

# PROVINCIAL RESPONSE

to the  
Resolutions of the 2009  
Union of British Columbia Municipalities  
Convention



Ministry of Community and Rural Development  
January, 2010

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## **SR1: INDUSTRIAL TAXATION**

WHEREAS the authority of municipal governments to apportion the local property tax burden amongst assessment classes is an important and successful feature of local governance in British Columbia and both municipalities and regional districts:

- are reliant on property taxation in order to deliver services in a manner that is responsive to community needs, and
- have a legitimate right to expect that all taxpayers pay taxes that are levied on their properties;

AND WHEREAS major industry:

- is important to the continued viability of our communities and the economic vibrancy of the province as a whole, and
- some major industrial taxpayers are contesting the tax burden that has been apportioned to them or have, for economic or other reasons, not paid taxes levied on their properties:

THEREFORE BE IT RESOLVED that UBCM work with the provincial government on resolving industrial taxation issues within a framework that acknowledges:

1. the fundamental importance of local government control of property taxation for local purposes;
2. the need to gather and analyze data with respect to the taxation system as it relates to industrial properties;
3. the need to involve representatives from local governments and industry;
4. the effect that taxation of industrial properties within municipalities has on regional district revenues; and
5. local government's legitimate expectation of fair compensation if the principle of local autonomy in relation to this fundamental principle is set aside in any particular instance.

## **RESPONSE: Ministry of Community and Rural Development**

The Province of British Columbia supports the autonomy of both municipalities and regional districts. Working together with local governments, the Province has introduced a number of important measures in legislation to ensure that local governments are accessible and accountable to their citizens, and this includes the establishment of tax rates in an open public forum.

Throughout the court proceedings between major industrial taxpayers and various British Columbia municipalities, the Province has been unequivocal in the belief that the various parties challenging their tax requisition are required, like every property owner in a municipality, to pay the taxes legally set through bylaw in each municipality. However,

there were legal options for these industrial taxpayers and the companies decided to exercise this right.

In addition, the Province agrees that industry is not only important to the individual municipalities where they reside, but also the economy of the British Columbia as a whole. We have taken steps to ensure the continued viability of industry in the province, and are encouraged by some of the steps that local government have taken to review their industrial tax rates.

The Province is committed to working with local governments and the industrial community in British Columbia to ensure that a structure is established that is positive for all parties. This work is in progress and will continue as the Province endeavours to support and maintain the autonomy of local governments to provide services to its citizens, and ensure the viability of industry in British Columbia.

## **SR2: CHILD POVERTY**

WHEREAS several provinces have recently committed to reducing poverty through coordinated planning and legislative changes;

AND WHEREAS BC has the highest after-tax child poverty rates in Canada for the 6<sup>th</sup> year in a row, and the UBCM membership has endorsed resolution 2004-B135, which requested that the Government of Canada undertake, in a comprehensive and non-stigmatic manner, to end child poverty;

THEREFORE BE IT RESOLVED that the UBCM support the proposed initiative by the BC Representative for Children and Youth to bring forward a child poverty plan, similar to the Province of Ontario's Poverty Reduction Plan, that will include the implementation of a comprehensive, cross-ministry strategy to address child poverty.

### **RESPONSE: Ministry of Children and Family Development**

Government recognises that some children and youth are vulnerable to comparatively low health, education and developmental outcomes and continues to act to reduce these vulnerabilities. Government's strategy in this regard involves multiple ministries delivering services such as early childhood education and childcare, rental and medical subsidies, new immigrant settlement, assistance to families to gain employment and the lowest income tax rates in Canada for those on low incomes.

Supporting families is a priority for this government and we are committed to helping families escape low income situations. While there is room for further achievement in the future, significant progress has been made in recent years. According to Statistics Canada, between 2003 and 2007 there was a decline of 6.2 percentage points in the proportion of children (under 18) in BC living in households with total after-tax income below the Low Income Cut-Off. This compares with a decline of 3.2 percentage points for Canada over the same period. Government continues to monitor both child and youth vulnerabilities and family income trends carefully.

Ministry of Children and Family Development staff would be pleased to meet with representatives from UBCM to discuss approaches to issues raised in British Columbia's specific context.

## **A1: STREAMLINED INFRASTRUCTURE FUNDING PROGRAMS**

WHEREAS the economic downturn has had a profound effect on rural communities in BC but has not diminished the need to maintain and expand infrastructure development for the future;

AND WHEREAS the funding application processes for these programs can be labour intensive with extremely long time lines from submission, to approval, to receipt of funding:

THEREFORE BE IT RESOLVED that the UBCM lobby provincial and federal governments to develop general infrastructure funding programs that are readily accessible by local governments with streamlined application processes.

### **RESPONSE: Ministry of Transportation and Infrastructure**

The Province is aware that communities are concerned about the complexity of the application process used to access infrastructure funding programs. In response, the Premier announced at the 2008 UBCM Convention that the Province would be simplifying the application process for its programs. This has been achieved by reducing the complexity of applications forms for the Towns for Tomorrow and LocalMotion programs, and notifying applicants of the decisions within 60 days of the application deadline.

The Province has worked with the federal government to simplify the process to access federal/provincial funding. During this past spring, applicants used the same forms to apply for funding from both the Building Canada Fund – Communities Component and the Infrastructure Stimulus Fund programs. Over 400 applications requesting over \$1 billion in federal and provincial funding were received.

All the funding for the current programs has been committed and can be found at [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2009PREM0038-000403.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2009PREM0038-000403.htm)

## **A2: BC LOCAL GOVERNMENT WEEK**

WHEREAS there is growing concern by UBCM members and local government partner associations that a lack of public awareness and understanding of the roles and responsibilities of local government will present the system with serious challenges in the future;

AND WHEREAS areas of concern include the following:

- Lack of citizen participation in elected and non-elected roles, such as volunteers on committees and commissions - a critical source of input for Councils and Boards;
- Voter turnout, which has been declining over the past few years, so that in 2008, of eligible voters in BC, only 26.8% cast ballots – down from the 30.7% that cast votes in the 2005 election;
- Recruitment of staff for local government, in light of the Local Government Management Association prediction that 14.7% of full-time BC local government employees will retire within the next five years; and
- Students graduating from high school with little knowledge of local government, as the curriculum focus is on provincial and federal governments, rendering students unaware of opportunities as either elected or non-elected officials, and other career opportunities;

AND WHEREAS a growing concern of local governments in British Columbia is that a lack of public awareness is contributing to challenges in engaging citizens and other stakeholders in helping to fulfil the roles and responsibilities of local governments, as evidenced by the declining voter turnout and the difficulty in some areas of recruiting candidates, staff and volunteers:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request that the provincial government work with UBCM and other local government partner organizations to proclaim an annual Local Government Week in British Columbia and provide support for activities for this initiative.

### **RESPONSE: Ministry of Community and Rural Development**

The Province recognizes the important role UBCM members play in building strong communities. At the close of the 2009 UBCM Convention, the Premier committed to embracing UBCM's desire for a Local Government Week. The Ministry of Community and Rural Development and the Ministry of Education will work with the UBCM and local government partners to establish greater awareness of the role and responsibilities of local governments.

#### **A4: ORGANIZED CRIME**

AND WHEREAS the legislation related to disclosure, search warrants and lawful access is making it increasingly difficult for law enforcement agencies to arrest, charge and convict criminals involved in organized crime;

AND WHEREAS the proliferation of new communication technology has not been matched with the ability to manage and monitor new forms of communication, allowing people involved in organized crime to communicate freely without risk of interception;

AND WHEREAS criminal justice reform is a high priority for all communities in British Columbia:

THEREFORE BE IT RESOLVED that UBCM request the provincial government to take immediate action to implement changes to appropriate provincial legislation and lobby the federal government for changes to the Criminal Code that would address these issues.

#### **RESPONSE: Ministries of Attorney General & Public Safety and Solicitor General**

BC has led the way in urging the federal government to make national level reforms related to gangs and gun violence. BC's work in this area has resulted in several federal bills being introduced to overcome inadequacies or barriers in the current law. BC is now asking the federal government to fast track the legislative process on these reforms, including bail reform, credit for time served, lawful access and use of wiretap evidence, disclosure, and pre-trial procedures.

With respect to enforcement, BC has used \$52 million in new federal funding to double the number of police resources combating organized crime to 368. A total of 131 new positions were added to organized crime units such as the Combined Forces Special Enforcement Unit (CFSEU) and the Integrated Gang Task Force this year and another 37 will be added in 2010. New 16 member CFSEU satellite offices have been established in Prince George and Kelowna. All police agencies are participating in these integrated units. BC will seek continued funding to support the new police positions on a long term basis.

As part of the Gangs and Guns Initiative, BC is hiring 10 new prosecutors, including a dedicated firearms Crown counsel; provided resources for a ten-member BC Weapons Enforcement Team focused solely on seizing illegal guns; and established a new gang tip-line and rewards program that is capable of receiving text message tips.

BC has also established the provincial action plan on preventing youth gang violence. The strategy is a partnership between the Ministry of Public Safety and Solicitor General, the Inter-ministry Committee on the Prevention of Youth Violence and Crime and the National Crime Prevention Centre. The goal of this provincial strategy is the

development of evidence-based, coordinated, and integrated community plans in eight communities.

## **A5: HOUSING SHORTAGE STRATEGY**

WHEREAS the Province of British Columbia has identified that there is a province wide housing shortage and has committed to ensuring that there is affordable and appropriate housing;

AND WHEREAS this problem is currently being exacerbated by the dwindling forest economy and the resulting loss of jobs:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities lobby the Province of British Columbia for a strategy to utilize the use of the pine beetle affected timber in construction of homes within the Province of British Columbia and that the BC mills be utilized as part of the strategy to address the housing shortage.

### **RESPONSE: Ministry of Forests and Range & Ministry of Housing and Social Development**

The vast majority of the structural wood used in BC residential construction already comes from BC mills in BC communities. At this time, by virtue of the ongoing salvage program, a large proportion of lumber used in BC is inevitably MPB-affected wood. For example, in 2006/07, almost 40% of the logs used to manufacture lumber in the Interior were lodge pole pine from MPB affected areas.

The BC Government and the Ministry of Forests and Range are actively promoting the increased use of wood in construction through the Wood First Initiative and the *Wood First Act* announced in September 2009. Revisions to the BC Building Code to allow 6 storey, wood-frame construction are also stimulating the demand for wood building materials. All of these initiatives have a direct impact on local economies.

In 2006, the Province introduced its provincial housing strategy, Housing Matters BC, which includes a number of programs to create affordable housing. For example, more than 4,000 housing units have been committed under the Provincial Homelessness Initiative, creating affordable, supportive housing for the homeless and those at risk of homelessness. More than 4,200 housing units have been created under the Independent Living BC program, providing subsidized assisted living for low-income seniors. As well, in the past two years, 45 existing affordable housing buildings (approximately 2,000 units) have been acquired, renovated and saved from being converted to less affordable housing.

However, the recently announced Seniors' Rental Housing Initiative most directly demonstrates the BC Government's commitment to addressing the issues raised in this resolution. Not only will it create up to 1,000 new affordable housing units for seniors and persons with disabilities, but many of these units will be modular housing built with building materials consisting of 100% BC, MPB-affected wood. The remaining units will be part of the first 6-storey wood-framed, residential buildings to be constructed in BC.

## **A6: LICENSING AND REGULATING OFF-ROAD VEHICLES**

WHEREAS park and conservation lands acquired at great expense to protect the natural environment and provide for quiet and peaceful enjoyment have for too long been enduring damage and vandalism caused by prohibited but nevertheless sustained off-road vehicle use;

AND WHEREAS it is not possible for park and conservation land managers, or the police, to enforce existing law, bylaw or regulation barring off-road vehicles like ATVs and dirt bikes because the prohibited vehicle users cannot be identified, traced and pursued:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the Province of British Columbia to bring forward without further delay legislation requiring the licensing and regulation of off-road vehicles so there is a reasonable opportunity to enforce the ban on these vehicles within parks and conservation areas.

### **RESPONSE: Ministry of Tourism, Culture and the Arts**

Ministry of Tourism Culture and the Arts has been working closely with other agencies, local government and key stakeholder associations to identify off-road vehicle (ORV) issues, shared interests and workable options for moving forward. Throughout these discussions, we have learned that ORV issues are complex and involve many parties.

Government is working toward an effective ORV regulatory framework that would focus on vehicle registration, safety, expanding the definition of ORVs and the ability to cross public roads in a more convenient manner. Expanding the definition of ORVs would provide local governments with the ability to enact municipal bylaws to better regulate ATVs and dirt bikes.

In terms of improving compliance and enforcement (C&E) efforts on Crown land, we are exploring a more visible identification as part of vehicle registration, to better assist C&E efforts to address irresponsible ORV riders and trace stolen vehicles more easily.

Note: C&E staff at BC Parks accept the general reference to C&E efforts on Crown land, rather than specifically referencing parks and protected areas.

## **A8: DISPOSAL OF SCHOOL PROPERTIES**

WHEREAS the Province of British Columbia, through the Minister of Education, has implemented the Disposal of Land or Improvements Order (M193/08), effective September 3, 2008, which establishes procedures and policies for the disposal of school lands and assets through sale or lease for more than ten years;

AND WHEREAS the Order effectively gives the Provincial government the 'right of first refusal' for purchase of surplus school lands in order to provide the government with the opportunity to match provincial institutional needs to the surplus asset:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities be requested to encourage the Province of BC to reconsider its position regarding the sale of surplus school lands and assets and ensure that local governments have an opportunity to purchase and / or approve the disposition of such lands.

### **RESPONSE: Ministry of Education**

Schools are valuable taxpayer assets so government wants to make sure that they are being used in the best way possible for communities and taxpayers. Boards of Education are being encouraged to develop Neighbourhoods of Learning within schools that have existing surplus space or when designing new schools. The goal of Neighbourhoods of Learning is to bring education and community services together in a single neighbourhood hub. Consequently, the Minister of Education amended the Disposal of Land or Improvements Order, and School Building Closure and Disposal Policy, to ensure that community use and access to these assets is maximized.

Effective September 2008, Boards must now seek ministerial approval prior to disposing of property by sale or lease greater than 10 years unless the land or building is sold to another board or independent school for educational purposes. Boards may dispose of land or improvements by way of lease, other than a lease of 10 years or more, to a community agency or organization for alternative community use.

Under the Policy, school property disposed of to a local government or community organization for alternative community use may be sold at less than market value.

With respect to surplus or underutilized school space, Boards of Education must consult with local government, community organizations and the public on alternative community uses.

## **B1-A: MOUNTAIN PINE BEETLE ROAD INFRASTRUCTURE**

WHEREAS the increase in logging truck traffic due to the catastrophic mountain pine beetle outbreak has led to increased pressure on the public road system;

AND WHEREAS the Province of BC has established a fund to assist communities with a population of less than 5,000 to maintain and repair transportation infrastructure:

THEREFORE BE IT RESOLVED that UBCM lobby the Province of BC to ensure the continuance of the fund that assists communities with populations of under 5,000 to maintain and repair transportation infrastructure that is subject to increased logging truck traffic due to the mountain pine beetle outbreak.

### **RESPONSE: Ministry of Transportation and Infrastructure**

The Ministry of Transportation and Infrastructure recognizes the importance of working in partnership with local communities to provide a safe, integrated transportation network. Last year, the ministry provided funding for improvements to municipal roads and bridges impacted by increased truck traffic during the accelerated harvest of beetle infested wood.

However, the Mountain Pine Beetle Grant was a one-time allocation for small communities that demonstrated compelling need. Please be advised that no further grants are anticipated at this time.

The ministry continues to invest in highway road and bridge infrastructure under its Mountain Pine Beetle Program. Improvements under this allocation are focused towards upgrading provincial routes that service mountain pine beetle harvesting operations.

## **B1: MUNICIPAL BYLAW FINES**

WHEREAS municipalities lack the legislative tools to adequately deal with certain types of problem properties and the collection of outstanding municipal fines:

THEREFORE BE IT RESOLVED that the Government of British Columbia amend the *Community Charter* to provide municipalities other methods of collecting outstanding Municipal Ticket Information (MTI) tickets including applying outstanding fines to property taxes.

### **RESPONSE: Ministry of Community and Rural Development**

Property taxes and unpaid fees or charges are directly related to the cost of services provided by a municipality. Property taxes are not intended to be punitive in nature and as such are not a suitable method for collecting unpaid Municipal Ticket Information fines.

Municipalities currently have the ability to collect unpaid fines through either a collection agency or small claims court. These methods are common to local governments across Canada and have proven to be effective.

