



## PUBLIC AGENDA STREET ACTIVITY STEERING COMMITTEE

Wednesday, September 20, 2017, 12:00 p.m.  
Committee Room E, Ground Floor, City Hall  
Members

Mr. B. Penner (Downtown Saskatoon), Chair  
Ms. V. Charles (Saskatoon Anti-Poverty Coalition)  
Inspector R. Huisman (Saskatoon Police Service)  
Ms. D. Mercier (Broadway Business Improvement District)  
Mr. R. Pshebylo (Riversdale Business Improvement District)  
Senior Planner E. Miller (Neighbourhood Planning, Community Services Department)

Pages

1. CALL TO ORDER
2. CONFIRMATION OF AGENDA  
  
Recommendation  
That the agenda be confirmed as presented.
3. DECLARATION OF CONFLICT OF INTEREST
4. ADOPTION OF MINUTES  
  
Recommendation  
That the minutes of regular meeting of the Street Activity Steering Committee held on May 17, 2017 be adopted.
5. UNFINISHED BUSINESS
6. REPORT OF THE CHAIR [File No. CK. 225-74]
7. REPORT OF PROGRAM MANAGER [File No. CK. 225-74]
8. INFORMATION REPORTS
  - 8.1 Panhandling - Request for Parameters Set by the Courts [File No. CK. 5000-1] 3 - 12  
  
Attached for the Committee's information, is a resolution package from the minutes of the Regular Business Meeting of City Council held on June 26, 2017, regarding the above item.

City Council resolved that the information be received.

**Recommendation**

That the information be received.

- 8.2 Street Activity Steering Committee - Request to Amend Panhandling Bylaw, 1999, No. 7850 - Proposed Bylaw No. 9459** 13 - 16

Attached for the Committee's information, is a resolution package from the minutes of Regular Business Meeting of City Council held on June 26, 2017, regarding the above item.

A motion to give Bylaw No. 9459 first reading failed on a tie vote.

**Recommendation**

That the information be received.

**9. COMMUNITY SUPPORT PROGRAM**

- 9.1 Community Support Program Supervisor's Report [File No. CK. 5605-3]** 17 - 22

Update attached - L. Prefontaine

**Recommendation**

That the information be received.

**10. ADJOURNMENT**

**PUBLIC RESOLUTION  
REGULAR BUSINESS MEETING OF CITY COUNCIL**

**Main Category: 9. REPORTS FROM COMMITTEES AND ADMINISTRATION**

**Sub-Category: 9.11 Office of the City Solicitor**

**Item: 9.11.1 Panhandling – Request for Parameters Set by the Courts  
[File No. CK. 5000-1]**

**Date: June 26, 2017**

*Any material considered at the meeting regarding this item is appended to this resolution package.*

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**Moved By:** Councillor Donauer

**Seconded By:** Councillor Gough

That the information be received.

In Favour: Mayor C. Clark, Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries and Councillor Loewen

**CARRIED UNANIMOUSLY**

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## Panhandling – Request for Parameters Set by the Courts

### Recommendation

That this report be received as information.

### Topic and Purpose

The purpose of this report is to provide information on the limits set by Canadian Courts regarding the regulation of panhandling by municipalities including *Canadian Charter of Rights and Freedoms* (the “Charter”) implications.

### Report Highlights

1. The City has the general authority to regulate panhandling.
2. Panhandling is an activity which attracts protection from the Charter.
3. In the regulation of panhandling, the City must:
  - focus on the regulation of coercive/obstructive panhandling;
  - focus on the regulation of the safe and efficient passage of pedestrians, not panhandling itself;
  - enact spacial restrictions on panhandling only when panhandling would interfere with the primary purpose of the street;
  - ensure spacial restrictions on a large scale do not result in a prohibition on panhandling; and
  - focus on the regulation of activities rather than the regulation of people or a distinct class of people.

### Strategic Goal

This report supports the City of Saskatoon’s strategic goal of Quality of Life by ensuring Saskatoon is a safe, welcoming and well-managed people place.

### Background

*The Panhandling Bylaw, 1999* (the “Bylaw”) was enacted in May of 1999. In its original form, the Bylaw included prohibitions for panhandling at night (between 9:00 pm and 6:00 am), within two metres of any doorway or mobile food vendor, from a person standing in line on a street to enter a building or purchase goods or from a person seated outdoors in a seating area abutting a restaurant.

