
Subject: Informal Submission: Comments Regarding Proposed Bylaw Changes to the "Parks and Open Space Bylaw No. 7370, 2002"

From: Kathleen Hebb [Redacted]
Sent: Sunday, June 13, 2021 10:04 PM
To: mayorandcouncil <mayorandcouncil@princegeorge.ca>
Cc: Kathleen Hebb [Redacted]
Subject: Informal Submission: Comments Regarding Proposed Bylaw Changes to the "Parks and Open Space Bylaw No. 7370, 2002"

To the Mayor and Councillors:

With respect to the proposed bylaw changes to the "Parks and Open Space Bylaw No. 7370, 2002" outlined in the draft document "City of Prince George Bylaw No. 9211, 2021" to be discussed by Council on June 14th, 2021. I wish to bring the following comments to your attention and for consideration.

Under "1.0 Definitions", there is a proposal for a new definition of "Qualifying Occupant", as follows:

1. "Qualifying Occupant" means a Homeless Person who has:
 - a) registered with the City with photo identification or permitted the City to take a photo and identification;
 - b) provided their last residential address, next of kin or verifiable emergency contact;
 - c) agrees to comply and be held accountable for all provisions of the "Parks and Open Space Bylaw No. 7370, 2002";
 - d) signed and acknowledged a Notice of Trespass; and
 - e) does not camp or possess any weapons, firearms, knives, propane or drugs prohibited under the Controlled Drugs and Substances Act (Canada) in the Park."

There are several items of note and concern with respect to this addition:

1. There is no reference to the term "qualifying occupant" anywhere else in the draft document, nor in the current Parks and Open Space Bylaw. This addition has no context as to how and when it will be applied. The lack of context and clarity does not ensure public transparency and accountability, and trust, on the part of the City as to when and how this portion of the bylaw will be used to identify these "qualifying occupants".
2. In addition, the definition of "Qualifying Occupant" above speaks to a requirement to be "registered with the City with photo identification or permitted the City to take a photo and identification" and "provided their last residential address, next of kin or verifiable emergency contact". There is no context or purpose described as to when a "qualifying occupant" would be required or requested to register with the City and providing identification. Why is this information being collected, how will it be used, how will it be disclosed, how it will be protected, and how will the City ensure that this information is collected correctly? I refer you to the *Freedom of Information and Protection of Privacy Act* (FIPPA BC) and the detailed sections under Part 3 on what authority the City of Prince George has, and does not have, for collecting

of personal information. For transparency and accountability during the application of these changes to the bylaw, the City needs to be very clear as to why this information is being collected and under what circumstances. For those who are “qualifying occupants”, I remind you that under FIPPA, section 27:

- (2) A public body must ensure that an individual from whom it collects personal information is told
 - (a) the purpose for collecting it,
 - (b) the legal authority for collecting it, and
 - (c) the title, business address and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

Given that many, if not most, citizens who would be “qualifying occupants” will lack knowledge of their rights with respect to their personal information as collected by the City, those of us who have worked with FIPPA and the Office of the Information and Privacy Commissioner are very concerned on their behalf. The City must be open to what the purpose of this information collection is, how it will be used and how it will be protected.

3. Section 2. (d) in the draft Bylaw No. 9211, 2021 refers to “signing and acknowledged a Notice of Trespass”. Once again, there is insufficient information in the bylaw as to when this action would take place, when someone would be required to sign the Notice to become a “Qualifying Occupant”, nor is there a draft Notice of Trespass provided in the meeting agenda package for Council or the public to review.

4. The proposed replacement of “Section 9.0 – Camping” with “9.0 Temporary Overnight Shelter” refers to “Schedule A” under section 9.3. “Schedule A” is assumed to be some kind of map or list of legal property descriptions of Park areas where temporary shelter is prohibited. Again, this information is missing from the agenda package, thus not providing complete information that would be required to have a fulsome discussion of the bylaw proposal by Council, nor available for the public to review and provide comment I full.

I appreciate your time and reviewing my comments and hope that they provide some value to your individual consideration and Council discussions.

Thank you
Kathleen Hebb
Prince George, BC