

2012 REPORT ON RESOLUTIONS RECEIVED AFTER THE DEADLINE

A total of 16 resolutions were received by the Resolutions Committee after the regular June 30th resolutions deadline and prior to the September 21st noon cut-off for late resolutions. These resolutions are considered “late” and the Resolutions Committee has applied the policies for dealing with resolutions received after the June 30th deadline.

The Resolutions Committee reviewed each resolution in accordance with the Conference Rules and Procedures:

33. Resolutions received after the deadline, are classified as “Emergency” and therefore appropriate for Plenary discussion only if the topic is such that it has arisen since the regular deadline date for submission of resolutions. Resolutions received after the deadline are appropriate to be referred to the Executive if the topic is such that it has arisen since the regular submission of resolutions and, in the opinion of the Resolutions Committee, the topic is non-controversial and in keeping with UBCM policy.

Resolutions received after the deadline are not appropriate for Plenary discussion or referral if they concern a topic that had arisen or was known prior to the regular deadline for resolutions.

Those resolutions with the recommendation “not admit for debate” relate to issues that could have been submitted for consideration prior to the regular June 30th resolutions deadline. In keeping with procedures, these resolutions will be forwarded to the appropriate Area Associations for consideration in the 2013 resolutions cycle, pending approval of the sponsor.

The Resolutions Committee recommends that the late resolutions be dealt with in the following manner:

A. EMERGENCY RESOLUTIONS: ADMIT FOR PLENARY DEBATE FRIDAY, SEPTEMBER 28TH AS ISSUES EMERGING SINCE THE DEADLINE

LR1	Call Answer Levy for Wireless Service Providers	Nanaimo City
LR2	Invasive Species – Quagga & Zebra Mussels	Columbia Shuswap RD
LR3	Small Water Systems Treatment	Central Kootenay RD
LR4	Discontinuation of Live Television Coverage of Council Meetings	North Vancouver City

B. REFER TO UBCM EXECUTIVE

N/A

C. LATE RESOLUTIONS: NOT APPROPRIATE FOR DEBATE*(Issues known before the June 30th deadline for resolutions)*

LR5	Personal Information of Elected Officials	New Westminster
LR6	Requirement for By-elections	Lake Cowichan
LR7	Regulations for Motorized Scooters	Sidney
LR8	Standards & Regulations for Small Fire Departments	Canal Flats
LR9	Use of Parkland Reserve Funds	Canal Flats
LR10	Financial Assistance for MESA Calls	Canal Flats
LR11	Fish Habitat Protection	Strathcona RD
LR12	Scotch Broom	Parksville
LR13	Smoking Laws	New Westminster
LR14	Access to Medical Services	Kaslo
LR15	Use of Electronic Mail	Surrey
LR16	Tethering of Dogs	Surrey

A. EMERGENCY RESOLUTIONS: ADMIT FOR PLENARY DEBATE FRIDAY, SEPTEMBER 28TH AS ISSUES EMERGING SINCE THE DEADLINE

LR1 CALL ANSWER LEVY FOR WIRELESS SERVICE PROVIDERS Nanaimo City

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 UBCM 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.

RESOLUTIONS COMMITTEE RECOMMENDATION: *Admit for Debate*

RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee understands that in July 2012, the Supreme Court of BC quashed the City of Nanaimo's 911 Call Answer Levy Bylaw No. 7114. The bylaw, adopted in 2010, required wireless service providers to pay a Call Answer Levy, the revenues from which were used to fund the Central Island 9-1-1 Service. Because the BC Supreme Court released its ruling in July, after the June 30th submission deadline had passed, the Resolutions Committee would suggest that this resolution meets the criteria for admission as an emergency resolution.

The Resolutions Committee also notes that the UBCM membership has endorsed the introduction of a levy on cell and wireless services to assist in funding 911 emergency service (2004-SR1, 2009-B10).

In its response to the 2009 resolution, the Province indicated that it was “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”.

