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Date: June 14, 2021
To: Mayor and Council
Author: Dan Wolicki, Manager of Municipal Facilities and Properties
RE: Park Curfew Bylaw Amendment
Report No.: CDS 2021-6

RECOMMENDED ACTION

That Council approve the amendment to the Parks Curfew Bylaw 127-2004 as outlined in report CDS 2021-6 to enact a sunset to 5:00am curfew for Lions Park for the remainder of the 2021 year.

BACKGROUND

The purpose of this report is in response to a motion approved at the May 25th, 2021 Council meeting, whereby Council directed administration to consider amending the Park Curfew Bylaw 127-2004 for Lions Park:

329-2021

Moved By Deputy Mayor Queen

Seconded By Councillor Larry Patterson

‘That Council consider and discuss the advisability or possibility of changing the park by-law curfew to ‘dusk’ for the Lions Park site for the year 2021.’

In recent months, residents of Kingsville have expressed concerns surrounding the misuse of Lions Park and have witnessed unwanted activities that may impose a safety risk, for not only those attending the park, but to the surrounding residents.

Residents have also reported observing inappropriate behaviour and language among some users. The inappropriate behaviour has taken place largely in the evening after dark.

The Town anticipates attracting more visitors to the park as the area continues to develop, and the added public presence may naturally deter unwanted behaviour and activities.

Resolution strategies had been investigated in attempt mitigate concerns surrounding misuse and intolerable behaviour and activities, along with developing mechanisms to discourage any further acts.

DISCUSSION

In early May, surrounding residents of Lions Park continued to inform of misuse particularly in that of vehicular traffic occurring on the pathways and observing individuals in the park disobeying the Town's park curfew by loitering during night hours and even in the early morning hours.

The Town installed stationary obstructions within access points of the park to eliminate any possibility of vehicular traffic on the paved pathways along with requesting for extra patrols of the site during the night hours from the OPP as a mitigation measure against after-hours use.

Currently, our park curfew is fairly consistent with municipalities across Windsor Essex:

9:30pm – 6:00am: Leamington

10:00pm – 6:00am: Lasalle, Tecumseh, Lakeshore, Essex

11:00pm – 5:00am: Windsor, Kingsville

11:00pm – 6:00am: Amherstburg

However, in attempt to subside the raised concerns among residents surrounding the park area, imposing a park curfew to reflect a 'sunset' time restriction is recommended. The amendment will allow Administration to gauge its effectiveness for the remainder of the 2021 year and possibility for further considerations moving ahead.

'Sunset' will be ascertained as a definitive time each day by the time listed on the Government of Canada's website.

Kingsville OPP has expressed potential difficulties of a 'sunset' curfew rather than stipulating times as it may hinder their ability for timely enforcement.

Administration had also considered establishing curfew hours that is most compatible with the seasons and daylight savings time as it may appear to be better suited for its purpose and provides the public with a direct expectation in terms of specific seasonal time but could unintentionally limit or discourage park use during seasonal transitions.

Amending the curfew would make it unlawful for any person to be on the grounds of Lions Park from 'sunset' until 5:00am.

The amendment will provide an added tool for local enforcement and the OPP to remove any patrons from the park outside of the curfew hours that would mitigate the opportunity for ill-advised risks pertaining to misuse.

If endorsed by Council, signage will be updated at Lions Park to reflect the amendment of the park curfew bylaw along with issuing communication through the Town's website and social media outlets to inform park users and the general public.

This adjustment may not entirely address the behavior and/or activities noted in complaints filed by residents, however, other options that had been explored will remain on target if issues persist including the use of video surveillance and park lighting.

In addition, residents are encouraged to directly report public disturbances and legitimate misuse or unwanted behaviour by contacting enforcement officials or the OPP.

Attached in Appendix A of this report is the amending bylaw for the Parks Curfew, citing the altered curfew for Lions Park.

LINK TO STRATEGIC PLAN

To promote a safe community.

Improve recreational and cultural facilities and opportunities within the Town of Kingsville.

Link to Council 2021-2022 Priorities

☒ No direct link to Council priorities

FINANCIAL CONSIDERATIONS

No financial implications.

CONSULTATIONS

Parks, Recreation, Arts and Culture Committee
Senior Management Administration
Residents of Kingsville
Municipalities of Windsor-Essex County
Infrastructure and Engineering Services
Legislative Services
Kingsville OPP

Dan Wolicki

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Manager of Municipal Facilities and Properties