

Special Public Safety Advisory Committee Meeting
to be held via Zoom and in person, Council Chambers
Wednesday, November 12, 2025
at 3:00 p.m.

1. **Call Special Committee Meeting to Order**

We acknowledge that Penticton, where we live and work, is on the traditional lands of the Syilx People in the Okanagan Nation.

2. **Adoption of Agenda**

3. **Adoption of Minutes**

3.1 Minutes of the May 21, 2025 Public Safety Advisory Committee Meeting

Recommendation:

THAT the Public Safety Advisory Committee adopt the minutes of the May 21, 2025 meeting as presented.

3.2 Minutes of the July 23, 2025 Special Public Safety Advisory Committee Meeting

Recommendation:

THAT the Public Safety Advisory Committee adopt the minutes of the July 23, 2025 meeting as presented.

4. **New Business**

4.1 HEART and HEARTH Proposal (Temporary Use Permit PL2025-10079)

Presentation by Julie Czeck, General Manager of Public Safety and Partnerships, Cheryl Hardisty, Manager, Intergovernmental Relations and Blake Laven, General Manager of Development Services.

Staff Recommendation:

THAT the Public Safety Advisory Committee recommend that Council approve "Temporary Use Permit PL2025-10079", a permit to allow the use "emergency shelter and homelessness services" (to support temporary transitional housing units as part of the provincial HEART and HEARTH encampment response program), located at 616 Okanagan Avenue East and 2088 Dartmouth Road, for a period of 3-years and expiring on November 4, 2028 with the following condition: Operation of temporary transitional housing and other services is subject to a safety and security plan being in place 24 hours a day, 7 days a week.

4.2 Safe Public Spaces Bylaw No. 2025-35

Presentation by Deanne Burleigh, Bylaw Services Manager and Sarah Desrosiers, Social Development Specialist.

Staff Recommendation:

THAT the Public Safety Advisory Committee recommend that Council give second and third reading to the "Safe Public Places Bylaw No. 2025-35", "Municipal Ticketing Information Amendment Bylaw No. 2025-36" and the "Bylaw Notice Enforcement Amendment Bylaw No. 2025-37", bylaws that support a safe, secure and healthy community.

5. **Next Meeting**

The next regular Public Safety Advisory Committee meeting is scheduled to be held on February 18, 2025 at 3:00 p.m.

6. **Adjournment**

Minutes

penticton.ca

Public Safety Advisory Committee Meeting

held via Zoom and in person, Council Chambers

Wednesday, May 21, 2025

at 3:00 p.m.

Present:	Michael Magnusson, Chair Tia Carlesimo, Vice-Chair Loki Croft (via Zoom) Cherry Fernandez Scott Jacobsen Jeff Leonard James Palanio Alex Waddington Holly Wakeman
Council Liaison:	Ryan Graham, Councillor Campbell Watt, Councillor
Regrets:	Cheyenne Fath Heather Montgomery
Staff:	Julie Czeck, Director of Public Safety and Partnerships Hayley Anderson, Legislative Assistant

1. Call to Order

The Chair called the Public Safety Advisory Committee to order at 3:01 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adopt the agenda of May 21, 2025 as presented.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

3.1 Minutes of the February 26, 2025 Public Safety Advisory Committee Meeting

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adopt the minutes of the February 26, 2025 meeting as presented.

CARRIED UNANIMOUSLY

3.2 Minutes of the March 10, 2025 Special Public Safety Advisory Committee Meeting

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adopt the minutes of the March 10, 2025 meeting as presented.

CARRIED UNANIMOUSLY

Scott Jacobsen joined the meeting at 3:03 p.m.

4. **New Business**

4.1 Community Safety and Wellbeing Plan

Julie Czeck, General Director of Public Safety and Partnerships and Ali Butler and Anne Burrill, Urban Matters will present the proposed workplan for the Community Safety Wellbeing Plan.

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee support the proposed workplan for the forthcoming Community Safety and Wellbeing Plan.

CARRIED UNANIMOUSLY

4. **Next Meeting**

The next regular Public Safety Advisory Committee meeting is scheduled to be held on August 20, 2025 at 3:00 p.m.

5. **Adjournment**

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adjourn the meeting held on May 21, 2025 at 4:47 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Hayley Anderson
Legislative Assistant

Minutes



Special Public Safety Advisory Committee Meeting held via Zoom and in person, Council Chambers Wednesday, July 23, 2025 at 2:00 p.m.

- Present:** Michael Magnusson, Chair
Tia Carlesimo, Vice-Chair
Loki Croft
Cheyanne Fath (via Zoom)
Cherry Fernandez
Scott Jacobsen
Heather Montgomery
James Palanio
Alex Waddington
Holly Wakeman
- Council Liaison:** Ryan Graham, Councillor (via Zoom)
Campbell Watt, Councillor
- Regrets:** Jeff Leonard
- Staff:** Julie Czek, General Manager of Public Safety and Partnerships
Kristen Dixon, General Manager of Infrastructure & Deputy City Manager
Deanne Burleigh, Bylaw Services Manager
Hayley Anderson, Legislative Assistant

1. **Call to Order**

The Chair called the Public Safety Advisory Committee to order at 2:00 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adopt the agenda of July 23, 2025 as presented.

CARRIED UNANIMOUSLY

Cheyenne Fath joined the meeting at 2:09 p.m.

3. **New Business**

3.1 Parks Regulation Bylaw No. 2025-15

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee receive into the record the report titled "Parks Regulation Bylaw No. 2025-15".

CARRIED UNANIMOUSLY

4. **Next Meeting**

The next regular Public Safety Advisory Committee meeting is scheduled to be held on August 20, 2025 at 3:00 p.m.

5. **Adjournment**

It was MOVED and SECONDED

THAT the Public Safety Advisory Committee adjourn the meeting held July 23, 2025 at 2:48 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Hayley Anderson
Legislative Assistant

Memo to Committee

penticton.ca

Date: November 12, 2025
To: Public Safety Advisory Committee
From: Blake Laven, General Manager of Development Services and
Julie Czeck, General Manager Public Safety and Partnerships

Subject: **Heart and Hearth Proposal (Temporary Use Permit PL2025-10079)**

Staff Recommendation

THAT the Public Safety Advisory Committee recommend that Council approve "Temporary Use Permit PL2025-10079", a permit to allow the use "emergency shelter and homelessness services" (to support temporary transitional housing units as part of the provincial HEART and HEARTH encampment response program), located at 616 Okanagan Avenue East and 2088 Dartmouth Road, for a period of 3-years and expiring on November 4, 2028 with the following condition: Operation of temporary transitional housing and other services is subject to a safety and security plan being in place 24 hours a day, 7 days a week.

Executive Summary

The City of Penticton is proposing a Temporary Use Permit (TUP) to allow up to 50 tiny homes as temporary, transitional housing units on City-owned lands at 616 Okanagan Avenue and 2088 Dartmouth Drive for a three-year period, as part of the provincial HEART and HEARTH encampment response program. The initiative is in response to the Fairview/Channel Parkway encampment but also aims to address urgent transitional housing needs in the community while permanent solutions are developed.

