POLICY TITLE  Surveillance Cameras in the Cambridge Core Areas

CATEGORY  Corporate

POLICY NUMBER  Not Listed

DEPARTMENT  Corporate Services

DIVISION  City Clerk

AUTHORITY  Corporate

APPROVED BY  Not Listed

EFFECTIVE DATE  May 15, 2018

REVIEW DATE  Not Listed

POLICY STATEMENT

The City of Cambridge recognizes the balance between an individual’s privacy and the need to protect the safety and security of the public. In respecting this balance, the City is committed to integrating security best practices with the responsible use of technology. The City ensures that the information captured on video surveillance is maintained as private, confidential and secure, except or in situations outlined by this policy.

PURPOSE

The objectives of video surveillance systems are to ensure the safety of the residents and visitors; deter unsafe activities; deter loitering on municipal streets and around public buildings; and contribute to the Cambridge Core Area revitalization.

DEFINITIONS

Archive means the process of moving data that is no longer actively used to a separate storage device for long-term retention.

Cambridge Core Areas means the core areas as established by Maps 3, 4, and 5 in the City of Cambridge Official Plan (and attached in Schedule A), namely the Galt City Centre, the Preston Towne Centre, and Hespeler Village, respectively.
City means the Corporation of the City of Cambridge

Clerk means the City Clerk of the Corporation of the City of Cambridge.

Consistent purpose means personal information collected by the City of Cambridge used for the purpose for which it was collected or similar consistent purposes when carrying out City business. The individual to whom the information relates might reasonably expect the use/disclosure of their personal information for those consistent purposes.

Control (of a record) means the power or authority to make a decision about the use or disclosure of a record.

Custody (of a record) means the keeping, care, watch, preservation or security of a record for a legitimate business purpose. While physical possession of a record may not always constitute custody, it is the best evidence of custody.

Destruction is the physical or electronic disposal of records or data by means of disposing, recycling, deletion or overwriting. This also includes the destruction of records or data residing on computers and electronic devices supplied or paid for by the Corporation.

Digital video recording equipment means any type of video recording and reception equipment used as part of the video surveillance system.

Freedom of information process means a formal request for access to records made under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Head refers to the City Clerk.

Information and Privacy Commissioner means the Information and Privacy Commissioner of Ontario (commonly referred to as the IPC). The IPC hears appeals of decisions made by Heads of institutions, issues binding orders, conducts privacy investigations, and has certain powers relating to the protection of personal privacy as set out in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) means legislation that governs access to and the privacy of municipal records.

Personal information means recorded information about an identifiable individual, as outlined in MFIPPA.

Privacy breach means an incident involving unauthorized disclosure of personal information, including it being stolen, lost or accessed by unauthorized persons.
Record means information however recorded or stored, whether in printed form, on film, by electronic means or otherwise, and includes documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs and films; includes transitory records.

Retention period is the period of time during which a specific records series must be kept before records in that records series may be disposed of.

Service provider means a video service provider, consultant or other contractor engaged by the City in respect of the video surveillance system.

Video surveillance system means a video, physical or other mechanical, electronic, digital or wireless surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals in public spaces or within City operated facilities.

AUTHORITY

Corporate Services Department, City Clerk's Services Division

SCOPE

This policy applies to all City of Cambridge employees, including full-time, part-time, casual, contract, volunteer and co-op placement employees.

Contractors and service providers are afforded the same rights and expectations as employees in this policy, while performing authorized activities for the City.

This policy applies to municipal video surveillance systems located in the Cambridge Core Areas.

This policy does not apply to covert surveillance used as an investigation tool for law enforcement purposes or in contemplation of litigation, which are under policy HRLS-270.020.

POLICY

The City of Cambridge is responsible for the video surveillance systems and maintaining custody and control of video records at all times on City property.

The collection of personal information through video surveillance is necessary for the proper administration of lawful municipal activities to ensure the safety of residents and visitors, deter unsafe activities and loitering on municipal streets and around public buildings and to contribute to Cambridge Core Area revitalization.
Providing notice: Signs are posted at public access points to and within areas under video surveillance.

All attempts are made to ensure proper signage is posted at all locations using a video surveillance system.

Ownership: The cameras are owned by the City of Cambridge.

Camera placement: Where possible, all cameras that are adjustable or moveable are restricted to prohibit the viewing of locations not intended to be monitored. Cameras are prevented from looking through a window of an adjacent building or areas where a higher level of privacy is expected, such as private amenity space. Camera placement and diagrams are also located within the Control Document (Schedule B).

