



City of Port Moody

Report/Recommendation to Council

Date: February 15, 2023
Submitted by: General Manager of Community Services
Subject: Bylaw to Designate Certain Public Places for the Responsible Consumption of Liquor Outdoors – Pilot Extension

Purpose

To seek Council direction on extending the pilot program and bylaw permitting responsible liquor consumption in Port Moody public places.

Recommended Resolution(s)

THAT City of Port Moody Responsible Consumption of Liquor in Public Places Bylaw, 2023, No. 3392 be read a first, second, and third time as recommended in the report dated February 15, 2023 from the Community Services Department regarding Responsible Consumption of Liquor in Public Places;

AND THAT staff be directed to implement an extended pilot program to allow for the responsible consumption of liquor in public places commencing upon adoption of Bylaw No. 3392;

AND THAT an allocation of \$36,500 for Parks Division maintenance support and signage requirements for the pilot program extension be funded from CM220001 – Council Strategic Plan Goals;

AND THAT staff be directed to report back in late 2023 with an evaluation of the pilot program and to seek Council direction on 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, 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 resolutions were 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.

Staff prepared a report and Bylaw for Council consideration with these parameters (**Attachment 1**), and at the Council meeting on July 26, 2022 the following resolutions were passed:

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.

The final reading of this Bylaw was concluded at a Special Council meeting held July 28, 2022. The Bylaw included an expiry date of April 30, 2023.

Discussion

Staff had recommended 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 as recommended by Fraser Health. Recommended sites permitting responsible consumption of liquor from 11am to dusk were approved 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 provided a range of geographic locations across the City, in proximity to washrooms as one key consideration. Neighbourhood parks were not recommended for the pilot program, particularly because the tight timeline did not allow for the required resident engagement. The pilot program also excluded property owned, leased or licensed to the City by School District #43. Based on legal advice and input from Port Moody Police Department (PMPD), permitting liquor in all public spaces - such as sidewalks and trails – was not included. Maps were created in Schedule A of the Bylaw that outlined the permitted spaces in the above sites within which responsible consumption of liquor could occur. A 10m buffer zone was provided around children's play areas, with the exception of Old Orchard Beach due to the inclusion of the picnic shelter area. New signage was installed at each of these sites that conveyed the boundaries of the permitted spaces and the hours that liquor could be consumed. The pilot program began in early August 2022, immediately following Council approval.

Pilot Program - Initial Findings

Early in the implementation, staff refined an existing Collector App to track impacts and integrate observation notes and photos. One of the primary impacts from the pilot program has been a steep increase in park maintenance efforts related to litter. This is consistent with the findings from other cities. While the program allows consumption until dusk, staff have also observed that park users are staying beyond this time, leading to more frequent early morning clean ups.

The normal enforcement tools available to Police and Bylaws were utilized to deal with any infractions related to liquor consumption. PMPD report a total of six calls up until February 2023 that can be attributed to the pilot program. No tickets were issued by the City's Bylaw Division for any alcohol related violations in the Parks during the pilot. The Park Ranger – Bylaw Enforcement Officer (which is different from the Park Host Program) did note a marked increase in the number of inquiries from park patrons about the new program and where and when individuals were permitted to consume alcohol in City Parks. As a result, Park Hosts and Bylaws staff mostly provided education and clarification including answering the two most commonly asked questions: Are we allowed to drink (alcohol) here? And are they allowed to drink (alcohol) there? Besides these questions seeking clarification or more information on the program, Bylaw Enforcement staff did not see any other increase in the number of calls for services in the parks, or any increases in alcohol-related issues within the parks themselves.

As feedback, PMPD has suggested that additional signage is needed in some of the locations, including to provide greater clarity on boundaries. Similar feedback has been received from Bylaws staff, including the Park Ranger, who recommend that signage in the designated areas more clearly define the exact locations where alcohol consumption in the public spaces is permitted.

