

Jurisdictional Scan of Street Sweeps
in Vancouver's Downtown Eastside

Prepared by the Vancouver Area Network of Drug Users,
the Coalition of Peers Dismantling the Drug War,
and Pivot Legal Society

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Introduction

This document presents a jurisdictional scan of the practice known as “Street Sweeps” that aims to describe the nature, scope, and effects of its implementation in Vancouver’s Downtown Eastside. It was produced in collaboration between the Vancouver Area Network of Drug Users (“VANDU”), the Coalition of Peers Dismantling the Drug War (“CPDDW”), and Pivot Legal Society, upon the receipt of funds from the City of Vancouver Social Policy & Projects.

Background

VANDU is committed to increasing the capacity of people who use illicit drugs to live healthy and productive lives. VANDU is an organization by, with, and for people who use drugs across so-called Vancouver. VANDU has a Board and Membership comprised of people who have been criminalized for poverty, il/licit substance use, working in informal economies including sex work, “street disorder,” and targeted because of racism. Members of VANDU also represent the organization and its membership at local, regional, provincial, national, and global opportunities, to promote social justice and human rights.

VANDU has previously undertaken large-scale campaigns regarding the criminalization of poverty, including police ticketing in the Downtown Eastside in the lead up to the 2010 Olympics, multiple service & policy complaints directed at the Police Board, and recent rapid-response research regarding threshold amounts identified in the “Vancouver Model” of decriminalization.

CPDDW is a coalition comprised of current and former drug users in the Downtown Eastside working to change policy and empower people who use drugs, both by filling systemic gaps in healthcare provision, and through long-term systems change. CPDDW seek to reclaim

knowledge that has been stolen from drug users and repurposed by medical, legal, and carceral systems in inadequate and damaging ways. To this end, CPDDW seeks to collaborate with drug user groups to battle the current ramifications of what they have dubbed “the Crisis of Prohibition” and the ongoing war on the poor.

Pivot works in partnership with communities affected by poverty and social exclusion to identify priorities and develop solutions to complex human rights issues. Focusing on four policy areas—police accountability, drug policy, homelessness, and sex workers’ rights—Pivot uses the law to address the root causes of poverty and social exclusion. Pivot’s combination of strategic litigation with high-impact public education and advocacy campaigns has generated several positive outcomes, including the protection of the constitutional rights of sex workers by successfully challenging federal legislation that puts their lives in danger, the reduction of barriers to life-saving harm reduction and drug substitution treatments for drug users, and the support for unhoused people in securing legal decisions confirming their right to shelter themselves from the elements and make equal use of public space.

Description of Street Sweeps

Street sweeps refer to the daily operations of a crew of City of Vancouver workers and Vancouver Police Department officers working with the mandate of dismantling “Transient Camps” in the Downtown Eastside. The street sweeps are carried out by 4-6 municipal workers employed within the Transient Crew - Engineering Services Business Unit of the City of Vancouver (represented by CUPE 1004) in addition to two armed and uniformed Vancouver Police Department (“VPD”) constables.

The practices of the street sweep crew are outlined in the City of Vancouver Safe Operating Procedure - Dismantling of Transient Camps document. By the terms of this document, a transient camp is defined as “any type of temporary structure (tents or other shelters) on City of Vancouver street right-of-way where camping equipment is stored, but may also include a gathering of other belongings such as clothing, backpacks, bicycles, unauthorized merchandise being sold, or drug paraphernalia” (City of Vancouver, The Transient Crew, with the assistance of the VPD, is mandated to: 1) issue a warning notice to citizens whose possessions fit the aforementioned description to dismantle their camp and to leave the area, 2) to demolish, remove, and clean up the camp, including the disposal of “collected abandoned waste”, and 3) to store items that camp occupants want to reclaim for a period of 30 days, ahead of their disposal.

Purpose of the Jurisdictional Scan

The jurisdictional scan seeks to fulfill the following five objectives:

- 1) Assess the impact of the street sweeps on the most affected populations
- 2) Evaluate the juridical standing of the practices underpinning the sweeps
- 3) Survey the scope of street sweeps in other jurisdictions
- 4) Gauge the adherence of the Transient Crew to their established protocols
- 5) Propose comprehensive alternatives to the current practice of street sweeps

With a view towards accomplishing these objectives, VANDU and Pivot Legal Society used the funds received from the City of Vancouver Social Policy & Projects to hire three community-based researchers (one administrative lead and two peer leads) to work with the VANDU board, membership, and allied community agencies to complete this jurisdictional scan. The roles were embedded in VANDU to ensure direct accountability to people with lived and living experience of the criminalization of poverty, and the researcher reported directly to the VANDU Board and provided ongoing updates to other interested organizations.

