

COMMITTEE AGENDA



TO **Operations, Transit & Emergency Services Committee**

DATE September 17, 2012

LOCATION Council Chambers

TIME 5:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

CONFIRMATION OF MINUTES – July 16, 2012 open meeting minutes

PRESENTATIONS (Items with no accompanying report): None

CONSENT AGENDA

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Operations, Transit & Emergency Services Committee Consent Agenda will be approved in one resolution.

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
OTES-22 Guelph Transit 2011 Annual Report	<ul style="list-style-type: none">Michael Anders, General Manager, Community Connectivity & Transit		√
OTES-23 Emergency Services 2011 Annual Report	<ul style="list-style-type: none">Shawn Armstrong, General Manager Of Emergency Services/Fire Chief		√
OTES-24 Business Licensing – Downtown Late Night Bars			
OTES-25 Public Nuisance By-Law			

Resolution to adopt the balance of the Operations, Transit & Emergency Services Committee Consent Agenda.

ITEMS EXTRACTED FROM THE CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

NEXT MEETING – October 15, 2012

**The Corporation of the City of Guelph
Operations, Transit & Emergency Services Committee
Monday, July 16, 2012 at 5:00 p.m.**

A meeting of the Operations, Transit & Emergency Services Committee was held on Monday, July 16, 2012 in Council Chambers at 5:00 p.m.

Present: Councillors, Findlay, Bell, Furfaro, Van Hellemond and Mayor Farbridge

Also Present: Councillor Hofland

Staff in Attendance: Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Mr. B. Labelle, City Clerk; and Ms. D. Black, Council Committee Coordinator.

There was no disclosure of pecuniary interest.

1. Moved by Councillor Furfaro
Seconded by Councillor Van Hellemond
THAT the minutes of the Operations, Transit & Emergency Services Committee meeting held on Monday, July 16, 2012 be confirmed as recorded and without being read.

Carried

Consent Agenda

The following items were extracted from the Consent Agenda to be voted on separately:

- | | |
|----------------|---|
| OTES 2012-A.18 | Public Works 2011 Annual Report |
| OTES 2012-A.20 | Delegated Authority for Approval of Traffic Signal Drawings |
| OTES 2012-A.21 | Business Licence Fees 2013 |

2. Moved by Mayor Farbridge
Seconded by Councillor Bell
THAT the balance of the Consent Agenda of the Operations, Transit & Emergency Services Committee of Monday, July 16, 2012 as identified below, be adopted:

a) Janefield Avenue – On-Street Parking Follow-Up

REPORT

That the Operations, Transit & Emergency Services Report OT071231 Janefield Avenue – On-street Parking Follow-up dated July 16th, 2012 be received;

AND THAT on-street parking be removed on the west side of Janefield Avenue from 123m south of Mason Court to 207m south thereof.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, VanHellemond and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

2011 Public Works Annual Report

Mr. D. McCaughan, Executive Director of Operations, Transit and Emergency Services advised that staff are working on establishing benchmarks for future reports.

Mr. R. Keller, Manager, Public Works, provided highlights of the staff report contained in the meeting agenda. He advised that staff will refine the methodology of setting revenue targets in an attempt to obtain more consistent data in order to support trend analysis.

In response to questions, Mr. Keller explained the customer service survey process and results as well as advised that roadway monitoring is required and legislated under the Municipal Act. It was also confirmed that anti-idling equipment is currently in use on large equipment and that staff are working to implement on smaller vehicles. It was requested that future reports show the resident's wait time from the time the request is placed to time of completion.

3. Moved by Councillor Bell
Seconded by Mayor Farbridge

Mr. D. McCaughan

THAT the Operations, Transit & Emergency Services Committee Report OT071230 Public Works 2011 Annual Report dated July 16th, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, VanHellemond and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Delegated Authority for Approval of Traffic Signal Drawings

4. Moved by Mayor Farbridge
Seconded by Councillor Bell

REPORT

THAT the Operations, Transit & Emergency Services Committee Report OT071232 Delegated Authority for Approval of Traffic Signal Drawings dated July 16th, 2012 be received;

AND THAT Council approve an amendment to the Delegated Authority By-law for approval of traffic signal legal drawings for traffic signal installations under the jurisdiction of the City of Guelph to the position of Executive Director of Operations, Transit & Emergency Services.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, VanHellemond and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Business Licence Fees 2013

REPORT

5. Moved by Councillor Bell

Seconded by Councillor Furfaro

THAT the Operations, Transit & Emergency Services Committee Report #OT071229 regarding the Business Licence By-law Annual Fee review dated July 16, 2012 be received;

AND THAT staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855 to incorporate the 2013 fees based on the annual fee review.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, VanHellemond and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

There was discussion regarding the feasibility of implementing a new schedule to the Business Licence By-law regarding downtown late night bars.

6. Moved by Councillor Bell

Seconded by Councillor VanHellemond

Mr. D. McCaughan

THAT staff report back to committee in September on the proposal to include a separate business licence fee for downtown late night bars.

VOTING IN FAVOUR: Councillors Bell, Furfaro, VanHellemond and Mayor Farbridge (4)

VOTING AGAINST: Councillor Findlay (1)

Carried

Adjournment

7. Moved by Mayor Farbridge
Seconded by Councillor Furfaro
THAT the July 16, 2012 Operations, Transit & Emergency Services
Committee be adjourned.

The meeting adjourned at 6:14 p.m.

.....
Chairperson

**OPERATIONS, TRANSIT & EMERGENCY SERVICES COMMITTEE
CONSENT AGENDA**

September 17, 2012

Members of the Operations & Transit Committee.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Operations & Transit Committee Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
OTES-2012.24) GUELPH TRANSIT 2011 ANNUAL REPORT THAT the Operations, Transit & Emergency Services Committee Report #OTO91234 <u>Guelph Transit 2011 Annual Report</u> be received.	Receive
OTES-2012.25) EMERGENCY SERVICES 2011 ANNUAL REPORT That the Operations, Transit & Emergency Services Committee Report # OT091233 <u>Emergency Services 2011 Annual Report</u> be received.	Receive
OTES-2012.22) BUSINESS LICENSING – DOWNTOWN LATE NIGHT BARS THAT the Operations, Transit & Emergency Services Committee Report # OT091236 regarding the Business Licensing of Downtown late night bars dated September 17, 2012 be received.	Receive
OTES-2012.23) PUBLIC NUISANCE BY-LAW THAT the Operations, Transit & Emergency Services Committee Report # OT091235 regarding the establishing of a Public Nuisance Bylaw dated September 17, 2012 be received; AND THAT Council approve the need for a Public Nuisance Bylaw in principle and direct staff to conduct public consultation on the draft Public Nuisance Bylaw. Attach.	Approve

COMMITTEE REPORT



TO **Operations, Transit & Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Community Connectivity and Transit
DATE

SUBJECT Guelph Transit 2011 Annual Report
REPORT NUMBER OT091234

SUMMARY

Purpose of Report:

To present the Guelph Transit Department 2011 Annual Report.

Committee Action:

To receive the report for information.

RECOMMENDATION

THAT the Operations, Transit and Emergency Services Report #OT091234 Guelph Transit 2011 Annual Report be received.

BACKGROUND

This is the first annual report of Guelph Transit, in this format. This report provides committee with information related to budget performance, a balanced scorecard on performance indicators, sustainability, customer service, internal processes and employee development or learning and growth.

REPORT

Guelph Transit provides people with mobility and access to employment, community resources, medical care, and recreational opportunities across Guelph. Public transportation also helps to reduce road congestion and travel times, air pollution, and energy and oil consumption, all of which benefit both riders and non-riders alike.

Guelph Transit operates essentially around the clock: regular weekday service is provided from 5:40 a.m. to 1:00 a.m. and late night service for the University of Guelph runs from 12:30 a.m. to 3:30 a.m. Guelph Transit provides both conventional and mobility services to the community through a fleet of 65 low floor conventional buses and 10 mobility vans. Mobility services are supplemented through a contract with an external vendor to provide accessible taxi service.

2011 included creating and/or updating various operational and fare programs, preparing for the implementation of the Transit Growth Strategy and the opening of Guelph Central Station in 2012.

2012 plans to see tremendous changes (new service model, route system and inter-modal terminal) that is unprecedented in the history of Guelph Transit.

Attached is the 2011 Guelph Transit Annual Report.

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent approach of municipal business

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

DEPARTMENTAL CONSULTATION

Consultation conducted internally to Guelph Transit.

COMMUNICATIONS

There are no communications requirements associated with this report.

ATTACHMENTS

Appendix A: Guelph Transit 2011 Annual Report

Prepared By: Katherine Gray, Service, Performance & Development Coordinator

Michael Anders

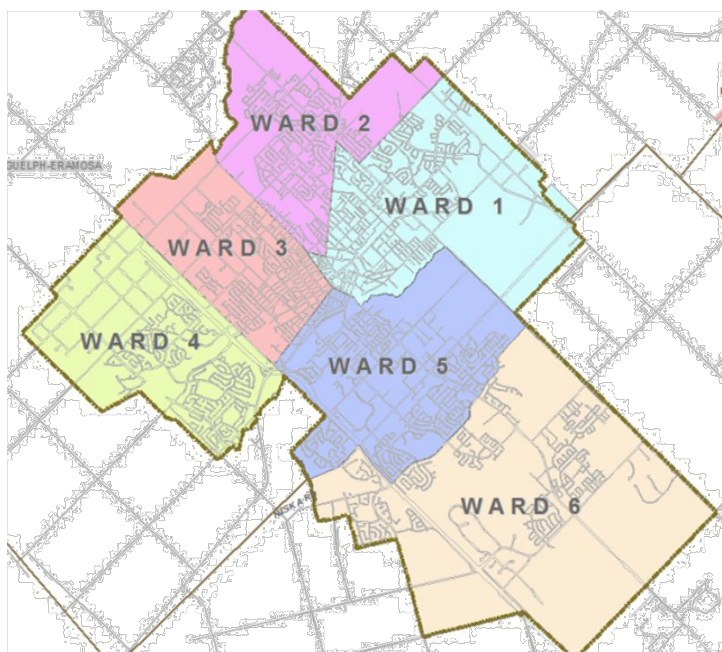
Reviewed By:

Michael Anders
General Manager
Community Connectivity and Transit
519-822-1260 x 2795
michael.anders@guelph.ca

Derek McCaughan

Recommended By: Derek McCaughan, Executive Director

2011 Guelph Transit Annual Report



2011 Guelph Transit Annual Report

Message from the General Manager

I am pleased to present the 2011 Guelph Transit Annual Report. Each year presents its own unique challenges and issues, and 2011 was no different. In addition to creating and/or updating various operational and fare programs, staff was very busy preparing for the implementation of the Transit Growth Strategy and the opening of Guelph Central Station in 2012.

Guelph Transit is one of the largest service areas in the City of Guelph with 190 full-time and part-time employees. Our strength lies in our employees and both ATU and NUME staff do an outstanding job in dealing with a wide variety of operational issues as well as providing first class customer service to riders and the general public.

Guelph Transit operates essentially around the clock: regular weekday service is provided from 5:40 a.m. to 1:00 a.m. and late night service for the University of Guelph runs from 12:30 a.m. to 3:30 a.m. Guelph Transit provides both conventional and mobility services to the community through a fleet of 65 low floor conventional buses and 10 mobility vans. Mobility services are supplemented through a contract with an external vendor to provide accessible taxi service.

Over the past couple of years, Guelph Transit has moved from a focus on planning (Transit Growth Strategy and Transit Technology Plan) to directing its activities to prepare for the implementation of those plans. The magnitude of changes planned for 2012 (new service model, route system and inter-modal terminal) is unprecedented in the history of Guelph Transit. There has been tremendous support and cooperation between City departments, community groups and local businesses in being able to move forward to the point where Guelph Transit can affect the change.

