Urban Revitalization, Security, and Knowledge Transfer: The Case of Broken Windows and Kiddie Bars

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Introduction

In a 1959 urban renewal plan for Windsor, Ontario’s downtown, entire city blocks were slated for demolition. Urban revitalization often meant removing what existed and starting over. In contrast, revitalization influenced by neo-liberalism seeks the optimum re-arrangement of urban things. Crumbling, vacant, and stagnant properties and places are to be reconfigured while desired forms of inhabitants’ conduct are cultivated and mobilized. Such revitalization relies more on renewing targeted urban spaces and personal potentialities, on reactivating certain latent urban dimensions and behaviours, than on wholesale bulldozing and building the urban anew. To arrive at this reconfiguration, new knowledges and technologies are to be borrowed from distant urban experiences and surgically inserted into indigenous mixes. Here security is to serve as a key channel through which these elements flow, their institutional movement promising to catalytically transform inert property and people, even when revitalization seems headed for failure.

This article investigates a decade-long downtown revitalization project in a Canadian city to shed light on interrelated aspects of urban revitalization, security provision, and the transfer of governmental knowledge. Specifically, I examine an endeavor to remake Windsor’s downtown which was conceived in 1994 and commenced in 1996 with the inauguration of Ontario’s first permanent Las Vegas-style commercial casino. Back grounded with a gradual shift to “market friendly” downtown land-use, Windsor’s core soon experienced rapid expansion of a night-time, youth-oriented, retail alcohol economy. Physical security downtown then became problematized and bar owners and operators’ conduct became moralized. Using analytical tools drawn from governmentality and Latour-influenced studies, I examine this downtown revitalization project, its security problem, and the transfer of knowledge and allied efforts to overcome it. Special attention is paid to three interrelated facets: (1) the role of Windsor’s downtown business improvement association (BIA); (2) the influential movement of elements of a consultant’s report (the Peter Bellmio Report)

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1 City of Windsor, A Fifteen Year Programme for the Urban Renewal of the City of Windsor (Windsor: Faludi and Associates, 1959).

through several institutional actors—including the BIA—rendered responsible for revitalization; and (3) resulting measures enacted by these actors, including a CCTV program and an interim bylaw targeting “kiddie bars.” The “kiddie bar” (a term resonating with “kiddie porn,” thus constructing the targets of bars’ marketing—youth—as victims, and their purveyors—owners and operators—as unambiguously immoral perpetrators) refers to a type of licensed liquor establishment within local revitalization discourse.

As it comes into view, the security problem is claimed to detrimentally impact downtown residential living, overwhelm regular police patrol resources, and scare away existing retail and potential residential development. The conduct of “kiddie bar” owners and operators becomes moralized and presumed to be the problem’s main source. The Bellmio Report arrives in early 2003 as the solution. In arriving from afar, the Report exemplifies and authorizes other knowledge transferred to Windsor’s downtown via City-hired private consultants. Informed by “broken windows theory,” and its (even) more simplistic “clean and safe” mantra, the Report’s elements are subsequently evinced being fashioned and consumed at sites deemed crucial to continuing revitalization and re-establishing security. Encouraged by the Bellmio Report to do so, an interim bylaw passed by the City at this juncture has the effect of holding downtown revitalization in abeyance while the Report works to contribute to the problem’s fix. Through cameos in a study of police paid-duty, in a downtown land-use study, and in print media editorials, the Report is evinced: justifying a zoning bylaw that promises to at once “box in” and recast “kiddie bars” as “entertainment lounges”; reconfiguring “marketized” police—bar owner relationships operative within the “kiddie bars”; and initiating CCTV surveillance of a newly-defined area. In these ways the Bellmio Report and the transfer of “broken windows” knowledge it represents are seen as integral in weaving disparate threads tightly together into a security blanket that staves off revitalization failure.

Windsor’s downtown business improvement association plays a crucial role in these various adjustments. “Improvement” here refers to revitalization. In the original 1994 plan the downtown BIA is foreseen adopting a relatively minor role, but by 2003, through the Bellmio Report, the BIA had assumed stewardship of security and is evinced mediating between urban governance “from above” (i.e., mostly city government) and “from below” (i.e., BIA members and especially bar owners and operators). Accordingly, through this analysis the BIA is revealed as neither a new sovereign of downtown space, nor a systematically-subordinate creature of the state. Rather, the BIA’s role and its adoption of a given issue—including security—appear contingent on unforeseen developments, which here

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include arrival of the “kiddie bars” and the Bellmio Report. This suggests the BIA has a more complex and contingent role in urban revitalization and security provision than previous scholarship implies.

Previous Research

Due to their strong linkage in urban contexts, revitalization and security are increasingly discussed in tandem in both urban studies and socio-legal and criminological literatures. These varied accounts are rife with claims about BIAs and “broken windows theory” (sometimes in the form of “zero tolerance policing.”) In particular, it is asserted that this “theory” spread through U.S. cities beginning in the early 1980s and rendered actionable BIA security and order-seeking practices entailing the cleansing of urban landscapes of graffiti and the homeless (often with little distinction between the two). With New York City invoked as the “clean and safe” urban exemplar, these accounts tend to take the BIA’s role as self-evident and static. Neglected is explanation of the transfer of governmental knowledge that permits the BIA to govern and, in particular, to mediate between city governments and BIA members to overcome barriers, that is, to mediate between governing “from above” and governing “from below.” During the 1990s, many U.S. BIAs expanded their governance functions to security provision, but in Canada this is evident in only a few BIAs. Rather than blithely assuming New York City’s local BIAs and “broken windows”-informed practices have direct relevance for the trajectory of urban revitalization and security provision elsewhere, then, more detailed empirical study of knowledge transfer in relation to specific urban problematizations is necessary.

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7 E.g., T. Osborne & N. Rose, “Governing Cities: Notes on the Spatialisation of Virtue” (1999) 17 Environment and Planning D Society and Space 737 at 754; Brenner & Theodore, supra note 3 at 372; Ruppert, supra note 3 at 164-5; Kempa et al., supra note 4 at 212; Coleman, supra note 4 at 23.


9 This is not to say other cities in the U.S., U.K. and Canada have not encountered similar problems with entertainment districts.
Previous scholarship in this domain has also neglected to explore—more broadly—how unexpected problems that develop within the “process” of urban neo-liberalism (which contains downtown revitalization in its repertoire) are overcome. Urban governance demands knowledge of its objects, but so far overlooked is how governmental knowledge transferred from afar allows problems arising in local urban contexts to be conquered. Wilson writes that in addition to how it mobilizes agents to remake a city, “contingent urban neo-liberalism” contains:

...a place-specific reflexiveness rooted in responses to situated conditions and circumstances. Here lies the power but also the potential fallibility of this governance. Situated conditions, not properly mediated, can problematize neo-liberal governance. Things can even get worse: Modifications and concessions (moving it palpably away from some idealized “non-obtrusive” state) may become crises if unresolved issues deepen.