## **B2: COMMUNITY JUSTICE**

WHEREAS in response to requests for more police presence in our communities, local governments are frequently told that case preparation and court time for minor offences reduce the time available;

AND WHEREAS local governments are called on increasingly to provide funding for victim services and restorative justice programs which help reduce the case management and court attendance time for police staff;

AND WHEREAS despite these efforts by communities the court system requires increasing attendance by police staff:

THEREFORE BE IT RESOLVED that the provincial government find more efficient and effective ways to address delays in the court system in order to reduce the administration impact on police services and thereby improve overall police services to our communities.

### **RESPONSE: Ministries of Attorney General & Public Safety and Solicitor General**

All provincial justice agencies and branches are working collaboratively to develop initiatives to make the criminal justice system more efficient and effective. To inform this process, we have commissioned a review of best practices by the International Centre for Criminal Law Reform. At this time, we are examining what practical pilot projects could be launched to test new approaches to improve the delivery of justice services in British Columbia. In the next year we will focus on addressing priority issues without financial resource impacts.

We are also engaged with the federal government and other Canadian jurisdictions at the Federal/Provincial/Territorial table to identify and implement reforms that will improve justice system efficiencies, including delays in the courts.

At the same time, we are piloting several initiatives that are testing new models for improved justice efficiency and effectiveness, including the Downtown Community Court in Vancouver, the Prolific Offender Management project in six BC communities and the Bail Reform Project in the Peace and Fraser regions. Lessons learned from these initiatives will be evaluated and those elements that work best may be implemented elsewhere in the province.

### **B3: FLOOD PROTECTION MANAGEMENT IN BRITISH COLUMBIA**

WHEREAS as a result of the 2007 spring freshet flood threat, the Premier announced a long-term Flood Protection Program of \$100 million over ten years, which when matched by the federal government, was to provide \$20 million annually to 100% fund flood protection works in BC;

AND WHEREAS the Flood Protection Program was again applied in 2008, the second year of the program; but in 2009 the program has been shifted to the Building Canada Fund that requires a one third local financial contribution to projects:

THEREFORE BE IT RESOLVED that the UBCM strongly request the BC government to continue its commitment to fund priority flood protection works in BC without requiring a local financial contribution that is typically well beyond the means of those threatened by the flood hazard.

#### **RESPONSE: Ministry of Public Safety and Solicitor General**

The federal and provincial governments have partnered to help fund projects that will provide flood protection to communities across British Columbia. Flood protection is a shared responsibility and the cost for a flood protection project is shared with the respective local government.

2008/09 was a transitional year for the Flood Protection Program where approved flood protection projects received a 50% provincial contribution and a 50% federal contribution. Starting in 2009/10, the contribution amounts for the Flood Protection Program include a local government contribution of either 10% or one third depending on area population size. Cost sharing with the federal and local governments maximizes the funds available to assist many communities across British Columbia with flood protection initiatives.

#### **B4: LOCAL GOVERNMENT ACCESS TO PROCEEDS OF CRIME**

WHEREAS illegal drug production and sales negatively impact communities and cause economic harm to residents, businesses and local governments;

AND WHEREAS the *Civil Forfeiture Act* enables the provincial government to seize assets purchased with the proceeds of crime:

THEREFORE BE IT RESOLVED that the provincial government be lobbied to enact legislation that expands on the *Civil Forfeiture Act*, to allow local governments to share in the proceeds from property seized due to the cultivation and / or production of illegal substances on the premises or to acquire such property for community purposes at no cost.

#### **RESPONSE: Ministry of Public Safety and Solicitor General**

The *Civil Forfeiture Act* allows for local governments and communities to share in the proceeds of forfeited property through funding grants in support of crime prevention and crime remediation activities. Since the legislation was enacted in 2006, over \$930,000 has been disbursed to communities and agencies across the province.

The Civil Forfeiture Office, which administers the civil forfeiture program, is self-funding and all expenses related to forfeiture proceedings including legal costs, are paid for through successful forfeiture actions.

## **B5: FIRE UNDERWRITERS STUDY**

WHEREAS the Fire Underwriters have a great deal of influence over the operation and cost of fire services in British Columbia through their determination of operational guidelines required to achieve beneficial insurance ratings;

AND WHEREAS getting timely advice from the Fire Underwriters is impossible to receive:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to provide authority and resources to the Office of the Fire Commissioner so that they can through research, advice and recommendations, assist fire services with meeting the requirements and guidelines of the Fire Underwriters.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Fire Underwriters Survey is a national organization administered by SCM Adjusters Canada Ltd., an independent private company.

Local government, primarily through their fire department personnel, are in the final stages of completing a review of fire service in British Columbia which is anticipated to be delivered to the Office of the Fire Commissioner by December 31, 2009. The Office of the Fire Commissioner understands this review contains a number of recommendations including one which refers to a broadening of the office's mandate.

At this time, the Office of the Fire Commissioner in British Columbia continues to have no responsibility or influence on the content of the Fire Underwriters Survey.

## **B6: PST EXEMPTION FOR VOLUNTEER SEARCH AND RESCUE EQUIPMENT AND SUPPLIES**

WHEREAS the provincial government provides a provincial sales tax exemption for individuals purchasing work-related safety equipment; however no corresponding equipment applies to volunteer search and rescue organizations for the purchase of critical equipment and supplies such as rescue vehicles, rescue apparatus, and search and rescue supplies;

AND WHEREAS these organizations provide a vital service to rural BC and rely heavily on fund raising initiatives to purchase the equipment and supplies required to provide this service;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Ministry of Small Business and Revenue to provide an exemption from provincial sales tax for search and rescue equipment and supplies for volunteer search and rescue organizations in the province.

### **RESPONSE: Ministry of Finance**

The provincial sales tax (*Social Service Tax Act*) will be eliminated effective July 1, 2010.

After that date, purchases of items such as rescue vehicles, rescue apparatus and search and rescue supplies will be subject to the harmonized sales tax (HST). The tax treatment of these items will be the same as under the existing Goods and Services Tax (GST).

Purchases made by municipalities, registered charities and qualifying not-for-profits will be eligible for a partial rebate of the provincial portion of the HST.

Questions regarding application of the HST to purchases of equipment and supplies by volunteer search and rescue organizations should be directed to the Canada Revenue Agency.

## **B7: FUNDING FOR COMMUNITY ACCOUNTABILITY PROGRAMS**

WHEREAS community accountability programs provide timely alternative and cost effective means in promoting restorative justice and preventing offending behaviour in low risk youth and adult offenders;

AND WHEREAS community accountability programs receive insufficient funding from the provincial government:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request the Ministry of Public Safety and the Solicitor General to provide an adequate level of funding for community accountability programs throughout the province at a level that provides for sustainability of the ongoing operation expenses of these programs.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Province recognizes the value that Community Accountability Programs provide in building safer communities. These programs hold low risk, youth and adult offenders accountable for their actions, give victims a voice, repair the harm caused by an offence and help to restore balance in the community. Programs are supported in advancing restorative justice in communities throughout B.C. through information, resources, provincial coordination and funding.

The Province continues to support over 50 Community Accountability Programs across B.C. – \$150,000 has been identified for this purpose in 2009-10. Funding of up to \$2500 will be available to each program. This contribution is intended to help local, volunteer-based programs offset the costs of activities such as volunteer training, volunteer recognition and to support administrative and operational costs.

In addition, programs have continued to be eligible to apply for project funding under the Civil Forfeiture Crime Prevention and Crime Remediation Grant Funding Program. Restorative justice programs in 11 communities have benefited from \$159,000 in grant funding since March 2008.

## **B8: FLOOD MITIGATION AND DYKE REPAIRS**

WHEREAS repairs to dykes and work in the streambed in order to prevent flood damage are best done at low water;

AND WHEREAS local governments are forced to wait for the Provincial Emergency Preparedness Program to declare an emergency before reacting to flood situations and dyke repairs:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the Ministry of Environment and Department of Fisheries and Oceans to allow proactive and cooperative solutions to flood mitigation and dyke repairs.

### **RESPONSE: Ministry of Environment**

Unless there is an imminent threat to public safety, in-stream work should be planned for the time of year with the least risk of harming the aquatic environment and be completed in accordance with Best Management Practices.

For many BC streams, the allowable in-stream construction period or “timing window” includes most of the month of August, which coincides with relatively low water conditions. Where the work cannot be completed within the published timing windows, ministry staff will work with the proponent and Department of Fisheries and Oceans to allow cooperative solutions. This may involve environmental monitoring and/or mitigation to protect fish and fish habitat.

Since October 2007, the province has spent \$25.6 million on flood mitigation projects throughout British Columbia.

## **B9: PERMANENT SUBSTANCE ABUSE RESPONSE FUNDING PROGRAM**

WHEREAS substance abuse and the production of illegal substances is a serious problem in British Columbia resulting in enormous emotional, financial and social costs; and

WHEREAS the Methamphetamine Response Funding Program that was initiated by the Province of British Columbia has contributed to safer communities through education and responsive community initiatives;

THEREFORE BE IT RESOLVED that the Province of British Columbia be urged to provide a permanent funding program that would continue to enable communities to address the problems of substance abuse.

### **RESPONSE: Ministry of Healthy Living and Sport**

To prevent harms from substance use, it is essential to undertake a comprehensive approach that recognizes problematic substance use as a complex problem. This approach must be based on evidence and proven best practices, and utilize a range of tools including policy, universal and targeted education, social marketing, treatment and regulation. Prevention efforts must target the full range of substance use including legal substances (alcohol and tobacco), illegal substances and pharmaceuticals. Efforts must also consider the impact of social determinants of health - the economic and social conditions in which people live and work that directly affect their physical and mental health.

Health authorities are responsible for the delivery of health promotion and prevention programs related to substance use. Local governments, schools, community organizations and social service agencies are key partners in this effort.

Consideration for a permanent prevention funding program must be in the context of and aligned with the development of a 10-year plan to address mental health and substance use in BC and the ongoing work of the health authorities in implementing core functions in public health. These two efforts will strengthen prevention activities related to problematic substance use, including the development of collaborative partnerships between health authorities and local governments to achieve measurable successes in this area.

## **B10: CALL ANSWER LEVY FOR WIRELESS SERVICE PROVIDERS**

WHEREAS almost one half of all emergency calls to 9-1-1 are now made from cellular telephones;

AND WHEREAS wireless service providers are not required to collect a call answer levy that would contribute to the cost of providing the 9-1-1 service:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the provincial government to enact legislation similar to that enacted in Nova Scotia and Saskatchewan that would require all telephone service providers, including wireless service providers, to collect a call answer levy as a means to contribute to the costs associated with the delivery of 9-1-1 emergency service.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Ministry of Public Safety and Solicitor General is currently reviewing a range of options related to 911 emergency services, including a Call Answer Levy on wireless phones and other opportunities associated with the experiences and models of other provinces.

Additional work is required to fully consider all options related to the funding for 911 emergency services. In exploring these issues, the Province will consult with UBCM, local governments, emergency service partners, the telecommunications industry and other interested parties.

## **B11: FUNDING OF VOLUNTEER SEARCH AND RESCUE SERVICES**

WHEREAS search and rescue organizations provide essential life and safety services to British Columbia's residents and visitors through volunteer organizations funded largely by private fundraising, local government grants and other forms of uncertain revenues;

AND WHEREAS the costs of providing search and rescue services are escalating dramatically due to call volumes, equipment costs and necessary liability insurance:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government to provide a significant level of predictable and sustainable funding to the province's search and rescue organizations, including provision of adequate liability insurance.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Ministry and BC Search and Rescue Association have developed a collaborative strategy to address a number of search and rescue specific issues.

The Province recently allocated \$180,000 to search and rescue teams in BC to assist with funding operational costs and the purchase of third party liability insurance. Long term funding options continue to be explored and discussed between appropriate provincial and federal government agencies and search and rescue organizations.

## **B12: RCMP LEAVE COVERAGE**

WHEREAS the Royal Canadian Mounted Police (RCMP) staffing numbers in communities with small RCMP detachments are greatly affected by sick and parental leaves taken by RCMP members;

AND WHEREAS the level of police enforcement in small communities can be inadequate and ineffective when vacancies reduce the full complement of RCMP officers:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the Ministry of Public Safety and the Solicitor General to provide the necessary budget to provide reserve officers to fill vacancies left by RCMP officers on sick or parental leave.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Ministry recognizes that both short and long term vacancies due to sick leave and parental leave can create significant challenges for existing police resources within rural communities. The Ministry's Police Services Division and the RCMP are working together on an in-depth study into the current allocation of rural police resources. This will help us determine the scope of the problem and generate some options for solutions.

The Reserve Program was piloted in BC in 2004, and later expanded nationally in 2006, as a human resource tool to alleviate temporary staffing shortages caused by leaves. The program in its current form has not been operating at its full potential due to the limitations in its design and challenges with its implementation.

As a result of an evaluation of the effectiveness and operational efficiency of the pilot conducted in May 2008, the pilot has been extended until 2013 and with many of the constraints on the program removed. The Province believes that the program can be adapted as a successful strategy to meet some of the short and long term human resource needs.

## **B13: PROGRAM FUNDING FOR CRYSTAL METHAMPHETAMINE PREVENTION**

WHEREAS communities in British Columbia continue to battle the effects of the use of crystal methamphetamine in their communities;

AND WHEREAS the Province of British Columbia in past provided funding to local governments for education programs to address the impacts of the use of crystal methamphetamine:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government reinstate program funding for local government response to problems associated with the production and use of crystal methamphetamine.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

Since 2005, the Province of British Columbia has provided \$7 million of funding to target crystal meth use and production in this province. Nearly \$2 million of these funds were provincial grants to communities across the province to assist their response to crystal methamphetamine. A total of 190 communities across the province benefited from the grants which funded local prevention, outreach and education activities.

The Province continues to support community-based prevention efforts and public awareness of the dangers of methamphetamine and other addictive drugs. These efforts include school-based prevention programming, funding for treatment and provincial legislative initiatives targeting illegal drug production. Independent research studies have indicated that methamphetamine use amongst mainstream youth in British Columbia has fallen and is currently at 2% of the youth in school population.

## **B14: FIRST RESPONDER PROGRAM FUNDING**

WHEREAS the governance and financing of pre-hospital medical care is the responsibility of the Province of British Columbia's Ministry of Health Services, through the Emergency and Health Services Commission, but financing for the First Responder Program, which is within the Commission's mandate, is not being provided;

AND WHEREAS local governments that provide a first responder program through their fire departments must finance the program themselves and some cannot afford to do so, which may create health care inequity across the Province of British Columbia:

THEREFORE BE IT RESOLVED that the UBCM urge the provincial government of British Columbia to fully fund local governments' first responder programs through the Ministry of Health's Emergency and Health Services Commission under the Ministry of Health Services.

### **RESPONSE: Emergency and Health Services Commission**

First Responders are an important element in the provision of pre-hospital care within British Columbia. They provide basic first aid and emergency health services, such as CPR and cardiac defibrillation, while paramedics are enroute. BC Ambulance Service (BCAS) Emergency Medical Dispatchers assess and prioritize 911 emergency medical calls and, based on protocols, determine the required level of response. The Fire Department is notified by BCAS in instances when a patient's condition would benefit from having emergency medical care as soon as possible. BCAS periodically works with First Responder agencies to review the types of calls to which First Responders are dispatched.

The First Responder Program is voluntary and most municipalities provide the service through their fire departments. Each local government, however, decides the level to which their department will participate in the program. Some municipalities only wish to provide assistance to paramedics when required while others wish to provide more comprehensive medical coverage for their communities and respond to all calls.

## **B15: EXPANSION OF THE HEALTH CONNECT TRANSIT SYSTEM IN BRITISH COLUMBIA**

WHEREAS people living in rural communities requiring medical services available only in larger urban areas are in need of public transportation;

AND WHEREAS the current BC Transit service schedules provide limited transportation to interior hospitals and cities:

THEREFORE BE IT RESOLVED that the Province be requested to take steps to improve affordable public transportation service between small rural municipalities and hospitals in larger urban centres in British Columbia.

### **RESPONSE: Ministry of Health Services**

The Ministry of Health Services (MoHS) funds the Health Connections program to help patients defray travel costs associated with accessing non-emergency specialist medical services outside their home communities. The Health Connections Program was designed to complement the MoHS Travel Assistance Program (TAP) which does not adequately meet the needs of northern and interior residents. Neither the Health Connections Program nor TAP can be used to subsidize emergency ground or air transportation provided by BC Ambulance Services (BCAS).