Cameras are numbered 1 to 10. They are listed in the chart below and shown in the drawing attached to the Control Document as Schedule B (number 1 to 10):

<table>
<thead>
<tr>
<th>Camera number and Location of Camera</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Main Street at Water Street (intersection)</td>
</tr>
<tr>
<td>2. Dickson Street Parking Lot (Lot G5)</td>
</tr>
<tr>
<td>3. Main Street at Ainslie Street (intersection)</td>
</tr>
<tr>
<td>4. Main Street at Wellington Street (intersection)</td>
</tr>
<tr>
<td>5. Water Street Lot #2 (Lot G12 West pole)</td>
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<tr>
<td>6. Water Street Lot #2 (Lot G12 East pole)</td>
</tr>
<tr>
<td>7. Mill Street Lot (Lot G11 West pole)</td>
</tr>
<tr>
<td>8. Main Street Lot (Lot G10 West pole)</td>
</tr>
<tr>
<td>9. Mill Street Lot (Lot G11 East pole)</td>
</tr>
<tr>
<td>10. Water Street (Pedestrian Bridge )</td>
</tr>
</tbody>
</table>

Only the Director of Economic Development (or designate) in coordination with the City Clerk, the Manager of Technology and Support Services, and the Corporate Property...
Manager may install, change or authorize a service provider or employee to install or change a camera’s permanent setting.

**Use of video recordings** - The information collected through video surveillance is used only for the purposes of contributing to the safe environment of the Cambridge Core Area, deterring unsafe activities and assisting as one of the components of Cambridge Core Area revitalization.

**Signage** – Sign design is located in the Control Document as attached as Schedule B to this document. Further, wording for signage is as follows:

“To promote safety this area is under video surveillance.

Images may be recorded and/or monitored.

Information collected by the use of video equipment in this area is collected under the authority of the Municipal Act, 2001 in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Any questions about this collection can be obtained by contacting City Clerk’s Office at 519-740-4680 ext 4583”

**Requests for disclosure**

The City of Cambridge does not disclose a video record to any individual or organization except as permitted through MFIPPA.

1. Public requests for disclosure - Any person may make a written request for access to video records created through a video surveillance system through the freedom of information process. Access may depend on whether there is a justified invasion of another individual’s privacy and whether any exempt information can be reasonably severed from the record. (through appropriate request form)

2. Internal requests for disclosure – City employees or consultants may request a copy of a video recording if it is necessary for the performance of their duties in the discharge of the corporation’s function.

3. Law enforcement requests - The City may disclose a copy of a video recording to a law enforcement agency where there are reasonable grounds to believe that an unlawful activity has occurred and has been captured by the video surveillance system in accordance with section 32. (g) of MFIPPA.(through appropriate request form)

If video containing personal information is improperly disclosed or is suspected to have been disclosed to an unauthorized person, the employee or service provider who is
aware of the disclosure must immediately inform the Freedom of Information Coordinator.

Live viewing

Live viewing is restricted to time periods when there is higher likelihood of safety and security concerns, or the commission of unauthorized activity in the area under surveillance. Live feed monitors are turned off when not in use. Viewing rights and responsibilities are outlined in Schedule B to this policy.

Retention and destruction

Video that has not been requested by the public, City employees or law enforcement agencies within the maximum retention period is considered transitory and is automatically erased by being overwritten.

RESPONSIBILITY

The City Clerk and delegated employees will:

- Respond to requests for disclosure under the freedom of information or applicable routine disclosure procedures;
- Ensure a public notice for video surveillance has been placed at all locations that have a video surveillance system;
- Respond to requests from the public and employees about the collection, use, and disclosure of personal information captured by a video surveillance system;
- Respond to appeals and privacy complaints received through the Office of the Information and Privacy Commissioner of Ontario (IPC);

The Director of Economic Development, the Corporate Property Manager, and the Manager of Technology and Support Services will:

- Ensure the appropriate use of the video surveillance system at the location is in compliance with this policy;
- Delegate and assign responsibility regarding who will act on their behalf in following procedures relating to this policy in their absence;
- Refer any requests for copies of surveillance video to the City Clerk or delegated employees;
- Investigate and report any privacy breaches to the City Clerk or delegated employees;
• Ensure that employees are monitoring compliance with the retention periods applicable to the video surveillance systems.

