



**City of Kingston
Report to Council
Report Number 25-169**

To: Mayor and Members of Council
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Kyle Compeau, Director, Licensing & Enforcement Services
Andrew Reeson, Senior Legal Counsel
Date of Meeting: June 17, 2025
Subject: Strategy to Establish Special Constable Appointments for
Enforcement Management Staff

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

The purpose of this report is to inform Council of the City's next steps to pursue the appointment as special constables of key senior leadership positions within the Licensing and Enforcement Services Department. This report also seeks Council's endorsement of entering into an agreement with the Kingston Police Service Board and to apply, including all prescribed and otherwise necessary information, to the Solicitor General for an authorization to employ special constables. This strategy is being advanced in collaboration with Kingston Police and aims to increase the City's ability to respond to complex enforcement matters where provincial offences authority is currently limited or insufficient.

This initiative will authorize five senior enforcement officials to act under limited powers-including those provided by the *Trespass to Property Act* and select provincial legislation-allowing for immediate intervention in circumstances where police support is unavailable or delayed. The proposal aligns with models emerging in other Ontario municipalities and would also reduce reliance on corporate security during major events or high-risk incidents on City property.

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Recommendation:

That City Council authorize and direct the Chief Administrative Officer, or their delegate, to negotiate, enter into and sign an agreement, in a form satisfactory to the Legal Services Department, with the Kingston Police Service Board respecting the appointment of special constables, reporting to the Board, and any other arrangements that may be necessary or appropriate for the City to fulfill its duties as a special constable employer; and

That City Council authorize and direct the Legal Services Department to apply to the Solicitor General for an authorization to employ special constables and, for that purpose, to include all prescribed information in the application and to create any policy, procedure or system necessary to meet the prescribed requirements to be issued an authorization; and

That City Council authorize and direct the Chief Administrative Officer, or their delegate, to, from time to time as may be necessary or appropriate, nominate staff to the Kingston Police Service Board to be appointed as a special constable.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services

Neil Carbone, Commissioner, Corporate & Emergency Services

David Fell, President & CEO, Utilities Kingston Not required

Desirée Kennedy, Chief Financial Officer & City Treasurer Not required

Ian Semple, Acting Commissioner, Transportation & Infrastructure Services Not required

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Options/Discussion:

The City of Kingston faces increasing operational and safety pressures in the management of its premises and the enforcement of its regulatory by-laws. These pressures are most prominent in areas such as encampment enforcement, large-scale unsanctioned gatherings, and disorderly conduct on City premises, where enforcement staff routinely encounter high-risk scenarios requiring timely and authoritative intervention. Despite on-going cooperation with Kingston Police, there remains a consistent challenge in securing immediate police support when needed, due to broader resourcing limitations. In response, the City is preparing to advance a strategy to have key members of the enforcement leadership team appointed as special constables.

The City will be applying to the Solicitor General for authorization to employ special constables and then, if the Solicitor General grants that authorization, to ask the Kingston Police Service Board to appoint the five enforcement management staff as special constables.

- The Kingston Police Service Board would appoint these special constables and confer on them certain police powers conferred under particular provincial legislation, possibly including the *Trespass to Property Act*, the *Liquor Licence and Control Act, 2019*, the *Mental Health Act*, and the *Safe Streets Act, 1999*, all for the purposes of: (a) providing security in relation to City premises; (b) assisting police officers in performing policing functions in relation to the City's premises; and (c) performing law enforcement functions in relation to incidents on City premises.

The special constables would not replace police officers but rather would enable more timely and safe responses to incidents on City premises. Special constables would exercise most of their police powers under the direction of a police officer and, where the special constable has arrested or detained a person, the special constable would promptly transfer responsibility for the person to a Kingston Police officer.

The rationale for pursuing this model is supported by mounting operational risks. Municipal enforcement officers frequently encounter resistance and defiance when issuing orders related to trespassing or park use, particularly in the context of persistent non-compliance with the daytime prohibition on camping in parks. Individuals often delay compliance until the final moments of notice windows or relocate from one municipal premise to another without consequence. While police support is critical in certain situations, the inability to secure timely attendance delays enforcement, reduces operational confidence, and increases the exposure of verbal and physical confrontations. The proposed appointments of certain City staff as special constables would empower enforcement leaders to respond appropriately and immediately to these situations under a well-defined legal framework.

