, a healthy and green city, and a well-run city.

Clauses in the proposed Bylaw are in accordance with the Provincial Wildlife Act, which includes restrictions to protect and manage wildlife, even within city limits, and Federal Acts, which prohibit hate speech.

Social, Environmental, Economic (External)

The proposed Bylaw provides a set of rules that will protect the ability for all Calgarians to enjoy the parks and pathways for leisure, recreation, and nature appreciation, all of which contribute to the social fabric of our communities. In addition to promoting nature appreciation, the proposed Bylaw also has several sections to ensure protection of our environment, such as not harming wildlife or disturbing vegetation. Finally the section on Commercial Activities in the proposed Bylaw allows flexibility to allow for economic activities while enhancing our parks.

Financial Capacity

Current and Future Operating Budget:

The proposed Bylaw will have no impact on current or future operating budgets. The focus will be on public education rather than increasing enforcement. It is anticipated that the proposed increases in fines would have minimal budget impact.

Current and Future Capital Budget:

The proposed Bylaw will have no impact on current or future capital budgets.

Risk Assessment

The proposed Bylaw provides the ability to encourage appropriate behaviour in our parks and to close areas, restrict use, or limit activities in parks as issues arise; however, enforcement of the proposed Bylaw is confined by limited resources. Public awareness and education will be required to encourage compliance.

REASON(S) FOR RECOMMENDATION(S):

The proposed Parks and Pathways Bylaw reflects changes that both Calgarians and Administration believe are necessary in order for our parks to enable diverse mixed uses that still respect the environment and open space. The proposed Bylaw is also more reflective of current practices, using a common sense approach where users are respectful of each other and the environment.

ATTACHMENT(S)

1. Attachment 1 – Proposed Text for a new Parks and Pathways Bylaw
2. Attachment 2 – Summary of Engagement for the Parks and Pathways Bylaw Review
3. Attachment 3 – Bylaw Comparison
4. Attachment 4 – Allowed Recreational Vehicles on Pathways

Proposed Text for a new Parks and Pathways Bylaw

SHORT TITLE:

1. This Bylaw may be cited as the "Parks and Pathways Bylaw".

DEFINITIONS AND INTERPRETATION

2. (1) In this Bylaw:
 - (a) "*amenity*" means anything constructed or placed in a *park* for the enjoyment or convenience of users of the *park*, whether temporary or permanent, excluding *park vegetation*, and including any sign, building, wall, bench, table, railing, stairs, wading pool, fire pit, barbeque stands, swing set, compost bin, *waste* receptacle, planter, underground sprinkler, irrigation system, fence, bridge, guardrail, headstone, memorial marker, vase or other similar thing;
 - (b) "*bicycle*" means a bicycle or power bicycle, as those terms are defined in the *Use of Highway and Rules of the Road Regulation*, AR 304/2002;
 - (c) "*City*" means The City of Calgary, a municipal corporation in the Province of Alberta and includes the area contained within the boundaries of the municipality where the context requires;
 - (d) "*City Manager*" means the person appointed by the council of the *City* as its chief administrative officer or that person's designate;
 - (e) "*commercial activity*" means to make goods or services available for sale or for free, or to conduct advertising;
 - (f) "*Director, Calgary Parks*" means the *City Manager* or that person's designate;
 - (g) "*drone*" means an aircraft, other than a balloon, rocket or kite, that is operated by a pilot who is not on board, and includes an unmanned air vehicle and a remotely piloted aircraft as those terms are defined in the *Canadian Aviation Regulations* SOR/96-433;
 - (h) "*natural area*" is a *park* or portion of *park* space where the primary role is the protection of an undisturbed or relatively undisturbed area of land with characteristics of a natural or native plant community;
 - (i) "*officer*" means a bylaw enforcement officer appointed pursuant to Bylaw 60M86, a peace officer appointed pursuant to the *Peace Officer Act*, S.A. 2006, c. P-3.5, or a member of the Calgary Police Service;
 - (j) "*park*" means a public space controlled by the *City* and set aside as a park to be used for rest, recreation, exercise, pleasure, amusement,

cultural heritage, education, appreciation of nature, and enjoyment and includes:

- (i) playgrounds;
- (ii) cemeteries;
- (iii) *natural areas*;
- (v) *sports fields*;
- (vi) *pathways*;
- (vii) *trails*; and
- (viii) *park roadways*;

but does not include golf courses;

- (k) "*park roadway*" means, a road, including parking lots for *vehicles*, in a *park* which is set aside specifically for use by *vehicles* and *bicycles*;
- (l) "*pathway*" means a multi-purpose thoroughfare controlled by the *City* and designated by the *Director, Calgary Parks* pursuant to subsection 4(c), that is set aside for use by pedestrians, cyclists and *persons* using wheeled conveyances, which is improved by asphalt, concrete, brick or any other surface, whether or not it is located in a *park*, and includes any bridge or structure with which it is contiguous;
- (m) "*permit*" means written permission granted by the *Director, Calgary Parks* for an activity not otherwise allowed under this Bylaw.
- (n) "*person*" means an individual or any business entity including a firm, partnership, association, corporation or society, but does not include the *City*, or the Calgary Police Service, or any of their employees who are acting within the course and scope of their employment;
- (o) "*remedial order*" means an order issued pursuant to section 545 of the *Municipal Government Act*, R.S.A. 2000, c. M-26;
- (p) "*sports field*" means land within the *City* and controlled by the *City* which is set apart and used for the playing of a sport including baseball diamonds, field hockey or cricket pitches, and rugby, soccer or football fields, disc golf and court sports;
- (q) "*trail*" means an established path within a *park*, used by pedestrians or cyclists, or both which is not improved by concrete, asphalt or brick and includes any bridge or structure with which it is contiguous;
- (r) "*park vegetation*" means any fungus, plant or part thereof which grows in a *park*;

- (s) "*vehicle*" means:
 - (i) a car, truck, boat, all-terrain vehicle, motorcycle, snowmobile or other device which is or may be propelled by a motor; and
 - (ii) a trailer, camper, non-power boat or other device which may be towed behind another vehicle; but
 - (iii) does not include a *bicycle*, *wheeled conveyance* or *drone*;
 - (t) "waste" means anything that is discarded;
 - (u) "*wheeled conveyance*" means any human powered or electric motorized vehicle, as designated by *Director, Calgary Parks* to be permitted on a *pathway*, but does not include any *vehicle* with an internal combustion engine.
- (2) Nothing in this Bylaw relieves a *person* from complying with any federal or provincial law, bylaw or any requirement of any lawful *permit*, order or licence.
 - (3) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
 - (4) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
 - (5) In this Bylaw, words in the singular include the plural and words in the plural include the singular.

SCOPE

- 3. The Bylaw applies to all *parks*.

AUTHORITY OF DIRECTOR

- 4. The *Director, Calgary Parks* is authorized to:
 - (a) issue any *permit* required under this Bylaw;
 - (b) impose conditions on, set fees for, modify, suspend or cancel any *permit* issued under this Bylaw;
 - (c) designate *pathways* on *City* lands;
 - (d) designate classes of *wheeled conveyances* that are allowed on *pathways*; and
 - (e) designate the content, use and placement of signs, other than traffic control devices, in *parks*.

Closures of Parks

5. (1) Despite any other section in this Bylaw, the *Director, Calgary Parks* may close or restrict the use of any *park* or portion of *park* for any of the following reasons:
- (a) to conduct *park* maintenance;
 - (b) to prevent damage to *City* property;
 - (c) to promote safety;
 - (d) to protect endangered or at-risk species;
 - (e) to preserve vegetation required for wildlife;
 - (f) to rehabilitate a *natural area*, or
 - (g) any other reason the *Director, Calgary Parks* deems necessary to ensure the intent of this Bylaw is carried out.
- (2) Where the *Director, Calgary Parks* has closed a *park* or portion of a *park*, a *person* must not enter or remain in the closed *park* or portion of the *park*.

USE OF PARKS

Public Access and Enjoyment

6. (1) *Parks* are open for public use from 5:00 a.m. until 11:00 p.m. daily unless otherwise posted.
- (2) A *person* must not enter or remain in a *park* from 11:00 p.m. to 5:00 a.m. without a *permit*.
- (3) Despite subsection (1),
- (a) all *pathways* are open 24 hours a day;
 - (b) the Inglewood Bird Sanctuary is open from sunrise to sunset; and
 - (c) the skatepark portion of Shaw Millennium Park is open 24 hours a day.

Safe and Courteous Behaviour

7. A *person* must not engage in any conduct or activity in a *park* which:
- (a) is likely to cause injury to any other user of a *park*;
 - (b) unreasonably disturbs the use or enjoyment of the *park* by any other user of a *park*;

- (c) modifies, damages or is likely to cause damage to a *park* including damage to:
 - (i) vegetation or wildlife habitat,
 - (ii) any *amenity* in a *park*,other than regular wear and tear; or
- (d) is inconsistent with the purpose of a *park*.