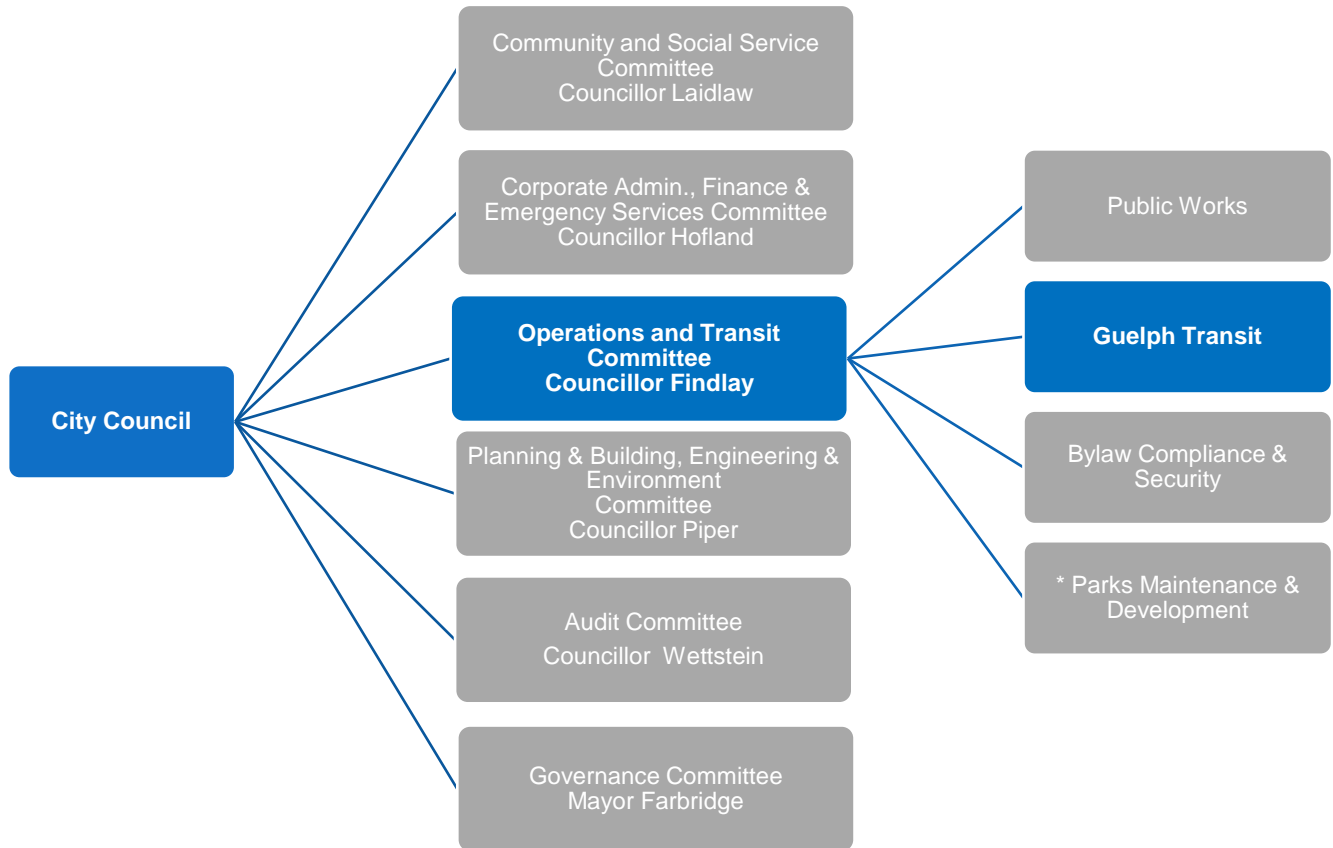
Our Mission

To ensure Transit is the preferred transportation choice over the single occupant vehicle for residents, employees and visitors to Guelph

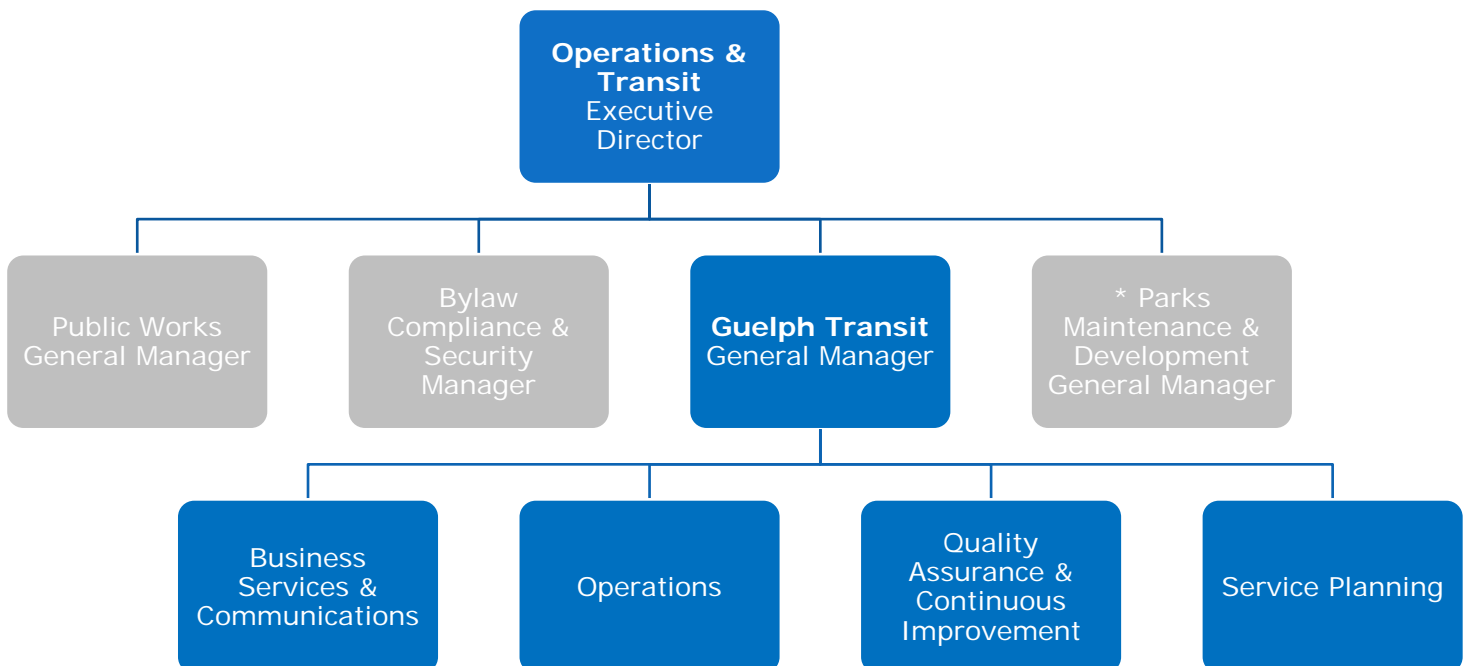
Our Role

Guelph Transit provides people with mobility and access to employment, community resources, medical care, and recreational opportunities across Guelph. Public transportation also helps to reduce road congestion and travel times, air pollution, and energy and oil consumption, all of which benefit both riders and non-riders alike.

Our Governance Structure



Our Department



**Report has been prepared based upon the organization structure in place in 2011. Parks Maintenance & Development was realigned to Community and Social Services in February 2012.*

2011 Budget Performance

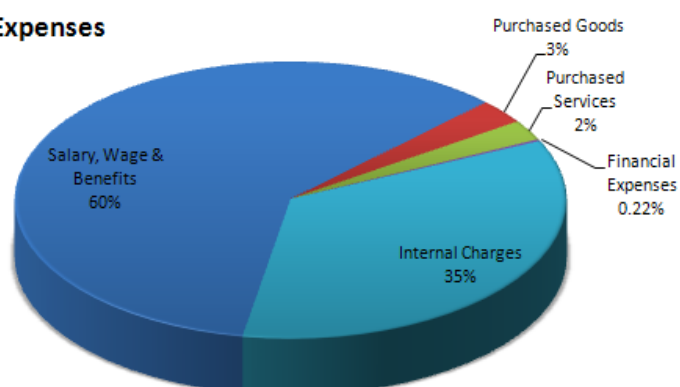
Guelph Transit's budget performance came in at 2.0% of target, as reported from RAC Financial system.

This 2.0% resulted from slightly higher than expected revenues achieved through user fees and service charges.

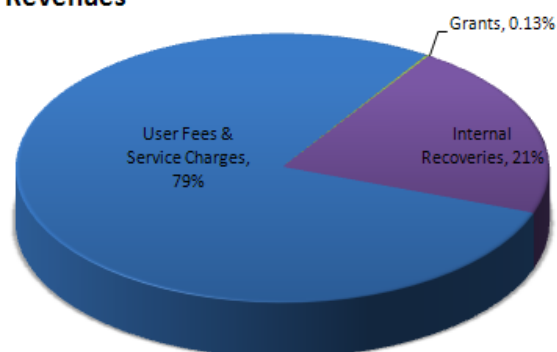
Transit	2011 Budget	2011 Actuals	2011 Variance
Revenue			
User Fees & Service Charges	(9,998,600)	(10,259,362)	
Product Sales	(1,000)	(1,521)	
External Recoveries	(21,900)	(17,620)	
Total Revenue	(10,021,500)	(10,278,503)	2.5%
Expenditure			
Salary, Wage & Benefits	13,524,600	13,601,237	
Purchased Goods	832,100	655,313	
Purchased Services	580,310	541,620	
Financial Expenses	53,000	50,471	
Total Expenditure	14,990,010	14,848,641	-1.0%
Net Before Internal Charges & Recoveries	4,968,510	4,570,138	-8.7%
Internal Charges & Recoveries			
Internal Charges	7,407,600	7,882,406	
Internal Recoveries	(2,891,500)	(2,774,438)	
Total Internal Charges & Recoveries	4,516,100	5,107,968	11.6%
Net Budget	9,484,610	9,678,106	2.0%

Breakdown of Operating Budget

Expenses



Revenues



Performance

Transit Performance Dashboard

Illustrated below is the Transit dashboard. Several key performance indicators have been aligned into four categories to illustrate progress towards achieving the goals of the department. Items in the dashboard marked in **green** indicate that the metrics are reporting to target, those identified with **yellow** or **red** indicates metrics that are not trending towards target.

Transit Performance Dashboard

Financial Sustainability

Performance to approved budget

Revenue +

Expenditure -

Internal Process

Ridership +

Schedule Adherence +

Customer Service

Customer Complaints +

Learning & Growth

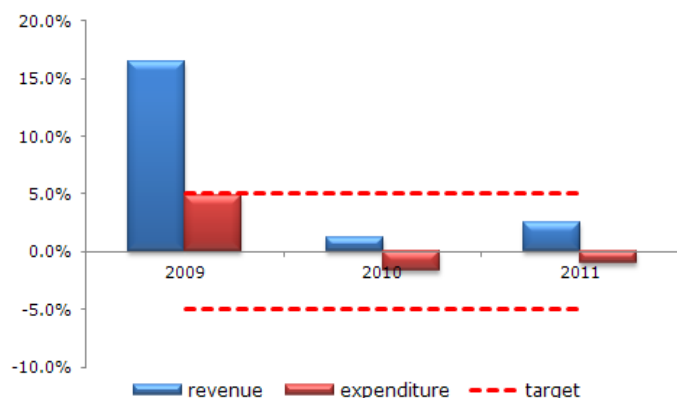
Internal Training (*planned expenditure*) +

Attendance (*unplanned/culpable sick time*) -

Transit Performance Trends

Sustainability

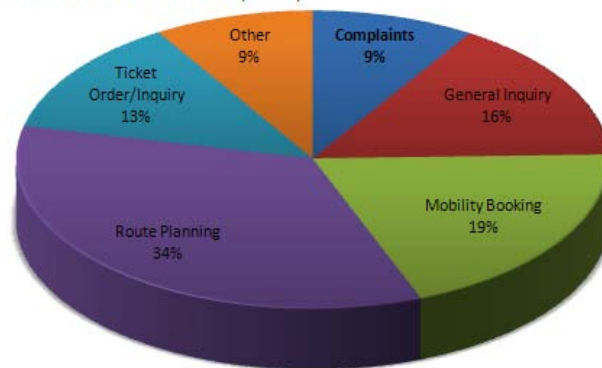
Financial Sustainability



Goal is to be within 5% of approved budget annually.