Moreover, the City experiences annual large-scale gatherings, such as those associated with St. Patrick's Day and Homecoming, that strain both municipal and police resources. These events often involve public intoxication, trespasses on municipal premises (for example, Breakwater Park), and nuisances in residential areas. Appointment as special constables would provide

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enforcement leadership with the tools needed to manage crowd-related infractions more effectively, in direct support of police operations.

Insights gathered from other Ontario municipalities demonstrate that similar models are gaining traction. London, Ontario, recently commenced an eight-week feasibility study to establish its own special constable program within its municipal enforcement division. Their objectives included addressing staff safety, improving transit system responses, and replacing elements of third-party corporate security with municipal staff who hold limited arrest authority. London confirmed that they are moving to formalize and expand officer authority through special constable appointments. Their model includes a dedicated enforcement unit comprised of supervisors, coordinators, and officers operating under a structured response framework for encampments and disorder-related incidents.

London's plan is to deploy special constables alongside by-law officers in a one-to-one pairing model to enhance frontline support. London has received favourable responses from its local police and the Ministry of the Solicitor General regarding this approach. Importantly, London staff have cited serious health and safety concerns due to increasing exposure to violence and potentially violent situations, some of which have resulted in work refusals. In response to these pressures, London staff have elevated the implementation of special constables as a corporate priority.

As Kingston considers a similar framework, it is important to recognise that the special constable appointments would not only enhance enforcement response but would allow the City to scale back dependency on external corporate security during municipal events and incidents at City premises. Special constables employed directly by the City, trained and governed in partnership with Kingston Police, would offer greater control and accountability. The City would embed these roles within the municipal structure, allowing for clearer command, oversight, and alignment with the City's enforcement priorities.

Kingston is actively engaging with Kingston Police on this initiative, and discussions are underway to establish joint training protocols, shared deployment expectations, and oversight mechanisms that reflect provincial standards. The City would comply with the terms and conditions of its authorization as a special constable employer and with the requirements of the *Community Safety and Policing Act*, including investigating possible misconduct by special constables and maintaining (a) a records management system for information pertaining to the City's special constables; (b) procedures governing the performance of the duties of the City's special constables; and (c) procedures for obtaining assistance in an emergency from the Kingston Police.

For next steps, the City staff will:

- (a) draft, and seek approval from the Chief of the Kingston Police of, procedures for obtaining assistance in an emergency from Kingston Police;

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- (b) put in place the records management system and procedures otherwise needed to meet the requirements to be issued an authorization to employ special constables under the *Community Safety and Policing Act, 2019*; and
- (c) enter into one or more agreements with the Kingston Police Service Board as to:
 - (i) any terms or conditions that are expected to be imposed on the City's special constables' certificates of appointment;
 - (ii) reporting by the City to the Kingston Police Service Board regarding the types of incidents responded to and investigations undertaken by the City's special constables; and
 - (iii) any other arrangements that may be necessary or appropriate for the City to fulfill its duties as a special constable employer.

Following that, staff will prepare and submit a formal application to the Solicitor General for appointment as a special constable employer. At the same time, staff will draft an implementation plan outlining training, reporting, and governance requirements. Staff expect that special constables could be implemented by the end of the year if training is provided this fall and if authorization from Solicitor General is received in a timely manner.

In conclusion, the appointment of Kingston's enforcement leadership as special constables is a necessary evolution in the City's response to increasing public safety demands. This strategy will reduce dependence on police and third-party security, improve officer safety, and ensure a more consistent, empowered, and professional municipal response to complex enforcement situations. The approach is in line with provincial trends and will ensure Kingston remains responsive and resilient in the face of growing operational challenges.

Existing Policy/By-Law:

None

Notice Provisions:

None

Accessibility Considerations:

None

Financial Considerations:

It is anticipated that the introduction of the special constable designation will most likely have financial impacts through compensation adjustments, equipment and training and some possible reduction in security services. It is anticipated that any operational implementation in 2025 will

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be covered within the existing budget. Staff will be incorporating 2026 impact in the budget in consultation with the Mayor under the Strong Mayor Powers.

Contacts:

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Other City of Kingston Staff Consulted:

Andrew Reeson, Senior Legal Counsel

Exhibits Attached:

None