



**C·V·R·D**

## **COMMUNITY SAFETY ADVISORY COMMITTEE**

**THURSDAY, MARCH 12, 2009  
9:00 AM / COMMITTEE ROOM NO. 2  
175 INGRAM STREET, DUNCAN, BC**

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**6. NEW BUSINESS:**

**7. ADJOURNMENT:**

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**Distribution:**

**Representatives by Geographic Area**

**Southern Sector**

CVRD – Director Lori Iannidinardo (Committee Chair)  
Community Representative – Michelle Bell

**Central Sector**

CVRD – Director Phil Kent (Committee Vice-Chair)  
Municipality of North Cowichan – Councillor John Koury  
City of Duncan – Councillor Joe Thorne

**Western Sector**

Community Representative – Bruce Ingram

**Community Group Representatives**

Cowichan Women Against Violence Society / Safer Futures Program – Theresa Gerritsen  
Community Options Society – Cheryl Stone  
disAbility Resource Centre – Jim Harnden  
RCMP – Corporal Kevin Day  
Social Planning Cowichan – Candace Spilsbury

**CSAC Support**

Pamela Alcorn, Cowichan Women Against Violence Society / Safer Futures Program (CSAC Resource)  
Joe Barry, Corporate Secretary, CVRD (Staff Liaison)  
Dominique Beesley, CVRD (Recording Secretary)

**Cowichan Valley Regional District**

(Agenda Cover Only)  
Warren Jones, Administrator  
CVRD Directors

Minutes of the regular meeting of the Community Safety Advisory Committee held in Committee Room #2, 175 Ingram Street, Duncan, on Thursday, September 11, 2008 at 8:50 a.m.

**PRESENT:** Director P. Kent, CVRD (Chair)  
Director G. Giles, CVRD (Vice Chair)  
Theresa Gerritsen, Cowichan Women Against Violence Society / Safer Futures  
Cheryl Stone, Community Options Society  
Bruce Ingram, Community Representative  
Michelle Bell, Community Representative  
Councillor Kristine Sandhu, Town of Lake Cowichan<to 10 a.m.>

**ABSENT:** Councillor Melissa Hailey,  
Municipality of North Cowichan  
Councillor Paul Fletcher, City of Duncan  
Jim Harnden, disAbility Resource Centre  
Constable Susan Boyes, RCMP  
Brian Simmons, School District No. 79  
Candace Spilsbury, Social Planning Cowichan

**ALSO**

**PRESENT:** Pamela Alcorn, Cowichan Women Against Violence Society / Safer Futures (Committee Support)  
Dominique Beesley, Recording Secretary

**APPROVAL OF AGENDA**

**It was moved and seconded that the agenda be approved.**

**MOTION CARRIED**

**ADOPTION OF MINUTES  
2M1**

**It was moved and seconded that minutes of the Community Safety Advisory Committee meeting held on May 8, 2008 be amended by adding the following two paragraphs, after the first paragraph, under Item No. NB6 – 'South Cowichan Community Forum & Crime Prevention':**

*Bruce Ingram, Community Representative, raised the issue of unsafe youth activities in Lake Cowichan.*

***ACTION:*** *Bruce Ingram and Safer Futures are to meet with Lake Cowichan Community Services and are to investigate holding a community forum in Lake Cowichan similar to the South Cowichan Community Forum & Crime Prevention.*

and that the minutes, as amended, be adopted.

**MOTION CARRIED**

**BUSINESS ARISING OUT OF MINUTES**

**3BA1**                   **Safe Needle Disposal Initiative**

Pamela Alcorn reported that, although an application for funding to the Vancouver Foundation was declined, a working group had continued to meet over the summer and would be finalizing the Safe Needle Disposal Kit. This group is working on a plan for the Kit's distribution, noted Ms. Alcorn.

Ms. Alcorn explained that Elizabeth Elliot had other employment related obligations and would therefore be less available for work on the Safe Needle Disposal Initiative.

**INFORMATION**           The Committee agreed, by consensus, to vary the order of the agenda.

**4IN8**                   **Census Data, 2006**

**ACTION:** Pamela Alcorn stated that Safer Futures would provide this Committee with a demographic analysis of the Cowichan Region from 2006 Census data.

**4IN16**                   **Minutes of Regional Services Committee**

**Re: John Braithwaite representing Citizens Advisory Committee regarding Improving Communication and Cooperation between Correctional Service of Canada, Civic Leaders and Community Liaisons for the Re-Entry of Criminal Offenders into Society.; and**

**4IN4**                   **Citizens Justice Advisory Committee to Parole Services Canada**

Anju Cheema, Parole Officer Supervisor, Correctional Service of Canada, provided a presentation on establishing an effective means of communication between the Correctional Service of Canada and Cowichan Region communities regarding Federal and Provincial parolees who are being integrated into the community.

The Committee discussed types of crimes and the challenge of accessing criminal justice system statistics from correctional organizations.

**ACTION:** Pamela Alcorn said that Safer Futures would coordinate a meeting between the Nanaimo Correctional Office and the Chair of the Community Safety Advisory Committee.

**4IN2**                   **Community Safety Action Plan – Work Planning Session of June 27, 2008; and**

**4IN3**                   **Cowichan Valley Safety Lens**

Pamela Alcorn provided a review of the Community Safety Action Plan – Work Planning Session of June 27, 2008.

Director Kent said that he observed that municipal planners were showing an interest in the *Cowichan Valley Safety Lens* for incorporating it into their re-zoning processes although, in his view, a local implementation strategy would still be very useful in helping to put the *Lens* into practice at the local government planning level.

The Committee discussed screening as an issue arising when incorporating safety and aesthetics into land-use decisions.

The Committee discussed the safety issue of panhandling in the Region and Ms. Alcorn presented two brochures created, she said, to address this issue – one from Community Policing – and the other from the Duncan Business Improvement Association. The Committee noted the differences between the two brochures.

Ms. Alcorn reported that Safer Futures had initiated contact with the Canadian Mental Health Association's outreach worker to strategize how to respectfully respond to fears that people are living on streets and of panhandlers. The Committee agreed that further action on this could occur at such a time when an emergency shelter committee forms.

**4IN5**                   **Issues Arising in Communities or Neighbourhoods**

**ACTION:** Bruce Ingram will initiate contact with Cowichan Lake Community Services regarding activities for youth.

**4IN7**                   **Social Planning Council, Status of the Community Report II**

Pamela Alcorn reported that a steering committee meets regularly to work on the draft Status of the Community Report II.

**4IN9**                   **Housing Committees, Youth Committees, Intercultural Committees, Mental Health and Social Services Committees** was removed from the agenda.

**4IN10**                  **Union of British Columbia Municipalities**

Pamela Alcorn informed the Committee of a workshop on 'Women

and Community Safety' presented by the British Columbia Association for Specialized Victims Services.

**4IN11****BC Crime Prevention Symposium**

Pamela Alcorn stated that Safer Futures would be presenting at the *BC Crime Prevention Association 30<sup>th</sup> Anniversary Symposium* for which the theme is 'Challenges and Successes of Neighbourhood Work on Community Safety'. Safer Futures staff would also attend the full Symposium conference as, said Ms. Alcorn, a training opportunity.

**4IN12****CVRD Funding: Safer Futures, Social Planning Cowichan, Sportsplex** was removed from the agenda.**4IN14****Inter-Racial Relations**

Chair Kent reported that he has recently had meetings with Chief Lydia Hwitsum of Cowichan Tribes and explained that, with a continued legacy from the North American Indigenous Games, a positive role would be played on strengthening the relationship between First Nations and non First Nations peoples.

The Committee agreed that a goal of improving the understanding of various personal backgrounds is becoming a focus for the Committee towards it creating safety for all people living in the Cowichan Valley.

**4IN15****Communication with CVRD Board** was removed from the agenda.**4IN1****Correspondence from the Cowichan Community Policing Advisory Committee, dated July 4, 2008, re: attendance at Community Safety Advisory Committee meetings; and****4IN13****Community Policing**

The Committee noted the recent lack of attendance of an RCMP representative at Committee meetings.

Pamela Alcorn stated that she had followed up with the Chair and Coordinator of the Cowichan Region Community Policing Advisory Committee to discuss the relationship between it and this Committee.

The Committee discussed its desire for an RCMP representative on both the Community Safety Advisory Committee and the Cowichan Region Community Policing Advisory Committee.

**ACTION:** Pamela Alcorn said that she would contact Carol-Ann Rolls of the Cowichan Region Community Policing Advisory

Committee to follow-up with discussions on the relationship between the two organizations.

**ACTION:** Director Kent said that he felt that, as Chair of the Community Safety Advisory Committee, he should write a letter to the RCMP requesting that a member replace Constable Susan Boyes, RCMP, Duncan Detachment and that it also be requested that this member be able to work closely with Cowichan Region Community Policing Advisory Committee.

**4IN6****Official Community Plan Processes**

Pamela Alcorn noted that the District of North Cowichan is undergoing a review of their Official Community Plan. A meeting that was held to look at incorporating Social Planning into the District's Plan was well attended by community agencies, said Ms. Alcorn.

**ADJOURNMENT****10:30 a.m.****It was moved and seconded that the meeting be adjourned.****MOTION CARRIED**

The meeting adjourned at 10:30 a.m.

Certified Correct:

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Chairperson

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Recording Secretary

Dated: \_\_\_\_\_

**4D1****Request to Appear as a Delegation****Meeting Information**

Request to Address:\*

 CVRD Board Committee

If Committee, specify the Committee here:\*

Safety Committee

Meeting Date:\*

03/12/09

Meeting Time:\*

9:00AM

**Applicant Information**

Applicant Name:

Christine Morgan and Sarah Duncan

Representing:

Community Options Society , GSA Group

(Name of organization if applicable)

As:

Youth and Family Counselors/ Group Facilitators

(Capacity / Office)

Number Attending:

2

**Applicant Contact Information**

Applicant Mailing Address:

110 Craig Street

Applicant City:

Duncan

Applicant Telephone:

748-0232

Applicant Fax:

Applicant Email:

s.duncan@coscowichan.ca

**Presentation Topic and Nature of Request:**

Community Options Society's, Gay Straight Alliance group is presenting Duncan's first youth and family Pride day on June 28th 2009. We are wanting feedback on any concerns, idea's or support you may be able to offer.

\* indicates required fields.