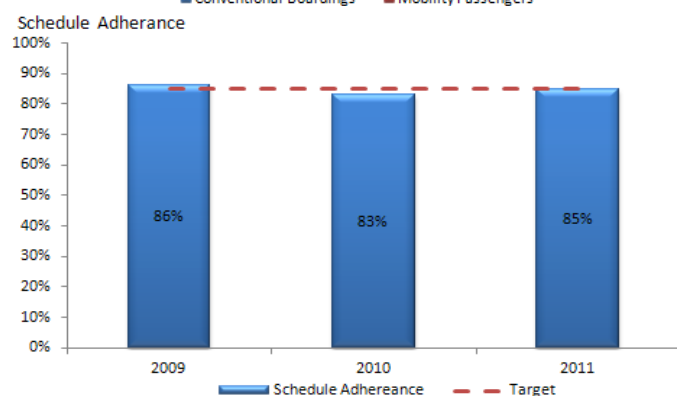
Customer Service

Customer Contact Breakdown (*2011)



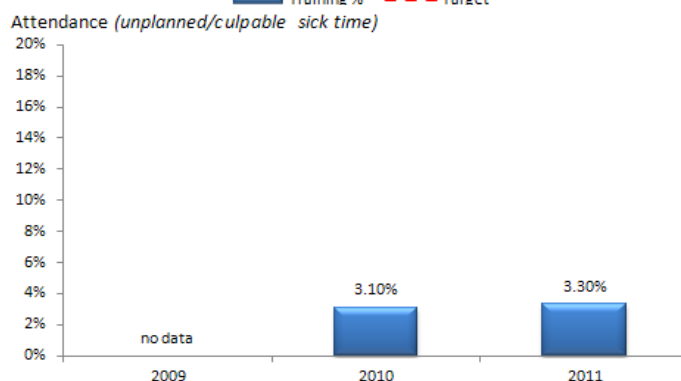
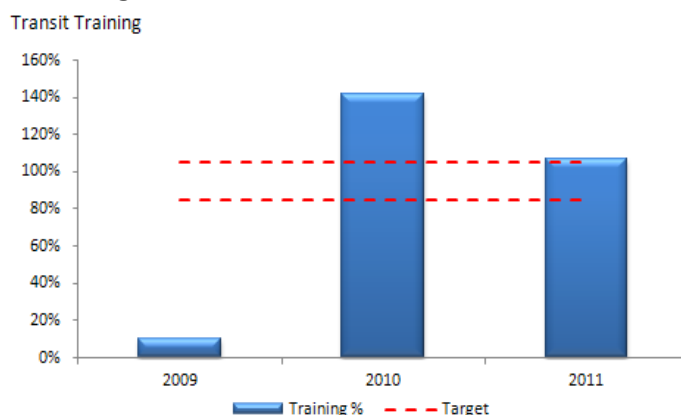
*New measure in 2011, continue to collect the data to conduct trend analysis.

Internal Process



Adherence is the percentage of time the vehicle arrives at stops no more than 2 minutes early or 5 minutes late compared to the scheduled time

Learning & Growth



Guelph Transit Balanced Scorecard

Measure		2011 Achievement	2012 Goals	Initiatives
Sustainability	Revenues	2.5% over	to be within 5% of budget	Continue to work closely with Finance Department to build a reasonable budget. In particular, budget variances to be reported on a monthly basis in order to make decisions that will maintain overall variance at 5% or less at year end.
	Expenditures	1% under	to be within 5% of budget	
	Overall Budget	2% over	To be within 5% of budget	
Customer Service	External Contact	7,687	No targets set	This includes general inquiries, customer complaints, bookings, etc.
	Customer Complaints	9%	<10% of total external contacts	Implement the Transit Growth Strategy revised routes and service model

Measure		2011 Achievement	2012 Goals	Initiatives
	Dropped Trips	N/A	<1%	New measure defined late 2011; collect data for 2012 and onward. This is a measure of trips that did not go out as scheduled or could not be completed.
	Full Buses	N/A	To be set once data is collected for analysis	New measure defined late 2011; collect data for 2012 and onward.
Internal Process	Convention Transit Ridership	6,948,000	5% increase	Implementation of the Transit Growth Strategy
	Mobility Transit Ridership	48,466	5% increase	Continue with the Mobility Fare Parity program
	Schedule Adherence	85%	85%	Continue to monitor performance
	Pass Sales	36,000	5% increase over 2011	Pilot program for the affordable bus pass.
Learning & Growth	Attendance Rate	96.7%	98%	Work with HR on the implementation and integration of the new Attendance Management Software
	Training	100%	100% of Target	Develop a training plan for the department

Guelph Transit

Guelph Transit's main operations are based at 170 Watson Road South. Guelph Transit operates with a fully accessible fleet of 65 low floor conventional buses. It also has a fleet of 10 mobility vans. Guelph Transit has 150 full-time and 20 part-time operators. Operations and administration are managed by a staff of 20. There is also a complement of 25 Fleet staff, under the direction of the Public Works Department, located at the Watson Road facility performing vehicle maintenance and cleaning duties.

Guelph Transit service is comprised of 16 base routes, 2 perimeter routes, 2 community bus routes and 3 university express runs. Service is provided every 20 minutes from 5:40 a.m. until 6:20 p.m. From 6:45 and on weekends/holidays service is every 30 minutes. The Guelph Transit service model is based on a hub and spoke system with St. George's Square as the main transfer point. The University Centre at the University of Guelph is the other major hub in the Guelph Transit system.

2011 Achievements

Accessible Bus Pad Program

Guelph Transit has an ongoing program to upgrade existing bus stops to make the infrastructure accessible. The program primarily consists of pouring concrete pad according to AODA standards and providing hard surface access to sidewalks where required. A total of 54 bus stops were upgraded in 2011.

GO Transit Fare Integration

Guelph Transit negotiated an agreement with GO Transit whereby GO Transit provides a fare subsidy for any trips taken on Guelph Transit that connect to GO rail or GO bus service.

There are two elements to the program. GO Transit passengers showing a daily ride ticket, multi-ride ticket or a monthly pass without a Guelph Transit sticker pay a \$0.60 cash fare when boarding Guelph Transit - GO Transit provides Guelph Transit a subsidy of \$1.70 for each qualifying ride - the total of \$2.30 collected by Guelph Transit equates to an adult ticket fare. Riders who use a GO monthly pass have the option of purchasing a discounted monthly sticker (\$18) which allows them to board a Guelph Transit vehicle without having to pay a fare onboard. GO Transit then provides Guelph Transit \$54 for each sticker sold which provides Guelph Transit the equivalent of an adult monthly pass.

Guelph Mercury Feature Series on Guelph Transit

In June 2011, the Guelph Mercury published a weeklong series of articles on Guelph Transit. The stories covered a variety of topics including a day in the life of an operator, Guelph Transit operations, Transit Growth Strategy implementation, Guelph Transit financial performance and a history of Guelph Transit.

Mobility Fare Parity

Historically, fare options for mobility services were very limited and riders essentially had to pay the equivalent of an adult fare. The AODA recognized the inequity of this approach and will be requiring all transit properties in Ontario by January 1, 2013 to offer the same fare structure for conventional and mobility services. Guelph Transit took a very proactive approach to the issue and developed all the necessary material in 2011 to support the implementation of fare parity on January 1, 2012. The recommendation by staff to implement fare parity a year earlier than required by legislation was approved by Council in November 2011.

Introduction of Arboc Mobility Bus

Along with input and feedback from Mobility Service and Fleet staff, Guelph Transit selected a new supplier for mobility vans. The Arboc bus is based on a GM drive train platform and can be serviced at a regular dealership. The vehicle has received praise from both operators and riders and is becoming the standard for mobility operations across the province.

War Veteran Program Revisions

Historically, Downtown Parking and Guelph Transit have provided services at no cost to individuals who have served in the Canadian Armed Forces. However, there were some significant differences in the eligibility criteria and program features between the two service areas. Revisions to the Guelph Transit War Vet Program were developed to eliminate inconsistencies and make the Transit program consistent with the Parking program to the greatest degree possible. The recommended changes to the program were approved by Council in February 2011.

Affordable Bus Pass Program

Guelph Transit and Community and Social Services staff collaborated to develop an Affordable Bus Pass Program which has expanded eligibility criteria in comparison to the Subsidized Bus Pass Program which has existed in the same form since its introduction in 2000. Staff developed detailed procedures to manage the application process and the administration of the sales process. Council approval was given for a two year pilot which is expected to begin in the summer of 2012.

Transit Facility Renovation - 170 Watson Road South

A number of major renovation projects were completed at Guelph Transit's main base on Watson Road including installation of perimeter security fencing, installation of additional CCTV security cameras, overhaul of key HVAC systems, installation of solar panels to heat water for the bus wash, reconstruction of a secure front office ticket counter and relocation of the AVL office making much more efficient use of available floor space. All renovations were fully compliant with AODA requirements.

Guelph Central Station Construction

Construction continued on Guelph Central Station which will eventually become home to Guelph Transit, GO Bus, GO Rail, Greyhound and VIA Rail. The bus platform and circulation roadway construction has been completed and efforts in 2012 will be directed at completing support facilities including operator bathrooms, overhead canopy structure and shelter infrastructure. Efforts were and continue to be directed at transferring ownership of the VIA Rail Station to the City of Guelph. It is expected that Guelph Central Station will open in the spring of 2012.

University Centre Facility Redevelopment

Ridership at the University of Guelph continues to experience significant growth year after year. The University of Guelph and Guelph Transit worked together on the redevelopment of the University Centre bus bays to provide increased capacity for additional Guelph Transit vehicles to access the facility. The project provided for 6 permanent bus bays between South Ring Road East and Stone Road. There are a total of 12 bus bays at the University Centre.

Bus Shelter Advertising Contract

Guelph Transit's bus shelter advertising contract expired in 2011. A new business model was put into effect whereby Guelph Transit will be responsible for installation and maintenance of all shelters and the external contractor is only responsible for media sales. This has resulted in a higher minimum monthly revenue guarantee per advertising face as well as a higher percentage of gross revenues for Guelph Transit.

Transit Advisory Committee

The Transit Advisory Committee was reconstituted in 2011 with a revised Terms of Reference. The Committee was reformed to provide a forum for community and user input into transit operations. This was critical considering the transit changes that are planned for 2012: implementation of the Transit Growth Strategy and opening of Guelph Central Station.

St. Joseph's Health Centre Facility Agreement

On-site conventional bus service was removed in 2011 from St. Joseph's Health Care Facility due to major construction on Westmount Road. Service was not returned to the facility after the construction was finished due to the impending implementation of the Transit Growth Strategy and numerous operational issues faced by Guelph Transit vehicles when operating on-site. Due to feedback from the community, staff from the two organizations worked together to eliminate the identified operating issues and restore service to its previous level. Staff were commended by community leaders for finding a workable solution in a timely manner.

Planning for Transit Growth Strategy Implementation

Staff has expended a great deal of time and effort preparing for the implementation of the Transit Growth Strategy recommendations. In January 2012, Guelph Transit will introduce a new service model (15 minute peak and 30 minute off-peak service) and a new system of routes. Leading up to the implementation, staff had to prepare a variety of support and communication materials including bus stop signs, info posts, revised system map, route schedules, driver's handbook, customer handouts, route brochures and web site material.

2012 Division Plans

Transit Technology Plan

Based on the Transit Technology Plan recommendations that were approved by Council, Guelph Transit will be developing detailed specifications and retaining a qualified vendor to implement Phase 1 of the Plan in 2012. Elements of Phase 1 include on-vehicle hardware and software, CAD/AVL upgrades, automated stop calling and scheduling software for conventional and mobility services.

Implementation of Transit Growth Strategy Routes and Service Model

It is planned to implement the Transit Growth Strategy revised routes and service model on January 1, 2012. Staff have prepared various communication elements to inform riders of the changes that will be occurring. Material has also been created to prepare operators for the new routes and service model.

Opening of Guelph Central Station (May 2012)

It is planned that the new inter-modal transportation hub will open in May 2012. At that time, Guelph Transit will move its downtown hub from St. George's Square to the new facility on Carden Street. When the 22 bay terminal opens GO Bus, GO Rail and VIA Rail will also be operating out of the station. When Guelph Central Station development is completed, Greyhound will also be a tenant at the facility.

