

Request for Decision City Council




Type of Decision									
Meeting Date	March 24, 2005				Report Date	March 15, 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Approval of Greater Sudbury Police Services Board Fee

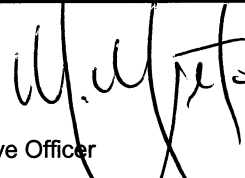
Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p>THAT By-law 2002-03 of the Greater Sudbury Police Services Board as amended be approved; and</p> <p>THAT the new fees for paid duty assignments be effective as of March 1st, 2005.</p>
Recommendation Continued

Recommended by the Department Head

for 
 Sandra Jonasson
 Chief Financial officer and Treasurer

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: March 15, 2005

Report Prepared By



Heather Salter
Deputy City Solicitor

Division Review



Ron Swiddle
Director of Legal Services / City Solicitor

At the March 16th, 2005 meeting of the Greater Sudbury Police Services Board, the Board approved various amendments to their Fees By-law. These amendments included the introduction of fees for paid duty assignments and revisions to the fees levied for criminal record searches and the destruction of fingerprints.

Attached is the Report presented by the Chief of Police and the resolution of the Board approving the proposed amendments.

Section 397 of the *Municipal Act, 2001* provides that a By-law imposing fees passed by a local board of a municipality shall not come into force until the municipality passes a resolution approving the By-law. Accordingly, the Greater Sudbury Police Services Board is requesting this Council to pass the resolution required to implement the proposed fees.



190 rue Brady Street
Sudbury, Ontario
P3E 1C7

Open

March 5, 2005

Emergency 911 urgence

Tel/tél: Administration
705.675.9171

Fax: Administration
705.674.7090

Fax: Operations/
Opérations
705.675.8871

www.police.sudbury.on.ca

Mr. E. Gainer,
Chair,
Greater Sudbury Police Services Board,
190 Brady Street,
Sudbury, Ontario

Mr. Gainer:

RE: POLICE SERVICES BOARD FEE SCHEDULE

ss all
Correspondence to the
Chief of Police

Prière d'adresser toute
correspondance au
Chef de police

Please find attached a report respecting amendments to the 2005 Police Services Board Fee Schedule that was adopted by the Board effective January 1, 2005.

For the information and approval of the Board.

Yours truly,

Ian Davidson,
Chief of Police
/lch

Att.

GREATER SUDBURY POLICE SERVICES BOARD

SUBJECT: BY-LAW 2002-3, A BY-LAW OF THE GREATER SUDBURY POLICE SERVICES BOARD TO ESTABLISH FEES FOR CERTAIN SERVICES PROVIDED BY THE GREATER SUDBURY POLICE SERVICE.

DATE: MARCH 11, 2005

RECOMMENDATION:

That the Board approves the amendments to "Schedule A" of By-Law 2002-03 as attached hereto to include:

- (i) the rates for the provision of supplementary Criminal Record Searches and VISA/ Employment Clearance letters and Destruction of Fingerprints;
- (ii) the provision of paid duty services, paid duty cruiser fees and the corresponding administration fee.

And further, that a stipulation in the Schedule be included that the administration fee and paid duty rates are not subject to Section 4 of the By-Law, and that paid duty rates shall be adjusted in accordance with the collective agreement in effect at the time of the paid duty service.

BACKGROUND:

Section 397 of the *Municipal Act 2001*, as amended allows local boards, including police services boards to pass By-Laws imposing fees or charges for services or activities provided and related matters. By-Law 2002-3, was approved by the Greater Sudbury Police Services Board to establish fees for certain services provided by the Greater Sudbury Police Service in accordance with the *Act*.

Effective March 1st, 2005, the Greater Sudbury Police Service assumed full responsibility for the administration of Paid Duty Assignments. To this end, at their meeting of January 24th, 2005, the Police Services Board by way of resolution rescinded By-Law 2-92, a By-law to Regulate Extra Duty and Outside Employment of Members of the Sudbury Regional Police Service effective March 1st, 2005 as the By-Law delegated the authority to administer paid duties to the Sudbury Police Association.

