

**Pilon, Janet****Subject:** Written submission re: item 7.8 for November 13, 2024 Hamilton City Council**From:** Gessie Stearns**Sent:** Tuesday, November 12, 2024 9:30 AM**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)**Subject:** Written submission re: item 7.8 for November 13, 2024 Hamilton City Council

Good Morning,

I am writing to request that a portion of my delegated statements from the previous (November 6<sup>th</sup>) General Issues Committee meeting be included as correspondence relating to Hamilton City Council's consideration of agenda item 7.8 (re: "that Council formally request that the province consider any tools available to the province that would not permit encampments in parks and public spaces including but not limited to the use of the "notwithstanding clause").

I am opposed to asking Premier Ford's to use the notwithstanding clause. I thank Mayor Horwath for what I read in the media on November 2nd as her stance against requesting the notwithstanding clause's use. It is my understanding that all government actors are subject to the Charter of rights and freedoms (including all members of Hamilton's City Council). Finding ways to go around it, via the notwithstanding clause or otherwise, is counter to being subject to it as a government representative. This includes discouraging people from making a challenge to protect their rights. These actions and narratives should be concerning to everyone regardless of housing status.

Also, I highly doubt that the Premier Ford's government will be at the ready to pay for the increase in costly enforcement-based strategies nor the fiscal and human-health impacts of the abject neglect of the well-being that will be suffered by the potential 5-year moratorium on addressing rights violations provided by the use of the notwithstanding clause (with grave impacts on people living unhoused). I also doubt that the Premier will help the city of Hamilton with the mounting liabilities and violations that do not just disappear because portions of the Charter (people's access to protecting their fundamental rights) are put on an artificial pause.

Please do not support the motion to encourage the use of the notwithstanding clause in front of you today. Our community wants, needs, and can do better. Hamiltonians deserve responses and solutions that work – the actions proposed in this motion are not that.

Thank you for your time and consideration.

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