In 2001, the City of Vancouver amended its panhandling bylaw called the *Street and Traffic By-law* (the original form of which was the model for the City’s 1999 Bylaw), to focus on obstructive solicitation by removing time and certain location restrictions (which

were stated to have the effect of entirely prohibiting panhandling downtown). The following year the Province of Ontario enacted the *Safe Streets Act, 1999*. Both Vancouver's bylaw and Ontario's legislation were challenged, unsuccessfully.

In 2000, the City of Winnipeg repealed its panhandling bylaw, which had been in force since 1995, after a challenge was raised under sections 2(b) and 15 of the Charter. Winnipeg voluntarily repealed its bylaw, which was time and location based, and replaced it with a new bylaw focused on the prevention of obstructive behavior by panhandlers called *The Obstructive Solicitation Bylaw*, which is still in force today.

In July of 2003, in response to the approaches taken by these other municipalities and resulting court decisions, the City amended the Bylaw to focus exclusively on coercive panhandling; removing prohibitions on time and the certain location based restrictions mentioned above. Restrictions around ATMs and banks remained in the Bylaw as courts have found panhandling in these locations to interfere with the primary purpose of the street.

On December 12, 2016 and January 23, 2017, at its Regular Business Meetings, City Council received reports from the General Manager, Community Services Department and the City Clerk, respectively, recommending options for combatting aggressive/coercive panhandling through expansion of regulatory provisions under the Bylaw. City Council resolved, among other resolutions:

“that the Administration report back with a summary of exactly what parameters the Supreme Court has set out concerning panhandling in a public area.”

## Report

The City Solicitor's Office has reviewed the case law examining the limitations of panhandling regulation as it pertains to an individual's rights under the Charter including Supreme Court of Canada (“SCC”) pronouncements and cases which have expanded on these decisions, and can report as follows in answer to City Council's resolution:

### I. A Municipality has the Jurisdiction to Regulate Panhandling

Generally speaking, a municipality has the jurisdiction and ability to regulate panhandling. Pursuant to Sections 8 and 12 of *The Cities Act*, the City has jurisdiction to enact bylaws respecting streets, people, activities and things in, on or near a public place or place that is open to the public and the safety, health and welfare of people and has direction to control and manage all streets within the City. A “street” is defined as follows:

““street” includes all or any part of a culvert or drain or a public highway, road, lane, bridge, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians”.

## II. Panhandling is an Activity Protected by the Charter

Canadian courts have considered the regulation of panhandling and panhandling-like activities by municipalities. The leading panhandling case is *Federated Anti-Poverty Groups of B.C. v. Vancouver (City)* – a case which borrows heavily from prior SCC cases in coming to its decision. The principles found in this 2002 decision were then affirmed by the Ontario Superior Court of Justice and Ontario Court of Appeal in *R v. Banks*. The *Federated* case arose as a result of the Vancouver panhandling bylaw and the *Banks* case from the Ontario *Safe Streets Act*. These cases confirm that panhandling is an activity protected by the Charter and provide guidance for municipalities in their regulation of panhandling.

### 1. Freedom of Expression – Section 2(b)

- Panhandling is a protected form of expression used by those in poverty to engage in dialogue with the rest of society about their plight.
- A municipality has the jurisdiction to regulate panhandling so long as the focus of the regulation is the safe and efficient passage of pedestrians and not panhandling itself.
- Panhandling that constitutes obstruction is not within the scope of the protected right of freedom of expression.
- A bylaw must be drafted so as to interfere with panhandling as a form of expression as minimally as possible.

### Expression Consistent with Primary Purpose of Public Space

- The expression or panhandling activity must be consistent with the primary use of the public space. For example, panhandling taking place in the middle of a busy street would not be protected as it would interfere with the flow of traffic and therefore would not be consistent with the primary purpose of the street.
- Some spatial restrictions are allowable where panhandling would interfere with the primary purpose of the street. Examples where the courts have found panhandling to interfere with the primary purpose of the street are:
  - ATMs; and
  - financial institutions.
- Spatial restrictions on a larger scale may be open to a Charter challenge as they may be seen to prohibit panhandling altogether. Therefore, a municipality must be careful not to expand area restrictions to the point where they may be viewed as a general prohibition on panhandling.
  - The City of Vancouver in *Federated* limited the spatial restrictions to panhandling within ten metres of an ATM or bank/trust company entrance, which accounted for less than ten percent of their total sidewalk area.

**2. Life, Liberty or Security of the Person – Section 7**

- Some cases have held that the ability for panhandlers to provide for themselves is protected by the Charter as a provision of the necessity of life. Obstructive panhandling does not receive this protection.
- A panhandling bylaw which results in incarceration may lead to a further Charter challenge. This will be fact-dependent.