The site was identified through a comprehensive review of over 60 potential locations and meets all provincial and municipal criteria, including proximity to services, serviceability, size, availability and alignment with the City's Shelter and Supportive Housing Siting Guidelines. While the site is zoned for industrial use and earmarked for future City operations, its temporary use for housing aligns with both provincial goals and the City's broader housing strategy – and a specific solution to support the Province in their solutions to the Fairview encampment. In consideration of the feedback received from the community and the need to provide more fulsome information to the residents and business around the proposed location, an information session will be held.

Council Direction

Council at their Regular Meeting held on November 4, 2025 passed the following resolution:

8.1 Temporary Use Permit PL2025-10079

Re: 616 Okanagan Avenue East & 2088 Dartmouth Road

281/2025 It was MOVED and SECONDED

THAT Council postpone consideration of "Temporary Use Permit PL2025-10079" until the December 2, 2025 Regular Meeting of Council;

AND THAT Council refer the proposed location of the HEARTH site (616 Okanagan Avenue/2088 Dartmouth Drive) to the Public Safety Advisory Committee meeting, scheduled for November 12, 2025;

AND THAT Council direct staff to hold a public information session in collaboration with BC Housing to allow the community to learn more about the HEART and HEARTH initiative prior to the December 2 Council meeting.

Opposed (1): Councillor Gilbert
CARRIED

Proposal

This application proposes to allow 'temporary, transitional housing units' as part of the provincial HEART and HEARTH program, as a permitted use on the subject lands (616 Okanagan Avenue and 2088 Dartmouth Drive) for a 3 year period, with the condition that a safety and security plan be in place 24 hours a day, 7 days a week. The maximum 50-bed temporary housing (HEARTH) would be in the form of tiny homes.

A Temporary Use Permit (TUP) allows for a use not normally allowed on a site for up to 3 years, with the option for renewal for a further 3 years. Council is the decision-maker on any potential extension to the initial 3-year TUP.

Background: Encampment Response

In response to the encampments at Sage Mesa and Channel Parkway/Fairview, the City of Penticton and the Penticton Indian Band (PIB) initiated collaboration with the Province to address encampment-related challenges in the community. Recognizing the overlapping jurisdictions, City, Penticton Indian Band (PIB), and Provincial, staff identified HEART & HEARTH as a strategic opportunity to align local needs with available Provincial programming.

HEART and HEARTH is the province's encampment response initiative which includes:

- Homeless Encampment Action Response Team (*HEART*), a cross-sectoral working group that develops and implements decampment plans and encampment prevention efforts, and
- Homeless Encampment Action Temporary Housing (*HEARTH*), funding for temporary housing to increase supply short-term to support encampment response while permanent housing is built.

Through a series of engagements with Provincial officials, including a meeting with the Minister of Housing, Hon. Ravi Kahlon, in April, his visit to Penticton in June, and multiple public communications beginning in January 2025 urging Provincial action, the City and the Penticton Indian Band (PIB) have worked to elevate the urgency of the local encampment situation. These efforts have led to the following key points:

- Escalating encampment pressures in Penticton, specific to the Channel Parkway / Fairview Encampment located on Provincial land, have surpassed what the municipality can manage through Bylaw enforcement and policing alone. The impacts include environmental degradation, public safety concerns, and cultural sensitivities.
- Emergency shelter spaces in the City are increasingly being used for long-term stays due to a lack of transitional housing options.
- Homelessness and housing are core Provincial responsibilities, and while local governments play a supporting role, sustained Provincial leadership and investment are essential.

These efforts led to Penticton being identified as a priority community for participation in the HEART & HEARTH program. This was followed by a formal announcement confirming the program's arrival in Penticton, contingent on Council's land use decision.

The program requirements outline roles for both the provincial government and local government, a simplified description of the roles is as follows:

City Role	Provincial Role
• Identification of land for 3-5 year term • Expedite HEARTH site land use approvals • Participate in HEART table	• Developing and funding the encampment response (clean up, remediation, plans for individuals) • Capital and operational funding for HEART table and HEARTH site(s) • Participate in HEART table including provision of resources to connect people to services that promote housing (outreach staff, rent supplements, storage, etc).

It is also important to recognize the role our community plays in this process, specific to any legislative approvals required for land use approval, ensuring that the community are involved in the decision-making process.

Site selection process

As part of its responsibility to identify land for use as a HEARTH site, the City collaborated closely with the province to develop criteria for acceptable sites. The criteria included:

- Availability of land suitable for quick development (vacant, servicing, water, etc.)
- Size (adequate for the 50 units required for participation in the program)
- Proximity to services (health, food, employment, programs, transportation etc.)
- Overall suitability, including alignment with the City's Shelter and Supportive Housing Siting Guidelines
- Land Use

As part of the site review process, the City assessed a wide range of potential locations for temporary housing, including lands owned by the City, the Province, the Penticton Indian Band (PIB), and privately held sites available for lease. This included:

- Over 30 municipally owned sites
- Approximately two dozen provincially owned sites
- Numerous private properties

Most of the reviewed sites were ultimately deemed unsuitable due to one or more of the following factors: inadequate size, inappropriate location, lack of availability within the program's timeframe, or existing designation for other housing priorities. In particular, there was a strong desire to avoid compromising progress on permanent housing solutions in order to accommodate temporary housing needs.

Through that process, a site that is part of the City Works Yards (616 Okanagan Avenue and 2088 Dartmouth Drive), currently used as an off-leash dog park, was determined by the City and the province as the most appropriate site for the use (Figure 1).

This site offered a unique opportunity to meet urgent needs without impacting long-term housing plans, was of appropriate size for the scale of this project and generally aligned with the Shelter and Supportive Housing Siting Guidelines (Attachment A).

Surrounding uses are primarily industrial in nature, with City Yards facilities located on the larger property, with the nearest residential area ~ 600 m away up the Dartmouth Drive hill to the southeast.

The property is currently zoned M1 (General Industrial) and is designated Industrial by the Official Community Plan (OCP). Because of this Industrial OCP designation and zoning, a temporary use permit is required to use the site, which is the subject of this report.

Long-term plans for this portion of the City Yards property include meeting future operational needs, such as accommodating a new building. This requirement has been identified within a medium-term horizon of 5 to 10 years, which aligns well with the HEART & HEARTH program's stated program length of 3 to 5 years.



Figure 1 - Proposed temporary housing location (red)

Recognizing the temporary nature of HEART & HEARTH, the City will continue to work closely with BC Housing to advance permanent housing initiatives. An orderly transition plan will be developed and implemented as the Temporary Use Permit (TUP) approaches its expiry, ensuring continuity and minimizing disruption to both City operations and housing efforts.

Dog park considerations

While the current use of the lands is a dog park, plans were already in place to decommission this dog park to support other use of the land for City operational needs. The use of the lands as temporary transitional housing are expediting the dog park closure. The City has made efforts in the past couple of years to add more leash optional areas in the community, and to upgrade existing off-leash dog parks. Staff are also exploring other opportunities to further support off-leash areas in the community.

Proposed Operational and Land Use Conditions (Safety and Security)

The HEART & HEARTH program itself includes several built-in safety and accountability measures that will support the surrounding community and the residents of the facility, including security provisions, transitional housing tenant agreements, data sharing and rent payments. The Province and the City are aligning on these operational standards to promote transparency, safety, and community confidence in the project. These operational commitments will be reflected in a license-to-use agreement or similar instrument, should Council approve the temporary use permit for the site.

Safety and Security Plan

The temporary transition housing site will operate under a comprehensive 24/7 safety and security plan. This will be a requirement of the Temporary Use Permit.

