



City of Port Moody

Report/Recommendation to Council

Date: July 13, 2022
Submitted by: General Manager of Community Services
Subject: Bylaw to Designate Certain Public Places for the Responsible Consumption of Liquor Outdoors

Purpose

To seek Council direction on the implementation of a pilot program and bylaw permitting responsible liquor consumption in Port Moody Public Places commencing the summer of 2022.

Recommended Resolution(s)

THAT City of Port Moody Responsible Consumption of Liquor in Public Places Bylaw, 2022, No. 3375 be read a first, second, and third time as recommended in the report dated July 13, 2022 from the Community Services Department regarding Responsible Consumption of Liquor in Public Places;

AND THAT staff be directed to implement a pilot program to allow for the responsible consumption of liquor in public places commencing upon adoption of Bylaw No. 3375;

AND THAT staff be directed to report back in January 2023 with an evaluation of the pilot program and recommended next steps.

Background

Public parks and spaces play a critical role in the mental and physical wellness of the community. During the COVID-19 pandemic, we experienced a significant increase in the use of our park system as the community sought activity through outdoor spaces. As COVID-19 restrictions eased, the parks continued in popularity as they provided a safe environment for the community to reconnect and engage socially.

Some Metro Vancouver municipalities have introduced bylaws allowing for the responsible consumption of liquor in parks and their experience has been positive and supported by residents and local business.

At the Council meeting on June 28, 2022, the following resolution was passed:

RC22/217-220

THAT staff report back with a proposed bylaw for a pilot project that allows for the responsible consumption of alcohol in public spaces;

AND THAT this bylaw not include any School District No. 43 joint parks;

AND THAT there be a 'no-go' zone established of 10 meters from playground equipment;

AND THAT staff implement this bylaw for summer 2022 and report back in January 2023 regarding impacts, and recommendations for any potential amendments;

AND THAT staff report back with options for discreet consumption of alcohol.

Discussion

The City of Coquitlam recently conducted a scan of Lower Mainland Municipalities and found that most had completed a pilot project that limited the responsible consumption of liquor to certain parks and away from playgrounds or areas primarily used by children and youth.

Although Coquitlam is permitting liquor consumption at parks city-wide, staff suggest that the 2022 pilot program be implemented at a select number of public places in Port Moody, including key City parks; starting with a smaller number of sites is also recommended by Fraser Health. Recommended sites permitting responsible consumption of liquor from 11am to dusk are as follows:

- Rocky Point Park
- Old Orchard Park
- Pioneer Memorial Park (excluding the Labyrinth Healing Garden)
- Kyle Centre pop-up park
- Trasolini Field spectator stands
- Inlet Field spectator stands
- Queens Street Plaza

These sites provide a range of geographic locations across the City, in proximity to washrooms as one key consideration, and can be adjusted in 2023 based upon feedback and experience with the 2022 pilot. Neighbourhood parks are not recommended for the pilot program, particularly because the tight timeline does not allow for the required resident engagement. The pilot program also excludes property owned, leased or licensed to the City by the Coquitlam School District #43. Based on legal advice, permitting liquor at all public spaces, such as including sidewalks and trails, is not practical due to signage requirements.

Maps have been created in Schedule A of the Bylaw that outline the permitted spaces in the above sites within which responsible consumption of liquor can occur. A 10m buffer zone has been provided around children's play areas, with the exception of Old Orchard Beach due to the inclusion of the picnic shelter area.

The Port Moody Police Department did not communicate any concerns with proceeding with this pilot program but recommended that alcohol consumption not be permitted on any of the City's trails. Dealing with issues on the trail system would be a safety concern for responders. During the summer months, the City has Park Hosts and Bylaws staff that can support the implementation of this new pilot program. Ticketing by Bylaws staff will not occur during the course of the pilot program, as changes required to the Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 (for example, to define an offence and set a fine amount) are not possible within the timeframe, however the normal enforcement tools available to Police and Bylaws will be utilized to deal with any infractions related to liquor consumption. Should additional Bylaws staff or other resources be needed to support implementation of the pilot program, staff will return to Council with that request.

Options for the discreet consumption of liquor were requested by Council. Requiring liquor be consumed discreetly would be problematic to enforce as this would require significant staffing resources to manage. Staff suggest that the messaging of the new signage request that the public consumption of liquor in the permitted spaces be done responsibly and discreetly.

New signage will be required at each of these sites that convey the boundaries of the permitted spaces, and the hours that liquor may be consumed.

Staff has prepared a new Responsible Consumption of Liquor in Public Places Bylaw for Council consideration (**Attachment 1**). The proposed Bylaw provides definitions to key terms, the Liquor Control and Licensing Act and Regulations, details on the permitted public spaces and the posted notice requirements. The Bylaw is in accordance with section 73 of British Columbia's Liquor Control and Licensing Act and section 197 of the Liquor Control and Licensing Regulation (**Attachment 2**) and is similar to those enacted by other Metro Vancouver Municipalities.

It is recommended that the Bylaw expire April 30, 2023. Staff will report back on the pilot program in early 2023 and seek Council direction on next steps, including any further amendments to the Bylaw.

Other Options

1. THAT staff report back with additional information or bylaw amendments as directed by Council.

Note that this option would impact the ability for the above described Bylaw to be adopted for summer 2022.

Financial Implications

Costs related to the implementation of this program will be tracked and absorbed in approved 2022 budgets. Potential future costs related to cleaning, litter removal, signage and safety patrols will be brought forward to Council including as part of a future budget process.

Communications / Civic Engagement

Staff will inform the community through signage and the City's communication channels of the pilot program permitting the responsible consumption of liquor in public spaces. Staff will solicit public input near the conclusion of the pilot program.

Council Strategic Plan Objectives

Permitting the responsible consumption of liquor in public spaces meets Council's objectives in several areas of the Strategic Plan including customer service, healthy city and community evolution.

Attachments:

1. City of Port Moody Responsible Consumption of Liquor in Public Spaces Bylaw, 2022, No 3375
2. Pertinent excerpts from the *Liquor Control and Licensing Act*, SBC 2015, c 19 (the "Act") and *Liquor Control and Licensing Regulation*, BC Reg 244/2002 (the "Regulation")

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Report Approval Details

Document Title:	Bylaw to Designate Certain Public Places for the Consumption of Liquor Outdoors.docx
Attachments:	- Attachment 1 - Draft City of Port Moody Responsible Consumption of Liquor in Public Places Bylaw, 2022, No. 3375.pdf - Attachment 2 - Excerpts from the Liquor Control and Licensing Act.pdf
Final Approval Date:	Jul 19, 2022

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Jul 15, 2022 - 9:59 AM

Lindsay Todd for Rosemary Lodge, Manager of Communications and Engagement -
Jul 15, 2022 - 11:16 AM

Paul Rockwood, General Manager of Finance and Technology - Jul 17, 2022 - 12:40 PM

Tim Savoie, City Manager - Jul 19, 2022 - 10:57 AM