5C1  
RECEIVED  
DEC 16 2008

## CITY OF DUNCAN

December 15, 2008

CVRD  
175 Ingram Street  
Duncan, BC  
V9L 1N8

ATTN: Joe Barry, Corporate Secretary

Dear Mr. Barry:

**RE: "Safer Communities and Neighbourhoods"**

The content of the attached document entitled "Safer Communities and Neighbourhoods" and how it relates to the City of Duncan was discussed at the City's Committee of the Whole meeting on December 8, 2008.

It was the consensus of those members present that this document be forwarded to the CVRD Community Safety Advisory Committee for its consideration.

Thank you.

Sincerely

Lynn Ketch  
Director of Corporate Services

Original:	file	Copies to:
Board:		
Committee(s)	CSAC 09	
Directed by:	J	
	Date: Jan 9/09	
	File #	

## Safer Communities and Neighbourhoods

### DISCUSSION:

The Safer Communities and Neighbourhoods Act (SCAN) is a provincial law enacted in numerous Canadian provinces including Alberta, Manitoba, Saskatchewan, Yukon, and Nova Scotia. SCAN is intended to allow for enhanced neighbourhood safety and harmony by targeting the property owners and landlords of consistent problem addresses. Owners and businesses are held accountable for activities occurring on their properties. SCAN legislation would apply civil law to counter the impact on neighbourhoods of entrenched drug and prostitution operations based out of homes and businesses.

This Act would only apply to illegal activities that have a negative effect on the community and are ongoing, not activities that only happen occasionally. Criminal law targets individuals rather than the activity that is taking place at a property.

Numerous communities in British Columbia are facing issues caused by properties associated with the sale and use of illegal drugs, commonly called crack houses. Although the combined efforts of the Police, By-Law and Public Health have resulted in the closure of many such properties, the process is slow and cumbersome. SCAN legislation would provide increased powers to act on problem properties and quicker resolution of problem addresses.

The intent of the SCAN legislation is to provide a framework for all complaints received to be subject to review by an investigation unit. If investigations determine that there is enough evidence to support escalation of complaints, action is taken through such means as warning letters, court orders etc.

### RATIONAL:

Similar to British Columbia, Manitoba has a Criminal Code, as well as a *Residential & Tenancies Act* that regulates landlord and tenant relations, outlines mandatory conditions in rental agreements and sets out procedures to follow in the case of a dispute.

In 2001, Manitoba was the first Canadian province to enact SCAN legislation. SCAN was developed and implemented by Manitoba legislators to ensure the peace and safety of communities and neighbourhoods, as well as to protect communities and neighbourhoods from disruptive activities. Sections of Manitoba's *Residential and Tenancies Act* were consequentially amended to reflect SCAN legislation. The concept of SCAN was introduced at a time when Manitoba was facing several social issues and challenges that included:

- an arson crisis in Winnipeg;
- appearance of street sex trade in Winnipeg;
- significant levels of auto theft;
- introduction of organized crime – greater connection with local street gangs;
- poverty and unemployment/underemployment;
- transient population; and
- lack of community involvement and awareness.

SCAN's purpose is to hold property owners accountable for recurring threatening or disturbing activities that take place on their property. Under the auspices of SCAN, an investigative unit is dedicated to conducting investigations of ongoing activities at properties related to:

- unlawful drug use, dealing, production or cultivation;
- prostitution and related activities;
- unlawful sale of liquor;
- unlawful use or sale of intoxicating substances- non-potable and solvent based products;
- sexual abuse or exploitation of a child or related activities; and
- possession or storage of an unlawful firearm, weapon or explosive.
- having a fortified building (included with Alberta SCAN Act)

As per Manitoba SCAN legislation, residents with a community safety concern could file a complaint with Manitoba's Director of Law Enforcement if residents believe that their communities or neighbourhoods are being adversely affected by activities on or near a property in the community or neighbourhood, and that the activities indicate that the property is being habitually used for a specified use.

All complaints are confidential, and the identity of complainants is not revealed at any time. Evidence notwithstanding, the Director may take several actions to resolve issues: investigate complaints; require complainants to provide further information; issue a warning letter to the property owner or its occupant, or to anyone else the director considers appropriate; resolve problems out of court; apply for a Community Safety Order, with or without a Closure Order against properties; apply for an Emergency Closure Order; decide not to act on a complaint; or take any other action that the Director considers appropriate.

If Community Safety or Emergency Closure Orders are granted, notices and copies of orders are posted on impacted properties. Copies of orders are also served to property owners, who are then ordered to remediate the problem and bar tenants from continuing in specified activities. Orders may include provisions ordering some or all people to leave a property for a specified amount of time if they have been involved in concerning activities. Tenancy agreements and/or tenant leases may be terminated. Properties in violation may also be closed for up to 90 days. If the people who are causing the problem move to another house, SCAN Act can be used to gather evidence and evict them again.

SCAN legislation allows provisions for tenants of impacted properties who were not involved in illegal activities to apply to court for an order variance which would allow them to return to their properties. Applications must be made within 14 days of being served with an order. Orders may also be appealed within 14 days after an order has been pronounced or within such further time as allowed by a judge. Judges' decisions on applications to leave for appeal are final and not subject to further appeal. Property owners who do not comply with Community Safety Orders may face a number of penalties, including a daily fine of \$500 for every day non-compliance, as well as other fines or imprisonment if found in contempt of the court. If tenants do not comply with an order, they may also be liable to fines of up to \$500 and/or imprisonment if found in contempt of the court.

If owners are found, as a result of investigations, to have been falsely accused, complaints are dropped. Owners who have been found to be innocent and found to have taken reasonable steps to prevent illegal activities in their properties will receive help in removing problem tenants.

The Unit responsible for the SCAN legislation was operationalized in Manitoba in 2002. Since that time, the following statistics relates to complaints and enforcement up to May 2007.

## **Complaints Received Numbers Comments (between 2002 and November 2008)**

Source from Al Cameron Manager-Public Safety Investigations (PSI) Manitoba Justice

- There have been 2,108 complaints involving 1805 properties. (Some properties had multiple complaints)
- 332 operations were closed Involving 454 of the complaints; 2 complaints required court orders and 321 cases were resolved through mediation with tenants and owners
- 219 drug, prostitution and solvent abuse operations involving 304 complaints were closed by Manitoba Public Safety Investigations Unit. Only one of these operations required a Court Order;
- seizure of over \$2 million dollars in drugs as a result of SCAN-related investigations;
- 117 police arrests of adults and youth for Criminal Code offences, drug offences and outstanding warrants;
- Shut down of several marijuana grow operations;
- No false or malicious complaints received;
- No civil rights violations have been claimed, and
- Low re-offending rate. Only six individuals reappeared in new investigations after closing of a problem property. No problem addresses have reoccurred.

\$800,000 budgeted for 2008-09 fiscal year (includes equipment, wages, etc.); Unit consists of one manager, seven investigators, one registrar and two surveillance analysts. Investigators are former officers. Unit also supplies police with information on criminal activity that it has uncovered through its investigations.

SCAN investigators would work with Police and community efforts to reduce or eliminate illegal activities in their community. This legislation will provide our police forces the needed support and tools they need to begin the battle against these types of crime, as they put residents first and continue to focus on public safety issues in British Columbia. Please join with us in sending a strong signal to drug dealers and criminals that we do not support their activities.

(1) We respectfully request of Mayor and Council to pass and/or support a resolution or similar resolution at the annual General Meeting of the Union of British Columbia Municipalities that the **Government of British Columbia adopt “Safer Communities and Neighbourhoods” legislation, modeled after the Province of Alberta’s legislation, in order to address the public disorder and neighbourhood deterioration caused by illicit drug houses, problem addresses, and the issues associated with them.**

(2) We respectfully request of Mayor and Council to pass a resolution or similar resolution that the **Government of British Columbia adopt “Safer Communities and Neighbourhoods” legislation, modeled after the Province of Alberta’s legislation, in order to address the public disorder and neighbourhood deterioration caused by illicit drug houses, problem addresses, and the issues associated with them.**

**Please see attached Alberta Safer Communities and Neighbourhoods legislation which is the most recently passed legislation.**

# SAFER COMMUNITIES AND NEIGHBOURHOODS ACT

## Chapter S-0.5

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

#### Definitions

1 In this Act,

(a) “building” means a structure of any kind, or part of a structure, including

- (i) an apartment,
- (ii) a co-operative housing unit,
- (iii) a condominium unit, or
- (iv) a mobile home;

(b) “Court” means the Court of Queen’s Bench of Alberta;

(c) “criminal organization” means a criminal organization as defined in the *Criminal Code* (Canada);

(d) “criminal organization offence” means a criminal organization offence as defined in the *Criminal Code* (Canada);

(e) "Director" means the Director of Law Enforcement appointed under the *Police Act*;

(f) "gang" means a group of individuals, usually identified by a group name or designation, who associate with each other for criminal or other unlawful purposes;

(g) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(h) "owner" means, in relation to property,

(i) a person who is the registered owner of title to the property pursuant to the *Land Titles Act*,

(ii) a person who is entitled to be the registered owner of title to the property pursuant to the *Land Titles Act*,

(iii) a person shown as the owner of the property in the municipal assessment or tax roll records for the property,

(iv) a person who manages or receives rents from the property, whether on his or her behalf or as agent or trustee for another person, or

(v) any of the following persons in whom the property or any estate or interest in the property is vested or with whom decision-making responsibility legally resides:

(A) a guardian,

(B) an executor, administrator or trustee, or

(C) an attorney under a power of attorney;

(i) "person" includes a partnership, limited partnership or unincorporated organization of persons;

(j) "Registrar" means a Registrar as defined in the *Land Titles Act*.

## Delegation

2 The Director may delegate the Director's powers, duties or functions under this Act to an employee under the administration of the Minister.

