



**NATIONAL
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NATIONALE**

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October 22, 2021

The Hon. Josie Osborne
Minister of Municipal Affairs
Parliament Buildings
Victoria, BC V8V 1X8
Email: MAH.Minister@gov.bc.ca

Dear Minister Osborne,

I write to you today regarding the Surrey City Council's recent anti-democratic amendments to *Surrey Sign By-Law, 1999, No. 13656* which effectively muzzles opposition signage and other forms of advertising and free speech regarding 'the voting for, support or opposition of a municipal, provincial or federal issue.' With this new bylaw amendment, Surrey residents can now be fined for displaying a sign on their own private property in support or opposition of any issues deemed municipal, provincial, or federal. There is hardly an issue which does not fall under one of those three jurisdictions.

As you may be aware there is a proposed police transition taking place in Surrey. Since the Surrey police transition was first floated in 2018, residents of Surrey have been greatly divided on the issue. Many local community groups have chosen to exercise their democratic right to freedom of expression, including the creation of lawn signs on their private property since 2019.

Recently, a local, long-time community member, Darlene Bennett, has chosen to further exercise her rights as a citizen of B.C. and start a citizens initiative petition under the B.C. *Recall Act*. Her campaign, Surrey Police Vote, has been gaining momentum since the summer of 2021, which has resulted in Mayor McCallum showing up at signing events to harass canvassers and try to shut down signing locations on private property. Mayor McCallum has even directed City by-law officers to surveil and ticket canvassers until his own staff pointed out that no by-laws were being broken. The tickets have since been withdrawn. On Monday, October 18, this sign by-law amendment was introduced and rushed through council (with no public consultation) to ensure his by-law officers could resume ticketing and sign removal. This bylaw amendment may also be used to target other issues which are important to Surrey residents including farmers' rights in India and concerns about a new road through Bear Creek Park. As a former Mayor yourself, I am sure you will agree this is an overreach of authority which must be addressed.

As Surrey residents have pushed to keep the RCMP, the Surrey Mayor has been targeting various grassroots movements in an effort to stifle their collective voices that oppose an issue the Mayor has been struggling to get off the ground. It is evident that the objective of this by-law amendment is to quell any dissent towards Mayor McCallum.

This by-law amendment is unconstitutional and will face an inevitable court challenge, putting a stain on both Surrey and the Province. This is not the first time a municipality has overstepped regarding freedom of expression through signs. I would like to draw your attention to *Ramsden v Peterborough (City of)*, [1993] 2 SCR 1084 in where the Supreme Court of Canada struck down overly strict signing by-laws under

section 2(b) of the *Canadian Charter of Rights and Freedoms*. It is important for the provincial government to step up and defend the rights of all residents of British Columbia, regardless of their position on municipal, provincial, or federal issues.

This is an important issue for the National Police Federation for many reasons. We would like to see the democratic rights of Surrey and B.C. residents upheld. This amendment opens the door for other municipalities to also implement such anti-democratic by-laws.

On behalf of those who feel so strongly regarding their Surrey RCMP and other key public issues, we ask you, as Minister of Municipal Affairs, to review this by-law, as it curtails free speech on private property of citizens in Surrey. We ask you and your provincial colleagues to uphold constitutional rights and allow residents in B.C. their constitutional right to fully express their concerns and interests.

Sincerely,



Brian Sauvé
President

cc: The Hon. John Horgan, Premier of British Columbia