Method

In view of fulfilling the objectives described in the preceding section, this jurisdictional scan employs a synthetic, mixed-methods approach, encompassing a review of extant materials produced on street sweeps occurring in North America and qualitative data collection, including participant interviews gathered over the course of Homelessness Action Week 2021, and ethnographic observations conducted by community-based researchers from VANDU and the #StopTheSweeps Coalition.

Jurisdictional Scan

The research team conducted a search of the literature addressing street sweeps and similar practices across North America, with an emphasis on provinces and states in the western region of the continent. Due to limitations of time and resources the review is not exhaustive but rather representative of the range of literature and documentation produced about street sweeps. This search is inclusive of academic and legal documents, as well as journalistic reporting, and advocacy work.

In the course of conducting our search of academic and legal sources our research team did not identify literature pertaining to the practice of street sweeps in Vancouver—apart from the #StopTheSweeps report published by members of the coalition that co-authored the present document, and which we recapitulate in part here—so we expanded our search geographically to include the province and the country. The expanded search turned up very few results, with the exception of a recent report commissioned by the British Columbia Assembly of First Nations on bylaw enforcement in Prince George (BCAFN, 2022; Mannoe, 2022). In turn, we thematically expanded the scope of our search and found an incipient literature addressing the governance of the property of unhoused and precariously housed people in Canada, as well as research interrogating the criminalization of poverty through the enforcement of punitive bylaws, and journalism bringing to light the spread and consequences of such bylaws in British Columbia.

Academic Scan

We focus our efforts here on presenting an overview of significant publications that present a survey of topics that have both direct and concomitant bearing on the practice of street sweeps. However, the sweeps must first and foremost be contextualized as a practice that enforces a subset of bylaws that govern the lives of people who rely on public space. In Vancouver, this falls under section 71A. of the *Street and Traffic Bylaw 2849*, which states that “a person must not build, construct, place, maintain, occupy, or cause to be built, constructed, placed, maintained or occupied in any street, any structure, object, or substance which is an obstruction to the free use of such street, or which may encroach thereon, without having first obtained a permit issued by the City Engineer, in accordance with this By-law” (City of Vancouver, 2022). In keeping with this ordinance, the City of Vancouver’s Engineering Services department deputizes the city’s ‘transient crew’ to dismantle and dispose of the structures and objects described in the bylaw. Other municipalities in British Columbia, like Kelowna, Penticton, and Quesnel codify similar regulations in euphemistically titled ‘good neighbour’ or ‘nuisance’ bylaws. Using an enforcement strategy that depends primarily on so-called ‘soft tactics’ like move-along orders and threats of legal action, the activity of the street sweeps rarely results in arrest, which shields the practice from public scrutiny by making it less conspicuous in the streets and in official statistics. To this effect, someone unfamiliar with the street sweeps would be forgiven in assuming that the practice exists to clean up the Vancouver’s parks and sidewalks. In point of fact, the Safe Operating Procedure that guides the conduct of the sweeps dictates that city workers should only remove bio-hazards, such as needles and fecal matter, in the context of dismantling a ‘transient camp’; this is not a generic cleaning service, but rather a specific procedure targeting a subset of the city’s most vulnerable occupants.