POLICY COMMUNICATION

Municipal Freedom of Information and Protection of Privacy Act:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm

Information and Privacy Commissioner:

http://www.ipc.on.ca/english/Privacy/

List of Schedules

Schedule A – Core Area Maps (Galt City Centre, Preston Towne Centre, Hespeler Village)

Schedule B - Surveillance Cameras in the Cambridge Core Areas Control Document and Camera Location Map
Schedule A – Core Area Maps (as per Official Plan)

Galt City Centre
Schedule A (con’t) – Core Area Maps

Preston Towne Centre
Schedule A (con’t) – Core Area Maps

Hespeler Village
SCHEDULE B TO POLICY
SURVEILLANCE CAMERAS IN CAMBRIDGE CORE AREAS
CONTROL DOCUMENT

1.0 Introduction

1.1 The City of Cambridge has adopted a policy related to the use of video surveillance systems within public areas in the Cambridge Core Areas. Those policies require that whenever the installation of video surveillance equipment is being considered within the City of Cambridge’s Core Areas (as defined by the Cambridge Official Plan) the Director of Economic Development (or designate) will prepare, in conjunction with the City’s Freedom of Information Coordinator, a comprehensive written control document for the operation of that particular system. This document is the required control document for the installation in the City of Cambridge Core Areas as defined by the Cambridge Official Plan.

1.2 A record of any adjustments made to the original system installation will be attached to this document as an amendment or a new version of the document may be created to reflect significant changes. Copies of this document and any amendments will be stored with the City Clerk or the Freedom of Information Coordinator.

1.3 Since images of individuals collected by this video surveillance system are considered to be the personal information of the individuals photographed the recordings are subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

1.4 The video system is to be installed to enhance safety and security of business owners, property owners, and the visiting public.

2.0 Notice of Collection

2.1 A written notice, in easily readable lettering, will be posted in the public area in a position easily viewed by the public. The notice will explain that the area is monitored by video cameras, why the cameras are in place and where members of the public can obtain further information about the installation. The sign should read: “To promote safety this area is under video surveillance. Images may be recorded and/or monitored. Information collected by the use of video equipment in this area is collected under the authority of the Municipal Act, 2001 in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act. Any questions about this collection can be obtained by contacting City Clerk’s Office at 519-740-4680 ext 4583"
3.0 Cameras

3.1 The cameras of the video surveillance system are currently installed in one (1) of the Cambridge Core Areas only, namely the Galt City Centre and designated as Map 3 in the City of Cambridge Official Plan. Cameras will record activity in the public areas for 24 hours a day, 7 days a week. The cameras are located as described in paragraph 3.2 below and in the images that form a part of this document.

3.2 Cameras are numbered and listed in the chart below. Locations are also shown in the attached Camera Location Map(s) at the end of this document:

**Camera number and Location of Camera**

1. Main Street at Water Street (intersection)
2. Dickson Street Parking Lot (Lot G5)
3. Main Street at Ainslie Street (intersection)
4. Main Street at Wellington Street (intersection)
5. Water Street Lot #2 (Lot G12 West pole)
6. Water Street Lot #2 (Lot G12 East pole)
7. Mill Street Lot (Lot G11 West pole)
8. Main Street Lot (Lot G10 West pole)
9. Mill Street Lot (Lot G11 East pole)
10. Water Street (Pedestrian Bridge )

All the cameras are stationary and are pointed at public areas for monitoring and safety.

3.3 None of the cameras described in paragraph 3.2 will be moved from the original locations nor will the views of the cameras be adjusted other than for normal panning, tilting and security required zoom adjustments without a review of the persons responsible for the initial installation. Only the Director of Economic Development (or designate) in coordination with the City Clerk and the Manager of Technology and Support Services and the Corporate Property Manager, may install, change or authorize a service provider or employee to install or change a camera’s permanent setting.
4.0 Monitors

4.1 One secure monitor is located in the Office of the Corporate Property Manager. The monitor can only be viewed by the Director of Economic Development (or designate), the Manager of Technology and Support Services, and the Corporate Property Manager. Views on screens are not available to the general public.

4.2 The pan/swivel/tilt cameras may also be controlled using a web-based application through password-controlled access by the Manager of Technology and Support Services or by other Technology Services staff designated by the Manager of Technology Services with the permission of the Director of Economic Development (or designate), and the Corporate Property Manager.

5.0 Recording

5.1 Images are recorded on digital video servers with a storage area network (SAN) located in the server room. Recordings are retained for one month (30 days) or until storage capacity is reached. The data is then overwritten.

5.2 As noted above, there is no live monitoring of the system. Access by Technology Services staff is limited to ensuring the system functions according to specifications. The Manager of Technology and Support Services may view the recordings at the request of the Director of Economic Development (or designate) as needed for support purposes.