The acquisition of the administration of paid duty services by the Police Service has resulted in services being provided to the public which impose fees currently not contained within "Schedule A" of By-Law 2002-3.

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GREATER SUDBURY POLICE SERVICES BOARD

**SUBJECT: BY-LAW 2002-3, A BY-LAW OF THE GREATER SUDBURY
POLICE SERVICES BOARD TO ESTABLISH FEES FOR
CERTAIN SERVICES PROVIDED BY THE GREATER SUDBURY
POLICE SERVICE**

DATE: MARCH 11, 2005

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CURRENT SITUATION:

Section 49(2) of the *Police Services Act* authorizes members of a police force to perform, in a private capacity, services that have been arranged through the police force. Further, Section 49(1) of the *Act* states that a member of a police force shall not engage in any activity:

- That interferes with or influences adversely the performance of the member's primary duties as a member of the Service, or is likely to do so;
- That places a member in a position of conflict of interest, or is likely to do so;
- That would otherwise constitute full-time employment for another person; or
- In which he or she has an advantage derived from employment as a member of the Service.

Internal operating procedures for the administration of paid duty assignments have been developed and issued to all members of the Service to ensure compliance with Section 49 of the *Police Services Act*.

Members of the Service have been designated to be responsible for the scheduling of officers to perform paid duties and to invoice those organizations or persons requesting such services. All payment to officers for paid duty assignments will be processed through the payroll system. The client or organization requesting the service will be invoiced for the personnel and equipment costs for the services along with any other equipment related charges, i.e. cruiser rental.

The Service undertook to research paid duty practices with numerous police services. This determined that the prevalent practice in the establishment of rates for paid duty services are in accordance with the overtime rate for a 1st Class Constable as negotiated in respective collective agreements. As such, this is the paid duty rate that is recommended be adopted. This rate is consistent with those that were being charged by the Sudbury Police Association.

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GREATER SUDBURY POLICE SERVICES BOARD
SUBJECT: BY-LAW 2002-3, A BY-LAW OF THE GREATER SUDBURY
POLICE SERVICES BOARD TO ESTABLISH FEES FOR
CERTAIN SERVICES PROVIDED BY THE GREATER SUDBURY
POLICE SERVICE
DATE: MARCH 11, 2005 **Page 3**

In addition, where there is a requirement for a supervisor, the paid duty rate would correspond with the overtime rate for the appropriate rank as determined by the collective agreement at a rate of time and a half.

Regardless of the length of paid duty assignment, a minimum three (3) hour paid duty assignment will be charged.

As a result of processing paid duties through the payroll system, the Service incurs costs related to Workplace and Insurance Board (WSIB) premiums as well as Employer Health Tax charges. In order to recover these benefit costs as well as a portion of the costs to administer paid duties, the Service will apply an administration fee of (10%) to the total of the invoice paid duty. This again is a standard practice as determined by the Services reviewed.

Administration fees for paid duties throughout the police services surveyed ranged from 5% through to 20% with the majority being either 15% or 20%. A full review will be required to be undertaken in the future as it is not fully known what the financial impact will be relative to costs borne to the Police Service to effectively and efficiently administer the function of paid duties.

In establishing the paid duty system, the matter of cruiser rental fees was examined. Notwithstanding, the current fee schedule does include a cruiser rental fee, it has been determined that fees for police cruisers are directly linked to paid duty services as these assignments are the only circumstance in which the public would be requesting the services of a police vehicle for which a fee would be imposed. Under no circumstances would an organization or individual be permitted to rent a cruiser absent of police personnel. To this end, a cruiser fee of \$12.00 per hour, with a three-hour (3) minimum, will apply to those paid duty assignments that require the Service to supply a police vehicle. The fee is intended to recover costs related to fuel and vehicle maintenance. The current cruiser rental fee will be removed and replaced to reflect paid duty assignments.