To better understand the effects of move-along orders and other means of enforcement—such as detentions, interrogations, and searches—that fall short of arrest, we draw on data collected by our Downtown Eastside-based #StopTheSweeps Coalition and the aforementioned report on the Safe Streets Bylaw in Prince George, in addition to findings from a parallel, comprehensive study conducted in the United States (BCAFN, 2022; Mannoe, 2022; Herring, Yarbrough, & Alattore, 2020). All three studies yield the same conclusion: street sweeps, and the move-along ordinances of which they form a part, expose unhoused communities to personal harm and property loss, and contribute to their increased vulnerability and criminalization. Direct consequences of the sweeps documented in the Vancouver study include the loss of survival infrastructure integral to the health and safety of people living outside, such as tents, tarps, blankets, and medication; the confiscation of items essential to accessing services, such as personal identification, and medical and legal documentation; and the removal of property with cultural, financial, and sentimental value, such as ceremonially significant and irreplaceable Indigenous articles, family heirlooms, and the ashes of loved ones. Similar losses were reported by the other two studies. Targets of the ordinance were exposed to safety hazards due to inclement weather and often left without a viable means of sheltering from freezing temperatures and rain. The confiscation of identification and legal and medical documentation exacerbated the barriers that study respondents encountered in attempting to access care. Further, study participants indicate that neither Vancouver’s ‘transient crew’ nor the parallel teams operating in the regions highlighted in the other reports provided referrals or assisted people in accessing care while carrying out their work. Data collected from all three studies demonstrated that street sweeps and move-along ordinances generate a disproportionate impact based on race, gender, and disability—with the brunt of these negative

consequences being shouldered by Indigenous peoples in Vancouver—and that such modes of enforcement widen inequities along these lines of analysis.

With official documentation and qualitative data indicating that the work of the street sweeps only includes cleaning insofar as it regards the homes and possessions of unhoused people as disposable, and given that sweepers do not play a role in helping residents of the Downtown Eastside access care, researchers analyzing the effects of sweeps and move along orders ventured to determine whether these ordinances were effective in carrying out the more insidious objective of removing visible poverty from public spaces. A survey conducted in partnership between the San Francisco Coalition on Homelessness and the departments of sociology and criminal justice studies at the University of California, Berkeley and San Francisco State University found that move-along orders that serve an equivalent purpose to the street sweeps did not induce or motivate the targets of these ordinances to move indoors, with 91 percent of their sample indicating that they remained outside following bylaw enforcement. The course of action taken by 64 percent of respondents from this study was “simply to move down the street, around the corner, or to walk around and return after the police had left” (Herring, Yarbrough, & Alattore, 2020). Qualitative interview data from the Downtown Eastside #StopTheSweeps coalition paints a strikingly familiar picture, as one resident recounted: “We pack our things up and we’ve got nowhere to go so we run around the corner, wait for them to leave, and then come right back because we’ve got nowhere else to go” (Mannoe, 2022). Ruling out the efficacy of disappearing visible poverty—however misguided this objective may be in the absence of viable housing and effective services—research indicates that anti-homeless ordinances like the street sweeps “play an instrumental role in contributing to homelessness, rather than reducing it or simply moving it around” (Herring, Yarbrough, & Alattore, 2020).

While the direct correlates of this finding are obvious, such as the truism that a person deprived of their tent and displaced down the block is no more housed than they were before the incursion, the indirect correlates are more challenging to quantify. Interview data collected during the #StopTheSweeps survey as well as ethnographic data gathered in the lead-up to this publication bring to light widespread and sustained experiences of exhaustion, suffering, and in the words of an interviewee, “heartbreak” (Mannoe, 2022). Although the daily sweeps endured by people who depend on public space may be misleadingly dismissed as routine cleaning, or else couched in the language of business improvement or urban beautification, research evidence exposes the cumulative effect of these obstacles for what they are; street sweeps fit squarely into an arsenal of bylaws that criminalize poverty and “exact both material and psychological harm” on the city’s most marginalized populations (Herring, Yarbrough, & Alattore, 2020). As if these negative outcomes were not enough, scholars in the field of criminal justice have found that ordinances like the street sweeps erode people’s trust in government and push the targets of enforcement to withdraw their engagements from civic life and political participation (Lerman & Weaver, 2014). This means that the feasibility of broader city initiatives aimed at improving equity and quality of life for people who depend on public space relies on the elimination of anti-homeless bylaws and the practices created to enforce them.

Legal Scan

The logical starting point for an analysis of the legal underpinnings of the street sweeps begins in the Canadian Charter of Rights and Freedoms. Section 7 of the Charter guarantees that “everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice” (Canadian Charter, sec. 7). The point of contention becomes immediately apparent: by dispossessing people occupying public space of their property, do the street sweeps compromise the right to life, liberty, and security of person? In fact, very few legal cases in Canada address the rights of poor and unhoused people with regards to their possessions (Blomley, Flynn & Sylvestre, 2020). A brief deviation through the American legal record reveals rulings from the mid-2000s that establish precedents asserting that homeless sweeps violate the Fourth Amendment, which protects people from unreasonable searches and seizures, as well as the Fourteenth Amendment, which establishes that people cannot be deprived of life, liberty, or property without due process of law, and affirms equal protection under the law (ACLU Washington, 2017; U.S. Constitution, amend. 4; U.S. Constitution, amend. 14, sec. 1).