AODA Integrated Standards - Priority Seating

THE AODA Integrated Transportation Standards are being phased in over a number of years starting in 2012. The first standard and associated regulation is related to the provision of priority seating on buses. Transit properties in Ontario have been working through the Ontario Public Transit Association to develop a single industry wide approach to satisfy the requirements of this standard. The solution will include new decaling on the vehicles along with a communication plan for both riders and operators.

Negotiate New UPass Agreement

The UPass Agreement with the CSA/GSA at the University of Guelph is due to expire at the end of the Winter 2013 semester. Due to the lead time required and the need for a student referendum to approve any fee increase above 5%, the parties to the contract have agreed to put in place an interim agreement that leaves the existing terms in place and provides a modest revenue increase for Guelph Transit. The interim agreement will be in effect until the end of the Winter 2013 semester which will allow the parties to start negotiations in Fall 2012 and conclude a new contract before the end of the Winter 2013 semester.

Negotiate New Late Service Agreement

The existing Late Night Service Agreement with the CSA at the University of Guelph covers the Fall 2012/Winter 2013 semesters. A new agreement will be negotiated for Fall 2013/Winter 2014 starting in September 2012.

Revise Key Performance Indicators

To assist staff in managing Guelph Transit performance and to provide Council and the public a clear and concise set of measures, a revised set of key performance indicators will be developed during 2012.

Introduction of Affordable Bus Pass Program

Council approved in October 2011, a two-year pilot of an Affordable Bus Pass Program. This program has expanded eligibility criteria and will replace the existing Subsidized Bus Pass Program. In order to provide detailed and accurate information on ridership and revenue impacts of the new program, Guelph Transit will be introducing monthly passes with a magnetic stripe at the same time the pilot program starts. The stripe will allow the mechanical verification of data related to new and existing Guelph Transit users.

Did you know?

In 2011

- Guelph Transit vehicles travelled the equivalent of 6 return trips between the earth and the moon
- Guelph Transit vehicles consumed over 2.6 million litres of bio-diesel fuel
- The number of passengers carried by Guelph Transit would fill the Rogers Centre 140 times
- Guelph Transit vehicles lined up end to end would cover the length of 9 football fields
- The Guelph Transit website had almost 300,000 hits in 2011

COMMITTEE REPORT



TO **Operations, Transit & Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Emergency Services
DATE September 17, 2012

SUBJECT Emergency Services 2011 Annual Report
REPORT NUMBER OT091233

SUMMARY

Purpose of Report:

To present the Emergency Services Department 2011 Annual Report.

Committee Action:

To receive the report for information.

RECOMMENDATION

THAT the Operations, Transit and Emergency Services Report # OT091233 Emergency Services 2011 Annual Report be received.

BACKGROUND

This is the first annual report of Emergency Services, in this format, and has been prepared based upon the organizational structure in place during 2011. This report provides committee with information related to budget performance, a balanced scorecard on performance indicators, sustainability, customer service, internal processes and employee development or learning and growth.

The 2012 Annual report will be tabled in the first quarter of 2012. As with previous reports, Committee members are encouraged to convey opinions on the value of the report content, in order to improve on the format going forward.

REPORT

Guelph Emergency Services are essential services that include emergency planning, the Guelph Fire Department and Guelph-Wellington Emergency Medical Service (GWEMS). Our members are dedicated to protecting life, property in our community, in a manner that strives to be efficient and respectful to the impact our activities have on the natural environment.

In 2011 the Emergency Services Department was comprised of three operational Divisions Guelph Wellington Emergency Medical Services, Community Emergency Management and the Guelph Fire Department. Overall, the department is responsible for the following services:

- Guelph-Wellington Emergency Medical Services
 - Serving 230,000 residents over more than 1,500 square kilometres of area
- Community Emergency Management
 - Emergency Preparedness & Management
 - Disasters come in many forms. The City has an Emergency Plan which has been formally adopted by Guelph City Council. Its emergency planning plan is overseen by the Emergency Operations Control Group
 - Ongoing refinement and development of the Emergency Plan
 - Guelph Fire Department (administration)
 - Dispatch, communications, contract management, accreditation administration
- Guelph Fire Department (operations)
 - Guelph Fire Department
 - Fire suppression, prevention, inspection and training, as well as equipment, vehicle and fire hall maintenance.
 - Guelph-Eramosa Fire Department
 - Contracted Fire suppression, prevention, inspection and training, as well as equipment, vehicle and fire hall maintenance.

In 2011 there many accomplishments achieved including;

- Opening the Clair Road Emergency Services Centre (CRESC) housing our sixth fire station and our EMS headquarters.
- The Guelph Fire Department becoming the fourth fire department in Canada and the second in Ontario to receive the highly sought after *accredited agency* status from the U.S.-based, internationally recognized Commission on Fire Accreditation International.

This annual report, attached, provides an overview of performance, highlights some of the achievements from 2011, and defines some of the goals for 2012.

CORPORATE STRATEGIC PLAN

2.3 Provide accountability, transparency and engagement.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

DEPARTMENTAL CONSULTATION

Consultation conducted internally to Emergency Services.

COMMUNICATIONS

There are no communications requirements associated with this report.

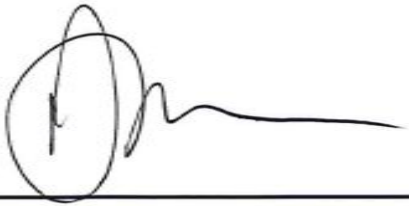
ATTACHMENTS

Appendix A: Emergency Services 2011 Annual Report

Prepared By: Katherine Gray, Service, Performance & Development Coordinator

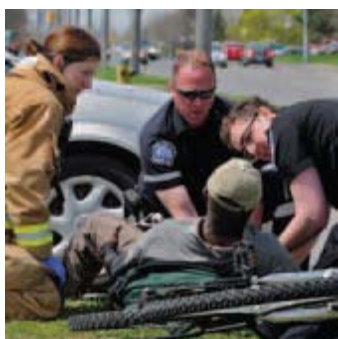
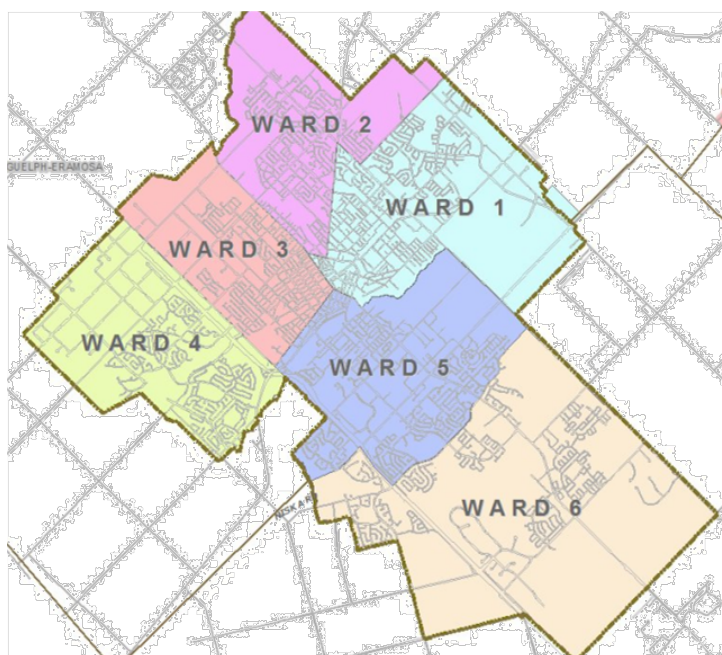
Reviewed By:

Shawn Armstrong
General Manager
Emergency Services
519-822-1260 x 2125
shawn.armstrong@guelph.ca

A handwritten signature in black ink, appearing to read 'Derek McCaughan', is positioned above a horizontal line.

Recommended By: Derek McCaughan, Executive Director

2011 Emergency Services Annual Report



2011 Emergency Services Annual Report

Message from the General Manager

It is my pleasure to present the City of Guelph's first Emergency Services Annual Report. This report is an opportunity to provide information about our services and supply statistics on how well we provide them.

Guelph Emergency Services are essential services that include emergency management, the Guelph Fire Department and Guelph-Wellington Emergency Medical Service (EMS). Our members are dedicated to protecting life, property and the environment in our community.

In 2011, we were pleased to open the Clair Road Emergency Services Centre (CRESC) housing our sixth fire station and our EMS headquarters. CRESC is the first facility of its type in Ontario and is shared with the Guelph Police Service. Opening this facility concluded an extensive process designed to balance response coverage throughout our coverage area. Twenty firefighters were added at the new station and seven paramedics were added to EMS in order to enhance our response capability.

In addition, a fire prevention officer was secured to address safety issues in shared rental occupancies. The fire prevention officer works closely with City officials from Building Services to address zoning issues. The Guelph Fire Department is particularly focused on Fire Code violations related to fire and life safety issues.

In March 2011, the Guelph Fire Department became the fourth fire department in Canada and the second in Ontario to receive the highly sought after *accredited agency* status from the U.S.-based, internationally recognized Commission on Fire Accreditation International. When the accredited status was awarded, there were only 141 accredited fire departments in the world. Accreditation is a process designed to provide continuous quality improvement and enhancement of service delivery.

Many other positive changes occurred during 2011. We upgraded our Computer Aided Dispatch (CAD) system and our telephone system at the Guelph Fire Department to make our dispatch system more efficient and effective for the community we serve. Our back-up dispatch capabilities were greatly enhanced and residents should have a high level of confidence that Emergency Services will be able to provide uninterrupted service at all times.

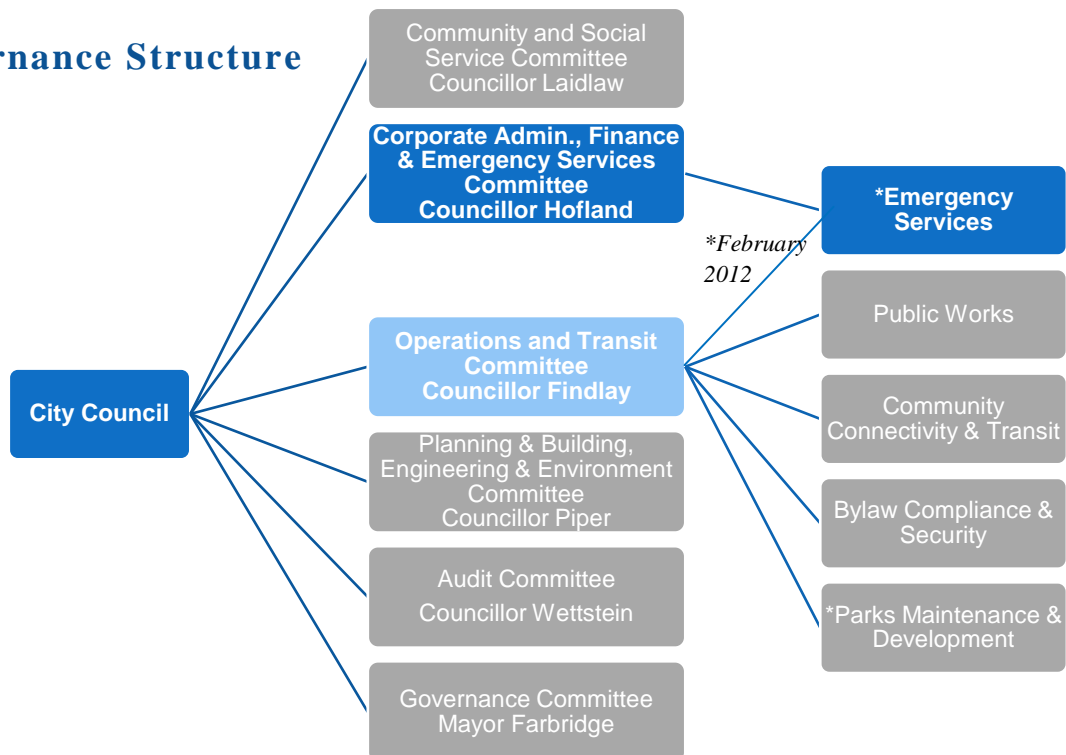
Guelph Emergency Services engages the community in many ways. Interacting with the people we serve provides citizens the opportunity to become more aware of what they can do to protect themselves during and after an emergency or disaster.