## Part 1

### Safer Communities and Neighbourhoods

## Interpretation

3(1) In this Part,

(a) "complainant" means a person who has made a complaint to the Director pursuant to section 4;

(b) “intoxicating substance” means

(i) glues, adhesives, cements, cleaning solvents, thinning agents and dyes containing toluene or acetone;

(ii) petroleum distillates or products containing petroleum distillates, including naphtha, mineral spirits, Stoddard solvent, kerosene, gasoline, mineral seal oil and other related distillates of petroleum,

(iii) fingernail or other polish removers containing acetone, aliphatic acetates or methyl ethyl ketone,

(iv) any substance that is required pursuant to the *Hazardous Products Act* (Canada) or the regulations pursuant to that Act to bear the label “Vapour Harmful”, “Vapour Very Harmful” or “Vapour Extremely Harmful”,

(v) aerosol disinfectants and other aerosol products containing ethyl alcohol, or

(vi) any other product or substance that is prescribed in the regulations as an intoxicating substance;

(c) “property” means

(i) a building and the land on which it is located, and

(ii) land on which no building is located;

(d) “respondent” means the owner named as a respondent in an application made pursuant to section 6 or 13;

(e) “specified use” means, in relation to property, the use of property for

(i) the manufacturing, import, purchase, sale, transport, giving, possession, storage, consumption or use of liquor, as defined in the *Gaming and Liquor Act*, in contravention of that Act,

(ii) the use or consumption as an intoxicant by any person of an intoxicating substance, or the sale, transfer or exchange of an intoxicating substance if there is a reasonable basis to believe that the recipient will use or consume the substance as an intoxicant, or cause or permit the intoxicating substance to be used or consumed as an intoxicant,

(iii) the possession, growth, use, consumption, sale, transfer or exchange of a controlled substance, as defined in the *Controlled Drugs and Substances Act* (Canada), in contravention of that Act,

(iv) child sexual abuse or activities related to child sexual abuse,

(v) prostitution or activities related to prostitution,

(vi) the commission or promotion of a criminal organization offence,

(vii) the accommodation, aid, assistance or support of any nature of a gang or criminal organization or any of its activities or the facilitation of any of its activities, or

(viii) any other use prescribed in the regulations;

(f) "tenancy agreement" means a residential tenancy agreement as defined in the *Residential Tenancies Act* or a tenancy agreement as defined in the *Mobile Home Sites Tenancies Act*.

**(2)** For the purposes of this Part, a community or neighbourhood is adversely affected by activities if the activities

(a) negatively affect the health, safety or security of one or more persons in the community or neighbourhood; or

(b) interfere with the peaceful enjoyment of one or more properties in the community or neighbourhood, whether the property is privately or publicly owned.

Complaint to Director

4 A person may make a complaint under this Part to the Director that

(a) states that the person believes

(i) that the person's community or neighbourhood is being adversely affected by activities on or near a property in the community or neighbourhood, and

(ii) that the activities indicate that the property is being habitually used for a specified use,

(b) is in a form and manner acceptable to the Director, and

(c) contains any other information that the Director may require.

Director's actions after receiving complaint

5(1) At any time after receiving a complaint, the Director may do any one or more of the following:

(a) investigate the complaint;

(b) require the complainant to provide further information;

(c) send a warning letter to the owner of the property or its occupant, or to anyone else the Director considers appropriate;

(d) attempt to resolve the complaint by agreement or informal action;

(e) apply to the Court for a community safety order;

(f) decide not to act on the complaint;

(g) take any other action that the Director considers appropriate.

(2) The Director shall notify the complainant in writing if the Director decides not to act on a complaint or not to continue acting on a complaint.

(3) The Director is not required to give reasons for any decision made pursuant to this section.

#### Application for community safety order

6(1) If the Director applies to the Court for a community safety order, the application shall name the owner of the property as the respondent.

(2) The factual allegations in the application may be different from those in the complaint.

(3) The Court shall hear the application on an urgent basis.

#### When Court may make community safety order

7(1) The Court may make a community safety order if

(a) it is satisfied that

(i) activities have been occurring on or near the property named in the application that give rise to a reasonable inference that it is being habitually used for a specified use, and

(ii) the community or neighbourhood is adversely affected by the activities; or

(b) it is satisfied that the activities about which an application is made are a serious and immediate threat to the health, safety and security of one or more occupants of the property or persons in the community or neighbourhood.

(2) A community safety order shall

(a) describe the property and the activities with respect to which the order is made,

(b) if the Director intends to register a caveat under section 22, specify the certificates of title with respect to which the order is made,

(c) enjoin all persons from causing, contributing to, permitting or acquiescing in the activities,

(d) require the respondent to do everything reasonably possible to prevent the activities from continuing or reoccurring, including anything specifically ordered by the Court pursuant to subsection (3)(e),

(e) fix the date on which the order ceases to be in effect, and

(f) contain a statement of the right to appeal the order pursuant to section 23.

(3) A community safety order may

(a) require any or all persons to vacate the property on or before a date specified by the Court, and enjoin any or all of them from re-entering or reoccupying it;

(b) terminate the tenancy agreement or lease of any tenant of the property on the date specified pursuant to clause (a);

(c) require the Director to close the property from use and occupation on a specified date and keep it closed for up to 90 days;

(d) limit the order to the part of the property about which the application was made, or to particular persons;

(e) make any other provision that the Court considers necessary for the effectiveness of the community safety order, including, but not limited to, an order of possession in favour of the respondent.

(4) The Court shall consider the following when deciding the length of a period of closure pursuant to subsection (3)(c):

(a) the extent to which the respondent's failure, if any, to exercise due diligence in supervising and controlling the use and occupation of the property contributed to the activities;

(b) the impact of the activities on the community or neighbourhood.

(5) Before the date specified for closure pursuant to subsection (3)(c), the respondent may apply to the Court to set aside the portion of the community safety order requiring the property to be closed.

(6) In the case of a lease other than a tenancy agreement, before the date specified for termination of the lease of any tenant pursuant to subsection (3)(b), a tenant may apply to the Court to set aside the portion of the community safety order terminating the lease.

Director may apply to vary order

8(1) The Director may apply to the Court to vary a community safety order made pursuant to this Part if the order is still in effect and

(a) one of the following circumstances applies:

(i) the order did not contain a provision requiring the property to be closed,

(ii) the provision requiring the property to be closed was set aside or varied pursuant to section 8, or

(iii) the closure period for the property has expired,

or

(b) the Director considers it appropriate.

(2) The Director may apply to vary a community safety order pursuant to this section more than once.

Court may set aside or vary order

9 On the application of a respondent pursuant to section 7(5), a tenant pursuant to section 7(6) or the Director pursuant to section 8, the Court may do any of the following:

- (a) set aside the order, if the Court is satisfied that the activities about which an order was made have ceased and are not likely to resume;
- (b) set aside or vary the order made pursuant to section 7(3), if the Court is satisfied that it is necessary to allow the property to be used again;
- (c) vary the order to include any of the things mentioned in section 7(3).

Application for Variation by Resident of Residential Property

Interpretation

10 For the purposes of sections 11 and 12, “resident” means an individual who has a right to occupy residential property as his or her residence, or had a right to occupy it as his or her residence, when he or she is required by a community safety order to vacate it, but who does not own the property.

Application for variation by resident

11(1) A resident may apply to the Court for an order varying a provision in a community safety order that

- (a) requires the resident and, if applicable, members of the resident’s household to vacate residential property that is their residence and enjoins them from re-entering or reoccupying it,
- (b) terminates the resident’s tenancy agreement for the residential property, or
- (c) requires the Director to close the residential property.

(2) The resident may apply to vary the community safety order within 14 days after he or she has been served.

(3) The resident shall serve the Director with a copy of the application to vary a community safety order.

(4) The Director is a party to the application to vary and is entitled to be heard, by counsel or otherwise, on the application.

(5) The Court may extend the time for applying if the Court is satisfied that the extension is in the interests of justice.

When Court may vary community safety order

12(1) The Court may make an order varying a community safety order if it is satisfied

- (a) that the applicant is a resident,

(b) that neither the resident nor any member of the resident's household for whom the resident is seeking a variation caused or contributed to any of the activities with respect to which the order was made,

(c) that no person who caused or contributed to any of the activities is still present at or occupying the property,

(d) that the resident or a member of the resident's household for whom the resident is seeking a variation will suffer undue hardship if the order is not varied, and

(e) if the order was varied pursuant to section 9, that neither the resident nor any member of the resident's household for whom the resident is seeking a variation was an occupant of the property when the order was varied.

(2) In a variation order, the Court may

(a) fix a later date for

(i) the resident's tenancy agreement to be terminated,

(ii) the resident and members of the resident's household to vacate the property, or

(iii) the Director to close the property;

(b) set aside the termination of the resident's tenancy agreement, or reinstate the tenancy agreement if the date of termination has already passed;

(c) set aside the requirement to vacate or close the property;

(d) if the resident and members of the resident's household have already vacated the property, authorize them to re-enter and reoccupy it and, if applicable, require the respondent to allow them to re-enter and reoccupy it;

(e) if the property has already been closed, require the respondent to open it for the purpose of clause (d) and make it ready for occupation;

(f) make any other provision that the Court considers appropriate.

(3) The Court may consider the following factors respecting an application for an order to vary:

(a) whether the respondent will suffer undue hardship if the requested order is made;

(b) whether there is a tenancy agreement between the resident and the respondent, or whether there was a tenancy agreement when the resident was required to vacate the property;

(c) whether the respondent is opposed to the requested order if the order would authorize a resident who does not or did not have a tenancy agreement to re-enter and reoccupy the property;

(d) any other factors that the Court considers relevant.

## Application by Complainant for Community Safety Order

### Application by complainant for order

13(1) A complainant may apply to the Court for a community safety order if

- (a) the complainant has made a complaint to the Director pursuant to section 4, and
- (b) the Director
  - (i) has decided not to act or continue to act on the complaint, or
  - (ii) has discontinued any application to the Court.

(2) The complainant must file with the Court the Director's written notice provided pursuant to section 5(2).

### When Court may make community safety orders

14(1) Subject to subsection (2), sections 6(1) and (2), 7(1)(a) and (2) to (6), 8 to 13, 19, 20 and 24 apply, with any necessary modification, to an application by a complainant.

(2) If a community safety order made pursuant to this Part contains a provision requiring the property to be closed, the Court shall order the Director to close the property.

(3) In an application by a complainant, the Court shall not draw an adverse inference from the fact that

- (a) the Director did, or did not do, any of the things set out in section 5(1), or
- (b) the Director discontinued the application.

### Service on the Director

15 A complainant shall

- (a) serve the Director with an application for a community safety order,
- (b) serve the Director with an application to vary a community safety order,
- (c) as soon as possible after a community safety order is made or varied, serve a copy of the order on the Director, and
- (d) as soon as possible after an application is dismissed, serve notice on the Director stating that the application has been dismissed.