**3. Equality – Section 15**

- A panhandling bylaw must not differentiate between other street users and panhandlers but, rather, must regulate activities.
- A bylaw may not discriminate against panhandlers by creating a distinct class of people.
- A bylaw must not impose a burden on or withhold a benefit from those engaged in panhandling which affects their essential human dignity.

**III. Conclusion**

Therefore, while the City has the general legislative authority to regulate panhandling, the courts have limited this authority. When passing a panhandling bylaw, the City must:

- focus on the regulation of coercive/obstructive panhandling;
- focus on the regulation of the safe and efficient passage of pedestrians, not panhandling itself;
- enact spacial restrictions on panhandling only when panhandling would interfere with the primary purpose of the street;
- ensure spacial restrictions on a large scale do not result in a prohibition on panhandling; and
- focus on the regulation of activities rather than the regulation of people or a distinct class of people.

**Public Notice**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**Attachment**

1. Legal Analysis - Panhandling

**Report Approval**

Written by: Derek Kowalski, Solicitor  
Approved by: Patricia Warwick, City Solicitor

Admin Report – PanhandlingRequest.docx  
102-0461-djk-5.docx

## Legal Analysis Panhandling

### I. Panhandling is an Activity Protected by the *Charter of Rights and Freedoms*

The leading case on the issue is *Federated Anti-Poverty Groups of B.C. v. Vancouver (City)*, 2002 BCSC 105, a decision which borrows heavily from prior Supreme Court of Canada (“SCC”) cases in coming to its decision. The principles of this 2002 decision were then affirmed by the Ontario Superior Court of Justice (“ONSC”) in 2005 in *R v. Banks*, [2005] O.J. No. 98 and reaffirmed by the Ontario Court of Appeal in 2007 [2007], O.J. No. 99, a decision which was appealed later that year and dismissed by the SCC [2007] S.C.C.A. No. 139. The *Federated* case arose as a result of the Vancouver bylaw and the *Banks* case from the Ontario *Safe Streets Act*.

#### 1. Section 2(b) Analysis – Freedom of Expression

In the *Federated* case, panhandling was found to be a protected form of expression used by those in poverty to engage in dialogue with the rest of society about their plight. However, panhandling that constituted obstruction was not within the scope of the protected right of freedom of expression. Obstructive panhandling, it was found, did not promote the underlying values of freedom of expression; the pursuit of truth, participation in the community and individual self-fulfillment and human flourishing.

In the *Federated* case, the court balanced the competing interests of panhandlers and other users of the street; finding that the bylaw was directed at the consequences of panhandling rather than the conduct and that Vancouver enacted the bylaw in a manner that recognized the duty to provide for the safe and efficient movement of pedestrians and the need for other forms of activity on its streets.

The court relied primarily on *Irwin Toy Ltd. v. Quebec (A.G.)*, [1989] 1 S.C.R.;; *Committee for Commonwealth of Canada v. Canada*, [1991] 1 S.C.R. 139, *Ramsden v. Peterborough (City)*, [1993] 2 S.C.R. 1084, *Starr v. Houlden*, [1990] 1 S.C.R. 1366, 68 D.L.R. (4th), *Law v. Canada (Minister of Employment and Immigration)*, [1999] 1 S.C.R. 497, *Corbière v. Canada (Minister of Indian and Northern Affairs)*, [1999] 2 S.C.R., *Nanaimo City v. Rascal Trucking Ltd.*, [2000] 1 S.C.R. 342, *Reference re: Firearms Act (Canada)*, [2000] 1 S.C.R., *R. v. White*, [1999] 2 S.C.R. 417, *Dunmore v. Ontario (Attorney General)* (1997), 155 D.L.R. (4th) 193 (Ont. Gen. Div.), and *R. v. Wholesale Travel Group Inc.*, [1991] 3 S.C.R. 154. in coming to its conclusions.

As part of its reasoning, the court also considered whether expression on public property was protected under section 2(b) of the *Charter of Rights and Freedoms* (the “Charter”). The court in *Federated* determined that the protection afforded to freedom of expression should be considered in the context of the function of the place where the

activity is sought to be pursued. It concluded that an individual will only be free to communicate in a place owned by the state if the form of expression used is compatible with the principle function or intended purpose of that place. If the expression takes a form that contravenes or is inconsistent with the function of the public place, such a form of expression must be considered to fall outside of the protections afforded by section 2(b) of the Charter.

