

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PARKS, RECREATION AND CULTURE
SUBJECT: **RESPONSIBLE CONSUMPTION OF ALCOHOL IN BURNABY PARKS - PILOT REVIEW AND ONGOING PROGRAM**
PURPOSE: To update Council on the 2023 pilot program and seek approval to bring forward a bylaw to make the program year-round and permanent.

RECOMMENDATION

THAT approval be given to recommended Option 4, as outlined in the report titled “Responsible Consumption of Alcohol in Burnaby Parks - Pilot Review and Ongoing Program” dated April 15, 2024;

THAT the City Solicitor be authorized to bring forward the Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024, effective June 24, 2024, substantially in the form set out in **Attachment 1** of the report titled “Responsible Consumption of Alcohol in Burnaby Parks Pilot Program Review” dated April 15, 2024;

THAT the City Solicitor be authorized to bring forward amendments to the Burnaby Bylaw Notice Enforcement Bylaw 2009, effective June 24, 2024, to impose penalties for violations of proposed Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024; and

THAT a copy of the report titled “Responsible Consumption of Alcohol in Burnaby Parks – Pilot Review and Ongoing Program” dated April 15, 2024, be forwarded to the Parks, Recreation and Culture Committee for information.

Executive Summary

A pilot project for the responsible consumption of Alcohol in Burnaby Parks was conducted from June – October 2023. Forty-five residents responded to the survey that was run in conjunction with the pilot project. Overall, there was limited feedback from the public and no increase in bylaw or RCMP enforcement or calls. For ease of administration and enforcement, staff recommend this program be extended to all City parks as a year-round and permanent program. The new proposed bylaw would come into effect in late June 2024 and would restrict alcohol consumption on amenities in parks such as playgrounds, spray parks and artificial turf fields.

1.0 POLICY SECTION

A program to allow for alcohol consumption in select City parks is authorized under the British Columbia *Liquor Control and Licensing Act* (s. 73) and related regulation (s. 197, *Liquor Control and Licensing Regulation*) (“Act and Regulation”), which authorizes the City to designate a public place, or part of a public place, over which the City has jurisdiction as a place where liquor may be consumed by the public. The Act and Regulation require the public place or places to be designated by bylaw and the bylaw to include certain conditions and requirements.

2.0 BACKGROUND

At the May 8, 2023, Regular Council meeting, staff were directed by Council to develop a pilot program to allow for the consumption of alcohol in outdoor areas in select Burnaby parks for the 2023 summer season. As part of that review, staff identified and recommended a pilot program to allow for the responsible consumption of alcohol in Confederation Park, Central Park, Keswick Park and Edmonds Park from June 23, 2023 to October 30, 2023.

At the June 5, 2023, Regular Council Meeting, staff presented a draft Bylaw, which was ultimately adopted by Council. As part of the pilot program, staff were also directed to work with the Parks, Recreation and Culture Commission (now Parks, Recreation and Culture Committee (PRCC)) on evaluating the pilot upon its completion. At the July 11, 2023, Commission Meeting, an evaluation framework was presented and more recently, at the February 13, 2024, PRCC meeting, staff presented the evaluation and sought feedback regarding the analysis and potential future options for the program.

Staff are now presenting the pilot program evaluation and recommendation regarding a permanent and expanded program for Council’s consideration as detailed below.

3.0 GENERAL INFORMATION

As established through the Responsible Consumption of Alcohol in Parks Bylaw 2023, Bylaw 14571, the pilot program occurred from June 23 – October 30, 2023, and included one park in each city quadrant - Confederation Park, Keswick Park, Central Park and Edmonds Park. The choice of these parks considered the size and layout and amenities such as washrooms, safety and proximity to transit. The program allowed alcohol consumption throughout the park with restrictions of a 10-metre radius around programmed amenities such as playgrounds, spray parks and sport courts, etc. As required by legislation, each park included signage which outlined basic information regarding the program and a QR code to the City’s website which hosted more information and a link to a public survey.

3.1 Community Feedback and Program Monitoring

Throughout the duration of the pilot program, an online survey was hosted on the City’s website. A summary of the survey results is attached to this report as **Attachment 2**. In

total, 45 responses were received. The respondents were all Burnaby residents. The majority of open-ended feedback received centered around the confusion regarding the restriction of consumption within 10 metres of programmed areas, which many found confusing or difficult to abide by.