But how does this reflexiveness work? In Canada, city or municipal governments possess neither the constitutional authority nor the resources to undertake a public inquiry, Royal Commission, or similar extensive quasi-judicial review consonant with liberalism’s dictates to generate better knowledge of problematic conditions and act reflexively. In Ontario, to avoid quasi-judicial Ontario Municipal Board (OMB) hearings, where City officials often can expect to wield little influence or spend significant financial resources to merely defend their decisions, alternative legal and other means—including relying on knowledge from afar—are likely preferred. But what these means are and how they work remains unclear. Thus, the governmental role of knowledge transfer in relation to problems encountered within urban neo-liberalism and allied revitalization projects and, more specifically, to the role of BIAs, and how and whether, for example, security becomes a BIA function, requires attention.

Governmentality Studies and Latourian Tools

Problematicization is the terrain of governmentality studies, within which much attention has been given to features of neo- (or “advanced”)
liberalism. Yet, recently emerging within this body of work is greater interest in non-liberal or alternative rationalities, technologies, and agents, in what is perhaps best termed governance “from below.” This refers to the governing practices of a wide array of actors and organizations not typically associated with governing, which here include a group of small business persons. Though articulated in varied ways, common to this emerging focus is an assumption that not all which is said to be governed “at a distance” from the State—consistent with liberal rationalities—is ultimately enlisted as the State’s creatures. Some agents have their own governance projects and rationalities that can as easily conflict as complement dominant liberal rationalities that invoke the State in some manner. In acknowledging this aspect, tools adopted from Bruno Latour’s studies of science show promise in that they can commence as easily from “below” as from the (Leviathan’s) top. Still in their infancy within socio-legal studies, Latourian tools complement a governmentality analytic in a shared attention to texts and knowledge. Analysts are encouraged to focus on “process and flow” and “how actors pick through documents or discourses” to create novel assemblages for domain-specific purposes, including revitalization and security provision. Latour and his followers’ work “provokes us to see what happens when one looks at things and texts as if they were people, and at people as if they were a part of a technical assemblage.” This tack is taken in this article and is why—besides abbreviation—the integral Bellmio Report will be referred to as B.R., that is, as though it were an agent.

Methods

Qualitative methods were used for this study. Besides attention to B.R., procedures included analysis of reports and meeting minutes of Windsor City Council, the City Centre Revitalization Task Force (CCRTF), and security sub-committees (SARA and CCSERT); a major revitalization study;
studies of Windsor’s downtown land-use and paid-duty policing; downtown BIA annual reports, pamphlets, and web-based documents; and local print media coverage (i.e., the Windsor Star) of Windsor’s downtown revitalization issues from 1996 to 2006. This was supplemented by downtown visits in 2006 during which field notes were taken, and ten open-focused interviews about revitalization and security with city government, small business, security, police, and BIA representatives in 2006 and early 2007.

Windsor’s Downtown Revitalization: 1996-2006

The mid-sized industrial city of Windsor is situated directly across the Detroit River from Detroit, Michigan. In 1996 Ontario’s first Las Vegas-style casino opened its doors on Windsor’s downtown riverfront. Detroit and its suburbs—the eighth largest metropolitan area in the U.S.—as well as nearby cities in Michigan, Ohio, Illinois, and Indiana, were to be its principal target market. Grafting the casino onto Windsor’s declining downtown promised to appreciably increase tourism, diversify the city’s industrial economy, and permit gradual migration away from its long-time self-representation as the “Automotive Capital of Canada.” As the keystone of a new urban strategy, the casino was foreseen regenerating Windsor’s decaying “City Centre”:

Windsor has approached the gaming industry as a means not only to expand its local tourism industry but to act as a catalyst for the revitalization of Windsor’s downtown area, providing a setting of renewed economic vigour with activities and services attractive to both Windsor residents and visitors.24

What followed was “vigorous” growth of a youth-oriented, retail, alcohol industry downtown, with some unforeseen consequences.

Urban neo-liberalism’s influence on Windsor’s downtown revitalization efforts is most evident in a gradual shift from prescriptive land-use regulation to economic incentives. Unlike business licensing which remained largely unrestrictive during this period,25 the increasing emphasis

24 City of Windsor, Windsor City Centre Revitalization and Design Study: Final Report (Brisbin Brook Beynon Architect/Urban Design and Planning, September 1994) at 1 [Windsor Revitalization and Design Study].

25 Though no explicit policy of relaxing business licensing requirements for potential downtown businesses was implemented during the 1990s, few if any special conditions for bars were actually in place, other than those targeting smoking. After election of the hybrid neo-liberal/neo-conservative Harris government in 1995, Ontario’s municipalities were generally discouraged from increasing licensing restrictions on business activity. Revocations of business licenses for bars by the local licensing commission were unheard of in part because the burden of proof rested with the City officials. Such recommendations to the licensing commission by City officials were avoided because they were likely to be challenged in the provincial courts, thus operating in the shadow of law—not unlike local planning decisions in relation to the provincial OMB noted above—and in order to avoid generating the undesirable image of government bureaucracy ending a small businessperson’s capacity to make a living. However, as downtown residents’ complaints about “kiddie bars” mounted, gradually specific conditions such as keeping bar
in downtown zoning in the 1990s was "on minimizing development restrictions rather than defining standards for development."26 A city official explained:

We have a wide and open [policy]....The way that the land-use designations occur in our official plan and the zoning that backs them up for downtown Windsor is what I would call market friendly. It's quite broad ranging. It's not prescriptive. It doesn't say this street shall be retail and that street shall be...restaurants or entertainment....It's a catchall, a general high intensive use of whatever the market will want to respond to....27

This change was commenced through slowly relaxing parking standards downtown. After considerable restriction, in 1981 the required physical size of parking spaces was reduced. In 1986 a change of use provision scaled back new parking space requirements when a specific land-use shifted, for example, from merchandise retail to a restaurant or bar. Also in 1986 the parking space requirement for specific downtown uses was eliminated or reduced. Further relaxing of parking related standards occurred in 2002. City officials assumed small businesses "would or could not afford to provide required parking spaces for new uses like bars and other service retail."28

Increasingly the market would shape the downtown. By the mid-1990s any economic activity had become "good." Most significant, following casino construction, was a rapid proliferation of licensed retail liquor establishments that marketed primarily to visiting U.S. youth. Prohibited from purchasing alcohol in nearby U.S. jurisdictions, where the legal drinking age is typically 21, youth could now visit Windsor to take advantage of Ontario's lower legal drinking age (i.e., 19 years). Especially on weekend nights, U.S. youth flocked to Windsor's downtown to patronize and move among the newly-styled bars fashioned from retail space. From

doors and windows closed to reduce noise and having adequate security arrangements were introduced. In 2004 a new licensing regime and by-law (City of Windsor, By-law No. 395-2004, By-Law Respecting the Licensing and Regulation of Various Businesses (13 December 2004)) were introduced—notably consistent with B.R.'s arrival and recommendation to step-up by-law enforcement downtown—which for the first time specified (concurrently with the City's new zoning bylaw discussed later in this article) an "entertainment lounge." Licensing fees were then increased dramatically from $70 annually to more than $400 for a new bar and $300 for a renewal, thus helping to deter new "kiddie bar" growth. Raising licensing fees for a specific class of business was a tactic previously used by the City to deter further growth of "strip" clubs downtown. Personal communication with City official (1 November 2007). The current licensing regime was then successfully challenged in the courts by several Windsor "strip" club owners. Part of the ruling was that the new licensing fees were plainly designed to cover policing costs in the downtown core rather than to administer the by-law and that the City could only set fees to cover the latter. See Superior Court of Justice (30 September 2005) 14 M.P.L.R. (4th) 195.