### Discontinuance of application by complainant

16(1) A complainant shall serve notice on the Director at least 10 days before filing a notice with the Court discontinuing an application.

(2) An application shall not be discontinued by a complainant unless the complainant files with the Court the Director's written confirmation that the Director does not intend to apply to continue the application pursuant to subsection (3).

(3) If the Director is served with a complainant's notice of discontinuance and the Director applies to the Court to have the application continued in the Director's name, the Court may order a complainant's application be continued in the Director's name.

Director may appear in application

17 The Director is entitled as of right to appear and be heard, either in person or through counsel, in a complainant's application for a community safety order or application for variation to request that it be dismissed if the Director believes that the application

- (a) is frivolous or vexatious, or
- (b) is not in the public interest.

Costs on frivolous or vexatious applications

18 If the Court finds that a complainant's application is frivolous or vexatious, the Court may order the complainant to pay costs to the Director in addition to any other order for costs.

General

Court must consider merits

19 Notwithstanding the fact that the respondent consents to an order or does not oppose an application, the Court shall not grant a community safety order, or variation to that order, unless the Court is satisfied that the order should be made.

Variation applications

20 Any application to vary a community safety order does not stay the operation of the order.

Service

21(1) The Director shall, as soon as possible after a community safety order is made,

- (a) serve a copy of the order on the respondent, and
- (b) post a copy of the order in a conspicuous place on the property with respect to which the order is made.

(2) The Director, or a person acting on behalf of the Director, may enter the property to post a copy of the order in accordance with subsection (1)(b) if he or she is accompanied by a peace officer.

(3) Any notice or document that is required to be served pursuant to this Part must be served

- (a) personally

- (i) in the case of an individual, on that individual,
  - (ii) in the case of a partnership, on any partner, or
  - (iii) in the case of a corporation, on any officer or director of the corporation,
- or
- (b) by registered mail addressed to the person to be served.

(4) A notice or document sent by registered mail is deemed to have been served on the 7th day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault of his or her own, the person did not receive the notice or document or received it at a later date.

(5) A community safety order is effective on the date it is served on the respondent.

(6) After the respondent is served with a community safety order, the respondent shall, as soon as possible, serve a copy of the order on every other person who is lawfully occupying the property or who has a right to occupy it.

#### Registration of a caveat based on a community safety order

22(1) The Director may apply to a Registrar to register a caveat based on a community safety order against the affected title.

(2) An application pursuant to subsection (1) must be accompanied by a copy of the community safety order.

(3) After a caveat based on a community safety order is registered, the Director

- (a) may, at any time, apply to a Registrar to discharge the registration of the caveat, and
- (b) shall apply to a Registrar to discharge the registration of the caveat if the community safety order is no longer in effect.

(4) The registration of a caveat may be discharged pursuant to subsection (3) with respect to any or all parcels of land described in the community safety order.

(5) Notwithstanding section 138 of the *Land Titles Act*, a caveat registered pursuant to this section does not lapse and shall not be cancelled or withdrawn except at the Director's request.

(6) Without limiting the generality of section 63, no action lies or shall be commenced against the Director for any loss or damage suffered by any person by reason of

- (a) the registration of a caveat pursuant to this section,
- (b) the amendment of a caveat pursuant to this section, or
- (c) the failure of the Director to
  - (i) register a caveat pursuant to this section, or

- (ii) discharge a caveat pursuant to this section.

## Appeals

### Appeal

23(1) An order of the Court made pursuant to this Part may be appealed to the Court of Appeal

- (a) on a question of law, and
- (b) with leave of a judge of the Court of Appeal.

(2) An application for leave to appeal must be made within 14 days after the day the order of the Court is pronounced or within any further time that a judge of the Court of Appeal may allow.

### Limitation on other actions and proceedings

24(1) Subject to subsection (2), no action or proceeding shall be commenced or maintained

- (a) to prevent the making of a community safety order,
- (b) to prevent a community safety order from being carried out,
- (c) to set aside or vary a community safety order made pursuant to section 9,
- (d) for judicial review of a community safety order, or
- (e) to obtain relief from forfeiture with respect to a tenancy agreement or lease that is ordered to be terminated.

(2) Subsection (1) does not apply to

- (a) an application pursuant to section 7(5), section 7(6) or section 11, or
- (b) an appeal pursuant to section 23.

### Closure of Property by Director

Director may enter property

25(1) If a provision to close a property in a community safety order is in effect, the Director may enter the property without the consent of the owner or occupant to close it and keep it closed.

(2) The Director may employ any tradespersons and workers that the Director considers necessary to safely and effectively close the property and keep it closed.

(3) The Director may take any measures that the Director considers necessary to safely and effectively close the property and keep it closed, including

- (a) ordering any occupants still occupying the property and any other persons at the property to leave it immediately,
- (b) attaching locks, hoarding or other security devices,
- (c) erecting fences,
- (d) changing or terminating utility services, and
- (e) making interior or exterior alterations to the property so that it is not a hazard while it is closed.

(4) The Director may, for any purpose that the Director considers appropriate, allow others access to property that is closed pursuant to a community safety order.

(5) The Director is not responsible, whether at the end of the period of closure or otherwise, for the removal or cost of removal of anything attached to or erected at the property, or the reversal or cost of reversal of anything done to or at the property, to close it or keep it closed.

#### Occupants required to leave property

26(1) If a community safety order requires the Director to close a property, all occupants of the property and any other persons at the property shall leave it immediately on request of the Director, even if they have not been previously served with the order that requires the Director to close the property.

(2) If an occupant of the property and any other persons at the property do not comply with a request to leave, the Director may obtain the assistance of a peace officer to remove them from the property.

(3) Subject to any order made pursuant to section 12, after leaving the property, and while the property is closed, no occupant or other person shall enter or occupy the property without the Director's consent.

#### Respondent must pay cost of closing property

27(1) The respondent shall, on demand from the Director, pay to the Minister of Finance the cost of closing, securing and keeping the property closed, in the amount certified by the Director pursuant to section 28.

(2) An amount payable pursuant to subsection (1) is a debt due and owing to the Crown in right of Alberta.

#### Recovery of Director's costs — filing of certificate

28(1) If the Director undertakes any work for the purposes of this Part and incurs any costs and expenses as a result, the Director may file with a clerk of the Court a certificate that is signed by the Director and that sets out

- (a) the amount of the costs and expenses incurred pursuant to this Part,
- (b) the name and address of the respondent from whom the costs and expenses are recoverable, and
- (c) the Director's address for service.

- (2) If the Director files a certificate pursuant to subsection (1), the Director shall serve a copy of the certificate on the respondent.
- (3) The certificate filed pursuant to subsection (1) is conclusive evidence of the amount of the debt due to the Crown in right of Alberta by the respondent.
- (4) A certificate filed pursuant to subsection (1) has the same effect as if it were a judgment obtained in the Court for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.
- (5) A respondent who has been served with a copy of a certificate pursuant to subsection (2) may, within 30 days after service, make written representations to the Director requesting the Director to reconsider the amount of the costs and expenses.
- (6) On receipt of written representations pursuant to subsection (5), the Director may
- (a) withdraw the certificate,
  - (b) vary the amount of the costs and expenses and, for that purpose, withdraw the certificate and file a new certificate with the new costs and expenses, or
  - (c) confirm the certificate.
- (7) The Director shall notify the respondent of the Director's decision as soon as is reasonably practicable after making the decision.
- Appeal to Court re certificate
- 29(1) A respondent may appeal against the amount of the costs and expenses set out in the certificate to the Court
- (a) within 30 days after the date of service of the certificate on the respondent, or
  - (b) if the respondent has made representations to the Director pursuant to section 28, within 30 days after the Director has notified the respondent of the decision.
- (2) On hearing an appeal pursuant to this section, the Court may issue an order
- (a) confirming the amount of costs and expenses set out in the certificate,
  - (b) amending or varying the amount of costs and expenses set out in the certificate,
  - (c) quashing the certificate, or
  - (d) doing any other thing that the Court considers appropriate.
- (3) In an order issued pursuant to subsection (2), the Court may specify the period within which the order must be complied with.

## Role of the Director

### Director's authority

30(1) For the purposes of carrying out a responsibility or exercising a power pursuant to this Part, the Director is authorized

(a) to collect information, including personal information, from a public body, as defined in the *Freedom of Information and Protection of Privacy Act*, about a person who owns or occupies property with respect to which an application pursuant to this Act may be made, including

- (i) the person's name and address,
- (ii) the whereabouts of the person, and
- (iii) the person's place of employment,

(b) to collect information, including personal information, from any source about the ownership of property with respect to which an application pursuant to this Part may be made,

(c) to collect information, including personal information, from any source about the occurrence of activities with respect to which an application pursuant to this Part may be made,

(d) to make and maintain written, recorded, electronic or videotaped records of any information received pursuant to clause (a), (b) or (c) or of the occurrence of activities with respect to which an application pursuant to this Part may be made, and

(e) to disclose information obtained pursuant to clause (a), (b) or (c) and records made pursuant to clause (d), to a person, court, public body or law enforcement agency.

(2) If the Director requests information pursuant to subsection (1)(a), (b) or (c), the person, public body or law enforcement agency is authorized to provide the information, including personal information, to the Director.

(3) The Director may disclose information obtained pursuant to subsection (1)(a), (b) or (c) or records made pursuant to subsection (1)(d)

- (a) to a person, to assist that person in serving or posting a community safety order, or
- (b) to a peace officer, to enable that peace officer to carry out a community safety order.

(4) The Director may contract with or authorize any person to investigate a complaint.

(5) In this section, "personal information" means information about an identifiable individual.

### Confidentiality of Complaint

### Complaint confidential

31(1) No person, including the Director, shall, without the prior written consent of the complainant,

(a) disclose the identity of the complainant, or any information by which the complainant may be identified, to another person or to a court, public body or law enforcement agency, or

(b) disclose, provide access to or produce the complaint, or another document or thing by which the complainant may be identified, to another person or to a court, public body or law enforcement agency without severing any information by which the complainant may be identified.

(2) Subsection (1) applies notwithstanding the *Freedom of Information and Protection of Privacy Act*.