Lamer C.J.C. in the *Commonwealth* case gives the example of a picketer on a busy street whose form of expression impeded the smooth flow of traffic. The picketer's section 2(b) rights would not have been infringed if he or she were told by a government representative to move to a less or non-obstructive position to express him or herself. Borrowing from Lamer C.J.C. in the *Commonwealth* case, the court in *Federated* found that activities, whether or not they engage forms of expression, are subordinate to the purpose/function of the street. This was affirmed in *Banks*.

The *Banks* case dealt with the Ontario *Safe Streets Act* which prohibited "aggressive solicitation". "Squeegee kids" were charged with unlawfully soliciting drivers stopped in vehicles. The trial judge found that the Act contravened the right to freedom of expression but the infringement was justified under section 1 of the Charter, as a minimal impairment of the right, because the legislation does not regulate the content of the expression, only the time, manner or place of expression. For example, a law which prohibits the use of cartoons in advertising directed at children, or a law that authorizes a public official to stipulate the time and place of a parade restrict expression, but only in time, manner or place, not content. Such a restriction, as in the *Banks* case, is likely to be upheld under section 1 of the Charter.

## 2. Section 7 Analysis – Life, Liberty or Security of the Person

In *Federated*, the Charter arguments respecting section 7 were threefold:

1. the bylaw denies the ability of those in need to provide for the necessities of life;
2. the bylaw denies those who panhandle, the right to use and enjoy public places; and
3. the bylaw creates the potential for loss of liberty through incarceration.

### A. Necessities of Life

Despite a lack of definitive comment from the SCC, the court in *Federated*, relied on the section 7 analysis in *R v. White*, and ruled that the ability for panhandlers to provide for themselves was an interest which fell within the ambit of section 7 of the Charter, provision of the necessity of life. However, the court concluded that because the bylaw did not prohibit panhandling *per se*, but only obstructive panhandling, in terms of the dominant purpose of the streets, the bylaw did not result in a denial of ability to provide the necessities of life. In reaching this conclusion, the court noted the multitude of areas where panhandling could occur, without preference.

The court in *Banks* is in line with the *Federated* decision. The court found that *The Safe Streets Act*, by defining and prohibiting aggressive solicitation (or panhandling) did not restrict or prohibit one's ability to make a "fundamental life choice". The court goes further, in reliance on the SCC decisions of *Siemens v. Manitoba (Attorney General)* and *Blencoe v. British Columbia (Human Rights Commission)*, to find that the ability to generate business revenue by one's chosen means is not a right that is protected under section 7 of the Charter. A distinction is therefore made between the fundamental ability to provide for oneself and the ability to choose to provide for oneself by a particular means (ie. you could panhandle, just not in an aggressive manner, as defined).

## B. Use and Enjoyment in Public Places

In order to attract the protection of section 2(b) in public spaces, panhandling activity must be consistent with the primary use of the public space. The spatial restrictions under the bylaw in *Federated* were confined to ATM and financial institution locations with no time restrictions. In those locations, it was found to be a reasonable inference that panhandling would cause interference with the primary purpose of the streets. These restrictions were also found to be in accordance with the principles of fundamental justice since the bylaw sought to balance the interests of all who use the street, leaving the vast majority of sidewalk areas still available for panhandling. It is worth noting that the restrictions in the bylaw in *Federated* were quite limited:

"The By-law does prohibit panhandling within 10 metres of an ATM or bank/trust company entrance. This is a limited geographic area. Professor Blomley shows this limited area in his report where there is a plan of a city block along Granville Street that is 150 metres long and 75 metres wide between Robson and Pender Streets (3 blocks) and 75 metres long between Pender and Hastings Streets. In the 4-block area that his plan identifies, there are 6 banks/trust companies and 2 ATM machines. Thus, the total sidewalk area along Granville Street and each of the side streets off of Granville is 1,650 metres. Under the By-law, approximately 160 metres are proscribed areas for the purpose of panhandling."

The bylaw was found not to proscribe location nor the act of panhandling. Rather, it proscribed particular conduct that affects the use of the streets by others.

## C. Potential Loss of Liberty

The court also addressed the issue of the potential loss of liberty through incarceration.

It was found that the bylaw created an absolute liability offense with no potential for incarceration upon conviction or default in payment under the *Small Claims Rules*. The only basis for imprisonment would lie in the wilful failure to comply with a Court order and therefore it did not offend the provisions of section 7 of the Charter. The court went on to state that, in the event the offence was one of strict liability and that the provisions

of the *Small Claims Rules* amounted to a potential for incarceration because of a failure to pay, the analysis under *R. v. Wholesale Travel Group Inc.* would be applied to determine if a section 7 infringement existed.