26 Windsor Revitalization and Design Study, supra note 24 at 5.
27 Interview 1 [emphasis added].
28 Personal communication with City official (2 May 2007).
1996 to 2004, downtown bars increased by over 50 percent to 54, but more noteworthy is their increased scale—some with beyond 500 person capacities—such that by 2002 almost 23,000 drinking “seats” (i.e., liquor license capacity—see Table 1) were established in the downtown of a city which in 2001 had only 205,000 persons.

Table 1

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As a City official described this dramatic shift:

> The market was responding to desire. The competition for the dollar was in the entertainment industry and...entertainment land-uses....So storefronts that heretofore were retail have become one more bar. Didn’t matter who the clientele was, [it] didn’t matter what the hours of operation were, [and it] didn’t matter if it was a responsible owner or less than responsible owner.30

Note this official’s passing reference to the “less than responsible owner.” The assumption that bar owners and operators can be divided based on responsibility dominates ensuing debate about the downtown’s future, a point returned to below.

**Windsor’s Downtown Business Improvement Area**

Within the neo-liberal “market friendly” downtown spaces in which a youth-oriented, retail alcohol industry began to flourish, a problem appeared. Before elaborating its dimensions, it is necessary to discuss the BIA that would later respond to it. A BIA is a legal concept invented by small businesspersons in a Toronto, Ontario, enclave in the late 1960s as a reaction to a suburban shopping mall and a resulting decline in local street-level pedestrian traffic. A state-administered levy on every business in a designated area for “improvement” purposes was proposed and eventually

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29 City of Windsor, *City Centre Interim Control Land-Use Study*, prepared by Next-plan Architecture Corporation and Downtown Dynamics, Inc. (2004) at 17 [Windsor Land-Use Study].

30 Interview 1, *supra* note 27.
enshrined in Ontario’s *Municipal Act*\(^1\) in 1972. It promised to overcome a classic “free rider” problem in which some businesses avoided contributing to local business-led improvement initiatives, including “streetscaping” (e.g., installing attractive light standards and benches to attract pedestrian traffic) and marketing campaigns, from which they nevertheless benefited. The BIA’s origins reveal one of its rarely stated but still current aims: to mobilize its small business members to improve not only urban spaces but also their conduct in order to boost consumption activity. BIAs are heralded as the innovative way forward in downtown revitalization as city governments’ past efforts are summarily dismissed as failures.\(^3\) The BIA is now ubiquitous in downtown retail strips. Indeed, in North America, and increasingly globally, little if any downtown revitalization is contemplated without first the formation of a BIA (or its equivalent).\(^3\)

Windsor’s downtown BIA formed in the 1980s.\(^4\) Within the 1994 revitalization plan this BIA was to play a role in revitalization mostly by expanding its boundaries and contributing to “retailing innovation.”\(^5\) But shortly after the casino completion in 1996, Windsor’s downtown BIA was foreseen harnessing the robust revenue-producing power of the newly-implanted casino. Due to the casino’s hefty casino grant, the existing BIA’s annual budget ballooned, such that the downtown Windsor BIA soon wielded Ontario’s third largest budget.\(^6\) Thus, the BIA promised to serve as a safe channel through which the casino’s newly-generated wealth could pass into downtown revitalization projects. This allowed bypassing City of Windsor’s direct control from which it was presumed—consonant with neo-liberal assumptions held by the provincial government\(^7\) about municipal government’s intrinsic bureaucratic inefficiencies—it would not (provide a) return. While seamlessly transferring resources to the downtown was deemed crucial, as vital were the BIA’s mobilization of new revitalization agents—the downtown’s small business owners and operators. Reflecting on recent downtown developments, a City official explained:

> The BIA [is] very important...[because] it’s linked to all kinds of resources, hundreds of thousands of dollars of separately collected funds from its members over and above the tax base for the projects that have been initiated downtown. Policy, research, physical capital improvements...money, time, expertise in the downtown business leaders who are willing to volunteer their time to get involved in all

\(^{1}\) S.O. 2001, c. 25.

\(^{2}\) E.g., L. Houstoun, “BIDs at Home and Abroad” (2002) Urban Land 42.

\(^{3}\) In the U.S. these areas are called Business Improvement Districts.

\(^{4}\) Interview 4.

\(^{5}\) Windsor Revitalization and Design Study, *supra* note 24 at 158.

\(^{6}\) Interview 3.

\(^{7}\) E.g., Valverde & Levi, *supra* note 13 at 26. The Harris government came to power in 1995 on a hybrid neo-liberal—neo-conservative platform. The City of Windsor was rumoured to have been promised a full ten percent of casino revenues in the 1990s, but what have been a lucrative arrangement never materialized.
this kind of stuff. Without them it would be much, much more difficult.\textsuperscript{38}

Otherwise difficult to assemble, the BIA promised to mobilize diverse types and sizes of small businesses within an urban space and "improve" their practices. By 2003—partially due to the arrival of "clean and safe" knowledge in the form of B.R.—the BIA was among the 1994 revitalization plan's key proponents and had become the downtown security problem's chief steward.

**Windsor's Downtown Problem**

Windsor's downtown problem came to centre on the new youth-oriented alcohol industry's immediate by-products: noise, regular street violence, and nuisance crimes, especially on the streets in the early morning following the provincially-mandated bar closing time. This problem acquired several dimensions but primarily focused on security.\textsuperscript{39} An increase in the incidence and severity of violent and property crime in particular was deemed to obstruct peaceful downtown residential living, stretch regular police patrol resources beyond their limits, and repulse further residential development and established downtown retail businesses.