Activities Allowed in Designated Areas Only

- 8. (1) A *person* must not engage in the following activities in a *park*, except in a designated area:
 - (a) riding downhill on a toboggan, sleigh, carpet or any other sliding device;
 - (b) disc golf;
 - (c) horseback riding;
 - (d) hockey;
 - (e) wading or swimming;
 - (f) skating; and
 - (g) operating remote controlled toys including remote controlled cars and boats;
- (2) The *Director, Calgary Parks* may designate areas in which the activities listed in subsection (1) are allowed.
- (3) Despite section 19 of the Community Standards Bylaw 5M2004, the *Director, Calgary Parks*, pursuant to subsection (2), may designate an area or structure in a *park* where a *person* may create or apply graffiti.

Activities Requiring Permits

- 9. (1) A *person* must not engage in the following activities in a *park*:
 - (a) setting-up temporary art installations;
 - (b) hosting an event with more than 50 persons;
 - (c) conducting a performance or performances before an audience cumulatively lasting 30 minutes or more within a 24 hour period;

- (d) using an amplification system where the amplified sound is audible to others;
 - (e) taking off or landing a hot air balloon;
 - (f) setting off fireworks;
 - (g) flame throwing;
 - (h) conducting off-leash dog events in areas other than off-leash areas;
 - (i) operating a petting zoo;
 - (j) riding horseback in a non-designated areas;
 - (k) posting temporary signs or banners;
 - (l) erecting any artificial wildlife habitat structures including bird houses, bat boxes or bird feeders;
 - (m) engaging in wildlife research;
 - (n) removing fossils or artifacts;
 - (o) golfing; or
 - (p) camping or erecting a tent or other structure.
- (2) Despite subsection (1), the *Director, Calgary Parks* may issue a *permit* to allow a *person* to engage in any of the activities listed in subsection (1) in a *park*.
- (3) Pursuant to subsection (2), the *Director, Calgary Parks* may only issue a *permit* for the activity listed in subsection 1(l) for the purpose of research.
- (4) Despite subsection (1)(o), putting with golf clubs is allowed in a *park*.

Reserved Areas

10. (1) The *Director, Calgary Parks* may issue a *permit* granting a *person* exclusive use of:
- (a) a *park* or *portion* of a *park*;
 - (b) a *sports field*; or
 - (c) a picnic area.
- (2) Where the *Director, Calgary Parks* has granted exclusive use of an area of *park* pursuant to subsection (1), a *person* must not interfere with the use and enjoyment of *persons* holding a valid and subsisting *permit* for the exclusive use

of a *park* or portion of a *park*, during the times and in the areas for which the *permit* is granted.

Drones

11. (1) A *person* must not operate a *drone* in a *park*.
- (2) Despite subsection (1), a *person* may operate a *drone* that:
- (a) weighs less than 250 grams; and
 - (b) complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act*, R.S.C. 1985, c. A-2 and its subordinate regulations;
- in an area of a *park* designated by the *Director, Calgary Parks* for *drone* use.
- (3) Despite subsection (1), a *person* may operate a *drone* that:
- (a) weighs 250 grams or more; and
 - (b) complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act*, R.S.C. 1985, c. A-2 and its subordinate regulations;
- in a *park* in accordance with a *permit* issued by the *Director, Calgary Parks*.

Rivers and Waterways

12. (1) A *person* must not enter a river, lake or pond, in or adjacent to a *park*, including by means of a watercraft, from a *park* unless it is at a site designated by the *Director, Calgary Parks*.
- (2) Despite subsection (1), the *Director, Calgary Parks* may issue a permit allowing a person to enter a river, lake or pond, in or adjacent to a *park* from a *park* other than at a designated site.
- (3) A *person* must not allow a dog or other domestic animal to enter a river, lake or pond in or adjacent to a *park* unless it is at a site designated by the *Director, Calgary Parks*.
- (4) Despite subsection (1), a *person* must not enter a river, lake or pond in or adjacent a *park* from a *park* during a high flow or boat advisory.
- (5) A *person* must not use a watercraft in a river, lake or pond in a *park* unless the watercraft has been cleaned, drained and dried beforehand.

Waste

13. (1) A *person* must not dispose of waste in a *park*, unless:
- (a) it is placed in a designated *waste* receptacle, or
 - (b) it is an offering that is integral to a cultural ceremony permitted by the *Director, Calgary Parks*.
- (2) A *person* must not dispose of grass clippings, leaves, Christmas trees, or any other organic material in a *park*.

Fires

14. A *person* must not make a fire in a *park* unless:
- (a) it is made with firewood in a fire pit or other fire receptacle that has been provided by the *City*; or
 - (b) it is with a portable propane fire pit or barbecue at a designated picnic site.

Off-leash areas

15. (1) A *person* must not allow a dog off-leash within a *park*.
- (2) Despite subsection (1) the *Director, Calgary Parks* may designate an off-leash area of a *park*.
- (3) Despite subsection (2), the *Director, Calgary Parks* must not designate any off-leash areas in Glenmore Park.

USE OF PATHWAYS

16. Unless the *Director, Calgary Parks* designates otherwise:
- (a) a *person* must not ride or operate a *vehicle* or device, other than a *bicycle* or *wheeled conveyance*, on a *pathway*; and
 - (b) a *person* must not ride or operate a *bicycle* or *wheeled conveyance* in a *park* other than on a *park roadway, pathway* or *trail*.
17. (1) A *person* must not exceed speeds of 20 kilometers per hour on a *pathway* unless otherwise posted.
- (2) Despite subsection (1), a *person* must not travel at a speed that is unreasonable due to weather, traffic or *pathway* conditions.
18. A *person* must not use any gas-powered *vehicle* in a *park*, including a motor bike or all-terrain *vehicle*, other than on a *park roadway*.
19. While using a *pathway*, a *person* must ensure that they:

- (a) exercise care and attention to avoid any collision with another user of the *pathway*;
 - (b) use of an audible signal when overtaking another user; and
 - (c) keep to the right-hand side of the *pathway*, except when overtaking.
20. (1) While using a *pathway* between sunset and sunrise, a *person* must ensure their *bicycle* or *wheeled conveyance* is equipped with a forward facing white light, and rear red reflector.
- (2) Despite subsection (1), a *person* may wear a forward facing white light and rear red reflector on their body if the equipment will not fit on *bicycle* or *wheeled conveyance*.
21. A *person* must not leave a *pathway* or *trail* while in the following *parks*:
- (a) the Inglewood Bird Sanctuary;
 - (b) Griffith Woods;
 - (c) the Weaselhead Park;
 - (d) the area of Nose Hill Park as designated by the *Director, Calgary Parks*; or
 - (e) any other *park* or portion of *park* as designated by the *Director, Calgary Parks*.

Pathway Closures

22. (1) A *person* must not close or obstruct a *pathway* or portion of *pathway* without a *permit*.
- (2) A *person* must not conduct maintenance or construction activities within 5 meters of a *pathway* without a *permit*, unless the *Director, Calgary Parks* determines otherwise.
- (3) A *permit* required in subsections (1) or (2) may be issued for the following:
- (i) to access, install or maintain underground utilities;
 - (ii) to complete road or other construction work that would impact the use of the *pathway*; or
 - (iii) for an activity or event in a *park*.
- (4) For the purposes of this section, “*person*” includes the *City* or any of its employees who are acting within the course and scope of their employment.

PROTECTION OF NATURAL AREAS, ECOSYSTEMS AND HABITATS

Wildlife

23. A *person* must not engage in any activity in a *park* that causes distress or harm to any wildlife or that interrupts natural behaviours, including:
- (a) feeding wildlife;
 - (b) disrupting nesting sites;
 - (c) introducing or tracking noxious materials into wildlife habitat including weeds, seeds, herbicides, pesticides and litter; or
 - (d) creating excessive light near a wildlife habitat;

Vegetation

24. (1) A *person* must not engage in any activity in a *park* that disturbs or damages *park vegetation*.
- (2) A *person* must not remove any *park vegetation*, including weeds, without a *permit*.
- (3) A *person* must not plant any vegetation in a *park* without a *permit*.
- (4) A *person* must not cut, irrigate, spray or apply any substance, including pesticides and fertilizers, to any grass or other *park vegetation*.

MAINTENANCE OF PARK SPACE ADJACENT TO PRIVATE PROPERTY

25. Despite subsection 24(4), the occupant of a property that is directly adjacent to a *park* is authorized to cut the grass in the *park* within 1 meter of the *park boundary* directly adjacent their property but this does not include the trimming or removal of trees, bushes or any other vegetative matter.
26. A *person* must not drain or redirect any water from a private parcel of land onto or into a *park*.

ENCROACHMENT

27. A *person* must not encroach onto a *park* without express permission from the *Director, Calgary Parks*.

CEMETERIES

28. The *Director, Calgary Parks* may establish operating procedures regarding the use, maintenance and operation of cemeteries.