### 3. Section 15(1) Analysis – Equality Under the Law

The court in *Federated*, in reliance on the test for discrimination in *Law v. Canada (Minister of Employment and Immigration)*, found that the bylaw did not differentiate between other street users and panhandlers, given that all were proscribed from being obstructive when carrying out their otherwise legitimate activities. The bylaw did not discriminate against panhandlers by creating a distinct class of people.

Further, in reliance on the test in *Corbieré v. Canada (Minister of Indian and Northern Affairs)*, the court concluded that the activity of panhandling in the proscribed manner could not be elevated to an analogous ground to those enumerated in the Charter (race, national or ethnic origin, colour, religion, sex, age or mental or physical disability). Poverty, it was determined, is not an immutable condition, as there are many alternatives for providing necessities that do not involve obstructive panhandling. Further, it was not poverty that was sought to be addressed by the bylaw, but the manner in which the activity of panhandling was carried out. Taylor J. for the Court states that, “Poverty is an economic disadvantage that is regrettably a social condition over which those who endure it have little control, but they are not without options that can result in such a change”. *Dunmore v. Ontario (Attorney General)* is relied upon for the statement that “showing of economic disadvantage does not, by itself, establish discrimination on an analogous ground within the meaning of s. 15”.

The bylaw did not impose a burden on or withhold a benefit from those engaged in panhandling that affected essential human dignity.

Similarly, in *Banks*, the Ontario Court of Appeal reasoned that, in that case, the impugned provisions of Ontario’s *Safe Streets Act* did not contravene the equality guarantee under section 15 of the Charter.

## II. A Municipality has the Jurisdiction to Regulate Panhandling

A “street” is defined as follows:

““street” includes all or any part of a culvert or drain or a public highway, road, lane, bridge, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians”.

Pursuant to sections 8 and 12 of *The Cities Act*, the City has direction to control and manage all streets within the City, and has jurisdiction to enact bylaws respecting streets, people, activities and things in, on or near a public place or place that is open to the public and the safety, health and welfare of people.

In the *Federated* case, the court relied on the approach for ascertaining division of powers between levels of government set out under the SCC decision of *Starr v. Houlden* and determined that a municipality has the jurisdiction to regulate panhandling so long as the focus of the regulation is the safe and efficient passage of pedestrians and not panhandling itself.

Therefore, a bylaw must be drafted so as to interfere with panhandling as a form of expression as minimally as possible, seeking only to prohibit panhandling that results in potentially harmful physical consequences, being the impediment of safe and efficient passage of pedestrians on City streets. Obstructive or coercive panhandling is considered such an impediment and may therefore be restricted or prohibited without infringing on an individual's Charter rights.

Issues may arise when regulation goes beyond what can be justified as obstructive or coercive panhandling.

### **III. There are Limitations to a Municipality's Jurisdiction**

The court in *Federated* found and the court in *Banks* confirmed, that panhandling is a Charter protected right [section 2(b)] and may only be regulated in public space if it takes a form that is inconsistent with the function of the place where it is occurring. Panhandling itself is not inconsistent with the primary function of the street, but obstructive/coercive panhandling was found inconsistent in *Federated*.

Once regulation is expanded beyond what may be considered obstructive/coercive panhandling, Charter issues may arise. A municipality does not have the jurisdiction to prohibit panhandling altogether and must be careful not to expand area restrictions to the point where they may be viewed as a general prohibition on panhandling. This could compromise the integrity of a bylaw.

The City of Vancouver in *Federated*, was very mindful of how and where panhandling would be restricted, limiting the areas to panhandling within ten metres of an ATM or bank/trust company entrance, which accounted for less than ten percent of their total sidewalk area. The City of Vancouver successfully defended their bylaw using this approach.

**PUBLIC RESOLUTION  
REGULAR BUSINESS MEETING OF CITY COUNCIL**

**Main Category:** 9. REPORTS FROM COMMITTEES AND ADMINISTRATION

**Sub-Category:** 9.11 Office of the City Solicitor

**Item:** 9.11.2 Street Activity Steering Committee – Request to Amend  
Panhandling Bylaw, 1999, No. 7850 - Proposed Bylaw  
No. 9459 [File No. CK. 5000-1]

**Date:** June 26, 2017

*Any material considered at the meeting regarding this item is appended to this resolution package.*

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**Moved By:** Councillor Donauer

**Seconded By:** Councillor Block

That permission be granted to introduce Bylaw No. 9459, *The Panhandling Amendment Bylaw, 2017*, and give same its FIRST reading.