The eight thousand downtown residents became seen as detrimentally affected by bar growth, as a local police official and long-time Windsor resident described the "metamorphosis":

[Previously] downtown was the place to shop...[but] that's all become decentralized....The whole emphasis on retail is [now] very, very much a secondary, almost tertiary exercise...but the reality is— that is how I perceive it as someone who has lived here my whole life—the entertainment land-use has heavily taken over and dominated the downtown...you still have a lot of government work and commerce during the day but...the commerce part rolls up at five o'clock and the entertainment thing takes over. But that triggered a whole different realm...because you have residents living downtown and its one thing to integrate residential land-uses in with day shift... commercial retail and flip flop that in a very, very short period of time...[but this was] a metamorphosis...from day time oriented retail, which is very compatible with residential, to bars that are open until two and three o'clock in the morning, large volume bars, two, three, four, five hundred, up to eleven hundred person capacity bars, and the whole spill out effect of people moving from bar to bar at different stages of inebriation, going to their cars, squealing tires, urinating on people's lawns, the whole enchilada that goes with...that big changeover in land-use in our downtown....\textsuperscript{40}

\textsuperscript{38} Interview 1, \textit{supra} note 27.

\textsuperscript{39} See \textit{ibid.}; Interview 3, \textit{supra} note 36; Interview 4, \textit{supra} note 36; Interviews 2 & 6.

\textsuperscript{40} Interview 2, \textit{ibid.}
Downtown residents, who were mostly elderly,¼ lacked resources and were poorly organized compared to the BIA, but nonetheless voiced opposition about the spread of new bars, desiring more residential-friendly land-uses like merchandise retail stores instead.

The new situation was also seen as placing a huge burden on existing public police patrol resources:

It totally changed the policing environment downtown. Our resource deployment went up substantially when this transformation happened because, let’s face it, there’s a lot more to police with a bar of ten thousand square feet than a department store of ten thousand square feet. You go from handling some shoplifting calls, maybe the odd B and E after hours—maybe—to a whole bunch of infractions, disorderly crowd control, property damage, you know [the] spill over into the streets, parking congestion, and traffic violations are all associated with that and it just changes that whole continuum. [It was] very challenging for us. We just felt we were losing control....We were becoming so reactive-oriented only and we just didn’t feel that that was getting the job done. So we needed to do more preventative things and dig...deeper in the toolbox...[since] every week there was a new bar opening."²

Recall the City official’s earlier reference to “less than responsible” bar owners. Security emerged as a problem less of the conduct of roving young bar patrons and more of the increasingly moralized propensities of bar owners and operators, particularly of “kiddie bars.” Beginning in 1999, the “kiddie bar” appears in downtown revitalization discourse with greater frequency as a moral-risk category.⁴³ Patrons’ conduct was deemed largely uncontrollable via regular policing, since youth were hapless victims of bars’ over-serving and marketing practices, such as “one dollar drink” promotions.⁴⁴

Windsor has sported a “sin city” reputation of varying degree over the past century.⁴⁵ Not long after September 11, 2001, this moniker was bolstered again when a major radio initiative to counter decreased U.S. visitors to the downtown sought to market Windsor as “bartown.”⁴⁶ Casting

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41 Some residents were able to gain the attention of several City councillors but no consensus on Council formed about the bars as a consequence. A study of youth-oriented, night-time, alcohol-based industries in northern cities in the U.K. found significant age segregation whereby elderly residents were driven away from “entertainment districts.” See D. Hobbs et al., Bouncers: Violence and Governance in the Night-time Economy (New York: Oxford University Press, 2003).
42 Interview 3, supra note 36.
Windsor in their own image across Detroit's suburbs, downtown bar owners, who were also BIA members, launched the campaign before being publicly admonished by City and business representatives. The short-lived “bartown” brand contrasted sharply with the official “Automotive Capital of Canada” moniker and provided a rare public glimpse of bar owners’ post-industrial aspirations operating below the City and BIA’s radar. Further contributing to this “sin city” image at this juncture, local mass media regularly reported that nudity, sexualized contact, and “hot body” contests were occurring in “kiddie bar” spaces and sanctioned by bar owners. These discourses of illicit sex combined to further moralize already problematized conduct, thus rendering the security problem also a moral problem. BIA representatives later wrote in a local newspaper editorial: “downtown had become synonymous with kiddie bars, wet T-shirt contests, and dollar drinks.”

The encounter with the downtown’s problem was no minor bump on the road to revitalization; it cut straight to the heart of the revitalization project and promised to scuttle nascent efforts to promote a new downtown brand: “[T]he City Centre’s status and identity as a safe urban place should be exploited as one of its primary strengths, especially as it could appeal particularly to nearby Americans whose own cities rarely have this quality.” “Own cities” primarily connotes Detroit’s downtown, with its motley collection of office towers that includes the over-bearing “Renaissance Center” (that ironically went bankrupt shortly after its construction in the late 1970s) looming directly across the River. That U.S. city’s infamous violent crime rates and empty public spaces lying adjacent to decaying, post-race-riot buildings abandoned decades prior served—during the 1990s—as the ideal foil with which to construct Windsor’s downtown as a “safe urban place.” But downtown Windsor’s image—also assumed vital to the casino’s success—was now becoming synonymous with the visible, audible, and dangerous effects of a flourishing night-time, youth-oriented economy. A retrospective land-use study discussed later was to claim this emerging image threatened no less than “the vitality and viability of downtown Windsor.”

Bellmio Arrives in Windsor
What was to be done? Knowledge produced directly by the City’s planning or police departments was thought to be self-interested or influenced by City councillors acting exclusively on behalf of residents. Thus, the downtown problem’s fix had to come from elsewhere. After September 11, 2001,

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49 Windsor Revitalization and Design Study, supra note 24 at 4 [emphasis added].
50 Ibid. at 24.
51 Interview 4, supra note 34.
“broken windows” guru George Kelling was in great demand, so in 2002 he not surprisingly refused Windsor officials’ requests to follow-up from his visit a year earlier, which had resulted in Windsor police conducting a needs survey and the City forming the S.A.R.A. (Scanning, Analysis, Research and Action) Committee to oversee results. As an alternative, upon suggestion of a police representative, Maryland-based Peter Bellmio was hired by the City to recommend improvements to Windsor’s downtown. Overcoming what had become a serious security problem begins here.

Bellmio visited Windsor for several days in November 2002 before returning to Maryland, but the “Bellmio Report” (B.R.) remained behind as an agent of change. While not the only vital agent from here on, B.R.’s influence is nonetheless prominent in key institutions made responsible for revitalization and security, chief among them the BIA. B.R. focused directly on the widely-accepted problem’s source: the conduct of bar owners and operators. As a City official remarked: “And it was the bars, the bars, the bars. So yes because the bars...were seen to be generating all the problems...the consensus was that...the antidote to the problem was the Bellmio Report. That’s why it got so much credence.” Rather than primarily focusing on how to punish bar-hopping U.S. youth in order to improve their conduct, B.R. recommended zoning changes coupled with “open-street” CCTV to target “kiddie bars,” along with more (non-liquor) licensing inspection of bars, community involvement, and active leadership by City Council. Regarding B.R.’s elements, a City official explained:

...the Bellmio Report was by a criminologist who was looking at the issue from, to his credit, more than just police deployment....The police...got the support of City Council to study the issue from a police criminologist’s perspective and the Bellmio Report...was basically saying what anyone else would say: It’s not just a policing matter, [its] the way that the street is arranged...[bar] hours of operation....Then he also identified...how many people [i.e., police] should be out...in terms of security.

