

FINANCE AND CIVIC DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: POLICE SERVICES FEES BYLAW

RECOMMENDATIONS:

1. THAT Council bring down the Burnaby Police Services Fees Bylaw.
2. THAT Council approve the Burnaby Police Services fees, as proposed in Attachment #1 of this report.

REPORT

The Finance and Civic Development Committee, at its meeting held on 2011 October 27, received and adopted the *attached* report requesting the Burnaby Police Services Fees Bylaw be brought down, and seeking approval for the fees, as outlined in Attachment #1 of this report.

The bylaw will clarify the revenue collection policy. The rates proposed are moderate, consistent with other Lower Mainland police agencies, and provide an appropriate level of cost recovery.

Respectfully submitted,

Councillor D. Johnston
Chair

Councillor N. Volkow
Vice Chair

Councillor C. Jordan
Member

Copied to:	City Manager Deputy City Manager (RE) OIC, RCMP Director Finance City Solicitor
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TO: FINANCE & CIVIC DEVELOPMENT COMMITTEE **DATE:** 2011 September 21

FROM: OFFICER IN CHARGE – BURNABY DETACHMENT

SUBJECT: POLICE SERVICES FEES BYLAW

PURPOSE: To request a Burnaby Police Services Fees Bylaw be brought down and obtain approval for the fees as outlined in Attachment #1 of this report.

RECOMMENDATIONS:

1. **THAT** the Burnaby Police Services Fees Bylaw be brought down.
2. **THAT** Council be requested to approve the Burnaby Police Services fees as proposed in Attachment #1 of this report.

REPORT**BACKGROUND**

For more than two decades, City staff at the Burnaby RCMP Detachment have been collecting fees from the public for various documentation and administration services provided relating to police records and information. Such services include processing Criminal Records Search requests; fingerprinting; preparing passport, insurance claim, and file synopsis letters; and providing copies of accident and Collision Analyst reports, and photo, audio, and video reproductions.

The fees charged per service have been somewhat in line with what other Lower Mainland police agencies charge, if not less for some services. The revenue generated is credited to the Burnaby Police Services budget to help offset the cost of salaries and benefits of staff providing these services. The amount of revenue collected in each of the last five years has been in the \$300,000 plus range.

REQUIREMENT FOR A FEES BYLAW

The Community Charter permits Council to impose fees payable in respect of City services. A Burnaby Police Services Fees Bylaw would formalize the charges for our services. From time to time over the years, and more so recently, our staff have been questioned on the need to pay a fee for the service requested. A formal bylaw along with this report would help explain the rationale for the fees requested. Further, the bylaw would clearly set out the requirements for specific information and help ensure the requirements were consistently applied.

POLICE SERVICES – FEE DETERMINATION

A review was conducted of the fee schedules of other Lower Mainland police agencies for 2011 and is included for comparison (Attachment #1). From this survey, it can be seen that most of Burnaby Detachment’s current fees are lower than those of our regional counterparts.

Our current fees do not adequately cover the amount of staff time required to process Criminal Records Search queries through the various databases. Similarly, stricter disclosure policies increase staff time in responding to requests for verification of police information. The proposed higher fees would better align cost recovery to the more time consuming processes involved in providing these services.

POLICE SERVICES – FEE RECOMMENDATIONS

It is recommended that our current Police Services fees be increased, where applicable, to the rates proposed on Attachment #1 to achieve consistency with the fees charged by other Lower Mainland police agencies.

Also, it is recommended that a clear definition of a volunteer be used for the services provided category of “Criminal Records Search – Volunteers” in order to differentiate between volunteers that receive no benefit from performing their volunteer duties and volunteers that may receive some benefit from doing so. Volunteers that receive any form of benefit would be subject to paying the standard fee for a Criminal Records Search.

Volunteer Criminal Records Search – Definition of a Volunteer

For the purpose of determining whether a volunteer should receive a Criminal Records Search at no charge, a volunteer is defined as an individual who performs a service or duty and does so not under constraint or compulsion, and without consideration in the form of money or services.

This excludes, by definition, individuals or relatives of individuals providing services as a requirement for association with a business or institution. If some form of benefit is received by the individual from the organization, e.g. in-kind service, reduced or waived fee, then the individual shall not be deemed a volunteer.

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Finally, in respect to volunteer Criminal Record Search requests, a volunteer will not be charged for the first application made in a calendar year. If subsequent requests are made by the volunteer in the same calendar year, they will be charged a \$10.00 fee (plus applicable tax) for each additional request.