In addition to a public survey, staff also monitored for any increase in calls or complaints regarding alcohol consumption in each of the pilot parks. During the pilot project, there was no notable increase in call volume or complaints at the facilities, to Bylaw or the RCMP. Only 2 calls in total were received by customer service staff related to questions about the program only. Staff also monitored for an increase in garbage and waste in each park and no significant increase was noted.

The general lack of response, combined with the lack of complaints or issues identified by staff is consistent with the experience many other municipalities have noted during similar pilot programs and leads staff to believe that the responsible consumption of alcohol in City parks is not a significant issue. In general, park goers followed the restrictions and acted responsibly in alignment with the intent of this program.

Staff also met with other interested parties including Fraser Health, who had previously indicated concerns regarding the pilot program and stated their continued concerns with expanding the program.

3.2 PRC Committee Feedback

Staff presented the pilot program results and 3 of the options included in this report for the Committee's feedback recently.

The feedback revolved around several main themes including:

- the need to keep the program simple for the public to understand and for the City to enforce;
- making the program more accessible across the City and at local parks within walking distance; and
- the importance of recognizing the role of local parks as safe third spaces and backyards for those living in higher density spaces.

While there was general support for expanding the program to all City parks, not all members agreed and some concerns were raised regarding additional waste in parks, the lack of washroom facilities, public drinking in parks adjacent to schools and amenities where children are at play and the lack of public response. There was also some discussion regarding the general recognition that some park goers are likely drinking in parks already in the absence of a bylaw and whether there is a need to create a program at all. In addition, comments were made that allowing responsible consumption of alcohol is not the same as allowing public drunkenness.

3.3 Municipal Comparison

Staff also conducted a review of similar programs across Metro Vancouver municipalities. Similar to Burnaby's pilot, the most consistent and notable community

feedback amongst municipalities that surveyed was the request from the public for simplicity when it comes to ensuring that they are able to comply with the bylaw.

Many municipalities have either piloted or made permanent the ability to consume alcohol responsibly in a number of their parks, with several continually expanding their program to more and more parks in recent years. Most municipalities have made responsible consumption permanent, while a couple of municipalities are still in the pilot phase. One Lower Mainland municipality, the City of Richmond, has discontinued their pilot program based on a large amount of feedback in opposition to the program from their residents.

3.4 Pilot Summary

Overall, staff consider the pilot program to largely be a success. The lack of complaints and issues has been the typical experience with these programs across the municipalities that currently allow responsible alcohol consumption in parks. In fact, staff have fielded several phone calls in recent weeks from residents inquiring about the status of the program and what parks allow the consumption of alcohol currently.

As noted by staff in previous reports, parks are highly valued outdoor spaces that support recreation and community connectedness. They are becoming even more valuable as more residents live in higher density communities where access to outdoor spaces is limited. Allowing the responsible consumption of alcohol in parks can enhance many residents' enjoyment of parks and based on the experience through the pilot program, residents and park goers have demonstrated this can be achieved responsibly without impacting other park goers.

3.5 Proposed Options

Based on an analysis of the pilot program, staff have examined four options for Council's consideration. Options 2 through 4 were presented to the PRC Committee and Option 1 was added for Council's consideration based on their input:

1. **Discontinue the program:** staff recognize, as noted by the PRC Committee, that some park goers are likely to drink in parks with or without an established program or bylaw. The City has an option to not establish a program at all, however, staff do not recommend this as a program helps to establish expectations and guidelines for park users around responsible consumption of alcohol;
2. **Make the pilot program sites permanent:** this option would establish the program not only to run as a pilot in 2023 in the same four parks, but year-round;
3. **Expand the pilot program:** this would include expanding the program to more parks, but still limiting the responsible consumption of alcohol to parks within walking distance to transit;
4. **Establish a city-wide year-round program (Recommended):** this option would make Burnaby a municipal leader in allowing the responsible consumption of alcohol across all City parks. This option is easier for the public to understand, and for staff to administer as well as enforce. The proposed Bylaw would remove the 10-metre restrictions and make clearer the areas in parks where drinking is

not allowed, such as on playgrounds, fields, and spray parks. As noted above, parks are important “third spaces” and as the community densifies, they are becoming more valued as quasi-backyard spaces for many residents and park goers. The experience through the pilot program has demonstrated that those who chose to consume alcohol in parks recreationally behave responsibly. Expanding the program to all City parks will make the program more accessible and simplified. For these reasons, staff are recommending this option.

