REPORT TO THE CHIEF ADMINISTRATIVE OFFICER
FROM THE CORPORATE SERVICES AND COMMUNITY SAFETY DEPARTMENT
ON
COMMUNITY SAFETY AND ENFORCEMENT DIVISION
SERVICE LEVEL AND OPERATIONAL REVIEW

PURPOSE

To provide Council with an overview of the Community Safety and Enforcement Division Service Level and Operational Review and the resulting recommendations that will be implemented over the next 36 months.

COUNCIL STRATEGIC PLAN

This report supports Council’s goals and objectives regarding:

- Governance - be recognized for excellence in public service in local government by continuing to be recognized by the public for public engagement, ensuring that the City is meeting Council-approved service levels, and continuing to thoroughly review City costs and fiscal accountability.

SUMMARY

In 2016, Administration identified a Service Level and Operational Review for the Community Safety and Enforcement Division as a priority project. The intent of the project was to review the Community Safety and Enforcement Division’s current practices and recommend actions regarding the service levels provided, organizational structure, and future directions. The review included discussions, observations, and recommendations regarding the following:

- stakeholder expectations
- performance, activities, and outcomes
- policies, procedures, and training
- scope of service
- managing the demand for service
- increasing benefits and outputs through changes to staff deployment
- reducing the number of costs and inputs
- alternative ways of delivering service

Patricia Evans & Associates Inc., a Vancouver consulting firm, was contracted to provide the review and reporting services (Attachment “A”). The consultant used a broad range of stakeholder engagement methods, including an on-line public opinion survey, service partner and community representative focus groups, and one-on-one meetings with participating Council members.
If approved by Council, Administration will implement the recommendations of the review over the next 36 months. The following are the key recommendations that Administration anticipates implementing over the next 12 months:

- rebranding the Community Safety and Enforcement Division to the Bylaw Services Division
- adjust all Bylaw Services Officer II deployments to 12-hour shifts
- add one additional Crew Leader position to increase staff supervision levels from 36% to 86% of scheduled shifts (see the Financial Implications section)
- launch a public education campaign with a goal of increasing the public’s understanding of the Bylaw Services Division
- maintain the current practice regarding defensive equipment
- implement improved internal policies and procedures and corresponding staff training
- update the current complaint policy to reflect the Office of the Ombudsperson’s recommendations
- review requests for service and resource limits to meet the needs of stakeholders and the community without an increase in funding
- upgrade and enhance the Bylaw Services Division’s online presence

**RECOMMENDATION:**

For Council information only.

**COUNCIL POLICY**

There is no applicable Council policy.

**FINANCIAL IMPLICATIONS**

Implementing the recommendations outlined in the Service Level and Operational Review is expected to be cost neutral. The direct costs associated with the recommended 12-hour staffing deployment and the additional Crew Leader position are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Crew Leader position and miscellaneous wage adjustments</td>
<td>($106,000)</td>
</tr>
<tr>
<td>Additional costs associated with the 12-hour deployment model</td>
<td>(29,000)</td>
</tr>
<tr>
<td>Current vacant management and clerical positions</td>
<td>179,000</td>
</tr>
<tr>
<td><strong>Net cost savings</strong></td>
<td><strong>$44,000</strong></td>
</tr>
</tbody>
</table>

Administration will reallocate the $44,000 net cost savings to maintain the increased service levels that began in 2016, including increased spring and summer foot patrols in parks, along the river banks, and in the City Centre and North Shore commercial business areas.
D. R. Duckworth, P.Eng., MBA
Corporate Services and
Community Safety Director

Approved for Council

DRD/ts/kjm/lm

Attachment
City of Kamloops
Bylaw Enforcement Division
Service Level and Operational Review

April 2017
Executive Summary
This report describes a review of service levels and operations of the Kamloops Bylaw Enforcement Division commissioned by the Corporate Services and Community Safety Department of the City of Kamloops in November 2016. The purpose is to review and make recommendations regarding the current scope and levels of service, organizational structure and future directions of the Bylaw Enforcement Division. These recommendations are intended to support optimal effectiveness and efficiency of the Division for current and future needs of those who live, work and play in Kamloops.

The review included an examination of documents and records; site visits; interviews and focus groups with key informants and service partners; a public opinion survey; a literature review; and analysis of workload data where available.

This report includes discussion of, observations on and recommendations regarding:

- Stakeholder expectations
- Performance, activities and outcomes
- Policies, procedures and training
- Scope of service
- Managing demand for service
- Increasing benefits and outputs, including through changes to staff deployment
- Reducing number and costs of inputs
- Alternative ways of delivering service

These recommendations provide a framework for future operational planning, and are reflected in a proposed strategic vision outlined in the final section of the report.
Acknowledgements

This review of service levels and operations of the Kamloops Bylaw Enforcement Division was made possible by the generous contributions of many individuals within the Division and, externally, across the City of Kamloops.

The consulting team conducting the review relied on the assistance and support of Division management and staff, elected officials, City employees, and all those who took the time to participate in information-gathering and interview processes. Particularly important was the liaison role played by Community Safety and Enforcement Manager John Ramsay, who provided documentary resources, and facilitated activities including focus groups, interviews and tours of Division facilities.

All those who took part provided invaluable insights and observations concerning the provision of the bylaw enforcement services that make a major contribution to maintaining a safe and peaceful community in Kamloops.
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1 Introduction

1.1 About the Bylaw Enforcement Division

The Bylaw Enforcement Division (the “Division”) is part of the Corporate Services and Community Safety Department of the City of Kamloops. Key services delivered within the Division include bylaw enforcement, parking control and bylaw court administration.

In December 2016, the Corporate Services and Community Safety Department commissioned a service level and operational review of the Division, to:

- Identify opportunities to improve service delivery and customer/client satisfaction, streamline service, and reduce costs;
- Consult with key stakeholders, including Division staff, City Council, inter-departmental clients, and the community; and
- Identify clear goals and priorities for the Division, in both the shorter (one to two years) and longer term (three to five years).

The consulting firm of Patricia Evans & Associates Inc. of Vancouver, BC was contracted to provide review and reporting services.

1.2 Review Methodology

The service level and operational review was conducted in three phases. In the first phase, the consulting team collaborated with Division leadership to co-create a project plan, schedule and list of those to be consulted.

During the second (consultation) phase, the consulting team took a mixed-methods approach to the collection and examination of both quantitative (e.g. staffing and workload data) and qualitative (opinion-based) information. In combination with site visits and observation in Kamloops in November 2016 and February 2017, information-gathering during this phase included:

- Examination of documents and records provided by the Bylaw Enforcement Division, and review of other documents identified through a literature review;¹
- Focus groups with service partners and community representatives, and interviews with key informants;²
- A public opinion survey;³ and
- Analysis of staffing and workload data, where available.

The final phase of the review involved the iterative development of this report, with drafts by the consulting team being presented to Division leadership for fact-checking, along with requests for additional information and clarification.

¹ Listed in Appendix A, Documentary References
² Listed in Appendix B, Persons Consulted
³ Listed in Appendix C, Survey Questions
1.3 Organization of the Review Report

This report is organized into eight sections. Sections 2 through 6 summarize the results of information gathering and consultation, addressing the following aspects of the review:

- The Division’s operating context
- Scope of services delivered
- Policies and procedures
- Organizational structure
- Staffing, deployment and training
- Division budget

Section 7 presents findings and recommendations arising from the review.

Section 8 presents a high-level strategic vision for the future of the Bylaw Division, including multi-year goals and priorities.
Kamloops is a city in south central British Columbia in the Thompson Valley, near Kamloops Lake. It is 37th on the list of the 100 largest metropolitan areas in Canada and represents the 44th largest census agglomeration nationwide, with 85,678 residents in 2011. It is the largest community in the Thompson-Nicola Regional District (TNRD) and the location of the regional district's offices. As the largest urban area within the TNRD, the city such serves as the regional government, health care, education, retail and service hub. The TNRD's population in 2011 was estimated at 121,651.

Kamloops city centre is in the valley near the confluence of the Thompson River's north and south branches. Suburbs stretch for more than a dozen kilometres along both branches, as well as to the steep hillsides along the south portion of the city and lower northeast hillsides. First Nations territories begin just to the northeast of the downtown core but are not within the city limits.

According to the Official Community Plan adopted for the City of Kamloops in 2005:

(Th)e City's population represents 65% of the region's population. This percentage has increased slowly since 1986, when the City's portion of the region's population was only 63%. The decrease in primary and manufacturing activity which tends to affect the rural areas of the TNRD more than the urban centres, coupled with an increase in service sector jobs which tend to be concentrated in Kamloops, will likely increase this percentage in the future.

Industries in the greater Kamloops area include primary resource processing such as Domtar Kamloops Pulp Mill, Tolko-Heffley Creek Plywood and Veneer, Lafarge Cement, Highland Valley Copper Mine (in Logan Lake), and others. Royal Inland Hospital is the city's largest employer, and

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4 As of the writing of this report in early 2017, the most current detailed census data available for reference were from the 2011 census. Only very limited data were available from the 2016 census (e.g., Figure 2).

5 Thompson Nicola Regional District, *TNRD Quick Facts*, downloaded February 24, 2017 from https://www.tnrd.ca/content/tnrd-quick-facts

6 Traditional territories of the Tk'emlúpsemc, ‘the people of the confluence’, now known as the Tk'emlúps te Secwépemc, http://tkemlups.ca/

Thompson Rivers University (TRU) serves a student body of more than 13,000 on campus including a diverse international contingent mainly from Asian countries. Thompson Rivers University, Open Learning (TRU-OL) is the biggest distance education provider in British Columbia and one of the biggest in Canada with a further 13,000 enrolees. Another major employer in the area is the BC Lottery Corporation.

The OCP goes on to observe that the Regional Growth Strategy (RGS – completed in 2000) recognized that:

(M)ining closures, forest industry consolidations, and variable agricultural commodity prices have all had their impact on the TNRD. The wildfires of 2003, the loss of the Tolko mill in Barriere, and the spread of the Mountain Pine beetle will also have an impact on growth in the TNRD. These and the projected closure of Highland Valley Copper in 2009 will contribute to the concentration of population in Kamloops.

The RGS anticipates an annual growth rate of 1.5%, with the regional population growing from 120,000 in 2000 to 160,000 by 2015. While the Official Community Plan uses the slightly more conservative growth projection of 1.25%, the City is in agreement with the RGS that the majority of growth will gravitate to the larger municipalities.

Figure 1: City of Kamloops boundaries

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8 Thompson Rivers University Facts and Figures, downloaded February 24, 2017 from http://www.tru.ca/about/glance/facts.html

2.1 A transportation hub
An aerial view of the region (Figure 1)\(^{10}\) shows how Kamloops is situated as a transportation nucleus due to location in relation to the rivers and its connections to Highways 5 and 97, the Trans-Canada and Yellowhead Highways.

The city is also a rail transportation hub, with main line routes for both the Canadian Pacific (CPR) and Canadian National (CNR) railways connecting Vancouver BC in the west with Kamloops. Sections of these railway lines are immediately adjacent to the main road arteries and downtown core. The railroads diverge to the north and east where they connect with the rest of Canada.

Kamloops Airport is currently served by Air Canada Express, WestJet Encore, Canadian North (charter only), and Central Mountain Air, plus three cargo airlines. Greyhound Canada bus service connects Kamloops with Vancouver, Edmonton and Calgary. Local bus service is provided by the Kamloops Transit System.

2.2 Shaping service demand
Like many Canadian cities, Kamloops faces opportunities and challenges relating to a range of overlapping demographic and social realities. Among those that impact service demands for City services including from the Bylaw Division are:

- A growing population, more than one third of whom are under age 30 (figures 2 and 3)
- Presence of a large post-secondary student body, with a more temporary relationship to Kamloops
- Relatively low inventory and increasing cost of housing for purchase in the City, which has been impacted by an increase in buyers fleeing more expensive southern BC markets
- Increases in the visibility of homelessness and vagrancy
- Growing demand to meet the complex service needs of people with mental health and/or substance use concerns
- City government direction to contain public sector costs and minimize new demands on the City’s tax and other revenue sources

In addition, given Kamloops’ status as “Canada’s Tournament Capital”, the City plays host to more than 100 regional, national and international sports competitions annually, involving visits from approximately 30,000 spectators, sporting participants and officials and their families every year.

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\(^{10}\) Map downloaded February 24, 2017 from [http://www.arcgis.com/home/webmap/viewer.html?webmap=90098c262af048e0be11de44ac377302](http://www.arcgis.com/home/webmap/viewer.html?webmap=90098c262af048e0be11de44ac377302)
Figure 2: Population of Kamloops 2006 to 2016

Figure 3: Kamloops Population by Age Groups, 2011
In contrast to southwestern BC, Kamloops has welcomed fewer immigrant residents since the 1980s. The number of immigrants in Kamloops has remained relatively steady since 1991 while the non-immigrant population has grown, and as of 2011 overall the immigrant population tended to be older (more than 70% aged 45 or older) compared to the total population.\textsuperscript{11}

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{immigrants.png}
\caption{Immigrants as \% of population (Kamloops compared to BC overall)}
\end{figure}

2.2 Legal Authority and Mandate

As a City service, the Bylaw Enforcement Division’s mandate is derived the authority of the Corporation of the City of Kamloops under provincial legislation, the Community Charter Act [SBC 2003]. Specifically, in the section on Fundamental Powers, S8 (2-4), the Act states that within its municipal boundaries: \textsuperscript{12}

\begin{enumerate}
\item (2) A municipality may provide any service that the council considers necessary or desirable, and may do this directly or through another public authority or another person or organization.
\item (3) A council may, by bylaw, regulate, prohibit and impose requirements in relation to the following:
\begin{enumerate}
\item Municipal services;
\item Public places;
\item Trees;
\item Firecrackers, fireworks and explosives;
\item Bows and arrows, knives and other weapons not referred to in subsection (5);
\end{enumerate}
\end{enumerate}

\textsuperscript{11} Government of British Columbia, \textit{Kamloops: BC Community Profiles 2011, Focus on Immigration and Diversity}. Accessed February 27, 2017 from \url{https://www.welcomebc.ca/getmedia/23a3f276-1e1e-4bf5-9e23-8c30d4688895/Kamloops_CY.pdf.aspx}

\textsuperscript{12} Community Charter [SBC 2003] CHAPTER 26, Part 2 – Municipal Purposes and Powers, Division 1 – Purposes and Fundamental Powers, current to February 8, 2017; downloaded February 24, 2017 from \url{http://www.bclaws.ca/civix/document/LOC/complete/statreg/-%20C%20--42_Community%20Charter%20[SBC%202003]%20c.%2026/00_Act/03026_02.xml}
(f) Cemeteries, crematoriums, columbaria and mausoleums and the interment or other disposition of the dead;
(g) The health, safety or protection of persons or property in relation to matters referred to in section 63 [protection of persons and property];
(h) The protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 [nuisances, disturbances and other objectionable situations];
(i) Public health;
(j) Protection of the natural environment;
(k) Animals;
(l) Buildings and other structures;
(m) The removal of soil and the deposit of soil or other material.

