

DATE OF MEETING JULY 22, 2024

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SUBJECT FEES AND CHARGES AMENDMENT – RCMP SERVICES FEES

OVERVIEW

Purpose of Report

To bring forward an amendment to the Fees and Charges Bylaw that incorporates the direction provided by Council at its 2024-JUL-08 Council meeting regarding criminal record check and fingerprinting fees.

Recommendation

That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” (a bylaw to amend the Police Services (R.C.M.P.) fees for criminal records checks and fingerprinting) pass first reading.

That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” pass second reading.

That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” pass third reading.

BACKGROUND

On 2018-FEB-16, a delegation appeared before Council citing concerns with paying an additional fingerprinting fee, on top of the \$25.00 criminal record check fee in order to prove one’s identity if their gender and date of birth matches that of a convicted sexual offender in the RCMP database. Based on that discussion, Council passed a motion directing staff to prepare a report regarding options for the City of Nanaimo to reimburse the fingerprinting charges.

Staff investigated the matter to get a better understanding of the criminal record check and fingerprinting processes and the financial implications associated with waiving the fingerprinting fees in those instances. Staff also conducted a survey using the 12 comparator municipalities that the City uses as benchmark municipalities to see what fees they charge and whether they waived fingerprinting fees.

The analysis and survey results, along with four options, were presented to Council for consideration on 2024-JUL-08 (see Attachments B and C). The results showed that Nanaimo’s fees were the lowest of the municipalities surveyed, and that fees had not increased in 20 years. To assist in bringing the City more in line with what other detachments charge, Council selected option 4 which would increase the criminal record check fee for employment purposes from \$25.00 to \$55.00 to reflect the average of the comparator municipalities. To address the concerns presented by the delegation, this option also included a provision whereby if a vulnerable sector check was required and it became necessary to have fingerprinting done to prove one’s identity, that fee would be waived. Fees for volunteers of non-profits remain unchanged at \$10.00.

The bylaw amendment to incorporate Council’s direction is now before Council for consideration of first three readings (see Attachment A). An implementation date of September 1, 2024, for the bylaw is proposed so that notice of the fee increase can be provided to the public.

OPTIONS

1. That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” – a bylaw to amend the Police Services (R.C.M.P.) fees for criminal records checks and fingerprinting pass first reading.

That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” pass second reading.

That “Fees and Charges Amendment Bylaw 2024, No. 7336.10” pass third reading.

- The advantage to the new fee structure as outlined in the bylaw is that the fee for the criminal record check would be structured in the same manner as the fee charged for volunteers of non-profits whereby the fee would be the same regardless of whether fingerprinting is required or not. It would also bring the City of Nanaimo in line with the average of the comparator municipalities for criminal record check fees but not discriminate against those who happen to have their gender and birth date match that of a convicted sexual offender. It would also streamline the administrative process by eliminating the need to separately consider waiving the RCMP and Municipal fingerprinting fee in those instances.

SUMMARY POINTS

- On 2024-FEB-16 Council directed Staff to look at options for Nanaimo to reimburse fingerprinting fees.
- A survey of the 12 comparator municipalities was conducted and Nanaimo’s fees were the lowest of those surveyed and had not increased in 20 years.
- On 2024-JUL-08 the findings were presented to Council, along with four options for Council’s consideration.
- Council selected option four which would increase the criminal record check fee for employment purposes from \$25.00 to \$55.00 to reflect the average of the comparator municipalities, including a provision to waive the fingerprinting fee for vulnerable sector checks.
- The bylaw to incorporate the option selected by Council is being presented for consideration of first three readings.
- If adopted, the bylaw’s implementation date would be 2024-SEP-01.

ATTACHMENTS:

Attachment A – B7336.10 – Fees and Charges Amendment – RCMP Services Fees
Attachment B – RPT_C240708 – Criminal Record Checks and Fingerprinting Fees Staff Report
Attachment C – RCMP Criminal Record Check and Fingerprinting Fee Calculations

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