

A Better Way?

Monday, 18 September 2006

The price good people pay, for their indifference to public affairs, is to be ruled by evil men - Plato

I would encourage everyone to get involved in the process, get out and ask questions of the candidates, and make up their own minds about who they will vote for.

So, it's the day all candidates formally are entered into the race for City council. Day one, and one of the candidates for Mayor steps on his dink.

The following is from an email exchange between Citizen Wilson and the Candidate for Mayor: Jim Holmes.

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CW Q:

The rules and bylaws exist to be applied equally to every one. At present, there is a labor dispute involving a Grocery store and a Union. The bylaw is very clear that no persons or persons shall place signs on public land. As a citizen, ONE complaint is all that is required to bring down the wrath of enforcement and second offence usually incurs penalties. Yet, there is a special interest group that despite numerous complaints, calls and letters, experiences no enforcement. Worse yet, there is no official explanation why that group can continue to operate outside the law.

My question to you is: will you or will you not enforce ALL bylaws equally, and will your administration ensure that all City of Regina administration enforce laws and bylaws equally? Yes or No answer only.

With respect to the situation on Albert Street South, would you fine the Union for breaking bylaw 9881? Yes or no answer only.

Jim Holmes Replies:

No, the City cannot and does not enforce every bylaw and it would be impossible to do so. The City must determine which are its priorities.

The City makes no attempt to enforce the bylaw with respect to garage sales, nor should it be bothered with that type of informal commercial activity.

The same inspectors who go out to the Sobeys picket line are the same ones who inspect substandard housing and issue orders against slum landlords. I think and have publicly stated that housing inspections should be the priority.

Further I think application in the Sobeys dispute infringes on free speech, so I do not favour enforcement in that environment.

If values clash I will attempt to be on the side of the most vulnerable.

CW Replies:

Jim, you just lost my vote.

The city does in fact enforce bylaws with respect to the bylaw 9881. Call Duane Flaman at 777-7000 and confirm. I have seen City Trucks and City employees making rounds picking up signs, and I have personally received a letter of warning with respect to Bylaw 9881.

The reason you lost my vote is: as the mayor (or as any elected official), one must understand the law, how to apply it, how to enforce it, and how to create it. You have just demonstrated to me that you do not understand law.

A law must reflect the will of all people, and apply for all, and apply equally.

You have demonstrated to me that you will USE the law as you see fit. That is a dangerous position to allow anyone to be in, and more so for an elected official. You would be no different than the people you claim you wish to replace.

As a maker of law, you would be expected to create the laws that govern the people. If you cannot abide by law, you cannot create law. If you change the laws to fit your personal agenda, you become an elected dictator. I will not grant you that power.

As a leader, one must place the law ahead of oneself. You have just demonstrated to me that you ultimately do not put the will of the people ahead of you, which ultimately means you WILL place special interests ahead of the will of the people.

You have demonstrated to me that you do not possess creativity. Freedom of speech is not infringed! The law states person or persons cannot place signs on public property...it says nothing about people CARRYING their signs. If the picketers CARRIED their signs, they would be legal. Even so, as has been pointed out, the Union will not get their day in court unless they are charged, which brings me to my next point.

A leader must know when to lose a battle. As Mayor, you should be seeking out why a certain department is not enforcing a bylaw. If the department is corrupt, it needs cleaning up. If the department is picking and choosing which laws to enforce, it must be cleaned up. It goes to equal enforcement. You have demonstrated to me that you do not wish to clean up corruption, and in fact, condone it.

If a law or bylaw is flawed, it must be repaired, fixed, repealed, or replaced. Again, it goes to leadership, understanding law, and morals. You have demonstrated to me your lack of ability to act with skill and ability, thus, I cannot entrust you with my vote.

Thank you for answering my questions, and I appreciate the time you have invested with me.

Jim Holmes Replies:

Thanks for your questions.

You raise good points but I don't think either of us have convinced the other, yet, but I will reflect on the points you made. I would agree that ideally every law would be enforced equally but in reality the city must decide which areas of enforcement are most important. An example is speed limits. Likely if we put an officer on every street we could eventually ticket someone. The City now properly concentrates on school zones and high incident high risk areas.

I don't think the Bylaw enforcement department has any problems except lack of resources. Since resources are limited (whether traffic or housing inspections) we need to deploy them where they will do the most good.

I don't think this is corruption. As long as serious issues of public safety like speeding or substandard housing exist I think it is irresponsible to devote resources to trivial issues.

CW Replies:

Jim, according to Duane Flaman, its a complaints based system. One complaint and the officers investigate. One complaint against a citizen and out comes the storm troopers. Unless of course you are special interest group, then it takes Lord only knows how many complaints (I've logged more than 30 personally, and the enforcement offers came out once to pick up the signs, then the media showed up, and off they went to picket city hall)

Law is law, its a black and white scenario. Either one agrees that the rule of law must be applied, or not. Either you are for law, or against it.

The people in charge are supposed to be neutral and unbiased. That is not the case.

In any event, there is the courts to resolve such issues.

Plus, if people want to change the laws, there is a process for that too, and that is called petitioning City Hall, lobbying for change, and becoming involved in the process that governs them.

Thank you again, but I cannot support a candidate that does not support the rule of law.

Citizen Wilson's commentary:

So, would you like to support a candidate who admits the rule of law should be selectively enforced? Since when is the rule of law a trivial matter? While the Coalition for a Citizen-Friendly Regina claims that it will not pander to a special interest groups, it would appear that the person from that organization for the top job cannot place his personal agenda aside to enforce all the laws that will govern us. Elected Dictatorship indeed. Who is more vulnerable? I think ONE citizen is the most vulnerable of all, but obviously wields no power compared to that of the Candidate's personal agenda. A

Better Way? I'd say it's serious food for thought.