5.3 Recordings may be retained for a longer period of time for the purposes of insurance, liability, law enforcement or other similar issues (please note section 6.2 below).

6.0 Storage of and Access to Recordings

6.1 The recording and storage equipment will be stored in a secure, non-public area at all times.

6.2 In cases where the surveillance system records activities that relate to an insurance, liability, law enforcement or other similar issue, the appropriate section of the recording will be copied to suitable media and stored in a separate secure location for a period of no less than one (1) year or a longer appropriate length of time.

6.3 Access to the recordings will be restricted to the Director of Economic Development (or designate), the Manager of Technology and Support Services, the
Freedom of Information Co-ordinator or designate, and the Corporate Property Manager.

6.4 The Freedom of Information Co-ordinator (or designate) is permitted to release copies of the records to a law enforcement agency in response to a verbal request only in situations involving an emergency, imminent danger or hot pursuit. All other requests for access by law enforcement authorities must be documented through the access request documentation utilized routinely by the Freedom of Information Co-ordinator.

6.5 Viewing of the recorded information is restricted to Director of Economic Development (or designate), the Manager of Technology and Support Services the MFIPPA Head/Freedom of Information Co-ordinator, or their designate, and the Corporate Property Manager. Viewing will be permitted only for purposes compatible with the original purpose for the installation of the surveillance system. Approved viewing of the recorded information must be conducted in private and in the presence of authorized persons only.

6.6 The Corporate Property Manager is the designated contact person for general inquiries regarding the operation of the surveillance cameras. The Freedom of Information Co-ordinator is the designated contact person for inquiries regarding the recordings.

7.0 Logs

7.1 A log will be kept to record access to the recordings. An entry will be made each time the recordings are consulted or any time a copy is made of any part of them. The log entry will note the person(s) accessing the recordings and the reason for access. The recording access log will be located in the Office of the Corporate Property Manager.

7.2 Recordings must be released if they are subject to a subpoena, search warrant, summons or other order of the courts or a quasi-judicial tribunal. In these cases a digital copy of the original recording will be provided. If the requesting parties require the hard drive a copy of the recording will be made before release of the hard drive. All actions taken in response to a subpoena etc. including the information that a copy was made will be entered into the log. A copy of the log entry will be filed with this document.
8.0 MFIPPA

8.1 Subject to paragraph 6.4, because the recordings are a “record” as defined in MFIPPA they may be requested by any person. All requests for access to recordings must be made through a written MFIPPA request. All MFIPPA requests must be forwarded to the City’s Freedom of Information Co-ordinator and will be considered on their merits and the requirements of MFIPPA.

8.2 Employees and service providers are subject to the provisions of MFIPPA in performing their functions related to the operation of video surveillance systems.

9.0 Notice of Collection Regarding the Use of Video Surveillance Systems

9.1 A Notice of Collection, required under section 29 of MFIPPA, will also be available to the public (see below 9.2). The Notice of Collection may be made available through the City website, public directories, or alternate formats such as pamphlets or signage based on the nature of the public’s use of specific facilities. The Notice may be revised on a site by site basis to reflect unique or specific uses of the images.

9.2 Notice of Collection - The collection of personal information by video surveillance systems is authorized under the Municipal Act. Surveillance systems will be used to ensure the safety of the residents and visitors; deter unsafe activities; deter loitering on municipal streets and around public buildings; and contribute to the Cambridge Core Area revitalization. Access to system equipment and recorded images is restricted to authorized staff. Surveillance images may be disclosed to law enforcement or other public agencies to assist in authorized investigations. Any questions about this collection can be obtained by contacting City of Cambridge clerk’s office at 519-740-4680 extension 4583.

10.0 Signs

10.1 Notification signs will be placed in all viewing areas where the cameras are present. Signs will be visible to the public.
To promote safety this area is under video surveillance

Images may be recorded and/or monitored

Information collected by the use of video equipment in this area is collected under the authority of the Municipal Act, 2001 in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Any questions about this collection can be obtained by contacting City Clerk’s Office at 519-740-4680 ext 4583
CAMERA LOCATIONS (as per Section 3.2)

1. Main St at Water St
2. Dickson Parking Lot
3. Main St at Ainslie St
4. Main St at Wellington St
5. Water St Lot #2 (West)
6. Water St Lot #2 (East)
7. Mill St Lot (West)
8. Main St Lot
9. Mill St Lot (East)
10. Pedestrian Bridge

Camera Locations

Inclusiveness • Respect • Integrity • Service