VEHICLES

29. (1) A person must not:
- (a) operate a *vehicle* in a *park* except on a *park* roadway;
 - (b) park a *vehicle* in a *park* except in areas set aside for *vehicle* parking;
 - (c) leave a *vehicle* in a *park* between 11:00 o'clock in the evening and 5:00 o'clock the next morning;
 - (d) drive a *vehicle* in a *park* at a speed greater than 20 kilometers per hour, unless a higher or lower speed limit is posted; or
 - (e) disobey a flagger, *City* employee or *officer* who is directing traffic within a *park*.
- (2) Despite subsection (1)(a), (b) and (c), the *Director, Calgary Parks* may issue a *permit* allowing a *person* to operate, park or leave a *vehicle* anywhere in a *park* at any time.

COMMERCIAL ACTIVITIES IN PARKS

30. (1) A person must not engage in a *commercial activity* in a *park* without permission from the *Director, Calgary Parks*.
- (2) The *Director, Calgary Parks* by *permit*, lease or agreement, may authorize a *commercial activity*, where that activity enhances the existing purpose of the *park*, by:
- (a) increasing *park* use intensity where sustainable;
 - (b) providing user convenience;
 - (c) encouraging active living;
 - (d) supporting arts, culture and tourist activities; or
 - (e) improving the efficiency of park operations.
- (3) For the purposes of subsection (2), *commercial activity* includes:
- (a) food service activities;
 - (b) festivals or events;
 - (c) entertainment or busking, or
 - (d) a vendor which provides programs, lessons, equipment rentals or *park* related activities.
- (4) The *Director, Calgary Parks* may refuse any request to engage in a *commercial activity* in a *park*, where:

- (a) the *commercial activity* could negatively impact users or the natural environment of a *park*; or
- (b) the *commercial activity* would be inconsistent with the purpose of a *park*.

OPERATION AND MAINTENANCE OF CALGARY PARKS

31. Despite any other provision in this Bylaw, an employee, agent, or contractor of the *City* in carrying out their duties in a *park* may:
- (a) make open fires for the purposes of a controlled burn;
 - (b) operate a motorized *vehicle* in any portion of a *park*;
 - (c) conduct alternative pest management, including the use of livestock to carry out *targeted grazing* as defined in the *Land Use Bylaw 1P2007*; or
 - (d) plant, harvest or damage vegetation.

PERMIT HOLDER REQUIREMENTS

32. Any *person* issued a *permit* under this Bylaw must:
- (a) have the *permit* available for review and inspection when exercising the rights granted under the *permit*;
 - (b) comply with all conditions stated therein; and
 - (c) produce the *permit* upon the demand of an *officer*.

OFFENCES

33. Any *person* who contravenes any provision of this Bylaw by doing any act or thing which the *person* is prohibited from doing, or by failing to do any act or thing the *person* is required to do, is guilty of an offence pursuant to this Bylaw.

ENFORCEMENT

34. (1) Where an *officer* believes that a *person* has contravened any provision of this Bylaw, the *officer* may commence proceedings against the *person* by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- (2) This section shall not prevent an *officer* from issuing a violation ticket requiring a court appearance of the defendant pursuant to the *Provincial Offences Procedures Act* or from laying an information instead of issuing a violation ticket.

PENALTY

35. (1) Where there is a specified penalty listed for an offence in Schedule A to this

Bylaw, that amount is the specified penalty for the offence.

- (2) Where there is a minimum penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum penalty for the offence.

REMEDYING CONTRAVENTIONS

36. (1) Where a *person* has contravened any provision of this Bylaw, a *remedial order* may be issued requiring the *person* to remedy the contravention.
- (2) A *remedial order* issued pursuant to subsection (1) is subject to the provisions of Part 2 of the Community Standards Bylaw 5M2004.
- (3) A *person* who fails to comply with a *remedial order* within the time set out in the *remedial order* commits an offence.

CONSEQUENTIAL AMENDMENTS

37. Bylaw 23M2006, the *Responsible Pet Ownership Bylaw*, as amended, is hereby further amended by, in subsection 15(5), deleting the words “subsection 48(1)(i)(iii) of Bylaw 20M2003, the Parks and Pathways Bylaw” and replacing them with “subsection 15(2) of Bylaw XXM2019, the Parks and Pathways Bylaw”.

REPEAL

38. Bylaw 20M2003, the Parks and Pathways Bylaw, is hereby repealed.

COMING INTO FORCE

39. This Bylaw comes into force on the day it is passed.

SCHEDULE A
MINIMUM AND SPECIFIED PENALTIES

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
5(2)	Enter or remain in <i>park</i> when closed by <i>Director, Calgary Parks</i>	\$300	\$500
6(2)	Enter or remain in <i>park</i> outside permitted hours	\$150	\$200
7	Unlawful activity in a <i>park</i>	\$250	\$400
8(1)	Prohibited activity outside designated area	\$150	\$250
9(1)	Prohibited activity without permit	\$150	\$250
10(2)	Interfere with use of reserved space	\$150	\$250
11(1)	Operate <i>drone</i> in <i>park</i>	\$150	\$250
12(1)	Enter river, lake or pond from a <i>park</i>	\$200	\$300
12(4)	Permit domestic animal to enter river, lake or pond from a <i>park</i>	\$50	\$100
12(3)	Enter river, lake or pond from a <i>park</i> during a high flow or boat advisory	\$300	\$500
12(5)	Fail to clean, drain and dry watercraft	\$150	\$250
13	Unlawful disposal of waste in a <i>park</i>	\$250	\$500
14	Unlawful fire in a <i>park</i>	\$300	\$500
15	Allow dog off-leash in a <i>park</i>	\$50	\$100
16(a)	Unauthorized <i>vehicle</i> or device on a <i>pathway</i>	\$150	\$250
16(b)	Ride or operate <i>bicycle</i> or <i>wheeled conveyance</i> where prohibited	\$150	\$250
17(1)	Speed in excess of limit on a <i>pathway</i> <ul style="list-style-type: none"> • up to 10 km/h over limit • more than 10 km/h over limit 	\$100 \$250	\$150 \$400

17(2)	Unsafe speed on a <i>pathway</i>	\$250	\$400
18	Use gas-powered vehicle in a <i>park</i> off a <i>park roadway</i>	\$300	\$500
19	Unsafe activity on a <i>pathway</i>	\$200	\$400
20	Use <i>pathway</i> without required lighting	\$150	\$250
21	Leave a <i>pathway</i> or <i>trail</i> where prohibited	\$200	\$300
22(1)	Close or obstruct a pathway without authorization	\$400	\$500
22(2)	Conduct unauthorized maintenance or construction activity	\$400	\$500
23	Disturb wildlife in a <i>park</i>	\$200	\$300
24(1)	Disturb or damage <i>park vegetation</i>	\$200	\$300
24(2)	Remove <i>park vegetation</i>	\$150	\$250
24(3)	Plant vegetation in a <i>park</i>	\$200	\$300
24(4)	Cut, irrigate or spray <i>park vegetation</i>	\$200	\$300
26	Drain water into <i>park</i>	\$500	\$1500
27	Encroach on a <i>park</i>	\$750	\$1500
29(1)(a)	Unauthorized operation of a <i>vehicle</i> in a <i>park</i>	\$250	\$350
29(1)(b)	Unauthorized parking of a <i>vehicle</i> in a <i>park</i>	\$150	\$200
29(1)(c)	Leave <i>vehicle</i> overnight in a <i>park</i>	\$150	\$200
29(1)(d)	<i>Vehicle</i> speed above posted limit	\$150	\$400
29(1)(e)	Disobey flagger, City employee or <i>officer</i>	\$300	\$500
30(1)	Engage in <i>commercial activity</i> in a <i>park</i> without a <i>permit</i>	\$300	\$500
32(2)	Fail to comply with <i>permit</i> conditions	\$250	\$350

32(3)	Fail to produce <i>permit</i> upon demand	\$100	\$150
36(3)	Fail to comply with <i>remedial order</i>	\$300	\$500

SUMMARY OF ENGAGEMENT FOR THE PARKS AND PATHWAYS BYLAW REVIEW

Stakeholder engagement was completed through several means including a citizen panel survey, an online Engage page, and meetings with cultural and senior groups. In addition best practices from nine other municipalities were investigated.

Citizen Panel Survey

In 2017 May, Calgary Parks did a citizen panel survey that provided an initial insight on what citizens would like to see in parks. A summary of highlights from the 927 responses are as follows:

- About 80% supported vendors in city parks, particularly for food and beverages
- Overwhelming support for goats to control weeds with 95% supporting
- Religious services and political rallies are supported each by about 60%
- Overall support for pedelecs (85%) and segways (77%), but not for gas assisted bikes (41%)

Engage 'What We Heard' Report

Responses to multiple choice and open-ended questions uncovered the following themes that have been addressed in the new bylaw:

- Use of radio-controlled hobbies (eg drones), ability to harvest edible plants or participate in urban agriculture, and openly consume alcohol, were cited as activities that many respondents would like to enjoy in parks
- It was felt that goats and other animals to control weeds throughout parks should be included in the Bylaw
- Encouragement of gathering spaces and opportunities to showcase artists in parks should be included in the Bylaw
- Restrictions on risky activities such as tobogganing, should be relaxed in the Bylaw.