In Canada, our constitutional clause that most closely mirrors the American Amendments omits property as a protected ground. According to legal research, “such constitutional nuances have differently decided whether a tent located on public land can be considered a home and, therefore, protected from search and seizure” (Blomley et al., 2020). To this effect, a handful of recent cases in British Columbia acknowledge the relationship between unhoused people’s possessions—specifically their tents—and their constitutional rights to life, liberty, and security of person. The judgement from a 2017 case between the city of Vancouver and an individual residing in a tent city noted that unhoused people regard their tents as more than shelter, but rather

see them as necessarily connected to their safety and survival, which “can only come from having a stable place to sleep and live” [*Vancouver (City) v. Wallstam* (2017)]. The judgement, which dismissed the city’s application for an injunction to vacate and remove all tents and other structures from a tent city, states that, “this may be an expanded notion of what is protected by section. 7 that has not yet been litigated, but I am unable to say that it is an issue unworthy of consideration”. Put otherwise, the judgement recognizes that despite the lack of legal precedent, there are worthy grounds to consider whether the practice of seizing and destroying the property of people occupying public space is a charter violation.

To date, Section 7 of the Charter has been used in British Columbia to strike down a bylaw imposing a blanket prohibition on sleeping in public parks, with the caveat that the ruling was limited to overnight hours; the bylaw continued to be enforceable during the day [*Victoria (City) v. Adams* (2009)]. A Court of Appeals case attempting to extend these protections to daytime hours—once again on the basis of sec. 7 Charter rights—was dismissed, with the judgement stating that the appellant’s claim was insufficiently “supported by social science and proof of facts demonstrating the harm alleged” and thus did not advance a viable charter defense [*Johnston v. Victoria (City)* (2011)]. Given the judgement in the recent *Vancouver (City) v. Wallstam* (2017) case indicating that unhoused people’s property may be integral to securing their constitutionally protected rights to life, liberty and security of person, this jurisdictional scan collates evidence from the social sciences that may be of use in future cases challenging bylaws that undergird street sweeps and related practices.

Provincial Scan

While this document concerns itself primarily with street sweeps in Vancouver, it is important to note the proliferation of equivalent practices enforcing equivalent bylaws throughout the province. The following table provides a non-exhaustive selection of anti-homeless bylaws put into effect outside of Vancouver in the province of British Columbia. Future advocacy work would benefit from a more comprehensive inventory.

Municipality	Bylaw Prohibits:
Abbotsford	<ul style="list-style-type: none"> . Camping or erecting a tent or other camping facilities on sidewalks, streets, and other public places . Lying or sitting on a sidewalk for the purpose of panhandling . Panhandling after sunset . <i>Supreme Court ruling affirms right to tent in parks overnight [Abbotsford (City) v. Shantz (2015)]</i>
Kelowna	<ul style="list-style-type: none"> . Squatting, kneeling, sitting, or lying down on sidewalks . Lying or sitting on a sidewalk for the purpose of panhandling . Panhandling after sunset
Nelson	<ul style="list-style-type: none"> . Using, occupying, residing on, camping on any public land within the city . <i>Panhandling bylaw rescinded by the city, with the mayor quoted saying: “It should never have been called a Panhandling Bylaw because panhandling as an act itself is not illegal and cannot be illegal” (Schafer, 2018).</i>
Penticton	<ul style="list-style-type: none"> . Sitting or lying down on the sidewalks of designated streets between May 1st and September 30th inclusive

	<ul style="list-style-type: none"> . Sitting or lying on a sidewalk in a manner which obstructs or impedes the convenient passage of any pedestrian traffic on a sidewalk, in the course of panhandling . Panhandling after sunset
Prince George	<ul style="list-style-type: none"> . Sitting, lying, or soliciting on streets or roadways, including sidewalks . Open drug use in streets, roadways, parks, and open space areas
Quesnel	<ul style="list-style-type: none"> . Erecting or occupying a temporary or permanent shelter on sidewalks or other city property . Sitting or lying down on the sidewalks of designated streets between May 1st and September 30th inclusive . Consuming or possessing open liquor in any public space
Victoria	<ul style="list-style-type: none"> . Taking up temporary abode overnight . <i>Bylaw amended following Supreme Court ruling asserting right of unhoused people to tent in parks overnight [Victoria (City) v. Adams, (2009)]</i>