The HEARTH program offers a higher staffing model than traditional shelters and supportive housing, ensuring consistent oversight and support for residents. There will be a requirement that the operator have a dedicated staff member responsible to liaise with community and emergency services 24/7 and that the operator perform key security functions like access control, surveillance and monitoring, patrols and presence, incident response, safety planning and coordination, reporting and documentation.

If approved, the site will also be subject to built-in environmental safety features such as screen fencing, access control, lighting, and security cameras. Similar HEARTH sites in communities like Campbell River and Kelowna have demonstrated good outcomes using this model.

Additional safety and community measures include:

- Daily neighbourhood patrols by RCMP and Bylaw
- Ongoing clean up efforts by site staff and the City's Clean Team
- Bi-weekly partner meetings to address emerging issues
- Ongoing Neighbourhood engagement sessions for community hosted by 100 More Homes
- Data collection and monitoring by all partners
- Regular communication and updates to the surrounding neighbourhood, with business representatives from the Penticton Industrial Association and Chamber of Commerce

The operational plan will be finalized in collaboration with all partners, pending Council decision of the land use.

Key collaborators who have indicated commitment to the plan already include RCMP, Penticton Fire Department, City staff, Bylaw Services, 100 More Homes, the operator, Penticton and Wine Country Chamber of Commerce, Downtown Penticton Business Association and BC Housing. Penticton Industrial

Development Association has been consulted through October and the City anticipates hearing more from them imminently. This plan would include ongoing neighborhood information sessions and clear information on who to contact if residents have questions or concerns.

Program Details and Participation Requirements

This proposed site is not a shelter; it is temporary, transitional housing, the step after shelter. Emergency shelters are meant to provide short-term relief, not long-term housing. When individuals remain in shelters for extended periods, it limits access for others in urgent need and strains the system's ability to respond. That's why movement through the shelter system is essential. This housing will allow those individuals who are stable and ready for more permanent housing to move out of the shelter systems. For context, the permanent shelter currently houses:

- 3 individuals that have been in the shelter for over 600 days
- 2 for 500–600 days
- 6 for 300–400 days
- 14 for 200–300 days
- 16 for 100–200 days

The proposed temporary housing site will be intentionally populated by shelter residents to support progression through the shelter system. Participants will be selected through a community-based assessment process that considers individual needs and readiness for case planning and program engagement. This targeted approach helps free up emergency shelter space for those currently unhoused, including individuals in the Channel Parkway/Fairview encampment.

As temporary housing is not subject to the *Residential Tenancy Act*, continued residence depends on adherence to program agreements. Individuals who do not meet expectations may lose their housing. Participants will be expected to uphold responsibilities that demonstrate housing readiness, such as paying rent and engaging in agreements that promote accountability, personal growth, and life skill development. Programming will connect residents to services addressing mental health, substance use, and overall wellbeing.

While harm reduction supports are integral to the HEART and HEARTH Program, residents must engage respectfully with staff, neighbours, and the broader community, and continue working toward personal goals. This is a structured environment designed to support stabilization, healing, and forward movement. On-site harm reduction services will help reduce public drug use and prevent overdose deaths, consistent with the model used at all three Heart & Hearth sites in Kelowna. In short, while sobriety is not a requirement for participation, residents are expected to maintain behaviors that support their housing stability.

Building on the success of the Temporary Winter Shelter—which has helped transition individuals into treatment and permanent housing—the City and Province are exploring Arts, Culture, and Employment programming, including skill development and partnerships to deliver future services.

The province has confirmed it will not support dry sites for HEART & HEARTH. With only 5% of unhoused individuals reporting no substance use in the 2025 Point-in-Time Count, such restrictions would exclude the majority of those currently in shelters or encampments.

Coordinated Advocacy

Council continues to champion a comprehensive approach to addressing homelessness, mental health, and substance use challenges in the community. This includes the HEART & HEARTH program, alongside ongoing advocacy for more structured care options where appropriate.

The HEART & HEARTH initiative is designed to support individuals who are semi-independent but still require consistent assistance to remain housed and stable. In parallel, Council is actively exploring opportunities to expand recovery and detox-focused resources to meet a broader spectrum of needs.

A key area of advocacy has been the proposed introduction of compassionate, mandatory care at the Okanagan Correctional Centre in Oliver. This model would offer treatment and support in a secure environment for individuals who have exhausted voluntary care options. It has garnered support from communities across the Okanagan Valley, and the City is working closely with the Province to advance this conversation.

Through the City's land review process for HEART & HEARTH, other privately held sites were identified as promising locations for future housing with integrated health supports. This site could accommodate recovery-focused or complex care services, complementing the HEART & HEARTH program by serving individuals who require more intensive, health-integrated housing solutions.

As the housing continuum continues to evolve, each of these initiatives represents a component of the City's response to homelessness and encampments.

Data collection and sharing commitments

To support a commitment about transparency, BC Housing through the HEART Table will provide regular situational reports to the City outlining specific data points related to the tenancing process, including:

- Total number of individuals at the encampment;
- Number of individuals housed from shelter settings;
- Number of individuals housed from encampment/outdoor settings (and where);
- Number of individuals who have moved on from HEART & HEARTH to supportive, subsidized, or market housing; and
- Number of individuals who have been evicted from the HEART & HEARTH site.

Summary of operational considerations

All of the conditions and program requirements outlined above have been carefully designed to minimize any negative impacts on the broader community while ensuring that residents of the site are supported in taking positive steps toward stability and success.

These conditions will be formally established through the Temporary Use Permit (TUP), the license-to-use agreement between the City and the Province for the use of the land, and any other agreements related to the City's participation in the HEART & HEARTH program. Although the Province will not directly operate the site, the selected operator, chosen through a provincially managed Request for Proposals (RFP) process, will be fully bound by all established conditions.

Financial Implication

There is no anticipated additional cost associated with the temporary use of this parcel of land.

The City is contributing the land for the HEART & HEARTH program, creating an opportunity to pair municipal assets with provincial funding and resources. This approach reflects a responsible and collaborative use of public lands and investments across both levels of government. The Province is covering all site remediation and development costs, including the manufacturing and installation of temporary housing units and amenity buildings and outdoor amenity infrastructure. Additionally, the Province is funding all operational expenses, which will be managed by an operator selected by BC Housing to deliver services on-site.

The City regularly provides land to support a wide range of community services, including the Seniors' Centre, the Rise on Nanaimo, Art Gallery, Daycare, Search and Rescue, Safety Village, Curling Club, Lawn Bowling, ALERT and others, demonstrating its ongoing commitment to leveraging municipal assets for public benefit.

Analysis

This Temporary Use Permit application is required because temporary transitional housing is not currently a permitted use listed in the zoning bylaw in the M1 (General Industrial) zone, to which the property is zoned.

When considering a temporary use permit application, staff encourages Council to consider how it aligns with the Official Community Plan criteria for temporary use permits as well as other relevant policies. The OCP outlines the following five criteria for TUP applications. The criteria and staff's comments is as follows:

Compatibility with land use designation:

- The larger property (18 acres) remains in use for Industrial purposes (i.e. City Yards operations).
- This application follows the temporary use permit issued for the temporary winter shelter at 441 Dawson Avenue for a similar "emergency housing" purpose.
- The site is not near any residential uses.
- According to BC Housing and staff's research, emergency shelters in industrial settings are seen in other communities

Minimizing conflict with adjacent land uses:

- Surrounding land uses are industrial in nature. Operational partnerships leading to the success of the Dawson Avenue temporary winter shelter will be adapted to this location to mitigate impacts on surrounding businesses.
- Physical screening and buffers will mitigate community impact and enhance privacy for temporary housing residents.
- The nearest residential uses are approximately 600m away and physically separated by the Dartmouth Road hill, limiting impact on residential neighbourhoods.