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GREATER SUDBURY POLICE SERVICES BOARD

**SUBJECT: BY-LAW 2002-3, A BY-LAW OF THE GREATER SUDBURY
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POLICE SERVICE**

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Section 4 of By-Law 2002-3 provides for the fees contained within "Schedule A" to be automatically adjusted for inflation on January 1st every year based on the September to September increases (or decreases) in the Consumer Price Index, as determined by the Treasurer of the City of Greater Sudbury. As the rates established for paid duty services are directly linked to the collective agreement, this provision of the By-Law is not applicable to these fees or the administration fee, which is a set percentage.

On occasion, the Service is requested by a member of the public to provide additional original Criminal Records Checks and/or VISA/Employment Clearance Letters. As the current Fee Schedule does not have provisions to supply the public with supplementary Criminal Record Searches and VISA/Employment Clearance Letters, it is necessary to charge the requesting individual the full fee for the service for each additional document requested and as such the Fee Schedule requires revision in order to incorporate an appropriate fee for such service.

In addition, the Destruction of Fingerprints fee has been revised to delete reference to when Charges are withdrawn. In these instances, there shall be no fee for fingerprint destruction.



GREATER SUDBURY POLICE SERVICE FEE SCHEDULE

Effective March 16, 2005 the fee schedule for services provided by the Police Service as approved by the Police Services Board, will be as follows:

<u>SERVICE</u>	<u>FEE</u>	<u>GST</u>	<u>TOTAL</u>
Motor Vehicle Accident Report	\$ 28.21	\$ 1.97	\$ 30.18
GOR Synopsis Report	\$ 28.21	\$ 1.97	\$ 30.18
Statement (written / audio / video) / Supplementary Report	\$ 16.03	\$ 1.12	\$ 17.15
Photographs:			
Electronic Reproduction of Photograph(s) on Compact Disc	\$ 124.97	\$ 8.75	\$ 133.72
Plus Cost per Scanned Image	\$ 2.58	\$ 0.18	\$ 2.76
Fingerprints	\$ 16.03	\$ 1.12	\$ 17.15
Criminal Record Searches	\$ 16.03	\$ 1.12	\$ 17.15
Criminal Record Searches – Volunteers	\$ 10.71	\$ 0.75	\$ 11.46
Supplementary Criminal Record Searches (Original Copy)	\$ 3.00	\$ 0.21	\$ 3.21
Bingo / Lottery Applicant (cost per organization)	\$ 16.03	\$ 1.12	\$ 17.15
VISA / Employment Clearance Letter	\$ 21.41	\$ 1.50	\$ 22.91
Supplementary VISA/Employment Clearance Letters (Original Copy)	\$ 3.00	\$ 0.21	\$ 3.21
Additional Information Contained on Back of Motor Vehicle Accident Report	\$ 16.03	\$ 1.12	\$ 17.15
Special Occasion Permit Letters	\$ 21.41	\$ 1.50	\$ 22.91
Statistical Information (Fee per hour – ½ hour minimum)	\$ 55.47	\$ 3.88	\$ 59.35
Destruction of Fingerprints	\$ 33.11	\$ 2.32	\$ 35.43
Agencies (Lawyers & Insurance Co. requesting interview with officer – Fee per hour – Minimum ½ hour)	\$ 55.47	\$ 3.88	\$ 59.35
Accident Reconstruction Report	\$ 167.40	\$ 11.72	\$ 179.12
Application for Parade or Public Event	\$ 51.57	\$ 3.61	\$ 55.18
Paid Duty Hourly Rate – Constable*	\$49.68 + G.S.T.		
Paid Duty Hourly Rate – Sergeant*	\$55.76 + G.S.T.		
Paid Duty Hourly Rate – Staff Sergeant*	\$60.81 + G.S.T.		
Paid Duty Cruiser Fee Per Hour (Minimum three (3) charge)	\$12.00 + G.S.T.		
Paid Duty Administration Fee	10% of total paid duty contract.		