#### Non-compellability

32(1) The Director, or any person acting for or under the direction of the Director, is not compellable in a court or in any other proceeding

(a) to identify the complainant or give evidence about information or produce a document or thing by which the complainant may be identified,

(b) to give evidence about other information obtained by or on behalf of the Director for the purposes of this Part, or

(c) to produce any other document or thing obtained by or on behalf of the Director for the purposes of this Part.

(2) Subsection (1)(b) and (c) do not apply to an application by the Director or to an application continued in the Director's name.

#### General

#### Effect of transfer of property

33(1) A person who transfers a legal or beneficial interest in property to another person, or gives a right of occupancy of property to another person, after being served with an application or becoming aware of an application with respect to the property shall fully inform the other person about the application before completing the transfer or giving the right of occupancy.

(2) A person who transfers a legal or beneficial interest in property to another person, or gives a right of occupancy of property to another person, while a community safety order with respect to the property is in effect shall fully inform the other person about the order before completing the transfer or giving the right of occupancy.

#### Offences and penalties

34(1) No person shall

(a) without the Director's consent, remove, deface or interfere with a copy of a community safety order or any other order posted in accordance with this Part,

(b) without the Director's consent

(i) fail to vacate a property that is closed under a community safety order, or

(ii) enter or re-enter a property that is closed under a community safety order,

or

(c) fail to comply with a community safety order.

(2) Every person who contravenes subsection (1), section 26, section 30(2), section 31, section 33(1) or (2), or an order of the Director is guilty of an offence.

(3) Every person who is guilty of an offence is liable

(a) for a first offence

(i) in the case of an individual, to a fine of not more than \$10 000, to imprisonment for a term of not more than one year, or to both;

(ii) in the case of a corporation, to a fine of not more than \$25 000;

(b) for each subsequent offence

(i) in the case of an individual, to a fine of not more than \$25 000, to imprisonment for a term of not more than one year, or to both;

(ii) in the case of a corporation, to a fine of not more than \$100 000.

(4) If a corporation commits an offence pursuant to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

#### Relationship to other Acts

35 Unless another Act expressly states otherwise, if

(a) a provision of this Part,

(b) any regulation made for the purposes of this Part, or

(c) an order made pursuant to this Part,

conflicts with the *Residential Tenancies Act* or the *Mobile Home Sites Tenancies Act* or the regulations made under those Acts, the provisions of this Part, the regulations made under this Part or the order, as the case may be, prevails.

#### Crown bound

36 The Crown is bound by this Part.

**Part 2**  
**Fortified Buildings**

**Interpretation**

**37(1)** In this Part,

- (a) “closure order” means a closure order made pursuant to section 45;
- (b) “fortified building” means a building protected by one or more of the following:
  - (i) bulletproof material or material designed to be resistant to explosives on a door or window,
  - (ii) protective metal plating on the interior or exterior of the building that is not required for the structural integrity of the building,
  - (iii) armoured or specially reinforced doors,
  - (iv) metal bars on exterior doors or windows, or
  - (v) any other method or material prescribed in the regulations;
- (c) “inspector” means a person appointed as an inspector pursuant to section 38;
- (d) “record” means a book, paper, document or thing, whether in electronic form or otherwise, that may contain information relevant to the administration or enforcement of this Part;
- (e) “removal order” means a removal order made pursuant to section 44.

**(2)** This Part applies to every building in Alberta whether the building was fortified before, on or after the coming into force of this Act.

**Inspectors**

**Appointment of inspectors**

**38** The Minister may appoint any person or class of persons as an inspector to exercise power under this Part, subject to any terms and conditions the Minister considers necessary.

**Identification card**

**39** The Minister shall provide each inspector with an identification card, and an inspector exercising a power under this Part shall produce the card on request.

**Investigation**

**40(1)** An inspector may conduct an investigation with respect to any matter that he or she considers necessary respecting the administration or enforcement of this Part.

(2) For the purposes of an investigation pursuant to this section, the inspector may, at any reasonable time,

(a) subject to subsection (3), enter and inspect any building that the inspector believes on reasonable grounds is a fortified building,

(b) take measurements and photographs of, and conduct any tests or any type of audio or visual recordings in or on, a building or the property on which the building is located that the inspector considers necessary to determine if a building is a fortified building, and

(c) require any person to produce for inspection and copying any record that the inspector believes on reasonable grounds contains any information relevant to the administration or enforcement of this Part.

(3) An inspector may enter a dwelling place only

(a) with the occupant's consent,

(b) pursuant to the authority of a warrant issued pursuant to section 42, or

(c) pursuant to the right of inspection set out in section 44(4).

(4) No person shall obstruct or hinder, or make a false or misleading statement to, an inspector who is acting pursuant to this Part.

#### Copies of records

41(1) The inspector may make copies of a record that has been inspected pursuant to section 40.

(2) A copy of a record certified by the inspector to be a copy made pursuant to this section

(a) is admissible in evidence without proof of the office or signature of the person purporting to have signed the certificate, and

(b) has the same probative force as the original record.

(3) The inspector shall ensure that, after copies of any records inspected pursuant to section 40 are made, the originals are promptly returned to

(a) the place they were removed from, or

(b) any other place that may be agreed to by the inspector and the person who had custody, possession or control of the record.

#### Warrant authorizing entry

42(1) If an inspector, pursuant to section 40, requires entry to a building and the owner or occupant of the building refuses or neglects to permit investigation, the inspector may apply ex parte to a justice of the peace or a judge of the provincial court for a warrant authorizing a person named in the warrant to

(a) enter and search any building named in the warrant for the purposes of administering and enforcing this Part, and

(b) seize and take possession of any record or other thing that the inspector believes on reasonable grounds contains any information relevant to the administration and enforcement of this Part.

(2) A justice of the peace or a judge of the provincial court may issue a warrant authorizing an inspector and any other person named in the warrant to enter and inspect the building and the property on which the building is located and to seize and take possession of any record if the justice of the peace or judge of the provincial court is satisfied on oath of the inspector that there are reasonable grounds to believe that

(a) a building is a fortified building,

(b) entry to the building or the property on which the building is located is necessary for a purpose relating to the administration or enforcement of this Part, and

(c) entry to the building or the property on which the building is located has not been provided or there are reasonable grounds to believe that entry will not be provided.

#### Designation and Orders Respecting Fortified Buildings

##### Designating fortified building a threat to public safety

43(1) Subject to subsection (4), the Director may designate a fortified building as a threat to public safety.

(2) In determining whether a fortified building is a threat to public safety, the Director may take into account

(a) the number and type of fortifications in or on the building or on the property on which the building is located,

(b) whether the fortifications could significantly impair the ability of emergency response personnel and law enforcement officials to gain access to the building,

(c) whether the fortifications could significantly impair the ability of people inside the building to escape in an emergency,

(d) the nature of the neighbourhood or area in which the building is located,

(e) the proximity of the building to schools, playgrounds and other places where children are likely to be present,

(f) the proximity of the building to other buildings,

(g) the purpose for which the building is being used,

(h) whether the fortifications are reasonably necessary given the purpose for which the building is being used,

- (i) the persons who own, occupy or visit the building,
- (j) whether any criminal activity or other disruptive behaviour has previously taken place in or around the building, and
- (k) any other factor that the Director considers reasonable.

(3) The Director may make a designation pursuant to subsection (1) without giving prior notice to the owner or occupant of the building and without holding a hearing.

(4) The Director shall not designate a fortified building as a threat to public safety pursuant to subsection (1) if it has been fortified in a manner that does not exceed reasonable security measures commonly taken for

- (a) the type of business being operated in the fortified building, or
- (b) a residential dwelling.

#### Removal order

44(1) If the Director designates a fortified building as a threat to public safety pursuant to section 43, the Director shall issue a removal order

- (a) specifying the fortifications that must be removed from the building or the property on which the building is located, and
- (b) requiring the owner or occupant of the building, or both, to remove the specified fortifications by a date that must be at least 21 days after the removal order is served.

(2) A removal order issued pursuant to subsection (1) must contain

- (a) a provision stating that a closure order for the building will be issued if the specified fortifications are not removed by the date set out in the removal order,
- (b) if the Director intends to register a caveat under section 47, specific references to the certificates of title with respect to which the order is made,
- (c) statement of the right to appeal the removal order pursuant to section 48, and
- (d) any other information the Director considers appropriate.

(3) The Director shall serve the removal order on the owner and any occupant of the building to whom the removal order is made.

(4) If a removal order has been issued for a building and the 21 day period in subsection (1)(b) has expired, an inspector has the right to enter and inspect the building to determine if the specified fortifications have been removed.

## Closure order

45(1) If the fortifications specified in a removal order are not removed by the date set out in that order, the Director may issue an order closing the building for a period of not more than 90 days to allow for the removal of the specified fortifications in accordance with section 53.

(2) A closure order issued pursuant to subsection (1) must contain

(a) a provision requiring all persons to vacate the building and not to re-enter it until the closure order ceases to be in effect, and

(b) if the Director intends to register a caveat under section 47, specific references to the certificates of title with respect to which the order is made,

and

(c) any other information the Director considers appropriate.

(3) The Director shall serve the closure order on the owner and any occupant of the building to whom the closure order is made.

(4) The Director shall post a copy of the closure order in a conspicuous place on the building that is the subject of the closure order.

(5) The Director shall terminate a closure order as soon as all fortifications specified in a removal order have been removed.

(6) If a closure order is terminated, the Director shall advise the owner of the building that the closure order is no longer in effect.

## Service

46(1) Any removal order or closure order must be served

(a) personally

(i) in the case of an individual, on that individual,

(ii) in the case of a partnership, on any partner, or

(iii) in the case of a corporation, on any officer or director of the corporation,

(b) by registered mail addressed to the person to be served, or

(c) if service cannot be effected by one of the methods described in clauses (a) and (b),

(i) by publishing a copy of the order in 2 issues of a newspaper having general circulation in the area where the fortified building is located, and

(ii) by posting a copy of the order in a conspicuous place on the building with respect to which the order is made.

(2) A removal order or closure order sent by registered mail is deemed to have been served on the 7th day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault of his or her own, the person did not receive the removal order or closure order or received it at a later date.

(3) A removal order or closure order served in accordance with subsection (1)(c) is deemed to have been served on the date it is published in the newspaper for the 2nd time or on the 3rd day following the date it is posted on the building, whichever is later.

(4) An order is effective on the date it is served.

Registration of a caveat based on a removal order or closure order

47(1) The Director may apply to a Registrar to register a caveat based on a removal order or closure order against the affected title.