Avoiding impacts on environmentally sensitive areas:

- There are no environmentally sensitive areas in this location.

Not creating a significant increase in the level of demand for services:

- 50-bed temporary housing has a minimal impact on service demands.
- The orderly management of the City's unhoused population has been seen to make more efficient use of Bylaw, Fire and RCMP services, reducing the demand for those services

Not permanently altering the site where it is located:

- The temporary housing is designed to be removed when permanent housing is complete elsewhere.
- Some grading and site preparation will occur to safely install the temporary housing and to buffer the site to provide aesthetic appeal and privacy for residents.

In addition to meeting with the 5 criteria listed above, the following OCP policies align with the proposed temporary, transitional housing use:

- | | |
|----------------|---|
| Policy 4.1.2.1 | Where the need is demonstrated, collaborate and partner with senior governments, Interior Health, the non-profit housing sector and the development community to facilitate the retention, development and operation of projects across the housing spectrum including shelters, transitional housing, complex care, supportive housing, non-market housing, co-op housing and affordable rental and ownership housing for singles, families, youth and seniors, with the goal of expanding the amount of non-market units in the city. |
| Policy 4.1.2.3 | Recognize that while senior governments play the primary role in fostering, funding and delivering affordable housing, the City will provide support through technical assistance, supportive regulations, partnerships, community consultation, project facilitation, and implementing policies that encourage new housing development across Penticton. |
| Policy 4.1.2.4 | Support innovative models of affordable housing, such as modular housing and adaptive re-use of buildings, through technical and regulatory support, using pilot projects or housing demonstration projects. |
| Policy 4.1.4.2 | Ensure that housing – both owner-occupied and rental – is well-managed and meets community expectations for standards of maintenance, upkeep and cleanliness |

Alignment with Shelter and Supportive Housing Guidelines

In 2021, the City, in consultation with the Safety and Security Advisory Committee, adopted its Shelter and Supportive Housing Location Selection Guidelines, which help identify locations for shelters and supportive housing with the goal that the facilities minimize conflicts with other nearby land uses. The guidelines set out 150 m buffers from K-12 schools, certain parks, and major corridors identified in the guidelines. The proposed location is not located within these protected buffer areas and generally complies with the guidelines (Attachment 'A'). The guidelines further encourage new proposed shelter and supportive housing facilities to be approved through a temporary use permit, rather than permanent rezoning of the land, which this application aligns with.

Feedback from the 2024 Public Safety Questionnaire

In November 2024, a Public Safety Survey was initiated to gather residents' perceptions of their neighborhood safety and to identify any types of crime or social nuisance issues that they may have encountered. The survey assessed residents' awareness of emergency preparedness and related programs/initiatives and sought their input on priorities for future investments to enhance public safety. The survey received a total of 1,840 responses.

Respondents were then asked to provide their top three concerns for their own neighbourhood. The Top 3 concerns for City as a whole that emerged from this survey are property crime (76.1%), illicit drug use (65%), homelessness/encampments (64.1%), lack of police presence (27.6%), traffic safety (23.5%), and a lack of Bylaw presence.

Respondents were also asked where they would like to see future investments to support a Safe and Resilient community – they were asked to choose their top three priorities. An increase in police presence came in at the top (64.5%), with treatment and recovery options (48.3%), and increased bylaw presence (46.4%) rounding out the top three priorities. It is worth noting that the fourth highest priority has a difference of 0.2% - Affordable housing is a priority for 42% of respondents, and housing/shelter options for those unhoused is 41.8%. This project would support affordable housing options for the unhoused and take meaningful steps to addressing homelessness and encampments in Penticton. Furthermore, this temporary, transitional housing will reduce the unhoused population in the City, leading to more efficient use of Bylaw, Fire and RCMP resources to address higher level issues – directly responding to the top responses in the survey.

Consultation and Public Feedback

Feedback from the Business Community

The impacts of homelessness are felt across the community but are particularly pronounced in commercial and industrial areas. Businesses in these zones frequently contend with challenges such as survival fires during winter months, year-round vandalism, individuals sleeping in doorways and loading docks, harassment, shoplifting, and other disruptions. As a result, business advocacy organizations have been vocal in their support for the City's efforts to address homelessness.

City staff have engaged in consultations with these groups on this proposal, including the Penticton Industrial Development Association (PIDA), the Penticton Chamber of Commerce, the Downtown Penticton Business Improvement Association (DPBIA), and Travel Penticton. These groups were informed of the proposed HEARTH site and the initial operational, safety, and security measures. Their feedback has been incorporated into discussions with the province regarding site management and safety protocols. Overall, these organizations have expressed general support for the initiative and the selected location as a meaningful step toward addressing homelessness in the community.

Community Consultation

Since issuing public notifications regarding Council's consideration of the Temporary Use Permit (TUP), the City has received a substantial volume of correspondence and feedback from the community, with many residents requesting additional consultation and information. Support for the proposal has also been received from a number of individuals and organizations in the community. In response to the significant interest and feedback received and in order to ensure all the facts are provided to the community, an information session will be held.

"Staff are working closely with BC Housing to organize three public information sessions—one in-person and two virtual—before December 2, 2025. These sessions are designed to help the community understand the project, address concerns, and provide accurate information. In addition, Council will tour three operational sites in Kelowna prior to the decision returning to Council in December.

Summary and Recommendations

This proposed Temporary Use Permit will allow for temporary, transitional housing, as part of the provincial HEART and HEARTH encampment response program on the subject property for a three-year period. In addition to addressing the Channel Parkway/Fairview encampment, the proposal also adds much needed transitional housing to the housing spectrum, currently an identified gap. While it is only for a temporary period it provides basic shelter while longer-term solutions are being planned.

While funding has been earmarked for Penticton, the Province has advised that the Treasury Board approvals are subject to defined fiscal timelines. A delay in municipal approval of the temporary use of land may affect the province's ability to deliver HEART & HEARTH services in Penticton. This is a reflection of the procedural and budgetary constraints that guide provincial funding.

The proposal aligns with several OCP policies for temporary use permit consideration as noted above. While the business community is generally in support of this important interim step in providing for the housing needs of residents in the community, the general public has expressed a desire for more information.

If Council supports the Temporary Use Permit, staff will collaborate closely with the province to advance the housing project as efficiently as possible, with the goal of having units in place by Spring 2026. Key steps toward this goal include: finalizing agreements related to the HEART & HEARTH program, negotiating the license-to-use agreement, decommissioning the existing dog park, assembling modular housing units and amenity buildings on-site, installing fencing, selecting a site operator through a provincial RFP process, and implementing the project.