* Notwithstanding Section 4 of By-Law 2002-3, paid duty rates shall be adjusted in accordance with the collective agreement between the Board and the Sudbury Police Association in effect at the time of the paid duty assignment and not the Consumer Price Index. A minimum three (3) hour charge shall apply.

GREATER SUDBURY POLICE SERVICES BOARD

MOVED BY David Petryna Motion #2005- 20

SECONDED BY Ron Bradley Date: March 16, 2005

That the Board approves the amendments to "Schedule A" of By-Law 2002-03 as attached hereto to include:

- (i) the rates for the provision of supplementary Criminal Record Searches and VISA/ Employment Clearance letters and Destruction of Fingerprints;
- (ii) the provision of paid duty services, paid duty cruiser fees and the corresponding administration fee.

And further, that a stipulation in the Schedule be included that the administration fee and paid duty rates are not subject to Section 4 of the By-Law, and that paid duty rates shall be adjusted in accordance with the collective agreement in effect at the time of the paid duty service

- CARRIED -

CHAIR Eldon Gainer

Request for Decision City Council



Type of Decision										
Meeting Date	March 24, 2005				Report Date	March 18, 2005				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

Report Title

**LIQUOR LICENSE EXTENSION AND NOISE BY-LAW EXEMPTION
THE ROYAL CANADIAN LEGION BRANCH 224**

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<u>POLICY IMPLICATION</u>	
The Community of Copper Cliff (Ward 1) is governed by the provisions of Chapter 776 of the former City of Sudbury Municipal Code (Noise).	
<u>BUDGET IMPACT</u>	
None	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>THAT this Council has no objection to the issuance of a liquor licence extension and no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to The Royal Canadian Legion Branch 224, to include a secured hospitality area in the front parking lot at 41 Veterans Road, Copper Cliff. The request is made to facilitate a community festival and the days and hours of operation will be: Saturday, May 14, 2005 and Sunday, May 15, 2005 between the hours of 5:00 p.m. to 2:00 a.m.</p> <p>AND FURTHER THAT approval of the above exemptions be subject to the conditions set out in Schedule "A".</p>	
<input type="checkbox"/>	Recommendation Continued

Recommended by the Department Head

B. Ronquard
 Caroline Hallsworth, Executive Director of Administrative Support Services

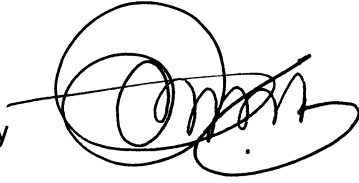
Recommended by the C.A.O.

M. Mieta
 Mark Mieta
 chief Administrative Officer

Date: March 18, 2004

Report Prepared By

Thom M. Mowry
City Clerk



Division Review



Ron Swiddle
City Solicitor

BACKGROUND

Attached is a letter dated 2004-03-03 submitted by Mr. Terry Lister, Entertainment Committee Chairman, on behalf of The Royal Canadian Legion Branch 224 requesting Council's approval for a liquor licence extension and exemption from Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to operate a hospitality area in their front parking lot at 41 Veterans Road, Copper Cliff.

In accordance with Council's policy, the request letter from the Royal Canadian Legion and the proposed resolution was circulated to the Fire Chief, the Police Chief, the Director of Leisure, Community and Volunteer Services, the City Solicitor, the Manager of Transportation Engineering Services, the Director of Transit Services and the General Manager of Infrastructure & Emergency Services. At the time of the printing of the Agenda, no additional concerns were identified by the foregoing staff.

The proposed exemption would be subject to the following conditions:

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event area no later than 12:00 o'clock noon on Sunday, May 15, 2004;
2. That the event representative ensure emergency vehicles have access to the event area;
3. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicates a Fire Safety Plan is required for this event;
4. That no bonfires of any kind, barbecues or similar types of cooking devices shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;
5. That no outside entertainment system be permitted, however, if outdoor amplified sound equipment is in use, all speakers and speaker stacks shall be positioned to tilt downward into the crowd versus projecting straight over the crowd or adjoining properties;
6. That the special event organizer, or his designate, must be present on the site during the entire duration of the event.
7. That any tent be erected in accordance with the provisions of the Ontario Building Code.
8. The event organizer shall notify the neighbours and provide the City Clerk with a copy of said notification.