(2) An application pursuant to subsection (1) must be accompanied by a copy of the removal order or closure order, as the case may be.

(3) After a caveat based on a removal order or closure order is registered, the Director

(a) may, at any time, apply to a Registrar to discharge the registration of the caveat, and

(b) shall apply to a Registrar to discharge the registration of the caveat if the removal order or closure order is no longer in effect.

(4) The registration of a caveat may be discharged pursuant to subsection (3) with respect to any or all parcels of land described in the community safety order.

(5) Notwithstanding section 138 of the *Land Titles Act*, a caveat registered pursuant to this section does not lapse and shall not be cancelled or withdrawn except at the Director's request.

(6) Without limiting the generality of section 63, no action lies or shall be commenced against the Director for any loss or damage suffered by any person by reason of

(a) the registration of a caveat pursuant to this section,

(b) the amendment of a caveat pursuant to this section, or

(c) the failure of the Director to

(i) register a caveat pursuant to this section, or

(ii) discharge a caveat pursuant to this section.

## Appeals

### Appeal of removal order

48(1) An owner or occupant of a fortified building that is the subject of a removal order may appeal the order to the Court.

(2) A notice of appeal must be served on the Director within 14 days after a removal order has been served.

(3) The Director is a party to any appeal and is entitled to be heard, by counsel or otherwise, on the appeal.

(4) The Court shall hear and determine an appeal by way of a hearing, and the Court may hear evidence and submissions respecting the removal order subject to appeal.

### Decision by Court

49(1) On hearing an appeal, the Court shall take into account the considerations set out in section 43(2) and may

- (a) dismiss the appeal,
- (b) allow the appeal,
- (c) allow the appeal subject to terms,
- (d) vary the order of the Director,
- (e) refer the matter back to the Director for further consideration and order, or
- (f) make any other order that the Court considers appropriate.

(2) The Court may make any order as to costs that it considers appropriate.

### No further appeal

50 There is no further appeal pursuant to this Part.

### Appeal stays operation of removal order

51 If a notice of appeal has been filed in accordance with this Part, the operation of a removal order is stayed and no further action may be taken with respect to the order except in accordance with an order of the Court hearing the appeal.

### No appeal of closure order

52 There is no appeal of a closure order.

### Closure of Building by Director

### Director may enter building

**53(1)** If a closure order is in effect, the Director or a person authorized by the Director may enter the building without the consent of the owner or occupant to

- (a) remove the fortifications specified in the removal order, and
- (b) secure the closure of the building.

**(2)** The Director may employ any tradespersons and workers that the Director considers necessary to

- (a) remove the fortifications specified in the removal order, and
- (b) secure the closure of the building.

**(3)** The Director may take any measures that the Director considers necessary to safely and effectively secure the closure of the building, including the following:

- (a) attaching locks, hoarding or other security devices;
- (b) erecting fences;
- (c) changing or terminating utility services;
- (d) making interior or exterior alterations to the building so that it is not a hazard while it is closed.

**(4)** The Director is not responsible, whether at the end of the period of closure or otherwise, for the removal or cost of removal of anything attached to or erected on a building, or the reversal or cost of reversal of anything done to a building pursuant to this section.

Director to close building

**54(1)** If a closure order is in effect, the Director shall secure the closure of a building, and all occupants of the building and any other persons at the building shall leave it immediately on the order of the Director, even if they have not been previously served with the closure order.

**(2)** If an occupant of a building and any other persons at the building do not comply with a request to leave, the Director may obtain the assistance of a peace officer to remove them from the building.

Responsibility for cost of closure and removal

**55(1)** The owner of a building that is the subject of a closure order shall, on demand from the Director, pay to the Minister of Finance the cost of removing all fortifications and closing the building, in the amount certified by the Director pursuant to section 56.

**(2)** An amount payable pursuant to subsection (1) is a debt due and owing to the Crown in right of Alberta.

Recovery of Director's costs — filing of certificate

**56(1)** If the Director undertakes any work for the purposes of this Part and incurs any costs and expenses as a result, the Director may file with a clerk of the Court a certificate that is signed by the Director and that sets out

and

- (a) the amount of the costs and expenses incurred pursuant to this Part,
- (b) the name and address of the owner from whom the costs and expenses are recoverable,
- (c) the Director's address for service.

(2) If the Director files a certificate pursuant to subsection (1), the Director shall serve a copy of the certificate on the owner.

(3) The certificate filed pursuant to subsection (1) is conclusive evidence of the amount of the debt due to the Crown in right of Alberta by the owner.

(4) A certificate filed pursuant to subsection (1) has the same effect as if it were a judgment obtained in the Court for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.

(5) An owner who has been served with a copy of a certificate pursuant to subsection (2) may, within 30 days after service, make written representations to the Director requesting the Director to reconsider the amount of the costs and expenses.

(6) On receipt of a written representation pursuant to subsection (5), the Director may

- (a) withdraw the certificate,
- (b) vary the amount of the costs and expenses and, for that purpose, withdraw the certificate and file a new certificate with the new costs and expenses, or
- (c) confirm the certificate.

(7) The Director shall notify the owner of the Director's decision as soon as is reasonably practicable after making the decision.

#### Appeal to Court re certificate

57(1) An owner with respect to whom a certificate has been entered as a judgment pursuant to section 56 may appeal against the amount of the costs and expenses set out in the certificate to the Court

- (a) within 30 days after the date of service of the certificate, or
- (b) if the owner has made representations to the Director pursuant to section 56, within 30 days after the Director has notified the respondent of the decision.

(2) On hearing an appeal pursuant to this section, the Court may issue an order

- (a) confirming the amount of costs and expenses set out in the certificate,
- (b) amending or varying the amount of costs and expenses set out in the certificate,
- (c) quashing the certificate, or

(d) doing any other thing that the Court considers appropriate.

(3) In an order issued pursuant to subsection (2), the Court may specify the period within which the order must be complied with.

#### General

#### Offences and penalties

58(1) No person shall

(a) without the Director's consent, remove, deface or interfere with a copy of a closure order posted in accordance with section 45(4) or 46(1)(c),

(b) without the Director's consent

(i) fail to vacate a building that is closed under a closure order, or

(ii) enter or re-enter a building that is closed under a closure order, or

(c) fail to comply with a removal order or a closure order.

(2) Every person who contravenes subsection (1), section 40(4) or an order of the Director is guilty of an offence.

(3) Every person who is guilty of an offence is liable

(a) for a first offence

(i) in the case of an individual, to a fine of not more than \$10 000, to imprisonment for a term of not more than one year, or to both;

(ii) in the case of a corporation, to a fine of not more than \$25 000;

(b) for each subsequent offence

(i) in the case of an individual, to a fine of not more than \$25 000, to imprisonment for a term of not more than one year, or to both;

(ii) in the case of a corporation, to a fine of not more than \$100 000.

(4) If a corporation commits an offence pursuant to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

#### Part 3 General

#### Assistance of peace officer

59 If requested to do so, a peace officer shall provide any assistance required by an inspector or the Director in the performance of the inspector's or Director's duties pursuant to this Act.

#### Presumption re offences

60 In an application made pursuant to this Act,

(a) there is a rebuttable presumption that a person is a member of a criminal organization if he or she has been found guilty or convicted of a criminal organization offence;

(b) evidence that a person was found guilty, convicted or found not criminally responsible on account of mental disorder with respect to an offence is admissible in evidence as proof that the person committed the offence, and

(c) evidence that a person was charged with and acquitted of an offence, or that a charge respecting an offence was withdrawn or stayed, is not relevant in making a finding of fact.

#### Limitation on prosecution

61 No prosecution for a contravention of this Act is to be commenced more than 2 years from the date the facts on which the alleged contravention is based first come to the knowledge of the Director.

#### Other remedies preserved

62 The right to commence any action or proceeding pursuant to this Act is in addition to, and does not derogate from, the right to commence any other action or proceeding that exists at common law or pursuant to any other Act.

#### Immunity

63 No action or proceeding lies or shall be commenced against the Crown, the Minister, the Director, an inspector or any other person if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

#### Regulations

64 The Lieutenant Governor in Council may make regulations

(a) for the purposes of section 3(1)(e)(viii), prescribing other uses as specified uses;

(b) for the purposes of section 37(1)(b)(v), prescribing other methods or materials of fortification;

(c) governing appeals under this Act;

(d) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

- (e) defining any word or expression used but not defined in this Act;
- (f) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

**Part 4**  
**Consequential Amendments and**  
**Coming into Force**

Amends RSA 2000 cM-20

65 The *Mobile Home Sites Tenancies Act* is amended by adding the following after section 4:

**Relationship to other Acts**

- 4.1 Notwithstanding anything in this Act, if an order is made pursuant to the *Safer Communities and Neighbourhoods Act* that terminates a tenancy or entitles a landlord to possession of the mobile home site, the tenancy terminates and the landlord regains possession in accordance with the order.

Amends RSA 2000 cR-17.1

66 The *Residential Tenancies Act* is amended by adding the following after section 3:

**Relationship to other Acts**

- 3.1 Notwithstanding anything in this Act, if an order is made pursuant to the *Safer Communities and Neighbourhoods Act* that terminates a residential tenancy or entitles a landlord to possession of residential premises, the tenancy terminates and the landlord regains possession in accordance with the order.

**Coming into force**

67 This Act comes into force on Proclamation.

(*NOTE: Proclaimed in force October 1, 2008.*)

**Community Safety Advisory Committee  
TERMS OF REFERENCE**

**1. ESTABLISHMENT**

The Board Chair establishes the committee for terms that last one year. As a standing committee of the Board, the role of the Community Safety Advisory Committee is advisory. Advice, comments or recommendations from the committee shall be forwarded to the Board when appropriate.

**2. COMPOSITION**

The Advisory Committee will have a broad representation from local government, geographic areas, and community groups. Members are appointed by the Board Chair and should remain flexible based on the needs and ability of members to participate in the committee. Membership must include one CVRD Director and *may* include any combination of the following:

- 1 additional CVRD Director
- 1 Councillor from the City of Duncan
- 1 Councillor from the Municipality of North Cowichan
- Councillors from the Town of Ladysmith and Town of Lake Cowichan
- 1 School trustee from District 79
- RCMP
- First Nations
- 1 or 2 members at large representing the public. These individuals should be experienced in the areas of safer/healthy communities, social planning, and/or community development.