LR2 INVASIVE SPECIES – QUAGGA & ZEBRA Columbia Shuswap RD
MUSSELS

WHEREAS an aquatic vessel originating from Arizona and identified as carrying Quagga mussels was launched in Shuswap Lake in July 2012 resulting in an emergency response by the Ministry of Environment to determine if live mussels had been introduced into Shuswap Lake and to implement quarantine and decontamination measures;

AND WHEREAS Quagga and Zebra mussels are a non-native invasive species that pose a serious threat to British Columbia’s natural aquatic ecosystems and can produce significant negative impacts to the economy;

AND WHEREAS Quagga and Zebra mussel populations have invaded regions in Ontario and fourteen US states and are threatening neighbouring jurisdictions with new introductions with the primary vector for new colonies of Quagga and Zebra mussels being their transport on or within boats crossing from infested to non-infested waters;

AND WHEREAS Quagga and Zebra mussels act as prodigious water filterers, removing substantial amounts of phytoplankton and suspended particulate from the water ultimately resulting in a proliferation of aquatic plants that can change species dominance, alter the entire lake ecosystem and adversely affect infrastructure such as water intakes:

THEREFORE BE IT RESOLVED that UBCM request that the Province of BC take immediate measures to protect the lakes of British Columbia from introduction of Quagga and Zebra mussels through mandatory inspections of vessels being transported from Quagga or Zebra mussel infested waters.

RESOLUTIONS COMMITTEE RECOMMENDATION: Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee understands that the vessel carrying Quagga mussels was identified subsequent to the June 30th submission deadline for resolutions.

The Committee notes that the UBCM membership has consistently endorsed resolutions calling on the Province as well as the federal government to undertake measures to prevent the establishment and spread of invasive species in BC (2011-B44, 2010-B29, 2008-B71, 2008-B86, 2007-B30, 2007-B31, 2006-B32, 2005-B25, 2004-B72, 2003-B81).

LR3 SMALL WATER SYSTEMS TREATMENT Central Kootenay RD

WHEREAS the provincial government released in April 2012 the Guidance Document for Determining Ground Water at Risk of Containing Pathogens (GARP) including Ground Water Under Direct Influence of Surface Water (GWUDI);

AND WHEREAS local governments did not review these documents prior to their

release, and have not provided input into or feedback on these documents:

THEREFORE BE IT RESOLVED that UBCM oppose the Guidance Document for Determining Ground Water at Risk of Containing Pathogens including Ground Water Under Direct Influence of Surface Water.

RESOLUTIONS COMMITTEE RECOMMENDATION: *Admit for Debate*

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee understands that while the guidance document was developed prior to the June 30th submission deadline, the UBCM membership did not become aware of the document until after the resolution submission deadline had passed.

The guidance document was developed to assist water suppliers and regulatory authorities with assessing the level of potential health hazard and risk associated with a ground water source.

The Resolutions Committee also advises that the UBCM membership has not previously considered a resolution opposing the Guidance Document for Determining Ground Water at Risk of Containing Pathogens, including Ground Water Under Direct Influence of Surface Water.

**LR4 DISCONTINUATION OF LIVE TELEVISION North Vancouver City
COVERAGE OF COUNCIL MEETINGS**

WHEREAS Shaw TV has decided to discontinue providing live television coverage of council meetings:

THEREFORE BE IT RESOLVED that the Canadian Radio-television and Telecommunications Commission insist that live broadcast of local council meetings be considered a partial fulfillment of community programming obligations under a broadcast license.

RESOLUTIONS COMMITTEE RECOMMENDATION: *Admit for Debate*

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee understands that the sponsor did not receive notice of Shaw's decision to discontinue providing live television coverage of council meetings, until after the June 30th submission deadline for resolutions.

The Committee advises that the UBCM membership has not previously considered a resolution calling on the Canadian Radio-television and Telecommunications Commission to insist that live broadcast of local council meetings be considered a partial fulfillment of community programming obligations under a broadcast license.

B. REFER TO UBCM EXECUTIVE

N/A

C. LATE RESOLUTIONS: NOT APPROPRIATE FOR DEBATE**LR5 PERSONAL INFORMATION OF ELECTED OFFICIALS****New Westminster**

WHEREAS during the “open delegation” portion of a recent council meeting, a member of the public broadcast the private residential address of a member of council as part of a PowerPoint presentation;

AND WHEREAS this experience raised concerns about the personal privacy and security of elected officials:

THEREFORE BE IT RESOLVED that the provincial government amend s. 73(7) of the *Local Government Act* to exempt, when special circumstances are presented, the public release of an elected official’s home address.