Enforcement of bylaws by local government may include “educating the public about regulatory rules, conducting inspections to ensure that the rules are being followed, mediating between members of the public, leveraging voluntary compliance with the rules where possible, and administering consequences for contraventions where compliance is not forthcoming or harm has been done to the community.”

The Bylaw Enforcement Division is the service that City Council has authorized and funded to promote compliance with the bylaws, regulations and programs of the City of Kamloops. Division staff engage in a range of activities to encourage and ensure the public acts in accordance with Kamloops bylaws, ranging from public education to compliance-focused enforcement and levying penalties or other consequences. As the Union of BC Municipalities has observed in their overview of local government in British Columbia:

Most bylaws require enforcement by individuals with specialized training, knowledge, or experience. Elements of bylaw enforcement are carried out primarily by employees and officers of a local government who are appointed by name or job classification as bylaw enforcement officers, although not all local governments employ such staff. Traffic and possibly some other regulations are enforced by the police. Some bylaws may be enforced by contracted personnel for parking or for animal control. For many regulations there is no active enforcement mechanism and officials act when complaints are received.

“Self-help” enforcement powers allow local governments to undertake inspections by entering onto property at reasonable times and in a reasonable manner to determine if bylaw requirements are being met. In relation to certain hazardous situations or declared nuisances, a municipal council may order a person to rectify the situation or take action to eliminate the hazard. Where bylaw compliance is a condition of a permission, such as a business licence, a municipality could suspend the licence pending compliance. If a person does not take required actions in relation to property, the local government may take the action and recover the cost of it through property taxes. If efforts to obtain compliance fail, a local government can take legal steps for enforcement.


14 Ibid.
2.3 Literature Review
As part of the research undertaken for this review, a high level literature review was conducted to establish a theoretical framework and to identify current studies, models, case studies, current issues and debates in municipal bylaw enforcement. The scope of the literature review was limited to Canadian and US sources published within the last five years.\(^\text{15}\)

2.4 Stakeholder Consultation
A mixed-methods approach was employed for the collection and examination of both quantitative (e.g. staffing and workload data) and qualitative (opinion-based) information for the Review. This information was gathered online and during site visits and observation in Kamloops in November 2016 and February 2017. Activities included:

- Examination of documents and records provided by the Bylaw Enforcement Division and others identified through a literature review;
- Focus groups with service partners and community representatives, and interviews with key informants;\(^\text{16}\)
- A public opinion survey;\(^\text{17}\)
- Review of a report on staff input to the planning process prepared by an external consultant in December 2016;
- Analysis of staffing and workload data where available; and
- Comparisons with other similar service delivery organizations in comparable operating contexts.

Some of the key findings of the qualitative consultation are reviewed here.

2.4.1 Focus Groups and Interviews
A total of 30 individuals were consulted during three focus groups and six individual interviews conducted in Kamloops February 1 through 3, 2017. They are listed in Appendix B, and comprise a mix of elected officials, public safety partners, private sector service delivery partners, and other agencies with whom Division staff work and collaborate in the non-profit sector and in other City of Kamloops departments.

Both interviewees and focus group participants expressed appreciation for the opportunity to contribute to the Review, and several commented that it reflected a relatively new attitude on the part of the Bylaw Enforcement Division. They attributed this to a recent change in leadership, and several expressed the opinion that communication, working relationships and performance have improved since this change occurred. Some informants were more cautious, citing an opportunity for improvement but noting that “it’s too soon to tell” whether the positive changes will last.

The following were identified in both interviews and focus groups as current strengths of the Bylaw Enforcement Division:

\(^{15}\) Documents and resources identified are listed in Appendix A, Documentary References, and specific references are cited in footnotes throughout this report.

\(^{16}\) As listed in Appendix B, Persons Consulted.

\(^{17}\) Survey questions are presented in Appendix C.
- Respond to calls for service and react promptly to public complaints.
- Consistent practice and firm, fair enforcement policy – “a common sense approach”
- Visibility makes Kamloops friendlier and safer – uniformed presence
- Partnering with other City departments, service agencies, BIAs – joint initiatives
- Positive engagement with citizens/the public
- Willingness to explore and support novel solutions
- Good ambassadors for the city
- Good at communicating with other City departments
- Generating revenues for the City from parking
- Most officers are dedicated and keep the best interests of the City in mind
- Conscious of the complexity of social issues
- They endure abuse and don’t hand it back.
- They enjoy their job. They like to go to work, they like people, and approach in a nice polite way.
- They turn up to work with good attitudes

Interview and focus group participants noted the following as opportunities for Division improvement:

- Transparency and communication with partners (a recent notable improvement, but still room to enhance two way communication and information sharing) – particularly response times to calls from other agencies
- Lack of clarity on the part of the public regarding their roles and responsibilities – need more public awareness and knowledge about who to call in what circumstances. Bylaws role not well understood by the community.
- Need more enforcement regarding graffiti and unsightly properties
- More training particularly on people skills and dealing with complex/dangerous situations. “The public expects them to deal with issues beyond their pay grade, job description and training for personal protection.”
- Front line officers need to adapt and embrace technical change
- Changing officer skills need to be reflected in hiring requirements
- Lack of public recognition/appreciation for Bylaw Officers’ contributions to community safety
- Negative public image regarding highly visible “idle time”, particularly when groups of officers congregate together
- Lack of knowledge/transparency re where fine, parking and dog licensing revenue is used
- More nimble scheduling/staffing to respond to changing community needs
- No radio communication links between agencies with overlapping jurisdictions (e.g. Bylaws and CP/CN police)

When interviewees and focus group participants were asked for other comments and advice for the Bylaw Enforcement Division, the following themes were reflected:

- The department needs more staff in order to address increasingly complex needs in a growing and geographically dispersed city (although some interviewees also expressed the view that a lack of good data makes it difficult to assess the extent to which current resources are efficiently deployed).
- Develop a very clear vision of what the community needs and wants, based on good information, and ensure the vision is supported by City Council and senior management.
Adopting enhanced tools for officer defense (e.g., pepper spray, conductive electric weapons, etc.) presents a significant risk to officers and should not be pursued without considerable assessment of the risks and training implications.

It is essential to recognize the need to put resources and training in place to deal appropriately with emerging issues like mental health and homelessness in a compassionate but effective way. This is not just a Bylaw issue but one that impacts the RCMP and a range of City services and departments.

From a prevention and visibility point of view, it’s more fiscally accountable to have a Bylaw Officer than an RCMP officer present. Leverage their skill as eyes on the street and as a deterrent to those who might transgress.

Focus group participants were asked to identify the “top three priorities” for Bylaws’ attention in the years to come. They identified:

- Setting priorities and sharing/communicating these broadly
- Increased visibility, including in collaboration with RCMP auxiliaries, to improve both the reality and perception of public safety particularly at night
- Increased information-sharing and education to improve accuracy of public knowledge and understanding of the role of their role – define and publicize Bylaws’ mandate and activity focus
- Dealing swiftly with unsightly properties and graffiti, both in main City corridors and in less visible areas of Kamloops
- Training – soft people skills as well as tactical and technical training
- Staff development – developing supervisors and crew leaders within the department
- Continued partnership, relationship-building and collaboration with partners and stakeholders
- With respect to online service delivery and efficiency, citizens should be able to pay for everything online or set it up through their banks for automatic payment.

Interviewees also noted that culture change in the Division is a long-term effort: recent changes in leadership style need to be sustained, supported and reinforced over the months and years ahead. And as one noted, “The work ethic, education, attitude and capability of officers need to be taken into account when moving up into different levels of bylaw (community safety) recruitment. Simply relying on seniority to select our Bylaw Officers will not deliver the workforce we need to serve as the City’s ambassadors.”

During both interviews and focus groups, an issue was raised with respect to the Division’s name. For many of those consulted, the word “Enforcement” is a hurdle, and suggests a confrontational, punitive role. They noted that in fact, the perspective taken by many Bylaw Officers is one of providing service to a city and its people. Two options that were offered for consideration were “Bylaw Enforcement Services” and “Bylaw Services”.

2.4.2 Online Survey

An anonymous survey was available online starting January 17 and closing February 3, 2017. Participation in the survey was promoted through a notice on the City of Kamloops website, and through social media which led to coverage by local television, radio and print media.

A total of 247 individual responses were received, however not all respondents answered every question, so in many cases total respondents to a given question were fewer than 247. For example, 229 people chose to respond to a multiple choice question that asked about their recent interaction with the Bylaw Division. Analysis of their responses reveals that:
• There were 41 respondents who reported no interaction in the past two years.
• Most respondents contacted the Division for information available on the website (118) or by phone (45), or to report something by reporting a bylaw infraction (87) or requesting service (71), or collaborating with staff to address a public safety issue (27).
• In the past two years, 74 respondents purchased a dog license. Many respondents received a parking fine (59) or fine for a bylaw infraction (14). A few reported disputing a violation (9) received.
• Some reported visiting Bylaw facilities in person at the City Hall (40) or the animal impound facility (25).
• A few reported lodging a complaint about the activities of the Bylaw Department (10).
• There were 24 people who chose the response Other (please specify), and the interactions they specified included exchanging emails and having in-person conversations with staff on a diverse range of topics.

Several kinds of questions were included in the survey, including:
• Requests for quantitative rankings of service effectiveness and quality;
• Requests for qualitative comments on the strengths of the Bylaw Division, and on areas where they might improve;
• Requests for input regarding the potential for expanded use of online mechanisms for service delivery; and
• Demographic questions to understand more about who responded.

Key survey findings are summarized here.

With respect to perceptions of service effectiveness and quality, respondents were asked to rank six different service areas for the Division. As illustrated in the graphs on page 11, at least half of survey responses ranked both service effectiveness and quality as average, good or exceptional for all six areas.

The service area most likely to be noted by survey respondents as needing improvement was public complaints and safety concerns about panhandling and transient camps. Although more than half of respondents ranked Bylaw Division service effectiveness and quality in this area as average or better, 25% indicated they thought service quality needs improvement, while 30% believe service effectiveness needs improvement. The survey did not seek respondent comments on how those improvements might be achieved.

The area for which the fewest respondents had an opinion of either service quality or effectiveness was graffiti control (more than 20% selected the response: “I don’t know”).

The area for which the most positive responses were received was animal control and dog licensing (39% “excellent” and “good” ratings combined).
Figure 5: Public Opinion Survey, Perceptions of Service Effectiveness

Figure 6: Public Opinion Survey, Perceptions of Service Quality
There were 111 responses to the question: **What in your view are the strengths of the Kamloops Bylaw Division?** In summary, responses reflected the following themes (presented here in descending order of frequency):

- People and Quality of Service – friendly officers, knowledgeable, professional, reasonable, willing to compromise
- Quality, Effectiveness of Enforcement – responsiveness, collaboration, efficiency
- Officers’ Physical Appearance (uniforms), good visibility, presence
- General appreciation for service provided

And, there were 160 responses to the question: **What in your view are the areas where the Kamloops Bylaw Division might improve?** In summary, responses reflected the following themes:

- Perception of need for more enforcement – In relation to specific issues or experiences
- Quality of service, attitudes – perceptions of officer friendliness, lack of respect, or rudeness
- Communications, public education, public image – in relation to the need for more public knowledge about bylaw requirements
- Perception of unfair or heavy-handed bylaw enforcement, both complaints from those who feel they should not be punished for “honest mistakes” and those who feel the focus should be on proactively targeting “repeat offenders”
- Scope of work and relationship with police: a range of views of the scope of service provided by Bylaw Enforcement Officers in comparison to the RCMP. Several comments reflected the perception that bylaw officers can provide certain public safety services at a lower cost than RCMP officers, particularly traffic control. Bylaw officers already provide some limited enforcement in these areas such as minor violations including jaywalking.
- Perceived need for more/new/different bylaws (e.g. wood smoke bans, wildlife control, “excessive” animals, “drug houses”)
- Staffing and training: perceived needs for more officers, more efficient deployment, more female officers, and better trained/qualified officers, e.g. “proper training to ensure bylaw officers do not become bullies.”
- Response time (more/faster responses)
- Presence and visibility, including the perception that officers should “be on the street more” instead of “riding around in cars”.

In the final section of the survey, respondents were asked about their views on the use of online mechanisms for Bylaw Division service delivery. None of the online options was suggested as a replacement to current service delivery mechanisms; rather, the questions sought to better understand whether online access to service is viewed as desirable. These questions asked:

- **Would you purchase your dog license online?** There were 238 responses, 88 of which indicated the question did not apply to them. Among the balance, 132 respondents (88% of the remaining 150 who answered the question) said they would, while just 18 people said they would not purchase a dog license online.

The survey did not ask if they are currently compliant with the requirement to purchase a dog license, or how they have purchased one in the past. Currently, dog licenses can be renewed, but not purchased online through the City’s website. Renewals require an account number provided by the Bylaw Division in a mailed license renewal notice.
• Some municipalities (e.g. Victoria) offer online forms so that citizens have a convenient, 24/7 option for reporting Bylaw violations. Would you use an online form to report a Bylaw violation? Of the 236 responses, the majority of respondents said yes (204, 86%), while only 32 (14%) said they would not use an online form.

• What other Bylaw-related services would you like to access online? The following themes were noted amongst the 78 responses to this question:
  
  o The ability to file complaints (e.g., re watering; the ability to provide photos; reporting un-cleared sidewalks and barking dogs/noise) and obtain status updates on actions arising from past complaints. Alternately, one respondent said, “I do not like the online access as, not in our neighborhood, many hold grudges and can make people pretty miserable if they have too much time on their hands.”
  
  o Paying tickets and fines, reviewing and disputing tickets online
  
  o Parking Passes/Pay Parking/Permits
  
  o Information about bylaws, how the Division works, and a city-wide map “showing annual bylaw issues by neighbourhood or street” to “help neighbourhoods take ownership of their issues and help inform prospective home buyers about “problem areas”.
  
  o Three comments requested the ability to access bylaws in an online database – in fact, a full listing of Kamloops bylaws is currently available online.¹⁸

¹⁸ https://kamloops.civicweb.net/filepro/documents/8145
3 Service Delivery

Staff working in the Bylaw Enforcement Division of the City of Kamloops are responsible for activities that span bylaw awareness, education and enforcement, including:

- Identifying and/or advising Council on the need for new bylaws or changes to existing bylaws;
- Responding to complaints and enquiries;
- Undertaking investigations;
- Exercising judgement and making enforcement decisions; and
- Handling appeals.

