

SUMMER VILLAGE OF ARGENTIA BEACH
POLICY #29-2019

SUBJECT: VIDEO SURVEILLANCE CAMERAS

DEPARTMENT: Administration

ADOPTED AND APPROVED BY COUNCIL: September 16, 2019

AMENDMENT DATE:

AMENDMENT RESOLUTION:

Purpose:

To establish a policy and procedures for a surveillance system that complies with the Freedom of Information and Protection of Privacy Act thereby ensuring consistency of surveillance measures.

These guidelines do not apply to covert or overt surveillance cameras being used as a case-specific investigation tool for law enforcement purposes or in contemplation of litigation. They are also not intended to apply to workplace surveillance systems installed to conduct surveillance of employees.

Policy Statement:

The Summer Village of Argentia Beach recognizes the need to balance an individual's right to protection of privacy against the Summer Village's duty to promote a safe environment for all citizens, and to protect Summer Village property. The objective of video surveillance in public areas is to apprehend those who are committing more serious crimes against both persons and property, as well as to discourage those who may consider committing crimes.

This policy is intended to assist RCMP in deciding whether collection of personal information by means of a surveillance camera is both lawful and justifiable, and if so, in understanding how privacy protection measures can be built into the use of a surveillance system.

Definitions:

1. **Summer Village** as referred to in this Directive, shall include all departments and offices which make up the Summer Village administration, as well as any agency of Summer Village Council which has agreed to be bound by this Directive.
2. **FOIP** means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c.f-25.
3. **Personal Information** is defined in Section 1(1)(n) of FOIP as recorded information about an identifiable individual. It includes the individual's race, colour, national or ethnic origin; the individual's age or sex; the individual's inheritable characteristics; information about an individual's physical or mental disability; and any other identifiable characteristics listed in that Section.
4. **Reception Equipment** refers to the equipment or device used to receive or record the personal information collected through a surveillance system, including a video monitor.
5. **Record** is defined in Section 1(1)(q) of FOIP as a record of information in any form and included books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.
6. **Storage Device** refers to a videotape, computer disk or drive, CD ROM or computer chip used to store the recorded visual images captured by a surveillance system.

General Principles:

1. This policy allows for the installation and use of video surveillance equipment in public outdoor spaces only within the parameters and subject to the conditions established by this policy.
2. The use of surveillance cameras is for the collection of personal information for the purposes of law enforcement under Section 33(b) of the FOIP to deter both property crimes (i.e. vandalism, theft, etc.) and person crimes (i.e. assaults, prostitution, controlled substances offences, etc.).
3. The Summer Village of Argentia Beach under its mandate contained in the *Municipal Government Act* has the authority to place and operate the use of surveillance cameras and is accountable for the collection, use, disclosure, security, retention and disposal of information.

4. All personal information and data obtained through this project will be property of the Summer Village of Argentia Beach.
5. The Government of Alberta, *Guide to Using Surveillance Cameras in Public Places, Revised 2004*, and as further amended will be followed.

Procedures:

1. Designing and Installing Surveillance Equipment

1. Reception equipment such as video cameras may be installed in identified public areas where surveillance is a necessary and viable detection or deterrence activity.
2. Cameras shall not be directed at or aimed into areas where people have a heightened expectation of privacy i.e. through windows of adjacent buildings, showers, washrooms, etc.
3. Camera shall be located in such a way that they only monitor public property.
4. Consideration shall be given to the use of surveillance being restricted to periods when there is a demonstrably higher likelihood of crime being committed and detected in the area under surveillance.
5. An active monitoring component may be instituted during peak times, and any serious crime that the monitor observes will be reported to the police.
6. Only authorized persons shall have access to the system's controls and to its reception equipment.
7. Reception equipment shall only be in a controlled access area. Only the controlling personnel or those properly authorized in writing by those personnel shall have access to the reception equipment. Video monitors should not be located in a place or in a position that enables public viewing.

2. Public Awareness of Cameras

1. The public shall be notified that they will be under surveillance through clearly written signs prominently displayed at the perimeter of surveillance areas.
2. The following sign will be displayed at the perimeter of the surveillance areas:

Surveillance camera may be operating in this area to detect and/or deter criminal activity and for public security. For more information, contact the FOIP Officer at 780-586-2494.


3. In addition, the following sign will be displayed within the surveillance area:

Surveillance camera may be operating in this area to detect and/or deter criminal activity and for public security. For more information, contact the FOIP Officer at 780-586-2494.

3. Use, Disclosure and Retention of Personal Information

1. All tapes or storage devices shall be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used shall be numbered and dated.
2. Access to the storage devices shall only be by authorized personnel.
3. All images that are captured will be kept for a maximum of 21 days, unless requisitioned by an individual under the FOIP or by a police/peace officer as part of a criminal investigation.
4. If the images noted in paragraph 3.3 are disclosed to a police/peace officer, they shall be retained for a minimum of one year pursuant to Section 35(b) of FOIP.
5. An individual who is the subject of the information has a right to access his or her recorded information. Access may be granted in full or in part depending upon whether any of the exceptions in FOIP apply and whether the excepted information can reasonably be severed from the record.
6. All access requests shall be made to the Summer Village of Argentia Beach's FOIP Co-ordinator, who will consider the request.
7. Old storage devices or recorded images kept for the maximum time period must be securely disposed of by shredding, burning or magnetically erasing the information.
8. A record log will be kept of all instances of access to, disclosure, and use of, recorded material.

9. A storage device release form (Law Enforcement Disclosure Form) shall be completed before any storage device is disclosed for Law Enforcement purposes. This personal information/images will only be disclosed to Law Enforcement Agencies and only for Law Enforcement purposes.



Donald Oborowsky, Mayor
Summer Village of Argentia Beach



Sylvia Roy, CAO
Summer Village of Argentia Beach