Attachments

Attachment A – Shelter and Supportive Housing Guidelines Map

Attachment B – Temporary Use Permit PL2025-10079

Respectfully submitted,

Blake Laven, General Manager of Development Services
Julie Czeck, General Manager Public Safety and Partnerships

Temporary Use Permit

Permit Number: TUP PL2025-10079

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Lot 9 District Lot 3821S Similkameen Division Yale District Plan 15261 Except Plans 16174, 17792, KAP73659, KAP91519 and EPP38614; Lot A District Lot 3821S Similkameen Division Yale District Plan 17792 Except Plan KAP70186
 - Civic: 616 Okanagan Avenue East and 2088 Dartmouth Drive
 - PID: 008-860-718; 008-349-177
3. This permit has been issued in accordance with Section 493 of the *Local Government Act*, to allow for the temporary use of the above noted lands for emergency shelter and homelessness services.

Specific Conditions

4. Operation of temporary housing and other services is subject to a safety and security plan providing security 24 hours a day 7 days a week.

General Conditions

5. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit.
6. In accordance with Section 497 of the *Local Government Act*, this permit shall expire on November 4, 2028.
7. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
8. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
9. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility

at (250) 490-2535.

Authorized by City Council, the 4th day of November, 2025.

Issued this ____ day of _____, 2025.

Angela Collison
Corporate Officer

Draft
TUP PL2025-10079

Memo to Committee

penticton.ca

Date: November 12, 2025
To: Public Safety Advisory Committee
From: Deanne Burleigh, Bylaw Services Manager & Sarah Derosiers, Social Development Specialist
Subject: **Safe Public Places Bylaw No. 2025-35**

Staff Recommendation

THAT the Public Safety Advisory Committee recommend that Council give second and third reading to the "Safe Public Places Bylaw No. 2025-35", "Municipal Ticketing Information Amendment Bylaw No. 2025-36" and the "Bylaw Notice Enforcement Amendment Bylaw No. 2025-37", bylaws that support a safe, secure and healthy community.

Executive Summary

The process to amend these bylaws followed a presentation made by the South Okanagan Immigrant and Community Services (SOICS) at the February 20, 2024 Committee of the Whole and their request to seek Council's continued support for their work on anti-racism initiatives and the creation of an anti-harassment bylaw.

Safe Public Places Bylaw No. 2023-06 is being replaced by Safe Public Places Bylaw No. 2025-35 and is now broadly broken into 3 sections; i) prohibitions on solicitation; ii) prohibitions on obstructing or impeding the use of a public space; and iii) prohibitions on public nuisance and "unsafe uses" which includes a section defining discriminatory harassment.

The new bylaw retains many of the previous provisions while adding revisions to both strengthen enforceability and align with current case law.

Safe & Resilient: The City of Penticton will enhance and protect the safety of all residents and visitors to Penticton.

Livable & Accessible: The City of Penticton will proactively plan for deliberate growth, focusing on creating an inclusive, healthy, and vibrant community.

BACKGROUND

At the Regular Council meeting of February 20, 2024, Council passed the following resolution:

11.1 Business Arising from Committee of the Whole of Council

54/2024

It was MOVED and SECONDED

THAT Council direct staff to draft an amendment to our bylaws or create a bylaw to restrict harassment of a person in a public space similar to the Public Behaviors Bylaw 54M2006 of the City of Calgary.

CARRIED UNANIMOUSLY

This resolution followed a presentation by SOICS during the Committee of the Whole, which brought forward community concerns about racism and discriminatory harassment in public spaces across the South Okanagan. SOICS shared data and lived experiences from racialized residents and newcomers who had been subjected to discriminatory harassment. They requested that Council explore a bylaw similar to Calgary's Public Behaviours Bylaw to help address these incidents and demonstrate the City's commitment to fostering safe, inclusive public spaces. Since the presentation was made in 2024, the City's Social Development team have been meeting regularly with SOICS to discuss ways in which the City can support their anti-racism and anti-harassment initiatives. Staff have also met regularly with the Bylaw department and the RCMP.

Staff aimed to address the need for a regulatory mechanism to address harassment and discrimination in public spaces (from here forward referred to as discriminatory harassment), including the consideration of a bylaw with enforceable provisions.

The City has been actively exploring a regulatory approach to address harassment and discrimination in public spaces. This work has taken time due to several important considerations. Staff conducted a detailed review of existing bylaws and legal frameworks to ensure any proposed changes would be effective, enforceable, and consistent with Charter rights. A thoughtful and collaborative approach was prioritized to ensure the solution is both meaningful and sustainable. While limited staff capacity and competing priorities contributed to the extended timeline, this initiative remained a priority.

To inform the proposed bylaw changes, staff conducted a cross-jurisdictional review of municipal approaches across Canada. While no comparable bylaws were found in British Columbia (BC), examples from Alberta and Saskatchewan were examined, including consultations with the City of Calgary and the Town of Outlook. In Alberta, bylaw officers are often designated as provincial peace officers, enabling them to enforce both municipal and certain provincial laws within a tiered policing model. However, most enforcement tickets are still issued by police. In Saskatchewan, anti-bullying bylaws that target youth serve primarily as preventative tools enforced by the RCMP.

In BC, municipalities have authority under the *Community Charter* to regulate, prohibit and impose requirements in relation to "public places" pursuant to section 8(3)(b), which includes authority in relation to persons, property, things and activities that are in, on or near public places, pursuant to section 62. Pursuant to section 8(3)(h), municipalities also have the authority to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64. Of particular relevance in section 64 is the authority in respect of nuisances, noise

or any other matter that is liable to disturb the public, and indecency and profane, blasphemous or grossly insulting language.

The primary purpose of Safe Public Places Bylaw No. 2025-35 is to prevent and address public nuisances on public property. Harassment, especially when rooted in racism or discrimination, undermines individuals' safety, dignity, and sense of belonging and community cohesion in public spaces. Such behavior not only harms those directly targeted but also discourages broader community participation. By explicitly prohibiting discriminatory harassment, the City of Penticton affirms that racism and hate have no place in its public realm and commits to ensuring inclusive, safe access for all.

While the original *Safe Public Places Bylaw* already included language prohibiting harassment, this change strengthens the City's ability to respond in public places by introducing a specific enforcement mechanism, namely, the authority for RCMP to issue tickets for such behaviour under the Municipal Ticket Information (MTI) system or the Bylaw Notice Enforcement Bylaw (BNEB).

RCMP have the authority to enforce the *Criminal Code* as well as issue tickets under either the Municipal Ticketing Information Bylaw or under the Bylaw Notice Enforcement Bylaw. Staff are recommending that complaints of discriminatory harassment as defined in the Safe Public Places Bylaw No. 2025-35 be referred to and assessed by the RCMP, who would, through investigation, determine whether such harassment constitutes criminal harassment, or alternatively, a form of public nuisance.

The bylaw provides a clear framework to address instances of discriminatory harassment that may constitute a public nuisance or interfere with the safe use of public areas and that do not meet the threshold for charge approval for a *Criminal Code* offence. This bylaw will not provide authority to arrest a person breaching it, or force them to leave an area, and it does not apply to private residences or spaces. Enforcement will be in accordance with existing procedures under which the Bylaw Department operates. The \$500 fine established through amendments to the Municipal Ticketing Information Bylaw and the Bylaw Notice Enforcement Bylaw will serve as a deterrent and a tool for addressing violations.