In conclusion, I would like to thank all of the members of the Guelph Emergency Services team for their professionalism and dedication to continuous learning and improvement. Most importantly, thank you for the protection and service you provide to residents of the City of Guelph and surrounding areas. Also thank you to Council and the community for their ongoing support.

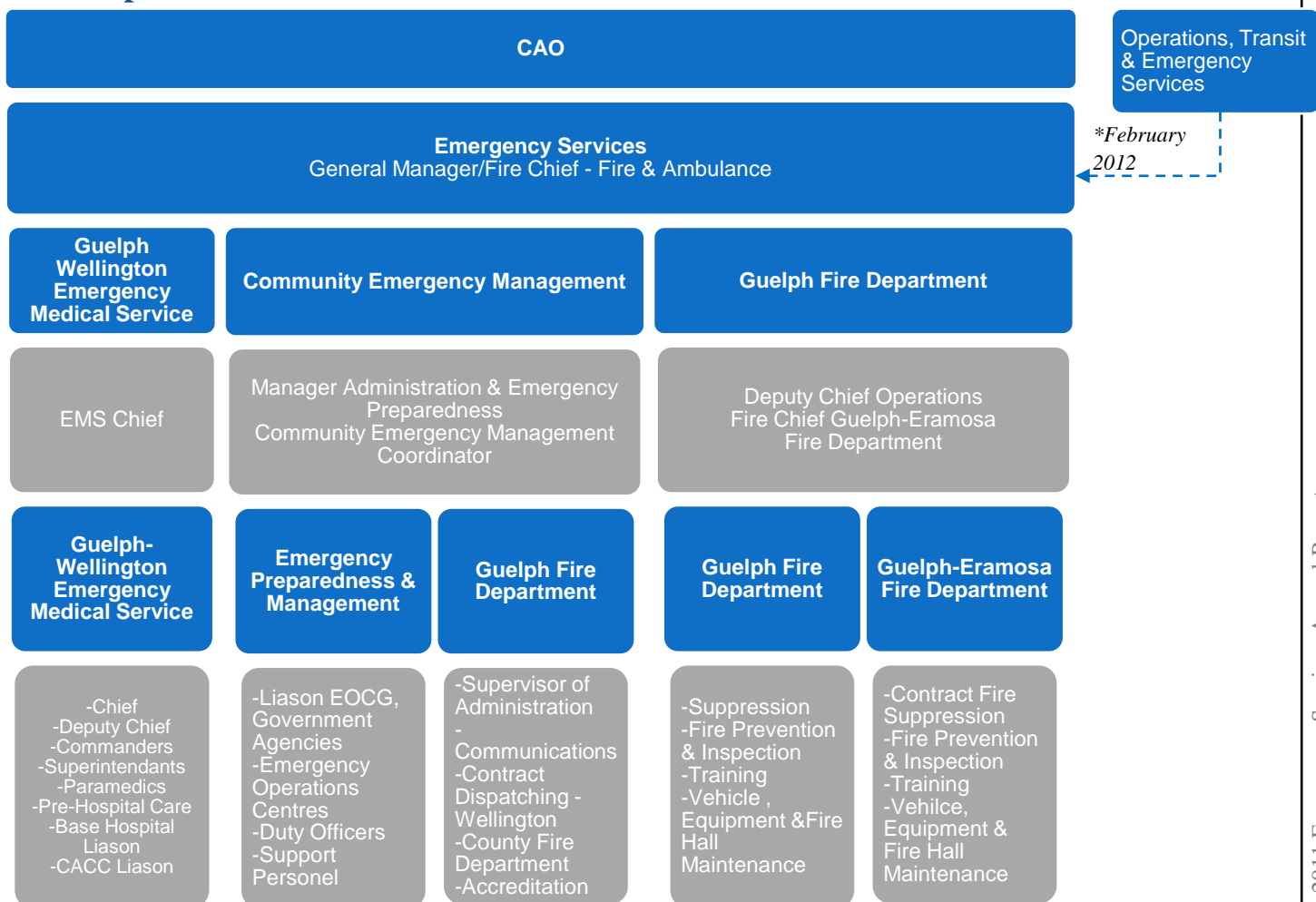
Our Mission

To provide rapid, compassionate and professional services that keep the community safe.

Our Governance Structure



Our Department



*Report has been prepared based upon the organization structure in place in 2011. February 2012, Emergency Services was realigned to Operations, Transit and Emergency Services and Parks Maintenance & Development was realigned to Community and Social Services.

Our Role

In 2011 the Emergency Services Department was comprised of three operational Divisions as denoted in the figure above. Overall, the department is responsible for the following services:

- Guelph-Wellington Emergency Medical Services
 - Serving 230,000 residents over more than 1,500 square kilometres of area
- Community Emergency Management
 - Emergency Preparedness & Management
 - Disasters come in many forms. The City has an Emergency Plan which has been formally adopted by Guelph City Council. Its emergency planning plan is overseen by the Emergency Operations Control Group
 - Ongoing refinement and development of the Emergency Plan
 - Guelph Fire Department (administration)
 - Dispatch, communications, contract management, accreditation administration
- Guelph Fire Department (operations)
 - Guelph Fire Department
 - Fire suppression, prevention, inspection and training, as well as equipment, vehicle and fire hall maintenance.
 - Guelph-Eramosa Fire Department
 - Contracted Fire suppression, prevention, inspection and training, as well as equipment, vehicle and fire hall maintenance.

2011 Budget Performance

Emergency Services' budget performance came in at 2.30% over target, as reported from RAC Financial system.

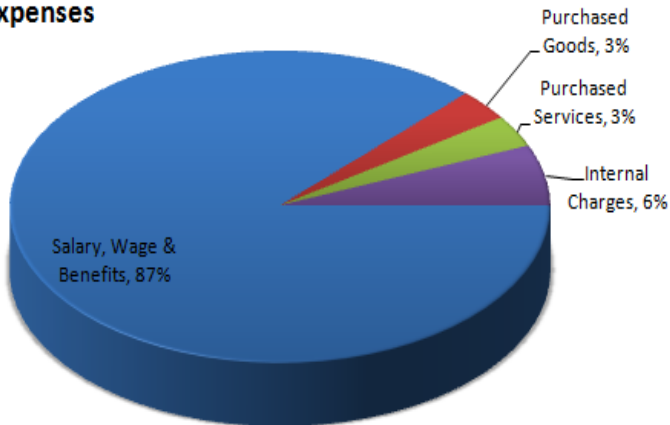
This 2.30% resulted from slightly lower than expected revenues. The grant is the provincial funding.

Approximately 50% of the overall submitted operating budget is recaptured from the province. The remaining 50% is divided by the City and county on a 60/40 basis respectively.

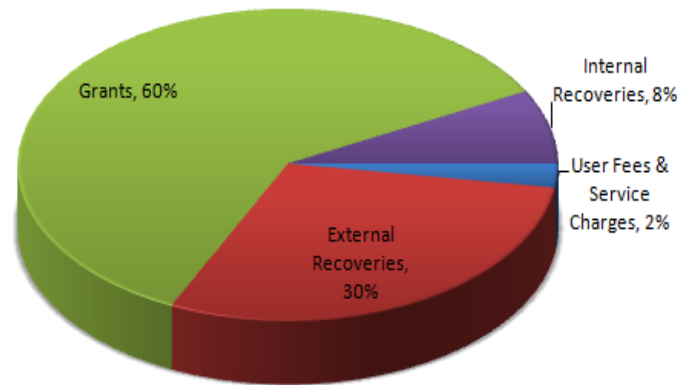
Emergency Services	2011 Budget	2011 Actuals	2011 Variance
Revenue			
User Fees & Service Charges	(241,200)	(231,034)	
External Recoveries	(2,700,029)	(2,751,366)	
Grants	(5,865,761)	(5,606,248)	
Total Revenue	(8,806,990)	(8,588,648)	-2.54%
Expenditure			
Salary, Wage & Benefits	28,887,860	28,846,268	
Purchased Goods	1,087,437	1,069,271	
Purchased Services	1,200,054	1,095,598	
Financial Expenses	0	21	
Total Expenditure	31,175,351	31,011,158	-0.53%
<i>Net Before Internal Charges & Recoveries</i>	<i>22,368,361</i>	<i>22,422,510</i>	
Internal Charges & Recoveries			
Internal Charges	1,571,625	2,085,285	
Internal Recoveries	(697,800)	(719,321)	
Total Internal Charges & Recoveries	873,825	1,365,964	36.03%
Net Budget	23,242,186	23,788,474	2.30%

Breakdown of Operating Budget

Expenses



Revenues



External recoveries includes fees, motor vehicle recoveries and fire services revenues

Performance

Emergency Services Performance Dashboard

Illustrated below is the Emergency Services dashboard. Several key performance indicators have been aligned into four categories to illustrate progress towards achieving the goals of the department. Items in the dashboard marked in **green** indicate that the metrics are reporting to target, those identified with **yellow** or **red** indicates metrics that are not trending towards target.

Emergency Services Performance Dashboard

Sustainability

Performance to approved budget

Revenue -

Expenditure -

Internal Process

Accreditation Attainment

Fire Investigations +

Customer Service

GWEMS Response Time (*goal is to be under 12:40 seconds*)

Fire Response Time (*goal is to respond within 390 seconds*)

Learning & Growth

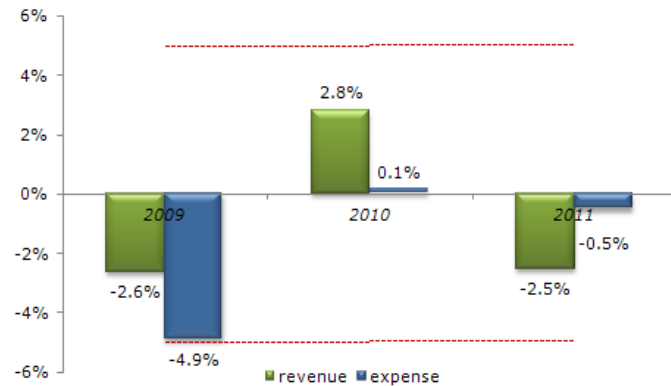
Internal Training

Public Training Initiatives -

Emergency Services Performance Trends

Sustainability

Revenue and Expense

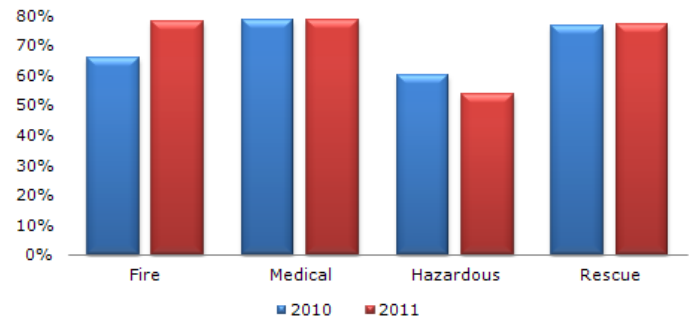


Goal is to be within 5% of approved budget annually

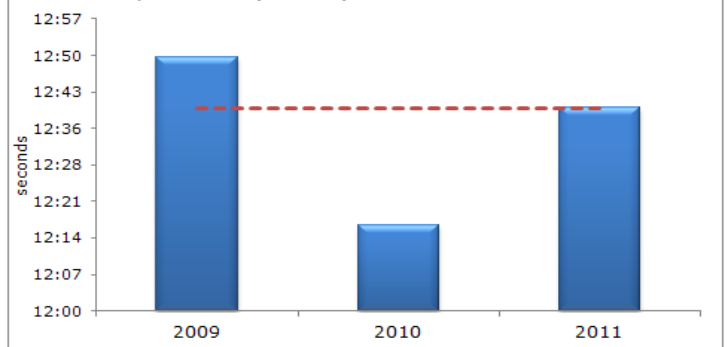
Customer Service (time it takes to respond to a call for service)

Guelph Fire - % of Response Time @ 390 Seconds

Data prior to 2010 is not currently available.