Based on the feedback received through the pilot, staff plan to eliminate the 10-metre restriction around playgrounds, spray pads, wading pools, outdoor pools, skate bowls, parking lots and programmed play fields and simplify the Bylaw to restrict consumption within those specific areas and for parks on or immediately beside school property only.

3.6 Proposed Bylaw and Bylaw Amendments

The 2023 bylaw that implemented the pilot program was repealed effective October 30, 2023. In order to implement a permanent ongoing program, a new bylaw is required. The proposed Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024 (Attachment 1) would implement recommended Option 4 effective June 24, 2024, and apply to outdoor areas in all City parks, subject to the restrictions included in the bylaw. The bylaw would not apply to portions of City parkland leased or licenced to a third party, including school sites on parkland which are controlled by the Burnaby School District and Burnaby Lake Regional Park which is leased and managed by Metro Vancouver. There are also various non-profit groups that lease or licence portions of City parkland for their operations. The bylaw would not apply to these leased or licenced areas.

The restrictions under the proposed bylaw would prohibit public consumption of alcohol:

- outside the hours of dawn to dusk, seven days per week (which is consistent with when City parks are open to the public);
- in a playground, spray pad, wading pool, skate bowl, or sport court;
- on any artificial turf surface;
- in a playing field while it is in use by a user group;
- in a park adjacent to a school or within a parking lot in or adjacent to a park;
- any area that is currently licensed under the Liquor Control and Licensing Act (e.g. Deer Lake Outside Southside Lawn as outlined in **Attachment 3**)
- in any indoor spaces within parks, including community centres, washrooms and field houses;
- outside of any boundaries identified by signage placed within any park.

The signage requirements will remain similar to those in the 2023 bylaw, except signs will only be posted at the main entrance to the parks. The general information signs for each park will include information on the boundaries, hours and applicable restrictions for consumption of alcohol in the park.

In order to address enforcement of the updated restrictions, the table identifying the penalties under the pilot program needs to be repealed and replaced. It is proposed that the following table replace the relevant table under the Burnaby Bylaw Notice Enforcement Bylaw, effective June 24, 2024:

Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024				
Section	Offence	Penalty Amount (\$)	Discounted Penalty (\$) (within 15 days)	Compliance Agreement Available (50% reduction)
3.2(a)	Consuming alcohol in a permitted space outside the hours of dawn to dusk, seven days per week	200	160	No
3.2(b)	Consuming alcohol in a playground, spray pad, wading pool, outdoor pool, skate bowl, or sport court within a permitted space	200	160	No
3.2(c)	Consuming alcohol on an artificial turf surface	200	160	No
3.2(d)	Consuming alcohol in a playing field while in use under an allotment or other agreement with the City	200	160	No
3.2(e)	Consuming alcohol in a park adjacent to a school or within a parking lot in or adjacent to a park	200	160	No
3.2(f)	Consuming alcohol in an area with a valid liquor licence or permit other than in accordance with the licence or permit	200	160	No
3.2(g)	Consuming alcohol in indoor spaces within a park other than in accordance with valid liquor licence or permit	200	160	No
3.2(h)	Consuming alcohol in part of a permitted space outside boundaries identified by posted signage	200	160	No

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Staff will develop clear messaging regarding the program. Should Council support Option 4 outlined above and the proposed Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024, staff would establish a permanent landing page on the

City’s website to provide ongoing information to the public and post signage at all City parks before the June 24, 2024, effective date. Staff will also continue to monitor for issues on an ongoing basis and will report back to Council as required.

5.0 FINANCIAL CONSIDERATIONS

Signage must be updated to reflect any updates established through the new Bylaw. The one-time costs of these signs will be absorbed within the City’s existing approved 2024 operating budget.

The increased costs related to waste removal, Park Attendants and other related items were minimal during the Pilot and will continue to be monitored after the updates. However, staff do not expect there to be additional operating costs required to support a permanent and expanded program.

Respectfully submitted,

Mary Morrison-Clark, General Manager Parks, Recreation and Culture

ATTACHMENTS

Attachment 1 – Proposed Burnaby Responsible Consumption of Alcohol in Parks Bylaw 2024

Attachment 2 – Survey Results Summary

Attachment 3 – Responsible Consumption Deer Lake Park Outside Southside Lawn

REPORT CONTRIBUTORS

This report was prepared by Rebecca Thandi, Director PRC Strategic Initiatives, and reviewed by May Leung, City Solicitor, Greg Cecchi, Manager Parks Operations, Dan Layng, Chief Licence Inspector, and Carmen Gonzalez, Deputy GM PRC.