Many recommendations were consistent with notions of “clean and safe,” through which the BIA would soon be activated.

B.R. comprised not complex scientific knowledge but instead governmental “knowledge of what has proven to work in other areas, [like] Knoxville, Tennessee.” This is consistent with an increasing distrust of...
social science, but also—more mundanely—with an effort to ensure B.R.’s “translatability.” B.R. was a straightforward actor and therefore highly translatable. Absent were impenetrable discipline-specific terminology, multivariate statistics, intricate maps, tables, and graphs, and complex analyses. And B.R. was all but thirteen pages. A police representative remarked: “[H]e wrote it without making the thing five hundred pages and some bound text that goes on a shelf somewhere. It was concise, to the point: ‘Here’s what you need to do.’” Far from sitting on a shelf, B.R. was subsequently invited to meetings held before diverse audiences and slipped into texts destined for influential readerships. In Latourian terms, B.R. was easily “captured,” “picked through” for “novel uses and hence meanings,” and then put to varied use by an array of institutions.

**B.R. Goes to Work to Save the Downtown**

In what follows B.R.’s general link to the BIA is discussed first, followed by B.R.’s appearance in three other sites in some way relevant to the BIA: City Council, police, and a consultant’s downtown land-use study. Emblematic of the novel uses to which B.R. is put, Peter Bellmio’s authoritative moniker shifts accordingly. As Rose notes: “[O]ne needs to seek authority for one’s authority.” In a report to City Council, noted below, for example, Bellmio is re-introduced as an “independent management consultant” and therefore distant from assumed corruptive influences of City politics and bureaucratic self-interest, and a resulting freedom to comment on an array of issues. Similarly, when appearing in a land-use study, discussed below, Bellmio is no longer a “criminologist” with little legitimate to say about land-use. There he is “Mr. Bellmio,” authorizing a new zoning by-law where City planners, with the rise of entrepreneurial planning, are either no longer able or trusted to do so. Bellmio’s status varies somewhat by the institution in which B.R. is produced and consumed, such that elsewhere he is a “criminal justice expert,” “crime expert,” “police expert,” and a “security consultant.”

**B.R. and the BIA**

B.R. activates and helps assign responsibility for security to the BIA. A BIA representative noted that upon its completion, BIA personnel picked, …through that Bellmio Report and they said: “We support this, we support that, we don’t support this.” They went through it line by line and they came up with a position statement and then they went through and said “Ok, some of these things [as a BIA] are beyond us.

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58 See Rose, supra note 16.
60 Interview 4, supra note 34.
61 Valverde, “Authorizing”, supra note 20 at 422.
62 Rose, supra note 16 at 28.
63 Windsor S.A.R.A. Report, supra note 52 at 2 [emphasis added].
64 See Ruppert, supra note 3.
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Stuff like putting in public washrooms—that’s not something we can do."65

This shift to the BIA worked mostly via “broken windows theory.” While penetrating everything from pop sociology66 to Supreme Court of Canada decisions,67 this “theory” has been only recently institutionalized in Windsor’s downtown. It was efficiently transferred by B.R. as “clean and safe.” “Clean” here is physical and moral, and “safe” means protection from crime and nuisance (thus, preventing “anti-social” conduct becomes a key purpose of Windsor’s B.R. advocated CCTV program discussed below). B.R. evokes an aesthetics-security nexus whereby garbage and graffiti removal (as in the B.R. recommended Crime Prevention through Environmental Design (CPTED) assessment discussed below) becomes coterminous with order and security. These measures and considerable interest in providing security is largely absent before B.R.’s appearance in 2003, but afterward “clean and safe” becomes, for example, a line item in the BIA’s annual budget.68

Overlooked in previous accounts is that “broken windows” is not exclusively metaphorical; it is sometimes literal. In retail strips, broken windows—unlike broken water mains—are rarely publicly owned. Thus, Wilson and Kelling write about safe places “where people have come to believe that private possessions are cared for, and that mischievous behaviour is costly.”69 Thus, the logic of the broken windows thesis and creating safe spaces accordingly requires “improving” private property and private business persons’ conduct. This is the key link between the BIA and B.R. as a form of governmental knowledge. B.R. suggests “[P]ublic works staff and business owners should clean up downtown”70 and recommends related CPTED measures involving the BIA that presume business persons’ mobilization.71 In these ways, following B.R.’s arrival in early 2003, “clean and safe” emerges as regular BIA practice,72 which in turn befits the notion that business owners and operators are now assumed to be revitalization agents and a necessary part of any solution to the problem. By then the BIA was claiming that “safety and security is our primary and mutual goal,

65 Interview 6, supra note 39.
69 Supra note 2 at 31 [emphasis added].
70 Bellmio Report, supra note 23 at 8.
71 A code of conduct was introduced into downtown bars by owners and a host program was introduced with support of the BIA after B.R., both of which plainly targeted bar patrons and operators (see Interview 4, supra note 34 & Interview 5, supra note 56). While beyond this article’s scope, the code of conduct also implies young bar patrons govern “from below” according to their own logic, which undoubtedly requires having “fun” by making noise, destroying property, and occasionally engaging in violence during various stages of inebriation.
72 Interviews 7, 8; Windsor Annual Report, supra note 68 at 13.
effective management of the late-night activity is the key to solve our late-night challenges." The response sees the BIA funding and promoting new security enhancements and organizing this governance "from below."

**B.R. and City Council**

B.R. also appeared before City Council at a special meeting held in February, 2003. To summarize B.R. for City Council in a report, only three excerpts from the Report are deployed. The first reads: "Mr. Bellmio states that 'Windsor City Centre should be viewed as an economic engine that is just getting revved up.'" Here B.R.'s acknowledgement of economic concerns—not found elsewhere—matches City Council's increasingly market-friendly outlook and announces that revitalization has not failed. Second, the solutions B.R. presents are then said to "assume that co-existence between entertainment uses and resident [sic] is possible and important to the future of the City Centre." City Council, unlike the BIA, is required to show accountability to downtown residents. B.R. is quoted a third time: "[Potential solutions are labelled as such because ultimately solutions should come from within Windsor," thus B.R. is used to announce—in case there was doubt—that authority for reform rests with City Council. At this meeting, the S.A.R.A. committee comprising the BIA, residents, and some City officials is renamed the City Centre Security Enhancement Resource Team (CCSERT) – to reflect a new emphasis on security and to begin to translate and implement B.R.'s recommendations.