Service is primarily accomplished through enforcement activity but also includes public relations, education and awareness programs and other initiatives for the following objectives:

- Promote peace and order in the community
- Promote public safety
- Enforce rules for use of water, roads and sewers to prevent abuse, overuse, or damage to the systems
- Enforcement and promotion for safe use of parks, facilities and public property, to reduce liability to the City
- Support community enhancement

3.1 Service Areas and Linkages

The major service areas of the Division are described here, including reference to some of the related bylaws in each area that are the focus of education and enforcement.19

3.1.1 Parking Control
(Including Motor Vehicle Act [BC] regulations and Traffic Control Bylaw No. 23-30)

The over-arching purpose of parking control services is to ensure that downtown Kamloops can thrive as a central business and service district, with good patron turnover and access to loading zones and commercial zones for merchants and those who serve them.

Recent investments in infrastructure have enhanced convenience for parking patrons through the use of pay stations. In the downtown core, pay station parking is in effect Monday through Saturday 9 am to 6 pm, with three hour maximum. Pay parking for longer than three hours is available (including on daily and monthly terms) at a number of lots downtown and adjacent to event venues.

19 A full listing of Kamloops bylaws is available online at https://kamloops.civicweb.net/filepro/documents/8145
Service delivery partners who collaborate with Bylaw Enforcement around parking control include private businesses (parking lot contractors and towing companies); local business improvement associations; School District #73; and several City departments including Streets and Environmental Services and Transportation Engineering. The Division also collaborates with the non-profit organization People in Motion, which issues parking permits that allow persons with disabilities to display their eligibility to access parking spaces designated for their use throughout the downtown core.

3.1.2 Peace, Order and Public Safety
(Including Noise Control Bylaw 24-42; Skateboard/In-line Skate/Scooter Bylaw 23-63, Panhandling Bylaw #24-38 and Graffiti Control Bylaw 25-5)

Bylaw Officers educate the public about bylaw requirements to:

- Encourage compliance with rules relating to the use of water, roads and sewers to prevent abuse, overuse, or damage to the systems;
- Promote and enforce the safe use of parks, facilities and public property,
- Reduce liability to the City; and
- Support community enhancement.

Activity foci include graffiti control; investigating complaints of unsightly properties; concerns relating to watering, snow removal, sidewalk use and signs; reports of inappropriate use of skateboards, inline skates and scooters; and responding to public complaints and safety concerns relating to social issues such as transient camps, vagrancy and panhandling.

These comments are similar to priorities expressed for policing services by citizens in other communities, and reflect a mix of reality and perception of public safety. Growth and turnover, characterized by an influx of new people, and particularly transient people “coming and going”, has often been associated with social dislocation and a decline in a sense of community. This loss of community feeling experienced by long-time residents is sometimes attributed to generational differences, while others accept it as characteristic of modernity. And it is often associated with a (real or perceived) increase in crime and disruptive behaviour.

At the same time, homeless and transient persons and those with multiple issues (e.g. concurrent mental health and substance use concerns) are increasingly sophisticated and knowledgeable regarding their rights and options. For example, following a period of enhanced enforcement around transient camps in Kamloops, the City received complaints from nearby First Nations. This neighbouring jurisdiction reported an increase in transient camps and disruptive behaviour on its lands, and attributed the change to an influx of people who had been “moved along” by the City.

Traditional enforcement of bylaws with the transient population is often reactive. Over time, if the same individual is ticketed repeatedly, the Division can initiate court proceedings and seek a ban on the alleged offender being in a given location (e.g. downtown, bus exchanges) going forward. This is a lengthy and expensive process that may be pursued without any guarantee that the alleged offender will show up in court when the case is heard.

In addition to enforcement, partnership is a big part of the Division’s response to bylaw infractions that involve these social issues. Creative and constructive solutions are sought in consultation with social and mental health service providers such as Ask Wellness Society and the Kamloops Branch of the Canadian Mental Health Association. Local Business Improvement Associations, and other City services (such as
the Business Licence Inspector and Property Use Coordinator and the Crime Prevention office of the Community Safety Department) may be contacted. For serious criminal activity, particularly difficult or dangerous circumstances, issues are referred to the RCMP.

As noted in section 2 above, Kamloops is a transportation hub, transited by both the CN and CP Railway mainline routes. When locations of concern are adjacent to railway lands, or involve safety of level crossings within the City, the Division will collaborate with CNR and/or CPR police.

3.1.3 Animal Control
(Including Animal Control Bylaw 34-11; Dog Responsibility Bylaw 34-42; Noise Control Bylaw 24-42; Wild or Exotic Animal Prohibition Bylaw No. 34-37)

The main focus of Animal Control services is licensing and controlling dogs, including addressing barking and dangerous dogs, activities of dogs in parks and other public areas, and administering dog licensing. Within city limits, all dogs require a licence after they turn 6 months old. The City's Dog Responsibility and Control Bylaw also requires that no one shall keep, harbour, or have more than two dogs over the age of six months within the City. A resident who wishes to keep more than two dogs may apply to Council for a variance to have three or more dogs or a combination with other animals for a total of no more than four animals.

Other Animal Control activities include education and enforcement relating to beekeeping and urban hens; and services including pet cremation, animal impound, and liaison with the SPCA, WildSafe BC, the BC Conservation Service, and other organizations that deal with both domestic animals and wildlife.

3.1.4 Bylaw Court

The Provincial Court has jurisdiction (legal authority) in bylaw offences in the City of Kamloops, as well as all other provincial and municipal offences prosecuted under the Offence Act and the Local Government Act. Many of these offences are prosecuted by way of a violation ticket or municipal ticket information.

Judicial justices generally hear these cases. Appointed under section 30.2 of the Provincial Court Act, judicial justices may be assigned a variety of judicial duties by the Chief Judge. Some judicial justices preside in court throughout the province, hearing traffic matters and ticketable offences under provincial legislation. Others are assigned judicial duties at the Justice Centre, where they consider search warrant applications and hear applications for detention or bail. Still others conduct criminal arraignment hearings and deal with applications under the Criminal Code in one of the province’s problem-solving courts.

The judicial justice will explain and guide the hearing process but cannot give legal advice to someone disputing a ticket. Generally, there is no Crown counsel however the City of Kamloops retains legal counsel to act as the prosecutor for the ticketed offence. Bylaw Division staff provide administrative support: the Court Coordinator and either the Manager or a Crew Leader attends Bylaw Court as the City’s representative, working with legal counsel. Depending on the nature of the dispute, the attending Officer may appear in court as a witness.

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Overall this is a relatively expensive system in relation to the level of materiality of the ticketed offence. Provincial legislation21 takes this into account, allowing for an alternative settlement approach known as Bylaw Notice Dispute Adjudication.

Enacted in 2003, the goal of the adjudication model is “to create simple, fair, and cost-effective systems for dealing with minor bylaw infractions. To meet this goal, the adjudication model:

- eliminates the requirement for personal service;
- establishes a dedicated forum for resolving local bylaw enforcement disputes;
- uses a dispute resolution-based approach to obtaining independently adjudicated decisions;
- avoids the unnecessary attendance of witnesses;
- avoids the need to hire legal counsel; and
- promotes the timely resolution of bylaw enforcement disputes.”22

Under the legislation, a community may establish a local bylaw dispute adjudication system, which replaces the Provincial Court as the venue for resolving disputes of minor municipal bylaw breaches. In order to proceed, local governments make a request to the Ministry of Attorney General to have a regulation enacted, in order to make the Act applicable to them.23

Once this regulation is enacted, local governments may employ qualified and sworn adjudicators to hear bylaw infraction cases. The deputy attorney general appoints these individuals, and the provincial government maintains a roster of adjudicators (who must not be local government employees or elected officials.)

The adjudication process incurs a cost to the City, but the total expense is often less than that associated with a hearing in Bylaw Court, and decisions may be reached more quickly. At the present time, dozens of municipalities province-wide have chosen to employ the adjudication approach. And, taking a broader view, this approach benefits the community by removing minor bylaw violations from the provincial court system.

3.1.5 Encouraging “Good Neighbours”

A new bylaw is currently in development, with plans for a draft to come forward to Kamloops City Council for their June 2017 meeting. As with other Kamloops bylaws, its goal is to enhance the quality of life, promote civic responsibility and encourage good relationships between neighbours for the benefit of all Kamloops citizens.


23 Ibid.
By integrating terms from existing bylaws, the new bylaw is designed to allow the City’s Bylaw Division and the RCMP to better respond to some neighbourhood level disputes including noise disputes, problematic behaviour, and rental properties with tenants whose activities are disruptive to neighbours. In the public survey conducted for this review, several comments addressed this need, sometimes characterizing it as the perception that the City does not do enough to “close down drug houses”. The new bylaw anticipated taking a collaborative approach to try to address these multijurisdictional issues. If criminal activity is occurring on a given property, it will in future be able to be addressed on up to three fronts concurrently: through the provisions of the Residential Tenancy Act (by landlords), the Criminal Code (by police) and through fines levied under the authority of the Good Neighbour Bylaw (by the City).

3.2 Methodologies
As noted above, a community’s bylaws are observed as a result of voluntary citizen compliance (with education and awareness activities to encourage compliance) as well as enforcement activity. Much of the work of the Bylaw Enforcement Division team in Kamloops involves traditional enforcement, such as monitoring of time-limited or otherwise restricted parking zones (with violation notices and fines for those who do not comply with posted restrictions); dog licensing; and an escalating system of consequences for unsightly properties, noise complaints, ignoring watering restrictions etc. (i.e., warnings and a “grace period” followed by a violation notice and fine for continued infractions).

For property-related issues including unsightly property and graffiti control, the Division takes a proactive approach based on the philosophy of crime prevention through environmental design (CPTED). This methodology (founded in what is also known as the “broken window” theory of urban decay) is a multi-disciplinary approach to deterring criminal behavior. A key characteristic of CPTED is maintaining a consistently clean and orderly built, social and administrative environment. In many cases, property owners are given notice of a time period to clean up unsightly properties or to remove graffiti, before a penalty is levied.

CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts. The resulting enhanced perception of connected communities with engaged citizens and “eyes on the street” has been shown to reduce the incidence of vandalism and crime in urban areas. However, since responsibility for mitigation reverts to the property owner (rather than the people who have defaced a given property), owners can feel twice victimized (e.g., first by the act of vandalism and then by incurring the cost of removing/covering over the graffiti).

3.2.1 Shifting Realities and Expectations
Many of the traditional mechanisms for encouraging bylaw compliance include fines and other financial penalties. Increasingly, however, communities face concerns that relate to people who cannot, or will not, respond to these incentives. This can be the case with people whose real or perceived bylaw infractions are linked to poverty, homelessness and mental illness. Under Section 7 of Canada’s Charter of Rights and Freedoms, security of the person is guaranteed. This right to security of the person consists of rights to privacy of the body and its health and the right protecting the “psychological integrity” of an individual. That is, the right protects against significant government-inflicted harm (stress) to the mental state of the individual.

In practical terms, that means people have certain rights that cannot be constrained by the interests or actions of others, even persons representing local authorities. As a consequence those responsible for bylaw enforcement find themselves caught between legal reality and the expectations of citizens who expect “something to be done”. Moreover, as one focus group participant pointed out with respect to so-called “nuisance behaviour”, some complaints can arise from “profiling” certain kinds of people as potential concerns, rather than the certain knowledge that these individuals are actually causing a public nuisance. Inter-cultural and inter-generational divides in this regard can lead to a reduction in the perception of public safety, whether or not a community is in fact any less safe.

Overall, recent years have seen an increase in higher-risk activities required of Bylaw Officers, including (e.g.) ensuring that shelters are dismantled and the campers are up and on the move by 7 am; inspecting and dismantling illegal tent cities; and more challenging responses to enforcement of panhandling public nuisance bylaws. These realities have increased the frequency with which Officers come into conflict with members of the public and with aggressive animals, including coming into contact with persons who are or may be emotionally disturbed, mentally disturbed or cognitively impaired with drugs and alcohol, in situations which are often difficult to predict and control.

For Bylaw Enforcement Officers, discretion is often required to work within this complex environment. For example, with respect to panhandling and transient camps, “security of the person” means that individuals have the right to eat and sleep in safety, even when they are doing so on public lands. Thus enforcement has a different focus: “We don’t tell you that you can’t do it, we tell you how to do it.”

3.3 Comparators: Scope of Service

A survey was undertaken in 2014/15 by the License Inspectors and Bylaw Officers Association of British Columbia to gather data on trends and best practices in bylaw enforcement officer safety trends and best practices. Table 1 on the next page summarizes responses from 47 participating cities, villages and districts around the province, with comparison to current practice in Kamloops.

As illustrated, Bylaw Enforcement Officers in Kamloops provide 13 of the 17 services listed, and all of the most commonly provided enforcement and patrol services. The exceptions are extinguishing small outdoor burns (the responsibility of Kamloops Fire & Rescue); executing search warrants; operating marked vehicles with full emergency equipment; and conducting traffic stops for truck route or moving violations (the responsibility of various other public safety organizations including the RCMP, BC Ambulance Service and BC Commercial Vehicle and Safety Enforcement).

Kamloops Bylaw Officers’ traffic control duties are limited to providing temporary services in emergency situations. These include assisting other emergency services at the scene of motor vehicle accidents; at parades and events; parking control; towing vehicles and assisting tow trucks; and in emergencies such as evacuations, fires, etc. when called out by the regional Emergency Operations Centre.