Since 2004/05, base funding of \$6 million for the Health Connections Program has been allocated to four health authorities: Northern, Interior, Vancouver Island, and Vancouver Coastal. Interior Health Authority (IHA) has received \$1 million annually since 2004/05 from the MoHS for provision of the Health Connections program for its rural areas.

Within IHA, the Interior Health Connections program is coordinated by each of the four Health Service Areas and operates as a partnership with regional districts, non-profit organizations, and BC Transit to offer inter-community bus routes to transport clients to medical appointments. The service is subsidized for riders and provides same-day scheduling. Routes are established within each Health Service Area only and provide transportation from outlying communities to the major referral centre within each Health Service Area.

IHA Health Connections does not provide transportation assistance outside the region.

Through the MoHS Travel Assistance program, Pacific Coastal Airlines offers up to a 30% discount off regular air fare for trips between Cranbrook/Vancouver, and Trail/Vancouver.

In the Thompson Cariboo Shuswap area, a route between Logan Lake and Kamloops is available Monday and Wednesday, leaving Logan Lake at 9:00 a.m. and returning from Kamloops at 4:00 p.m. The fare is \$5.00 each way. Alternatively, there is a bus on Thursday, leaving Logan Lake at 8:00 a.m, arriving in Merritt at 8:30 a.m. and Kelowna

about 10:15 a.m. Health Connections booking staff are available at 1-888-376-7525 to help arrange medical appointments that coincide with travel.

Northern Health Authority (NHA) retains a contractor to provide bus service connecting northern BC with Kamloops, Vancouver, and Grande Prairie (Alberta). NHA negotiated preferred rates with several hotels throughout the province to offset patients' accommodation costs, and established a health care coordination service for rural and remote patients called Northern Connections. Areas serviced by the Northern Health Connections program include: Burns Lake, Chetwynd, Dawson Creek, Fort Nelson, Fort St. John, Mackenzie, Prince George, Prince Rupert, Quesnel, Smithers, Terrace, and Valemont.

Through the MoHS Travel Assistance Program, discounted flights for travel from Fort Nelson, Fort. St. John, Dawson Creek, Prince George, Quesnel, Terrace, Smithers, Kitimat, Masset, Queen Charlottes, and Prince Rupert are offered by Central Mountain Air, North Pacific Seaplanes, and HawkAir.

## **B16: UPGRADE HIGHWAY SAFETY THROUGH RURAL COMMUNITIES**

WHEREAS roads in rural communities are falling behind urban areas in addressing maintenance and safety issues,

AND WHEREAS there is a need to ensure highway safety for the citizens of British Columbia,

THEREFORE BE IT RESOLVED that the Province be requested to undertake a provincial mandate to upgrade roads throughout rural areas to ensure safe roads for everyone in British Columbia.

### **RESPONSE: Ministry of Transportation and Infrastructure**

The ministry continues to recognize the importance of investment in transportation infrastructure, and in particular the needs of the rural infrastructure, as a stimulus to economic growth and a means of ensuring the safety of all British Columbians. About 90% of all funding for road preservation is invested in rural BC on an annual basis.

The ministry continues to invest in rural British Columbia in all program areas from capital expansion to preservation and replacement and ongoing maintenance. Several program areas deal specifically with upgrading of roads in rural areas including the Heartland Rural Roads program, Mountain Pine Beetle program, and Oil and Gas Rural Roads Investment program.

The Province of British Columbia, in partnership with the Federal Government, is engaged in a significant program of investment throughout the province as a means to stimulate the economy of British Columbia that will have a direct and lasting effect on the safety and mobility of all users of the transportation system.

## **B17: RAILS WITH TRAILS**

WHEREAS railway dedication or rights of way in urban areas provide excellent opportunities to develop multi-use pathways or trails for alternate, active and “green” transportation;

AND WHEREAS feasibility studies have shown that these multi-use pathways can be developed safely so as not to cause significant conflicts with the routine operation of the rail system;

AND WHEREAS the development of off-road multi-use pathways for non-motorized vehicles is in the interest of all levels of governments to reduce motor vehicle use, improve the health of Canadian citizens and reduce emissions from transportation which contributes to climate change;

AND WHEREAS these multi-use pathways on active rail corridors are referred to as Rails-with-Trails corridors:

THEREFORE BE IT RESOLVED that the provincial and federal governments be asked to support joint-use agreements with railway companies for Rails-with-Trails corridors;

AND BE IT FURTHER RESOLVED that the federal government be asked to undertake legislative amendments to the Canadian *Transportation Act* to recognize the need for parallel corridors to be provided within rail rights of way and authorize provincial and local governments to apply to the Canadian Transportation Agency, in absence of agreement with the railway company for authority to place trails within rail rights of way.

### **RESPONSE: Ministry Tourism, Culture and the Arts**

Rails with Trails differs from ‘Rails to Trails’ projects by aligning transportation trails within active rail rights of way.

The City of Kelowna received funding from the LocalMotion Provincial program which allowed construction of the first phase of a Rails with Trails Project in cooperation with CN Rail. The Ministry of Transportation and Infrastructure announced its commitment to cost share the design and construction of Phase 3 of the project

The Province supports inter-government collaboration on developing a sustainable recreation and transportation trail network in B.C. as described in the draft Trails Strategy for BC. Provincial support for Rails with Trails would be considered where all parties are in agreement and the trail can safely be accommodated along the rail corridor.

Prior to supporting a request to the Federal government for amendments to the *Canada Transportation Act*, the Province would require a more detailed examination of the effectiveness of any proposed amendments.



## **B18: LOGGING TRUCKS ON MUNICIPAL BRIDGES**

WHEREAS the recent changes in provincial legislation now permit 9.6 foot wide logging trucks to travel on municipal roads;

AND WHEREAS municipal roads and bridges are not built to accommodate logging trucks of this width, in some cases reducing bridge widths to one lane only:

THEREFORE BE IT RESOLVED that the UBCM lobby the provincial government to consider grant funding to assist small municipalities with the infrastructure costs of upgrading, repairing and rebuilding these bridges.

### **RESPONSE: Ministry of Transportation and Infrastructure**

While the Province does not have specific programs that fund local government bridge improvement projects, there are a number of federal/provincial infrastructure programs that provide funding for local infrastructure projects.

Bridge improvements are considered to be eligible projects under the Building Canada Fund - Communities Component (BCF – CC) and the Infrastructure Stimulus Fund programs. A number of local governments have identified bridge projects as priorities and have submitted requests for funding from these programs. All the funding for the current programs has been committed and can be found at [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2009PREM0038-000403.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2009PREM0038-000403.htm)

We anticipate that bridge improvement projects will continue to be considered under future federal/provincial infrastructure funding programs.

## **B19: ENABLING LEGISLATION TO ALLOW MUNICIPALITIES TO CREATE BLANKET SPEED ZONES**

WHEREAS the speed limit in municipalities in British Columbia is 50 km/hr unless otherwise posted, with no differentiation made between major municipal roads, arterial roads and local residential streets;

AND WHEREAS issues relating to vehicular speeding, pedestrian safety and traffic calming have become matters of significant and growing concern in many communities throughout the province, with municipal councils being requested to take substantive and potentially costly action to reduce speed limits on individual residential streets, institute lower “blanket” speed limits across residential neighbourhoods and / or throughout the municipality, and generally implement other pedestrian safety, speed control, public awareness and enforcement initiatives as deemed necessary to address the problems:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities reiterate its previous request to the Minister of Transportation that the necessary amendments be made to the *Motor Vehicle Act* to allow municipalities to implement blanket speed zones in residential areas, and on other municipal roadways as deemed appropriate.

### **RESPONSE: Ministry of Transportation and Infrastructure**

Within a municipality, the *Motor Vehicle Act* establishes a default speed limit of 50 km/h. To vary this speed limit, the municipality must pass a bylaw and post signs on all affected streets so that a motorist can reasonably be expected to know the applicable speed limit.

For several years, various municipalities and UBCM have requested an amendment to the Act to provide authority to municipalities to establish, by bylaw, blanket speed zones that would apply to defined areas within a municipality. Under this scheme, speed limit signs would be placed at entrances to the defined areas where the posted speed limit was different than 50 km/h. For example, Vancouver wants to implement 40 km/h blanket speed zones in many residential areas as a means to better accommodate active transportation and improve pedestrian safety. Vancouver is currently consulting with stakeholders, including other municipalities in the Lower Mainland, TransLink, and the BC Association of Chiefs of Police in respect of this concept.

Within a municipality or with many roads across adjacent municipalities providing access to a defined area, the possibility of a motorist not being aware of the applicable speed limit is an issue. Criminal Justice Branch is concerned that the use of blanket speed zones in an urban environment may result in (1) a patchwork of speed limits, and (2) challenges to speeding tickets on the basis that motorists cannot reasonably know the applicable speed limits established by bylaws and posted only at entrances to defined areas.

The Ministry of Transportation and Infrastructure advises that UBCM and municipal proponents of blanket speed zones need to develop a solid case for the requested amendment, one that addresses the issues of enforcement. The Ministry is looking forward to the results of Vancouver's stakeholder consultations regarding the use of blanket speed zones in the Lower Mainland.

## **B20: COMMERCIAL VEHICLE DRIVER TRAINING AND LIABILITY ISSUES**

WHEREAS commercial vehicle regulations are very complex and, as such, may be confusing to drivers;

AND WHEREAS commercial vehicle drivers may not have the most up-to-date knowledge of provincial legislation changes, including vehicle maintenance and trip inspection requirements;

AND WHEREAS commercial vehicle drivers are not required to upgrade or improve their knowledge of commercial vehicle operation once licensed;

AND WHEREAS the existing regulations place most of the burden of penalties on the driver while companies avoid liability:

THEREFORE BE IT RESOLVED that the provincial government be requested to:

- implement an accredited educational training program for companies to complete prior to obtaining a National Safety Code number;
- re-assess driver licensing standards and implement a graduated commercial driver licensing program and scheduled recertification knowledge and road test examinations;
- establish specific accountability to the owners and shippers who contract, employ or otherwise tender service from truck operators.

### **RESPONSE: Ministry of Transportation and Infrastructure**

An accredited training program for NSC applicants is not being contemplated at this time. BC Trucking Association (BCTA) provides NSC training, including training for vehicle maintenance and trip inspection. Random testing through the NSC application process is currently conducted by the Commercial Vehicle Safety and Enforcement Branch (CVSE). Applicants showing insufficient knowledge of their responsibilities are directed to BCTA for training. A Safety Guide is in place to assist carriers with knowledge of the NSC requirements.

The Truck Compliance Advisory Panel considered the issue of shipper liability in its March 2009 Report. The Panel recommended that the CVSE work with industry to educate shippers about their responsibilities for highway safety. CVSE is following this recommendation by working with stakeholders to promote awareness of the joint accountabilities that exist throughout the supply chain and reinforce shipper responsibilities relating to vehicles leaving their facilities.

### **RESPONSE: ICBC**

The Canada Trucking Human Resources Council (CTHRC) has recently released its final report "Closing the Gap" which looked at licensing, training, and testing standards

across Canada. The report found that BC is one of only three Canadian jurisdictions that have dedicated commercial driver manuals for Class 1/A license that provide detailed information on National Safety Code issues, provincial highway codes including weights and dimension, transporting dangerous goods, as well as attitudinal issues and performance as a professional driver. "Driving Commercial Vehicles" is available at [icbc.com](http://icbc.com).

The CTHRC is forming a steering committee to follow up recommendations in its report and BC has been included in this initiative. The results of this work will continue to contribute to analysis and review of BC's higher class licensing, training and testing models.

At this time, the evidence to support the safety benefits of a graduated commercial licensing program is limited. An additional factor that needs to be considered is that such a program may pose a barrier to recruiting new drivers in an industry that is currently understaffed.

ICBC is developing a Commercial Driving Strategy which may include a review of current licensing requirements. ICBC is also involved with the BC Trucking Association's development of a Professional Driver program to offer professional driver certification, including Class 1 training, as well as training relevant to enhancing professional qualifications and skills.

## **B21: COMMERCIAL VEHICLE INSPECTION PROGRAM:**

WHEREAS the number of commercial vehicles using roads and highways throughout the province is increasing;

AND WHEREAS commercial vehicles pose a threat to public safety and critical infrastructure, if they are not properly maintained or are exceeding the load weight restrictions as prescribed by the *Motor Vehicle Act* regulations;

AND WHEREAS a recent commercial vehicle inspection program in Delta resulted in a 41% failure rate (including a 46% failure rate for dump trucks) – a rate that has remained consistent for the last three years:

THEREFORE BE IT RESOLVED that the provincial government be requested to:

- Require annual inspections of all commercial vehicles having a licensed gross vehicle weight of 5,500 kg to 8,200 kg;
- Require twice-yearly inspections for commercial vehicles having a licensed gross vehicle weight over 8,200 kg;
- Require twice-yearly inspections for container chassis trailers;
- Regulate pre-trip inspections, e.g. failure to conduct pre-trip inspection will result in review of the driver's Class 1 status;
- Increase the fines for commercial vehicles relating to maintenance of tires, brakes, lighting and overweight loads;
- Develop an impoundment standard for commercial vehicles that consistently fail to meet the Commercial Vehicle Safety Alliance standards threshold;
- Increase the number of truck inspection sites and commercial vehicle inspectors;
- Conduct regular inspections of commercial vehicle inspection facilities to ensure compliance with the standards as prescribed;
- Endorse a bylaw to provide municipalities authority to suspend the business license of trucking companies operating within their jurisdiction for having an unsatisfactory maintenance and safety record; and
- Examine potential of using truck inspection technology (FLIR) on a collaborative cost-sharing basis with all jurisdictions in the lower mainland.

### **RESPONSE: Ministry of Transportation and Infrastructure**

The Ministry is not currently contemplating changes to the weight threshold or frequency of inspections. BC's inspection requirements for motor vehicles are generally more stringent than in neighboring jurisdictions.

The Truck Compliance Advisory Panel report which was presented in March 2009, recommended increasing roadside enforcement and strengthening measures to remove unsafe vehicles from the road. This approach will impose a more effective deterrent and result in greater costs for carriers than would result from increased fines. Ministry staff are currently developing the framework for this program.

BC currently has a regulation requiring pre-trip inspections. The Ministry's Commercial Vehicle Safety and Enforcement staff are increasing mobile operations to enhance their ability to monitor carriers and vehicles which would not normally pass fixed inspection stations.

The ministry is increasing its oversight of inspection facilities. All facilities are audited at the time of application and re-audited prior to renewal of their licenses, which occurs every 12 or 24 months, depending upon the type of facility. Inspection integrity is confirmed by comparing roadside vehicle out-of-service rates with inspection facility records.

Carriers which are found to have unsatisfactory maintenance or safety records are taken through the National Safety Code review process whereby the company must show immediate improvement and satisfactory operation, or they will lose their Safety Certificate, without which they cannot conduct a trucking business in BC.

The Ministry is implementing technology to identify vehicles at highway speeds. This will allow staff to confirm vehicle credentials and authorities without stopping the vehicle, thus allowing staff to focus their efforts on the carriers with poor performance histories. As these initiatives advance, the ministry will work with other enforcement agencies to optimize the use of these technologies in inspection activities.

## **B22: DOWNTOWN BUILDING FACADE REVITALIZATION GRANT PROGRAM**

WHEREAS the Province in the past implemented a successful funding program to assist downtown building owners to revitalize the building façade in accordance with downtown design guidelines, which often provided the necessary incentive for owners to participate in the revitalization of their community's downtown;

AND WHEREAS many downtowns are characterized by historic buildings and features which can be particularly costly to maintain or preserve, especially for small business owners, yet can be important to the success of the downtown area:

THEREFORE BE IT RESOLVED that the provincial downtown building façade revitalization grant program be reinstated to assist building owners with façade improvements that conform to adopted downtown design guidelines.

### **RESPONSE: Ministry of Community and Rural Development**

As per the Province of British Columbia's (Province) response in 2007, the Downtown Revitalization Program provided funding for projects at a time when local government had fewer financing tools. In recent years, the Province has created a number of tools that can be used by all local governments to undertake downtown revitalization programs, and with the creation of the Municipal Finance Authority and changes to the *Community Charter*, local governments now have access to short and long-term capital financing at competitive interest rates.

Changes to the *Community Charter* have also provided local governments with access to an even more flexible and adaptable revitalization tax exemption tool. The enhanced revitalization tool enables councils to promote any type of social, economic or environmental revitalization, such as the upgrade of buildings, with fewer restrictions. In addition, the *Community Charter* authorizes local governments to provide tax exemptions for protected heritage properties.