Some issues arose not directly related to the Bylaw and these are being addressed separately:

- Capital planning issues such as a desire for more off leash areas, and year round washrooms are considered in the capital project prioritization process
- Snow removal has been addressed through a report to Council's Strategic Session and budget item One Calgary
- Smoking in parks, which will be addressed through a Motion Arising (CPS2018-0367) from Council on 2018 April 05, to further strengthen the Smoking and Vaping Bylaw 23M2018 with consideration to prohibiting smoking and vaping in outdoor public parks. The report with recommendation and bylaw amendments will go to Council through the SPC on Community and Protective Services, no later than 2019 Q4
- Enforcement challenges regarding encampments, and unsafe pathway behaviour (both cyclists and pedestrians) are addressed within current availability of Bylaw Officers.

Issues Identified Internally

The following issues were prominent in interviews with staff across business units:

- The current Bylaw is overly restrictive with many activities only with approval from the Director, creating undue bureaucracy for both staff and citizens
- Inability to close certain sections of a park, or restrict use within sections, during construction, natural area rehabilitation, or when safety issues are present
- Lack of ability to address encroachment as it is only a policy, not an offence under the Bylaw
- Restrictions on activities such as tobogganing are difficult to enforce
- Limited capacity to enforce the Bylaw

Comparison with Other Cities

Parks bylaws from nine Canadian cities were reviewed. Highlights of that review are as follows:

- All cities prohibit dangerous behaviour such as throwing objects and golf. Regina specifically states that spontaneous, non-organized sports are allowed.
- All cities require a permit or written permission for events, ceremonies, parades and public gatherings
- Pathway speed limits are stated only in Calgary (20km/hr) and Winnipeg (30km/hr). However, many other pathways reference due care and attention, or that speed cannot be immoderate.
- All cities with a river, except Red Deer, place restrictions on water access and activity
- Over half of the cities restrict the use of any remote controlled aircraft (which could possibly apply to drones). The remaining cities are silent on the issue.
- All municipalities restrict commercial activities and require either a permit or written permission from a senior level
- Each bylaw has some means for a senior authority to make exceptions to the bylaw, usually in the interest of safety or park protection. Most of these indicate that the senior authority must act within the intent of the bylaw.

BYLAW COMPARISON

To better reflect plain language, as well as the numerous changes, the proposed Bylaw has been rewritten, rather than modified. Therefore a black line copy of the current Bylaw indicating changes is not possible. Instead, the current Parks and Pathways Bylaw is below and includes text inserted in grey under or beside each section, which indicate changes that were made in the proposed Bylaw.

BYLAW NUMBER 20M2003

BEING A BYLAW OF THE CITY OF CALGARY TO REGULATE THE USE OF PARKS AND PATHWAYS AND TO REGULATE ACTIVITIES IN AND ON PARKS AND PATHWAYS

(Amended by Bylaws 40M2004, 42M2004, 34M2005, 23M2006, 39M2008, 52M2011)

The section containing WHEREAS have been changed to add clarity and to reflect imagineParks which was approved by Council in 2015.

WHEREAS The City of Calgary's Parks and Pathways are valued and treasured assets, and protecting their value and quality is a high priority as is ensuring that they remain safe and accessible for the enjoyment of all Calgarians.

AND WHEREAS The City of Calgary is committed to:

- (a) maintaining the integrity of a high-quality and diverse Park and Pathway system;
and
- (b) providing a safe, aesthetic and comfortable environment by:
 - (i) protecting our Parks and Natural Areas;
 - (ii) providing environmental stewardship, programs and services; and
 - (iii) prohibiting activities that damage City assets and jeopardize public safety.

AND WHEREAS the Municipal Government Act, R.S.A. 2000 C. M-26 empowers Council for The City of Calgary to pass bylaws;

**NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

SHORT TITLE

Definitions start in Section 2 in the proposed Bylaw and have been updated to reflect the proposed Bylaw.

Definitions of words that have standard common dictionary definitions have been removed as per new standards for the bylaws. New definitions have been added. These are indicated in grey below.

Finally format has changed slightly as definitions are no longer capitalized in bylaws.

1. This bylaw may be cited as the "Parks and Pathways Bylaw".
2. In this Bylaw, where capitalized:
 - (a) "*Amenity*" means anything constructed or placed in a Park whether temporary or permanent, excluding Park Vegetation and including any sign, building, wall, bench, table, railing, stairs, wading pool, fire pit, barbeque stands, swing set, compost bin, waste receptacle, planter, underground sprinkler, irrigation system, fence, bridge, guardrail, headstone, memorial marker, vase or other similar thing;
 - (b) "*Bicycle*" means ~~a cycle propelled by human power on which a Person can ride regardless of the number of wheels it has~~ a bicycle or power bicycle, as those terms are defined in the *Use of Highway and Rules of the Road Regulation*, AR 304/2002;
 - (c) "*Calgary Parks*" means the business unit of The City charged with the responsibility of planning, protecting and caring for City Parks and Pathways;
 - (d) "*Camp*" means to live or take up quarters in a Park;
 - (e) "*Cemetery*" means land within The City that is managed and controlled by The City and is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried;
 - (f) "*Centre Line*" means a longitudinal division of a Pathway whether or not the division is indicated on the surface of the Pathway;
 - (g) "*City*" means The City of Calgary, a municipal corporation in the Province of Alberta and includes the area contained within the boundaries of the municipality where the context requires;

"*City Manager*" means the person appointed by the council of the *City* as its chief administrative officer or that person's designate;
 - (h) "*Council*" means the elected Mayor and Aldermen for The City of Calgary;

"*commercial activity*" means to make goods or services available for sale or for free, or to conduct advertising;
 - (i) "*Cyclist*" means a Person who rides or is in actual physical control of a Bicycle;
 - (j) "*Director, Calgary Parks*" means the City Manager or his designate;

(B/L 42M2004, 2004 June 21)

- "*drone*" means an aircraft, other than a balloon, rocket or kite, that is operated by a pilot who is not on board, and includes an unmanned air vehicle and a remotely piloted aircraft as those terms are defined in the *Canadian Aviation Regulations* SOR/96-433;
- (k) "*Natural Area*" means City controlled land or water or both which contains native plant or animal ecological or geographical systems including wetlands, escarpments, riparian corridors, grasslands, wood lands and other wildlife habitat is a park or portion of park space where the primary role is the protection of an undisturbed or relatively undisturbed area of land with characteristics of a natural or native plant community;
- (l) "*Officer*" means a Bylaw Enforcement Officer of The City or a member of the Calgary Police Service;
- (m) "*Park*" means a public space controlled by The City and set aside as a Park to be used for rest, recreation, exercise, pleasure, amusement, and enjoyment and includes:
- (i) Playgrounds;
 - (ii) Cemeteries;
 - (iii) Natural Areas;
 - (iv) Sports Fields;
 - (v) Pathways;
 - (vi) Trails; and
 - (vii) Park Roadways;
- but does not include golf courses;
- (n) "*Park Roadway*" means, a road, including parking lots for Vehicles, in a Park which is set aside specifically for use by Vehicles and Bicycles;
- (o) "*Pathway*" means a multi-purpose thoroughfare controlled by The City and set aside for use by pedestrians, Cyclists and Persons using Wheeled Conveyances, which is improved by asphalt, concrete, brick or any other surface, whether or not it is located in a Park, and includes any bridge or structure with which it is contiguous;
(B/L 52M2011, 2011 September 19)
- (p) "*Permit*" means the written permission of the Director to do something in or on a Park or Pathway;
- (q) "*Person*" means an individual or any business entity including a firm, partnership, association, corporation or society, but does not include The City or the Calgary Police Service or any of their employees, who are acting within the course and scope of their employment;

- (r) ~~"Playground" means land within The City and controlled by The City upon which apparatus such as swings and slides are placed;~~
 "remedial order" means an order issued pursuant to section 545 of the *Municipal Government Act*, R.S.A. 2000, c. M-26
- (s) "Sports Field" means land within The City and controlled by The City which is set apart and used for the playing of a sport including baseball diamonds, field hockey or cricket pitches, and rugby, soccer or football fields, disc golf and court sports;
- (t) "Trail" means an established path within a Park, used by pedestrians or Cyclists, or both which is not improved by concrete, asphalt or brick and includes any bridge or structure with which it is contiguous;
- (u) "Park Vegetation" means any fungus, plant or part thereof which grows in a Park;
- (v) "Vehicle" means:
- (i) cars, trucks, boats, all terrain vehicles, motorcycles, snowmobiles or other devices which are or may be propelled by a motor; and
 - (ii) trailers, campers, non-power boats or other devices which may be towed behind other vehicles; but
 - (iii) does not include Bicycles and Wheeled Conveyances;
- (w) "Waste" means anything that is discarded;
- (x) "Wheeled Conveyance" means ~~roller skates, in-line skates, roller skis, skateboards, scooters, motorized 3 or 4 wheeled scooters designed for Persons with infirmities, motorized wheelchairs, or other similar devices but excludes Bicycles, Vehicles or any other motorized scooters~~ any human powered or electric motorized vehicle, as designated by *Director, Calgary Parks* to be permitted on a pathway, but does not include any vehicle with an internal combustion engine.