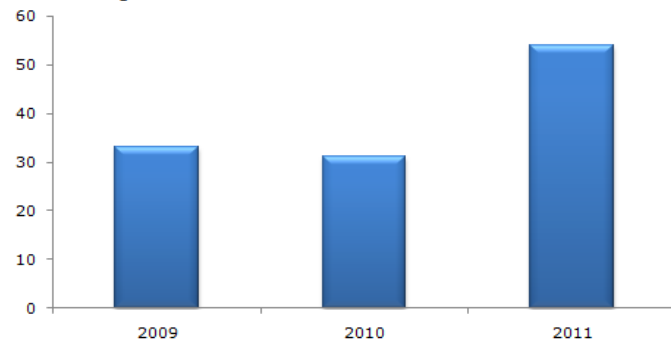


GWEMS Response Time (seconds)

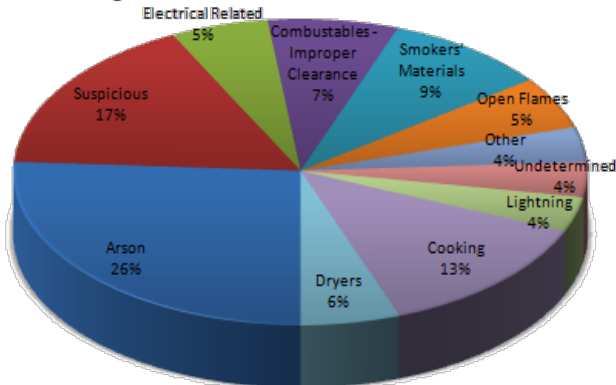


Internal Process

Fire Investigations



2011 Fire Investigation Breakdown

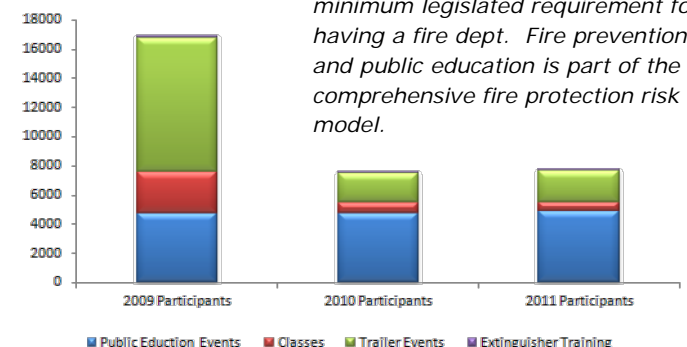


Learning & Growth

Public Education Events



Public Education Event Attendance



A well organized fire prevention and public education program is a minimum legislated requirement for having a fire dept. Fire prevention and public education is part of the comprehensive fire protection risk model.

Emergency Services Balanced Scorecard

	Measure	2011 Achievement	2012 Goals	Initiatives
Sustainability	Revenues	2.54% under	to be within 5% of budget	Continue to work closely with Finance Department to build a budget that meets the needs and circumstances of the populations served. Budget variances to be reported on a monthly basis in order to make decisions that will maintain overall variance at 5% or less at year end.
	Expenditures	0.5% under	to be within 5% of budget	
	Overall Budget	2.3% over	To be within 5% of budget	
Customer Service	Guelph Fire Response Time (% @ 390 secs)	78%	85%	Improvements to communications process for dispatch to shorten time required for call processing.
	GWEMS Average Response Time (90 th percentile)	12:40 sec	12:20 sec	Develop mandatory response time standards to meet provincial legislative regulations
Internal Process	Fire Investigations	54 Total 26% Arson	10% reduction in Arson	Joint arson prevention initiative between Police and Fire to identify methods to reduce arson cases
	Commission on Fire Accreditation International (CFAI)	Successful accreditation	Maintain accreditation	Submit Accreditation annual compliance report to CPSE and receive / implement recommendations.
Learning & Growth	Public Training Events	52	5% increase 2011	Develop a public education plan including a communication plan that initiates seasonal fire safety messaging.
	Public Event Attendance	4,875	5% increase from 2011	
	Internal EMS Training	16 hrs/ employee	16 hrs/ employee	Advanced Care Paramedics to receive 12 hours of medical education and 4 hours of safety related education in the classroom setting
	Internal Fire Suppression Training	8,981 hours Department Training	25% increase to ensure 2 hr daily min is met	Computerized training methods

Emergency Preparedness & Management

Emergency Management Ontario requires the City of Guelph to have an emergency response plan and an emergency management program, both of which have been authorized by Council.

The Emergency Operations Control Group (EOCG) includes many City departments as well as community agencies that provide expert services and additional resources to address a community-level emergency. Once activated, the EOCG operates centres to initiate the emergency response plan.

Providing training in emergency preparedness and management is mandated in the emergency management program. Annual ongoing training is provided to EOCG members and support staff.

Achievements

In 2011, the City of Guelph authorized a new emergency response plan and program. The plan includes training, an annual exercise and public education activities. All legislative requirements were completed, as required. The emergency management program is designed to ensure we have properly trained staff, necessary equipment facilities and organizational linkages to respond to community emergencies in a manner that allows the City to be more resilient to disasters.

In 2011, two basic emergency management courses were offered to City and County responders who may be involved in emergency management activities.

Incident managers completed training, including two simulated emergency exercises. A large annual exercise was completed for the EOCG, which involved testing available plans and equipment.

Emergency Services staff provided lectures at the 2011 Canadian Red Cross conference in Kingston and the Canadian Interoperability Technology Interest Group conference in Ottawa.

To ensure services are meeting community needs, Emergency Services established the Community Emergency Management Program Committee. This committee meets regularly to review and provide feedback on the Emergency Management Program.

The annual Emergency Preparedness Day was held at the West End Community Centre. Students were exposed to first response departments, external organizations and agencies that respond to emergencies. There were 40 exhibitors participating, approximately 1,100 students were bussed in throughout the day and an approximate total attendance of 2,500 people.

2012 Division Plans

2012 plans for the Emergency Preparedness & Management division include;

- To update all Business Continuity Plans; to incorporate systems to ensure ongoing currency of Plans; to incorporate systems to evaluate staff competency on the execution of Plans.
- To evaluate the effectiveness of the current EOCG structure
- Conduct Annual emergency management exercise.
- Work with other agencies on annual Heat Alert Program.
- Complete Basic Emergency Management Course.
- Conduct Site incident management training.
- Ensure regulatory requirements of Emergency Management Ontario essential program are met.
- Conduct Guelph Wellington Interoperability Group interoperability study

Guelph-Wellington Emergency Medical Service

Guelph-Wellington Emergency Medical Service is dedicated to provide compassionate quality 'patient focused' medical service with continuous improvement to the EMS System ensuring that the public receives the highest quality of coordinated patient care services.

While the focus of services provided by Guelph-Wellington EMS is assisting patients during their time of need, the service also needs to be ready for emergency events involving many patients or people needing assistance. Paramedics were present on October 11, 2011, when a part of downtown Guelph was evacuated because of a natural gas leak. Paramedics helped some local residents to evacuate and fortunately, there were no injuries during this event.

Guelph-Wellington EMS operates from eight stations located in Guelph and Wellington County. It serves approximately 230,000 residents and more than 1,500 square kilometres in urban and rural response landscapes. Eight ambulances and one rapid response unit are deployed 24 hours per day. An additional four ambulances are allocated to address medical emergency service demands during peak hours.

Achievements

In 2011 Guelph-Wellington EMS paramedics responded to about 16,900 patient-related calls for assistance. This represents more than 46 calls per day, which is a seven percent (7%) increase from 2010, and the highest number of calls, per year, the service has experienced. Of the 16,900 calls received more than 11, 200 (66%) were calls relating to life threatening emergencies.

Guelph-Wellington EMS initiated an electronic patient care reporting system in 2011. This system allows direct data entry and sharing (with hospital) of patient care information, such as electrocardiogram information. The new reporting system also allows paramedics to track and define call type trends to ensure resources are meeting desired objectives.

A program was developed, in 2011, to survey patients who have used the Guelph-Wellington EMS service. The survey resulted in a 35% on going return rate. The survey asks patients to rate timeliness, caring and compassionate manner, patient comfort and overall satisfaction with the services. Early results have been positive.

In 2011, all Guelph-Wellington EMS paramedics were trained in recognizing patients with a specific type of heart attack, know as a STEMI (ST elevation myocardial infraction). Since implementation of this training, 17 patients have been transferred from their residence directly to St. Mary's Hospital, instead of the local hospital (then being transferred), resulting in an 84% success rate in reducing the number of patients having permanent cardiac damage.

2012 Division Plans

2012 plans for GWEMS include;

- Facilitate MOHLTC quality assurance review & work arising from recommendations.
- Develop emergency services public education plan.
- Update relationship with County Fire departments - Tiered response agreements - Standardized equipment list.
- Work with HR to create posting, screening and testing process to replace staff and maintain part time paramedic options to reduce shortages/gapping issues.
- Develop accountability framework for all stakeholders including County of Wellington.

Guelph Fire Department

Fire services within the City of Guelph are provided by the Guelph Fire Department. The Guelph Fire Department has been serving the community full-time for over 100 years. Beginning on October 1st, 1909, it has grown to include 6 fire halls, over 170 staff, and a fleet of 16 emergency response vehicles

Emergency Services also provides fire protection services to 11,000 Township of Guelph-Eramosa residents. The township of Guelph/Eramosa has contracted with the City's Emergency Services to provide fire services to areas within the township and manage the Township of Guelph/Eramosa Fire Department.

Fire protection services include, but are not limited to, fire suppression, fire prevention, public education and investigations determining cause of fire. Other services provided to the community include, responding to medical emergencies, specialized rescues, vehicle extrication and public safety education.

Achievements

2011 was a year of significant change and improvement for our communications area. A new computer-aided dispatch system was successfully implemented. It significantly streamlines the dispatching operation by quickly linking addresses with mapping and recognizing inherent risks at the address. It then recommends the correct level of required response. This is an improvement for Guelph and partner fire departments in Wellington County that contract us for dispatching services.

The telephone system in communications was upgraded at the same time as the computer-aided dispatch system. Both now have redundant back-up systems that make them more resilient.

During the year, the Guelph Fire Department hosted communication-specific training that was made available to and had participants from other city departments, first response agencies and a federal agency.

Fire Prevention reviews important aspects of fire safety including inspections, fire cause determination, fire safety planning relating to occupant behaviours and fire code issues relating to building performance. Fire prevention collaborates with other City of Guelph service areas to ensure a co-ordinated approach to community safety. In 2011 a total of 909 inspections were conducted, these included business license, property transfer and re-inspections.

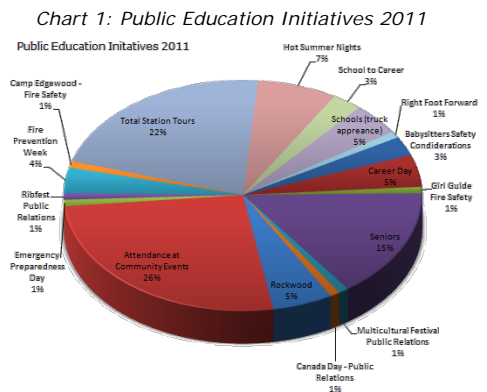
In 2011, Fire Prevention investigated 54 incendiary fires which resulted in one fatality, numerous injuries and the displacement of 70 people. There was also a rash of maliciously set arson fires, ranging from garbage pails to grass fires. These fires generally occurred in the west end of the city and are being investigated by Guelph Police Services. These fires are not included in the number of 54 investigations reported by Fire Prevention.

In August 2011, the Guelph Fire Department established an Arson Task Force with Guelph Police Services to address the numerous, intentionally set fires that occurred throughout the City. As a result of collaborative work, arrests were made and charges were laid against two (2) youths involved in setting one of the structure fires. The Guelph Fire Department continues to work with the police to identify other persons who were involved in these serious events.

From July to December 8, 2011, 21 arson fire investigations, remained open and under investigation by the police. These fires have results in over \$1 million in damage.

In 2011, in-house vehicle operation and crash avoidance training was introduced. This initiative has created an internal specialist who has completed the Instructor Certification Course, thus allowing all fire department staff members to be trained internally.

Fire Prevention and Suppression Staff organized and participated in, many new life safety initiatives, for the public. In 2011 111 events were held. Refer to *chart 1: Public Education Initiatives 2011*, for a breakdown



of the public initiatives/events held in 2011. Public education is critical in reducing risks from fire.