Fulsome review of the Safe Public Places Bylaw

The proposed changes to include discriminatory harassment served as the impetus to conduct a fulsome review of the Safe Public Places Bylaw and include revisions to strengthen enforceability and reduce risks associated with potential constitutional challenges to outdated provisions. The proposed changes to the Safe Public Places Bylaw include three broad sections:

- i. Prohibitions on solicitation as obstructing or impeding movement within a public space (Section 5);
- ii. Prohibitions on obstruction or impeding the use of public spaces (Section 6);
- iii. Prohibitions on public nuisance and "unsafe uses" (Section 7) which includes discriminatory harassment (Section 7.1(b)).

Changes to Strengthen Enforceability

The Safe Public Places Bylaw retains many of the previous provisions and adds the following revisions that strengthen enforceability:

1. A succinct definition of discriminatory harassment that identifies the behaviours, separate and distinct from the criminal code definition, that would be subject to enforcement under this bylaw as a prohibited

form of public nuisance, with an associated \$500 fine and as noted above, staff are recommending that the RCMP would be the enforcement body for this particular section of the bylaw.

2. A revised definition of disorderly conduct: “means conduct which would cause a public disturbance or constitute a public nuisance and includes engaging in any activity or behaviour that could reasonably be expected to obstruct or impede other members of the public from using a public place, or a portion or feature of a public place, for its intended purpose”. This definition is clear and concise and allows the Bylaw officers (and/or the RCMP) to identify the elements of the offence and if deemed appropriate under the specific circumstances, issue a ticket.
3. The new Section 6 (Obstruct or Impede the Use of a Public Place) takes items that had been elsewhere in the original bylaw and moved them to this section strengthening enforceability by defining them as a form of obstruction rather than a public nuisance or unsafe behaviour. (Example: loitering in a public washroom as a form of “obstruction of intended use” will make it easier to enforce and reduce risks associated with potential constitutional challenges associated with outdated provisions).
4. Section 7 (Safe Use of Public Spaces and Public Nuisances) clearly reflects enforceable actions and behaviours that are not permitted in public spaces in Penticton and includes: disorderly conduct (discussed above); discriminatory harassment (discussed above); urinating or defecating in a public place; hazardous or unsafe activities; vandalism; abandoning or discarding items or personal property in a public place; consumption of liquor in a public place (other than a designated area); displaying or using drug paraphernalia or a controlled substance and endangering life, safety, health or property.

Bylaw Enforcement Officers would be primarily responsible for enforcement for all these infractions with the exceptions of:

- Discriminatory harassment (previously discussed);
- Displaying or using drug paraphernalia or a controlled substance (controlled substances are illegal to possess therefore Bylaw Officers cannot take possession of them during an interaction leaving all enforcement to the RCMP); and
- Endangering life, safety, health or property (most behaviours endangering life will require an RCMP response).

Staff would like to highlight that the old version of the bylaw included references to the seizure of things unlawfully occupying a portion of a highway or public place. The proposed changes remove this wording and replace it with Section 7.1 (f): While in or on a public place, a person must not abandon or discard any items or personal property in a public place.

This new wording reinforces and supports the existing processes in place at Bylaw Services Department to remove abandoned or discarded property from a public place.

5. The Bylaw Notice Enforcement Amendment Bylaw No.2025-37 will include Sections 5, 6 and 7 of the Safe Public Places Bylaw No.2025-37 authorizing Bylaw Officers and RCMP the ability to issue Bylaw Enforcement Notices for offences if the circumstances warrant issuance of a ticket. This will be in

addition to the current enforcement option of issuing an infraction under the Municipal Ticketing Information Amendment Bylaw No.2025-36.

Changes to Minimize Challenges

The revised bylaw incorporates the following revisions that align with the current legal environment and serve to reduce risks associated with potential constitutional challenges to outdated provisions:

1. Temporary overnight shelters were incorporated into 2 sections (4.2(b) and 6.1(a)) of the bylaw to align with the new Parks Bylaw and existing Case Law, permitting a temporary overnight shelter in a public place after it is closed to the public.
2. The prohibition of solicitation has been framed in the amended bylaw to limit obstruction and interference with the safe and efficient movement of pedestrian and vehicular traffic in, on or through a public space specifically to address recent constitutional challenges.
3. The amended bylaw does not permit solicitation within 5 meters of identified spaces (reduced from 10 meters) to address constitutional challenges where restricted areas were so expansive that they eliminated large areas of a City. The exception to this is the 1 meter distance from the entrance to a retail store.

FINANCIAL IMPLICATIONS

The implementation of the *Safe Public Places Bylaw No. 2025-35* and the corresponding *MTI Bylaw No. 2025-36* and *Bylaw Notice Enforcement Bylaw No. 2025-37* includes the introduction of:

- i. Fines under the Bylaw Notice Enforcement Bylaw for Sections 5.1 a, b, c, 5.2, 5.3, 5.4, 6.1a, b, c, 6.2, 7.1 a, b, c, d, e, f and g. Enforcement will be carried out within existing Bylaw Services Department capacity, and no additional staffing or resources are required at this time.
- ii. Specifically, a \$500 fine for individuals found to be engaged in discriminatory harassment of others in public spaces (Section 7.1(b)). Enforcement will be carried out within existing RCMP service capacity, and no additional staffing or resources are required at this time.

Any financial implications from these fines will be monitored and either amended through a quarterly report or incorporated into a future financial plan.

ANALYSIS

The proposed *Safe Public Places Bylaw No. 2025-35* is intended to extend the City's commitment to equity and inclusion into public spaces. Using the authority granted under the *Community Charter*, the bylaw aims to prevent and abate behaviours that constitute public nuisance, including harassment and discriminatory conduct that interferes with individuals' ability to safely and fully enjoy public spaces. By explicitly identifying and prohibiting conduct such as grossly insulting or degrading language, the bylaw provides a mechanism to address racism and discrimination as community well-being issues in public spaces. It is important to note that this bylaw does not apply to incidents occurring within private residences, as its scope is limited to conduct in, on, or near public places as defined under the *Community Charter*.

This approach reinforces the City's broader efforts to create a respectful and inclusive environment for all residents and visitors and signals that discriminatory behaviour will not be tolerated in any context—whether internal or public.

These changes also strengthen enforceability by retaining the previous provisions that are enforceable within the jurisdiction of the City and adding clarity in definition and description of actions and behaviours that are prohibited within the City of Penticton. The addition of the amendment to the Bylaw Notice Enforcement Bylaw to include Bylaw Offence Notices for infractions of the Safe Public Places Bylaw No. 2025-35 gives an enforcement option that had not been included previously. Staff highlight that the response to all infractions will begin with education and information with a view to gaining voluntary compliance. The ability to issue Bylaw Offence Notices will be an added tool in the toolbox when the circumstances demonstrate a need for its use.

Finally, this work acknowledges the current legal environment and reduce risks associated with potential constitutional challenges to outdated provisions by aligning the bylaw with current case law and court decisions in other jurisdictions. This strengthens the bylaw overall and provides clarity to both public and staff on what is permitted behaviour and permitted use in public spaces.

ATTACHMENTS

Attachment A –Safe Public Places Bylaw No. 2025-35

Attachment B –Municipal Ticket Information Amendment Bylaw No. 2025-36

Attachment C –Bylaw Notice Enforcement Amendment Bylaw No. 2025-37

Respectfully submitted,

Deanne Burleigh, Bylaw Services Manager

Sarah Derosiers, Social Development Specialist

Bylaw No. 2025-35

A bylaw to support a safe, secure and healthy community.