Reliance on municipal law to deal with the security problem, outside of regular police enforcement, is evident after B.R. Crucial is an interim bylaw followed shortly thereafter by a land-use study and a new zoning bylaw targeting "kiddie bars" and encouraged by B.R. Municipal governments cannot directly regulate criminal conduct in Canada, but instead tend to govern through space via zoning bylaws. Section 38(2) of the *Ontario Planning Act* permits City officials to implement an interim bylaw for less than one year to prohibit the use of any land, building or structure for a specific purpose in a limited area, such as the downtown BIA. For the interim bylaw the key was to target "kiddie bars" without referencing liquor consumption, a provincial jurisdiction. Interim Control Bylaw 380-2003 was enacted in December, 2003 and later extended by a year. It identified a new

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74 Ibid.
75 Ibid.
76 Ibid.
78 Valverde, "Authorizing", supra note 20 at 442.
79 R.S.O. 1990.
80 Windsor Land-Use Study, supra note 29 at 5.
regulatory target, the “Entertainment Lounge,” a “building or part thereof in which is offered “entertainment consisting of either pre-recorded music or a live band and a dance floor for patrons and the consumption of food and/or beverages.” Rather than including “alcohol,” the definition refers only to anonymous “beverages,” but inclusion of a “dance floor” presupposes establishments of considerable scale consistent with the expanses of “kiddie bars.” For the same reason, as noted below, the bylaw also refers to establishments open after 11 PM. A police official described the bylaw’s benefit: “It very clearly articulated where you could put one of these places and anywhere else where you have to get the zoning bylaw amendment.” As advocated by B.R., the latter would require more public scrutiny than existed previously.

Revitalization is future-oriented. Not unlike a public inquiry, the control bylaw was a temporary freeze of progressive expectations to buy time to produce and consume knowledge about a unique, unforeseen, dire situation. In Ontario it is city government’s powerful if temporally-limited tool, a rare moment of sovereign exception to the usual provincial government presumption that municipal government is incapable of knowing whether to halt specific economic land-uses. Here the freeze brought Windsor’s downtown into the present, holding its fate in abeyance long enough for B.R. to go to work. As a representative of a local community organization remarked:

The bylaw is to give time to institute the recommendations by Peter Bellmio, a consultant who conducted an assessment of the City Centre late in 2002. The Interim Control Bylaw was one of the 14 recommendations brought forward to council by...[CCSERT] that were simple changes what would make an immediate impact on the security of downtown....The Interim Control Bylaw gives us that time and breathing space in order to get things done....

Thus, B.R.’s influence on City Council was not to halt revitalization or bring in new zoning, parking and licensing restrictions across the downtown—against the BIA’s wishes—so much as allow B.R.’s “simple changes” supported by the BIA to be put in place.

**B.R. and Police**

B.R. figured prominently in a downtown CPTED assessment conducted by local police:

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81 City of Windsor, City Centre Revitalization Task Force, Meeting minutes (30 July 2003) at 5.
82 Interview 4, supra note 34.
As noted previously in the social and physical assessment of the City Centre by U.S. criminologist Peter Bellmio, much of the existing street-scaping is outdated and no longer functional for our current environment...a more entertainment focused theme, changes in the street-scaping composition and lay out are necessary from a safety and security perspective.86

A police official remarked: “He suggested that we do the CPTED audit and he saw a lot of CPTED things...as a piece of the overall plan to solve the problems.”87 As noted above, the CPTED assessment primarily seeks to mobilize small business owners (BIA members) to fix and secure their property along identified lines. This was accomplished through the BIA:

[T]he BIA took ownership of implementing the [CPTED] recommendations, whereas some specific property owners the BIA really encouraged...[The BIA said to business and bar owners] if you do these things maybe your insurance rates will come down, you don’t want to be throwing money fixing broken windows and other things all the time when you might be able to prevent that.88

Yet, B.R. also figured prominently in relation to downtown police paid-duty arrangements, whereby uniformed officers were being hired to patrol the immediate exterior and interior of downtown bars. Licensing remains “the fundamental technology for governing the spaces of drinking.”89 Not surprisingly, a touted means to halt the spread of “irresponsible” bar ownership was to deny liquor licenses via Ontario Liquor Board hearings. Yet, in the five years preceding 2003, no license applications were turned down.90 When the City urged a crack down, the provincial licensing body replied that “the capacity and density of bars is a municipal issue and the municipality has to deal with this issue.”91 Historically, the movement of liquor licensing from municipal to provincial control was linked to prevailing assumptions about the corruptibility of local political authorities by bar operators.92

In downtown Windsor such moral spoilage was thought to spread from bar owners and operators’ practices to local police paid-duty arrangements. While prohibited from policing the interior of adult entertainment (i.e., “strip”) clubs, due to a presumed well-spring of immorality inside, Windsor’s paid duty police were permitted inside other bars.93 B.R. at one point helped legitimate prevailing discourses of illicit sex—emanating from

87 Interview 4, supra note 34.
88 Ibid.
89 Levi & Valverde, “Knowledge”, supra note 77 at 823.
91 Windsor S.A.R.A. Report, supra note 52.
mass media as noted earlier—in relation to conduct within these bars by claiming some downtown bars were “encouraging impromptu ‘adult entertainment activity’ in bars by young women.” It is this moralization of bar operations, of which these discourses are a component, which began to spill onto paid-duty arrangements. A possible conflict of interest was raised because officers tended to work the same bars night after night and were paid directly by bar owners at night’s end (sometimes in cash), thus leading to perceptions that liquor license infractions and “bad” bar management were being overlooked. While regular downtown police patrol resources were allegedly stressed by “kiddie bar” growth, an expanded paid-duty market had grown with it. Thus, in Windsor’s downtown spaces, “market-friendly” referred to police as well as bar operations. In 2002 paid-duty in relation to bars became problematized as the BIA’s chairperson raised the perceived conflict publicly, again revealing the BIA’s willingness to police its own members. Significantly, B.R. made a cameo appearance in print media to help the BIA chairperson make his public case:

“You’re asking for trouble,” warns Peter Bellmio, a U.S.-based security consultant hired by the city last year to study ways of enhancing downtown safety. “It’s an inherent conflict of interest because officers have discretion in enforcing liquor laws. Whose interests are to be served—the bars or the City of Windsor?”