As well as collecting data to support pilot program evaluation, staff met with Fraser Health last fall to review indicators and considerations for how best to evaluate alcohol consumption in public places, for example, a suggestion to engage with park users as well as those who may

have avoided these spaces as a result. This feedback can be considered and integrated into the evaluation and engagement process.

Pilot Program – Proposed Extension

Given that the pilot program ran over the late summer months of 2022 - a relatively limited timeframe for conducive weather - staff recommend that the pilot program for responsible liquor consumption in public places be extended through the end of 2023. This will provide for a full summer season in these spaces (including in conjunction with major events taking place in Rocky Point Park), allow staff more time to evaluate the program and gather data, and allow engagement with park users and other stakeholders including local businesses over the high usage summer months. Staff will develop and share a public engagement plan with Council prior to the intended summer engagement.

It is also proposed that two locations be removed from the Bylaw for the duration of the extended pilot:

- Old Orchard Park beach area, while still allowing consumption within the remainder of the park area previously identified. This will remove any concerns about alcohol in a swimming area and address challenges related to clean-up of beach sand with respect to broken glass.
- Inlet Field spectator stands, as the park is currently closed while under construction, with no public access.

With an extension of the pilot program, additional resources will be needed for new and improved signage as well as parks maintenance support for litter removal and recycling through to the end of 2023. For signage, it is recommended that additional signage be created to provide clarity for park users as noted above and that improved sign standards be used, moving to plastic core, aluminum signs for higher durability and semi-permanency. Signage costs would be approximately \$1,500. For parks maintenance, a 0.5 position is recommended to deal with increased clean-up and higher park volumes as a result of the pilot project. The approximate costs for this parks support are \$35,000.

An extension of the pilot program can be achieved through an extension of the timeline contained in the existing Bylaw, moving that date from April 30, 2023 to December 31, 2023. Staff has prepared a new Responsible Consumption of Liquor in Public Places Bylaw No. 3392 for Council consideration (Attachment 2), which reflects these dates and the removal of the Old Orchard beach area and Inlet Field spectator stands. As before, the 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 and is similar to those enacted by other Metro Vancouver Municipalities.

With engagement taking place over the summer months and in these parks and spaces, staff will report back to Council in spring with the proposed public engagement plan, and again late in 2023 to provide feedback and program data and seek direction on next steps.

Other Option(s)

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

Financial Implications

As noted above, additional resources are required for signage and Parks maintenance to support the success of this extended pilot program. A total of \$36,500 has been identified. These expenses can be funded through CM22001 (Council Strategic Plan Goals) which was approved as part of the 2022 Financial Plan and provides funding for various new initiatives and strategic priorities of Council.

Communications and Civic Engagement Initiatives

Staff will inform the community through signage and the City's communication channels of the pilot program extension. Staff will solicit public input over the summer months in order to reach the park users and other stakeholders, including local businesses.

Council Strategic Plan Objectives

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

Attachment(s)

1. Report considered at the July 26, 2022 Regular Council meeting.
2. City of Port Moody Responsible Consumption of Liquor in Public Spaces Bylaw, 2023, No. 3392.

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Report Approval Details

Document Title:	Bylaw to Designation Certain Public Places for Responsible Consumption of Liquor Outdoors - Pilot Extension.docx
Attachments:	- Bylaw to Designate Certain Public Places for the Consumption of Liquor Outdoors.pdf - Attachment 1 - Draft City of Port Moody Responsible Consumption of Liquor in Public Places Bylaw, 2022, No. 3375.pdf
Final Approval Date:	Feb 21, 2023

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

Stephanie Lam, City Clerk and Manager of Legislative Services - Feb 15, 2023 - 5:20 PM

Kate Zanon, General Manager of Community Development - Feb 16, 2023 - 8:45 AM

Natasha Vander Wal, Acting Manager of Communications and Engagement - Feb 16, 2023 - 9:48 AM

Tyson Ganske for Paul Rockwood, General Manager of Finance and Technology - Feb 17, 2023 - 10:12 AM

Tim Savoie, City Manager - Feb 21, 2023 - 9:16 AM