Adherence to the Safe Operating Procedure

The conduct of the street sweeps is governed, in principle, by a City of Vancouver Safe Operating Procedure (SOP) titled “Dismantling of Transient Camps” (2017). As will become clear in this section, the question of the Engineering Services transient crew’s adherence to their safe operating procedure bears directly on the quality of life of Vancouver residents affected by the sweeps. Still, we do not undertake this exercise with the intention of reforming the sweeps so that they conform with their pre-established protocols; this alone is an inadequate solution. We maintain that the SOP guides the enforcement of a fundamentally inhumane and unconstitutional bylaw that should be repealed, and that the transient crew’s departures from the SOP have brought additional harms upon the unhoused community. It is towards the aim of documenting some of these additional harms that we undertake the evaluation in this section.

The community-based research team assembled to produce the jurisdictional scan conducted a series of ethnographic observations in the Downtown Eastside in the time period between March and June, 2022. The geographic area surveyed by the team was limited to East Hastings Street and its intersecting roads for a 1 block radius, beginning at the easternmost point of Dunlevy Avenue and extending westward to Abbott Street. The team, consisting of two community leads with many years of collective lived experience and organizing in the Downtown Eastside as well as an administrative lead made bi-weekly rounds through the previously described area, developing rapport with the residents of the block and engaging in unstructured conversations intended to elicit feedback about experiences with the street sweeps. Accounts collected over the course of the observational period were then compared against the protocols set out in the Safe Operating Procedure to gauge the ‘transient crews’ adherence to their directives. Many of these observations corroborate the questionnaire and interview data collected and analyzed in the

#StopTheSweeps report produced by Pivot Legal Society (Mannoe, 2022). We identify four domains where departures from protocols further exacerbated the challenges encountered by people who rely on public space in the Downtown Eastside.

1. Failure to provide adequate notice prior to seizure of property. The SOP indicates that upon identifying “temporary structures or an accumulation of unattended personal property in City of Vancouver property that is not in compliance with the City of Vancouver By-Law, the Crew will issue a warning notice to have the camp removed.” Our research collective collected multiple testimonies of residents of the Downtown Eastside who had their belongings seized with no notice. This includes individuals who were inside their shelters at the time of the attempted interventions. Interview data from the #StopTheSweeps publication indicate that no respondents were able to identify “consistent protocols employed by city workers, including standardized practices regarding notice” (Mannoe, 2022).
2. Neglecting to provide adequate documentation and instructions to retrieve seized property. The SOP indicates that “items from the cleanup that camp occupants specifically mentioned they would like to reclaim (mostly suitcases, bags, and backpacks) will be brought to National Yard and placed in the Transient Crew cage. Transient items will be held for 30 days to give the owners a chance to reclaim their items. If items are not reclaimed in the allotted time, they will be sent to the landfill”. None of the respondents of the #StopTheSweeps report and no ethnographic data indicated adherence to this protocol; no one reported that they had been served notice of the location where their belongings would be stored. Some respondents recounted that they had interjected at the moment of the sweep to inform the city workers that their confiscated property—often a piece of luggage or a backpack—was not garbage and requested to have their belongings returned. Subsequently, they reported that the workers

refused to retrieve their belongings from the disposal truck as the belongings had come into physical contact with contaminated material in the truck and were no longer safe to retrieve. In these and other instances, personal property was pre-determined to be contaminated or abandoned at the discretion of the employee and the 'swept' received no consultation.