Since 2007, a number of provincial funding programs designed to assist with downtown revitalization have also been developed. The BC Spirit Squares program is designed to assist communities in creating and enhancing public outdoor meeting spaces, and the Towns for Tomorrow program is designed to provide small communities and towns with cost-shared capital funding for capital infrastructure projects.

## **B23: EXPANDED USE OF SECTION 941 FUNDS PROVIDED IN LIEU OF PARKLANDS**

WHEREAS funds paid by an owner, pursuant to Section 941 of the *Local Government Act* in lieu of providing parkland at time of subdivision are often insufficient to enable acquisition of suitable parklands;

AND WHEREAS communities might receive a greater and more immediate benefit from utilization of these funds to improve existing parks:

THEREFORE BE IT RESOLVED that the Province of BC be requested to amend Section 941 of the *Local Government Act* to provide that funds received under Section 941 may be used for acquisition and improvement of parklands.

### **RESPONSE: Ministry of Community and Rural Development**

After the passage of previous UBCM resolutions on this issue the Ministry of Community and Rural Development has consulted with stakeholders through the DFRC (Development Finance Review Committee), a standing committee which includes representation from the UBCM. Representatives of the development industry indicated that they do not support such a legislative change, and that they would strongly oppose it. The costs of maintaining existing parks are not related to the costs of servicing new development.

Local governments already have a number of other financial tools available to them to fund park improvements, including Development Cost Charges, which can be used for such purposes as the installation of fencing, landscaping, drainage and irrigation, trails, restrooms, changing rooms, playground and playing equipment. The Ministry of Community and Rural Development's Parkland Acquisition Best Practices Guide recommends that a local government consider clear guidelines when using DCC's for parkland acquisition and improvement.

## **B24: PROVINCIAL AND FEDERAL GOVERNMENT ARTS CUTS**

WHEREAS the February 2009 BC provincial budget announcement contains cuts of nearly 50% to the annual arts and culture budget;

AND WHEREAS one-time funding does not adequately replace ongoing funding and the planning it allows;

AND WHEREAS investing in the arts provides a disproportionate economic stimulus to local communities – over twelve dollars generated for every dollar invested;

AND WHEREAS Vancouver is a liveable city in large part because of the involvement and investments of artists and Vancouver's economic development has been aided by the city's vibrant creative sector and creative economy;

AND WHEREAS eliminating support for the arts will have a negative effect on the creative sector, especially small arts companies and negative impacts on the creative sector will have a resulting negative impact on the economies of Vancouver and Metro Vancouver in a time of economic challenges:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial and federal governments to reinstate full funding to the creative sector and related programs and further consider additional investment as part of the economic stimulus programs.

### **RESPONSE: Ministry of Tourism, Culture and the Arts**

The Province is committed to the long term health of B.C.'s arts and cultural sector and recognizes the key social and economic role that arts and culture play in our society. The Province has demonstrated its commitment to the sector through the \$7 million supplemental funding provided to the BC Arts Council (the Council) in March 2009 and with the allocation of \$10.9 million of Community Gaming Grants funding to support the programs of the Council in 2009/10. While all of us have been affected by the global economic instability, the Province would be pleased to work with the UBCM to look for creative ways to support the sustainability of the arts and cultural sector.

With regard to federal arts funding, the Province would welcome the assistance of the UBCM in convincing the federal government to increase spending in British Columbia.

## **B26: PUSH BACK ON DOWNLOADING AND OFFLOADING**

WHEREAS over the past few decades the provincial government has downloaded and offloaded provincially mandated services to local government without sufficiently, if at all, matching the services with funding (i.e., roads maintenance and replacement, homelessness, wildlife, policing, mental health and transit);

AND WHEREAS the provincial government may not be aware that their cost cutting measures over the years have resulted in pressures on communities to address the service gaps to the extent that limited local government funds are being used to fund provincially mandated services, negatively impacting a local government's ability to adequately address core local government services:

THEREFORE BE IT RESOLVED that the UBCM strongly urge the provincial government to cease their downloading or offloading of services to local governments;

AND BE IT FURTHER RESOLVED that any future services, if devolved in any manner, whether subtle or not, must be accompanied by sufficient, sustainable revenues which will be in the control of the local governments and that past downloading and offloading of provincial services be funded retroactively.

### **RESPONSE: Ministry of Community and Rural Development**

The Province continues to make unprecedented financial and strategic investments in BC communities. Programs are focused on furthering strong, resilient and sustainable communities. Over the past few years, the Province has strengthened existing programs and initiated a number of new programs to strengthen communities and regions, with a particular focus on smaller, more vulnerable communities.

Actions the Ministry of Community and Rural Development alone has undertaken in support of communities:

- Doubled Small Community and Regional District Grants.
- Returned 100% of revenues to participating communities under the Traffic Fine Revenue Sharing Program.
- Created new programs to assist communities to upgrade their infrastructure including Towns for Tomorrow, LocalMotion, Spirit Squares and the BC Water Improvement Program.
- Initiated the Community Development Trust, a program that delivers transition, tuition and employment programs that benefit individuals and communities in forest and resource dependent communities hard-hit by difficult economic conditions.
- Created other new programs such as the Climate Action Incentive Program, Trees for Tomorrow and the Resort Municipality Initiative to capitalize on emerging opportunities.

The Province has also partnered with the Federal Government and the UBCM on numerous infrastructure programs including the Canada BC Infrastructure Program, the federal Gas Tax Transfer Program, the Municipal Rural Infrastructure Fund, the Building Canada Fund, as well as the infrastructure stimulus program.

The Province established Regional Trusts in strategic areas of the Province – in the North, the Southern Interior and the Island/Coast – with \$285-million from the Province to promote local economic development initiatives that have a direct positive impact in communities.

Since 2001, the Province has provided almost \$2.5 billion in additional funding support to BC's local governments. Almost half of this investment has supported local government capital and infrastructure investments, while the remainder has supported local government operations.

Just one example of the magnitude of the additional financial support is the Traffic Fine Revenue Sharing Program. Since its expansion in 2004, the program has provided \$297 million more to qualifying municipalities than they would have received prior to the program's expansion. Prior to 2004, municipalities received \$10 million per year.

Any changes in provincial policies or programs are carefully considered for any impact to local government, financial or otherwise. The Province remains committed to consulting with UBCM on all initiatives that have an impact on local governments as per the principles in the *Community Charter*.

## **B27: INSURANCE COMPANY REIMBURSEMENT FOR FIRE PROTECTION**

WHEREAS local government fire departments are called upon to provide fire suppression services within its designated fire protection areas;

AND WHEREAS local government fire departments are not reimbursed by insurance companies that benefit from loss mitigation as result of the fire departments being available to respond;

AND WHEREAS the Province of British Columbia receives a tax on insurance premiums form the insurance companies;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities petition the provincial government to release the insurance premium taxes collected in regards to property insurances to those local governments that provide fire protection within their designated fire protection areas.

### **RESPONSE: Ministry of Finance**

The tax revenue generated from the 4.4 percent tax paid by insurance companies on property insurance premiums is a general revenue source to help fund essential government services.

## **B28: COMPENSATION FOR ASSISTANCE TO VICTIMS OF VEHICULAR ACCIDENTS**

WHEREAS local government fire departments utilize the jaws of life to provide assistance to victims of vehicular accidents in the province of British Columbia;

AND WHEREAS the acquisition, maintenance and training of personnel are not specialized service and cost to local governments;

AND WHEREAS the use of the jaws of life not only benefits the victims of motor vehicle accidents, but also the Insurance Corporation of British Columbia through cost saving by providing timely extraction and resultant transportation to medical services;

AND WHEREAS local governments are unable to recoup their costs or participate in the cost savings enjoyed by the Insurance Corporation of British Columbia through their efforts:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities lobby the Province of British Columbia to allow local governments to receive fair and adequate compensation from the Insurance Corporation of British Columbia for incidents where the jaws of life are utilized.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

ICBC collects premiums for expected claims based on what our customers are legally liable to pay should they be responsible for a crash. ICBC is committed to providing low and stable rates for our customers. If BC motorists were to become legally responsible for charges related to incidents involving the jaws of life, then Basic claims costs could increase and may require a rate increase. Any change in Basic insurance rates requires British Columbia Utilities Commission approval.

ICBC contributes to municipalities and municipal services through annual grants in lieu of taxes and thirty-one local governments received approximately \$4.2 million in 2008. ICBC also supports communities through its road safety and auto crime programs, including partnerships involving local road improvements. In 2008, ICBC invested approximately \$37 million in road safety.

## **B29: FEDERAL PROVINCIAL INFRASTRUCTURE PROGRAM FUNDING**

WHEREAS most federal and provincial infrastructure funding programs provide grants to cover 2/3 of eligible costs for much needed infrastructure improvements with local communities responsible for financing the remaining 1 / 3 of eligible costs plus any ineligible costs;

AND WHEREAS the high cost of major infrastructure projects can make this one-third local share excessively burdensome to taxpayers in small municipalities and regional district service areas, thus discouraging infrastructure improvements essential to the health and economic well-being of these communities;

AND WHEREAS the ability to supplement the infrastructure program funds with Community Works funds to a level that brings total federal funding up to 50% of the project costs does not necessarily sufficiently relieve this financial burden;

THEREFORE BE IT RESOLVED that the provincial and federal governments be requested to devise a flexible funding formula for infrastructure programs, such as the Building Canada Fund -Communities Component and the Infrastructure Stimulus Fund, that has the capability to increase the funding level where it can be demonstrated that local financing of one-third of the costs will place an undue burden on local tax payers.

### **RESPONSE: Ministry of Community and Rural Development**

The Ministry continues to work in delivering funding programs that meet the needs of local governments in British Columbia.

Provincial only programs such as the Towns for Tomorrow program have been developed to help smaller municipalities and recently, regional districts, with the challenges faced by smaller communities. This includes a cost-share formula of 75-25 and 80-20 (provincial-local government contributions) as well as flexibility to leverage third party contributions to fund the local government share.

With federal-provincial programs, such as the Building Canada Fund and the Infrastructure Stimulus Fund, cost sharing formulas are set by the federal government and must be adhered to. There is not an opportunity to change these formulas which are set in federal-provincial agreements.

In addition, with limited funding available and the need always outweighing funding available, it is important for as many communities as possible to realize some financial support. Changing the cost-sharing formula may equate to fewer communities that receive funding support. The Ministry also recognizes the need for communities to understand the true costs of infrastructure projects, including the costs associated with operation and maintenance. Having communities responsible for a fair share of an infrastructure project often provides for improved community involvement and better planning and decision making, adding value to every dollar spent.

### **B30: REVENUE SHARING WITH LOCAL GOVERNMENT**

WHEREAS local governments continue to struggle with limited funding;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities (UBCM) pursue discussions with the provincial and federal governments as per the 2008 policy paper “Financing Local Government: Achieving Fiscal Balance”;

AND BE IT FURTHER RESOLVED that the UBCM lobby the provincial government to provide unconditional revenue sharing to municipalities and regional districts in the form of a share of the Provincial Social Service Tax to be distributed to municipalities and regional districts on a per capita basis;

AND BE IT FURTHER RESOLVED that the UBCM pursue discussions with the provincial government to provide local governments with a share of natural resource revenue.

#### **RESPONSE: Ministry of Finance**

Effective July 1, 2010, the social service tax (PST) will no longer apply. The PST is being replaced with the harmonized sales tax (HST).

The Province currently provides funding to local governments through a variety of sources and programs (e.g. Traffic Fine Revenue Sharing, Towns for Tomorrow, Small Community and Regional District Basic Grants).

Any proposed transfer of tax revenue or natural resource revenue to local governments must be evaluated in the context of the government’s need to fund essential services.

### **B31: PRODUCT PACKAGING**

WHEREAS product packaging is a large component of the solid waste stream across the province;

AND WHEREAS managing the various packaging components has become increasingly difficult for regional district and member municipalities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province, without delay, add a schedule to the Recycling Regulation that includes all packaging as defined in the Environment Management Act and phase in implementation based on environmental impacts including energy savings, landfill space and manageable product categories.

#### **RESPONSE: Ministry of Environment**

The Ministry of Environment has committed in its Service Plan to implement industry product stewardship programs for two new products in each three year period. Packaging is one of several product categories under consideration for addition to the Recycling Regulation. Should packaging be added to the Regulation, producers of products with packaging would be required to take responsibility for the life-cycle management of their packaging.

## **B32: MINISTRY OF ENVIRONMENT FUNDING**

WHEREAS local government has many points of contact with environmental issues and has a long history of working with the Ministry of Environment;

AND WHEREAS the Province of British Columbia has reduced funding for the Ministry of Environment leading to a reduction, if not withdrawal from service level that are necessary for the Province to protect dwindling environmental assets and assisting local government in areas of overlap:

THEREFORE BE IT RESOLVED that the UBCM lobby the provincial government to provide funding and resources to the Ministry of Environment to enable the Ministry to return to an active role in the development and enforcement of reasonable regulations, and working with local government in an effective, meaningful and respectful manner on the many issues that we share.

### **RESPONSE: Ministry of Environment**

During challenging economic times, the provincial government must manage what resources it has in the most efficient way possible to meet the needs of the province. In response to the current economic challenges, all ministries must work hard to meet their mandates. The Ministry of Environment will continue to work with other levels of government, stakeholders and the public to manage and regulate the environment for the benefit of all British Columbians.

### **B33: CONSULTATION ON ENVIRONMENTAL MATTERS**

WHEREAS there have been instances when the Environmental Assessment Office scheduled a referral period on a controversial project, in such a manner that the affected local governments and other stakeholder or interest groups were unable to make comment;

AND WHEREAS in some of these cases, the Environmental Assessment Office refused all requests to extend the deadlines for commenting on projects;

AND WHEREAS there are many other examples of the Province establishing consultation periods that do not respect local government and the timelines that we work in:

THEREFORE BE IT RESOLVED that the Ministry of Environment be requested to develop policies and procedures ensuring that referral periods are established in such a manner to allow local governments, as well as other stakeholder or interest groups, that wish to comment, a fair and reasonable opportunity to do so.

#### **RESPONSE: Ministry of Environment, Environmental Assessment Office**

The *Protocol on Principles for Sharing Environmental Responsibilities* was reaffirmed in 2007 by Environment Minister Barry Penner, then UBCM President Susan Gimse, and then Environment Committee Chair Herb Pond. The Protocol requires, among other things, that "...any proposed significant change in environmental legislation, regulations, standards, policies or programs will be preceded by appropriate consultation among the affected parties, including timely notification of the proposed change." The Ministry of Environment makes every attempt to honour this agreement by providing a number of opportunities for local governments to review proposed work, including working directly with ministry staff where appropriate. Ministry staff will continue to work with local governments to meet their referral needs.

Regarding environmental assessment referral periods in particular:

- The Environmental Assessment Office (EAO) invites local government to participate in the intergovernmental working group set up for each proposed project;
- The Public Consultation Policy Regulation (B.C. Reg. 373/2002) requires two public comment periods during the review of a proposed project between 30 and 75 days each to allow the public to provide written submissions;
- The length of the public comment period is determined on the basis of the complexity of the proposed project and other factors (typically between 45 and 60 days);
- Information relevant to the public review is posted to the EAO Internet and placed in convenient locations in the vicinity of the proposed project;
- Public open house meetings are held to describe the proposed project and receive the views of the public; and,

- The EAO considers that these measures allow for a fair and reasonable opportunity for public input.

### **B34: ALTERNATIVE ENERGY TECHNOLOGY IMPACTS**

WHEREAS there is little or no research currently available on the cumulative impacts of alternative energy technologies, such as geothermal heat exchange;

AND WHEREAS the use of alternative energy technologies is increasing, as they are being actively promoted by the provincial and federal governments:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities recommend the provincial government determine the long-term cumulative environmental impacts of alternative energy technologies prior to approving their use.

#### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

Electricity projects in British Columbia are subject to over 50 various municipal, regional, provincial and federal regulatory and permitting processes, and require authorizations from numerous agencies. British Columbia will reach its potential as a clean energy powerhouse through the development of our solar, wind, tidal, geothermal, biomass and other green energy supplies. Our government is interested in stimulating the economy and creating jobs by encouraging investment and making B.C. more competitive.

We want a future of renewed economic opportunity and well-being that is sustainable.

### **B35: PRODUCT STEWARDSHIP PROGRAMS**

THEREFORE BE IT RESOLVED that the UBCM request that the provincial government ensure that all funds paid for eco fees / refundable deposits are used exclusively to run the programs to reduce the demand on local and regional waste management.

#### **RESPONSE: Ministry of Environment**

The Recycling Regulation establishes stewardship responsibilities for producers of prescribed products. This stewardship role for producers shifts responsibility for managing end-of-life products and waste from local governments and taxpayers to industry and consumers.