SCOPE

Scope starts in Section 3 in the proposed Bylaw and has been expanded to ensure all parks controlled by The City are included, including pathways on transportation corridors where The City has a lease

3. This Bylaw shall apply to all Parks ~~and Pathways in The City~~.

PARK USE

Hours

Park Hours are indicated in Section 6 in the proposed Bylaw. Hours have not been changed, but the section is updated to be more descriptive (for Shaw Millenium Park) and Inglewood Bird Sanctuary has been simplified to sunrise and sunset.

4. (1) All Parks shall be closed to the public between the hours of 11:00 o'clock in the evening and 5:00 o'clock the next morning, except:
 - (a) the Park known as the Inglewood Bird Sanctuary which shall be closed from one half (1/2) hour after sunset to one half (1/2) hour before sunrise;
 - (b) the Park known as Shaw Millennium Park which shall be open to the public twenty-four (24) hours a day; and
 - (c) where otherwise designated by the Director pursuant to this Bylaw.
- (2) (a) No Person shall enter or remain in a Park when it is closed to the public;
- (b) No Person shall enter or remain in an area of a Park which is closed to the public.

FIRES

Fires are covered in Section 14 in the proposed Bylaw. Changes reflect a desire for plain language and eliminating redundancy with other bylaws. Propane fire pits are now allowed.

5. No Person shall ignite or allow a fire to burn in a Park except in a fire pit or other receptacle intended for such use and provided by The City.
6. No Person in a Park shall burn:
 - (a) treated lumber;
 - (b) leaves or other dead fall from trees from within a Park;
 - (c) Park Vegetation, trees or parts thereof from within a Park, whether dead or alive;
 - (d) tires or rubber; or
 - (e) plastics or any other similar thing which may emit a noxious smell when burned.
7. (1) No Person, in a park, shall:
 - (a) allow a fire to get out of control;
 - (b) leave a fire unattended; or
 - (c) allow a fire to burn after 10:30 at night.
- (2) Every Person who has a fire in a Park must ensure that such fire is extinguished completely, leaving only cold ashes, prior to leaving the site of the fire.
8. No Person shall operate a gas or charcoal fired barbeque or stove on or in a Playground, Cemetery, Sports Field, Park Roadway, Pathway or area where such activities are restricted by the Director pursuant to this Bylaw.

CAMPING

Camping is included in Section 9(p) with other activities allowed by permit.

9. No Person shall, unless allowed by a Permit:
 - (a) Camp in a Park; or
 - (b) erect a tent or other structure in a Park.

VEHICLES

Vehicles are indicated in Sections 16, 18, and 29 and remains unchanged apart from minor word changes for plain language.

10. No Person shall operate a Vehicle in a Park except on a Park Roadway.
11. No Person shall park a Vehicle in a Park except in areas set aside for Vehicle parking.
12. No Person shall leave a Vehicle in a Park between 11:00 o'clock in the evening and 5:00 o'clock the next morning.
13. No Person shall drive a Vehicle in a Park at a speed greater than twenty (20) kilometers per hour, unless a higher or lower speed limit is posted.

WATER

River and Waterways is including in Section 12 of the proposed Bylaw. Changes have been made to provide clarity, and focus on entering the river via park land, versus actually being in the river (which is governed by the federal government). Additions have been made to address dogs entering water, restrictions in high flow events, and that watercraft must be cleaned before entering a body of water. There are less restrictions around swimming in water, such as affixing oneself to a structure or jumping from an amenity.

14. ~~No Person shall enter, wade, swim or skate in, or upon any body of water which flows through, is adjacent to or is located within a Park unless such activity is specifically allowed by the Director pursuant to this Bylaw.~~
15. ~~No Person shall:~~
 - (a) ~~jump, dive or otherwise propel themselves from or off any Amenity into any water course or pond which flows through, is adjacent to, or is located within a Park;~~
 - (b) ~~affix or secure themselves to any structure or Amenity for the purposes of water play.~~
16. ~~No Person shall launch a boat, canoe, kayak or similar craft from or within a Park except where specifically allowed by the Director.~~

A *person* must not enter a river, lake or pond, in or adjacent to a *park*, including by means of a watercraft, from a *park* unless it is at a site designated by the *Director, Calgary Parks*.

Despite subsection (1), the *Director, Calgary Parks* may issue a permit allowing a person to enter a river, lake or pond, in or adjacent to a *park* from a *park* other than at a designated site.

A *person* must not allow a dog or other domestic animal to enter a river, lake or pond in or adjacent to a *park* unless it is at a site designated by the *Director, Calgary Parks*.

Despite subsection (1), a *person* must not enter a river, lake or pond in or adjacent a *park* from a *park* during a high flow or boat advisory.

A *person* must not use a watercraft in a river, lake or pond in a *park* unless the watercraft has been cleaned, drained and dried beforehand.

PROHIBITED ACTIVITIES

In the proposed Bylaw, the section on prohibited activities is contained within theme areas such as Safe and Courteous Behaviour, Protection of Natural Areas, etc. Sections in the proposed Bylaw which align with the current Bylaw are indicated in red below.

17. No Person shall: (These items are expanded in the section on Protection of Natural Areas, Ecosystems and Habitats, Sections 23 and 24)
 - (a) dig, disturb or remove any mineral substance including soil, sand, gravel or rock from a Park;
 - (b) damage, dig, cut, disturb or destroy any Park Vegetation, whether alive or dead;
 - (c) damage, dig, disturb, deface, destroy or remove any fossils, bones or historical artifacts from a Park;
 - (d) damage or destroy any wildlife habitat; or
 - (e) pester, feed or otherwise interfere with any animal in a Park.
18. No Person shall damage, deface, destroy, remove or use other than for its intended purpose any Pathway, Trail or Amenity in a Park. (Contained in Section 7 under Safe and Courteous Behaviour)
19. No Person shall perform or engage in any stunt, trick or reckless or unsafe activity on or in any Amenity, Pathway, Trail, Park Roadway or Park. (Removed as deemed overly restrictive, liability is covered under Safe and Courteous Behaviour in Section 7)
20. No Person shall engage in any conduct or activity in a Park which may: (Contained in Section 7 under Safe and Courteous Behaviour)

- (a) injure any other user of a Park;
 - (b) disturb the use or enjoyment of the Park by any other user of a Park;
 - (c) damage a Park or an Amenity in a Park; or
 - (d) be inconsistent with the purpose of a Park.
21. No Person, while in a Park, shall: (Section 7 addresses Safe and Courteous Behaviour. Sections 8 and 9 outline activities only allowed in designated areas or by permit. Many Sections below have been removed as they have been deemed to be overly restrictive)
- (a) swing a golf club;
 - (b) propel a golf ball or plastic golf ball of any kind in any manner;
 - (c) engage in any form of archery;
 - (d) play lawn darts, horseshoes or disc golf;
 - (e) operate an amplification system;
 - (f) do anything which is likely to attract a crowd;
 - (g) take part in any procession, drill, performance, ceremony, concert or public gathering; or
 - (h) ride downhill on a toboggan, sleigh, carpet or other sliding device;
- except in an area where such activity is specifically allowed by the Director.
22. No Person shall play hockey, whether on skates or not, or bring hockey sticks or pucks onto any: (Section 8 simply states that hockey is allowed in designated areas)
- (a) tennis court controlled by The City;
 - (b) Park Roadway; or
 - (c) on any of the following skating rinks:
 - (i) Olympic Plaza;
 - (ii) Prairie Winds Park;
 - (iii) Bowness Park;
 - (iv) Marlborough Park; or
 - (v) Prince's Island Lagoon.

23. (1) No Person shall, in a Park:

- (a) plant, grow, place or modify any plant, flower or other Park Vegetation; (24)
 - (b) build, erect, place, remove or modify any Amenity, Pathway or Trail; (7)
 - (c) cut, irrigate, spray or apply any substance, including pesticides and fertilizers, to any grass or other Park Vegetation, or otherwise disturb or damage the Park Vegetation; (24)
 - (d) leave, place, store, deposit or hoard anything; or (7,13)
 - (e) build, erect or create a jump or ramp. (7)
- (2) No Person shall drain or re-direct any water from a private parcel of land onto or into a Park. (26)
24. No Person shall set off, launch or operate, while in a Park:
- (a) any fireworks, explosive devices or rockets; (9 by permit only)
 - (b) any glider or hot air balloon; or (9 by permit only)
 - (c) any remote control device including boats, planes, helicopters or cars; except where such activity is specifically allowed by the Director. (Remote controlled toys are permitted in designated areas as per Section 8. Section 11 is new and allows for drones in designated areas and by permit).

