



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities

DATE: April 19, 2022

DEPARTMENT: Public Safety

ISSUE: Whether to approve strategic priorities for the Municipal Enforcement Division for 2022/23.

RECOMMENDATION:

That Council adopt the following strategic priorities for the Municipal Enforcement Division (MED) for 2022/23:

- Continued emphasis on incorporating reconciliation with Indigenous peoples into public safety and enforcement activities, to build on the work that has already taken place;
- Strategic proactive enforcement and prevention activities to enforce the Highway Traffic By-law, particularly the speeding provisions;
- Proactive enforcement of unauthorized parking, to ensure unobstructed access for emergency vehicles; and
- Continued emphasis on Municipal Enforcement visibility and public engagement in the community.

BACKGROUND:

In 2014 an operational review of MED recommended that the City set high level strategic priorities for municipal enforcement on an annual basis. Then, on March 25, 2019 Council adopted a By-law Enforcement Policy intended to uphold effective municipal by-law enforcement and provide transparency to the enforcement process for the general public. It requires that the City prioritize proactive enforcement on matters related to public safety. All other by-law enforcement action is undertaken in response to complaints. In addition, the Policy calls for Council to set strategic priorities for municipal enforcement annually.

In April, 2021, Council approved the following strategic priorities for 2021/22:

- Emphasis on incorporating reconciliation with Indigenous peoples into public safety and enforcement activities;

- Strategic enforcement of Livery Licence By-law No. 4526;
- Continued emphasis on MED visibility in the community, particularly in the downtown core; and
- Enforcement of unauthorized parking.

MED has made notable progress on the 2021/22 Strategic Priorities, as outlined in the attached Strategic Priorities Update. However, the COVID-19 pandemic has had an impact on some MED operations and activities. With the easing of the Public Health Emergency and associated Orders, MED will be able to continue and expand on our priorities and goals.

COUNCIL POLICY / RESOLUTION OR GOAL:

Goal #2	Delivering Efficient & Accountable Government
Goal #3	Enhancing our Quality of Life, including Future Generations
Council Motion #0083-19	That Council adopt the By-Law Enforcement Policy (March 2019)
Council Values #1	Reconciliation
Council Values #3	Solutions-Oriented

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22;
2. *Motor Vehicles Act*, RSNWT, 1988, c.M-16 and *regulations*;
3. Highway Traffic By-law No. 4063, as amended;
4. MED Operational Review and Strategic Plan (October 2014); and
5. By-law Enforcement Policy (March 2019).

CONSIDERATIONS:

Legislative

The City's enforcement activities are guided by the *Cities, Towns and Villages Act (CTV Act)* of the Northwest Territories which grants legislative powers to municipal governments, including enforcement of by-laws. This mandates MED to enforce sections of the *Motor Vehicles Act and regulations, All Terrain Vehicles Act* as well as City by-laws with an enforcement component.

Financial Considerations

Actions guided by Council's adoption of strategic priorities for Municipal Enforcement in 2022/23 are achieved through budget allocations and existing resources.

Consistency

Council direction on annual strategic priorities for enforcement ensures Municipal Enforcement aligns with broad Council goals and community needs. The identification of priorities confirms a consistent approach with respect to Municipal Enforcement and ensures resources are directed toward enforcement areas of greatest concern.

Context

The City of Yellowknife's By-law Enforcement Policy commits that any matter related to public safety is always a priority for MED in addition to the priorities set by Council. Furthermore, the By-law Enforcement Policy clarifies that enforcement may be achieved through a range of activities such as: educating the public about regulatory rules, conducting inspections to ensure that rules are being

followed, mediating between members of the public, and seeking formal consequences (issuing tickets) for By-law contraventions where compliance is not forthcoming or harm has been done to the community. Whatever approach is taken, safety of the public and Officers is always the primary consideration.

ALTERNATIVES TO RECOMMENDATION:

That Council adopt other strategic priorities to support MED in setting enforcement goals for 2022/23.

RATIONALE:

Council's annual direction on the By-law Enforcement Policy strategic priorities for enforcement ensures transparency to the public. Guidance on strategic priorities will assist MED Officers by providing better information and context to guide decision-making and priority setting in carrying out their enforcement duties.

1. Continued emphasis on incorporating reconciliation with Indigenous peoples into public safety and enforcement activities, to build on the work that has already taken place.

Reconciliation is a core value that Council and City Administration continue to champion. As the capital city of the NWT, Yellowknife is a crossroads for Indigenous peoples and groups from across the north. Our community has a large Indigenous population representing all areas of the Northwest Territories and beyond - 24% of City residents are Indigenous.

The aim of reconciliation in this context is to enhance the relationship between the Indigenous community and MED in order to come to a position of respect and trust by recognizing historical harms and experiences, building empathy, finding common ground and a mutually supportive way forward. MED will continue this work through outreach with Indigenous organizations and groups including working with YKDFN on areas of joint interest and combined training of YKDFN and MED staff, and additional training for officers in the areas of working in cross-cultural environments, reconciliation, de-escalation and crisis intervention.

2. Strategic proactive enforcement and prevention activities to enforce the Highway Traffic By-law, with a particular focus on speeding.

