

VIA E-MAIL: [mayorandcouncil@vancouver.ca](mailto:mayorandcouncil@vancouver.ca)

June 30, 2016

**Re: Public drinking fountains in high poverty areas**

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I am writing on behalf of the BC Civil Liberties Association to urge immediate action to increase the availability of clean drinking water on the streets of Vancouver, particularly in neighborhoods like the Downtown Eastside and other areas of high poverty throughout the city. Recent research found that 110 people died in the Lower Mainland over a one-week period during a heat wave in the summer of 2009.<sup>1</sup> The researchers found that areas like the Downtown Eastside and other high poverty areas suffer higher rates of heat stroke and heat-related deaths than other neighborhoods. With scientists warning that 2016 could see the hottest summer on record, we urge City Council to allocate funds immediately to increase the number of public water fountains across the city and, in particular, in poor areas like the Downtown Eastside.

Publicly accessible drinking fountains are an important public health response to the problems of heat stroke and dehydration. Many vulnerable Vancouver residents, particularly people living in poverty and experiencing homelessness, rely on publicly accessible drinking fountains to meet their basic water needs. Taking action to expand the number of publicly funded and maintained drinking fountains will protect the health, dignity and rights of these vulnerable communities, and we encourage you to make this an urgent priority.

Recent media coverage reports that the city experimented last year with adding five temporary drinking fountains across the city in July, and is currently studying whether additional steps are necessary this year.<sup>2</sup> With respect, further study must not be allowed to delay necessary improvements to the accessibility of water. It is our view that this is a question of basic human rights, civil liberties and common decency. We ask that you direct city workers to install a greater number of temporary drinking fountains immediately in the Downtown Eastside and other high risk areas identified in the cited research. Once that life-saving intervention has occurred, there will be ample time for more research.

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<sup>1</sup> Hung Chak Ho, Anders Knudby, Blake Byron Walker and Sarah B. Henderson, "Delineation of spatial variability in the temperature-mortality relationship on extremely hot days in Greater Vancouver, Canada", *Environmental Health Perspectives*, June 27, 2016, online: <http://ehp.niehs.nih.gov/wp-content/uploads/advpub/2016/6/EHP224.acco.pdf> >.

<sup>2</sup> Tiffany Crawford, "High heat, concrete a fatal mix in impoverished areas: study" (June 29, 2016) *The Vancouver Sun*.

The BCCLA has been a vocal advocate on the need for year-round access to municipal drinking water in outdoor public spaces, including city parks. In 2009, we made a presentation to the City's Standing Committee on City Services and Budgets in which we supported the City's adoption of a staff recommendation for "year-round access to municipal drinking water in outdoor public spaces" (set out in the Administrative Report of April 7, 2009). In particular, we emphasized the impact of a lack of public drinking fountains on homeless residents, who experience barriers to accessing enough clean water to prevent dehydration and the health impacts that go with it. As City staff acknowledged in their report to Council at that time, "The homeless population typically has very little other access to clean running water." This can have significant impacts on life, health and well-being. Last year we made similar arguments to the city Parks Board.

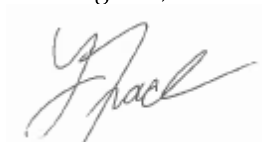
The BC Civil Liberties Association believes that access to clean drinking water is a profound human need that deserves to be protected as a civil liberty and human right. It is our view that the *Canadian Charter of Rights and Freedoms* and case law support this position. Section 7 of the *Charter* protects life, liberty and security of the person, and every individual needs clean drinking water to survive and enjoy physical and psychological security. Since water is owned wholly by the government as a public asset, the government must provide reasonable access to water. Furthermore, various United Nations organizations have recognized the right to water as a basic human right. As the UN Committee on Economic, Social and Cultural Rights stated in its General Comment No. 15 on the Right to Water, "the human right to water is indispensable for leading a life in human dignity. It is prerequisite for the realization of other human rights." The BCCLA has called on the government of British Columbia to recognize and protect the right to water, and to make an explicit statement of commitment to the realization of the human right to water in British Columbia.

To be meaningful and effective, a right to water must be protected by legislation and policy at the municipal, provincial and national level. At the municipal level, the construction and maintenance of public drinking fountains is a key aspect of protecting and fulfilling the human right to water.

Certainly, addressing poverty and homelessness is also essential to the fulfillment of the right to water. The City of Vancouver has taken several important steps towards addressing poverty and homelessness in the City, but has limited power to address these issues falling within the jurisdiction of the Province. This issue, however, falls squarely within the City's mandate. We urge you to take swift and urgent action to expand the availability of public drinking

fountains in the City, focusing particularly on high poverty areas like the Downtown Eastside.

Kind regards,

A handwritten signature in black ink, appearing to read 'L. Track', is centered within a light gray rectangular box.

Laura Track  
Counsel