CONCLUSION

The bringing down of a bylaw for Police Service fees will clarify our revenue collection policy. The rates proposed in Attachment #1 are moderate, consistent with other Lower Mainland police agencies, and provide an appropriate level of cost recovery.

Chief Superintendent D.T. (Dave) Critchley
OFFICER IN CHARGE – BURNABY DETACHMENT

Attachment

Copied to: Deputy City Manager
Director Finance
City Solicitor
City Clerk

TL/RAE:tl

LOWER MAINLAND POLICE SERVICES FEE SCHEDULES FOR 2011

Services Provided	NON-RCMP AGENCIES			RCMP DETACHMENTS					
	Abbotsford	New Westminster	Vancouver	Coquitlam	North Vancouver	Richmond	Surrey	CURRENT BURNABY	PROPOSED BURNABY
Criminal Records Search	\$65.00	\$65.00	\$67.00	\$60.00	\$55.00	\$55.00	\$52.00	\$50.00	\$60.00
Criminal Records Search - Volunteers*	\$27.00	No Charge	\$27.00	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Police Certificate	\$65.00	\$65.00	\$67.00	\$60.00	\$52.00	\$55.00	\$52.00	\$50.00	\$60.00
Fingerprints	\$65.00	\$65.00	\$32.00 (1st)	Not Specified	\$52.00	\$55.00	Not Specified	\$50.00	\$60.00
Pardon Application	\$65.00	\$65.00	\$67.00	Not Specified	\$52.00	\$55.00	Not Specified	\$50.00	\$60.00
Chauffeur's Permit	Not Specified	Not Specified	Not Specified	Not Specified	\$55.00	Not Specified	\$52.00	\$50.00	\$60.00
MV6020 Accident Report	Not Specified	\$65.00	\$47.62	\$57.14	\$52.00	Not Specified	\$47.00	\$50.00	\$50.00
Collision Analyst Report	\$650.00	\$650.00	\$476.19	\$613.39	\$570.00	\$520.00	\$730.00	\$50.00	\$575.00
Field Drawing Reproduction	Not Specified	Not Specified	\$47.62	\$30.00	\$31.00	\$37.00	\$47.00	\$40.00	\$40.00
Scale Drawing	Not Specified	Not Specified	\$47.62	\$164.29	Not Specified	\$104.00	Not Specified	\$40.00	\$150.00
Mechanical Report	Not Specified	Not Specified	Not Specified	\$219.64	Cost+\$52.00	\$220.00	\$130.00	\$40.00	\$200.00
Scene Measurements	Not Specified	Not Specified	\$47.62	\$38.39/Page	\$207.00	Not Specified	\$36.75	\$40.00	\$75.00
Passport Letter	\$65.00	\$65.00	\$47.62	\$57.14	\$52.00	\$55.00	\$47.00	\$50.00	\$50.00
File Synopsis Letter	\$65.00	\$65.00	\$47.62	\$57.14	\$52.00	\$55.00	\$47.00	\$50.00	\$50.00
Insurance Claim Report	\$65.00	\$65.00	\$47.62	\$57.14	\$52.00	\$55.00	\$47.00	\$50.00	\$50.00
Court Ordered File - Processing Fee	\$130.00	\$130.00	\$95.24	\$57.14	\$52.00	\$55.00	\$47.00	\$50.00	\$50.00

Services Provided	NON-RCMP AGENCIES				RCMP DETACHMENTS				
	Abbotsford	New Westminster	Vancouver	Coquitlam	North Vancouver	Richmond	Surrey	CURRENT BURNABY	PROPOSED BURNABY
Photocopies - Cost per page	\$0.65	\$0.65	Not Specified	\$0.58	Not Specified	\$0.50	\$1.00	\$0.50	\$0.50
Photographs - Cost per photograph	\$8.00	\$3.00	\$4.76	\$2.01	\$2.00	\$2.00	\$2.10	\$2.80	\$2.80
Video Tape / DVD Reproduction	\$190.00	\$200.00	\$38.10 +	\$57.14	\$52.00	\$42.00	\$42.00	\$50.00	\$50.00
Audio Tape / CD Reproduction	\$190.00	\$200.00	\$9.53 +	\$57.14	\$52.00	\$40.00	\$16.00	\$50.00	\$50.00
CD of Photographs - Cost per CD	\$25.00+	\$25.00+	Not Specified	\$57.14	Not Specified	\$17.00	\$47.00	\$50.00	\$50.00
911 Tapes - Cost per tape	Not Specified	Not Specified	ECOMM Bills	\$57.14	Not Specified	Not Specified	Not Specified	\$50.00	Not Specified

* No charge for the first Criminal Record Search requested in a calendar year. There will be a \$10.00 (plus applicable tax) fee for each additional Criminal Record Search requested in the same calendar year.