To assure financial accountability, the regulation requires any producers charging an eco-fee or deposit report on an annual basis independently audited financial statements detailing deposits and refunds as well as revenues and expenditures for any fee associated with an approved stewardship plan.

### **B36: STEWARDSHIP PROGRAM FOR RECYCLABLES**

WHEREAS local governments in British Columbia under Province of BC legislation are responsible for managing solid waste diversion programs including collection and marketing of recyclable materials;

AND WHEREAS product stewardship recycling programs have demonstrated far greater resiliency to market fluctuations than local government recycling programs:

THEREFORE BE IT RESOLVED that UBCM urge the Province of British Columbia immediately enact a stewardship program for all packaging as defined in the *Environmental Management Act* and that the time frame for full implementation of a packaging stewardship program be no more than two years;

AND BE IT FURTHER RESOLVED that UBCM urge the provincial Ministry of Environment to develop a cost recovery formula whereby industry stewards pay for the planning of a packaging stewardship program.

#### **RESPONSE: Ministry of Environment**

The Ministry of Environment has committed in its Service Plan to implement industry product stewardship programs for two new products in each three year period. Packaging is one of several product categories under consideration for addition to the Recycling Regulation. Should packaging be added to the Regulation, producers of products with packaging would be required to take responsibility for the life-cycle management of their packaging.

## **B37: SUPPORT FROM THE BRITISH COLUMBIA PRODUCT STEWARDSHIP COUNCIL**

WHEREAS local governments provide public information regarding the location of recycling facilities;

AND WHEREAS current industry stewardship programs do not communicate the location of industry collection facilities at local government waste disposal facilities;

THEREFORE BE IT RESOLVED that the UBCM solicit the support of the British Columbia Product Stewardship Council to request that industry stewards provide funding to local governments for the advertisement of the location of industry stewardship collection facilities.

### **RESPONSE: Ministry of Environment**

The Recycling Regulation establishes stewardship responsibilities for producers of prescribed products. This stewardship role for producers shifts responsibility for managing end-of-life products and waste from local governments and taxpayers to industry, including the responsibility for making consumers aware of the producer's product stewardship program, the location of collection facilities, and safe management of product residuals. The results based model under the Regulation sets clear requirements for regulated product categories without prescribing how various outcomes and targets contained within a stewardship plan are met, including advertising how stewardship agencies advertise services.

## **B38: PROVINCIAL COSMETIC PESTICIDE BAN**

WHEREAS residents of the Province of British Columbia are increasingly requesting their local governments to ban the use of cosmetic pesticides within their boundaries in order to mitigate concerns that these pesticides present a threat to the environment, children, pets and personal health;

AND WHEREAS as these bylaws are being implemented in some municipalities, it has been found that community bans have little effect on overall pesticide sales, in sharp contrast to the Province of Quebec which has seen a fifty percent drop in pesticide use since their legislated ban in 1994;

AND WHEREAS the *Community Charter* does not give communities the legislative authority to ban the sale of pesticides, only to regulate their use:

THEREFORE BE IT RESOLVED that the Province of British Columbia enact provincial legislation that will ban the sale and use of cosmetic pesticides province-wide.

### **RESPONSE: Ministry of Environment**

Many pesticides may be used for both cosmetic and non-cosmetic purposes. The Ministry has received comments of concern from key sectors that pesticides must remain available for non-cosmetic purposes including control of invasive plants, noxious weeds, and pests that may impact structures or food crops.

The Ministry promotes and, in some cases, requires the use of Integrated Pest Management (IPM) when making decisions about pest management. IPM includes the use of pest prevention techniques and the use of alternatives to pesticides where possible.

The August 2009 Throne Speech announced that British Columbians will be consulted on new statutory protections to further safeguard our environment from cosmetic chemical pesticides. Options to fulfill this commitment are being developed.

## **B39: EPR LEGISLATION – PACKAGING**

WHEREAS the Organization for Economic Cooperation and Development, Environment Canada [sic] defines Extended Producer Responsibility (EPR) as an environmental policy approach in which a producer's responsibility, physical and / or financial, for a product is extended to the post-consumer stage of a product's life cycle;

AND WHEREAS there are two key features of EPR policy:

- (1) the shifting of responsibility (physically and / or economically, fully or partially) upstream to the producer and away from municipalities, and
- (2) to provide incentives to producers to take environmental considerations into the design of the product;

AND WHEREAS the *Environmental Management Act* defines packaging as a material, substance or object that is (a) used to protect, contain or transport a commodity or product, or (b) attached to a commodity or product or its container for the purpose of marketing or communicating information about the commodity or product:

THEREFORE BE IT RESOLVED that the UBCM lobby the provincial government, in consultation with the BC Product Stewardship Council, to place all packaging under the BC Extended Producer Responsibility legislation.

### **RESPONSE: Ministry of Environment**

The Ministry of Environment has committed in its Service Plan to implement industry product stewardship programs for two new products in each three year period. Packaging is one of several product categories under consideration for addition to the Recycling Regulation. Should packaging be added to the Regulation, producers of products with packaging would be required to take responsibility for the life-cycle management of their packaging.

## **B40: REGIONAL DISTRICT CONSULTATION ON INDEPENDENT POWER PROJECTS**

WHEREAS regional districts do not have any direct input or discussion with the Province in regard to independent power producers on behalf of their residents:

THEREFORE BE IT RESOLVED that all regional districts be included in the provincial consultation process for independent power projects proposed within their jurisdiction.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

The input of local and regional governments is a key part of the review of any clean, renewable energy project. Clean, renewable electricity accounts for over 90 per cent of total generation and, combined with aggressive conservation targets, places our province among the top jurisdictions in the world. A typical clean, renewable project will require more than 50 permits, licences, approvals and reviews from 14 regulatory bodies, including federal and provincial agencies, local government and First Nations. Clean, renewable power projects are just one part of B.C.'s energy mix.

Our government wants to encourage investment and make B.C. more competitive. We want to stimulate the economy and create jobs for a future of renewed economic opportunity and well being that is sustainable.

The long-term transmission inquiry being conducted by the BC Utilities Commission is a public process and will identify areas in the province with high levels of clean, renewable generation potential, taking into account areas that may be inappropriate for development, and the most efficient transmission infrastructure to deliver that electricity to customers. The recent decision by BCUC does not shut the door on clean, renewable power projects. In fact, just a few weeks ago BCUC accepted electricity purchase agreements with four biomass projects.

## **B41: REGULATION OF NUISANCES ON PRIVATE MANAGED FOREST LAND**

WHEREAS local governments lack the authority to regulate nuisances such as noise on private managed forest lands;

AND WHEREAS local governments are the first point of contact for residents impacted by nuisances on private managed forest land within the urban interface:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urge the Provincial Government and the Private Managed Forest Land Council to provide local government the authority to regulate nuisances such as noise on private managed forest lands within the urban interface.

### **RESPONSE: Ministry of Agriculture and Lands**

Section 21 of the *Private Managed Forest Land Act (PMFLA)* constrains local governments from adopting a bylaw or issuing a permit that would have the effect of directly or indirectly restricting forest management activity. Private forest operators must adhere to local bylaws that came into force prior to land entering the managed forest program.

Forestry activities may potentially involve noisy equipment and machinery. Land owners may need to run the machinery long hours over limited days of duration in order to keep operations financially viable. Requiring private managed forest land owners to adhere to noise bylaws could significantly affect the economics of forestry activities.

Many of British Columbia's private forest lands have been used for forestry for a very long time. It is important to recognize and respect this historic use of land, particularly as residential areas expand into proximity with lands used for industrial purposes. At the same time, it is important for owners of private managed forest land to be sensitive to community concerns about noise, and accommodate such concerns where feasible.

## **B42: COMPENSATION FOR LARGE SCALE MINING ACTIVITIES**

WHEREAS large scale mining activities on Crown land have a negative effect on neighbouring local governments in that they decrease property values and impact overall quality of life of residents;

AND WHEREAS the Crown receives royalties from these mining activities:

THEREFORE BE IT RESOLVED that the Province of British Columbia (BC) be requested to put in place a mechanism that would allow local government to receive financial compensation.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

Mining creates over 10,000 direct jobs with an average annual wage of \$112,000. In 2008, more than 28,000 people were employed in the minerals economy in over 50 BC communities.

Mining also contributes to local economies with: business opportunities, economic diversification, infrastructure development and skills development opportunities for local residents and First Nations peoples. Since 2005, the Province has contributed nearly \$5 million in funding for mining education and skills training for individuals in rural and First Nations communities.

The British Columbia Mining Plan has continued to provide guidance to the mining industry by focusing on inclusiveness and supporting benefits such as employment and business opportunities for local communities. The mining approval processes (both Environmental Assessment and Mine Permitting) include opportunities for local communities to ensure appropriate mitigation of social and environmental impacts, protection of health and safety and enhancement of local benefits. Taxes and royalties paid by the mining industry go to provide health and education needs in every community in BC. Taxes and direct expenditures by the mining industry support infrastructure development such as roads, community centres and local sponsorships. Hundreds of mining supply businesses in local communities around the Province are sustained by mines.

## **B43: GRAVEL MINING OPERATIONS**

WHEREAS the Ministry of Energy, Mines and Petroleum Resources is responsible for reviewing applications for gravel mining operations in British Columbia and for determining whether such applications should be permitted;

AND WHEREAS in the opinion of the District of Peachland, the legislation and regulations governing the review of gravel mining applications would benefit from being updated to ensure that the process takes into consideration a broader range of social, environmental, safety and health impacts as well as the interests of the local government in whose area the permit is requested:

THEREFORE BE IT RESOLVED that the Minister of Energy, Mines and Petroleum Resources be requested to urgently reconsider the review and approval process for the issue of gravel pit permits.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

Gravel is an important resource that all communities need when building roads, hospitals and infrastructure projects. The appropriate development of this resource is key to our way of life and our provincial economy. Our objective is to provide a long term, affordable supply of aggregate for the Province of British Columbia, and the resolution of existing conflicts between local government and aggregate producers.

The Fraser Valley Aggregate Pilot Project was launched in 2004 to develop a model for a long term provincial aggregate management plan to help resolve issues associated with aggregate mining. The report arising from the Pilot Project contained several recommendations that have been presented to the ministry and have been fully reviewed.

An Okanagan Regional District Aggregate Committee has been struck to examine and deliberate over the need to secure long-term aggregate supply in the Okanagan, while providing measures to ensure community support.

It's a priority to help address the issues that arise from aggregate production in and around our communities. To that end, we will be working with industry and communities to achieve agreement in how we undertake the development of new aggregate projects.

## **B44: BC HYDRO TRANSMISSION LINES**

WHEREAS regional districts are not receiving benefits from the 55,000 kilometres of distribution lines and 17,533 kilometres of transmission lines in the rural areas of the province, while other forms of government are receiving a benefit;

THEREFORE BE IT RESOLVED that the UBCM urge the Minister of Finance to implement a fair method of compensation to regional districts in the province based on the strong belief that crown corporations, wherever possible, should compete on a level playing field.

### **RESPONSE: Ministry of Finance**

In November 2006 the Minister of Finance announced a new government policy with respect to payment of grants-in-lieu by Crown Corporations generally, and BC Hydro specifically.

Under the new policy, BC Hydro pays grants in respect of its generating facilities comparable to the property taxes that would be paid on a large (400 megawatts) private gas-fired generating plant.

In its consideration of the grants-in-lieu policy, the government made the decision to create a more transparent policy rationale for calculating the grants for each generating facility in order to provide additional funds to communities which host and/or are impacted by power generating facilities, and for adjusting these grants into the future.

The government also made the decision to enhance payments already being made to regional districts, but not to provide additional grants based on other provincial facilities in the regional districts.

## **B45: RESTORATION OF BC HYDRO MANDATE**

WHEREAS the BC Energy Plan limits the mandate for BC Hydro to grow public green power assets and BC Hydro is instead directed to buy power from private power utilities;

AND WHEREAS there has not been a meaningful public debate on the Energy Plan or on the environmental, social and economic costs and benefits of different green power sources (such as run of river):

THEREFORE BE IT RESOLVED that BC Hydro have its mandate restored to look for opportunities to develop sustainable alternative energy sources.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

The BC Energy Plan clearly states government's commitment to public ownership of BC Hydro and its assets, while broadening the supply of available energy. BC Hydro is investing more than \$3.6 billion over the next two years to upgrade its dams and other public power infrastructure. The BC Energy Plan focuses on innovative, sustainable energy solutions for British Columbia.

Clean, renewable electricity accounts for over 90 per cent of total generation, and combined with aggressive conservation targets, places our province among the top jurisdictions in the world. A typical clean, renewable power project will require more than 50 permits, licences, approvals and reviews from 14 regulatory bodies, including federal and provincial agencies, local governments and First Nations. Clean, renewable power projects are just one part of B.C.'s energy mix.

The long-term transmission inquiry being conducted by the BC Utilities Commission is a public process and will identify areas in the province with high levels of clean and renewable generation potential, taking into account areas that may be inappropriate for development, and the most efficient transmission infrastructure to deliver that electricity to customers. The recent decision by BCUC does not shut the door on clean and renewable power projects. In fact, just a few weeks ago BCUC accepted electricity purchase agreements with four biomass projects.

## **B46: PARK LAND DEDICATION**

WHEREAS wildlife corridors in British Columbia are continuously diminishing due to encroachment of development displacing natural ecosystems, watercourses, and watersheds;

AND WHEREAS there is not enough green space going into developments to provide adequate buffer zones and to preserve natural ecosystems:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government for a change to section 941(4) of the *Local Government Act* to increase the amount of required park land to be dedicated from 5% to 10%.

### **RESPONSE: Ministry of Community and Rural Development**

After the passage of resolution 2006-B114, which also asked that the maximum statutory parkland dedication requirement be raised from 5% to 10%, the Ministry of Community and Rural Development consulted with stakeholders through the DFRC (Development Finance Review Committee), a standing committee which includes representation from the UBCM. Representatives of the development industry indicated that they do not support such a legislative change, and that they would strongly oppose it.

Local governments already have a number of other financial tools available to them to supplement the statutory requirement for dedication of parkland at subdivision, including Development Cost Charges. These other tools can be used to acquire parkland or to make parkland improvements.

## **B47: TIMBER – POINT OF APPRAISAL**

WHEREAS the stumpage system for timber incorporates a cost allowance to transport the timber to the least cost point of appraisal, which is the closest mill from where the timber is harvested;

AND WHEREAS mergers within the forest industry have resulted in several companies owning multiple timber processing plants throughout different timber supply areas and many central interior communities have seen the indefinite closures of timber processing plants;

AND WHEREAS it is much more efficient to transport finished forest products than round logs, both from an economic and greenhouse gas perspective;

AND WHEREAS if the stumpage system provides an allowance for costs to transport timber to more distant mills, this will harm the chances of restarting local mills when the market improves, which will further erode communities that were created to ensure the forest industry thrived in the province:

THEREFORE BE IT RESOLVED that the UBCM lobby the provincial government to provide assurances that the least cost point of appraisal will be maintained by the closest forestry processing plant, regardless of operational status, in order to encourage local processing and investment and ensure the security and long-term existence of small forest-dependent communities.

### **RESPONSE: Ministry of Forests and Range**

The current provisions in the *Interior Appraisal Manual* stipulate that the least cost Point of Appraisal is used unless 5 years have passed from the date the milling facility was permanently rendered incapable of producing lumber and chips and it was only the milling facility associated with that point of appraisal.

At this time there is no plan to relax these long standing point of appraisal requirements. Any possible future changes to this policy would first be discussed with the interior forests industry, including a review and comment period, and with affected communities. The Minister would then carefully consider the comments and impacts, including community stability before making a decision.

## **B48: STUMPAGE SYSTEM**

WHEREAS the provincial government has replaced the Comparative Value Stumpage System with the Market Price System in other areas of the province and is considering implementing the Market Price System in the interior of the province effective July 1, 2009;

AND WHEREAS extensive history indicates that delivered wood costs in some timber supply areas present identified inequities and anomalies:

THEREFORE BE IT RESOLVED that the UBCM requests the provincial government to study the stumpage system or proposed Market Price System to identify and correct any inequities or anomalies that impact the delivered wood costs.

### **RESPONSE: Ministry of Forests and Range**

Market Pricing System has been in place for the Interior of B.C. since July 1, 2006. The Ministry and industry are exploring changes to the current pricing system to make it simpler, more transparent, and more efficient. No decisions on changing the stumpage system in the Interior have been made.

The Ministry and industry are reviewing information regarding the effects of pricing policy changes on the stumpage rates. Included in those discussions are potential measures that would address the transition to a new pricing system if that was the decision.