Following public and BIA concern, and another City-funded, private consultant’s report, a pilot project to de-moralize this relationship was introduced whereby paid duty officers would be randomly assigned to bars and no longer paid in cash. B.R. appeared in the report’s conclusion, this time to transfer authority to the Chief of Police to deal with downtown policing, including paid duty, as he saw fit. Absent in the report is specific reference to B.R.’s previously mentioned elements (e.g., CPTED). Instead, here B.R. is re-presented as primarily a study of police patrol allocation:

A study of the downtown area was conducted in April 2003 by Peter Bellmio....The report dealt with a wide variety of issues. It reported that some persons had raised conflict of interest issues respecting contract duty police officers in bars, and it discussed the possibility of developing a new policing strategy for the downtown area consisting of proactive, preventative policing, rescheduling of personnel, more engagement with pedestrians, all in an effort to head off issues....Each of those matters are operational issues and are solely within the purview of Chief...and his senior advisors. I believe that Chief...is of the view that the current mix of contract duty and

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94 Bellmio Report, supra note 23 at 4.
96 Ibid.
97 Ibid
regular duty officers...results in appropriate policing of the downtown area. In one of my discussions with him, he cautioned against changing the balance of how the downtown is policed. [The] Chief's views on operational issues must be respected by the Board, and we have attempted to frame the recommendations in this report so as not to disturb that policing balance which he feels must be maintained.99

For the February, 2003, City Council meeting noted earlier, B.R. is seen to lay bare downtown policing costs for consideration of a possible bar levy to be managed by the BIA. This is evinced when Windsor's police chief issued a report “[i]n preparation for the...Council meeting and review of the Peter Bellmio report.”100 Rather than refusing a bar levy on behalf of its bar owning members, as might be expected of a business organization, the BIA instead tries to manage its free-riding members' conduct consistent with its prime directive, as well as for police and City benefit. To this end, for the Council meeting, the BIA proposed a risk management scheme based on the conduct of downtown bar owners and operators. The BIA suggested bars larger than eighty persons (i.e., those more likely to be kiddie bars) should have their levy reduced: if paid duty police were employed at times and appropriate levels; if staff training programs were implemented; if the number of police incident reports was less than acceptable to police; or if the bar had a clean record according to liquor licensing and municipal licensing bodies. Thus, “[e]ach factor would result in a reduction of the levy by specific percentage (i.e., Insurance Policy)” such that riskier bars would pay a higher levy to cover policing costs.101 Though never implemented, this scheme nevertheless reveals the BIA's mediating role vis-à-vis the City and its bar owning members.

B.R., the Land-use Study, and CCTV

An “Interim Control Land-use Study” must follow an interim control bylaw in Ontario. Authored by private consultants, the City Centre Interim Control Study sought to examine Windsor's downtown land-use following the interim bylaw described earlier. The study reviewed the City's legal frameworks, gathered statistical knowledge, and drew on public consultations. Focusing on bar growth, the consultants recommended zoning changes, citing the need to stabilize residential components, attract new investment, and maintain the downtown's "good" image to U.S. casino patrons. The study reproduced the moralizing division between "good" and "bad" bars, recommending that "bars that are open to specifically attract a younger clientele and generally operate late at night are too numerous and

99 McKaig, supra note 93 at 49 [emphasis added].
100 Letter to City of Windsor SARA Committee from Windsor Police Service, “Policing Costs for Downtown Core” (31 January 2003).
101 Letter to City Council from City Centre Business Association, “Fact Sheet for Procedures RE: Liquor Licensing Establishment” (3 February 2003) at 1.
too large, and the recommended reduction in location and size over time is well within the jurisdiction of the zoning bylaw.”

The land-use study concluded the security problem was caused by the “market” reacting quickly to an opportunity to maximize profits over other land-use choices, such as merchandise retail services. Yet, this is as far as it went; the study avoided declaration of the failure of “market friendly” zoning and the revitalization project.

B.R. appeared in several places, but most importantly in the study’s final deliberations. The land-use study elaborated six responses to the situation and then recommended one, noting that “limiting the size of entertainment lounges is the approach favoured by Mr. Bellmio.” Having been re-defined and largely de-moralized as “entertainment lounges,” “kiddie bars” would now be “boxed” in:

...the recommended regulatory approach is one of containment or limiting the location of entertainment lounges to the area now occupied by the vast majority of such uses and by establishing a maximum limit on the size of an entertainment lounge. Essentially the approach can be thought of as putting the existing entertainment lounge problem into a box, thus restricting it’s outward spread or area while, at the same time, putting a lid on the box so as to place some restriction on the total volume/number of bar patrons within the box.

This zoning rearrangement limited “entertainment lounges” to several downtown blocks dividing East from West. Here B.R. worked to overcome the BIA’s (somewhat tepid) opposition to a zoning bylaw that might convey to outside investors the entire downtown was no longer “market friendly.” Rather than through re-zoning, a BIA representative suggested the entrenched problem could be solved if bar owners’ conduct was “managed responsibly”:

I think there needs to be a number of things done to manage it responsibly but once its managed responsibly and the thing is that its not about zoning, its about going through...every arrest report and what they’ll tell you is...eighty percent of them came from three particular establishments that had three particular practices that were irresponsible....

102 Windsor Land-Use Study, supra note 29 at 7.
103 Ibid. at 26.
104 Ibid. at 32.
105 Ibid. at 33 [emphasis added].
106 The BIA’s tepid outcry against the prospect of this new zoning is likely due to the fact that only a segment of the downtown would experience new zoning restrictions, but also because some bar owners welcomed this development because they thought it would reduce competition in a fiercely competitive environment, one that had led to marketing strategies such as “one dollar drinks” noted above.
107 Interview 5, supra note 56.
108 Ibid. [emphasis added].
But the land-use study nevertheless proposed a narrow space in which future "kiddie bars" could open. Most other land-use options were considered to be lying in the shadow of law, that is, property owners were thought likely to appeal them to the OMB. Rather than merely zoning out "kiddie bars," then, a careful approach reflective of the weak position of the City vis-à-vis both the province and the increasingly powerful BIA was adopted and authorized by B.R. B.R. was the first to recommend "open-street" CCTV for Windsor’s downtown to complement the new zoning bylaw: "Consider installing cameras to allow for surveillance of areas around the entrances of premises based on zoning or criteria set in a bylaw for identifying high-risk establishments (over certain number of seats or reported incidents)." Consistent with the foregoing, note that "high risk" refers to "establishments," not patrons. After analyzing B.R. line by line as noted earlier, BIA personnel “felt that security cameras were something that we could do. A lot of the after hours clubs are on Pelissier and one of our board members…volunteered his building to be the pilot. So at no cost to the BIA he offered up his building and…they set up cameras on his building.” Half the program’s cost would later be borne by the BIA, consistent with its wholesale adoption and incorporation of “clean and safe” measures.

From here on bar owners and operators’ moralized conduct and its byproducts would be placed in a box and closely watched to prevent leakage onto the entire BIA. Rather than introducing CCTV to divert problems elsewhere, here CCTV complemented the zoning bylaw by reinforcing (through the strategic placement of cameras) the invisible corners and sides of the “kiddie bar” box with its gaze. The two B.R. encouraged measures—zoning and CCTV—are temporally targeted, the former specifying bars open after 11 PM, the latter entailing active monitoring by security staff in relation to the box only during weekends. Mutually constitutive, and temporally and spatially targeted, these measures helped preserve the downtown’s “market-friendly” future.

To be sure, not all recommendations were implemented in the years following B.R.’s arrival. One “clean and safe” suggestion was removal of sidewalk brick planters (a tripping hazard and aesthetically incorrect). Yet, removal of sidewalk planters, seemingly a mundane “streetscaping” improvement, became suspected as a means to provide even “more patio space, more drinks, and more B.S. in Windsor.”