WHEREAS the purposes of a municipality include providing for good government of its community; providing for services, laws and other matters for community benefit; providing for stewardship of the public assets of its community, and fostering the economic, social and environmental well-being of its community;

AND WHEREAS the Council of the City of Penticton wishes to promote well-being, quality of life, and community safety for its residents and visitors;

AND WHEREAS the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to: persons, property, things and activities that are in, on or near public places; nuisances, and disturbances;

AND WHEREAS except as permitted by bylaw or another enactment, a person must not cause a nuisance on, obstruct, foul or damage any part of a highway or other public place;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

Citation

1. This bylaw may be cited for all purposes as the "Safe Public Places Bylaw No. 2025-35."

Severability

2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Definitions

3. In this bylaw:

AUTOMATED BANK TELLER MACHINE means a device linked to a financial institution's account records which is able to carry out transactions, including, but not limited to, account transfers, withdrawals, deposits, balance inquiries, and mortgage and loan payments, but does not include a personal electronic device;

BUS STOP means a section of a street which is reserved for the loading and unloading of buses and where parking and stopping of all other vehicles is prohibited;

BYLAW ENFORCEMENT OFFICER means every person employed by the City of Penticton for the purpose of enforcement of the City's bylaws and includes members of the RCMP;

CITY means the Corporation of the City of Penticton;

COUNCIL means the Council of the City of Penticton;

CONTROLLED SUBSTANCE means any controlled substance as defined or described in Schedules I, II or III of the *Controlled Drugs and Substances Act*, 1996 chapter 19, as amended from time to time;

DISCRIMINATORY HARASSMENT includes the use of any words or conduct in relation to a person's indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, that could reasonably cause offence or humiliation, demean a person, or otherwise detrimentally affect a person's use of a **public place**;

DISORDERLY CONDUCT means conduct which would cause a public disturbance or constitute a public nuisance, and includes engaging in any activity or behaviour that could reasonably be expected to **obstruct** or **impede** other members of the public from using a **public place**, or a portion of feature of a **public place**, for its intended purpose;

DRUG PARAPHERNALIA means equipment, products or accessories intended or modified for consuming a **controlled substance**;

FINANCIAL INSTITUTION includes a bank, credit union, cheque cashing business and trust company;

LOITER means to use or occupy a space other than for its intended purpose or to occupy a space such that it is not usable by others;

PUBLIC PLACE means any real property or portions of real property owned or leased by the City to which the public ordinarily has either express or implied access;

SOLICIT means to ask for money, donations, goods or other things of value whether by spoken, written or printed word, or bodily gesture;

TEMPORARY OVERNIGHT SHELTER means a temporary overnight shelter permitted under Parks Regulation Bylaw No. 2025-15, as may be amended from time to time, or such successor bylaw in function;

VANDALIZE means to, without express authority, remove, destroy, damage, deface, render inoperable, or otherwise alter the appearance, characteristics, or features of a thing.

Applicability

4.1 Subject to section 4.2, this bylaw applies to all **public places** in the City of Penticton.

4.2 Section 7.1(g) of this bylaw does not apply to:

- (a) supervised consumption or overdose prevention facilities operated by or on behalf of Interior Health or BC Housing or personnel operating for or on behalf of Interior Health or BC Housing;
or
- (b) **Temporary overnight shelters.**

Solicitation

- 5.1 No person may **solicit** in a manner that obstructs or impedes the safe and efficient movement of pedestrian and vehicle traffic in, on, or through a **public place**, including where such **solicitation** includes:
- (a) to sit or lie on a street or sidewalk in a manner which obstructs or impedes the convenient passage of any pedestrian or vehicular traffic while **soliciting**;
 - (b) to continue to **solicit** from, obstruct, or impede a pedestrian after that person has made a negative initial response to the solicitation or has otherwise indicated a refusal; and
 - (c) to physically approach and solicit from a pedestrian as a member of a group of two or more persons.
- 5.2 No person shall solicit in a **public place** within 5 metres of:
- (a) an entrance to a **financial institution**;
 - (b) an **automated teller machine**;
 - (c) a **bus stop**;
 - (d) a daycare centre, schools, or seniors residences;
 - (e) 200 or 300 block Main Street Breezeways;
 - (f) an entrance to any public park or public trail; or
 - (g) an entrance to any building, or facility owned or operated by the City or that is located on property owned or leased by the City.
- 5.3 No person shall solicit in a **public place** within 1 metre of the entrance to a retail store, without express permission from the retailer.
- 5.4 No person shall **solicit** from a driver or passenger of a motor vehicle in a manner which obstructs or impedes the safe and efficient movement of any vehicular traffic on a street or otherwise through a **public place**.

Obstruct or Impede the Use of a Public Place

- 6.1 While in or on a **public place**, a person must not obstruct or impede the use of such **public place**, or any portion or feature of such **public place** by any other person, including where such obstruction or impediment is the result of a person:

- (a) other than in relation to a permitted **temporary overnight shelter**, remaining in or refusing to leave a **public place** after it is closed to the public or when asked to leave by a Bylaw Enforcement Officer or other City employee pursuant to a provision of a lawfully enacted bylaw or statute;
- (b) **loitering** in any washroom or change-room within a **public place**; or
- (c) climbing a building, structure or improvement unless it is designed and intended or provided for climbing.

6.2 While in or on a **public place**, a person must not **obstruct** or **impede** a **bylaw enforcement officer** or any other employee of the City in the performance of their duties.

Safe Use of Public Places and Public Nuisances

7.1 While in or on a **public place**, a person must not:

- (a) participate or engage in **disorderly conduct**;
- (b) participate or engage in **discriminatory harassment** of another person;
- (c) urinate or defecate other than in a facility designated for such purpose;
- (d) carry on or permit an activity of a hazardous or unsafe nature which may cause injury, harm or damage to a person or to a building, structure, or improvement;
- (e) **vandalize** any building, structure, improvement, chattel, tree, or shrub that is either in a **public place** or that is adjacent to a **public place** while that person is in a **public place**;
- (f) abandon or discard any items or personal property in a **public place**;
- (g) consume or possess an open alcoholic beverage; unless that person complies with the Liquor Control and Licensing Act, R.S.B.C., c. 267, has been issued a permit, or is in an area designated by the City for the consumption of alcohol on the terms and conditions under which such area is designated, including but limited to those areas designated pursuant to Liquor Consumption (Okanagan Beach, Rotary Park, Okanagan Lake Park, Marina Way Park, Marina Way Beach, Skaha Lake Park, and Sudbury Beach) Bylaw No. 2023-05, as may be amended from time to time, or such successor bylaw in function;
- (h) display or use **drug paraphernalia** or a **controlled substance**, except in areas designated as per section 4.2; or
- (i) endanger life, safety, health, or property.

Offence, Penalties and Enforcement

8.1 Every person who:

- (a) violates any provision of this bylaw, or causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this bylaw;
- (c) neglects or refrains from doing anything required under this bylaw; or
- (d) suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw;

is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to the maximum penalties as specified in section 263(1)(b) of the *Community Charter*.

8.2 For continuing offences, each day that such violation is caused, or allowed to continue, constitutes a separate offence.

Repeal

9.1 "Safe Public Places Bylaw No. 2023-06" is hereby repealed upon the adoption of this Bylaw.