In 2011 Guelph Fire Department became the fourth fire department in Canada to achieve accreditation status from the Commission on Fire Accreditation International.

2012 Division Plans

2012 Guelph Fire Department plans include;

- Submit Accreditation annual compliance report to CPSE and receive / implement recommendations.
- Hot summer nights (for children) and complimentary home inspection public education programs.
- Introduce 2nd back up for County paging to ensure continuity of operations for contract dispatching.
- Implement EMS/TIF early adopter program for simultaneous dispatch of Fire resources by EMS CACC.
- In partnership with Water works/engineering take part in Fire Underwriters Survey.
- Perform and expand on inspection and fire drills at care facilities.
- Prepare for 2013 Annual Accreditation compliance report.
- Enhance the effectiveness of business licence inspections - utilize suppression staff.
- In partnership with Corp. Property complete renovations to #2 station.
- In partnership with Corp. Property complete generator replacement, parking lot repair, etc. at Fire HQ.
- Enhance partnerships with other agencies to address hoarding issues.

2011 Community Involvement

2011 was an excellent year for the Guelph Fire Department and its charitable works. The Guelph Firefighter's Benevolent Foundation hosted its annual Toronto Maple Leaf Alumni hockey game, golf tournament and a recently added indoor golf tournament, with proceeds going to local hospitals. The Foundation also produced the annual firefighter calendar, which increased donations to local hospitals. The Guelph Firefighters Benevolent Foundation pledged \$100,000 to the Guelph General Hospital towards the purchase of a new MRI machine. To date, the foundation has raised \$70,000, with the hope of fulfilling the pledge by 2013.

The Guelph Fire Department also participated in several community fundraising programs, including the annual United Way of Guelph and Wellington campaign and the Boot Driver campaign for muscular dystrophy. Firefighters also support the local blood bank, with an annual competition between other emergency services in Guelph to determine who can donate the most blood. Firefighters also lend a hand to the Salvation Army every Christmas to unload food hampers and hand food out to community members in need.

2011 was a great year for the Guelph-Wellington Emergency Medical Service and the communities it serves. Paramedics participated in more than 32 events across the city and county, including Avery's Bravery Race in Rockwood, the Amyotrophic Lateral Sclerosis (ALS) Walk in Mount Forest, and several children's programs and career fairs in Guelph. Over 335 hours, or the equivalent of 28 paramedic shifts, were donated by staff members. Guelph-Wellington EMS looks forward to an active 2012 with continued contributions to the residents and communities we serve.

COMMITTEE REPORT



TO **Operations, Transit & Emergency Services
Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Bylaw Compliance & Security Department
DATE September 17, 2012

SUBJECT Business Licensing – Downtown Late Night Bars
REPORT NUMBER OT091236

SUMMARY

Purpose of Report:

To provide general information with respect to the possible creation of a new Business Licensing category specifically for Downtown late night bars.

Committee Action:

To receive staff's report.

RECOMMENDATION

That the Operations, Transit & Emergency Services Committee Report # OT091236 regarding the Business Licensing of Downtown late night bars dated September 17, 2012 be received;

BACKGROUND

On July 16, 2012, the Operations, Transit & Emergency Services Committee adopted the following resolution:

"THAT staff report back to committee in September on the proposal to include a separate business licence fee for downtown late night bars."

Currently, the City of Guelph licenses businesses for the purposes of health, safety and/or well being of the public. Other pertinent background data regarding this matter include:

- Downtown late night bars are already required to have a business license specifically for the sale of food and beverage. This licence (Food

Premise) is required for any business that sells non prepackaged food to the public.

- the City's current license fee model, as previously approved by City Council, limits cost recovery to business licensing administration, inspection and the enforcement of business licenses.

REPORT

Staff conducted a cursory review of our comparable municipalities (Attachment A) to determine whether they currently license late night bars. It was found a majority do not have a separate category for late night bars. Similar to Guelph however, most do license these types of establishments as food premises.

Based on the City's licensing criteria, staff are of the opinion that downtown late night bars do require a business license to ensure that inspections are conducted for the purposes of public health, safety and wellbeing. Aspects of late night bar operations that affect public safety, health and well being include: food and beverage handling, occupancy levels and their fire safety measures. As such, in principle, to create a new category for late night bars would be consistent with the City's stated intent of licensing. However, the inspections that would be required for the late night bar category would be the same as those currently performed to license these establishments as a Food Premise. The on-site inspections currently performed for these establishments include inspections by Building staff, Fire Prevention Officers and Health inspectors. Adding a late night bar category would not require any additional inspections and based on our current licence fee model, the business establishment would not be charged for the additional category.

In conclusion, it is staff opinion the creation of a separate category for downtown late night bars will have no further benefit to the health, safety and well being of the public than is already being attained through the licensing of these establishments as Food Premises.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan:

- 2.3- Ensure accountability, transparency and engagement.
- 3.2- Be economically viable, resilient, diverse and attractive for business.

FINANCIAL IMPLICATIONS

Assuming the current cost recovery model is maintained, there would be no financial implications associated with this matter.

COMMUNICATIONS

Public consultation not required for this report.

ATTACHMENTS

Attachment A – Municipal Comparator Survey



Prepared and Reviewed By:

Doug Godfrey

Manager

Bylaw Compliance and Security

519 822-1260 x2520

doug.godfrey@guelph.ca



Reviewed & Recommended By: Derek McCaughan, Executive Director

Business Licensing – Late Night Bars
Attachment A of Report OT091236

Municipality	Licence Restaurants/Bars	Seperate Business License for bars?
City of Guelph	Yes	No
City of Niagara Falls	Yes	No
City of Brantford	Yes	No
City of Waterloo	Yes	No
City of Chatham-Kent	Yes	No
City of Thunder Bay	Yes	No
Town of Whitby	Yes	Yes - Entertainment Lounge
City of Kingston	Yes	No
City of Cambridge	Yes	No
City of Barrie	Yes	Yes - Tavern licence
City of St. Catherines	Yes	No
City of Oshawa	Yes	No
City of Greater Sudbury	No	No
Town of Richmond Hill	No	No
City of Burlington	Yes	No
Town of Oakville	Yes	Yes - Nightclub
City of Kitchener	Yes	No
City of Windsor	Yes	Yes - Entertainment Lounge
City of Vaughan	Yes	No
City of Markham	Yes	No
City of London	Yes	No
City of Brampton	Yes	No
City of Hamilton	Yes	No
City of Mississauga	Yes	Yes - Nightclub

COMMITTEE REPORT



TO **Operations, Transit & Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Bylaw Compliance & Security Department
DATE September 17, 2012

SUBJECT **Public Nuisance Bylaw**
REPORT NUMBER OT091235

SUMMARY

Purpose of Report:

To request consideration of the creation of a Public Nuisance Bylaw to regulate through by-law control unwanted or undesirable activity within the City of Guelph.

Committee Action:

To receive staff's report, to approve the creation of a Public Nuisance By-law in principle and to direct staff to solicit public opinion on the draft Public Nuisance Bylaw.

RECOMMENDATION

That the Operations, Transit & Emergency Services Committee Report # OT091235 dated September 17, 2012, regarding the establishment of a Public Nuisance Bylaw be received; and,

That Council approve the need for a Public Nuisance Bylaw in principle; and,

That staff be directed to solicit public input on the draft Public Nuisance Bylaw as set out in report OT091235.

BACKGROUND

The City of Guelph has been recognized across Canada as a safe community. Inconsistent with this attribute, the City has experienced a number of incidents and undesirable gatherings both on public and private lands over the past few years that demonstrated staff do not have sufficient tools at their disposal to act in an effective and timely manner to protect the interests of the City.

REPORT

Staff from various departments and the Guelph Police Service collaborated to develop the attached draft Public Nuisance By-law (attachment A) that would regulate unwanted or undesirable behaviour or activities occurring on ***all City lands***, Facilities and road allowances.

The By-law as drafted would allow By-law staff and the Guelph Police Service to address unwanted activity through actions associated with bylaw compliance instead of through the issuance of criminal charges. The use of by-law control generally results in undesirable behaviour being corrected in a timelier, less onerous and more cost-efficient manner for all parties involved.

Of significance, the draft by-law provides staff the tools to address:

- *nuisance parties* occurring on private land that if left unaddressed may escalate and affect public safety. The By-law allows the enforcement official to disperse parties as well as close roadways to restrict the party from increasing in size. The by-law also establishes the authority of the City to recover costs incurred while addressing nuisance parties from the host ***or property owner***.
- protests and rallies that extend beyond 24 consecutive hours (unless a permit has been obtained)
- camping, dwelling or construction of temporary structures

It is important to note that a number of activities, such as camping in parks, could be authorized through issuance of an administrative permit. In addition, as with any City by-law, staff's objective is to achieve compliance. If achieved, then there is no need for punitive action such as the issuance of tickets or court summonses. For this reason, enforcement of the by-law would be left to the discretion of the attending officer.

Given the nature of this Bylaw, staff recommend Council approve the creation of a Public Nuisance Bylaw in principle only at this time and direct public opinion on the content of this by-law be solicited.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan:

- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions.
- 2.2 Deliver public services better

-
- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

The cost to enforce a created Public Nuisance By-law is within the existing budgets of the Guelph Police Service and the City's Bylaw Compliance and Security Department.

DEPARTMENTAL CONSULTATION

Legal and Realty Services
Guelph Police Services
Parks and Recreation
Culture and Tourism
Corporate Building Maintenance
Guelph Transit
Public Works
Building Services
University of Guelph – Off Campus Living

COMMUNICATIONS

Staff, in collaboration with Corporate Communication and Civic Engagement Divisions will undertake a public engagement strategy to solicit comments and concerns.

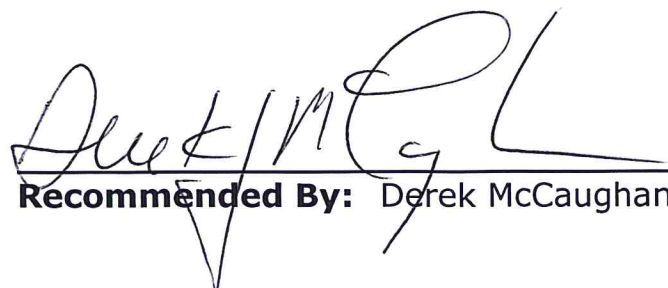
ATTACHMENTS

Attachment A – Proposed Public Nuisance Bylaw



Prepared and reviewed by:

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Manager
Bylaw Compliance and Security
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Recommended By: Derek McCaughan, Executive Director

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012) - XXXXX

A By-law Regulating Public Nuisances.

