

City must respect Occupy Calgary's right to protest, says Nenshi

BY JEN GERSON, CALGARY HERALD NOVEMBER 4, 2011

Presented By:



A pedestrian passes the snow covered tents of the Occupy Calgary protest in Olympic Plaza Friday morning November 4, 2011.

Photograph by: Ted Rhodes, Calgary Herald

As Occupy Calgary protesters in Olympic Plaza continue to draw the ire of Calgarians, the mayor said his hands are tied by the law.

The Charter of Rights and Freedoms, which backstops political expression, supersedes the bylaw infraction that prohibits camping and erecting tents in public parks.

“This is yet another one of those challenges where the responsibilities and powers of municipalities across Canada are severely curtailed, much more so than people think,” said Mayor Naheed Nenshi. “We have the ability to write tickets and we have the ability, at some point . . . to remove material. We do not have the ability to remove people.”

Police are continuing to negotiate with the protesters, but say the leaderless movement has so far been

unable to provide a clearly articulated set of demands.

Acting police chief Trevor Daroux said the city had to provide the protesters time to express their grievances. However, so far they have not asked for anything the city could provide.

"There are some big asks and things we aren't clear about. Depending on who the leader is, it really depends on what they're asking for," he said.

The charter and legal precedent clearly dictated what could and could not be done, he added.

About two dozen tents remained in the plaza as the city saw its first snowfall of the season on Friday.

Nenshi's news conference came on the heels of one held by Ward 13 Ald. Diane Colley-Urquhart, who told the media she intended to table a motion on the Occupy Calgary movement when council convened on Monday. Nenshi dismissed much of the hoopla surrounding the movement, saying Olympic Plaza protesters did not constitute a crisis.

"We're talking about a dozen or so people," he said. "Using the corner of a public park. People who want to call this a crisis are being irresponsible. This is not a crisis in any way. This is an opportunity for us to see what we're made of."

Meanwhile, the Occupy Calgary protesters staying in the St. Patrick's Island encampment said on Thursday night that they had agreed to a deal offered by the Calgary Homeless Foundation.

CEO Tim Richter was at the camp on Friday morning, along with a team of outreach workers. They conducted interviews with the protesters, most of whom are chronically homeless.

"On Monday, a lot of these guys are going to have to go back into the shelter system," Richter said, although he remained optimistic that many of the campers would receive more permanent housing quickly.

"Just talking to some of these guys, I can tell you that based on the level of need they've expressed to me, they would be in the priority. One guy has got cancer. Another guy has been homeless for seven years," he said.

People at the camp seemed to be in good spirits and said they remained optimistic about the future. Although they were sad to see their community broken, they said they planned to meet every few days over coffee.

Kevin Archibald said the encampment had created "a bigger family. People of all different walks of life have shown that they can work together and make something happen and that's what we've done here."

Still, he said more work will need to be done.

“If people are here to help us and they help us, great . . . it remains to be seen whether these politicians are going to stand up to say what they’re going to do.”

St. Patrick’s Island protesters have promised to be gone by Monday afternoon. Campers have staked spots on Olympic Plaza since the first Occupy Calgary march was held in mid-October.

The city has claimed the group has cost \$40,000 in park maintenance.

jgerson@calgaryherald.com

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