3. Failure to provide appropriate referrals to targets of the sweeps. After a sweep, the SOP directs workers to supply "Community Services contact information" if required by the situation. Neither the #StopTheSweeps report or the ethnographic observations conducted for the purpose of this publication produced a single testimony from a person who had received a referral to community services after being swept. On the contrary, interviewees reported significant decreases in their capacity to access care, with many stating that the sweeps had disposed of the essential documents that they needed to use basic services, such as the bank or the pharmacy.
4. Disregard for the dignity and safety of people who rely on public space in the Downtown Eastside. The SOP instructs City Engineering employees to "be polite and friendly", to "avoid carrying anything that looks like a weapon, such as umbrellas, large sticks, or flashlight", and to "avoid threatening gestures or body positioning (i.e. arms folded across your chest)". Members of the research team corroborated testimonies from interviewees and interlocutors that the 'transient crew' had wielded sharp pitchforks while confronting residents of the Downtown Eastside, a manifest contradiction of their mandate to "avoid carrying anything that looks like a weapon". Interview data also indicates that people who rely on public space are consistently subjected to degrading slurs, sarcastic comments, and other forms of intimidation and harassment in their encounters with the 'transient crew'.

Conclusion: Proposing Comprehensive Alternatives to the Current Practice of Street Sweeps

This jurisdictional scan compiles original and published data to provide an analysis of the street sweeps and the bylaws they were created to enforce. By documenting the impact of the sweeps on the most affected populations, assessing a selection of the legal issues implicated in the practice, surveying the scope of similar operations in the province of British Columbia, and evaluating the adherence of the ‘transient crew’ to their established protocol, the scan is intended as a resource to capacitate evidence-based decisions on the future of the street sweeps and related practices, both in and beyond Vancouver. Under the false pretense of cleaning, the sweeps orchestrate a recurring cycle of humiliation, dispossession, and displacement that circulates poverty throughout the Downtown Eastside instead of constructively addressing it. This comes at a significant financial cost to the city, but at an even greater human expense to the communities who are swept—whose trust in public institutions gets progressively eroded along with their hopes of improving their circumstances.

While this jurisdictional scan was produced to call attention to the sweeps, it is imperative that this issue not be approached in isolation from the extensive series of bylaws, policies, and systems of regulation that criminalize people who rely on public space. The demographics of the communities most affected by these practices cannot be overlooked—it is no accident that they are comprised primarily of Indigenous people, drug users, survivors of abuse, and people with mental and physical disabilities. It is in recognition of the harms suffered by the population targeted by the sweeps that we conclude this scan with a set of recommendations originally published in the #StopTheSweeps report, which was generated in consultation with a diverse, representative coalition of residents and collaborators in the Downtown Eastside (Mannoe, 2022).

In addition to calling on the City of Vancouver to adopt the demands of the Vancouver Area Network of Drug Users, Pivot Legal Society, & the Coalition of Peers Dismantling the Drug War, we call for the following:

1. Eliminate the enforcement of *Street and Traffic By-Laws* against people who rely on public space.
2. Defund City Engineering & Police Budgets and redirect funds currently allocated to Street Sweeps, in order to redistribute resources and funds for cleaning to local organizations and individuals who reside in affected areas.
3. Implement directives related to the confiscation of belongings from people who rely on public space, which recognize that this practice has continued potential for harmful and discriminatory impacts.
 - a) In the rare event that belongings must be confiscated, directives should clearly detail how City staff are to protect the rights and dignity of those who are impacted, including rights to procedural fairness.
 - b) City staff must provide at least 24 hours of advance notice prior to seizure.
 - c) If someone's belongings are justifiably confiscated, City staff must provide a receipt that details what was taken, and clear instructions on how to retrieve personal belongings.
4. Provide storage facilities in an easily-accessible area.
 - a) Any confiscated belongings must be stored at a facility located within the Downtown Eastside.

- b) Storage facilities must be secure, easily accessible, of an adequate size, and informed by best practices and cultural safety for people who rely on public space.
 - c) Retrieval processes must respect the limited access unhoused people have to identifying documentation.
 - d) Storage facilities must provide long-term, low-barrier storage space (i.e. 3-6 months).
5. Conduct a peer-led stigma audit to specifically review the operations of City Engineering Services to identify instances of potential discrimination on the basis of social condition.
 6. Drastically expand permanent parklets, green spaces, hygiene facilities, garbage disposal sites, and other public outdoor amenities such as covered cooking facilities, and cultural programming sites through the DTES, as these are essential public spaces.
 7. Lobby the provincial government to add “social condition” as a protected ground in BC’s *Human Rights Code*, as recommended by the Office of the Human Rights Commissioner.