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109 Windsor Land-Use Study, supra note 29.
111 Bellmio Report, supra note 23 at 12 [emphasis added].
112 Interview 6, supra note 39.
113 See Windsor Annual Report, supra note 68.
114 E.g., Coleman, supra note 4.
115 Interview 10.
116 Bellmio Report, supra note 23 at 9, 12.
elements was not without resistance, but it was tightly tethered to the problematization of the conduct of bar owners and operators, rather than based on any general principled opposition to such measures.

**Conclusion**

By the early 2000s Windsor’s core was alive at night with consumption activity. This vibrancy was thought to lead to street violence and moral disorder that seriously threatened the downtown’s economic viability. The foregoing analysis shows the transfer of “broken windows theory” and “clean and safe” knowledge to local contexts is less than self-evident. CPTED and “open-street” CCTV are associated with neo-liberal risk management of urban spaces and paid-duty befits the “marketization” of public policing that is consistent with neo-liberalism, but whether and how these elements arrive in local contexts cannot be assumed beforehand. Consistent with seeing urban neo-liberalism more as a “process” and less as an end-state, the downtown problem’s solutions arrived in Windsor as a translatable package from distant urban experiences to be picked through as required. Indeed, it is noteworthy that no key revitalization or security element brought to bear on the downtown was locally conceived, not B.R., the BIA, the paid-duty study, the land-use study, the CCTV program, nor even the original 1994 revitalization strategy. In coming from distant urban experience these elements are difficult to declare as failures since they demonstrably “worked” elsewhere.

Following its arrival in Windsor, B.R. became influential in bringing about a zoning bylaw and de-moralizing paid-duty arrangements in the aid of avoiding revitalization failure. To be sure, B.R. was seen assigning some responsibility for steering security to the police chief and City Council, but the remainder is plainly shifted to the BIA without ever calling into question the downtown’s “market friendly” environment in which the problem emerged. B.R. mobilized the BIA to police its members’ conduct and encouraged a CPTED audit of their downtown properties. B.R. sought to activate property owners as agents of revitalization through the BIA to benefit from “clean and safe” experience. In this new configuration made possible by B.R., the BIA is not revealed as a self-evident and “responsibilized” business organization following state directions “at a distance.” Rather, the BIA is a more complex entity that mediates between governance “from above” and “from below” on a more contingent basis and—in this respect—moves in a peculiar lockstep with urban neo-liberalism itself.

Ten years after commencement if downtown revitalization had been an obvious success according to the 1994 plan’s criteria, the BIA would

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118 E.g., Ruppert, supra note 3.
undoubtedly declare its prominent role. But upon close inspection the revitalization strategy that sought to spread economic benefits from a commercial casino into “market-friendly” downtown spaces, by its measures, has all but failed. Thus, while in 1996 it was reported “[t]hirty per cent of downtown office space is now vacant and about fifteen per cent of stores are empty”; by the end of 2005 the downtown had “a forty per cent vacancy rate” and “a seventeen per cent [storefront] vacancy rate.” During this period the downtown has experienced virtually no new residential development, contrary to the original plan, and the casino has experienced periodic downturns leading to hundreds of layoffs. Windsor’s preferred image has also suffered, not only amongst would-be U.S. consumers and local residents, but also—as a BIA representative noted in early 2006—among Windsor’s retailers: “[T]he thought is that you can only make money downtown if you are catering to the young Americans or if you are in the bar industry or hospitality industry. Retail has really declined, so if you were a retailer, would you want to go to a place that’s in decline?” No longer is the City obviously culpable for these failures in Jane Jacobian fashion, as when entire city blocks were bulldozed and revitalization failed to follow. Now the City is principally relegated to passing strategic interim and related bylaws to attempt to placate the few residents who can voice opposition; avoid the full ire of a burly BIA; and allow governmental knowledge from afar to go to work to reconfigure downtown. Windsor’s downtown problems became assigned instead primarily to “irresponsible” bar owners and operators who govern downtown spaces “from below” and who dutifully doubled in this instance as the targets of B.R.’s securitized solutions. In this narrower sense, by mediating between the City and “kiddie bars,” the BIA and B.R. have—for the moment—saved Windsor’s downtown from its increasingly neo-liberal self.

Résumé

Cet article analyse le projet de revitalisation urbaine d’un centre-ville canadien et le problème que posait la mise en lumière d’aspects négligés de relance urbaine, de sécurité publique et de transfert de connaissances. L’utilisation des propriétés du

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119 E. Wagenningen, “Thirty per cent of Downtown Office Space is Now Vacant and about 15 per cent of Stores are Empty” Windsor Star (22 May 1996) A3.
120 Interview 5, supra note 56.
122 Windsor Revitalization and Design Study, supra note 24 at 3. Of course these effects are not wholly attributable to the downtown’s security problem that threatened its economic viability. But nor would other factors (e.g., falling world oil prices, domestic automotive industry resurgence, etc.) likely have been invoked in local discourse if revitalization had prevailed.
123 Interview 5, supra note 56.
centre-ville de Windsor a peu à peu cédé aux forces du marché et le quartier a connu une prolifération de bars pour jeunes. Le résultat en était un problème de sécurité publique à connotation morale, ce qui a semblé grever les ressources policières et nuire tant à la vie et au développement résidentiels qu’au commerce de détail. En utilisant la gouvernementalité et des outils analytiques influencés par la méthode Latourienne, l’auteur examine; (1) le rôle de la Business Improvement Association (association pour favoriser le commerce) du centre de Windsor; (2) l’influence progressive du rapport d’un consultant auprès des institutions municipales; et (3) les mesures qui en ont résulté, incluant un règlement municipal provisoire suivi d’un règlement de zonage visant à redéfinir un type de bar à permis, appelé « bar pour jeunes » (kiddie bar) L’auteur discute des conclusions à tirer de cette analyse pour comprendre le rôle de la Business Improvement Association, la gouvernance « d’en bas, » et le transfert des connaissances.

Abstract
This article investigates a downtown revitalization project in a Canadian city and the problem it encountered to shed light on neglected aspects of urban revitalization, security provision, and knowledge transfer. With a gradual shift to “market friendly” downtown land-use, Windsor’s core underwent expansion of a night-time, youth-oriented, retail alcohol economy. A security problem with moral dimensions emerged and was deemed to detrimentally affect police patrol resources, residential development and living, and retail business. Using governmentality and Latourian-influenced analytical tools, attention is paid to three interrelated facets: (1) the role of Windsor’s downtown business improvement association (BIA); (2) the influential movement of a consultant’s report through urban institutions rendered responsible for revitalization; and (3) resulting measures, including an interim control bylaw and then a zoning bylaw targeting and redefining a particular type of licensed liquor establishment called a “kiddie bar.” The implications of this analysis for understanding the role of BIAs, governance “from below,” and knowledge transfer are discussed.

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