SIGNS

25. (1) No Person shall disobey a sign placed in a Park.
- (2) No Person shall, other than where authorized pursuant to this Bylaw, place a sign of any kind, commercial or otherwise, in a Park. (Section 9, allowed by permit)
26. No Person shall disobey a flagger, City Employee or Officer who is directing traffic within a Park or on a Pathway or Trail. (Section 29)

WASTE

The section on waste is contained in Section 13 in the proposed Bylaw. Some Sections have been changed for clarity or have been eliminated to reduce redundancy. Offerings made as part of a cultural ceremony (eg leaving tobacco in an Indigenous Sundance Ceremony) is permitted.

27. (1) In a Park, no person shall leave or dispose of Waste except in receptacles specifically provided for Waste disposal.
- (2) In a Park, no person shall leave or dispose of Waste from a vehicle except in receptacles specifically provided for Waste disposal.

- (3) In a Park, no person shall leave or dispose of Waste that is burning.
(B/L 39M2008, 2008 September 08)

28. No Person shall urinate or defecate in a Park except in a public washroom or portable facility provided for that purpose.

SALE OF GOODS AND SERVICES

Commercial Activities are covered in Section 30, and provide more opportunity to allow commercial activities by permit. The Sections also align with the Real Estate and Development Bylaw.

29. No Person shall:
- (a) make available, offer or give away free goods or services;
 - (b) make available for sale goods or services;
 - (c) carry on any business of any kind or nature whatsoever or solicit for any business, trade or occupation;
 - (d) place a sign or device of any kind advertising or publicizing any commercial venture or facility; or
 - (e) place or leave any goods or merchandise in order to display the same for sale;
- anywhere in a Park, unless specifically allowed by the Director.

PATHWAYS AND TRAILS

Use of Pathways, Required Equipment, and Lighting is contained in Sections 16-22 in the proposed Bylaw, and most of it has been completely rewritten. Many Sections have been omitted as they no longer apply or are deemed to be overly restrictive. The proposed Bylaw allows for a wider range of electric recreation vehicles. Restrictions have been placed on pathway closures, requiring a permit. This will allow The City to properly identify detours in a timely manner.

30. (1) Unless otherwise authorized pursuant to this Bylaw, no Person in a Park shall use or ride:
- (a) a Bicycle except on a Pathway, Trail or Park Roadway; or
 - (b) any Wheeled Conveyance except on a Pathway or Trail.
- (2) It shall not be an offence to use or ride any Wheeled Conveyance to cross a Park Roadway where a Pathway or Trail crosses that Park Roadway.

31. (1) No Person shall ride a Bicycle or use a Wheeled Conveyance or Vehicle on a Park Roadway, Pathway or Trail which is closed, or where such use is prohibited.
- (2) Notwithstanding any other provision in this Bylaw, no Person shall leave a Pathway or Trail while in the following Parks:
- (a) the Inglewood Bird Sanctuary;
 - (b) Griffith Woods; or
 - (c) the Weaselhead; or
 - (d) the escarpment zone in Nose Hill comprising that area from the Nose Hill Park Boundary up to but not including the multi use Pathway or Trail.
(B/L 34M2005, 2005 July 25)
32. Unless otherwise posted no Person shall operate a Bicycle or Wheeled Conveyance in a Park at a speed greater than twenty (20) kilometers per hour.
33. No Person using a Pathway or Trail shall travel at a rate of speed that is unreasonable having regard to all the circumstances, including but not limited to:
- (a) the nature, condition and use of the Pathway or Trail;
 - (b) any conditions, including weather, that may affect visibility; and
 - (c) the volume and type of traffic on the Pathway or Trail
- regardless of whether that person is travelling at the applicable speed limit.

PATHWAY RULES

34. When entering onto a Pathway from other than a Park Roadway, Pathway or Trail, all Persons shall yield the right of way to users already on the Pathway.
35. When approaching an uncontrolled intersection between a Park Roadway, Pathway or Trail a Person using a Park Roadway, Pathway or Trail shall:
- (a) when on a Trail, yield the right of way to users on a Pathway or Park Roadway;
 - (b) when on a Pathway, yield the right of way to users on a Park Roadway;
 - (c) when on a Pathway, approaching an uncontrolled intersection with another Pathway, yield the right of way to the user on the right; and
 - (d) when on a Trail, approaching an uncontrolled intersection with another Trail, yield the right of way to the user on the right.
36. A Person using a Pathway or Trail shall:
- (a) exercise due care and attention to avoid colliding with any other user;
 - (b) exercise reasonable consideration for any other user;

- (c) give an audible signal by voice, bell or other signaling device before overtaking another user; and
 - (d) ensure they are visible to other users.
37. No Person using a Pathway shall travel left of the Centre Line of a Pathway except:
- a) when overtaking another Person travelling in the same direction;
 - b) when the Pathway to the right of the Centre Line is obstructed;
 - c) when the Pathway to the right of the Centre Line is closed to Pathway users; or
 - d) when turning left off the Pathway.
38. No Person using a Pathway shall pass or attempt to pass another Person travelling in the same direction when:
- (a) it is unsafe to do so;
 - (b) on a curve in the Pathway, when that Person's vision is obstructed;
 - (c) Pathway lanes are separated by double solid lines; or
 - (d) passing beneath a bridge or through a tunnel of any kind.
39. No Person overtaking another Person on a Pathway shall return to the right-side of the Centre Line of a Pathway until it is safe to do so.
40. No Person shall operate a Bicycle or Wheeled Conveyance on a Pathway, Trail or Park Roadway in a manner that is unsafe to that Person or other people in the Park.
41. No Person using a Pathway shall use poles or other hand held aids while wearing in-line skates, roller skis or similar conveyances.
42. No Person riding a Bicycle or Wheeled Conveyance on a Park Roadway, Pathway or Trail shall use the Bicycle or Wheeled Conveyance to carry more Persons than the number for which it is designed and equipped.
43. No Person operating or riding as a passenger on a Bicycle or Wheeled Conveyance on a Park Roadway, Pathway or Trail shall:
- (a) hold onto; or
 - (b) be attached to;
- any other Bicycle, Wheeled Conveyance or Vehicle unless that person is riding in a child or animal trailer designed for such use.

REQUIRED EQUIPMENT

44. A Bicycle operated on a Pathway, or Trail shall be equipped with:

- (a) at least one (1) working brake;
- (b) a horn, bell or other signaling device; and
- (c) if operated during the period beginning one half hour (1/2) after sunset and ending one half hour (1/2) before sunrise;
 - (i) at least one (1) functioning headlamp with a lens and bulb which are clear in colour;
 - (ii) at least one (1) functioning red tail lamp which is capable of emitting a flashing or steady mode; and
 - (iii) at least one (1) red reflector mounted at the rear.

LIGHTS REQUIRED BY PATHWAY USERS

45. No Person shall operate a Bicycle or In-line skates on a Pathway or Trail during the period commencing one half hour (1/2) after sunset and ending one half (1/2) hour before sunrise unless:
- (a) in the case of a Bicycle, the headlamp, tail-lamp and reflector required pursuant to Section 44 are activated; or
 - (b) in the case of a person operating in-line skates, a device or devices which emit either a clear or red light, in either a flashing or steady mode, is affixed to the person's body or clothing and is both activated and visible from both the front and the rear of the Person.

ADMINISTRATION

Authority of the Director is declared in Section 4 of the proposed Bylaw.

46. The Director may, in writing, delegate any or all of the powers conferred on the Director by this Bylaw to any Person or Persons the Director considers advisable.
47. The Director may, as the designated officer for and on behalf of The City authorize the formalization and execution of:
- (a) contracts for the operation of concessions in a Park, or in a building within a Park, selling anything or providing services deemed appropriate by the Director of Parks;
 - (b) contracts engaging the services of a Person or Persons who provide services which enhance or augment programs or services offered by Calgary Parks;
 - (c) contracts for the rental of equipment by Calgary Parks or to Calgary Parks;
 - (d) contracts for the display or exhibit of information to the public by Calgary Parks or in a Park;

- (e) contracts with volunteers providing services to Calgary Parks, including any necessary indemnifications;
- (f) contracts related to programs put on by Calgary Parks including leases and licences, and any necessary indemnifications;
- (g) contracts for the sponsorship of Calgary Parks programs, Parks or parts of Parks, or the sponsorship of programs, events or items such as maps and calendars which are undertaken by others; and
- (h) contracts for festivals or special events taking place in Parks.

GENERAL MANAGER POWERS

This section originally allowed the Director to allow exceptions to the Bylaw in order to allow for some activities. Instead permitted activities are now in an appropriate section of the proposed Bylaw such as section “Activities Permitted in Designated Areas” (Section 8), or “Activities Requiring Permits” (Section 9).