In Favour: Councillor Block, Councillor Donauer, Councillor Dubois, Councillor Hill and Councillor Jeffries

Against: Mayor C. Clark, Councillor Gersher, Councillor Gough, Councillor Iwanchuk and Councillor Loewen

**DEFEATED ON A TIED VOTE**

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## Street Activity Steering Committee – Request to Amend Panhandling Bylaw, 1999, No. 7850

### Recommendation

That City Council consider Bylaw No. 9459, *The Panhandling Amendment Bylaw, 2017*.

### Topic and Purpose

The purpose of this report is to provide City Council with Bylaw No. 9459, *The Panhandling Amendment Bylaw, 2017* which implements City Council's decision to amend *The Panhandling Bylaw, 1999* to expand existing restrictions to include theatres, performing arts venues and public parking pay stations.

### Report

On December 12, 2016 and January 23, 2017, at its Regular Business Meetings, City Council received reports from the General Manager, Community Services Department and the City Clerk, respectively, recommending options for combatting aggressive/coercive panhandling through expansion of regulatory provisions under *The Panhandling Bylaw, 1999* including the prohibition of panhandling within eight metres of a doorway to a cinema, theatre, or performing arts venue and to prohibit panhandling around active users and those queued for use around any public parking pay stations.

In accordance with City Council's instructions, we are pleased to submit Bylaw No. 9459, *The Panhandling Amendment Bylaw, 2017*, for City Council's consideration.

### Attachment

1. Proposed Bylaw No. 9459, *The Panhandling Amendment Bylaw, 2017*.

### Report Approval

Written by: Derek Kowalski, Solicitor  
Approved by: Patricia Warwick, City Solicitor

Admin Report – Panhandling Restrictions.docx  
102-0461-djk-4.docx

## BYLAW NO. 9459

## The Panhandling Amendment Bylaw, 2017

The Council of The City of Saskatoon enacts:

**Short Title**

1. This Bylaw may be cited as *The Panhandling Amendment Bylaw, 2017*.

**Purpose**

2. The purpose of this Bylaw is to amend Bylaw No. 7850, *The Panhandling Bylaw, 1999*.

**Bylaw No. 7850 Amended**

3. Bylaw No. 7850, *The Panhandling Bylaw, 1999* is amended in the manner set forth in this Bylaw.

**Section 3 Amended**

4. Section 3 is amended as follows:

- (a) by adding the following after clause 3(d):

“(d.2) “liquor store” means the premises for which the Liquor and Gaming Authority has issued a permit to sell and keep for sale beverage alcohol in closed containers for consumption off the premises, and includes a store established and operated by the Liquor and Gaming Authority but does not include a duty free shop.”;

- (b) by adding the following clause after clause 3(f):

“(f.2) “parking pay station” means a parking pay station as defined in *The Traffic Bylaw, No. 7200*;” and

(c) by adding the following after clause 3(g):

“(g.2) “theatre” means a theatre as defined in the *Zoning Bylaw No. 8770*.”.

**Section 5 Amended**

5. Section 5 is amended by adding the following subsection after subsection 5(6):

“(7) No person shall panhandle from a person who:

- (a) is using a parking pay station;
- (b) is waiting to use a parking pay station; or
- (c) is accompanying a person using, or waiting to use, a parking pay station.”.

**Section 6 Amended**

6. Subsection 6(4) is amended by striking out the existing subsection and substituting the following:

“(4) No person shall panhandle on a street, sidewalk or other public place within eight metres of:

- (a) a doorway to a theatre; or
- (b) a doorway to a liquor store.”.

**Coming into Force**

7. This Bylaw comes into force on the day of its final passing.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Read a third time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



## **September 20, 2017 - Street Activity Steering Committee Meeting Program Report for May – August 2017**

### **1. Executive Summary**

**May & June 2017** – With the nice weather in May and June the Community Support Program (CSP) had an increased presence at community events within the three BIDs and provided additional presentations as programs wrapped up for the summer. There was also a reported increase in call volume. At the end of April and into the month of May the CSP had a practicum student from the First Nations University with Mental Health & Wellness Program complete their work experience with the CSP. An assessment of the experience indicated a positive outcome for both parties.

**July & August 2017** – In July and August there was a notable increase in pedestrian activity on the streets. Calls for service were up and the number of connections with clients reached 808 in July and 1328 in August; an all-time high for the CSP.

The CSP celebrated its five year program anniversary. Uniformed CSP staff has been on the streets on Saskatoon in the Downtown, Broadway, and Riversdale BIDs for five years. On July 13<sup>th</sup>, Mayor Clark, members of the Saskatoon Police Service (SPS), various service providers, representatives from the Street Activity Steering Committee (SASC), program clients, and community members were in attendance to show their support. Presentations highlighted the work done to date and the partnerships that have been established and grown over time.

