

**4TH REPORT OF THE**  
**PUBLIC SAFETY COMMITTEE**

Meeting held on April 2, 2012, commencing at 6:00 PM, at the London Convention Centre.

**PRESENT:** Councillor D. Brown (Chair), Councillors B. Armstrong, J.P. Bryant, P. Hubert and B. Polhill and J. Martin (Secretary).

**ALSO PRESENT:** Councillors N. Branscombe, M. Brown, D. Henderson, S. Orser,, J. Swan, J. Barber, Police Chief B. Duncan, O. Katolyk, Deputy Chief B. Shea.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. No pecuniary interest(s) are disclosed.

**II. CONSENT ITEMS**

**III. SCHEDULED ITEMS**

**IV. ITEMS FOR DIRECTION**

2. PUBLIC PARTICIPATION MEETING - **Public Nuisance By-law**

Recommendation: That the following actions be taken with respect to the attached proposed Public Nuisance By-law entitled "A by-law to prohibit and regulate public nuisances within the City of London", in order to address nuisance parties and gatherings;

- a) the Public Safety Committee (PSC) supports in principle the proposed Nuisance By-law;
- b) that the proposed by-law **BE REFERRED** to a special PSC meeting to be held in May 2012;
- c) the proposed by-law **BE REFERRED** to Civic Administration and the Town and Gown Committee for further review;
- d) the Near Campus Strategy, including modification of zoning by-law, **BE CIRCULATED** to Municipal Council and the Town and Gown Committee;
- e) the Civic Administration **BE REQUESTED** to contact the Ministry of Municipal Affairs and Housing to discuss possible changes to the *Planning Act* to restrict the number of students per household; and,
- f) the Town & Gown Committee **BE REQUESTED** to review the possibility of enacting a Student Code of Conduct;

it being noted that the Public Safety Committee heard the attached presentation from the Manager, Bylaw Enforcement, and a verbal delegation from B. Duncan, Chief, and received written submissions from the following, with respect to this matter;

- D. Pellarin, dated April 2, 2012
- E. A. Smuck, dated March 30, 2012
- H. W. Rundle, dated March 30, 2012
- A. Mahon, dated March 29, 2012
- F. Fontaine, dated March 29, 2012
- M. MacLean, dated March 29, 2012
- V. F. Norejko, dated March 22, 2012
- C. Engelmeyer, dated April 1, 2012
- G. Wild & J. Kasperski Wild, dated April 2, 2012
- C. Joles, dated April 2, 2012

it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith;

- Joe Hoffer, Cohen Highley – advising that the London Property Management Association (LPMA) supports the by-law; noting that LPMA has approximately 500 members; advising that the LPMA rents to students and that the vast majority are good tenants; indicating that this is of equal concern to all landlords, as all landlords have an interest in their properties; recommending that the Council seek the ability of the Province to get unpaid fines collected through the issuance/renewal of drivers licenses; advising that a weakness is the prohibition of one or any items such as litter on the lawn; recognizing that the intent is the nuisance parties and indicating that it is overreaching as any citizen can call the Police.
- Dennis Pellarin, 1019 Waterloo Street – providing comments as outlined in the attached communication.
- O. Hobson, 43 Evergreen Avenue – expressing opposition to the proposed by-law; indicating that the by-law is being rammed through as a quick fix; advising that it increases the discretionary powers of the police; indicating that the police are the after-hours by-law enforcement already; advising that there should be an honest public review; enquiring as to why the failure happened; indicating that there is no sense of respect, which needs to be taught; requesting a review of the efforts being undertaken; advising that there have been positive initiatives undertaken, such as the public gardens; indicating that the prevention of the behavior should be focused on and advising that this is not a positive by-law.
- Michael, resident of London – suggesting that the preventative measures should be creative; and that partying is the first priority for students, with learning being the second priority.
- Derek McBurney, #4-406 South Street – advising that a loophole of the by-law is that it doesn't determine how to handle a person who doesn't take responsibility and advising that small groups are invited to parties and it gets out of control.
- Pauline House, resident of London – indicating that she lives in Huron Heights, Phase 1 and expressing panic when a for sale sign goes up that her area is next, advising that there should be no tolerance for these instances; advising that the residents are working to engage the students; enquiring as to how this gets controlled so that it doesn't happen; advising that at 3:30 p.m. on St. Patrick's Day, students were throwing cups at cars and pedestrians on Cheapside Street; enquiring as to how to make those responsible pay fines and enquiring as to whether or not a limit on the number of students living in one house can be enforced.
- Dave Jones – enquiring as to who has the authority to order the by-law to be in effect; and enquiring as to what constitutes a party; it being noted that Police Chief Brad Duncan responded to Mr. Jones' enquiries.
- Rene, resident of London – expressing opposition to the by-law; and enquiring why the community has to be punished for the actions of some students.
- Greg Anthony – advising that he is a London Property Management Association member and a real estate representative; advising that 1/3 of the group involved in the March 17th incident were minors; enquiring as to how this by-law addresses minors; and suggesting that parents be held accountable.
- Veronica Barahona, Fanshawe Student Union – advising that this is not a campus issue; advising that the by-law is too immediate and too reactive; recommending that the Town and Gown Committee review this by-law as it targets students.
- Steve, resident of London – indicating that he is a proud Fanshawe College graduate; advising that he delivered a proactive proposal to Fanshawe College, the London Police and Ward Councillors a couple of weeks ago; and enquiring as to why the Liquor Control Board of Ontario is not contacted as to how minors were able to get alcohol.
- Valerie Miretti, resident of London – advising that she lives near the University of Western Ontario and is currently attending Fanshawe College; indicating that the proposed measures are fine and indicating that the citizens are helping.