48. (1) The Director may as the Director deems necessary for the administration of Calgary’s Parks, preservation and protection of Parks and Amenities, and to ensure public safety:
- (a) close or restrict the use, or type of use of a Park, Pathway, Trail, Playground, Cemetery or Sports Field, or a portion of a Park, Pathway, Trail, Playground, Cemetery or Sports Field; **Section 5**
 - (b) prohibit all kinds of fires otherwise permitted pursuant to this Bylaw;
 - (c) vary the time that a Park, Pathway, Trail, Playground, Cemetery or Sports Field, or a portion of a Park, Pathway, Trail, Playground, Cemetery or Sports Field, is open to the public; **Section 5 and 6**
 - (d) designate speed limits on Pathways and Trails; **Section 17**
 - (e) designate wading and swimming areas in water courses or ponds which flow through, are adjacent to or are located within a Park; **Section 12**
 - (f) designate boat launching areas within Parks; **Section 12**
 - (g) designate areas within Parks where tobogganing and sliding are allowed; **Section 8**
 - (h) designate areas within Parks where horse riding is allowed; **Section 8**

- (i) (i) subject to subsection 48(1)(i)(ii), designate areas within Parks where dogs are permitted to run when off leash, where organized and controlled canine events may be held and where dogs are prohibited; Sections 9 and 15
- (ii) not designate or allow to be designated any off leash areas within Glenmore Park; Section 15
- (iii) notwithstanding subsection 15(4) of Bylaw 23M2006, the Responsible Pet Ownership Bylaw, designate specific off Leash areas or areas within off Leash areas in which the Owner of a dog is not required to secure such dog on a Leash while the dog is on a Pathway; Section 15
- (j) designate areas within Parks where busking or public speaking is allowed, including the use of amplification systems; Section 9
- (k) designate areas within Parks where kites, hot air balloons or gliders may be launched and where remote controlled Vehicles, planes, and boats may be operated; Section 8
- (l) designate areas within Parks where Bicycles and Wheeled Conveyances can be ridden off Park Roadways, Pathways or Trails. Section 16
- (m) designate the content, use and placement of signs other than traffic control devices in Parks; Section 9
- (n) establish the conditions and locations of the sale of goods and services in a Park; Section 30
- (o) establish rules and operating procedures regarding the use, maintenance and operation of Cemeteries; Section 28
- (p) set rates and fees for services and sales within Cemeteries, with the exception of: Section 28
 - (i) the sale of burial lots, mausoleum crypts or niches, and columbarium niches;
 - (ii) fees for interment and disinterment services;
 - (iii) mausoleum fees; and
 - (iv) the sale of concrete grave liners and burial vaults.
- (q) set rates for fees for Permits the Director is allowed to grant; Section 4
- (r) designate areas in Parks where dogs are allowed to swim or are not allowed to swim, where such activity is otherwise prohibited or allowed; Section 12
- (s) in cases where the playing of ice hockey is otherwise prohibited by this Bylaw, designate ice surfaces where ice hockey may be played; Section 8 and

- (t) designate areas within a Park or on a Pathway where activities otherwise prohibited by this Bylaw are allowed. **Section 8**
- (2) The exercise of powers conferred on the Director in this Section shall be:
 - (a) made in writing;
 - (b) in effect when signed by the Director; and
 - (c) made available for viewing by the public.

(B/L 40M2004, 2004 June 21)

(B/L 23M2006, 2006 March 20)

PERMITS

Permitted activities are contained in Section 9 of the proposed Bylaw.

49. The Director may grant Permits allowing any activity within a Park which is otherwise prohibited by this Bylaw including:
- (a) allowing open fires and barbeques in a Park;
 - (b) allowing parades, events or public gatherings in a Park;
 - (c) allowing Vehicles to operate in a Park at locations other than Park Roadways;
 - (d) allowing the sale of goods and services in a Park;
 - (e) allowing commercial guiding and interpretative tours in a Park;
 - (f) allowing the cutting or planting of Park Vegetation in a Park;
 - (g) allowing the use of Sports Fields for sporting events;
 - (h) allowing the removal of fossils or artifacts from a Park;
 - (i) allowing the placement of temporary signs or banners;
 - (j) allowing fireworks displays from a Park; and
 - (k) allowing the exclusive use of a Park or Pathway, or Trail, or a part of a Park or Pathway or Trail.

Permit Holder Requirements are contained in Section 32 of the proposed Bylaw.

50. A Permit is not valid unless it is in writing and signed by the Director.
51. The Director may place any conditions the Director considers reasonable on any Permit.
52. A Permit is valid only for the period of time it is granted.
53. The Director may amend, vary or revoke a Permit at any time.
54. A Permit holder shall have the Permit available for review and inspection at all times when exercising the rights granted under the Permit and shall produce the Permit upon the demand of an Officer.
55. Any Person who relies on a Permit has the onus of proving that they were the holder of a valid and subsisting Permit.
56. No Person shall interfere with the use and enjoyment of Persons holding a valid and subsisting Permit for the exclusive use of a Park or portion of a Park, during the times and in the areas for which the Permit is granted.

POWERS OF OFFICERS removed from the proposed Bylaw

57. (1) Where an Officer observes a Person using or operating a Bicycle or Wheeled Conveyance in contravention of this Bylaw, the Officer may impound the Bicycle or Wheeled Conveyance for a period not exceeding 60 days
- (2) Where a Bicycle or Wheeled Conveyance has been impounded by an Officer, the owner or operator of such Bicycle shall, aside from any fine or penalty to which the owner may be subject, be liable for all reasonable costs incidental to the impounding.

PROSECUTIONS

Removed from current Bylaw as Administration attempts to limited excessive use of signage in parks

58. In a prosecution for contravening this Bylaw the evidence that a sign was posted is prima facie proof that the sign was properly erected by the proper authority without other or further proof thereof.

GENERAL PENALTY PROVISION Section 33

59. (1) Any Person who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the Person is prohibited from doing; or
 - (b) failing to do any act or thing the Person is required to do;
- is guilty of an offence.
- (2) Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six (6) months.

REMEDY ORDERS Section 34

60. (1) Where an Officer who also has the powers of a designated officer believes that a Person has contravened any provision of this Bylaw the Officer may:
- (a) in accordance with the Municipal Government Act, R.S.A. 2000, C. M-26 issue to the Person an Order to remedy the infraction;
 - (b) issue to the Person a violation ticket in accordance with the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24; or
 - (c) do both (a) and (b).
- (2) If the Person to whom an Order has been issued pursuant to Subsection (1) fails to comply with the Order within the time specified in the Order:
- (a) that Person commits an offence under this Section and an Officer may issue a violation ticket pursuant to the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24; and
 - (b) The City may take whatever steps are necessary to remedy the breach of

the Bylaw and The City may recover the costs of taking those steps, in accordance with the Municipal Government Act, R.S.A. 2000, C. M-26.

- (3) Any items removed, if deemed of value, will be removed to a place of safe keeping and will:
 - (a) be assessed a daily fee for storage costs as may be determined from time to time by the Director; and
 - (b) if unclaimed within ninety (90) days, be disposed of or sold at public auction.

TAGS Section 34

- 61. (1) Where authorized by legislation, where an Officer believes that a Person has contravened Section 11 or 12 of this Bylaw, he may serve upon such Person a parking tag allowing payment of a penalty as set out in Schedule "A" in lieu of prosecution of the offence.
- (2) A tag may be:
 - (a) personally served; or
 - (b) attached to any Vehicle in respect of which any parking offence is alleged to have been committed.
- (3) If the Person upon whom a tag is served fails to pay the required sum within the time specified, a violation ticket may be issued to that Person.
- (4) Nothing in this Section shall:
 - (a) prevent any Person from exercising his right to defend any charge of committing a breach of the Sections referred to in Subsection (1); or
 - (b) prevent any Officer, in lieu of serving a tag, issuing a violation ticket pursuant to the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24.

VIOLATION TICKETS AND SPECIFIED PENALTIES Section 35

- 62. (1) Where an Officer believes that a Person has contravened any provision of this Bylaw, the Officer may commence proceedings against the Person by issuing a violation ticket pursuant to the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24.
- (2) The specified penalty payable in respect of a violation of a provision of this Bylaw shall be the amount shown as the specified penalty in Schedule "A" of this Bylaw in respect of that provision.
- (3) If a Person commits the offences set out in Sections 4, 10, 11, 12, 13, 17, 19, 25, 26, 30, 31, 32, 33, 36, or 40 in an area that is undergoing construction or maintenance, the specified penalty for that offence is double the specified penalty set out for that offence in Schedule "A".

- (4) This section shall not prevent any Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24, or from laying an information in lieu of issuing a violation ticket.

