20 July 2007

The Honourable Dalton McGuinty, MPP
Ottawa South
Premier and Minister of Intergovernmental Affairs
900 Bay Street
6th Floor, Mowat Block
Toronto, ON M7A 1C2

Dear Premier:

Re: Safer Communities and Neighbourhoods Legislation

On 9 July 2007, Ottawa City Council approved a recommendation of the Community and Protective Services Committee proposing new and effective legislation to deal with the significant problems caused in neighbourhoods by crack houses and other problem properties. The recommendation is:

That Council request the Provincial government to adopt “Safer Communities and Neighbourhoods” legislation in order to address the public disorder and neighbourhood deterioration caused by problem addresses; and urge other Ontario municipalities, the Ontario Association of Police Service Boards, the Ontario Association of Chiefs of Police and the Association of Municipalities of Ontario to do the same.

A copy of the item, as approved by Council is attached.
Should you require additional information with regards to this particular item, please contact Nancy Worsfold, Executive Director, Crime Prevention Ottawa at (613) 580-2424 ext. 28518 or at Nancy.Worsfold@ottawa.ca.

Yours sincerely,

Leslie Donnelly
Deputy City Clerk

cc: City Council
    Steve Kanellakos, Deputy City Manager, Community and Protective Services
    Ontario Municipalities
    The Ontario Association of Police Service Boards
    The Ontario Association of Chiefs of Police
    Association of Municipalities of Ontario (AMO)
    Association Française des municipalité de l’Ontario (AFMO)
    The Hon. Monte Kwinter, Minister of Community Safety and Correctional Services
    The Hon. Michael Bryant, Attorney General
    John Fraser, Executive Assistant, Office of the Premier

Attach. (1)
3. SAFER COMMUNITIES AND NEIGHBOURHOODS LEGISLATION

LEGISLATION VISANT A ACCROITRE LA SECURITE DES COLLECTIVITES ET DES QUARTIERS

COMMITTEE RECOMMENDATION AS AMENDED

That Council request the Provincial government to adopt "Safer Communities and Neighbourhoods" legislation in order to address the public disorder and neighbourhood deterioration caused by problem addresses; and urge other Ontario municipalities, the Ontario Association of Police Service Boards, the Ontario Association of Chiefs of Police and the Association of Municipalities of Ontario to do the same.

RECOMMANDATIONS MODIFIÉES DU COMITE

Que le Conseil demande au gouvernement provincial d'adopter une loi visant à accroître « la sécurité des collectivités et des quartiers », dans le but de faire face au désordre public et à la détérioration des quartiers causés par les adresses à problème, et encourager vivement les autres municipalités de l'Ontario, l'Ontario Association of Police Service Boards, l'Association des chefs de police de l'Ontario et l'Association des municipalités de l'Ontario d'en faire autant.

DOCUMENTATION


2. Extract of Draft Minute, 05 July 2007
Report to / Rapport au:

Community and Protective Services Committee /
Comité des services communautaires et de protection

and Council / et au Conseil

28 June 2007 / 28 juin 2007

Submitted by/Soumis par : Jacques Legendre, Chair / Président,
Crime Prevention Ottawa / Prévention du Crime Ottawa

Contact Person / Personne ressource : Nancy Worsfold, Executive Director / Directrice
Directrice générale
(613) 580-2424 x28518, nancy.worsfold@ottawa.ca

Citywide/ À l'échelle de la Ville

Ref N°: ACS2007-CCS-CPS-0015

SUBJECT: SAFER COMMUNITIES AND NEIGHBOURHOODS LEGISLATION

OBJET: LEGISLATION VISANT À ACCROITRE LA SECURITE DES COLLECTIVITES ET DES QUARTIERS

REPORT RECOMMENDATION

That the Community and Protective Services Committee recommend that Council request that the Provincial government to adopt “Safer Communities and Neighbourhoods” legislation in order to address the public disorder and neighbourhood deterioration caused by problem addresses; and urge other Ontario municipalities to do the same.

RECOMMANDATION DU RAPPORT

Que le Comité des services communautaires et de protection recommande au Conseil de demander au gouvernement provincial d'adopter une loi visant à accroître « la sécurité des collectivités et des quartiers », dans le but de faire face au désordre public et à la détérioration des quartiers causés par les adresses à problème; et de demander avec insistance aux autres municipalités de l'Ontario d'en faire autant.
BACKGROUND

Crack houses and bawdy houses and the problems associated with them are increasingly becoming an issue facing Ottawa neighbourhoods. For the past six years the Manitoba Justice department has been using an innovative legal tool, the Safer Communities and Neighbourhoods Act (SCAN), to close problem properties and revitalize neighbourhoods. The Act uses civil remedies to address the damage done to communities by habitual criminal activity.