Bibliography

1. *Abbotsford (City) v. Shantz* [2015] BCSC 1909
2. ACLU Washington. “Homeless Sweeps – Important Case Law and Frequently Asked Questions” (2017). Retrieved from: <https://www.aclu-wa.org/docs/homeless-sweeps-%E2%80%93-important-case-law-and-frequently-asked-questions>
3. Blomley, Nicholas, Alexandra Flynn, and Marie-Eve Sylvestre. "Governing the belongings of the precariously housed: A critical legal geography." *Annual Review of Law and Social Science* 16 (2020): 165-181.
4. British Columbia Assembly of First Nations. “Experiences With Bylaw in Prince George” (2022). Retrieved from: <https://www.bcafn.ca/homelessness>
5. *Canadian Charter of Rights and Freedoms*, s 7, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.
6. City of Abbotsford. “Bylaw No. 1256-2003, Good Neighbour Bylaw”. Retrieved from: <https://municipal.qp.gov.bc.ca/civix/document/id/coa/coabylaws/2003b1256#section4.8>
7. City of Kelowna. “Bylaw No. 8214, A Bylaw to Regulate and Control Panhandling” (2007). Retrieved from: <https://www.kelowna.ca/city-hall/city-government/bylaws-policies/panhandling-bylaw>
8. City of Kelowna. “Bylaw No. 8120, Traffic Bylaw, Part 08” (2016). Retrieved from: <https://www.kelowna.ca/city-hall/city-government/bylaws-policies/traffic-bylaw>
9. City of Nelson. “Parks Bylaw No. 3330-2016”. Retrieved from: <https://nelson.civicweb.net/filepro/documents/488/>

10. City of Penticton. “Good Neighbour Bylaw No. 2012-5030”. Retrieved from:
<https://www.penticton.ca/city-hall/bylaws-enforcement/bylaws-directory/good-neighbour-bylaw-no-2012-5030>
11. City of Prince George. “Safe Streets Bylaw No. 9209 – 2021”. Retrieved from:
<https://bylaws.princegeorge.ca/Modules/bylaws/Bylaw/Details/56fdc741-4852-4ac6-801a-7ee9b3ea7588>
12. City of Quesnel. “Nuisance Bylaw No. 1869, 2019”. Retrieved from:
<https://quesnel.civicweb.net/document/114863#:~:text=3.5%20No%20person%20shall%20make,any%20weekend%20or%20statutory%20holiday>
13. City of Vancouver. “Safe Operating Procedure: Dismantling of Transient Camps” (2017).
Retrieved from: <https://vancouver.ca/files/cov/2017-504-release.pdf> p 52-61
14. City of Vancouver. “Street and Traffic By-law No. 2849” (consolidated 2022).
15. City of Victoria. “Parks Regulation Bylaw No. 07-059”. Retrieved from:
https://www.victoria.ca/assets/City~Hall/Bylaws/06-056%20Parks%20and%20Recreation%20Fees%20Bylaw%202019%20Consolidation_2022.pdf
16. Hermer, Joe. “‘Move On’, The First Ninety-Nine Days of the City of Prince George Safe Streets Bylaw” (2022). Retrieved from: <https://www.bcafn.ca/homelessness>
17. Herring, Chris, Dilara Yarbrough, and Lisa Marie Alatorre. "Pervasive penalty: How the criminalization of poverty perpetuates homelessness." *Social Problems* 67, no. 1 (2020): 131-149.
18. *Johnston v. Victoria (City)*, [2011] BCCA 400

19. Lerman, Amy E., and Vesla M. Weaver. *Arresting Citizenship: The Democratic Consequences of American Crime Control*. Chicago, IL (2014): *University of Chicago Press*.
20. Manno, Meenakshi. “#StopTheSweeps, Ending cyclical displacement and criminalized poverty in Vancouver” (2022). Retrieved from:
https://www.pivotlegal.org/stop_the_sweeps_report
21. Schafer, Timothy. “Panhandling bylaw rescinded while city takes new tact on making streets safer” (2018). *The Nelson Daily*. Retrieved from:
<http://thenelsondaily.com/news/panhandling-bylaw-rescinded-while-city-takes-new-tact-making-streets-safer>
22. U.S. Constitution, amend. 4.
23. U.S. Constitution, amend. 14, sec. 1.
24. *Vancouver (City) v. Wallstam*, [2017] BCSC 917
25. *Victoria (City) v. Adams*, [2009] BCCA 563