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26 Extracted from Williams and Bryant (LIBOA), 2015, Appendix 1, page 1. Summarizes data for 59 survey respondents representing 47 participating organizations from across BC, with Kamloops data added.
<table>
<thead>
<tr>
<th># of Positive Answers</th>
<th>% Positive Answers</th>
<th>Municipal Bylaw Enforcement and Public Safety Duties</th>
<th>Within Scope of Kamloops Bylaw Enforcement Officer Duties (Level 1, Level 2 or Both)**</th>
</tr>
</thead>
<tbody>
<tr>
<td>57</td>
<td>97</td>
<td>Issue written warnings and municipal ticket information</td>
<td>Yes</td>
</tr>
<tr>
<td>56</td>
<td>95</td>
<td>Work alone or in isolated areas</td>
<td>Yes</td>
</tr>
<tr>
<td>55</td>
<td>93</td>
<td>Conduct property inspections</td>
<td>Yes</td>
</tr>
<tr>
<td>47</td>
<td>80</td>
<td>During the course of duties, ever been assaulted or felt threatened with bodily harm</td>
<td>Yes</td>
</tr>
<tr>
<td>45</td>
<td>76</td>
<td>Patrol streets and other public areas</td>
<td>Yes</td>
</tr>
<tr>
<td>43</td>
<td>73</td>
<td>Patrol parks</td>
<td>Yes</td>
</tr>
<tr>
<td>43</td>
<td>72</td>
<td>Work outside regular business hours including weekend and/or evening shifts after 1800 hours</td>
<td>Yes</td>
</tr>
<tr>
<td>40</td>
<td>67</td>
<td>During the course of duties, have a significant amount of contact with emotionally charged, impaired, mentally disordered or violent persons</td>
<td>Yes</td>
</tr>
<tr>
<td>34</td>
<td>58</td>
<td>Serve summons</td>
<td>Yes</td>
</tr>
<tr>
<td>32</td>
<td>54</td>
<td>Evict trespassers or persons causing a disturbance on city or private property</td>
<td>Yes</td>
</tr>
<tr>
<td>31</td>
<td>53</td>
<td>Execute search warrants</td>
<td>Not recently but within their scope of authority</td>
</tr>
<tr>
<td>28</td>
<td>47</td>
<td>Attend emergencies to assist police and fire services as required</td>
<td>Yes</td>
</tr>
<tr>
<td>26</td>
<td>44</td>
<td>Perform traffic control duties</td>
<td>Limited to emergency situations</td>
</tr>
<tr>
<td>19</td>
<td>32</td>
<td>Enforce liquor-related offences</td>
<td>Yes</td>
</tr>
<tr>
<td>16</td>
<td>27</td>
<td>Extinguish small outdoor burns (e.g. beach fires, camp fires)</td>
<td>No</td>
</tr>
<tr>
<td>9</td>
<td>15</td>
<td>Operate a marked vehicle with full emergency equipment (lights and sirens)</td>
<td>No</td>
</tr>
<tr>
<td>6</td>
<td>10</td>
<td>Conduct traffic stops for truck route or moving violations</td>
<td>No</td>
</tr>
</tbody>
</table>

Table 1: Scope of bylaw enforcement and public safety duties
Responses to the public opinion survey conducted for this review revealed some lack of clarity regarding the scope of Bylaw Officers’ duties. This is perhaps not surprising, given that even amongst collaborating organizations (including other City departments, the RCMP and the railway police organizations) there are a range of views regarding the appropriate and optimal role for public safety officers who are not sworn police.

Contributing to the lack of clarity is an increased focus across Canada on the potential for reducing municipal policing costs through what is broadly known as the “civilianization” of policing: that is, identifying certain activities traditionally conducted by police officers which may be shifted or delegated to unarmed, civilian public safety personnel. Tasks under consideration include “jobs like directing traffic, doing paperwork and even investigating a crime scene”.

In 2007, Alberta’s provincial government introduced the Public Security Peace Officer Program to provide different levels of government and quasi-government organizations with the opportunity to obtain the authority to employ peace officers (rather than police officers) for community safety enhancement and/or specialized law enforcement purposes.

Alberta’s initiative is unique in Canada, and other provinces have shown interest in adopting it as a model for improving community safety and supplementing police services. Among many differences between Alberta Peace Officers and traditional bylaw enforcement officers is the fact that the former may be authorized to carry a sidearm under authority of the Alberta Act.

Authorization to use firearms places these officers in a very different situation regarding their options on the use of force continuum. This continuum is a shared standard that provides law enforcement officers and civilians in public safety roles with clear direction as to how much force may be used against another person in a given situation (one model is shown in Figure 7 below).

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For Kamloops Bylaw Enforcement Officers, authorized use of force is limited to *officer presence* (the professionalism, uniform, and badge or other identification of the law enforcement officer and the marked vessel or vehicle the officer travels in) and *tactical communication* (clear and understandable verbal direction by an officer, sometimes including information on consequences so that the subject understands what will happen if the subject refuses to comply).

In the majority of public interactions with bylaw officers, the visual presence of authority and tactical communication is often sufficient to achieve compliance with an officer’s lawful directions. However this is not always the case when dealing with individuals who have mental health and/or substance use concerns, or those who have had negative and even traumatic experiences with uniformed persons in the past.

Like sworn police officers, bylaw enforcement personnel never know when such individuals may produce a weapon or become violent. Officers rely on instincts, observation and training to make judgements about their own safety in any situation. However, unlike police, bylaw enforcement officers do not have the option to protect themselves by escalating their response on the use of force continuum. In addition to protective equipment like body armour, their best option is often to disengage from the situation before it escalates. While the provision of other defensive tools (e.g. batons, pepper spray, conductive electrical weapons) may offer additional resources, their use also has the dangerous potential to escalate the encounter to a level of risk for which bylaw officers are not trained or authorized to respond.

Strong opinions exist both in favour of and opposed to providing bylaw enforcement officers with tools that have offensive potential. As one survey respondent said, 

“Arming them with batons and pepper spray is the WORST possible thing you could do for this community. We have seen what militarization of police does in the US, and I see this as being one step down from that, but equally terrible and can truly not see it benefiting the community. If you are worried about the safety of bylaw officers, then maybe you should have them work in pairs rather than on their own.”

In April, a pilot project will be undertaken whereby one Level 2 Bylaw Officer is assigned to work alongside RCMP members and City of Kamloops Community Safety Division staff, at the Kamloops Community Policing Office on the North Shore. The Officer assigned has been required to demonstrate enhanced reliability (a level of RCMP security clearance) to that he can attend RCMP watch briefings and be privy to the details of active investigations.

Unlike the RCMP members with whom he will travel, this Bylaw Officer will not be armed, but will have a protective vest and radio. One of the issues to be assessed through this pilot project is the safety impact of this assignment. It remains to be seen whether individuals who come into contact with this team will recognize any distinction between the armed police officers and the unarmed bylaw officer, and whether or not the collaboration will increase safety risks for the Bylaw Officer.

There has been some discussion within the Division of the relative merits of creating a Level 3 Bylaw Officer position, a more highly qualified and trained role in which individuals could be deployed to address more complex and potentially hazardous enforcement duties. Part of this discussion has explored the provision of a greater complement of defensive tools (e.g. batons, pepper spray, conductive electrical weapons). Among the concerns raised in relation to these suggestions:
The enhanced risk of defensive tools being obtained by disturbed persons and used offensively against a Bylaw Officer;
- Risks of injury to bystanders and animals;
- Damage to property;
- The inability of Bylaw Officers to further escalate use of force beyond available defensive weapons, potentially in the face of increased confidence generated by these weapons;
- Increased liability risk to the City, including insurance and legal liability related to civil claims for (e.g.) assault and battery, use of excessive force, false arrest, false imprisonment, and negligent use of force.
- Cost of employing and deploying additional, more highly trained Bylaw Officers; and
- The safety risks created for Level 1 and Level 2 Officers who may be identified as a Level 3 Officers by a disturbed person but who will not have immediate access to equivalent defensive weapons.

In our increasingly litigious culture, there are a growing number of high-profile criminal and civil actions against trained police officers regarding controversial use of force, some of which relate to incidents with tragic outcomes (e.g. the Taser-related death of Robert Dziekanski, which resulted in the imprisonment of one of the RCMP officers involved). These are occurring even within the extensive provincial legal framework governing training, reporting and oversight for use of force by police officers – a framework that does not exist for Kamloops Bylaw Officers at the present time.
4 Policies and Procedures

4.1 Operational Policies and Procedures
The work of Bylaw Enforcement Division team members is guided by a policy and procedure framework that includes Safe Work Procedures; Policies approved by Kamloops City Council; and Divisional Standard Operating Guidelines. Current guidance documents are listed in Table 2 on the next page.

In the past year, considerable work has been completed in expanding and updating Standard Operating Guidelines, with the goal of providing clear direction and expectations for staff to achieve consistent enforcement practice. Divisional Guidelines related to parking and traffic control have been reviewed and updated in 2016; those related to Animal Control and non-parking bylaw enforcement activities are in the final stages of development in 2017.

Staff orientation and training are being re-aligned to ensure that they reflect and support consistent application of the Division’s policy and procedure framework. This alignment is the basis for strengthening the Division’s performance management and accountability processes, by providing a foundation of clear expectations. Training activities have also been aligned with priorities for performance (see section 5.5).

Given the diverse nature of duties and circumstances facing Bylaw Enforcement Officers, there can be an element of discretion involved in exercising Officers’ authority. In circumstances where discretion is exercised (based on threat assessment, knowledge and experience), officers are accountable for having and documenting a sound rationale for any deviation from strict enforcement actions and/or standard operating guidelines.

Safe work procedures and operating guidelines are subject to regular review and revision, based on changing circumstances and demands. The Division is implementing an annual review process to ensure procedures and guidelines remain current. While there is always an opportunity to improve and enhance such documentation, one particular opportunity appears evident, in relation to the current policy on complaints.

The word enforcement gives the perception, whether realized or not, of being heavy handed. At the end of the day Bylaw officials are not Police officers and need to utilize different tools and approaches to keep the peace.

Online survey respondent
<table>
<thead>
<tr>
<th>Safe Work Procedures</th>
<th>Approved Operating Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Loading the Crematorium</td>
<td>• Camping Permits</td>
</tr>
<tr>
<td>• Transient Camps</td>
<td>• Event Parking</td>
</tr>
<tr>
<td>• Dispatch Services with Kamloops Fire and Rescue</td>
<td>• Graffiti</td>
</tr>
<tr>
<td>• Filling Cap-Chur Syringe</td>
<td>• Maintenance (Pay Station)</td>
</tr>
<tr>
<td>• Transporting Aggressive Dogs for Euthanization</td>
<td>• Motorcycle</td>
</tr>
<tr>
<td>• Cleaning Dog Kennels</td>
<td>• Panhandling</td>
</tr>
<tr>
<td>• Personal Protective Equipment</td>
<td>• Parking on Boulevards</td>
</tr>
<tr>
<td>• Operating Electric Bone Grinder</td>
<td>• Snow Removal Downtown Core</td>
</tr>
<tr>
<td>• Radio Communications and Emergency Protocols Guideline</td>
<td>• Snow Deposited on Travelled Portion of Road</td>
</tr>
<tr>
<td>• Disposal of Needles</td>
<td>• Ticket and Tow at Tournament Capital Center</td>
</tr>
<tr>
<td>• Proper Fitting Safety Glasses</td>
<td>• Time Limits Parking</td>
</tr>
<tr>
<td>• Traffic Control</td>
<td>• Trailer Parking</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Council Policies</th>
<th>Operating Guidelines Under Development March 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Sidewalk Snow Clearance-Designated Business Districts and Other Areas (EDS-4)</td>
<td>• Injured Animals</td>
</tr>
<tr>
<td>• Complaints Policy - By-Law Enforcement (GGA-23)</td>
<td>• Noise Control</td>
</tr>
<tr>
<td>• Complaints for Unsightly or Nuisance Property (GGA-24)</td>
<td>• Panhandling</td>
</tr>
<tr>
<td>• Boarded Structures Policy (GGA-26)</td>
<td>• Parking on Boulevard</td>
</tr>
<tr>
<td>• Variance Application to Keep More Than Two Dogs (GGA-30)</td>
<td>• Sidewalk Snow Removal</td>
</tr>
<tr>
<td>• Aggressive Dog</td>
<td>• Too Many Dogs</td>
</tr>
<tr>
<td>• Barking Dogs</td>
<td>• Trailer Parking</td>
</tr>
<tr>
<td>• Cremations and Ashes</td>
<td>• Tranquilizer Gun</td>
</tr>
<tr>
<td>• Deceased Animals</td>
<td>• Transient Camps</td>
</tr>
<tr>
<td>• Dog at Large</td>
<td>• Transit Exchanges</td>
</tr>
<tr>
<td>• Dog Causing Injury</td>
<td>• Unlicensed Vehicles</td>
</tr>
<tr>
<td>• Dog Licenses</td>
<td>• Unsightly Property</td>
</tr>
<tr>
<td>• Dog or Cat Pickup from Owner</td>
<td>• Water Restrictions</td>
</tr>
<tr>
<td>• Foot Patrols</td>
<td>• General Pound Duties</td>
</tr>
<tr>
<td>• Found Bikes</td>
<td>• Graffiti Control</td>
</tr>
<tr>
<td>• Impoundments of Dogs</td>
<td>• Uninspected Vehicles</td>
</tr>
</tbody>
</table>

Table 2: Policies, Safe Work Procedures and Standard Operating Guidelines
Complaints Policy – Bylaw Enforcement GGA-23 addresses the advice of the BC Ombudsperson, namely that “creating and following a policy for complaints is something that all local governments can do, regardless of size”. 29 At the present time, this policy is brief and limited to four elements: identifying the information that must be provided by complainants and the ways that complaints may be submitted; committing to maintaining personal information in strict confidence; and stating the City’s right to not respond or seek resolution to certain (specified) types of complaints.

The BC Ombudsperson has noted several additional characteristics of an effective complaints policy, which could be addressed in a review and revision to the current Kamloops policy. 30 These include:

- Stating which staff will be responsible for receiving, recording and responding to complaints.
- Stating whether and how staff prioritize complaints for response.
- Setting out a process for recording each complaint and the outcome, and expected timelines for staff to respond to complainants.
- Listing steps staff must follow to assess a complaint and determine any necessary follow-up, including whether to investigate.
- Setting out procedures for dealing with frivolous, repeat or multiple complaints.
- Setting out a process for acknowledging a complaint and communicating the results to the complainant.

4.2 Bylaws and the Law

As described in section 2.2, the mandate of the Bylaw Enforcement Division is derived the authority of the Corporation of the City of Kamloops under provincial legislation, the Community Charter Act [SBC 2003]. The City has the power to enact new Bylaws within the scope of that legislation, and from time to time the Bylaw Division brings forward recommendations to Council for new Bylaws and regulations. These recommendations are based on legal advice and consideration of whether or not compliance and enforcement activities are consistent with Bylaw Officer capabilities.

From time to time, the Division also seeks legal advice in relation to emerging issues or situations where public complaints are increasing in frequency. Some of these deal with circumstances in which there is a public expectation of Bylaw Officer response, but which currently lie outside the scope of existing City bylaws, including (e.g.)