The Board of Crime Prevention Ottawa has reviewed this issue and on June 18 passed a resolution requesting Council’s support for similar legislation for Ontario.

DISCUSSION

Safer Communities and Neighbourhoods Acts are currently in force in Manitoba, Saskatchewan, Nova Scotia and the Yukon. These acts are intended to allow for enhanced neighbourhood safety and harmony by targeting the owners and landlords of consistent problem addresses. Property owners and businesses are held accountable for activities occurring on their properties. These acts apply civil law to counter the impact on neighbourhoods of entrenched drug and prostitution operations based out of homes and businesses.

In Manitoba the community identified a serious problem with specific addresses, which was not being dealt with satisfactorily through traditional criminal law enforcement. Community associations in Ottawa are actively promoting this type of legislation.

In Manitoba the province created a public safety investigation unit (PSIU) in the Department of Justice to enforce the Safer Communities and Neighbourhoods Act. The PSIU, in 2006-07, had a budget of $820,000. The public is invited to make anonymous complaints about problem properties including situations such as: use or sale of liquor contravening the law; use or consumption of drugs; production or sale of drugs; or prostitution. The act targets properties used for alcohol, drugs and or prostitution, not individuals. After the property is investigated the PSIU must establish that there is habitual activity that has an adverse affect on a neighbourhood. If there is sufficient evidence, based on a balance of probabilities, they can issue orders to stop the activity, close the property or bar individuals from a property. Although court proceedings are possible almost all cases are resolved informally. At the same time, the investigations unit works in close partnership with the police, By Law officers and other officials.

In Manitoba since 2002 this has resulted in:

- Activities ceased at 219 drug, prostitution, and solvent abuse operations involving 304 complaints (Only 1 operation required a Court Order)
- $2 million+ in drugs seized due to investigations
- 93 Police arrests of adults and youth for Criminal Code offences, drug offences and outstanding Warrants based on these cases
- Several Marijuana Grow Operations shut down
No false or malicious complaints
Only five individuals have reappeared in new investigations after the closing of a problem property. No problem addresses have recurred.

Several communities in Ottawa are facing issues caused by properties associated with the sale and use of illegal drugs, commonly called crack houses. Although the combined efforts of the Police, By-Law and Public Health have resulted in the closure of many such properties, the process is slow and cumbersome. The advantage of having Safer Communities and Neighbourhoods legislation would be the increased powers to act on problem properties and quicker resolution of problem addresses.

CONSULTATION

A Public Forum, organized by Crime Prevention Ottawa, took place on May 8 featuring Al Cameron, the head of the Public Safety Investigation Unit of Manitoba Justice, which enforces the Safer Communities and Neighbourhoods Act. Approximately 150 people attended this event.

Crime Prevention Ottawa also hosted a stakeholder meeting to explore Safer Communities and Neighbourhoods legislation in greater depth. In attendance at this meeting were representatives from Police, By-Law, Legal, Councillors and their staff from affected areas, United Way, Ottawa Community Housing Corporation, Neighbourhood Watch, and the Eastern Ontario Landlord Association. There was strong agreement that this legislation was needed and would be very useful in addressing the problems caused in communities by a relatively few addresses. It was also agreed that it would be very helpful if in implementing this initiative the province would do an appropriate impact evaluation.

FINANCIAL IMPLICATIONS

The community mobilization campaign with regards to this issue will take place within current budget.

Should the province enact Safer Communities and Neighbourhoods legislation there potentially could be savings for the City as the legislation offers a more efficient legal tool for the kind of problems currently addressed by By-Law, Fire, Public Health and Police services through current problem address task forces.

SUPPORTING DOCUMENTATION

Document 1: Manitoba fact sheet (Safer Communities and Neighbourhoods Act)
Document 2: Provincial comparison sheet

DISPOSITION

The recommendation of the Committee will be transmitted to Council on July 11, 2007.
SAFER COMMUNITIES AND NEIGHBOURHOODS LEGISLATION
LEGISLATION VISANT A ACCROITRE LA SECURITE DES COLLECTIVITES ET
DES QUARTIERS
ACS2007-CCS-CPS-0015 CITY WIDE / À L’ÉCHELLE DE LA VILLE

The Committee received the following submissions in support of the report recommendation, copies of which are held on file:


Moved by G. Bédard

That the report recommendation be amended to add the following after “urge other Ontario municipalities”: “the Ontario Association of Police Service Boards, the Ontario Association of Chiefs of Police and the Association of Municipalities of Ontario”.

CARRIED

That the Community and Protective Services Committee recommend that Council request the Provincial government to adopt “Safer Communities and Neighbourhoods” legislation in order to address the public disorder and neighbourhood deterioration caused by problem addresses; and urge other Ontario municipalities, the Ontario Association of Police Service Boards, the Ontario Association of Chiefs of Police and the Association of Municipalities of Ontario to do the same.

CARRIED, as amended