The foregoing resolution has therefore been placed on the Agenda for your consideration.

Copper Cliff Legion,
41 Veteran's Rd.,
Copper Cliff Ontario
P0M 1N0

March 03, 2005

Corrie Jo Caporale
City of Greater Sudbury,
Sudbury, Ontario

Dear Corrie Jo Caporale,

Please be advised of our intent to expand the liquor-licensed area for sales and consumption on May 14, 2005 and the early hours of May 15, 2004 to include some of the grounds of our front parking lot. At this time we intend for entertainment in the prescribed area but feel the effect on the community to be minimal. We will notify any neighbours that may be affected in any way with a door-to-door hand out. The occasion planned is a community festival. The members involved are volunteers to the community in the scouting movement, the Royal Canadian Legion and other civic-minded endeavours.

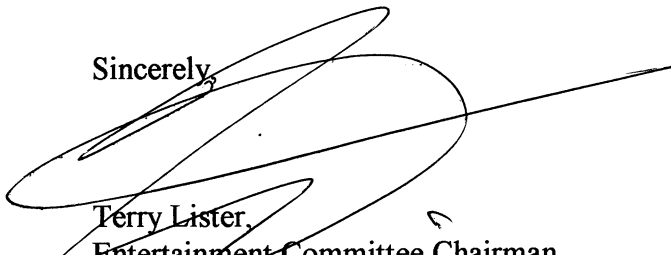
The event will be held on the above dates from 5:00pm to 2:00 am.

We intend to contact local fire officials to ask permission to allow a fire in the enclosed area.

In accordance with provincial statutes in these regards, the area will be fenced off and access restricted.

Thank you for your cooperation in this matter and if you have any questions, please do not hesitate to contact me at 674-7674 or e-mail at tlister@sympatico.ca.

Sincerely,



Terry Lister,
Entertainment Committee Chairman
Royal Canadian Legion,
Branch #224,
Copper Cliff Ontario

Request for Decision City Council

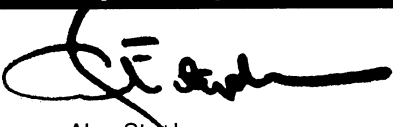


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Report Title
2004 Reuse Rebate

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>The rebates relate to 2004, and as such, have been accrued as a liability in that year. There is no impact on the 2005 budget.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p>That the 2004 Reuse Rebate for non-profit reuse organizations be approved, as detailed in the report dated March 16, 2004 from the General Manager of Infrastructure and Emergency Services.</p>
Recommendation Continued

Recommended by the Department Head
 Alan Stephen General Manager of Infrastructure & Emergency Services

Recommended by the C.A.O.
 Mark Mielto Chief Administrative Officer

Date: March 16, 2005

Report Prepared By



Bernice Tario
Co-ordinator of Waste Disposal

Division Review



Chantal Mathieu
Director of Waste Management

An annual fund was established to reimburse a portion of tipping fees for non-profit organizations that regularly accept reusable items from residents. This reuse rebate is provided in an effort to recognize the role that these organizations play in the City's overall waste reduction and re-use efforts.

2004 Reuse Rebate Applicants -

Staff has received four applications for the 2004 period.

The applications have been reviewed according to Schedule "N" of the Waste Management By-law and staff is recommending that the funds be distributed as follows:

APPLICANT	ELIGIBLE TIPPING FEE COSTS	AMOUNT APPROVED
Society of St. Vincent de Paul	\$ 3,161.00	\$ 3,161.00
Sudbury Developmental Services (Jarrett Value Centre)	\$15,964.00	\$15,964.00
Salvation Army	\$ 5,330.00	\$ 5,330.00
Habitat for Humanity ReStore	\$ 118.00	\$ 118.00
Total	\$24,573.00	\$24,573.00