Despite several incidents regarding bylaw enforcement stops and attempts to stop, the team continues to work diligently at focusing on this aspect of their job duties. The CSP Officers work to encourage safe streets for everyone. However, while performing these duties the officers continue to be disregarded, challenged, and at times experience an aggressive response. Incident reports continue to be submitted and officer safety remains a priority.

At the CSP's 3<sup>rd</sup> quarter meeting at the end of August, planning was completed and will be implemented in the last quarter to test the effectiveness of proposed initiatives. These initiatives will be monitored and evaluated and the most effective strategies will be added to the strategic plan for 2018. The three key themes that will be focused on include increasing calls for service, continuing to achieve more successful bylaw enforcement calls, and an increase in the business connections.



## Community Support Program Report Street Activity Steering Committee

Lesley Prefontaine - Supervisor  
Page 2

### 2. Statistics

**Table 1 – Calls for Service**

<b>2017</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
<b>Number of occurrences</b>	139	146	187	154	159	190	121	166					<b>287</b>	<b>1262</b>
<b>Individuals served</b>	168	195	251	187	196	218	149	203					<b>352</b>	<b>1567</b>
<b>Involvement</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
Business	128	141	159	100	140	126	85	117					<b>202</b>	<b>996</b>
Community	23	46	54	39	31	61	30	31					<b>62</b>	<b>316</b>
Vulnerable Person	160	182	229	153	185	200	131	185					<b>316</b>	<b>1425</b>
<b>Call Origin</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
Office	119	132	160	115	136	153	106	128					<b>234</b>	<b>1049</b>
Patrol	18	32	52	51	32	43	26	50					<b>76</b>	<b>304</b>
Police Dispatch	21	25	26	18	24	18	13	19					<b>32</b>	<b>164</b>
Self-initiated	10	6	12	3	4	2	4	4					<b>8</b>	<b>45</b>
Follow-up	0	0	1	0	0	2	0	2					<b>2</b>	<b>5</b>
<b>Outcome</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
Successful*	124	137	181	131	146	145	113	141					<b>254</b>	<b>1118</b>
Could not locate	27	39	49	35	34	43	24	36					<b>60</b>	<b>287</b>
Not able to assist**	17	19	21	21	16	31	12	26					<b>38</b>	<b>162</b>
<b>Bylaw</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
Information	30	33	75	118	106	117	93	102					<b>195</b>	<b>674</b>
Ticketed	1	4	11	14	6	6	5	3					<b>8</b>	<b>50</b>
Warned	3	6	3	4	5	2	0	3					<b>3</b>	<b>26</b>

\* Successful includes identifying specific issue that exist at the time, assessing the scenario and assisting the individual(s) the supports they need (i.e. housing or shelter, mental health concerns, nutrition, transportation, etc.);

\*\*Not able to assist includes a call in which an individual refuses service, Police or other services providers are in attendance, there is concurrent calls.



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**Table 2 – Calls Attended & Action Taken**

Call Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
Addictions	82	100	112	88	72	105	72	98					170	729
Suspicious Person	21	24	57	25	47	41	24	44					68	283
Disturbance	37	46	47	35	30	22	18	30					48	265
Bylaw	5	12	18	21	14	12	15	11					26	108
Housing	1	3	2	2	2	5	1	3					4	19
Mediation	4	3	0	2	3	18	3	1					4	34
Other	18	7	15	14	27	16	16	16					32	129
Referrals	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
On scene/immediate*	59	66	75	79	61	66	51	77					128	534
Independent**	30	36	45	32	31	48	20	9					29	251
Organization	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
City Police	32	31	49	42	30	44	33	33					66	368
CSP	13	13	11	12	22	28	7	6					13	112
Ambulance	2	3	8	7	9	11	5	8					13	53
Larson House	5	8	5	8	12	16	14	10					24	78
Lighthouse Shelter	1	1	2	2	2	6	0	2					2	26
Lighthouse Stabilization	37	36	33	21	17	13	17	25					42	199
Lighthouse transport	29	28	28	35	16	21	18	30					48	205
Salvation Army	2	0	0	1	2	2	1	1					2	9
Mobile Crisis	0	1	2	1	1	1	0	0					0	6
MSS Income Security	0	5	1	1	0	3	0	3					3	10
Transit Services	9	2	7	1	3	7	2	0					2	31
Other	13	9	9	9	8	15	9	10					19	82

\* On scene/immediate referrals are contacts made directly on scene to assist an individual(s) with immediate needs;

\*\*An independent referral occurs when staff recommends information about a service provider or contact information about the CSP to follow-up with after a call for service is completed, the referral is made with the understanding that the initiative is to be taken by the client.



