

SCHEDULE 1 TO THE MINUTES
OF THE REGULAR MEETING OF
COUNCIL HELD ON
MONDAY, JULY 27, 2009

Hello again, everybody,

On my last appearance in front of this microphone, I presented a 2 pager on issues that I have with the EFSI program. Now, I see that the same parties are back, trying to ram approval through and hoping no one notices nor can afford to take the time to come down here and openly argue for their rights. Tonight, we're up to three pages.

In April, 5 of the points I made were addressed and the program was sent back for revision and improvement.

And that's what I had hoped to see, short of their decision to abandon the program altogether.

First of all, I'd like to respond to their assertion that 93kW*H per day is "abnormally high" and is an indicator that the electrical system integrity of the residence may be compromised, resulting in potentially serious hazards and property loss.

I'd like to use my own house as an example of how ludicrous that assertion really is.

My 30 year old house is just less than 1850 sq.ft. Only 2/3 of my electrical panel is populated with breakers, with the same range of amperages as anyone's - a slough of 15 Amp slots with a smattering of 30's and a pair of 40's. They're for the same things in your house:
Oven/Range - Washer - Dryer - Heating

If I turn enough appliances and lights on to load each breaker to 2/3 of its rated capacity, and run them for 4 hours, turning everything OFF for the other 20 hours of the day, the total power will be slightly more than 120kW*h.

The truth is that there's nothing hazardous nor abnormally high about it.

The second issue identified has to do with accountability to the public for damages, including from wrongful inspection. This issue was given just over a dozen words' worth of consideration, in the form of the 7th bulleted point in a list of procedural changes. But, conversely to recover the city's costs, there are schedule after schedule after fee after fee for every staff hour spent. This shows a complete lack of interest in answering to the public for the damages of wrongful action. The way it's worded, to me, also suggests that the city is free to completely disregard claims for damages, citing procedural permissibility in the By-law.

I still see no way to recover the costs of lost time. I assume that these inspections take place during business hours.

The third point has to do with those aforementioned procedural issues. Here I saw a change for the worse. Changing the wording on the sticker posting so as to exclude the use of nefarious terms makes no difference to public perception of the sticker while displayed on a front door.

I spoke of how rarely I take an out of town vacation for less than 48 hours. And now there is direction in the document to shorten that to 24. That is the stuff that calamity is made of. And I've read that those are quite costly in the staff hours department.

This shows a complete lack of response to the direction of this council made in April.

Point 4 has to do with the role of the RCMP. Although they don't spell it right in the June revision, it reads that the officer is still to remain off property with the front door of the property within his site.

This means that the officer is still directly involved in the inspection. And neighbours can see this.

This is against the ruling of the court in the case of Arkinstall, plaintiff against the City of Surrey, where it was ruled that warrantless searches by police were not justified even for peacekeeping purposes.

The judge held that warrantless police entry on to private property as part of an inspection is contrary to Section 8 of the Canadian Charter of Rights and Freedoms.

Even if the car is across the street, the owner of that house's reputation in that community is irreparably changed. It confounds me how this council appears so ready to swallow all of this and toss our rights away without a second thought.

I was completely underwhelmed this time around by the Fire Chief's resorting to insertion of a 3 page deluge of irrelevant propaganda and incomplete statistics around organized crime in general.

I thought this program was themed on safety. Those paragraphs are completely inappropriate.

Those insertions were included in the revision so as to put a dirty enough picture in our collective minds in order to make what's really going on here seem OK and reasonable. I can assure you it is neither.

I read third party assertions that state that how other criminal activity is attracted by the simple presence of grow ops.

Based on the facts at hand, I beg to differ. Surrey has since made great victorious claims about their program's success. In their first year of operation, more than 230 houses were wrongfully inspected. 7 day repair notices were only issued 16% of the time. That doesn't sound very successful.

Surrey claims that other crime is significantly reduced since the inception of the program. Well, I have May's report right here. It doesn't look that way at all to me.

I count just over 210 cars stolen and around 150 occasions of breaking and entering, just for that one month.

The revised report also cites the need for an officer in pointing out that a firearm was found on one inspection. One. In two years. Over 200 cases. One. I'm thinking that, in today's Richmond, if you searched a truly random spread of 200 houses, you'd probably come up with far more than one firearm. Finding a single firearm in one case of a group of over 200 cases is less than negligible.

Like I said, scare. Dirty picture. Take your mind off the relevant.

Point 5 calls for provisions for voluntary disclosure of high energy consumption. Instead, what was included was another single sentence about arrangement of voluntary inspection, not disclosure.

I'll say again, I have no interest in walking an electrical inspector past my original creations in testing. I don't think the City has the budget for the lawsuit that my employers would rightfully wage.

In Coquitlam, the Court found a "serious issue to be tried" with respect to a municipal bylaw that

authorizes entry into private property without judicial authorization.

The Court also ruled that data from BC Hydro relied on to justify this inspection was outdated and did not provide reasonable grounds for search.

This revision asserts that the grow op problem is widespread and responsible for considerable fire loss.

In Surrey, do you know what is the single cause for approximately 70% of their residential fires?
Cooking related fires in the kitchen.

I'd also like to address the assertions made in the revised document about the program's financial viability. Firstly, it's public knowledge that this city is already spending more than \$630,000 per year on drug control. Surely that's enough money already.

The figures in this very document show that the EFSI program became a bigger money loser, from 54% to 87% of the time, in its first two years.

Yet, in the same document the opposite assertion is made - that this is a financially viable program, as made in the prediction of at least 8 successful inspections in the coming year when, in '08, you only had 6.

One thing is for certain – that organized criminals get craftier and more resourceful as time goes by and as necessity dictates.

Even the Richmond Deputy Chief has advised this council that the decline in positive inspections in the subsequent year was caused by factors such as stolen hydro and the increased use of generators. It means that the organized ones have learned to either steal power (which is far more dangerous and higher risk than a potentially inadequate wiring situation) or they simply use less grid power and don't make the list.

I was shocked to find in the minutes that, of the 5 of you listed as present at the Safety Committee meeting last week, none raised any of these issues before voting.

To completely disregard everything that I've said here, according to Section 24 of the Canadian Charter of Rights and Freedoms, would clearly bring local administration of justice into glaring disrepute.

Please, I can't be more clear – come to your senses and get off the band wagon. This occasionally unintelligible document makes no sense; it contravenes current rulings, plural, made in local courts, it offers nearly zero accountability for the errors committed against the public nor the resultant costs, it puts a negative spin on the truth and obscures the real issues, it makes unestablished allegations of association, and it violates our Charter rights.

I can't believe that, in the presence of all of these intelligent and conscientious minds, I have to come here and point all of this out, much less twice.

Again, thank you all for your time and rational consideration.



2009/06/01

SURREY CRIME MAP - MAY 2009

SURREY RCMP