- Disruptive, obnoxious or intimidating behaviours that disturb the peace, quiet, rest, enjoyment, comfort or convenience of others. One example is panhandling from patrons of restaurants when seated at tables on sidewalk patios – locations not currently specified in the City’s panhandling bylaw.
- Regulation of persons or activities in or near public places, including “indecency” (e.g. urination and defecation in parks, and use of profane language).

Such reviews can lead to identification of opportunities for new Bylaws; for recommendations on amendments to existing Bylaws; or to identification of the need for public education to clarify that


30 Ibid.
response to a given issue is a criminal (police) matter as opposed to falling within the scope of duties of Bylaw Enforcement.

4.3 Identification and Personal Protective Equipment
As noted in section 3, Bylaw Officers’ duties sometimes include activities that may put them at real or perceived personal risk, including:

- Working alone or in isolated areas
- During the course of duties, risking assault or threatened with bodily harm
- Working outside regular business hours including weekend and/or evening shifts
- During the course of duties, having a significant amount of contact with emotionally charged, impaired, mentally disordered or violent persons
- Evicting trespassers or persons causing a disturbance on city or private property

Some of these duties are frequently recognized as having potential to expose a worker to violence. As such, employers are subject to WorkSafe BC OH&S Regulation Part 4.29 which requires policies, procedures and work environment arrangement to eliminate the risk to workers from violence, and, if elimination of the risk is not possible, procedures, policies and work environment arrangement are required to minimize the risk to workers.31

A number of tools and processes are in place to enhance the safety of Bylaw Officers working alone. These include GPS tracking of Division vehicles; safety timers; and provision of cellular phones and two-way radios (both portable and in vehicles).

Like other municipal employers, Kamloops also provides personal protective equipment for Bylaw Officers. Kamloops offers its Bylaw Officers the opportunity to wear body armour in the field, for stab and/or ballistic protection. However like most other BC jurisdictions, Kamloops does not currently issue protective equipment that has the potential to be used both defensively and offensively including pepper spray, batons and handcuffs.

Table 3 below presents a comparison between the identification and personal protective equipment currently used by Kamloops Bylaw Enforcement Officers and their counterparts in 47 cities, villages and districts around the province. 32 As noted, in Kamloops Officers are issued or have access to high visibility reflective wear; wear a uniform; have a first aid kit in department vehicles; complete first aid training; and are supported with monitored communications (fire services radio).

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32 Extracted from Williams and Bryant (LIBOA), 2015, Appendix 1, page 1. Summarizes data for 59 survey respondents representing 47 participating organizations from across BC, with additional detail provided by Kamloops Bylaw Enforcement Division.
### Table 3: Officer identification and personal protective equipment

<table>
<thead>
<tr>
<th>Positive Answers</th>
<th>Kamloops Bylaw Enforcement Officers</th>
<th>Officer Identification and Personal Protective Equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>49</td>
<td>Yes</td>
<td>Issued or have access to high visibility reflective wear</td>
</tr>
<tr>
<td>47</td>
<td>Yes</td>
<td>Wear a uniform</td>
</tr>
<tr>
<td>47</td>
<td>Yes</td>
<td>Have a first aid kit in vehicle</td>
</tr>
<tr>
<td>40</td>
<td>Yes</td>
<td>Have first aid training</td>
</tr>
<tr>
<td>17</td>
<td>Yes</td>
<td>Carry monitored communications (e.g., police or fire services radio)</td>
</tr>
<tr>
<td>17</td>
<td>No</td>
<td>Carry Oleoresin Capsicum (pepper) spray in the field³³</td>
</tr>
<tr>
<td>16</td>
<td>No</td>
<td>Carry a baton in the field²⁴</td>
</tr>
<tr>
<td>13</td>
<td>Yes</td>
<td>Wear body armour in the field³⁵</td>
</tr>
<tr>
<td>11</td>
<td>No</td>
<td>Carry handcuffs in the field³⁶</td>
</tr>
</tbody>
</table>

³³ OC spray (known as pepper spray) is a control agent that causes inflammation, edema and a hot sensation over the areas of contact. It is often carried for use against aggressive dogs, but considered a prohibited weapon when used to defend a worker from an assailant. Under Section 117.07 of the Criminal Code (BC), Peace Officers and Public Officers are exempt from this prohibition. Terms of use are recommended to be incorporated into a Safe Work Practice and/or Force Options policy for those bylaw enforcement services that issue OC spray to their officers. (Source: Williams and Bryant [LIBOA] April 2015, page 15)

³⁴ In addition to use as an impact weapon for self-defense purposes, a baton can also be used as a bite stick for defense against animals. (Source: Williams and Bryant [LIBOA] April 2015, page 15)

³⁵ Vests that with a varying level of protection (Source: Williams and Bryant [LIBOA] April 2015, page 14)

³⁶ Used to facilitate soft physical control of a person in danger of harming themselves, others, or fleeing custody. (Source: Williams and Bryant [LIBOA] April 2015, page 15)
5 Organizational Structure and Human Resources

5.1 Division Operating Structure

The Bylaw Division is part of the Department of Corporate Services and Community Safety within the City of Kamloops, as illustrated in the organizational chart in Figure 8.

In 2016, an intermediary supervisor position (reporting to the Manager) was eliminated. Today, in addition to oversight from the Division’s manager, supervision is provided for Parking (Bylaw Officers Level 1) by a single Crew Leader (weekdays) and a single Assistant Supervisor (weekdays) supervises Bylaw Officers (Level 2).

CONSISTENT AND ONGOING TRAINING OF STAFF IS A MUST, AND SELECTION OF STAFF IS VERY IMPORTANT. YOU NEED TO HAVE OFFICERS THAT ARE SUITED FOR ENFORCEMENT-TYPE WORK.

Online survey respondent

Figure 8: Reporting Structure
5.2 Qualifications

For Level 1 Bylaw Officers (parking) a minimum job requirement is successful completion of Level 1 training – a one week course. Level 2 Officers require an additional six months experience as bylaw officer in a municipal environment. Both levels are full time positions guaranteed 40 hours a week with benefits, under the terms of their collective agreement as members of the Canadian Union of Public Employees (CUPE) Local 900.

Vacant Bylaw Officer positions are posted both internally and externally. The majority of new Bylaw Division employees are internal candidates, transferring from another department within the City. When vacancies arise, typically the most senior qualified full time City employee with Level 1 training typically gets the job, even if there is an on-call candidate with more Divisional experience. Most City employee applicants with L1 training are offered a position after an interview and shortlisting process.

Anecdotally, encouraging employees to apply for Level 1 positions may in the past have been viewed as a way for other City departments to address the duty to accommodate individuals who are no longer able to perform the physical duties of other roles (in e.g. parks, maintenance, utilities, streets and other departments). More recently, enhanced performance management and fitness training expectations have been implemented by the Manager to improve the overall level of Officer capacity.

External candidates most often join the Division as a Level 1 officer in an on-call capacity. On-call Level 1 officers are hired to cover vacation and sick time, temporary operational needs and to back-fill regular staff attending training. On-call Bylaw Officers are casual employees, with no guarantee of hours of work or benefits.\(^\text{37}\) These on-call officers who joined the Division as external candidates often amass considerable on-the-job experience, but applicants without bylaw experience applying from other City departments get hiring priority due to seniority provisions in their collective agreement.

Within the constraints of the collective agreement, Division Management continues to work with City Human Resources staff to enhance job-readiness and strengthen recruitment criteria, including consideration of standardized physical requirements and psychological testing for Bylaw Officer applicants. Further details of the Department’s current career pathway are provided in Appendix E.

As with all City employees who deal with the public and particularly vulnerable people, a Criminal Records Check is required as a condition of employment. Because they are not police, Bylaw Officers are not currently required to meet any standards for enhanced security.

In April, a pilot project will be undertaken whereby one Level 2 Bylaw Officer is assigned to work alongside RCMP members and City of Kamloops Community Safety Division staff, at the Kamloops Community Policing Office on the North Shore. The Officer assigned has been required to demonstrate enhanced reliability (a level of RCMP security clearance) to that he can attend RCMP watch briefings and be privy to the details of active investigations.

Unlike the RCMP members with whom he will travel, this Bylaw Officer will not be armed, but will have a protective vest and radio. One of the issues to be assessed through this pilot project is the safety impact of this assignment. It remains to be seen whether individuals who come into contact with this team recognize any distinction between the armed police officers and the unarmed bylaw officer, and whether or not the collaboration will create increased risk for the Bylaw Officer.

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\(^\text{37}\) On-call employees who work more than 510 hours over seventeen consecutive weeks are entitled to receive for full benefits.
5.3 Workload

When phone calls are received, or requests for action are made to the Bylaw Division in person, they are recorded as calls for service (CFS). Staff strive to provide an initial response to any call for service within 24 hours, a standard that is reported to have been maintained over the past five years.

Unfortunately not all citizens find that standard to be reasonable. Some comments submitted as part of the public survey conducted for this review reflected expectations of response times that may not be realistic given available staffing.

As part of this review, requests for multi-year workload data were submitted to the Division. However a number of significant barriers were identified that made it impossible to generate a reliable multi-year workload comparison, including:

- The absence of reliable information regarding past workload tracking methodologies, processes and reporting mechanisms, compared to those used today
- The current approach to Division workload tracking, which relies on Officers entering reports into a system that captures the time entries are created rather than the time of a given CFS – rendering it impossible to track peak workload hours with any accuracy
- Inability to differentiate between unique cases (i.e., one bylaw infraction with six related CFS from different complainants, or six different infractions)

Figure 9 below lists some common categories of calls for service and other activity measures, and the general trend in these activities reflected in available data since 2014. Over the past three years, there is some evidence to indicate that complaints (calls for service) are increasing each year, while the number of public enquiries (general information calls or public requests for information at the Bylaw Service Centre) has decreased. However changes do not necessarily reflect increases or decreases in violation – they may reflect changes in enforcement emphasis in a given period. For example, panhandling calls for service decreased in 2016 due to an increase in deterrent activity and proactive foot patrols.

<table>
<thead>
<tr>
<th>Topic of calls for service</th>
<th>Activity volume change 2014 to 2016</th>
<th>Other activity measures</th>
<th>Activity volume change 2014 to 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal control</td>
<td>↔</td>
<td>Bylaw court activity</td>
<td>↓</td>
</tr>
<tr>
<td>Graffiti on public property</td>
<td>↑</td>
<td>Dogs impounded</td>
<td>↓</td>
</tr>
<tr>
<td>Graffiti on private property</td>
<td>↑</td>
<td>Dog licenses sold</td>
<td>↑</td>
</tr>
<tr>
<td>Panhandling</td>
<td>↓</td>
<td>Paid parking and permit revenue</td>
<td>↑</td>
</tr>
<tr>
<td>Transient camps</td>
<td>↑</td>
<td>Fine revenue</td>
<td>↔</td>
</tr>
<tr>
<td>Unsightly property</td>
<td>↓</td>
<td>Warning issued</td>
<td>↑</td>
</tr>
</tbody>
</table>

Figure 9: Workload indicator trends 2014 to 2016

38 City of Kamloops Corporate Services and Community Safety Department Annual Report 2015 (February 2016)
However, counting calls for service is not a robust proxy for workload, for at least two reasons. First, a considerable amount of a Bylaw Officer’s work is proactive – foot patrols, educating and engaging the public, and otherwise ensuring visibility. While public satisfaction with the Division’s work is significantly enhanced by these activities, they do not readily lend themselves to recording or assessing impact. Bylaw infractions that are prevented are difficult to count, yet there is good reason to believe that highly visible bylaw officers will contribute to a reduction in (e.g.) panhandling on city streets. CFS can also be proactive (officer initiated) where total numbers recorded may reflect a decision to prioritize enforcement in certain areas.

And in the case of responses to calls for service, all calls are not equal when it comes to the effort required to investigate and address the concern. Ticketing for a watering fine requires a very different level of response and staff time compared to (for example) collaborating with the RCMP on the disruption of a transient camp.

In an environment of limited resources, the Division’s priority focus is on responding to calls and complaints. Proactive prevention and enforcement are a second priority, once citizen concerns have been attended to.

5.4 Deployment and Staffing Levels

As noted in the organizational chart above, Division staff consist of a Manager, office/administrative support staff, and Officers. As of March 1, 2017, the Division employed a total of 20 FTEs, an on-call roster of 14. There are no vacancies, but to ensure availability of a full complement of officers at all times, ongoing recruitment and training.

Deployment of Officers is constrained by increasing numbers of requests for designated assignments regardless of calls for service, including two Officers on bicycles in the summer and one Level 2 Officer designated to the North Shore on a six-month assignment at the RCMP Community Policing Office.

Per-capita staffing could not be readily compared for Kamloops in relation to other similar sized BC/Canadian cities. Service levels and expectations vary according to the community’s bylaws, scope of Bylaw services and the specific priorities and direction of a given municipal government. In the public survey undertaken as part of this review, we heard from some stakeholders who believe that there are too many, under-utilized Bylaws staff in Kamloops – while others expressed the view that staffing is insufficient to meet community needs and priorities.

5.4.1 Supervision

The Community Safety and Enforcement Manager position is the only role in the division that is excluded from the bargaining unit. The Manager’s hours are weekdays 0800 to 1630 (actual workdays are often longer), plus on call response for emergencies nights and weekends.

Parking (Bylaw Officers Level 1) are supervised by a single Crew Leader Monday through Friday 8:30 to 4:30, while Bylaw Officers (Level 2) are supervised by single Assistant Supervisor Monday through Friday 8 am to 4 pm. Officers on duty on weekends, before 8 am and after 4:30 pm do not have regular supervisory support. However, the Community Safety and Enforcement Manager is on call to provide guidance on an urgent basis.
5.4.2 Office/Administrative Support

The office/administrative support staff complement consists of three FTEs: two clerks and one Bylaw Court coordinator. These bargaining unit employees work weekdays 8:30 to 4:30 (8 to 4 in the summer per collective agreement).

5.4.3 Bylaw Officers

Bylaw Division Officers are deployed seven days a week, with two additional personnel during peak daytime hours Monday through Friday (one Officer and one Crew Leader) 0800 to 1600.

- **Level 1 Bylaw Officers** (Parking) are deployed between 0830 am and 1730 pm Monday to Friday or Tuesday to Saturday. Current funding is for four FTEs Level Officers, and one FTE Crew Leader. Additional officers are provided on a direct-bill basis to support other City departments on request, e.g. hockey games, concerts, and other community events.