*Community Groups*

- Community Options Society
- Cowichan Family Life
- Cowichan Women Against Violence Society
- disAbility Resource Centre
- Social Planning Cowichan
- Cowichan Lake Community Services

Committee members will elect a Chair, and the Chair will appoint a Vice-Chair. Both of these are for one-year terms. Committee membership appointments will be renewed annually. The committee may form task and project oriented sub-committees and working groups to address specific issues if needed. These sub-committees can involve other stakeholders.



### **3. PURPOSE AND ROLE**

To advise the CVRD on community safety issues of regional, inter-municipal, and inter-agency importance. Advice may be in reference to programs, plans, policies, guidelines, or other local government policy instruments. The committee also serves as a forum for multi-sectoral discussion where local government and community groups can work together. The committee has a leading role in providing advice and support to safer communities initiatives across the region.

### **4. REFERRALS**

The committee will be a conduit for recommendations arising from its members and from community initiatives, and for issues referred by the Board through commissions, elected officials, and staff requests. The committee acts as a resource for planning staff at various local governments and to Advisory Planning Commissions. Examples where the committee may have input include transit development, facility development and major development applications.

### **5. MEETINGS / PROCEDURES**

The Advisory Committee will meet at the call of the Chair, usually on a bimonthly basis. The committee is not a formal decision-making body, but rather a forum for inter-regional and inter-agency discussion, issue identification and resolution. The quorum for the committee is five members.

### **6. RESOURCES & COMMUNICATION**

#### *CVRD Staff Liaison:*

The staff liaison will facilitate the work of the committee by working with Safer Futures and by providing support and research services. The liaison ensures that the CAO and the Board Chair are informed of major issues.

#### *CSAC Recording Secretary:*

The recording secretary will organize meeting logistics, keep committee records, and prepare agendas and distribute them to the committee members at least 72 hours prior to the meeting (via e-mail). The recording secretary will distribute the minutes of the Community Safety Advisory Committee to the CVRD Board upon adoption, and will assist with other duties as required.

#### *Committee Chair:*

The Chair of the committee will make regular reports to the Board on the activities of the committee.

*Safer Futures:* This program of the Cowichan Women Against Violence Society acts as a key resource to the committee and may provide expertise and research where requested.



## 7. GENERAL MATTERS

Volunteers of the Advisory Committee serve without remuneration. However, mileage will be provided. The CVRD may by resolution dissolve the Community Safety Advisory Committee, remove a member at any time, and amend these Terms of Reference. The Regional Board may remove from membership any member appointed who has failed to attend two consecutive meetings without good cause.

Advisory Committee meetings are open to the public; however, a meeting may be closed to the public in accordance with the provisions of the *Community Charter*.

A distribution list will be instituted where agenda, minutes and other items of interest are distributed to individuals and agencies who are not part of the committee but who may benefit from the information shared.

**DRAFT**

## **PUBLIC SAFETY POLICY**

### **1. STATEMENT OF PRINCIPLE AND PURPOSE**

The Cowichan Valley Regional District recognizes that violence is an insidious problem with devastating costs that affects all residents and that violence against any person is unacceptable. Moreover, the District recognizes that one of the groups most at risk of being abused is women and that among women, the most vulnerable groups are visible minorities, aboriginal women and women with disabilities. The Cowichan Valley Regional District recognizes a need to demonstrate leadership to achieve equality and end violence, and commits to ongoing efforts to prevent violence in our community.

### **2. GOAL STATEMENT**

It is a goal of the Board to promote communities where all people can freely use public spaces, day or night, without fear of violence, and where people including women and children and persons with special needs, are safe from violence. Accordingly, the Board shall;

- a) ensure that all CVRD programs and policies support personal and public safety, and
- b) adopt development guidelines respecting issues of safety and security and apply those guidelines in its review of Official Community Plans and development proposals.

### **3. POLICY**

The Cowichan Valley Regional District shall promote safety and security in public places, including streets, parks and open spaces, schools, public transit and public parts of buildings. To encourage public safety and security for all persons, but with particular attention to women children and persons with special needs, the Board will;

- a) encourage improvement in public safety and security in approvals of buildings, streetscaping, parks and other public and private open spaces;
- b) encourage the design and siting of new buildings to provide visual overlook and easy physical access to adjacent streets, parks and open spaces and to allow clear views to parks and open spaces from the street;
- c) encourage appropriate lighting, visibility and opportunities for informal surveillance for buildings and open spaces;
- d) encourage improvement of existing streets, buildings, parks and other publicly accessible areas, where existing conditions do not promote public safety and security.

## **CVRD RESOLUTION TO THE UNION OF BRITISH COLUMBIA MUNICIPALITIES**

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"WHEREAS national, provincial and community-based research has documented the extent and effects of crime and violence against women and children in their homes, at their places of work and in their communities;

AND WHEREAS violence against women and children carries devastating costs that affect all community residents;

AND WHEREAS municipal leadership is essential to achieve equality and end violence;

**THEREFORE BE IT RESOLVED** that the Union of British Columbia Municipalities urge its membership to commit to ongoing efforts to prevent violence in communities, and to promote communities where all people can freely use public spaces, day or night, without fear of violence, and where people, including women and persons with special needs, are safe and free from violence through:

- a) ensuring that all municipal and regional programs and policies, including Official Community Plans, support personal and public safety, and
- b) adopting development guidelines respecting issues of safety and security and apply those guidelines in its review of Official Community Plans."

Cowichan Valley Regional District  
Board Minutes, June 23, 1999



## Safer Futures Annual Report 2008

Prepared for  
CVRD Community Safety Advisory Committee  
Chair: Lori Iannidinardo, CSAC Chair

February 2009

Safer Futures is a program of Cowichan Women against Violence Society (CWAY)



## **Safer Futures and Support to the Community Safety Advisory Committee (CSAC)**

**Safer Futures'** current project is called 'Making the Links' funded by the National Crime Prevention Centre of Canada and Vancouver Foundation comes to a close on March 31 2009.

The project assists to develop capacities in local neighborhoods to identify safety issues.

Work to date include the neighborhoods of the James/Alexander and Cairnsmore

Safer Futures also works with groups and agencies to integrate a community safety perspective.

Safer Futures makes connections between local concerns and local government on issues related to community safety.

### **Introduction:**

In 2008, Safer Futures received a grant-in aid to provide research and support to the work of the CVRD CSAC Committee. In the late fall of 2008, the CVRD engaged in an Alternative Approval Process to garner public approval to designate Safer Futures as a "function of the board". That proposal passed in December 2008 and in January 2009 the Board members representing participating communities unanimously passed a resolution finalizing the process that brings the work of Safer Futures in as a function of the CVRD.

### **About Safer Futures:**

Safer Futures is a community research and development program of CWA V Society. We research issues related to the safety of women, children and other vulnerable groups in their communities and work collaboratively to develop and implement solutions.

### **History:**

Safer Futures has provided a supportive role to the work of CSAC since CSAC's origins in 2003. Safer Futures has provided a leading role in bringing a safety perspective to the Cowichan region, including safety audits and other initiatives. Safer Futures has provided support to CSAC in its mandate of advising the CVRD on safety issues of regional, inter-municipal, and inter-agency importance.

### **The Role of Safer Futures:**

Safer Futures provides support to the CSAC Committee as follows:

- Coordinates planning and provides facilitation, education and training.
- Contributes to the development and implementation of the CSAC Work Plan and the work plans of CSAC subcommittees.
- Brings forward and represents the perspective of neighborhoods and its residents on safety issues.
- Assists in issue or problem identification and conducts relevant research on safety issues at the local, provincial, federal, and international scales.
- Assists CSAC in identifying activities to promote and enhance safety for the Cowichan region based in research as above.
- Creates or contributes to CSAC reports and produces documents upon direction of CSAC and CSAC subcommittees.
- Assists with the production of communication materials related to community safety.



Safer Futures

CWA V Society: providing a range of programs to promote safety for women, children and families in the Cowichan region.  
103-255 Ingram Street, Duncan BC V9L 1P3

## CSAC Work Plan

**Safer Futures  
Project Team**  
250-748-7000

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Veronica Scott  
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Su Hallett  
Contractor

Terri Dame  
Consultant

Judi Stevenson  
Evaluator

CCSI Steering  
Committee

Patti Deslisle  
Jacob Ellis  
Nelson Folland  
Chris Hall  
B McKenzie  
Lorna Newman  
Brigid Reynolds  
Veronica Scott  
Mark Turner

The 2008 CSAC Work Plan identified nine ongoing Action Priorities that form the basis of the main activities of CSAC for the last fiscal year. The numbers allotted to each Work Plan item below refer to the number assigned in the original work plan that is reviewed each year by the committee.

### **Work Plan item #1: Review Community Safety Action Plan**

In 2006 CSAC developed a draft Community Health and Safety framework entitled "Community Safety Action plan." This document provides an overall Strategic Plan to address safety within the Cowichan Valley region. Four building blocks provide the structure of the Plan: Policy and Guidance, Safe and Accessible Design, Building Strong Neighborhoods and Coordinated Action. The Plan provides the framework for the CSAC Work Plan each year. In late Spring of 2008, CSAC engaged in a session to review progress in the Plan and to further develop the framework document.

### **Work Plan item #2: Cowichan Region Safety Lens; and #9: Official Community Plans (OCPs)**

The Community Safety Lens is a planning and development tool. As a framework document it considers safety, ensures adequate consultation and informs a range of procedures. Specifically, the lens provides planners, elected officials and developers with a tool to assess safety for proposed developments. During this fiscal year, the framework and implementation plan were completed. Following a presentation to the CVRD Board in June 2008, the document was unanimously endorsed and a media advisory was distributed. The Safety Lens will be incorporated into the *James Alexander Neighborhood Plan* for the District of North Cowichan (which will in turn inform the Official Community Plan). A local developer has implemented recommendations of the plan and SMART GROWTH BC draws from it in their work. An implementation plan (which includes meeting with CVRD departments) as well as a communications strategy and regional OCP inclusion formed the bulk of work for 2008 and continues into 2009.

### **Work Plan item #3: "Barefoot in the Park" Cowichan Region Safe Needle Disposal Initiative**

A funding application to the Vancouver Foundation was declined.