## **B49: HIGHWAY 37 ELECTRIFICATION**

WHEREAS the electrification of the Highway 37 corridor is critical to the economy of the Province of British Columbia;

AND WHEREAS the memberships of the NCMA and UBCM endorsed a resolution in 2008 calling for the electrification of the Highway 37 corridor;

AND WHEREAS the government of British Columbia has committed \$250 million towards construction of the power line if a major partner could be found;

AND WHEREAS the Premier of British Columbia has expressed his interest in seeking federal infrastructure funds that could be put toward the permitting and potential construction of the power line along Highway 37:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial and federal governments to make the electrification of Highway 37 a high priority.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

Our government wants to encourage investment and make BC more competitive. We want to stimulate the economy, and create jobs for a future of renewed economic opportunity and well being that is sustainable.

The Province is moving forward with the Northwest Transmission Line with an investment of \$10 million to support the environmental assessment and First Nations consultation. A new transmission line along Highway 37 will replace diesel power in First Nations communities, open new opportunities in mining and clean power production, and create job opportunities throughout the Skeena Region.

## **B50: AGRICULTURE IS IN ALL OF US – EAT BC**

WHEREAS British Columbia generated \$2,342 billion in total farm gross revenues (2006 census) which is less than 48% of total BC consumption, and British Columbia has an opportunity to significantly expand agriculture and food production which will generate four-fold stimuli to the relative service industries (machinery, crop supplies, labour and processing sectors);

AND WHEREAS BC farmers compete with other provinces and jurisdictions that provide a much higher level of support to their agricultural sectors (in BC, the total of provincial and federal support for agriculture combined is 8% versus 33% for Saskatchewan and the Canadian average of 17%):

THEREFORE BE IT RESOLVED that the provincial government take seriously the responsibility to support the Ministry of Agriculture and Lands that is essential to help BC grow, by implementing a consistent, sufficient, and reliable budget mandatory to support and hire the necessary staff and resources within the agricultural areas of British Columbia.

### **RESONSE: Ministry of Agriculture and Lands**

There are many factors that must be considered when looking at the level of government support for agriculture. They include composition of the sector, market realities and the impact of weather or disease on the sector.

Our government's approach to the budget for agriculture is to ensure that we can be adaptive while trying to maintain stability in the delivery of programs and services, e.g., work within the national Growing Forward framework to provide targeted assistance to sectors to transition to new market conditions in areas such as:

- age verification program for cattle;
- replant program for tree fruits;
- differentiated pork production; and,
- biodiesel opportunities for the grains and oilseeds sector.

BC is unlike most other provinces and many other jurisdictions in that a high proportion of agriculture is in supply managed sectors. These sectors typically do not receive direct government expenditures except in unusual circumstances (as Avian Influenza or Bovine Spongiform Encephalopathy for dairy cattle).

The provincial strategy and support for this industry to date has been successful by most measures. At \$1.909 million/farm, BC has the highest average net worth per farm among all the provinces. The next closest is Alberta at \$1.467 million/farm on average, or close to half a million dollars lower in average net worth per farm than BC. Moreover, BC's average net worth per farm has grown at a rate of 12% per year, on average, over the past five years – the highest amongst all of the provinces, followed by Alberta at 8%

per year. BC dairy farms, with an estimated \$139,000 average profit per farm/year, realize operating profits at 35% above the national average. BC's dairy, turkey, chicken and egg sectors rank third largest in Canada and account for more than \$920 million in annual farm cash receipts.

British Columbia leverages federal dollar expenditures in the British Columbia agricultural and agri-food sector at a 3 to 1 ratio which is the highest leveraging ratio in Canada. Saskatchewan has the second highest leveraging ratio of 2.4 to 1, followed by Manitoba at 2.3 to 1.

The ministry's operating expenditures include 275 full-time equivalent staff covering the areas of food safety and quality, plant and animal health, water, soil, waste and environment management, and marketing and trade, amongst others.

## **B51: WATER FILTRATION REQUIREMENTS**

WHEREAS water filtration requirements can be mandated by individual regional health authorities across the province;

AND WHEREAS regulations are not standardized across all of the provincial health authorities;

AND WHEREAS most municipalities within the jurisdiction of the Interior Health Authority (IHA) are being required to implement the authority's "4-3-2-1-0" water quality standards by 2015;

AND WHEREAS the cost needed to meet IHA requirements is beyond the financial abilities and borrowing capacity of most municipalities:

THEREFORE BE IT RESOLVED that the provincial government standardizes water quality and treatment regulations across the Province of British Columbia and develops a funding strategy for their implementation.

### **RESPONSE: Ministry of Healthy Living and Sport**

Drinking water systems are assessed to help determine if water systems are capable of safeguarding against harmful organisms in water. What is often referred to as the 4-3-2-1-0 Drinking Water Objective is derived from the Guidelines for Canadian Drinking Water Quality (GCDWQ) and other industry and regulatory practices.

- 4 refers to a "4 Log" inactivation of viruses. In this case, "4 log" means 10<sup>4</sup>, or 10,000 fold reduction in viruses, as set out in the GCDWQ
- 3 refers to a "3 Log" removal or inactivation of parasites, such as Giardia, or cryptosporidium as set out in the GCDWQ.
- 2 refers to two treatment processes for all surface water or unprotected groundwater
- 1 refers to maintaining a turbidity measured at less than 1 NTU as set out for slow sand filtration in the GCDWQ
- 0 refers to indicators of bacterial contamination either Fecal Coliform or E. Coli bacteria as required by the *Drinking Water Protection Act*.

Filtration falls under the "2" as one of several types of treatment process that can be used to help meet the other objectives. However, in some cases, due to the nature of the water source, health officers may prefer that a certain type of treatment is installed in order to ensure effectiveness.

4-3-2-1-0 is recommended for new systems in the Ministry of Healthy Living and Sport Drinking Water Officers' Guide. It should be considered by all health authorities as a water treatment standard to ensure that water is safe to drink. In some cases, however, the water purveyor may be able to demonstrate that there is no appreciable risk related

to these parameters, or that there is some appreciable risk, but it is acceptable from a public health perspective. In these cases, 4-3-2-1-0 may not apply.

The Health Protection Branch has taken a number of steps to reassess whether to adopt some, or all of the GCDWQ as mandatory requirements for BC's water systems. We are developing a decision process that local Drinking Water Officers would follow when considering what parameters must be tested for and how often to test for them. The standards applied will be based upon risks to human health in consideration of the source of the drinking water. To help manage costs, only those parameters that pose a risk to human health will require testing and treatment.

**Funding Strategy:** The Province does not have a funding program specifically dedicated to drinking water infrastructure. However, through capital funding programs administered by the Ministry of Community and Rural Development (MCRD), assistance is available to local governments who consider improving and/or enhancing their drinking water systems a local priority. These programs fund new and improved water treatment facilities through a number of programs including Canada/BC Building Canada Fund – Communities Component, Provincial Towns for Tomorrow Program and Infrastructure Planning Grants. Funding to date for drinking water projects administered by MCRD (including federal contributions) totals approximately \$600 million.

It is recognized that the overall capital requirements to address all of local government's drinking water infrastructure needs cannot be met by the current funding envelope(s) available, nor does local government have the financial ability to fund all of their portion of the infrastructure costs. However, it is recognized that the provision of safe, potable water is a priority of the Province and over time, the Province will continue to support drinking water improvements through capital funding programs as they are developed and implemented. Therefore, the Province is committed to work with health authorities and local government in developing strategies to ensure public health is protected through capital improvements to drinking water systems.

## **B52: FUNDING STRATEGY FOR RESIDENTIAL CARE FACILITIES**

WHEREAS the population of British Columbia is aging and there is increasing pressure on the health care delivery system to provide quality services for all seniors, no matter what their individual circumstances may be:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial government to develop a province wide funding strategy for residential care facilities, both private and public, that reflects the changing needs of BC's population and both the capital and operational cost drivers;

AND BE IT FURTHER RESOLVED that this funding strategy reflect the various delivery systems from home care and assisted living, through to and including critical care.

### **RESPONSE: Ministry of Health Services**

The Ministry of Health Services (the Ministry) provides health authorities with annual, global funding allocations for health care services. Health authorities allocate these funds to a range of services and communities according to needs. Health authorities have reported spending \$2.27 billion on home and community care services in 2008/09; this represents 25% of total regional health authority spending.

In keeping with its stewardship and policy role, the Ministry is:

- working with representatives of regional health authorities, the BC Care Providers Association and the Denominational Health Association to develop a standardized residential care agreement;
- developing and monitoring performance criteria for health authorities to achieve in the delivery of home and community care services; and
- working with health authorities to:
  - improve planning processes for residential care, assisted living and home care services;
  - make better information available to the public through health authority websites; and,
  - enhance other processes to support improvements in clinical practice.

## **B53: MEDICAL SERVICE PLAN COVERAGE**

WHEREAS the Medical Services Plan does not currently cover the cost of eye examinations for BC residents who are between the ages of 19 and 64 years of age; or the cost of regular dental checkups and dental cleanings;

AND WHEREAS many serious conditions, including diabetes, high blood pressure, and brain tumours, can be detected during a routine eye exam;

AND WHEREAS access to routine dental checkups and cleaning may prevent other serious medical problems:

THEREFORE BE IT RESOLVED that UBCM lobby the Ministry of Health to include routine eye examinations and basic dental care under the Medical Services Plan of British Columbia.

### **RESPONSE: Ministry of Health Services**

Medically required eye examinations are a benefit for all Medical Services Plan (MSP) beneficiaries when there is a medical necessity (e.g., eye disease, trauma or injury, or health conditions associated with significant risk to the eyes). Routine eye exams are covered for those 18 years of age and under and 65 years of age and older.

The services of dental practitioners are covered by the MSP only under very limited circumstances. Under the *Medicare Protection Act* and regulations, there is no provision for coverage of dental check-ups, dental cleaning, general dentures, appliances or prostheses, or orthodontic services when provided in hospital or in a private dental office. These benefits are available throughout the province for eligible clients of the Ministry of Housing and Social Development. Eligible clients are children under 18 in low income families and all persons with disabilities.

Under the *Medicare Protection Act* and regulations, MSP does provide payment for those surgical dental procedures such as complex extractions and/or fractures of the jaws that require hospitalization in order to be performed safely.

## **B54: PROVINCE OF BRITISH COLUMBIA TO SUPPORT LOCAL GOVERNMENT**

WHEREAS there has been communication among local governments regarding support for local issues;

AND WHEREAS the Province of British Columbia, in the past, has not considered the wishes of the local government when the local governments are in the position to better understand the needs and wishes of the local communities:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities support the need to consider local government's comments when they are directly impacted by any provincial decision or policy direction.

### **RESPONSE: Ministry of Community & Rural Development**

Consultation with local governments is a key principle of local-provincial relations. Section 2 of the *Community Charter* recognizes the importance of consultation between the province and municipalities on any matters of mutual interest. Similarly, section 3 of the *Local Government Act* identifies the need for consultation when Provincial interests directly affect regional district interests.

The nature of consultation will vary depending on the specific issue, the stakeholders involved, and the process or change being considered. For example, s. 276 of the *Community Charter* identifies areas of Provincial legislation and policy measures on which ministers responsible must consult with local governments through UBCM. In such consultations, a minister must, among other things, provide UBCM representatives with sufficient and timely information so that they can respond to a change proposed by the Provincial government. Once those representatives have submitted their response, the minister responsible must consider any comments provided by them.

When consultation is not required by statute, Provincial legislation provides other mechanisms for consultation between the Province and local governments. For example, s. 277 of the *Community Charter* allows the Province and municipal representatives to negotiate the terms of a consultation process (i.e. a "consultation agreement") on specific matters of mutual concern. The Province has signed a number of these consultation agreements on a range of subjects including treaty negotiations, offshore oil and gas development, and resort development.

After consultation occurs, the Province and municipalities may still disagree on the required course of action. The *Community Charter* states that municipal authority "is balanced by the responsibility of the Provincial government to consider the interests of the citizens of British Columbia generally." This responsibility requires the Province to weigh input from all stakeholders, including different local governments, who may disagree about the direction of a particular Provincial policy.

## **B55: INCREASE OF MINIMUM WAGE**

WHEREAS the minimum wage for British Columbians has not increased since November 2001 and the cost of living is one of the highest in Canada;

AND WHEREAS British Columbia has the lowest minimum wage rate and the highest child poverty rate in Canada and other provinces are increasing their minimum wage:

THEREFORE BE IT RESOLVED that the provincial government be encouraged to increase the minimum wage.

### **RESPONSE: Ministry of Labour**

Government does not intend to increase the minimum wage at this time. Since 2001, fewer and fewer people in B.C. are working for minimum wage. At the same time, government has introduced a wide range of measures to improve the standard of living for lower income British Columbians.

In addition, over the past eight years, average hourly wages have increased considerably, including for young workers.

It is important to note that raising the minimum wage can have a negative impact on businesses, which struggle to control costs, as well as on employment, particularly among youth and inexperienced workers. Government must carefully balance all of the costs and benefits associated with minimum wage policies and consider future changes in the context of the overall strategy to address poverty issues and promote a strong economy.

## **B56: LIMITATION ON MUNICIPAL LIABILITY REGARDING BUILDING PERMITS AND INSPECTIONS**

WHEREAS all local governments, with the exception of the City of Vancouver, face considerable liability risk and are being financially penalized as a result of legislation which does not provide immunity for building permit and inspection processes;

AND WHEREAS it is unacceptable that all local governments in British Columbia are not afforded the same liability protection through provincial legislation:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities recommend to the provincial government that the *Local Government Act* be amended to include blanket immunity from liability for approving building plans and inspecting buildings, similar to the *Vancouver Charter* (section 294, subsection 8).

### **RESPONSE: Ministry of Community and Rural Development**

Local governments have expressed concern over the years that the way liability costs are apportioned – especially in relation to liability for building regulation – is not always fair to local governments.

Government has responded at various points over the years to local government requests for legislated protection for liability, including specific targeted legislative changes in the late 1980s (i.e. local government cannot be held liable for failure to enforce a building bylaw; local governments can require building permit applicants to provide building plans certified by a professional engineer or architect). Beyond those targeted changes, further “immunity” for local governments would essentially have the effect of solving local government’s liability concerns at the expense of the person with the defective house. The section in the *Vancouver Charter* was added in 1987, before amendments to that Act were subject to the review and approval process for Government Bills.

If a local government is found to be liable in a building regulation case, they are not usually alone (i.e. others such as architects, engineers and builders may also be found liable). That is when the principle of joint and several liability becomes relevant (it goes to how damages are divided and extent to which each party owes the plaintiff). Joint and several liability is a long-standing and fundamental principle of negligence law that applies to everyone, not just local governments.

The key is to prevent defective buildings in the first place such that if a problem develops, the risk is better balanced among the various players in the system. Over the years, therefore successive governments have focused on trying to rebalance the building system, i.e. preventing defects by establishing the Home Owner Protection Office and mandatory new home warranties (1998), and ensuring better risk allocation. Through a number of recent initiatives, we’ve helped ensure that homeowners and local governments are better protected, in a fair and balanced way:

- 2007, amendments to the *Homeowner Protection Act* established stricter provisions for owner-builders and expanded the scope of protection that vendors and builders must provide to new homeowners;
- 2008, Bill 10 (Housing Statutes Amendment Act 2008) was passed enabling local governments to require that building plans and other paperwork needed for building permits be signed off by building specialist professionals.

Neither the liability claims nor the building regulations that were in place when the Barrett Commission report was penned in 1998 are the same as today. According to the Municipal Insurance Association, claims for its local governments over the last five years have been stable and costs per claim have actually dropped significantly.

The Province recognizes that specific liability concerns may still arise. The Attorney General's Ministry continues monitoring civil liability to ensure it is fair and efficient and to seek change when that is needed to improve the system in a balanced way.

## **B57: COMMUNICATION SERVICES**

WHEREAS there are still many areas of rural British Columbia that do not have telephone, cellular phone or Internet services, and the recent discontinuation of analogue, EARS, and Autotel services has created even more areas that do not have these services;

AND WHEREAS the Premier has made a commitment to “Bridging the Digital Divide” in the province of B.C:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial and federal governments to continue to make expansion of internet and cellular phone service a high priority;

AND BE IT FURTHER RESOLVED that UBCM lobby the provincial and federal governments to provide incentives for companies to offer adequate cell phone and internet services to all rural residents.