- **Level Two Bylaw Officers** are deployed between 0700 am and 11 pm seven days a week (7 to midnight summer hours). Currently there are 10 FTEs funded for Level Two Officers, plus one Assistant Supervisor. Additional funding is provided through internal transfers from other City departments for water administration (usage, wastage, illegal water disposal) and one for transit exchanges (deterrent and enforcement presence at the North Shore and Lansdowne bus exchanges, which in the past had been plagued by nuisance behaviour and loitering).

For Level 2 Officers, the current deployment pattern results in peak coverage of six personnel (five officers and one Crew Leader) between the hours of 2 pm and 4 pm Tuesday through Saturday, and minimum coverage of at least two officers, seven days/week, between 7 am and 11 pm (one hour later in summer). The Crew Leader is currently present in a supervisory role only for one eight-hour shift Monday through Friday.

Officers and the Manager share a number of concerns regarding Level 2 officer deployment, supervision and staffing levels, including the need for more consistent shift patterns and a desire to adjust all shifts to 12 hours in length. These concerns correspond with a number of issues raised by citizens, businesses and other City departments regarding the need for more coverage during peak times.

Exploration of options to address these priorities has resulted in development of a proposal that would shorten the overall duration of coverage on most days (to 7 am to 9 pm rather than 11 pm). Reassignment of resources would result in peak coverage of six personnel (five officers and one Crew Leader) between 9 am and 7 pm seven days/week (compared to the current peak coverage of six personnel over just two hours between 2 and 4 pm weekdays). Under the proposed plan, lesser coverage (between 2 and 4 personnel) would be offered only between 7 and 9 am, and 7 and 9 pm.

Figure 10 below contrasts the existing shift pattern and the alternate proposal. The new option illustrated features a consistent shift pattern for all Level 2 Officers and Crew Leaders (four days on, four days off) and 12 hour shifts for all. The Crew Leader would be scheduled 0800 to 2000, providing supervisory oversight for all except the first and last hours. Another advantage of this approach is that it matches the pattern of the Kamloops RCMP watch and could allow Crew Leaders (with appropriate security clearances being achieved) to attend RCMP watch briefings at 7 pm, to enhance liaison and communication with local police.

Analysis of the budgetary impact of the proposed changes in shift patterns and supervision reveals that they could also result in a savings of an estimated $45,000 annually (details are provided in the
Recommendations section of this report). These savings could be reallocated to address other operational demands such as foot patrols and special projects, without requesting increased funding to the Division.

### Level 2 Bylaw Officer Staffing

**CURRENT DEPLOYMENT**

<table>
<thead>
<tr>
<th>Days</th>
<th>Peak Staffing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0 0 0 1 1 1 1 1 1 1 1 1 1 1 1 2 2 2 2 2 2 2 2</td>
</tr>
<tr>
<td>7</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>7</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
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<td>8</td>
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<tr>
<td>9</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>0</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0700-1900</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0700-1500</td>
</tr>
<tr>
<td>5 (T-S)</td>
<td>1 FTE 0800-1600</td>
</tr>
<tr>
<td>5 (T-S)</td>
<td>1 FTE 0800-1600 Crew Leader</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 1100 to 2300*</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 1500 to 2300*</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 1400 to 2200</td>
</tr>
<tr>
<td>Total on shift</td>
<td>2 4 4 5 5 5 6 6 4 4 4 3 3 3 2 1</td>
</tr>
</tbody>
</table>

*One hour later in summer, 1200 to midnight

**PROPOSED DEPLOYMENT**

<table>
<thead>
<tr>
<th>Days‡</th>
<th>Peak Staffing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0 0 0 1 1 1 1 1 1 1 1 1 1 1 1 2 2 2 2 2 2 2 2</td>
</tr>
<tr>
<td>7</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>7</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>7</td>
<td>0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0800-2000 Crew Leader</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0700-1900</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0700-1900</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0900-2100</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0900-2100</td>
</tr>
<tr>
<td>7</td>
<td>1 FTE 0900-2100</td>
</tr>
<tr>
<td>Total on shift</td>
<td>2 3 6 6 6 6 6 6 6 6 6 6 6 6 6 4 3 0 0 0 0</td>
</tr>
</tbody>
</table>

‡ Four days on, four days off, matching RCMP watch. Crew leader available to attend RCMP watch briefing at 7 pm

*Figure 10: Current and proposed staff deployment for Level 2 Bylaw Officers*
5.5 Training

Because of the minimal training requirements for Level 1 Parking Officers (a one week course), and the increasing complexity of Bylaw Officer work, ongoing development and training are essential to equip staff to function effectively and safely in the Division. Essentially the Division takes new employees and creates Bylaw Officers through training and mentorship, rather than being able to hire fully qualified officers.

Table 4 below summarizes three years of training activity for Division staff, supervisors and managers, described in four categories of training relating to animal control skills; management/leadership skills; officer skills; and developing and maintaining a safe and respectful workplace.

Most recently, the focus of training activity has been on achieving a common level of knowledge and expertise in core skills across all Bylaw Officers, and on creating a safer, more respectful work environment in the Division. The emphasis on safe and respectful workplace addresses the City’s recognition of the real risk of violence in the workplace, in keeping with WorkSafe requirements. Officer participation is essential to maintain their growth and development, to meet WorkSafe requirements, and to ensure their own safety and that of their peers in the course of their duties.

<table>
<thead>
<tr>
<th>Training/Development by Type/Topic</th>
<th># Bylaws staff completed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2014 to 2016</td>
</tr>
<tr>
<td><strong>Officer skills</strong></td>
<td>124</td>
</tr>
<tr>
<td>Bylaw Level 2 training</td>
<td>5</td>
</tr>
<tr>
<td>CISM-1010- Demobilization, Defusing and Crisis Management Debriefing</td>
<td>1</td>
</tr>
<tr>
<td>CPTED Level 1 or 2</td>
<td>5</td>
</tr>
<tr>
<td>DG 7 pay station training</td>
<td>12</td>
</tr>
<tr>
<td>Disability Awareness and CMHA guest speakers</td>
<td>23</td>
</tr>
<tr>
<td>Emergency Operation Center</td>
<td>22</td>
</tr>
<tr>
<td>Ipass training at TCC</td>
<td>1</td>
</tr>
<tr>
<td>Level 2 training - Focus Institute</td>
<td>2</td>
</tr>
<tr>
<td>LIBOA Conference-traffic control</td>
<td>3</td>
</tr>
<tr>
<td>Mental Health First Aid*</td>
<td>19</td>
</tr>
<tr>
<td>MS Office training (Excel or Word)</td>
<td>2</td>
</tr>
<tr>
<td>Tempest training</td>
<td>6</td>
</tr>
<tr>
<td>Traffic Control training w/ RCMP</td>
<td>23</td>
</tr>
<tr>
<td><strong>Professional development</strong></td>
<td>8</td>
</tr>
<tr>
<td>LIBOA Conference</td>
<td>8</td>
</tr>
</tbody>
</table>

*Table continues over*
<table>
<thead>
<tr>
<th>Training/Development by Type/Topic</th>
<th># Bylaws staff completed 2014 to 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal control</td>
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<tr>
<td>Dog training</td>
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<tr>
<td>Hen Training</td>
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<td>Standard of Care training</td>
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<tr>
<td>Management skills</td>
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<tr>
<td>Coaching Workshop</td>
<td>2</td>
</tr>
<tr>
<td>Corporate Fleet training</td>
<td>1</td>
</tr>
<tr>
<td>Crew Leader Trailing: Leadership training w/ Shane Jensen</td>
<td>1</td>
</tr>
<tr>
<td>Crew Leader training: Anti-bullying and harassment workshop*</td>
<td>2</td>
</tr>
<tr>
<td>Crew Leader training: Courageous Conversations workshop</td>
<td>3</td>
</tr>
<tr>
<td>Crew Leader Training: Ipass Training at TCC</td>
<td>1</td>
</tr>
<tr>
<td>Crew Leader training: Safety workshop</td>
<td>1</td>
</tr>
<tr>
<td>Crew Leader training: Stepping up to Supervision</td>
<td>1</td>
</tr>
<tr>
<td>DG7 Crew Leader training</td>
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</tr>
<tr>
<td>Disability and Attendance Management - Leadership</td>
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<tr>
<td>Leadership- Making Leaders Shine</td>
<td>1</td>
</tr>
<tr>
<td>Media training</td>
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<tr>
<td>Safe and respectful workplace</td>
<td>126</td>
</tr>
<tr>
<td>Anti-bullying and harassment*</td>
<td>21</td>
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<tr>
<td>CISM-1000- Introduction to Critical Incident Stress Management</td>
<td>1</td>
</tr>
<tr>
<td>CISM-1005- Diversity and Trauma</td>
<td>1</td>
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<tr>
<td>Contractor Safety Management</td>
<td>1</td>
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<tr>
<td>First Aid training</td>
<td>5</td>
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<tr>
<td>Prevention of Workplace Violence training*</td>
<td>22</td>
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<td>Safety Committee training</td>
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<tr>
<td>Self-protection training Aberdeen Judo</td>
<td>37</td>
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<tr>
<td>Snake Training at Wildlife Park</td>
<td>25</td>
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<td>WHMIS training</td>
<td>12</td>
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<tr>
<td><strong>Grand Total</strong></td>
<td><strong>316</strong></td>
</tr>
</tbody>
</table>

*This training contributes to safe and respectful workplace, Officer and Management skills

Table 4: Bylaw Division Training Summary 2014 to 2016
Multi-focal professional development activity is also noted in the table, described as attendance at the annual conference of the Licence Inspector's and Bylaw Officer's Association of British Columbia (LIBOA). A wide variety of seminars and peer learning opportunities are offered at this meeting; for example, in 2017, sessions will include discussion of a selection of job-relevant topics including:

- Court Collections
- Property Standards
- Marijuana Dispensaries
- Impoundment and Seizure
- Case Law - Review and Updates
- Legal Solutions to Homeless Encampments
- Police and Bylaw Integration
- New Animal Responsibility Bylaws
- Animal Control – Officer Safety, Capture Techniques and Tools
- PTSD
- Officer Safety
- Search Warrants
- Dealing with Mental Health
- SPCA – Critical Distress and Working Together

Division staff have expressed the view that consistent and sufficient training has been a challenge for both new and continuing employees. The result is perceived to be a lack of consistent approach to all files: without a shared frame of reference provided by robust training, a variety of individual perspectives can coexist with regards to how certain jobs or tasks should be accomplished. 39

Subject to availability of required resources, future training and development plans are anticipated to further enhance clear expectations and accountability for performance, with an emphasis on enhanced supervisory skills. Another priority for development identified by Division staff relates to the need for improvements in internal communication, both between supervisors and staff, and between staff members.

6 Budget

Bylaw enforcement generates revenue for the City of Kamloops, but overall the cost of services provided by the Division significantly exceed the total funds generated by parking, dog licenses and fines. Like many other City services, bylaw enforcement is a public good subsidized by tax revenues. Assessment of the Division’s efficiency, effectiveness and contributions to quality of life in the City are all parts of the value proposition offered in exchange for resources utilized.

The annual budget of the Bylaw Division (2016/17) is approximately $3,100,000, with approximately 60% of expenses being salaries and benefits. Major non-labour costs are vehicles and their operations; and postage (for mailing dog license renewal reminders and mailing license tags).

- Parking control services account for approximately $1.4M, of which $228,000 is taxpayer funded and the balance is earned revenue from parking fees. Labour costs for parking control services are approximately $600,000 annually.

- Bylaw services associated with peace, order, animal control and other non-parking public safety matters account for approximately $1.4M. Of this total, approximately $1.1M is taxpayer funded within the Corporate Services and Community Safety budget, with the balance being transferred from other City departments and earmarked for delivery of specific programs or services (e.g., water, transit, special events).

- Dog licensing generates approximately $300K revenue from the sale of about 7,000 licenses annually.

- The budget for Bylaw Court budget activities (including staff) is approximately $300K/year, primarily made up of staff costs.

It is challenging to compare per-capita cost of providing bylaw services to Kamloops as contrasted with other similar sized BC/ Canadian cities. While absolute dollar cost comparisons are possible, they are likely misleading, since service levels and expectations vary according to the community’s bylaws, scope of Bylaw services and the specific priorities and direction of a given municipal government. For example, in some communities, parking control services are contracted out so their costs are excluded from bylaws department staffing and revenues.
7 Findings and Recommendations

A. Stakeholder expectations

Finding: Results of the online survey and focus group consultations conducted for this review are not definitive, however they reflect the conclusions already reached by Kamloops Bylaw Division management and staff, namely that partners, stakeholders and public views of Division activities is sometimes characterized by lack of knowledge, incorrect assumptions and misinformation. This can result in public and employee frustration and dissatisfaction, as well as consumption of Division resources in the effort to assist and re-direct complainants.

Recommendation A1: The Kamloops Bylaw Division should collaborate with the City’s Communications & Community Engagement team to deliver a public education campaign that increases and improves the accuracy of citizens’ knowledge and expectations of the Division. Consideration should be given to integrating this public education campaign with the roll-out of the new “Good Neighbour” Bylaw, which provides an opportunity to raise awareness of the complementary roles of different parties in improving community safety.

Recommendation A2: All Kamloops Bylaw Officers and administrative staff should play an integral role in designing and delivering the public education campaign recommended above. As the faces and voices of Bylaws, they are the most effective vehicle for sharing key messages and obtaining feedback on public reaction.

Recommendation A3: Development of the public education strategy should include consideration of a change of name and “personality” for the Bylaw Enforcement Division. Considerable interest and approval was expressed for the proposal of rebranding the Division as “Kamloops Bylaw Services” – emphasizing the role of the team in providing service to the community, and reducing a primary focus on their punitive/enforcement role.

B. Performance, activities and outcomes

Finding: There are no means to make an objective assessment of the current performance of the Division. Results of the online survey and focus group consultations conducted for this review suggest moderate levels of public satisfaction, however the survey was not a random sample and may have in fact attracted a disproportionately high number of people with specific attitudes or concerns with Bylaw services. When partners work closely with the Division, they tend to have a more accurate and more positive view of Bylaws’ performance.

Recommendation B1: The Kamloops Bylaw Division should develop a logic model for each of its services and programs, to identify the link between activities and expected outcomes, and to
facilitate improved objective measurement and reporting on performance in relation to those expected outcomes.

**Recommendation B2:** Annual training and development plans should be developed for the Division collectively and for each Officer individually, to further enhance clear expectations and accountability for performance, with an emphasis on officer safety and enhanced supervisory skills.