WHEREAS Section 10(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the purposes of this by-law include managing the public assets of the City, protecting the economic, social and environmental well-being of the City, supporting the health, safety and well-being of persons in the City, protecting persons and property in the City and prohibiting and regulating with respect to public nuisances in the City;

AND WHEREAS the City wishes to enable all persons to share the common resource of City Land;

AND WHEREAS the City wishes to ensure that the use of City Land as well as other lands has a minimal adverse impact on the quiet enjoyment of surrounding lands;

AND WHEREAS, in the opinion of Council, the matters addressed in this by-law are, or could become or cause, public nuisances, and, notwithstanding the generality of the foregoing, Council is of the opinion that a Nuisance Party (as defined herein) is a public nuisance;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

INTERPRETATION

1. In this by-law:

“**Aircraft**” includes any fixed wing aircraft, helicopter, hot air balloon, hang glider or ultra-light aircraft;

“**Chief of Police**” means the Chief of Police of the Guelph Police Service, or his/her designate;

“**City**” means The Corporation of the City of Guelph;

“**City Land**” means land owned or operated by the City, and, without limiting the generality of the foregoing, includes every highway, park and public square owned or operated by the City, and includes any buildings, structures and equipment located thereon

“**Council**” means the municipal council of the City;

“Dangerous Animal” means any animal which constitutes or may constitute a danger to any person on City Land, which is likely to give rise to a justified apprehension of danger in the mind of a person on City Land or which is likely to interfere with the use or enjoyment of City Land by a person;

“Executive Director” includes the Executive Director of Operations, Transit and Emergency Services of the City, the Executive Director of Community and Social Services of the City and any other employee of the City acting under the direction of either of the foregoing for the purposes of this by-law;

“Fight” means a confrontation involving violent physical conduct between two or more people;

“Motor Vehicle” means any motor vehicle as defined under the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended or replaced, but excludes a wheelchair or similar device, powered or otherwise, used by an individual due to disability and a baby carriage, stroller, child sleigh or similar device used by a child;

“Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended or replaced;

“Nuisance Party” means a gathering on Premises which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring:

- (a) Disorderly conduct;
- (b) Public drunkenness or public intoxication;
- (c) The unlawful sale, furnishing or distribution of alcoholic beverages or controlled or illegal substances;
- (d) The deposit of refuse on public or private property;
- (e) Damage to or destruction of public or private property;
- (f) Pedestrian traffic, vehicular traffic or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- (g) Unreasonable noise, including loud music or shouting;
- (h) Unlawful open burning or fireworks;
- (i) Public disturbance, including a public brawl or Fight; or
- (j) Outdoor public urination or defecation;

“Officer” means a Police Officer or any by-law enforcement officer of the City;

“Permit” means a written authorization of the Executive Director, pursuant to this by-law, a written authorization of the City pursuant to a resolution or another by-law of the City, including a special event permit, or an implied authorization, such as the authorization for an activity that is implied where a facility is designed for that specific activity;

“Premises” means any place in the City, including, but not limited to City Land, private lands, parking lots, vacant lands, and yards appurtenant to buildings or dwellings, but does not mean a building or dwelling;

“Sign” means a sign or notice posted by the City at, within or adjacent to City Land or a specified part thereof; and

“Weapon” includes any firearm as defined in the City’s Firearm Discharge By-law # (1994)-14738 as amended.

2. This by-law shall not be interpreted as exempting any person from the requirement to comply with any other City by-law. In the event of conflict between the provisions of this by-law and any other City by-law, the provisions which are more protective of the best interests of the City, in the sole determination of the Executive Director, shall apply.

3. This by-law is to be construed with all changes in number and gender as may be required by the context.
4. Any reference herein to any by-law or act of any government shall be construed as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto then in force.
5. If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid, illegal, unenforceable or of no force and effect, it is the intention of Council in enacting this by-law that the remainder of the by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

EXEMPTIONS

6. In respect of City Land, or applicable parts thereof, this by-law shall not apply to:
 - (a) The City and its employees, agents and contractors carrying out their duties on behalf of the City;
 - (b) Any person who is acting in full compliance with a Permit;
 - (c) Any person who is acting in full compliance with a Sign; and
 - (d) Any Police Officer carrying out police activities.

RESTRICTED AREAS

7. If entry to City Land or any applicable part thereof is identified by a Sign, barrier or barricade or in any other way as prohibited or restricted, no person shall enter into such City Land or applicable part thereof contrary to such prohibition or restriction.

CONDUCT AFFECTING OTHER PERSONS

8. While on City Land, no person shall, unless pursuant to an exemption pursuant to this by-law:
 - (a) Engage in any riotous, violent, threatening or illegal conduct;
 - (b) Engage in any activity in such a manner as may or does endanger or cause injury to any person or damage to any property;
 - (c) Participate in a Fight;
 - (d) Obstruct any sidewalk or pathway;
 - (e) Distribute, display or discard any handbill, notice, circular, advertisement, promotional item or sample;
 - (f) Sell, rent or barter, offer for sale, rental or bartering or display for sale, rental or bartering, any goods or services;
 - (g) Carry on any trade, occupation, business or profession;
 - (h) Place or permit the placement of any vending machine or game operated by coins or other forms of money;
 - (i) Cause trouble or annoyance to, or accost, any other person;
 - (j) Be in possession of or use any Weapon;
 - (k) Interfere with any permitted activity carried out by any other person;
 - (l) Enter any washroom or change-room set apart for the opposite gender, or for a transgendered person, that person's former gender, provided that this shall not apply to children who are 6 years of age or younger and are, at that time, under the care of their parent, guardian or caregiver;
 - (m) Loiter in any washroom or change-room or conduct himself or herself in such a manner as to be objectionable to another person using, or in the vicinity of, said washroom or change-room;

- (n) Operate any photographic or other recording device in any washroom or change-room
- (o) As the owner of a horse, livestock or a Dangerous Animal, or as a person having the care or control of a horse, livestock or Dangerous Animal, permit the horse, livestock or Dangerous Animal, as the case may be, to enter or be on City Land;
- (p) Engage in any conduct that is prohibited or restricted by a Sign;
- (q) Knock over or attempt to knock over a Canada Post mailbox or relay box, a utility box, a newspaper box or a waste collection container; or
- (r) Host or participate in a public rally or protest that exceeds 24 consecutive hours.

CONDUCT AFFECTING CITY PROPERTY

9. While on City Land, no person shall, unless pursuant to an exemption pursuant to this by-law:
- (a) Engage in any activity in such a manner as may or does cause damage to any property of the City;
 - (b) Break, injure, deface, prune, plant, move or remove the whole or any part of any flower, shrub, grass, plant material, tree or other vegetation;
 - (c) Damage, deface, break, move or remove the whole or any part of any building, structure or equipment of the City, including any Sign or barricade;
 - (d) Attach, stencil, paint or otherwise apply, fasten or erect any marking, graffiti, sign or notice to any property on City Land;
 - (e) Dispose of or dump any organics, recyclables, waste, refuse, litter or any other matter or thing, except that which is generated through normal use of the City Land, and which is deposited only in receptacles provided for such purpose;
 - (f) Dump or deposit snow;
 - (g) Dispose of, cause the release of, dump, drain or discharge any material or substance, whether solid or liquid and whether toxic, hazardous (as defined by the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended or replaced) or otherwise, on or into any surface or soil or the waters of any fountain, regardless of the place of origin and the means of transmission or transportation of said material or substance;
 - (h) Build, light or stoke any fire;
 - (i) Camp, dwell or lodge;
 - (j) Place, install or erect any temporary or permanent structure, including any tent or booth;
 - (k) Enter the water in any fountain;
 - (l) Climb any building, structure or equipment not specifically intended for such use.;
 - (m) Tether, launch or land any Aircraft; or
 - (n) Bring, operate, park or leave any Motor Vehicle on any surface not designed for Motor Vehicles.

ADMINISTRATION

10. In respect of City Land, or applicable parts thereof, the Executive Director, in his/her sole discretion, considering the purposes of this by-law and the best interests of the City, is authorized to:
- (a) Issue or refuse to issue Permits permitting activities that would otherwise be prohibited or restricted by this by-law;
 - (b) Charge fees, as established by Council, for the issuance of Permits;

- (c) Make Permits subject to such conditions, including, without limitation, conditions as to time, location, area, equipment, number of participants, types of activities, securing of other necessary approvals, indemnification and insurance coverage, as the Executive Director may find to be appropriate; and
 - (d) Revoke, void or alter Permits without notice.
11. A Permit shall be non-transferrable and shall remain the property of the City.
 12. In respect of City Land, or applicable parts thereof, the Executive Director, in his/her sole discretion considering the best interests of the City, is authorized to:
 - (a) Issue and post or refuse to issue and post Signs permitting activities that would otherwise be prohibited or restricted by this by-law;
 - (b) Issue and post or refuse to issue and post Signs prohibiting or restricting activities that would otherwise be permitted pursuant to this by-law;
 - (c) On Signs, make permissions, prohibitions and restrictions of activities subject to such conditions, including, without limitation, conditions as to time, location, area, equipment, number of participants, types of activities, securing of other necessary approvals, indemnification and insurance coverage, as the Executive Director may find to be appropriate; and
 - (d) Remove or alter Signs without notice.

NUISANCE PARTIES

13. (1) No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a Nuisance Party.
- (2) No person who, individually or jointly with others, is an owner, occupant, tenant or who otherwise has rightful possession of or is in possessory control of any Premises, shall allow, cause or permit a Nuisance Party on said Premises.
- (3) Upon the order of the Chief of Police or the Executive Director, every person who is sponsoring, conducting, continuing, hosting, creating, attending, allowing, causing or permitting a Nuisance Party on specified Premises shall cease such sponsoring, conducting, continuing, hosting, creating, attending, allowing, causing or permitting of such Nuisance Party, and every person not residing on such Premises shall leave such Premises.
- (4) An order under this section shall identify:
 - (a) The location of the Premises on which the contravention is occurring;
 - (b) The reasonable particulars of the contravention of this by-law; and
 - (c) The date and time by which there must be compliance with the order.
- (5) An order under this section may be given orally or may be served personally on the person to whom it is directed.
- (6) No person shall fail to leave Premises after having been directed to leave by an order pursuant to this section.
- (7) An Officer may, by placing a Sign on the highway, temporarily close any highway or portion thereof to public travel where a Nuisance Party is occurring on or adjacent to the highway.
- (8) Where a highway or portion of a highway has been temporarily closed under this by-law, the common law right of passage by the public and the common law right of access by an owner of land abutting the highway or portion of the highway are restricted, as directed by an Officer.
- (9) No person shall use a highway or portion of a highway that has been temporarily closed under this by-law except with lawful authority or in accordance with the direction of an Officer.

14. (1) The City may impose a fee or charge upon any person hosting a Nuisance Party and/or the owner of Premises where the Nuisance Party is held.
- (2) The amount of the said fee or charge shall be the amount of administrative costs, costs of enforcement and all other costs incurred by the City in responding to and addressing the Nuisance Party pursuant to this by-law.
- (3) Fees or charges imposed on a person pursuant to this by-law constitute a debt of the person to the City.
- (4) Where all the owners of certain Premises are responsible for paying certain fees and charges pursuant to this by-law, the City may add such fees and charges to the tax roll for the Premises and collect them in the same manner as municipal taxes.

ENFORCEMENT

15. Council hereby authorizes all Officers to enforce this by-law.
16. Each Officer is hereby authorized to inform any person of the provisions of this by-law and to request compliance therewith, or else production of proof of an applicable exemption.
17. Any person who claims an exemption from a provision of this by-law on the basis of a Permit, shall, when requested by an Officer, produce the original copy of the Permit for inspection.
18. Each Officer is hereby authorized to order any person the Officer believes to be in contravention of this by-law or to have contravened this by-law to:
- (a) Desist from the activity constituting or contributing to such contravention;
 - (b) Where the activity occurs on City Land, remove from the City Land anything under the care or control of such person which the Officer believes is or was involved in such contravention; and
 - (c) Where the activity occurs on City Land, leave the City Land.
19. If a person fails to comply with an order of an Officer to remove from City Land something under the care or control of such person which the Officer believes is or was involved in a contravention of this by-law, the Officer may remove the thing or have the thing removed at such person's risk and expense.
20. No person shall fail to comply with an order made by an Officer pursuant to this by-law.
21. No person shall wilfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, rights, functions, powers or authority under this by-law.
22. Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person, the Officer may require the name, address and proof of identity of that person, and the person shall supply the required information.
23. When any person contravenes any of the provisions of this by-law, or fails to comply with any order, pursuant to this by-law, in respect of City Land, the permission of such person to remain on the City Land is revoked.
24. (1) Every person who contravenes or who causes or permits a contravention of any provision of this by-law is guilty of an offence.
- (2) Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this by-law by the corporation is guilty of an offence.
25. (1) A person, other than a corporation, convicted of an offence under this by-law, is liable, on a first conviction, to a fine of not more than \$10,000 and, on any subsequent conviction, to a fine of not more than \$25,000.
- (2) A corporation, convicted of an offence under this by-law, is liable, on a first conviction, to a fine of not more than \$50,000 and, on any subsequent conviction, to a fine of not more than \$100,000.
26. Upon conviction for an offence under this by-law, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered

and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

GENERAL

- 27. The short title of this by-law is the “Public Nuisance By-law”.
- 28. This by-law is hereby adopted as Municipal Code Amendment #XXX which amends Chapter #XXX to the City of Guelph Municipal Code.
- 29. This by-law shall come into force and take effect on the date this by-law is passed.

PASSED this day of , 2012.

KAREN FARBRIDGE – MAYOR

BLAIR LABELLE – CITY CLERK

DRAFT