Two drafts of the Safe Needle Disposal Kit were presented to partners in June and October of 2008. Several revisions to the draft have been made following input from the interdisciplinary team members. Issues arose during the writing of the Kit and were near



Safer Futures

**CSAC Work Plan****2008**

Review of Work

Plan item #1:

Community Safety

Action Plan

Work Plan item #2:

Cowichan Region

Safety Lens &amp; OCPs

Work Plan item #3:

"Barefoot in the

Park" Cowichan

Region Safe Needle

Disposal Initiative

Work Plan item #4:

Panhandling

Work Plan item #6

Education and

Training

Work Plan item #8

Networking and

Liaison

Work Plan item #10

Research

Work Plan item #11

Sustainability

Planning

completion by the end of 2008. These include decisions about where to place the needle boxes throughout the Region; creating and implementing a communication strategy to ensure that consistent information is given throughout the region. The Partnership that is working collaboratively agreed to move the launch to spring 2009.

**Work Plan Item #4: Panhandling**

In the spring of 2008, the DBIA sent CSAC a draft of their brochure designed for distribution to stores. The pamphlet is an educational tool specific to how to respond to panhandling. The Committee was also presented with a second pamphlet created by Duncan Community Policing. CSAC continues to provide support to the work of other committees in the region dedicated to addressing poverty, homelessness, mental health, disabilities, addictions and food sustainability services. CSAC will continue to monitor emerging issues.

**Work Plan Item #6: Education and Training; Item #8: Networking and Liaison; Item # 10: Research; and Item #11: Sustainability Planning**

During the work planning session in June 2008, the members confirmed that education, training, research, networking, liaising, and sustainability planning are all integral parts of the work CSAC does. These are not separate from the work plan but are embedded in the work of this committee. For this reason, the committee will review the CSAC Terms of Reference. Concrete examples these elements of CSAC's work during 2008 include:

- A presentation of the Safety Lens was made to the CVRD in June, 2008;
- Presentation by Safer Futures Staff to the BC Crime Prevention Association Annual Symposium in October 2008;
- Presentation to Port Alberni Connecting Hearts Community Safety Forum in October 2008;
- Presentation to North Cowichan's Official Community Plan (OCP), Social Planning public consultation. The presentation was centred around application of the Cowichan Safety Lens and drew from Duncan's recent OCP in which the Safety Lens is embedded;
- Ongoing engagement with North Cowichan's OCP Review to ensure safety perspective embedded and to foster this OCP's review within the context of neighbouring communities;
- Ongoing liaising with the Citizens Justice Advisory Committee (CAC) to Parole Services Canada. After meeting with a representative from the CAC, CSAC members agreed to serve



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as liaison for the region with this group and to begin dialogue with them. A meeting is being scheduled with the Chairs of CSAC and CAC in March 2009.

**Next steps:**

- Complete implementation of the Cowichan Region Safety Lens document
- Present Safety Lens document and implementation strategy to Area Directors and Municipal Councils, Area Planning Commissions; and key community agencies in rural communities
- Oversee completion of the Safe Needle Disposal Toolkit in collaboration with partners and the smaller working group
- Produce the Safe needle Disposal Toolkit
- CSAC quarterly communication with CVRD Board
- Continue linkages with the following key elements of best practices in Community Safety Network:
  - Sustain linkages with regional, provincial, national, and international organizations
  - Provide updates on emerging issues in neighbourhoods throughout CVRD
  - Provide updates on emerging research and training opportunities
- Further actions as identified to support CSAC Work Plan once reviewed in early spring of 2009.

**Appendix**

A: Actual Spending Summary 08-09

B: Budget 2009 ending December 31, 2009

**Submitted by**

Pam Alcorn, Program Supervisor, Safer Futures

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Theresa Gerritsen, Executive Director, CWAWS Society

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**Date**

Safer Futures

CWAWS Society: providing a range of programs to promote safety for women, children and families in the Cowichan region.  
103-255 Ingram Street Duncan BC V9L 1P3

appendix B: 2009 Budget

EXPENSE ITEM	Carry Forward	Budget	Budget 2009	Actual to Date to Jan 31/09	Difference	EXPENSE ITEM
TOTAL PERSONNEL	0.00	15,000.00	15,000.00	0.00	15,000.00	TOTAL PERSONNEL
TOTAL TRANSPORTATION						TOTAL TRANSPORTATION
TOTAL EQUIPMENT						TOTAL EQUIPMENT
TOTAL MATERIALS						TOTAL MATERIALS
TOTAL RENT/UTILITIES						TOTAL RENT/UTILITIES
EVALUATION						EVALUATION
TOTAL EVALUATION	2,500.00	0.00	2,500.00	0.00	2,500.00	TOTAL EVALUATION
OTHER						OTHER
Administration	2,000.00	2,000.00	4,000.00	2,002.31	1,997.69	Administration
Prof development						Prof development
Pillar Specific Activities						Pillar Specific Activities
Special Projects Coordination		4,000.00	4,000.00		4,000.00	Special Projects Coordination
Meeting, workshop expenses	5,685.28	2,000.00	7,685.28		7,685.28	Meeting, workshop expenses
Communications	721.55	2,000.00	2,721.55	834.48	1,887.07	Communications
Volunteer support					0.00	Volunteer support
Advertising					0.00	Advertising
Tool kit development	3,768.00	2,000.00	5,768.00	4,000.00	1,768.00	Tool kit development
Launch event	500.00	500.00	1,000.00	0.00	1,000.00	Launch event(project)
<b>TOTAL OTHER</b>	<b>12,674.83</b>	<b>12,500.00</b>	<b>25,174.83</b>	<b>6,836.79</b>	<b>18,338.04</b>	<b>TOTAL OTHER</b>
<b>TOTAL</b>	<b>15,174.83</b>	<b>27,500.00</b>	<b>42,674.83</b>	<b>6,836.79</b>	<b>35,838.04</b>	<b>TOTAL</b>

C.V.R.D  
Making The Links  
April 1 - Dec. 31, 2008

Appendix A: 2008 actual spending summary to Dec 31/08

EXPENSE ITEM	Carry Forward	Budget	Total Budget	Actual to Date	Difference	EXPENSE ITEM
TOTAL PERSONNEL		4,000.00	4,000.00	4,000.00	0.00	TOTAL PERSONNEL
TOTAL TRANSPORTATION					0.00	TOTAL TRANSPORTATION
TOTAL EQUIPMENT					0.00	TOTAL EQUIPMENT
TOTAL MATERIALS					0.00	TOTAL MATERIALS
TOTAL RENT/UTILITIES					0.00	TOTAL RENT/UTILITIES
EVALUATION					0.00	EVALUATION
TOTAL EVALUATION		2,500.00	2,500.00	0.00	2,500.00	TOTAL EVALUATION
OTHER					0.00	OTHER
Administration		2,000.00	2,000.00	0.00	2,000.00	Administration
Prof development					0.00	Prof development
Pillar Specific Activities					0.00	Pillar Specific Activities
Special Projects Coordination		4,000.00	4,000.00	4,000.00	0.00	Special Projects Coordination
Meeting, workshop expenses		6,500.00	6,500.00	814.72	5,685.28	Meeting, workshop expenses
Communications		3,500.00	3,500.00	2,778.45	721.55	Communications
Volunteer support					0.00	Volunteer support
Advertising					0.00	Advertising
Tool kit development	2,598.00	4,500.00	7,098.00	3,330.00	3,768.00	Tool kit development
Launch event(project)		500.00	500.00	0.00	500.00	Launch event(project)
<b>TOTAL OTHER</b>	<b>2,598.00</b>	<b>21,000.00</b>	<b>23,598.00</b>	<b>10,923.17</b>	<b>12,674.83</b>	<b>TOTAL OTHER</b>
<b>TOTAL</b>	<b>2,598.00</b>	<b>27,500.00</b>	<b>30,098.00</b>	<b>14,923.17</b>	<b>15,174.83</b>	<b>TOTAL</b>

**Safer Futures Annual Report to CVRD Board of Directors**  
**Briefing Note: February 25 2009**

**About Safer Futures:**

- Community-based research and development program of CWAVER Society
  - Research issues related to the safety of women, children and other vulnerable groups in their communities
- Works collaboratively with residents, organizations, and local government to develop and implement solutions to create safer and healthier communities

**History and Role of Safer Futures in the Cowichan Valley:**

- Provided a leading role in bringing a safety perspective to the Cowichan region, including safety audits, town hall meetings, and more recently the Safety Lens since 1996
- Provided a supportive role to the work of Community Safety Advisory Committee (CSAC) since CSAC's origins in 2003

**How Safer Futures Supports the CVRD**

- Coordinates planning and provides facilitation, education and training to CSAC & community
- Contributes to the development and implementation of the CSAC Work Plan
- Brings forward and represents the perspectives of neighbourhoods
- Assists in problem identification and conducts relevant research at the local, provincial, federal, and international scales
- Assists CSAC in identifying activities to promote and enhance safety for the Cowichan region based in research as above
- Creates or contributes to CSAC reports and produces documents upon direction of CSAC and CSAC subcommittees
- Assists with the production of communication materials related to community safety

**CSAC Work Plan 2008** (*Copies of the original CSAC Action Plan are available upon request.*)

Action Priorities identified during planning CSAC meeting that formed the main activities:

- Work Plan Item: Reviewed Community Safety Action Plan
- Work Plan Item: Cowichan Region Safety Lens: completed and endorsed by CVRD
- Work Plan Item: "Barefoot in the Park" Cowichan Region Safe Needle Disposal Initiative: carried forward to 2009 (additional funding from another source had been turned down)
- Work Plan Item: Panhandling: ongoing monitoring and re-connecting with sub-committee
- Work Plan Item: Education and Training; Item: Networking and Liaison; Item: Research; and Item: Sustainability Planning: presentation to BC Crime Prevention Association Symposium, and Port Alberni Community Meeting; North Cowichan OCP; liaising with Citizens Justice Advisory Committee of Parole Services Canada

**Next Steps:**

- Implementation of the Cowichan Region Safety Lens into Planning and Development
- Oversee production of the *Barefoot in the Park, Cowichan Safe Needle Disposal Toolkit*
- CSAC quarterly communication with CVRD Board
- Continue linkages with the following key elements of best practices in Community Safety Network:
  - Provide updates on emerging issues in neighbourhoods throughout CVRD
  - Provide updates on emerging research and training opportunities
- Further actions as identified to support CSAC Work Plan once reviewed in early spring of 2009