C. **Scope of service**

**Finding:** Given the continuing pressure on municipal budgets, and the increasing complexity of public safety concerns, some jurisdictions are considering addition of a new level of civilian law enforcement officers with more defensive tools (e.g. guns, pepper spray and others that have potential for offensive use) and a higher standard of training than a Bylaw Officer but less than a sworn police officer.

**Recommendation C1:** The Kamloops Bylaw Division should not create a Level 3 Bylaw Officer role, and should maintain its current practice of providing defensive equipment (e.g. body armour) and training staff to disengage from potentially dangerous situations.

**Recommendation C2:** The public education campaign proposed above (Recommendation #1) should include clear messaging to distinguish between the role of Police Officers and Bylaw Officers, particularly in relation to issues to which both groups respond (e.g. transient camps) and where both play an enforcement role (e.g. noise complaints).

**Finding:** Bylaw Officer safety remains an ongoing priority and responsibility of the City of Kamloops. Enhancing the link between supervisors, peers and officers is one way to enhance safety of officers working alone.

**Recommendation C3:** The Kamloops Bylaw Division should evaluate the cost-benefit of purchasing and installing personal safety apps for officers’ mobile phones. Features offered by this emerging class of tools include panic alarms, check-in/check-out monitoring, GPS locating, audio monitoring and summary reporting (for ongoing risk assessment and to identify training needs).

**Recommendation C4:** The Kamloops Bylaw Division should implement policies and procedures on appropriate use of force, including supervision, oversight, accountability and discipline procedures.

**Recommendation C5:** To support and promote and develop and implement a training program to support Bylaw Officers compliance with policies and procedures on appropriate use of force.

**Recommendation C6:** The Kamloops Bylaw Division should develop and implement policies and procedures on debriefing and reporting all incidents in which a Bylaw Officer comes into direct physical contact with a person in the course of duty.

D. **Managing demand for service**

**Finding:** Inconsistent and incomplete workload data make it difficult to determine whether or not Kamloops has experienced substantial increases over time in demand for Bylaw services.

**Recommendation D1:** The Kamloops Bylaw Division should identify and implement a robust workload data management solution (perhaps including through a survey of peer departments’ practices) that will generate reliable and flexible reporting on key metrics to accurately capture
changes in demand for service. Such a system should also facilitate analysis of workload for accurate assessment of staffing requirements and more effective deployment.

**Finding:** An opportunity exists to clarify and enhance the existing policy relating to receipt and management of complaints.

**Recommendation D2:** The current Policy no. GGA-23 (amended June 28, 2011) should be reviewed with the goal of creating a more comprehensive and robust document that reflects all components recommended by the Office of the Ombudsperson as required for an effective complaints policy.

**Finding:** As with many public safety and community wellness concerns, citizens often make the assumption that “more” is needed on the enforcement side of bylaw services. In reality, prevention and diversion activities may be more appropriate or effective in reducing the circumstances for which increased enforcement is desired.

**Recommendation D3:** The public education campaign recommended in Recommendation #1A above should include promotion of the role of citizens, business owners and community organizations in working together to make Kamloops safer and more inviting.

**Finding:** The service area most likely to be noted by citizens as needing improvement was public complaints and safety concerns about panhandling and transient camps and unpredictable behaviours on the streets related to mental health and substance abuse. While bylaw enforcement may deal in the short term with disruptive behaviours, the solution they provide is reactive and short term – often it amounts to little more than moving the location of related concerns, particularly in the case of transient camps. Alternatives, such referrals to affordable housing, and access to mental health and substance use treatment and support services, are chronically lacking.

**Recommendation D4:** Continue to collaborate with service delivery partners on referral and diversion of persons with complex concerns to wraparound services, while ensuring all Level 2 Bylaw Officers are appropriately trained to safely and effectively respond to these challenging cases without inadvertently escalating the risk of violence or injury.

**Finding:** The current staffing deployment model for Level 2 Bylaw Officers is inconsistent and does not provide regular supervisory support for staff working evenings and weekends.

**Recommendation D5:** The proposed revisions to staff deployment should be implemented by the Division, to adjust all Level 2 shifts to 12 hours in length and achieve more consistent shift patterns, including for Supervisors to achieve improved access to direct supervisory support on all shifts. (See also recommendation E2.)

**Finding:** The current recruitment criteria for the Division based primarily on seniority is inappropriate and does not allow for the prioritization of the most qualified, best suited candidates for Bylaw Officer.

**Recommendation D6:** The Kamloops Bylaw Division should collaborate with the City’s Human Resources team to develop and implement revised recruitment criteria for Bylaw Officers that balance seniority with other priority characteristics including psychological and physical fitness for the work. In particular, this should include initial screening and periodic review to ensure that Bylaw Officers have appropriate physical and psychological attributes for dealing effectively with potentially violent or troubled individuals and potentially unsafe situations.
E. Reducing number and costs of inputs

Finding: More than half of costs incurred by the Bylaw Division are related to people: labour and benefits. Thus, as with many public services, any substantial input cost reduction means cutting hours or jobs. At the same time, the Division is experiencing an increase in requests from other City stakeholders for assignment of dedicated resources to specific duties or locations (e.g. Parks, Water, the North Shore Community Policing Office, traffic control, transit exchanges and special event support). Responding to these requests further reduce the flexibility of the Division to address all other activities and priorities.

Recommendation E1: In a growing community with increasingly challenging public safety and social problems, making further reductions to resources for Bylaw Enforcement services is not advisable. On the contrary, this review heard several calls for more resources (staff) for the Division. Once better longitudinal data is available regarding demand for service and performance outcomes (see Recommendations 2 and 5A), this question may be revisited in the light of more reliable information about return on public resources invested in Bylaw services.

Recommendation E2: The proposed revisions to staff deployment should be implemented by the Division, to adjust all Level 2 shifts to 12 hours in length including for Supervisors (as per Recommendation D5 above). The annual cost to upgrade the current crew leader and create one new crew leader position is estimated at $105,724. To change all other level 2 Bylaw Officer positions to 12 hour shifts would result in an additional cost of $28,283 annually. Thus the total cost of these changes is estimated at $134,007. Costs budgeted for positions currently vacant in Bylaw Enforcement total approximately $179,058. The net difference between the cost of these budgeted positions and the estimated cost of the changes is a savings of $45,051 annually. These funds could be reallocated to address other high priority operational demands such as (e.g.) additional foot patrols and special projects, without requesting increased funding to the Division.

F. Alternative ways of delivering service

Finding: Adoption of the Bylaw Dispute Adjudication has allowed other BC municipalities to manage bylaw disputes locally rather than through the provincial courts system. This approach simplifies the dispute process, is more convenient for disputants, reduces ticket dispute time, and may help ensure bylaw compliance by expediting resolutions. Managed properly, it offers municipalities a more cost effective and efficient system for managing bylaw disputes.

Recommendation F1: The City of Kamloops should undertake a cost-benefit analysis/feasibility study to assess the potential cost and workload impact of adopting the Bylaw Dispute Adjudication approach to divert disputes from Bylaw Court.

Finding: Results of the public opinion survey provide a preliminary indication that there is support for increasing the number of bylaw-related functions that are available to the public online. More and more people expect to be able to access commercial and public services online at the time and place of their choosing (24/7, at home, work or via smart-phone on the go).

Recommendation F2: As part of the public education program proposed above (Recommendation #1), upgrade and enhance the Bylaw Division website to include more information on the scope of the services provided, with dynamic off-page links to frequently requested services that are NOT provided by the Division (e.g. when and how to reach the RCMP, Wildlife services, etc.).
**Recommendation F3:** A feasibility study should be commissioned to determine the risks and benefits of offering the following Bylaw Division services through an online portal:

- Filing complaints/requests for service and obtain status updates on past filings (although providing the ability to file complaints anonymously is NOT recommended).
- Paying parking tickets and fines, reviewing and disputing tickets
- Purchase of dog licenses (currently, only renewals can be processed online)
- Dynamic reporting of Bylaw Division activities, to raise public awareness of the scope and impact of staff activities.

**Recommendation F4:** Upgrade the current payment system (Tempest) so the public can access the system and purchase permits and passes online without a personal visit to the Bylaws office.
8 The Future of Kamloops Bylaw Enforcement

This final section is not, strictly speaking, part of the service level and operational review. Rather, it is a strategic framework, the first step towards a strategic plan for the Bylaw Enforcement Division, based on the review consultation process, findings and recommendations. This strategic framework reflects the following components of a strategic plan:

- **Mission**: the purpose of the Bylaw Enforcement Division
- **Vision**: the future that the Bylaw Enforcement Division works to create for those who live, learn, work and play in Kamloops
- **Priorities**: the major areas of operational focus for the Bylaw Enforcement Division over the next five years, which together encompass all the Division’s activity
- **Objectives**: the component parts of each of the Division’s priorities

Figure 11 on the next page presents a proposal for these first four components of the plan – the Mission, Vision, Priorities and Objectives – followed by more details on the four Priorities and their 13 component Objectives.

To complete the strategic plan, the following components will require development by the Division:

- **Values**: The non-negotiable guiding principles that guide the decisions and actions of all Division employees.
- **Outcomes**: Measurable targets for each of the Objectives.
- **Activities**: The initiatives to be pursued within each Objective that will achieve the targeted outcomes.

The strategic framework proposes incorporating a rebranding of the Division to “Kamloops Bylaw Services”, as discussed above in recommendation A3. Several other recommendations are integrated into the framework directly or have informed the Objectives proposed as key to pursuit of each Priority, as summarized in Table 5.
### Our Mission:
Bylaw Services promotes compliance with the bylaws and regulations of the City of Kamloops, through education, partnership and enforcement.

- **Promote a safe, peaceful and orderly community**
- **Optimize efficiency and effectiveness**
- **Support and develop our people**
- **Engage citizens and partners to pursue shared goals**

### Our Vision:
A peaceful and orderly community where people comply with reasonable guidelines to benefit all, or face fair, consistent consequences.

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**Table 5: Linking recommendations to the strategic framework**

<table>
<thead>
<tr>
<th>Priority</th>
<th>Objectives</th>
<th>Related Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promote a safe, peaceful and orderly community</td>
<td>Service</td>
<td>C1</td>
</tr>
<tr>
<td></td>
<td>Education</td>
<td>A1, A2, A3, C1, C2, D3</td>
</tr>
<tr>
<td></td>
<td>Partnership</td>
<td>C1, C2, D2, D3</td>
</tr>
<tr>
<td>Optimize efficiency and effectiveness</td>
<td>Supervision</td>
<td>D5</td>
</tr>
<tr>
<td></td>
<td>Accessibility</td>
<td>F2, F3, F4</td>
</tr>
<tr>
<td></td>
<td>Outcomes</td>
<td>B1, D1, E1</td>
</tr>
<tr>
<td></td>
<td>Efficiency</td>
<td>D1, D5, E1, F1</td>
</tr>
<tr>
<td>Support and develop our people</td>
<td>Safety</td>
<td>C1, C3, C4, C5, C6, C8</td>
</tr>
<tr>
<td></td>
<td>Training</td>
<td>B2, C4, C5</td>
</tr>
<tr>
<td></td>
<td>Recruitment</td>
<td>D6</td>
</tr>
<tr>
<td>Engage citizens and partners to pursue shared goals</td>
<td>Responsibilities</td>
<td>A1, A2, A3, C1, C2</td>
</tr>
<tr>
<td></td>
<td>Expectations</td>
<td>C1, C2</td>
</tr>
<tr>
<td></td>
<td>Collaboration</td>
<td>D3, D4</td>
</tr>
</tbody>
</table>

*Figure 11: Draft Mission, Vision, Priorities and Objectives*
Priority: Promote a safe, peaceful and orderly community
The Bylaw Enforcement Division (Bylaw Services) exists to promote compliance with the bylaws, regulations and programs of the City of Kamloops, and this priority recognizes the range of activities that are at the core of the Division’s work to encourage and ensure the public acts in accordance with Kamloops bylaws. The proposed objectives to be pursued to further this priority are:

- **Service**: Respond to calls for service and continue to react promptly to public complaints, maintaining current response rates and quality of service.
- **Education**: Maintain and enhance proactive enforcement and safety promotion activities.
- **Partnership**: Sustain positive going partnerships with other law enforcement agencies (RCMP, CN/CP Rail Police), including clarifying respective scope of responsibilities and working relationships.

Priority: Optimize our efficiency and effectiveness

As a public service, the Bylaw Enforcement Division is committed to providing efficient, effective services that maximize public resources. To date, inadequate data has impeded the ability to demonstrate results consistent with this commitment. This priority combines four objectives that improve tracking, analysis and reporting with other activities to improve efficiency and enhance public access to Bylaw services:

- **Supervision**: Redeploy Level 2 Officers to enhance supervision and increase consistency of shift patterns, and to increase the safety of officers working alone.
- **Accessibility**: Enhance online service delivery to the public, including enhancing information available through the Bylaws website and investigation of options for increasing the number of bylaw-related services and functions available to the public online.
- **Outcomes**: Develop a logic model for each of the Division’s services and programs, to identify the link between activities and expected outcomes, and to facilitate improved measurement and reporting on performance in relation to those expected outcomes.
- **Efficiency**: Implement a robust workload data management solution that will generate reliable and flexible reporting on key metrics to accurately capture changes in demand for service, and to facilitate analysis of workload for accurate assessment of staffing requirements and more effective deployment.

Support and develop our people

The consultation process conducted for this review confirmed the Division’s understanding that success relies on the people who deliver service. This priority focuses on recruiting the right people; providing development to ensure they have the skills and knowledge required for the work; and maintaining our commitment to their safety in an increasingly unpredictable work environment. Three specific objectives are proposed:

- **Safety**: Optimize employee safety including through a comprehensive approach that includes, e.g. on-going self defense training, critical incident debriefing and analysis, continued provision of defensive equipment, and policies that stress de-escalation and disengagement in high-risk situations.
• **Training:** Develop training and development plans for the Division collectively and for each Officer individually, to further enhance clear expectations and accountability for performance, with an emphasis on enhanced supervisory skills. Supervisory and intra-team communication skills are also a high priority for ongoing development and improvement.

• **Recruitment:** Develop and implement revised recruitment criteria for Bylaw Officers that balance seniority with other priority characteristics including psychological and physical fitness for the work. For Supervisor positions, evaluate cost benefits of requiring Reliability Status security clearance as a condition of employment.

