

CITY OF HAMILTON

MOTION

Planning Committee: March 22, 2022

MOVED BY COUNCILLOR J. FARR

SECONDED BY COUNCILLOR

Enhanced Parks By-law - Encampment Enforcement

WHEREAS, on August 9, 2021, City Council voted to return to enforcing the prohibition of camping in our City parks and public places and through our Parks By-law. A prohibition no different than most other municipalities across the Province and by-law confirmed as “valid” in a 2021 Superior Court decision;

WHEREAS, the number of encampments more than doubled from approximately 20 to over 40 following the August 9, 2021 resolution, with many encampments entrenched in public parks for months.

WHEREAS, on September 15, 2021, City Council received Report PED21188/HSC20038(c), Encampment Response Update attached hereto as Appendix ‘A’, which outlined the Encampment Process implemented by City Staff;

WHEREAS, City Council is concerned that persons continue to camp in City parks in contravention of the Parks By-law and for extended periods in Hamilton while other neighbouring municipalities enforce the same by-law as a priority and within a few hours and few days. Like Hamilton, many of these municipalities include outreach assistance and safer options to encamped individuals as part of their enforcement process; and

WHEREAS, City Council believes Hamilton should not be the only City with a Parks By-law enforcement process that often results in both an increase in the number of encampments and an open-ended duration for encampments in parks or public spaces and should therefore facilitate the implementation of the Encampment Process to incorporate more precise timelines and direction into the Process consistent with similar processes implemented in other Ontario municipalities;

THEREFORE, BE IT RESOLVED:

That staff be directed to:

- (i) complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;

- (ii) enforce the Encampment Process 7 days per week; and
- (iii) report any staffing feasibility/service levels impacts to Council at their March 30, 2022 meeting.

Attachments:

Appendix 'A' - PED21188/HSC20038(c), Encampment Response Update