- Patrick Searle, University of Western Ontario Students Council – advising that students and leaders support the economy; advising that the majority are good students, with a few bad apples; enquiring as to who is responsible for the overflow on someone else’s lawn; enquiring as to whether or not the proposed by-law is proactive or reactive and encourage that everyone stand together.
- William Rosas – indicating that the government has gone too far as the by-law restricts freedom; advising that the by-law is too vague; indicating that allowing discretion is too dangerous and that the by-law infringes on civil rights.
- Peter Tamburas – advising that this is an ethical issue and enquiring as to how the incident on Fleming Drive justifies the proposed by-law.
- Rocky Miretti – expressing support for the proposed by-law; advising that the by-law shows accountability; advising that it protects the integrity of the neighborhoods in the community; advising that the number of rental properties is increasing; and suggesting that someone look at repeat complaints about rental properties and address the problem properties.
- Eugene Petroli – enquiring as to whether Police receive advice when a party exceeds fire by-laws; and recommending that students be proactively educated on the fire code and acceptable occupancy.
- Wayne Hargrove, resident of London – expressing support for the proposed by-law; advising that he moved out of Fleming Drive in 2009 because his family feared for their safety; advising that 3 or more people constitutes an unlawful assembly and enquiring as to whether or not you can restrict the use of glass in specific areas.
- Joanna – advising that the by-law is reactive.
- Heather Enger – Hartlet St – indicating that she doesn’t understand why these parties are held on the front lawn; advising that she did not see the police on St. Patrick’s Day; advising that she is a landlord and lives in the area of her rental property; advising that she has fantastic students and that the rental property is an investment; indicating that she has previously complained to By-law Enforcement about the number of students living in a house; enquiring as to how we enforce 2 and 3 bedroom units being listed as 4 and 5 bedroom units and requesting that the by-law not be rushed through as there is enough power without updating the by-law.
- Darryl Torium – advising that he is a local landlord; indicating that he has had great success with students and they do contribute to the community; advising that this was a few bad apples; advising that he has tenants he has been attempting to evict for the last three months; indicating that he would like to add something to the by-law to give the University of Western Ontario and Fanshawe College the power to penalize, such as withholding grades or expelling students for their behavior.
- Bill Brock – advising that respect needs to be given from both sides; advising that Civil unrest is not a reason to riot or defy authority; advising that this is off-campus authority; indicating that a solution would be for Fanshawe College to buy up the area properties and control the housing; and requesting the the community be given more time for dialogue.
- Brian Gibson – advising that he lives in Ward 2; enquiring as to whether or not landlords can be encouraged to self-police their own property; advising that there is a need to address the event spillover onto other properties; encouraging more public participation with the students and the community; advising that there is always more that can be done and recommending that healthy activities for students be encouraged.
- Edgar Allen Smuck, 928 Western Road – presenting information included on the Public Safety Committee Added Agenda.
- Amanda Alison – advising that she is a Fanshawe College graduate; indicating that social media invites everyone to a party; and enquiring as to whether or not the social media can be monitored so that events can be nipped in the bud.
- Darryl Bedford, OPSEU President – advising that many students are affected and the reputation of the College is on the line.
- Michael Dee – advising that he is an area resident and landlord; advising that he agrees with instituting a code of conduct; indicating that a damage deposit is another tool used in other communities; and it may help the landlord to improve tenant accountability.
- Joanna Markum – advising that Fanshawe opens up their green space and parking lots to host large parties.

- Meredith Fontaine – enquiring as to how often the Police are called onto campus for party issues; advising that students don't belong in residential family homes; indicating that there was no police presence from 8:30 a.m. to 4:30 p.m., the following day; and indicating that this issue has been discussed for 15 years.
- Ted Willams – expressing support for this proactive step; advising that the problems on Fleming Drive are Fanshawe College's responsibility; indicating that Fanshawe should be held responsible for student behaviour and advising that it is the cost of doing business.
- Sandra Boerson – indicating that this is reactive; indicating that this only deals with a small part of the problem; advising that being connected and encouraging engagement doesn't help; advising that the party should have been stopped at 200 people; advising that a mattress was burnt near the University of Western Ontario on the same night; advising that there are not enough police; advising that codes of conduct do make a difference and the students get the message that no one cares.
- Irvine – advising that he lives north of Cheapside Street; indicating that a majority of the students are fabulous; enquiring as to whether or not there is a law limiting rental properties, how many students are allowed in each house, the fire regulations, and parking for cars; and advising that rental property is a business venture in a residential area.
- Cynthia Eldridge, Second St – spoke to the need to provide positive role models for the students through the use of community organizations.
- Barb Louanny – advising she was originally informed that this area was zoned as single-family homes but recently was advised that it is no longer zoned for single-family residences and enquiring as to what has changed.
- Shirley Williams - indicating support for the by-law and concerns for resale value of homes in the neighbourhood and enquiring whether steps are in place for the May 24<sup>th</sup> weekend.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

**VI. ADJOURNMENT**

That the meeting adjourned at 8:40 PM.