Notes:

Fee information was taken from Municipal Fees and Charges Bylaws for the following: Abbotsford, Coquitlam, North Vancouver, Richmond, and Surrey. All fees exclude applicable tax.

Descriptions of the police services are as follows:

Criminal Records Search: Search of national, provincial, and local records under the Consent for Disclosure of Criminal Record Information for Burnaby residents.

Criminal Records Search - Volunteers: Search of national, provincial, and local records under the Consent for Disclosure of Criminal Record Information for Burnaby residents. An official volunteer letter must be provided that is signed and dated, on letterhead, from a non-profit organization that includes the applicant's name and describes what their duties will be with the organization.

Police Certificate: Name search of national repository for foreign work permits, foreign travel, and visa applicants for Burnaby residents.

Fingerprints: May be required for employment, name changes, confirmation of criminal convictions, Canadian Pardons, United States Waivers, and immigration purposes for Burnaby residents.

Pardon Application: Local police records search required as part of the pardon process.

Chauffeur's Permit: As required by the Burnaby Taxi Cab Regulation Bylaw. The company that the applicant is applying for must be based out of Burnaby and have a current Burnaby business licence.

MV6020 Accident Report: Copy of the Traffic Accident Report.

Collision Analyst Report: Copy of the report on the technical reconstruction of a collision scene.

Field Drawing Reproduction: Sketch of the accident scene; not to scale.

Scale Drawing: Computerized scale drawing of the accident scene.

Mechanical Report: Certified mechanic's vehicle inspection of a vehicle involved in an accident.

Scene Measurements: Measurements of the accident scene.

Passport Letter: Letter prepared as confirmation of a lost passport.

File Synopsis Letter: Letter prepared as confirmation of the occurrence of lost or stolen items.

Insurance Claim Report: File disclosure to insurance companies.

Court Ordered File Disclosure: Full file disclosure.

**SUBJECT: POLICE SERVICES FEES BYLAW - SUPPLEMENTARY
INFORMATION**

The Finance and Civic Development Committee received a report at its meeting of 2011 September 22 recommending that the Burnaby Police Services Fees Bylaw be brought down and that the fee schedule contained in the report be approved. The report was referred back to staff to provide additional information on the basis of the fees, particularly those with the largest increases over what we currently charge.

Generally, for most of the services provided noted on Attachment #1 of the report, the proposed fees reflect the cost of staff time in order to research and report the requested information and provide the appropriate level of cost recovery. The fee for each service provided is based on the average of time spent, as this may vary depending on the complexity of the request.

The Committee's request for more detailed information on fees for services provided that had the largest increases over current amounts pertains to reporting from our Traffic Services Division.

Collision Analyst Report

A Collision Analyst Report is a detailed report of the events occurring up to and after a collision has occurred. This report is highly technical and is completed by an expert in the field of collision investigation from the Integrated Collision Analyst and Reconstructionist Services team. Depending on the complexity of the collision, the collecting of information and writing of the report can take many hours to days to complete. These reports are normally only completed in fatal or very serious collisions and are requested by Crown for criminal investigations and lawyers for civil litigations. The number of reports requested in a year can vary from five to ten.

Scale Drawing

A scale drawing is a technical plan drawing which requires a Member to obtain exact measurements, to proportion, of the entire scene and surrounding area of a collision. The measurements are then transcribed either by hand or by use of a computer program to provide an exact replica of the scene and location of evidence. Completion can take from three to four hours, up to a day. As a scale drawing is usually included in a Collision Analyst Report, requests for a scale drawing on its own are rare and are usually made by lawyers for civil litigation purposes.

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Mechanical Report

This report is completed by an outside individual who has the proper certification to give expert evidence in court. This is normally undertaken when a collision has occurred as a result of a mechanical malfunction or the collision has resulted in a fatality. The RCMP requires this information for our own investigative purposes and we are currently charged \$330 plus tax for a vehicle inspection. Largely dependent on the number of collision fatalities that occur, approximately 15 are prepared per year. The \$200 fee we are proposing helps offset our cost of the report, which would be requested and paid by lawyers.

Scene Measurements

Scene measurements are done either by hand or by a Member of the Integrated Collision Analyst and Reconstructionist Services team who is trained in using a survey transit. Depending on the complexity of the scene, the measurements can take anywhere from one or two hours to eight to ten hours. There are usually only one or two scene measurement requests per year made by civil litigation lawyers or the engineers for the lawyers.

This additional information is respectfully submitted to the Committee so that the recommendations in the Police Services Fees Bylaw report can be forwarded for Council approval.