63. Schedule "A", attached, shall form part of this Bylaw.

MINIMUM PENALTIES AND SUBSEQUENT OFFENCES Section 35

64. The minimum penalty which may be imposed for:

- (a) a first offence in respect of a violation of any provision of this Bylaw shall be \$25.00;
- (b) a second offence of the same provision of this Bylaw within a twenty-four month period shall be \$50.00; and
- (c) a third or subsequent offence of the same provision of this Bylaw within a twenty-four month period shall be \$150.00.

OWNER LIABLE Removed from the proposed Bylaw

65. (1) If a Vehicle is involved in an offence referred to in this Bylaw, the owner of that Vehicle is guilty of an offence.
- (2) Subsection (1) does not apply if the owner of the Vehicle satisfies the Court that the owner did not park the Vehicle, and that the Person who parked the Vehicle did so without the owner's express or implied consent.
- (3) Notwithstanding Subsection (1), if the owner was not at the time of the offence driving the Vehicle, that owner is not in any event liable to imprisonment.
66. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which that Person is liable under the provisions of this Bylaw or any other bylaw.

MISCELLANEOUS Section 2

67. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.
68. Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefore.
69. Every provision of this Bylaw is independent of all other provisions, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

EFFECTIVE DATE OF BYLAW AND REPEAL OF OTHER BYLAWS

Consequential Amendments, Repeal, and Coming Into Force, is contained in Sections 37, 38 and 39.

70. Upon third Reading of this Bylaw the following Bylaws are repealed:
- (a) Parks Bylaw 36/76;
 - (b) Closing of Bowness Park for Certain Hours 132/78;
 - (c) Bylaw to Designate Hours of Closing for Various Parks and Cemeteries in The City of Calgary 39M87; and
 - (d) Control and Regulation of Cemeteries Bylaw 7798.
71. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 12TH DAY OF JANUARY, 2004.

READ A SECOND TIME THIS 12TH DAY OF JANUARY, 2004.

READ A THIRD TIME THIS 12TH DAY OF JANUARY, 2004.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"

As the Bylaw has been rewritten it is difficult to convey new fines for previous offences. The following chart provides updated fines for previous offences, or similar if the offence is no longer specified in the same way it was in the current bylaw. New offences, or different terms for previous offences, are indicated in grey. Old fines have been blacklined.

<u>OFFENCE</u>	<u>SPECIFIED PENALTY</u>
Remain in a Park or area of a Park when closed	\$ 100.00 \$200
Enter or remain in a park when closed by Director (eg for safety concerns, coyotes, construction, etc)	\$500
Unauthorized (Unlawful) fire in a Park	\$ 100.00 \$500
Using trees, leaves Park Vegetation for fire	\$ 100.00
Contained in Unlawful fire in a park	\$500
Fire: improper hours, care and control	\$ 100.00
Contained in Unlawful fire in a park	\$500
Operate barbeque or stove where prohibited	\$ 100.00 No longer specified
Camp or erect tent or structure in a Park	\$ 100.00
Prohibited activity without a permit	\$200
Operate a Vehicle in a Park off Roadway	\$ 200.00 \$500
Park a vehicle outside authorized areas	\$ 50.00 \$100
Park a Vehicle overnight	\$ 50.00 \$100
Speeding in a Vehicle in a Park	\$ 100.00 \$500
Swimming or wading where prohibited in a Park	\$ 100.00
Enter river, lake or pond from a park	\$500
Jump off Amenity into water in a Park	\$ 200.00 No longer specified
Launch boat where prohibited in a Park	\$ 100.00
Enter river, lake or pond from a park	\$250
Enter river, lake or pond from a park during a high flow or boat advisory	\$500

Permit domestic animal to enter river, lake or pond from a <i>park</i>	\$100
Fail to clean, drain and dry watercraft	\$100
Unlawful activity in a park (encompasses damage or unsafe behaviour)	\$250
Damage or interfere: Park, contents or animals	\$ 200.00
Disturb wildlife in a <i>park</i>	\$250
Damage or use an Amenity, Pathway or Trail for other than intended purpose	\$ 200.00
	\$250
Stunting or unsafe activity on a Pathway Park Roadway, Trail or Amenity	\$ 100.00
	\$250
Activity which may injure, disturb or damage Park, Amenity or Park user	\$ 100.00
	\$250
Activities prohibited in a Park	\$ 50.00
Prohibited activity outside designated areas	\$200
Prohibited activity without a permit	
Play hockey where prohibited	\$ 50.00
	\$200
Bring, plant, build, apply prohibited things in a Park	\$ 100.00
Disturb or damage <i>park vegetation</i>	\$250
Remove <i>park vegetation</i>	
Plant vegetation in a <i>park</i>	
Cut, irrigate or spray <i>park vegetation</i>	
Drain water into <i>park</i>	\$1500
Operate prohibited things in a Park	\$ 100.00
Prohibited activity outside designated areas	\$200
Prohibited activity without permit	
Operate drone in a park	
Disobey or place a sign in a Park	\$ 100.00
Disobey a Flagger, City Employee or Officer	\$ 100.00
	\$500









<u>OFFENCE</u>	<u>SPECIFIED PENALTY</u>
Improper Waste disposal in a Park Unlawful disposal of waste in a <i>park</i>	\$ 500.00
Improper Waste disposal from a vehicle Unlawful disposal of waste in a <i>park</i>	\$750.00 \$500
Dispose of burning Waste in a Park Unlawful disposal of waste in a <i>park</i>	\$1000.00 \$500
Urinate or defecate in a Park	\$ 100.00 Removed as redundant to other bylaws
Commercial venture in a Park Engage in <i>commercial activity</i> in a <i>park</i>	\$ 100.00 \$500
Unauthorized <i>vehicle</i> or device on a <i>pathway</i>	\$200
Ride a Bicycle or Wheeled Conveyance off a Pathway or Trail or Park Roadway Leave a <i>pathway</i> or <i>trail</i> where prohibited	\$ 100.00 \$250
Ride where closed or prohibited Ride or operate <i>bicycle</i> or <i>wheeled conveyance</i> where prohibited	\$ 100.00 (no change)
Speed on a Pathway or Trail	\$ 50.00
Speed in excess of limit on a <i>pathway</i> <ul style="list-style-type: none"> up to 10 km/h over limit more than 10 km/h over limit <i>Vehicle</i> speed above posted limit	\$100 \$200 \$200
Unsafe Speed on Pathway or Trail Unsafe speed on a <i>pathway</i>	\$ 100.00 \$200
Failure to yield right of way when entering Pathway Unsafe activity on a <i>pathway</i>	\$ 100.00 \$250
Failure to yield right of way at uncontrolled intersections Unsafe activity on a <i>pathway</i>	\$ 100.00 \$250
Unsafe activities on Pathway Unsafe activity on a <i>pathway</i>	\$ 100.00 \$250
Travelling left of Centre Line of Pathway where prohibited Unsafe activity on a <i>pathway</i>	\$ 100.00 \$250
Unsafe passing on Pathway Unsafe activity on a <i>pathway</i>	\$ 100.00 \$250

Unsafe return to right side of Pathway	\$ 100.00
Unsafe activity on a <i>pathway</i>	\$250
Cyclist or in-line skater, unsafe operation	\$ 100.00
Unsafe activity on a <i>pathway</i>	\$250
Use of poles on a Pathway	\$ 100.00 Omitted from proposed bylaw
Riding with more passengers than intended (double riding)	\$ 50.00
Unsafe activity on a <i>pathway</i>	\$250
Towing	\$ 50.00
Unsafe activity on a <i>pathway</i>	\$250
Improperly equipped Bicycle	\$ 50.00
Unsafe activity on a <i>pathway</i>	\$250
Operate at night without lights	\$ 100.00
Use <i>pathway</i> without required lighting	\$200
Close or obstruct a pathway without authorization	\$250
Conduct unauthorized maintenance or construction activity	\$250
Allow dog off-leash in a <i>park</i>	\$100
Encroach on a <i>park</i>	\$1000
Failure to produce Permit on demand	\$ 50.00 \$100
Failure to comply with <i>permit</i> conditions	\$300
Interference with use of a Permit holder	\$ 100.00
Interfere with use of reserved space	\$200
Failure to comply with an Order	\$1000.00 \$500




(B/L 39M2008, 2008 September 08)

ALLOWED RECREATIONAL VEHICLES ON PATHWAYS

The following types of recreational vehicles would be allowed on pathways when the proposed Bylaw comes into effect:

<p>Bicycles – manual and electric assisted</p> 	<p>Skateboards – manual and electric assisted</p> 
<p>Scooters –manual and electric assisted</p> 	<p>Inline skates or Rollerblades</p> 
<p>Segway</p> 	<p>Electric Unicycle</p> 
<p>Hoverboards</p> 	<p>Mobility Devices – Wheelchairs and Scooters</p> 

The following recreational vehicles would NOT be permitted:

All electric motorcycles	Juiced Scrambler 
	CSC City Slicker 
	Vespa Style Scooter or genZe Scooter 
Any gas powered vehicle	Gas Assisted Bicycles and Scooters 