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**Table 3 – Patrol Statistics**

2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
Directions	10	15	16	20	19	18	20	15					35	133
Business information	4	1	15	3	2	4	5	8					13	42
Program information	18	106	33	46	14	11	18	18					36	264
Business connection	132	79	158	64	57	104	100	38					138	732
Connections	621	519	771	873	688	819	808	1328					2136	6427
New person	9	14	14	9	7	9	6	4					10	72
Needles	1	12	5	20	11	58	8	33					41	79
Other	13	6	16	10	5	22	13	13					26	98

**Table 4 – Key Indicators**

2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
<b>BUSINESSES</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
Liaise with Businesses														
Business Connections	132	79	158	64	57	104	100	38					161	594
Increase Awareness of Street Activity														
Office Calls	119	132	160	115	136	153	106	128					289	815
Collaborate with Businesses														
Collaborations	23	12	19	22	15	30	15	13					28	149
Mediations	4	3	0	2	3	18	3	1					6	15
<b>GENERAL PUBLIC</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Average
Discourage Negative Street Activity														
Response Times	8.2	9.0	8.1	7.4	8.7	8.5	7.8	8.2					16.0	8.2
Patrol Times	210	189	381	266	203	244	202	196					447	248.8
Time in Attendance	14.4	17.8	17.1	17.6	12.9	13.4	11.6	12.7					24.3	14.7



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	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Total	YTD Total
<b>Build Trust with people on the Street</b>														
Events Attended	3	4	3	3	4	12	9	6					15	27
Calls for Service	139	146	187	154	159	191	121	166					287	801
Patrol Calls	18	32	52	51	32	43	26	50					76	304
<b>VULNERABLE PERSONS</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
<b>Building trust with vulnerable people on the street</b>														
Frequency of Contacts	621	519	771	873	688	819	808	1328					2136	6427
Individuals Served	168	195	251	187	196	218	149	203					352	1567
Near Misses	37	29	46	44	42	44	35	22					57	299
<b>Relationships with Service Providers</b>														
Service Provider Connections	59	66	75	79	61	66	51	77					128	534
<b>BYLAW ENFORCEMENT</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Current Total</b>	<b>YTD Total</b>
<b>Enforcement</b>														
Information	30	33	75	118	106	117	93	102					195	674
Warning	3	6	11	14	6	6	5	3					8	50
Tickets	1	4	3	4	5	2	0	3					3	26
<b>SPS Connections</b>														
Police Dispatch	21	25	26	18	24	18	13	19					32	164
Referrals to SPS	32	31	49	42	30	44	33	33					66	368



### **3. Highlights & Challenges**

The following highlights and challenges were identified by May – August activities:

- On July 13<sup>th</sup> the CSP hosted an Anniversary Celebration at City Hall to celebrate five years of service in the community and there were approximately 75 people in attendance;
- The CSP attended numerous events throughout the three BIDs and received numerous positive comments and feedbacks about their presence, and the work that the program has done to increase the feeling of safety in the core areas of our community;
- The database meetings are nearing completion and training for the new system will commence in September with a go-live date to follow shortly after;
- There have been a few hotspot locations identified in this reporting period in collaboration with businesses, organizations, and an increase in calls for service to the areas, in response the CSP team will increase patrols and continue to collaborate with SPS as required;
- A practicum student from the First Nations University Mental Health & Wellness Program complete their work experience with the CSP in May;
- The main challenge continues to be the reported incidents that are occurring before and during a bylaw enforcement stop.

### **4. Looking Forward**

Based on the information gathered from this reporting period the CSP will be focused on the following activities in addition to their regular duties. These activities will include:

- The CSP quarterly meeting outlined new targets for 2018 that will focus on three key areas including increasing calls for service, strategies for achieving more successful bylaw enforcement calls, and increased business connections;
- The CSP team members will complete training on the new database system and utilizing the new system for all database entry moving forward;
- The Supervisor will continue to monitor the reported incidents of bylaw enforcement and analyze the data to be conveyed to the SASC if required;
- Further research will be done to see what kind of options and/or strategies can be considered for improving bylaw enforcement success rates;
- The CSP Supervisor will continue to work with appropriate service providers and the SPS to ensure that individuals who are deemed vulnerable and generate a high number of calls for service are being supported with the adequate resources.

### **5. Action Items**

None to Report at this time.