
TO: CITY MANAGER **DATE:** 2010 April 27

FROM: DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

SUBJECT: REQUEST TO USE PUBLIC FACILITIES BY THE CITIZENS' INITIATIVE ON THE HST

PURPOSE: To consider allowing access to Burnaby facilities by the citizens' initiative on the HST for the purpose of collecting signatures on a petition.

RECOMMENDATIONS:

1. **THAT** the citizens' initiative on the HST be granted access to Burnaby facilities for the purposes of gathering signatures on a petition as long as the activities do not interfere with the normal operation of the facilities as outlined in this report.
2. **THAT** staff develop a policy for Council's consideration which will determine how public facilities can be used for community driven initiatives in the future.

REPORT

At their meetings on 2010 April 19 and April 26, Council raised the issue of whether or not the City should provide space in public facilities to community groups for the purposes of raising awareness on matters of public interest and debate, providing information and gathering support for initiatives that affect all members of the community. Specifically, the discussion was prompted by a request from the citizens' initiative on the Harmonized Sales Tax (HST) to use space in Burnaby Public Library branches and Recreation Centres to gather signatures on their petition.

Library staff declined the group's request to gather signatures, based on the Library Board's Policy 3.9.2: "The library will not permit outside agencies or individuals to personally solicit donations or petition library users on library premises except in special circumstances upon the approval of the Board". While the group did book meeting room space at the Bob Prittie Metrotown Branch, the McGill Branch and the Tommy Douglas Library for the purposes of holding information sessions, the group did not indicate that it would be asking the Library Board to consider their request to gather signatures outside of the information sessions.

To: City Manager
From: Director Parks, Recreation & Cultural Services
Re: Request to use Public Facilities by the Citizens'
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Parks, Recreation and Cultural Services Department staff initially denied access to the group based on a staff policy that does not allow groups to use a facility who appear to be engaging in politically motivated activities unless it was under a separate room allotment. The purpose of the policy is to avoid the perception that public facilities are being used for politically partisan activities.

During the discussion it was pointed out that the Council has not adopted any written policy that directly relates to this issue. It was also pointed out that public facilities had been made available for an information campaign related to the Single Transferable Vote (STV) debate, and that the HST issue is similar in nature because it is a matter of general public interest. The point was also made that the HST petition was not initiated by a particular political organization, rather it is a citizen initiative that seems to cut across political lines. Given these points, staff are prepared to recommend that the request be granted for the purposes of gathering signatures on the HST related petition.

It is recognized, however, that there could be impacts associated with the activity and these should be managed so that they do not compromise the day to day operations in the public facilities. It is suggested that a specific location be identified within a centre (i.e. a table or a room) with clear and appropriate signage that allows people to choose to go to that location to sign the petition. This would ensure the petitioners do not actively approach and pursue people within the facility, since it is known from previous experience that most patrons want to be free of any type of solicitation when using the public facilities. It is also suggested that the petitioners discuss a line management plan with staff in advance of their attendance to ensure that the activity interferes as little as possible with the circulation and core activities of patrons within the facility. Finally, it is also suggested that staff advise the group that if significant problems occur due to congestion, nuisances or other unanticipated situations, the group can be relocated or removed at staff's discretion.

Another potential impact of Council's approval of this request is that a request to use Burnaby facilities by citizen groups focusing on other aspects of the HST debate may materialize. It should be recognized that we would allow this activity under the same terms as the request being considered in this report.

To address this type of request in the future, it is also recommended that a policy be developed for Council's consideration which will determine how Burnaby's public facilities should be used for other community driven initiatives of this nature. The broader policy will cover all City facilities and will be submitted for Council consideration at a future meeting.



Dave Ellenwood
DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

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