Over the past year, MED has been made aware of multiple high level complaints regarding contraventions of the Highway Traffic By-law No. 4063. particularly, in relation to speeding throughout the City. MED is taking a holistic approach to this problem and is working with other departments to determine the need for any additional signage, public education and awareness, and strategic enforcement campaigns.

3. Proactive enforcement of unauthorized parking, to ensure unobstructed access for emergency vehicles.

Recently, GPC was presented with a memorandum concerning an emergency circulation review of Old Town and possible next steps. This priority is aligned with that memorandum, to ensure continuity and reinforces our commitment to ensuring the safe, unobstructed access to emergency vehicles, but also expands to include other parking issues that may effect public

safety. MED will continue to work with Panning and Lands on this front. MED will continue to work with other departments when necessary to address any concerns regarding signage. MED Officers will be proactively focusing on these enforcement areas.

4. Continued emphasis on Municipal Enforcement visibility and public engagement in the community.

This priority is aligned with MED's community policing model which is focussed on public engagement. It is also responsive to public calls for MED to conduct more foot patrols, particularly in the downtown core and on city trails. The primary functions of MED in the downtown core are problem solving, deterrence and community outreach, all with the goal of increasing public safety. The COVID-19 pandemic and associated response has had an impact on MED operations in this regard and has reduced public engagement but, with the Public Health Emergency and related Orders being terminated, MED operations in the downtown core and other areas will increase with a renewed emphasis on community engagement and public safety. This year, MED plans on getting those Officers who need it, trained in the Law Enforcement Bicycle Association course. This will allow officers to have an increased, highly visible and approachable presence in the community while conducting bicycle patrols during the summer. MED will expand and increase foot patrols throughout the City.

ATTACHMENTS:

2021/22 Strategic Priorities Update.

Prepared: April 07, 2022; MR/mr

STRATEGIC PRIORITIES UPDATE, APRIL 1, 2021 – MARCH 31, 2022:

- ***Emphasis on incorporating reconciliation with Indigenous peoples into public safety and enforcement activities.***

Over the past year, the Municipal Enforcement Division has made strides in this area and continues to do so. MED leadership has engaged with our counterparts at Yellowknives Dene First Nation (YKDFN) on various issues of joint interest, including, how MED can more appropriately work in the community of Ndilo with the guidance and advice of YKDFN. We are also in the process of arranging joint dog safety training for MED Officers and YKDFN staff, allowing for relationship building and exposure to other agencies. It should also be noted that MED has been successful in recruiting and promoting more Indigenous employees, including at the management level. MED Officers have also taken part in virtual training in the subjects of reconciliation, the impact of the Indian Residential School system and related intergenerational effects and crisis intervention and de-escalation. Now that the COVID-19 Public Health Emergency has ended, MED staff will be provided with advanced in person training in these areas. Our work on incorporating reconciliation into our activities and duties will continue.

- ***Strategic enforcement of Livery Licence By-law No. 4526***

In 2021, MED has increased its engagement with all three taxi companies in Yellowknife. This has resulted in better communication overall and the resolution of issues of joint concern. This includes providing updates and reminders on different requirements under the By-law, advising of MED operations to address concerns and providing clarification and advice when concerns are brought forward. MED Officers also conducted a number of taxi safety operations, including random roadside checks which involved pulling over taxis for roadside safety inspections, conducted in accordance with the By-law. Finally, MED conducted preliminary jurisdictional reviews to inform a memorandum, brought forward by Administration, to amend the Livery Licence By-law to allow taxis to operate for a greater number of years, after hearing concerns from taxi drivers that the previous nine year age limit for taxis was causing economic hardship due to COVID-19 impacts on vehicle and equipment availability. Recently, Council passed an amendment to the By-law extending the maximum age of taxis from nine model years old to 15 model years old.

- ***Continued emphasis on MED visibility in the community, particularly in the downtown core.***

Over the past two years, MED has changed our approach to how we conduct enforcement and moved to more of a community minded focus. Over the past year, MED has looked at how we can further implement these practices and increase community presence and visibility. Now that the COVID-19 Public Health Emergency has ended, we will be increasing and expanding our foot patrols throughout the community, paying special attention to the downtown core. Officers can now also take part in the Law Enforcement Bicycle Association course to be trained on bicycles and be able to conduct bicycle patrols throughout the City during the summer months. MED management is also a part of the Good Neighbour Committee, a group of downtown stakeholders and government agencies that have a joint interest in downtown issues, particularly in the area of the Day Shelter and Sobering Centre.

- ***Enforcement of unauthorized parking.***

During the past year, MED Officers have been actively enforcing parking provisions of Highway Traffic By-law No. 4063, particularly in areas that directly impact the safety and convenience of other drivers. This has included a renewed emphasis on enforcement in relation to parking in fire lanes and accessible parking spaces, obstructing traffic and restricted parking hours on Franklin Avenue (four lane). MED and Economic Development and Strategy have also been working diligently on establishing an Administrative Monetary Penalty System (AMPS), which will streamline how parking offences are dealt with and will improve efficiency, freeing up MED staff to spend more time focusing on other priorities. On April 11, 2022, the new AMPS By-law and other associated by-laws went to Council for First and Second Reading.