

DATE OF MEETING OCTOBER 28, 2019

AUTHORED BY BILL CORSAN, DIRECTOR, COMMUNITY DEVELOPMENT

SUBJECT **CITY OF NANAIMO SIDEWALK CLEARING PRACTICE**

OVERVIEW

Purpose of Report:

To provide the Committee with background information on the City's efforts to keep sidewalks clear during snow events and vegetation management during the rest of the year.

BACKGROUND

At its Meeting on August 26, 2019, Council passed the following motion:

It was moved and seconded that Council defer consideration of the following motion and direct Staff to prepare a report for the 2019-OCT-28 Governance and Priorities Committee meeting on this topic:

"Whereas Council has stated that "livability" is a Council Priority in the 2019-2022 Strategic Plan, namely that "We proactively plan for Nanaimo's growth and focus on community infrastructure to support an inclusive, healthy and desirable place to live"; and that, "a safe and connected community" and "active transportation" are key focus areas of the 2019-2022 Strategic Plan; specifically, the necessity of clear and accessible sidewalks for Nanaimo pedestrians, who are disproportionately our most vulnerable citizens: children, the elderly, and the disadvantaged; regarding Bylaw 5000 (Consolidated), Sections 3, Paragraph 21; Section 18; and Section 22,

- a) Directs Staff to develop and launch a broad communications campaign by October 1, 2019, targeting businesses and commercial property owners and other key stakeholders, that indicates that the City considers compliance with these bylaw sections by commercial property owners a priority;
- b) Directs Bylaw Services to develop and implement a clear, concise and efficient enforcement policy for implementation by 1 November 2019, that outlines the specific systematic approach that will be taken to enforce these bylaw sections; and
- c) Supports the commitment and efforts of Bylaw Services to implement the new bylaw policies and procedures, and to enforce Bylaw 5000 (Consolidated), Sections 3, Paragraph 21; Section 18; and Section 22, with all commercial properties, in support of this Council's 2019-2022 Strategic Plan, in order to help make Nanaimo sidewalks safer for all its citizens.
- d) In six months following implementation, it is proposed that Staff return to Council with an evaluation of the effectiveness of the initiative including financial impacts." |

DISCUSSION

The intent of the Presentation at today's Governance and Priorities Committee Meeting is to provide the context of Bylaw enforcement and illustrate some of the work Staff is undertaking in context of the proposed motion. The intent of the motion was interpreted to focus mainly on snow and ice control of sidewalks, so the focus of this discussion leans more towards this issue.

1. Each year, Staff issue routine communications and update the City's website, advising residents and businesses of the City's procedures around Snow and Ice Control (SNIC). Most communications reference the City's Bylaw requiring residents to remove snow within 24 hours. Communications are multi-faceted and include:
 - a. Website updates
 - b. Presentations to Council and community members if requested
 - c. Social media posts pointing to webpages and specific videos
 - d. Regular news releases leading up to, and through the season
2. Each year, Staff meet to debrief on lessons learned and look for opportunities for improvement. For example, this year, Staff are meeting regularly to improve the City's approach to snow clearing as follows
 - a. Managing SNIC operations from a central, unified command
 - b. Re-examining priorities to improve response on busy transit routes and trails
 - c. Optimizing equipment between Departments
 - d. Refreshed messaging and communications in response
3. Vegetation management along pedestrian routes is assessed as Staff become aware of an issue. If there is a sight line or safety issue, technical staff will review and either issue a work order for City forces, or issue a 90-day warning letter if vegetation is on private property. If there is no compliance, vegetation is removed. With the resources at the City's disposal, it is not feasible to proactively seek areas where vegetation is impinging on every sidewalk, nor does the City take on maintenance of privately-owned vegetation.
4. Most municipalities have similar policies requesting citizens clear sidewalks. It is beyond the current capability of the City of Nanaimo and local contractors to clear snow from all of its 439 km of sidewalks. In Staff's view it is unaffordable and impractical to equip the City (or look to contractors) to respond to sidewalk snow clearing for a condition that occurs on average 10 days per year.
5. Targeted specific land use in bylaw enforcement is likely to create conflict between residents or businesses and the City. Likewise, broad enforcement policies against property owners can be unfairly punitive, especially for those infirm or unable to clear their own walkways. Bylaw enforcement needs to consider individual circumstances.
6. Bylaw Enforcement resources deal with specific issues, such as contractors piling snow from private property onto roadways, hazards such as icicles hanging over sidewalks, or pooling water and ice hazard conditions. Currently, Bylaw enforcement follows the priority established by Council in Policy 93-02 (attached).
7. Creating a policy around a high level of service will hold the municipality to the liability expressed by that level of service.
8. The recommended, and likely most effective approach is to improve the level of communications and looking to citizen engagement to pitch in (e.g. a Snow Angels campaign).

CONCLUSION

While requiring clear sidewalks often appears straightforward, there are numerous complications when dealing with a wide variety of situations. Operations crews continue to strive to improve response to snow and ice events with the equipment available. Often, the best improvement can be made in communications, on which all Departments are focused as we come into the winter period.]

SUMMARY POINTS

- Staff continue to look for improvements to operations for snow removal.
- Operations Departments and Communications are actively updating communications for this winter season.
- Efforts in improving communications are more likely to have a beneficial effect, whereas increased Bylaw enforcement potentially create conflict.

ATTACHMENT

Attachment A – Policy 93-02

Submitted by:

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Concurrence by:

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Works]