### **RESPONSE: Ministry of Citizens’ Services**

Since 2001, the Province has recognized the importance to municipalities of high-speed Internet connectivity as a catalyst for economic diversification and access to healthcare and educational opportunities. Programs to encourage the expansion of broadband connectivity have resulted in service now being available to 92 per cent of our population.

At the 2008 Annual Convention of the Union of B.C. Municipalities, Premier Gordon Campbell reconfirmed Government’s commitment to bridging the digital divide for British Columbians. The Premier announced that the Province will leverage its current procurement for telecommunications services to obtain expanded Internet and cellular coverage for citizens in rural and remote areas. This procurement process is currently underway.

Also announced at that time was the Connecting Citizens Grant Program. Round 1 of this program provided 67 grants, totalling more than \$3.1 million to local Internet service providers, to extend high-speed Internet services to homes and businesses across British Columbia.

The Province continues to take every opportunity to represent the interests of rural British Columbians by participating in federal telecommunications policy reviews. The Province advocates for principles to increase service in rural areas, and urges the federal government to consult with provinces and municipalities before it makes reforms to existing telecommunications policy.

## **B58 FINANCIAL SUPPORT FOR PUBLIC EDUCATION**

WHEREAS public education is vital to the future of British Columbia and must be supported, especially during difficult economic times to ensure a strong economy in the future;

AND WHEREAS many school boards of education are at risk of not meeting public expectations for public education due to falling enrolment combined with the significant reduction in programs and services needed to balance their operating budgets:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government to increase funding levels for primary and secondary education in the province.

### **RESPONSE: Ministry of Education**

Government continues to make education a priority and to protect core operating funding to school districts. Education funding has increased year over year. Since 2000/01, provincial government funding provided to boards of education to operate and manage BC schools has increased by \$1.3 billion – \$873 million in operating grants and \$407 million in one-time grants.

Operating funding will amount to a record \$4.551 billion in 2009/10 despite challenging global economic conditions and continued declining enrolment. This represents the highest amount of operating grants ever distributed in BC, and has occurred at a time when enrolment has declined by approximately 53,000 students.

Average per-pupil funding is expected to increase to an estimated \$8,323 in 2009/10 – a \$205 increase over the 2008/09 funding of \$8,118.

The per-pupil funding amount has increased by an estimated \$2,107 since 2000/01.

Like all sectors in BC, school districts will have to make tough decisions in order to manage through these challenging economic times. We need to find ways to make the additional dollars we are providing work for students in the classroom.

## **B59 – LEGISLATIVE REVIEW OF THE LIBRARY ACT**

WHEREAS public library services are crucial in fostering lifelong learning for all, are especially important in difficult economic times, and the Minister of Education has announced a legislative review of the Act which is intended to “encourage the extension and use of public library service throughout British Columbia”;

AND WHEREAS the Act mandates free resident access to most public library services with a citizen governance board for municipal libraries while also providing for appropriate City Council influence and control:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the Minister to maintain the core principles of free access to public library service and citizen governance for municipal public libraries as mandated in the *Library Act*.

### **RESPONSE: Ministry of Education**

Phase 1 of a seven-phase legislative review began in September 2008, with an invitation to stakeholders to submit briefs on the specific issues or approaches they would like to see addressed during the legislative review. All briefs were received by early March 2009.

Section 46 of the *Library Act* enshrines free basic public library service for all British Columbians; notably, briefs submitted to-date in Phase 1 of the review have declared overwhelming support for this principle.

Five different library governance models are enshrined in the Library Act; briefs received indicate strong support for continued citizen representation on autonomous Municipal public library boards.

We appreciate UBCM’s endorsement of these principles and do not foresee any issues with their incorporation into redrafted legislation.

## **B60 INTERNET ACCESS IN PUBLIC LIBRARIES**

WHEREAS public library services are crucial in fostering lifelong learning for all, are especially important in difficult economic times, and the Minister of Education has announced a legislative review of the *Library Act* which is intended to “encourage the extension and use of public library service throughout British Columbia”;

AND WHEREAS the provision of free access to the internet in public libraries is essential to ensure equity of access for all to this important source of information and access to government services:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities recommend that free resident access to the internet through public libraries be mandated in the *Library Act*.

### **RESPONSE: Ministry of Education**

Phase 1 of a seven-phase legislative review began in September 2008 with an invitation to stakeholders to submit briefs on the specific issues or approaches they would like to see addressed during the legislative review. All briefs were received by early March 2009 and are being reviewed.

Section 46 of the *Library Act* enshrines free basic public library service for all British Columbians. Notably, briefs submitted in Phase 1 of the review declared overwhelming support for this principle. Briefs also demonstrated clear support for the inclusion of free Internet access within the scope of the *Library Act* as just one component in the overall effort to reflect new technologies in a modernized legislative framework.

We appreciate UBCM's endorsement of this principle and do not foresee any issues with its incorporation into redrafted legislation.

## **B61: REMEDIAL ACTION REQUIREMENTS AND CORPORATE LAND OWNERS**

WHEREAS section 72 of the *Community Charter* grants municipal authority to impose remedial action requirements and section 17 of the *Community Charter* provides that if a property owner fails to take a required action, a municipality may take the required action and recover the costs incurred from the property owner, but there is no mechanism for proceedings against the officers and directors of any corporate owner of land failing to comply with a remedial action requirement;

AND WHEREAS corporations with limited assets may ignore remedial action orders with impunity, thereby exposing municipalities to significant liability in cases where a municipality acquires abandoned, dilapidate and / or environmentally suspect corporate properties by default at tax sale:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request the Province to amend the *Community Charter* to permit local governments issuing remedial action requirements to direct said orders against the officers and directors of any corporate owner of land if the corporation fails to comply with a remedial action requirement.

### **RESPONSE: Ministry of Community and Rural Development**

When a remedial action requirement in relation to a structure is ignored by the property owner, the *Community Charter* offers remedies for municipalities seeking to address the situation. Under s. 17, the municipality can undertake the work at the owner's expense and recover the costs as a debt. This can be achieved by collecting the costs as property taxes or, in some cases, selling the structure that was subject to the requirement. This procedure is the same regardless of whether the property is owned by individual and corporate owners.

If such properties go to tax sale, there is the possibility that the municipality may acquire them by default. However, the chances of this outcome are likely diminished by the remedial work performed by the municipality, making such properties more attractive to potential tax sale purchasers.

## **B62: NEW REQUIREMENTS FOR REVENUE POLICY DISCLOSURE**

WHEREAS Bill 35 has made amendments to the *Community Charter* section 165 (3.1) that requires the establishment of objectives and policies relating to municipal revenue sources and property tax revenues from the various tax classes and municipal use of permissive tax exemptions;

AND WHEREAS it is problematic establishing a policy for a specific proportion of revenues to come from any particular revenue source as some revenues will change significantly from year to year making any such policy impossible to follow;

AND WHEREAS it is also problematic establishing a policy for maintaining the proportion of property tax revenues to come from each property tax class when new development occurs at different rates:

THEREFORE BE IT RESOLVED that the Province be requested to review *Community Charter* section 165 (3.1) reporting requirements and consult with municipalities with a population less than 15,000 to devise a reporting requirement that provides meaningful information to councils and citizens of smaller municipalities.

### **RESPONSE: Ministry of Community and Rural Development**

Ministry staff are available for guidance and advice in developing tax policies, objectives, and financial plans.

The Ministry believes that regardless of size, municipalities across the province must establish financial policies and objectives in accordance with *Community Charter* s.165 (3.1). Determining such policies and objectives can prove challenging for all local governments regardless of their size. However, it is essential to analyze objectives and policies regarding taxation and revenue as they are the foundation for long term financial planning. Engaging in such analysis improves the municipal financial planning and taxation process along with promoting transparency and accountability to tax payers.

## **B63: SUPPORT FOR SMALL FIRE DEPARTMENTS**

WHEREAS the ever-increasing burden of regulatory compliance, including training standards, record keeping, reporting and technical knowledge is beyond the capacity of most small volunteer fire departments;

AND WHEREAS WorkSafe BC regulations that apply to volunteer fire departments reference standards which are not freely available to those departments:

THEREFORE BE IT RESOLVED that the provincial government increase funding to the Office of the Fire Commissioner for the purpose of providing more direct support to small fire departments in the areas of training, information management, and technical expertise;

AND BE IT FURTHER RESOLVED that the funding flow through the Office of the Fire Commissioner to:

- develop a unified information management system (software) that would provide fire departments with up to date standards and regulations;
- implement a provincial standard for maintenance and training records, based on standard operating guidelines;
- ensure that these standards recognise differences between large professional fire departments and small volunteer fire departments; and
- produce the management system in the form of standardised software, freely available to all public fire departments;

AND BE IT FURTHER RESOLVED that a provincial grant be made available to all volunteer fire departments on an annual basis for information and reporting services, funded in part by the existing tax levy on fire insurance policies.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Ministry supports enhancing the accessibility and affordability of quality fire service education courses.

While the Ministry does not have dedicated grant funds for fire fighter training and education, it will continue to pursue opportunities which may provide access to funding.

## **B64: USE OF CELL PHONES WHILE DRIVING**

WHEREAS the Ministry of Public Safety and Solicitor General has had six years to study the effect on using hand held communication devices while driving on vehicle crashes in BC;

AND WHEREAS in 2003 the UBCM endorsed the use of hands-free communications devices while operating a motor vehicle and requested the province to ban the use of hand held cellular phones while driving:

THEREFORE BE IT RESOLVED that the UBCM ask that the Province of British Columbia move forward with legislation prohibiting the use of hand held communications devices while operating a motor vehicle with exemption provided for police and emergency services.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

Road safety is a key priority for the government of British Columbia, as it is for many British Columbians. The Province intends to introduce legislation to restrict the use of interactive electronic devices while driving.

## **B66: SAFER COMMUNITIES AND NEIGHBOURHOODS**

WHEREAS municipalities lack the legislative tools to adequately deal with certain types of problem properties:

THEREFORE BE IT RESOLVED that the Government of British Columbia work with UBCM to create or improve existing legislation in order to address the public disorder and neighbourhood deterioration caused by illicit drug houses, problem addresses, businesses and the issues associated with them.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

Drug houses and the problems associated with them are a concern in many communities in British Columbia.

The Government has been examining ways to support local residents in their efforts to increase the security of their neighbourhoods. This includes looking to other jurisdictions and their responses to disruptive drug, party and crack houses, including the introduction of legislation to empower communities to address the problems associated with these properties.

There are a number of communities that have utilized provisions existing under the *Community Charter* to enact nuisance bylaws where public health and safety risks related to drug or party houses are an issue. These Controlled Substance Property bylaws, including those in Surrey, Port Coquitlam and the Town of Gibsons, can serve as a model for other municipalities experiencing similar problems with these houses.

Other existing supports for communities include information developed by the Criminal Justice Reform Secretariat. The Crime Prevention Guide ([www.criminaljusticereform.gov.bc.ca](http://www.criminaljusticereform.gov.bc.ca)) offers guidance to assist communities in responding safety concerns in their neighbourhoods.

## **B67: POLICE STAFFING RESOURCES**

WHEREAS the RCMP "E" division, from time to time, funds human resource needs analyses in consultation with the support of the Province of British Columbia that examine the complement of both RCMP members and support staff;

AND WHEREAS in the case of detachments with a provincial component, the identified shortfalls are currently not filled due to lack of provincial funding, and the lack of staffing can drastically affect the delivery of police services within a community as well as impact the morale of members and staff:

THEREFORE BE IT RESOLVED that the Province of British Columbia be requested to fully fund its responsibility for the provincial complement of RCMP members and support staff at various detachments throughout the province.

### **RESPONSE: Ministry of Public Safety & Solicitor General**

The RCMP make decisions about allocation of provincial resources based on a number of factors such as crime rates and patterns, population size, and economic circumstances. In order to better meet the needs of communities and given the fluid nature of policing, the RCMP may also adapt the deployment of officers as necessary when new patterns develop.

The RCMP in conjunction with the Province consistently review existing resources and integration strategies in order to prevent and reduce crime in BC communities.

It should be noted that the Province also provides significant support through funding initiatives that benefit all municipalities and police agencies, such as DNA analysis and the implementation of PRIME, the province-wide police record management system. There are a number of specialized units that the Province subsidizes or funds directly that would otherwise have to be provided by municipalities, such as the Combined Forces Special Enforcement Unit that combats organized crime.

## **B69: ROAD RESCUE / SEARCH AND RESCUE**

WHEREAS in rural areas of the province rescue operations typically occur on provincial highways, or on Crown lands;

AND WHEREAS search and rescue activities are most commonly undertaken under the direction of the Provincial Emergency Program with little or no involvement of local government(s);

AND WHEREAS search and rescue operations are under-funded and it is therefore necessary for volunteers to spend time fundraising which may or may not be completely successful:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to create a province-wide, comprehensive, provincially funded, and provincially managed road rescue, and search and rescue system.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Province recently allocated \$180,000 to search and rescue teams in British Columbia to assist with funding search and rescue operational costs and the purchase of third party liability insurance.

Long term funding options continue to be explored and discussed between appropriate provincial and federal government agencies and search and rescue organizations.

Initial work is also underway to determine the overall number, type, and capability of road rescue service providers in British Columbia. Once completed, information will be used to develop a longer term provincial strategy to ensure road rescue services on public highways are effectively supported and coordinated throughout the province.

## **B72: PROPOSED FIRE RESCUE SYSTEM MODEL**

WHEREAS the Fire Service Liaison Group is proposing significant changes as to how fire services in small municipalities are governed, delivered and supported, in the form of a new draft “model” for the fire/rescue system in BC;

AND WHEREAS the majority of fire fighters in small, rural and remote areas are volunteers that provide non-medical emergency services, in the form of fire protection:

THEREFORE BE IT RESOLVED that the Office of the Fire Commissioner and the Ministry of Public Safety and the Solicitor General, be made aware that the new draft “model” for the fire/rescue system in BC, has not only unfeasible financial and liability implications for rural volunteer fire fighters, but also negative ramifications to the recruitment and retention of dedicated volunteer fire fighters in the rural and remote areas of the province.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

The Ministry is aware of the challenges faced by many volunteer fire departments from a retention and recruitment perspective. When the recommendations from the Fire Service Liaison Group are received, consideration will be given to the issue of impact on small rural fire departments.

The Ministry is committed to ensuring that the fire suppression and road rescue services in the province are enhanced wherever and whenever possible.

## **B73: BC FIRE CODE – SMOKE ALARM MAINTENANCE REQUIREMENTS**

WHEREAS the BC *Building Code* requires the installation of smoke alarms conforming to CAN/ULCS531 in each dwelling unit and in each sleeping room not within a dwelling unit;

AND WHEREAS the BC *Fire Code* does not include reference to dwelling units in its smoke alarm maintenance requirements and, as such fire authorities in British Columbia cannot require the maintenance of smoke alarms in dwelling units;

AND WHEREAS in absence of regular maintenance a smoke alarm will over time not function properly;

AND WHEREAS studies show that the presence of a functioning smoke alarm in a dwelling unit significantly reduces the probability for death, injuries and losses due to a fire in that dwelling unit:

THEREFORE BE IT RESOLVED that the provincial government be requested to amend part 2-2.1.3.3. of the BC *Fire Code* to require that smoke alarm(s) be properly maintained in every dwelling unit in BC and that interim fire code changes be introduced in this regard on or before December 31, 2009.

### **RESPONSE: Ministry of Housing and Social Development**

The BC Fire Code (BCFC) will be amended to:

- Require smoke alarms in all dwelling units (currently, the BCFC requires smoke alarms in all hotels and public buildings, as defined in the *Fire Services Act*), and
- Permit smoke alarms to be battery operated in dwelling units that were constructed before March 31, 1979 or that are without access to electricity (currently smoke alarms are permitted to be battery operated where authorized by the authority having jurisdiction).

This Code change is targeted at dwelling units built before 1979, when the smoke alarm requirement was added to the Building Code. Please note that smoke alarm maintenance is currently a requirement of the BC Fire Code.

The proposed change to the BC Fire Code is posted online for public review until December 15, 2009. Feedback will be analyzed and recommendations for the code changes will be forwarded to the Minister for approval early in the new year.

## **B75: UNINTERRUPTED USE OF COMMUNICATION DEVICES IN CONCRETE BUILDINGS**

WHEREAS uninterrupted radio and cell phone communications are essential for the health and safety of residents and for the provision of emergency services in all BC local governments;

AND WHEREAS large buildings and structures constructed of reinforced concrete with metal cladding and reflective glass impede the frequency of communication devices and block radio and cell phone signals:

THEREFORE BE IT RESOLVED that the Province of British Columbia enact legislation that would require the owners of such buildings to provide, install and maintain the appropriate in-building radio repeater and amplification systems to ensure uninterrupted radio and cell phone use in large concrete structures.