**Priority: Engage citizens and partners to pursue shared goals**

In survey responses, focus groups and key informant interviews, we learned from our stakeholders about lack of clarity and misinformation regarding the Division’s scope of work and responsibilities. This priority identifies objectives focusing on clearly defining and publicizing the facts about who we are and what we do. We aim to enhance public and peers’ knowledge and expectations regarding our services, as the foundation for future collaboration with these essential partners, by pursuing three objectives:

• **Responsibilities:** Clearly define and publicise the Division’s scope of work and responsibilities

• **Expectations:** Implement a strategic and effective communications campaign including activities to educate the public about bylaws and regulations, and to increase and improve the accuracy of citizens’ knowledge and expectations of the Division.

• **Collaboration:** Maintain and enhance partnerships with social and health service providers, community groups, other levels of government and other City departments to develop and optimize effective responses to shared priorities. In particular, for persons with complex concerns, continue to collaborate with service delivery partners on referral and diversion to wraparound services.
9 Appendices

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Appendix A: Documentary References


New Quest Coaching and Consulting (2016). *Bylaws Division City of Kamloops Staff input report for the development of the three-year plan.*


Appendix B: Persons Consulted

Focus group #1: Wednesday February 1, 2017 – 1300 to 1500
Service Delivery Partners – Private Sector
- Alexis Proulx, Customer Care and Patrol Team Supervisor, Kamloops Central Business Improvement Association
- Shawna Kuchuck, Area Manager, Precise Parklink
- Bradley Smith, Service Manager, Mario’s Towing

Focus Group #2: Thursday February 2, 2017 – 0900 to 1200
Service Delivery Partners – City of Kamloops
- Mike Adams, Acting Chief, Kamloops Fire & Rescue
- Liam Baker, Transportation Engineering
- Kevin Beaton, Support Services Supervisor, Kamloops RCMP
- Jeff Burton, Business Analysis Services Manager, Information Technology
- Jen Casorso, Supervisor, Social and Community Development
- Shawn Cook, Parks Supervisor
- Glen Farrow, Streets and Environmental Services
- Jennifer Howatt, HR Advisor
- Dave Jones, Business Licence Inspector and Property Use Coordinator
- Melissa McGarry, Safety Advisor
- Caleb Mierau, Safety Manager, OH&S
- Terry Pile, Risk Manager
- Wendy Snelling, Business Operations Supervisor, Tournament Capital Centre
- Sean Smith, Coordinator, Tournament Capital Centre
- Dan Sutherland, EOC program coordinator and dispatch communications manager, Kamloops Fire & Rescue

Focus Group #3: Friday February 3, 2017 – 0900-1200
Service Delivery Partners – Public and Non-Profit Sectors
- Darren Angman, NCO-IC and Corporal, Kamloops RCMP
- Dave Lucas, Staff Sergeant, CP Police
- Michael Mallais, Constable, CP Police
- Matt McLean, Social Worker, Ask Wellness
- Christa Mullaly, Executive Director, Kamloops Branch, Canadian Mental Health Association
- David Nelmes, Property Bylaw Coordinator, Thompson Nicola Regional District
- Sandro Piroddi, Crime Prevention Coordinator, Kamloops Community Safety
Individual Interviews
During site visits to Kamloops, the consulting team conducted individual interviews with the following key informants:

- Cpl. Darren Angman, NCO-IC, Kamloops RCMP
- David Duckworth, Director of Corporate Services & Community Safety, City of Kamloops
- Councillor Tina Lange
- John Ramsay, Community Safety and Enforcement Manager, City of Kamloops
- David Trawin, Chief Administrative Officer, City of Kamloops
- Councillor Pat Wallace
### Appendix C: Online Survey Questions

<table>
<thead>
<tr>
<th>Question</th>
<th>Question Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Control: Manages parking to balance the needs of residents,</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>commuters, visitors, and businesses in the City of Kamloops. The Parking</td>
<td>- Exceptional</td>
</tr>
<tr>
<td>Control staff enforce on-street and off-street parking; monitor revenue;</td>
<td>- Good</td>
</tr>
<tr>
<td>manage facility parking space and deal with other operational issues</td>
<td>- Average</td>
</tr>
<tr>
<td>such as panhandling and permits for road and sidewalk closures. (Survey</td>
<td>- Needs improvement</td>
</tr>
<tr>
<td>asked respondents to rate both service effectiveness and service quality)</td>
<td>- I don’t know</td>
</tr>
<tr>
<td>Are there any particular experiences or events that have shaped your</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>opinion of parking control services?</td>
<td></td>
</tr>
<tr>
<td>Animal control and dog licensing: Bylaw Enforcement Officers patrol for</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>dogs at large, respond to animal nuisance complaints and administer the</td>
<td>- Exceptional</td>
</tr>
<tr>
<td>City’s dog licensing requirements. The purpose of this program is to</td>
<td>- Good</td>
</tr>
<tr>
<td>promote responsible pet ownership and care within the City while</td>
<td>- Average</td>
</tr>
<tr>
<td>maintaining public peace through public awareness programs, regulation,</td>
<td>- Needs improvement</td>
</tr>
<tr>
<td>licensing and enforcement. (Survey asked respondents to rate both</td>
<td>- I don’t know</td>
</tr>
<tr>
<td>service effectiveness and service quality)</td>
<td></td>
</tr>
<tr>
<td>Are there any particular experiences or events that have shaped your</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>opinion of animal control and dog licensing services?</td>
<td></td>
</tr>
<tr>
<td>Graffiti control: This Bylaw requires property owners to keep their</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>property free of graffiti. Properties not kept free of graffiti will be</td>
<td>- Exceptional</td>
</tr>
<tr>
<td>served notice and are obligated to clean the graffiti within 14 days of</td>
<td>- Good</td>
</tr>
<tr>
<td>being served. The bylaw is not intended to be punitive to property</td>
<td>- Average</td>
</tr>
<tr>
<td>owners. It is intended to encourage prompt reporting and removal of</td>
<td>- Needs improvement</td>
</tr>
<tr>
<td>graffiti. (Survey asked respondents to rate both service effectiveness</td>
<td>- I don’t know</td>
</tr>
<tr>
<td>and service quality)</td>
<td></td>
</tr>
<tr>
<td>Are there any particular experiences or events that have shaped your</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>opinion of graffiti control services?</td>
<td></td>
</tr>
<tr>
<td>Unsightly property complaints: This Bylaw promotes the maintenance of</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>property within the City of Kamloops in a tidy, pleasant and safe</td>
<td>- Exceptional</td>
</tr>
<tr>
<td>condition, and to minimize unsightly property. Property owners will be</td>
<td>- Good</td>
</tr>
<tr>
<td>informed of the property’s issues. Voluntary compliance is the</td>
<td>- Average</td>
</tr>
<tr>
<td>expectation. If there is no compliance after 30 days of the property</td>
<td>- Needs improvement</td>
</tr>
<tr>
<td>owner being served the City may take steps to have the work completed</td>
<td>- I don’t know</td>
</tr>
<tr>
<td>by a contractor. (Survey asked respondents to rate both service</td>
<td></td>
</tr>
<tr>
<td>effectiveness and service quality)</td>
<td></td>
</tr>
</tbody>
</table>

(survey questions continue over)
<table>
<thead>
<tr>
<th>Question</th>
<th>Question Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there any particular experiences or events that have shaped your opinion of bylaw enforcement services related to unsightly property complaints?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>Public complaints and safety concerns relating to social issues such as panhandling and transient camps: The Bylaw Department continues to work collaboratively with the RCMP and other community organizations in order to foster and promote a positive community image and work towards a safe community. Our enforcement role is limited to matters that are within the scope of City Bylaws. (Survey asked respondents to rate both service effectiveness and service quality)</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>- Exceptional</td>
<td></td>
</tr>
<tr>
<td>- Good</td>
<td></td>
</tr>
<tr>
<td>- Average</td>
<td></td>
</tr>
<tr>
<td>- Needs improvement</td>
<td></td>
</tr>
<tr>
<td>- I don’t know</td>
<td></td>
</tr>
<tr>
<td>Are there any particular experiences or events that have shaped your opinion?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>Other bylaw enforcement matters, e.g. water restrictions, noise, skateboarding, etc. The Bylaw Department is tasked with ensuring compliance with the bylaws, regulations, and programs of the City of Kamloops. The majority of these bylaws are enforced on a complaint basis only. (Survey asked respondents to rate both service effectiveness and service quality)</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>- Exceptional</td>
<td></td>
</tr>
<tr>
<td>- Good</td>
<td></td>
</tr>
<tr>
<td>- Average</td>
<td></td>
</tr>
<tr>
<td>- Needs improvement</td>
<td></td>
</tr>
<tr>
<td>- I don’t know</td>
<td></td>
</tr>
<tr>
<td>Are there any particular experiences or events that have shaped your opinion?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>What in your view are the strengths of the Kamloops Bylaw Division?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>What in your view are the areas where the Kamloops Bylaw Division might improve?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>Some municipalities (e.g. Victoria) offer online forms so that citizens have a convenient, 24/7 option for reporting Bylaw violations. Would you use an online form to report a Bylaw violation?</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>- Yes</td>
<td></td>
</tr>
<tr>
<td>- No</td>
<td></td>
</tr>
<tr>
<td>Would you purchase your dog license online?</td>
<td>Multiple Choice</td>
</tr>
<tr>
<td>- Yes</td>
<td></td>
</tr>
<tr>
<td>- No</td>
<td></td>
</tr>
<tr>
<td>- Not applicable</td>
<td></td>
</tr>
<tr>
<td>What other Bylaw-related services would you like to access online?</td>
<td>Open ended text box</td>
</tr>
<tr>
<td>Do you have any other comments on this operational review, including any topics or concerns you think the process should be sure to consider?</td>
<td>Open ended text box</td>
</tr>
</tbody>
</table>

(survey questions continue over)
### Question
From the list below, please select all those answers which apply to you:

- I live in Kamloops
- I work in Kamloops
- I attend school in Kamloops
- I don’t live, work or attend school in Kamloops, but I visit there frequently
- None of the above

### Question Type
Multiple Choice:

### Please select all the items from the list below that describe your interaction with the Bylaw Division of the City of Kamloops in the past two years:

- I have not had any interaction with the Bylaw Division in the last two years
- I called them to request service
- I called them to report a bylaw infraction by another person
- I purchased a dog license
- I went to their website seeking information
- I received a fine for a bylaw infraction
- I phoned them to obtain information about their services
- I lodged a complaint about their activities
- I visited their office in City Hall
- I received a parking fine
- I collaborated with their staff to address a public safety issue
- I visited their animal impound facility
- I filed a dispute regarding a violation from the Bylaw Department
- Other (please specify)

### Question
What is your age category?

- Under 18
- 18 to 29
- 30 to 39
- 40 to 49
- 50 to 59
- 60 to 69
- 70 or older
- I prefer not to say

### Question Type
Multiple Choice:

### Please select the neighbourhood or general area that best describes the location of your principal interactions with Bylaw Division services (please select only one):

- Aberdeen
- Batchelor Hills
- City Centre
- Juniper West
- Sahali
- North Shore
- Mt Dufferin
- Southeast Sector
- Westsyde
- Other (please specify)
Appendix D: Alberta Peace Officer Program

Alberta’s Public Security Peace Officer Program\(^{40}\) has several objectives:

- Provide supplemental law enforcement in the province of Alberta;
- Improve coordination, communication, cooperation and collaboration between police and peace officers to enhance law enforcement services in Alberta;
- Clarify roles, responsibilities and accountability; and
- Establish consistent and improved provincial standards for the safety and security of all communities.

The program allows the provincial government to designate agencies as employers of peace officers and to give individuals peace officer status for specific job functions. Authorized employers of peace officers must properly manage their officers in accordance with the Act. The program provides for a wide range of duties and is designed to ensure minimum standards of training, accountability and professionalism.

Agencies which employ Peace Officers must be government or quasi-government agencies (health regions, post-secondary institutions, commissions or boards that report directly to a government ministry, or any group designated by a federal or provincial ministry to carry out enforcement duties).

A Public Security Peace Officer (PSPO) is a person who works to uphold and enforce certain laws and regulations in Alberta. A PSPO is given limited powers and authority, under the current *Alberta Peace Officer Act* (May, 2007). They are not to be confused with Police Officers, who have a much wider range of authority. Currently, there are more than 3,000 PSPOs in Alberta, working for some 284 different agencies, with Provincial Government offices being the largest employer. All levels of government, as well as organizations such as public health authorities and post-secondary institutions may employ PSPOs. Alberta Justice and Solicitor General has overall authority for the Public Security Peace Officer Program, as provided in the Peace Officer Act. There are two categories of Peace Officer:

- **Level 1 Peace Officers** are employed through Alberta Solicitor General and Public Security. They may have authority to carry a sidearm under authority of the Act. They are provided with approved training and possess the authority to enforce provisions of federal and provincial statutes specific to their mandate. This includes enforcing traffic violations on Alberta highways, providing prisoner transport and court security. Also included in this level would be protection services for the Premier, Lieutenant Governor, VIPs and others as deemed necessary.

- **Level 2 Peace Officers** are employed by the Government of Alberta or the Government of Canada. These peace officers possess knowledge that is very specific to a particular subject and conduct a range of duties that include fraud investigations, fish and wildlife officers, and inspector and compliance officers conducting enforcement under provincial statutes. Alberta Government Peace Officers/Federal Peace Officers in this category that carry firearms or other weapons have authority to do so via an enactment other than the Peace Officer Act.

Bylaw Officer Career Path

How To Use This Career Path

- Progression within this career path requires training/education and/or experience.
- The bullet point boxes indicate the additional training and experience required to become qualified for the classification.
- To view the complete job description for any classification, click on the title of the position.
- For information on a training/education provider for a particular qualification, click on the requirement. Please note, this option will take you to a web page and thus requires a connection to the Internet.

Bylaw Services Officer I
Pay Grade 8

- Completion of senior secondary school or its equivalent.
- Justice Institute Level I Bylaw Enforcement Certificate or equivalent.
- Completion of post-secondary computer course in basic word processing and spreadsheet applications.
- Occupational First Aid Level I.
- Valid BC Class 5 Driver’s licence.

Bylaw Services Officer II
Pay Grade 11

- Justice Institute Level I and Level II Enforcement Certificates or equivalent.
- Ability to obtain WHMIS Certification.
- Minimum six months’ previous experience in municipal bylaw services or law enforcement.

Assistant Bylaw Services Supervisor
Pay Grade 14

- Justice Institute Level I and Level II Enforcement Certificates or equivalent.
- Minimum two years’ previous experience in municipal bylaw services or law enforcement.
- Minimum six months’ previous supervisory experience.

Our corporate mission is...

MAKING KAMLOOPS SHINE

“We will foster a culture of innovation and learning to promote excellence in our services by investing in the learning and growth of our employees.”