READ A FIRST time this	day of	, 2025
READ A SECOND time this	day of	, 2025
READ A THIRD time this	day of	, 2025
ADOPTED this	day of	, 2025

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Bylaw No. 2025-36

A bylaw to amend the Municipal Ticketing Information Bylaw No. 2012-5021

WHEREAS the Council of the City of Penticton has adopted a Municipal Ticketing Information Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend the "Municipal Ticketing Information Bylaw No. 2012-5021";

NOW THEREFORE BE IT RESOLVED that the Council of the City of Penticton in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title:

This Bylaw may be cited as "MTI Amendment Bylaw No. 2025-36".

2. Amendment:

2.1 Amend "City of Penticton Ticket Information Bylaw No. 2012-5021" by updating Schedule A:

- i. In column 1 under DESIGNATED BYLAWS, add 26. Safe Public Places Bylaw No. 2025-35
- ii. In column 2 under DESIGNATED BYLAW ENFORCEMENT OFFICER, add Bylaw Enforcement Officer and RCMP

2.2 Add the following Schedule:

- Schedule B26 – Safe Public Places Bylaw No. 2025-35

2.3 Schedule B26 attached hereto forms part of this bylaw.

READ A FIRST time this day of , 2025

READ A SECOND time this day of , 2025

READ A THIRD time this day of , 2025

ADOPTED this day of , 2025

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Schedule B26 to "City of Penticton Ticket Information Bylaw No. 2012-5021"

Safe Public Places Bylaw No. 2025-35

Description of Offence	Bylaw Section	Fine
Sit or lie on a street or sidewalk in a manner which obstructs while soliciting	5.1 (a)	\$30.00
Continue to solicit after a person has made a negative initial response or indicated a refusal	5.1 (b)	\$60.00
Physically approach and solicit from a pedestrian as a member of a group of two or more persons	5.1 (c)	\$30.00
Solicit in a public place within 5 metres of an entrance to a financial institution	5.2 (a)	\$30.00
Solicit in a public place within 5 metres of an automated teller machine	5.2 (b)	\$30.00
Solicit in a public place within 5 metres of a bus stop	5.2 (c)	\$30.00
Solicit in a public place within 5 metres of a daycare centre, schools, or seniors residences	5.2 (d)	\$30.00
Solicit in a public place within 5 metres of 200 or 300 block Main Street Breezeways	5.2 (e)	\$30.00
Solicit in a public place within 5 metres of an entrance to any public park or public trail	5.2 (f)	\$30.00
Solicit in a public place within 5 metres of an entrance to any building, or facility owned or operated by the City or that is located on property owned or leased by the City	5.2 (g)	\$30.00
Solicit in a public place within 1 metre of the entrance to a retail store, without permission from the retailer	5.3	\$30.00
Solicit from a driver or passenger of a motor vehicle	5.4	\$30.00
Remain in or refuse to leave a public place after it is closed to the public	6.1 (a)	\$100.00
Loitering in any washroom or change-room within a public place	6.1 (b)	\$100.00
Climbing a building, structure or improvement	6.1 (c)	\$60.00
Obstruct or impede a bylaw enforcement officer in the performance of their duties	6.2	\$200.00
Participate or engage in disorderly conduct	7.1 (a)	\$100.00
Participate or engage in discriminatory harassment of another person	7.1 (b)	\$500.00
Urinate or defecate other than in a facility designated for such purposes	7.1 (c)	\$100.00
Carry on or permit an activity of a hazardous or unsafe nature	7.1 (d)	\$100.00
Vandalize any building, structure, improvement, chattel, tree or shrub that is in a public place	7.1 (e)	\$100.00
Abandon or discard any items or personal property in a public place	7.1 (f)	\$60.00
Consume or possess an open alcoholic beverage	7.1 (g)	\$100.00

The Corporation of the City of Penticton

Bylaw No. 2025-37

An amendment to regulate enforcement of bylaw notices

WHEREAS pursuant to the *Local Government Bylaw Notice Enforcement Act* and the *Community Charter*, the City may establish fine amounts for contravention of City bylaws;

AND WHEREAS the City of Penticton has adopted "Bylaw Notice Enforcement Bylaw No. 2012 – 5037";

AND WHEREAS the City of Penticton wishes to amend Schedule 'A' to "Bylaw Notice Enforcement Bylaw No. 2012 - 5037";

NOW THEREFORE the Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

1. Title:

This Bylaw may be cited as the "Bylaw Notice Enforcement Amendment Bylaw No. 2025-37".

2. Amendment:

2.1 Amend Schedule 'A' by updating the Appendices Index and adding:

Appendix 26 – Safe Public Places Bylaw No. 2025-35

2.2 Appendix 26 attached hereto forms part of this bylaw.

READ A FIRST time this day of , 2025

READ A SECOND time this day of , 2025

READ A THIRD time this day of , 2025

ADOPTED this day of , 2025

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Schedule 'A'

APPENDIX 26

Safe Public Places Bylaw No. 2025-35

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Sit or lie on a street or sidewalk in a manner which obstructs while soliciting	5.1 (a)	\$30.00	\$25.00	\$35.00	Yes
Continue to solicit after a person has made a negative initial response or indicated a refusal	5.1 (b)	\$60.00	\$45.00	\$65.00	Yes
Physically approach and solicit from a pedestrian as a member of a group of two or more persons	5.1 (c)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of an entrance to a financial institution	5.2 (a)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of an automated teller machine	5.2 (b)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of a bus stop	5.2 (c)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of a daycare centre, schools, or seniors residences	5.2 (d)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of 200 or 300 block Main Street Breezeways	5.2 (e)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of an entrance to any public park or public trail	5.2 (f)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 5 metres of an entrance to any building, or facility owned or operated by the City or that is located on property owned or leased by the City	5.2 (g)	\$30.00	\$25.00	\$35.00	Yes
Solicit in a public place within 1 metre of the entrance to a retail store, without permission from the retailer	5.3	\$30.00	\$25.00	\$35.00	Yes
Solicit from a driver or passenger of a motor vehicle	5.4	\$30.00	\$25.00	\$35.00	Yes
Remain in or refuse to leave a public place after it is closed to the public	6.1 (a)	\$100.00	\$90.00	\$110.00	Yes
Loitering in any washroom or change-room within a public place	6.1 (b)	\$100.00	\$90.00	\$110.00	Yes
Climbing a building, structure or improvement	6.1 (c)	\$60.00	\$45.00	\$65.00	Yes
Obstruct or impede a bylaw enforcement officer in the performance of their duties	6.2	\$200.00	\$150.00	\$210.00	No

Participate or engage in disorderly conduct	7.1 (a)	\$100.00	\$90.00	\$110.00	Yes
Participate or engage in discriminatory harassment of another person	7.1 (b)	\$500.00	\$450.00	\$510.00	Yes
Urinate or defecate other than in a facility designated for such purposes	7.1 (c)	\$100.00	\$90.00	\$110.00	Yes
Carry on or permit an activity of a hazardous or unsafe nature	7.1 (d)	\$100.00	\$90.00	\$110.00	Yes
Vandalize any building, structure, improvement, chattel, tree or shrub that is in a public place	7.1 (e)	\$100.00	\$90.00	\$110.00	Yes
Abandon or discard any items or personal property in a public place	7.1 (f)	\$60.00	\$45.00	\$65.00	Yes
Consume or possess an open alcoholic beverage	7.1 (g)	\$100.00	\$90.00	\$110.00	Yes



2026 Public Safety Advisory

Committee Meeting Dates

Month	Date
February	18
May	20
August	19