### **RESPONSE: Ministry of Housing and Social Development**

The Building and Safety Policy Branch (BSPB) is working with the Office of the Fire Commissioner (OFC) and local governments to evaluate different ways of ensuring effective radio communications for emergency service personnel operating in large steel and concrete structures, including building amplification systems, vehicular repeaters and simplex radios.

Fire services, police and ambulance paramedics will be invited to participate in the evaluation.

The OFC and BSPB will report back to the Solicitor General and Minister of Housing and Social Development with recommendations.

## **B76: AIRPORT SECURITY MEASURES FOR 2010 OLYMPICS**

WHEREAS the RCMP Integrated Security Unit "ISU" of the 2010 Olympic Games in Whistler has mandated that, during the 2010 Olympics, all aircraft entering Vancouver airspace must undergo certain security procedures prior to departure;

AND WHEREAS many small rural airports do not have the security facilities mandated by the ISU and must therefore bear significant increased costs to fly passengers to an airport with the required security equipment, or cease operation during this time period which would result in loss of business for local industries, hardship for local residents, and loss of revenues for the vital service provided by local and regional air carriers to rural British Columbia:

THEREFORE BE IT RESOLVED that the provincial government be lobbied to allocate resources from local RCMP detachments to be utilized for security checks at small rural airports during the 2010 Olympics, or for the necessary security equipment to be supplied through the 2010 Olympics security budget on a temporary basis.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

Using RCMP officers in affected communities to provide airport security screening during the Games is an option that the Ministry of Public Safety and Solicitor General has explored. Airport security screeners must be trained by the Canadian Air Transport Security Authority (CATSA) and designated by Transport Canada. The Vancouver 2010 Federal Aviation Steering Committee comprised of representatives from the Vancouver 2010 Integrated Security Unit, CATSA and Transport Canada is responsible for developing air security measures during the Games and for liaising with impacted airline operators.

## **B78: LOCAL GOVERNMENT AUTONOMY IN APPORTIONING PROPERTY TAX BURDEN AMONG ASSESSMENT CLASSES**

WHEREAS the authority of municipal governments to apportion local property tax burden within their communities among local assessment classes is an important and successful feature of local governance in British Columbia;

AND WHEREAS the claim by some major industrial taxpayers of a problem of “competitiveness” with municipal property taxes is as yet unproven as municipal property tax forms a very small portion of the cost of production for major industries, and there is no evidence that shifting property taxes away from the owners of major industry onto owners of other property classes will either cause a failing industry to survive or a successful industry to fail:

THEREFORE BE IT RESOLVED that UBCM request the provincial government to fund a rigorous independent analysis to determine the statistical causality between municipal property taxation and industrial activity;

AND BE IT FURTHER RESOLVED that the UBCM strongly endorse the current authority of municipal governments to set the relative municipal property tax burden among the assessment classes within their respective communities and oppose initiatives to remove this important feature of municipal governance in British Columbia.

### **RESPONSE: Ministry of Community and Rural Development**

The Province of British Columbia is concerned with a number of different features of the property tax system including stability, fairness, and efficiency. An efficient tax system is one that reduces negative distortions that punish specific taxpayers. The BC Government maintains the authority to intercede in the municipal property tax system to reduce such distortions through the regulatory authority under section 199 of the *Community Charter*.

There is growing concern that the tax rates in the Major Industry class are significantly higher than the Residential or Business class in a number of BC municipalities.

This issue has been analytically and quantitatively studied over the last several years by industry, academia, individual local governments, the Union of British Columbia Municipalities (UBCM), and the Province. Two major provincial committees (the Competition Council and the Premier’s Task Force on Community Opportunities) examined the issue of industrial taxation from a number of different perspectives.

The Province of British Columbia supports the autonomy of both municipalities and regional districts to determine the amount of property tax they are to collect based on the needs of their citizens. The Province is committed to working with local governments and the industrial community in British Columbia to ensure that a structure is established that is positive for all parties.

## **B81: AGRICULTURAL SECTOR CARBON TAX EXEMPTION**

WHEREAS a strong agricultural sector providing a secure food source is essential to support the residents of the Province of British Columbia;

AND WHEREAS the provincial government imposed a broad based carbon tax on the purchase and use of fossil fuels in British Columbia in July 2008, which is scheduled to increase over the next four years;

AND WHEREAS the carbon tax is negatively impacting the agricultural producers' ability to produce food competitively and cost effectively;

THEREFORE BE IT RESOLVED that the UBCM lobby the provincial government for an exemption for the agricultural sector from paying the carbon tax.

### **RESPONSE: Ministry of Finance**

Climate change has a significant impact on the agricultural sector and the Government is committed to addressing climate change and a key element of that commitment is to reduce British Columbia's greenhouse gas (GHG) emissions by at least 33 per cent below 2007 levels by 2020.

The purpose of the carbon tax is to put a price on carbon emissions that will encourage individuals, businesses, industry and others, including agricultural producers, to use less fossil fuel and reduce their GHG emissions.

The tax is intentionally broadly based and will be paid by all who consume fossil fuels in the province. To make the carbon tax as fair and effective as possible, exemptions from the tax have been minimized; exemptions to individual sectors would undermine those efforts.

Agricultural producers benefit from the tax reductions made possible by the carbon tax, including:

- 5 per cent reduction in the first two personal income tax rates.
- Reduction in the small business corporate income tax rate from 4.5 per cent to 2.5 per cent. The rate will be reduced to 0 per cent by 2012.
- Reduction in the general corporate income tax rate from 12 per cent to 11 per cent. The rate will be reduced to 10.5 per cent January 1, 2010, and to 10 per cent January 1, 2011.
- 50 per cent reduction in school property taxes for land classified as "farm" effective for the 2011 taxation year.

The government also supports the agricultural sector in the province through other income, fuel, and property tax concessions and exemptions, and through other programs as outlined in the BC Agriculture Plan. The agricultural sector will also benefit

from the harmonized sales tax to be implemented July 1, 2010, which will allow agricultural producers to claim input tax credits on a wider array of business inputs than are currently exempt under the provincial sales tax, including energy costs.

## **B83: REVENUE SHARING FOR MAJOR ROADS INTERSECTING WITH: PROVINCIAL HIGHWAYS**

WHEREAS the Province has previously had a revenue sharing program which assisted municipalities with improvement projects to major roadways intersecting provincial highways;

AND WHEREAS the users of these major roadways are often regional in nature, and the municipality bears the full costs of maintaining these roadways:

THEREFORE BE IT RESOLVED that the provincial revenue sharing program be reinstated to assist municipalities with improvements to major roads that intersect the provincial highway system, including improvements related to capacity increases as well as pedestrian and cycling facilities associated with those roadways.

### **RESPONSE: Ministry of Transportation and Infrastructure**

Prior to 1997, the Ministry provided financial assistance to municipalities to cover construction and maintenance costs associated with secondary highways. Secondary highways were municipal streets supporting provincial arterial highways. Unlike arterial highways which were the responsibility of the Province, secondary highways were a municipal responsibility.

Funding for the Ministry's secondary highway program, which in 1996 was about \$1 million, was discontinued in 1997 as a budgetary reduction measure. Municipal equalization grants, provided by the Ministry of Municipal Affairs in Fall 1996, included additional funds to offset some of the secondary highway maintenance costs for municipalities.

While the Ministry doesn't provide funding for this type of project through its budget for highways, funding is available through federal/provincial infrastructure programs, such as the Building Canada Fund.

Funding for cycling-related infrastructure improvements is provided through provincial cost-sharing programs, such as the Cycling Infrastructure Partnerships Program and the LocalMotion Program.

## **B84: DEFERRAL OF DEVELOPMENT COST CHARGES FOR NON-PROFIT HOUSING**

WHEREAS the *Local Government Act* does not provide local governments with the authority to defer payment of development cost charges for non-profit housing;

AND WHEREAS this amendment would provide an additional tool to assist with the financial planning of non-profit housing projects:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities recommend to the provincial government to amend section 933.1 of the *Local Government Act* to permit the deferral of development cost charges for non-profit housing projects.

### **RESPONSE: Ministry of Community and Rural Development**

The Province of British Columbia strongly supports the development of affordable, sustainable housing in municipalities throughout the province. Through significant consultation with stakeholders on the issue, amendments were made to allow the reduction or waiving of Development Cost Charges (DCCs) on specific projects that were judged to have positive impacts on the stocks of affordable or environmentally sustainable housing, including non-profit housing. The Province has also left the criteria for defining eligible projects at the discretion of local governments.

While the Province has not contemplated the option of deferring DCCs on non-profit housing, there are strong incentives already at local government's disposal and contained in existing legislation to encourage the development of affordable housing.

## **B85: PROPERTY TAX DEFERMENT PROGRAM**

WHEREAS the Province has developed a property tax deferment program which is being expanded annually to include more eligible participants;

AND WHEREAS municipalities do not receive payment for the deferred taxes until well after their property tax penalty date and have forgone the penalty; while the province collects an administration fee and interest from the property tax penalty date and does not in turn compensate affected municipalities;

THEREFORE BE IT RESOLVED that the Province transfer to municipalities the interest earned from the property tax due date to the date of the actual payment.

### **RESPONSE: Ministry of Finance**

The Province currently provides funding to local governments through a variety of sources and programs (e.g. Traffic Fine Revenue Sharing, Towns for Tomorrow, Green Cities Awards, Building Canada Fund, unconditional Small Community and Regional District Basic Grants).

Any proposed transfer of additional funds to local governments must be evaluated in the context of the government's need to fund essential services.

## **B86: REDUCTION IN HYDRO AND NATURAL GAS RATES FOR RECREATIONAL FACILITIES**

WHEREAS the initiative in British Columbia is to increase physical activity levels of British Columbians by 20% by 2010 and local governments play an important role in creating the kinds of environments that help people make healthy choices in all areas of their lives, improving quality of life and reducing demand on the healthcare system;

AND WHEREAS the use of recreational facilities promotes healthier citizens and healthier citizens result in a reduction in health care costs:

THEREFORE BE IT RESOLVED that the UBCM urge the Province to consider the elimination of the tiered rate system, for municipal recreation facilities, given that such facilities promote healthy living and reduce provincial health costs.

### **RESPONSE: Ministry of Energy, Mines and Petroleum Resources**

Rates for energy utility customers are governed by the British Columbia Utilities Commission (BCUC). The BCUC reviews utility proposals for changes to both the level and the structure of rates charged to its customers. The BCUC is a quasi-judicial body whose mandate is to ensure that “customers receive safe, reliable and non-discriminatory energy services at fair rates from the utilities it regulates, that shareholders of these utilities are afforded a reasonable opportunity to earn a fair return on their invested capital, and that the competitive interests of British Columbia businesses are not frustrated.” The BCUC’s public reviews of utility applications include opportunities for stakeholders and interested parties to participate and make their views and concerns known.

BC Hydro recently applied to the BCUC for a new tiered rate for its general service customers, under which recreational facilities would likely fall. That application is currently under review. Information on the application can be found on the BCUC website at <http://www.bcuc.com/ApplicationView.aspx?ApplicationId=251>.

## **B87: AMEND SHORT TERM BORROWING LIMIT REGULATION**

WHEREAS BC Regulation 368/2003 Short Term Borrowing Limit Regulation contains a limit of \$50 per capita;

AND WHEREAS the \$50 per capita for short term borrowing limit has existed for at least twenty (20) years, without amendment:

THEREFORE BE IT RESOLVED that the provincial Ministry of Community Development be requested to lobby the provincial government for an immediate amendment to the *Community Charter* and Short Term Borrowing Limit Regulation 368/2003 to increase the per capita limit for short term borrowing from “\$50 per capita” to “\$250 per capita”.

### **RESPONSE: Ministry of Community and Rural Development**

The Ministry acknowledges that the \$50 per capita limit set out in B.C Regulation 368/2003 has not been amended in over 20 years.

The Ministry will be reviewing the current limitations set out in the regulation to determine first, if an increase to the per capita limit is necessary; and second the amount of an increase.

## **B88: FIRE DEPARTMENT CHARGES**

WHEREAS thousands of vehicle accident victims each year in BC require auto extrications and specialized services, including fire suppression by municipal fire departments, which receive no compensation for these specialized life-saving services;

AND WHEREAS insurance companies in BC collect “fire department charges” on sales of optional vehicle own damage coverage but do not turn those fees over to the municipalities that fund BC’s fire departments:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request the provincial government to amend the *Insurance (Motor Vehicle) Act* to administer “fire department charges” through the mandatory Basic Autoplan coverage, to ensure that municipalities are compensated for providing specialized services similar to fees for services being paid to cover medical expenses, vehicle recovery and liability damages.

### **RESPONSE: Ministry of Public Safety and Solicitor General**

ICBC collects premiums for expected claims based on what our customers are legally liable to pay should they be responsible for a crash. To the extent that the premium for Optional insurance considers fire department charges, the premium is charged for situations in which our customers are travelling in jurisdictions where there is a legal obligation to pay for fire department charges.

As there is no legal obligation on motorists in BC to pay for fire department charges within BC, ICBC does not collect premiums, either through Basic or Optional insurance, to cover these charges. If the legislation were changed to make BC motorists responsible for fire department charges under Basic insurance, ICBC may require a rate increase. Any change in Basic insurance rates requires British Columbia Utilities Commission approval.

ICBC contributes to municipalities and municipal services through annual grants in lieu of taxes and thirty-one local governments received approximately \$4.2 million in 2008. ICBC also supports communities through its road safety and auto crime programs including partnerships involving local road improvements. In 2008, ICBC invested approximately \$37 million in road safety.

## **B89: AGRICULTURE FUNDING**

WHEREAS British Columbia spends 3.3% of the provincial budget to support agriculture compared to the national average of 16.4%;

AND WHEREAS the Agricultural Land Commission provides strong protection for farmlands but exclusions from populated areas mitigated by inclusions from lesser populated areas remove food production from population bases:

THEREFORE BE IT RESOLVED that the provincial government increase financial support for agriculture consistent with the national average and cease approving any further Agricultural Land Reserve exclusions.

### **RESPONSE: Ministry of Agriculture and Lands, Agricultural Land Commission**

Agriculture in B.C. is very different from agriculture in other provinces such as Saskatchewan. Government support and program payments depend not only on crop/commodity differences, but weather events and disease outbreaks, as well as market challenges and market opportunities.

B.C. is unlike most other provinces in that a high proportion of agriculture is in supply managed sectors. These sectors typically do not receive direct government expenditures except in unusual circumstances, such as Avian Influenza.

The Agricultural Land Reserve (ALR) is a provincial land use zone in favour of agriculture administered by the Agricultural Land Commission (ALC). The ALR is primarily intended to preserve BC's limited agricultural land base and to provide land use certainty to encourage agricultural businesses. The purposes of the ALC are to preserve agricultural land, to encourage farming and to work with local governments and First Nations at a planning level to enable and accommodate farm use of agricultural land.

The ALC recognizes that the ALR should be based on agricultural land capability and suitability for a diverse range of agricultural products. The ALC works closely with local governments to encourage farming on agricultural land as well as in reviewing official community plans, bylaws and other planning documents. On occasion these reviews may prompt a review of the ALR boundaries. In addition, the ALC believes it would be a useful exercise to work with local governments in reviewing the ALR boundaries in certain areas of the province to ensure the boundaries reflect lands that are both capable and suitable for agriculture. Based on the findings of applications the ALC has a particular interest in working with several communities in the northern and eastern parts of the province.

## **B90: COSTS OF RESPONDING TO PROVINCIAL REFERRALS**

WHEREAS local governments expend significant staff resources in order to respond to referrals and requests for comments related to applications within their boundaries from various provincial ministries related to forest fertilization, mining, logging, foreshore leases, licenses of occupation, water licenses, etc.;

AND WHEREAS local governments face an ongoing struggle to balance budgets and respond to workload issues:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial government to provide funding to offset the costs of responding to the large number of referrals.

### **RESPONSE: Integrated Land Management Bureau**

All levels of government are experiencing similar resourcing challenges, particularly in urban areas. The Integrated Land Management Bureau (ILMB), like all natural resource agencies, lacks the resources to provide funding to local governments. Through programs like FrontCounter BC, the Resource Management Coordination Project, and Natural Resource Authorization Coordination, ILMB strives to streamline applications to reduce the financial burden associated with processing referrals for all parties.

There may be additional opportunities to reduce costs by developing common sources of information and data. Federal-provincial databases have been used in the past for coordinating referrals in the lower mainland. Broadening these systems to provide access to local governments could be mutually beneficial.