RESOLUTIONS COMMITTEE RECOMMENDATION: ***Not Admit for Debate***

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Committee advises that the UBCM membership has not previously considered a resolution requesting that the provincial government amend s. 73(7) of the Local Government Act to exempt, in special circumstances, the public release of an elected official’s home address.

LR6 REQUIREMENT FOR BY-ELECTIONS**Lake Cowichan**

WHEREAS from time to time wholesale vacancies are caused at the local government level, be it at the municipal, regional district or school district levels, through ministerial intervention as has occurred at the Cowichan Valley School District #79;

AND WHEREAS s. 37 of the *Local Government Act* and s. 36 of the *School Act* make provision for by-elections to be conducted as soon as reasonably possible after the vacancies occur and in accordance with the statutory requirements:

THEREFORE BE IT RESOLVED that UBCM petition the Province to issue a ministerial order for elections to be conducted in a local government where vacancies are caused by ministerial intervention so that the democratic rights of the citizens of the affected political jurisdiction are properly protected and served and the business of the local government may be appropriately exercised through its duly elected representatives.

RESOLUTIONS COMMITTEE RECOMMENDATION: ***Not Admit for Debate***

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Committee advises that the UBCM membership has not previously considered a resolution requesting that the provincial government issue a ministerial order for elections to be conducted, in a local government where wholesale vacancies have been caused by ministerial intervention.

LR7 REGULATIONS FOR MOTORIZED SCOOTERS

Sidney

WHEREAS motorized scooters are unclearly defined under provincial legislation and there are no licencing requirements for scooters and scooter operators;

AND WHEREAS without regulations to control when and where scooters are used and appropriate training and testing of scooter operators, the safety of all motorists, businesses and pedestrians are at risk;

THEREFORE BE IT RESOLVED that the Town of Sidney supports regulating the use of motorized scooters and the licencing of scooters and scooter operators and that UBCM encourage the provincial government to implement these provisions under the *Motor Vehicle Act*.

RESOLUTIONS COMMITTEE RECOMMENDATION: *Not Admit for Debate*

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Resolutions Committee notes that the UBCM membership endorsed resolution 2007-B106, which called on the provincial government to establish province-wide guidelines for the safe operation of motorized scooters.

In response, the provincial government referenced a partnership between the Office of the Superintendent of Motor Vehicles, the Insurance Corporation of British Columbia (ICBC) and the Ministry of Transportation to “develop a coordinated action plan to address the recommendations of the provincial coroner respecting the safe operation of motorized scooters”. The Province indicated that this would include a review of the Motor Vehicle Act to determine what amendments might be required to support motorized scooter safety.

LR8 STANDARDS & REGULATIONS FOR SMALL FIRE DEPARTMENTS

Canal Flats

WHEREAS the standards and regulations for the fire department costs are regulated by provincial standards;

AND WHEREAS the costs of operations for the fire departments for small municipalities are significant:

THEREFORE BE IT RESOLVED that the Province of BC reduce the fire department provincial standards and regulations (other than relating to fire fighters safety), for small municipalities.

RESOLUTIONS COMMITTEE RECOMMENDATION: **Not Admit for Debate**

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Resolutions Committee also advises that the UBCM membership has not previously considered a resolution calling on the Province to reduce the standards and regulations applied to fire departments.

LR9 USE OF PARKLAND RESERVE FUNDS

Canal Flats

WHEREAS the current legislation for parkland reserve funds restricts the use of reserve funds for park operating expenses;

AND WHEREAS the cost of operating parks established by the purchase of reserve funds are significant:

THEREFORE BE IT RESOLVED that the Province of BC modify the legislation to accommodate the use of a percentage of parkland reserve funds for operating parks for small municipalities.

RESOLUTIONS COMMITTEE RECOMMENDATION: **Not Admit for Debate**

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Resolutions Committee notes that the UBCM membership has consistently endorsed resolutions requesting that local governments be granted the option to use funds collected in lieu of parkland dedication for improvement or development of existing parkland (2011-B33, 2009-B23, 2008-B23, 2006-B116, 1994-B78, 1993-B19).

The provincial government indicated that it 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 provincial Parkland Acquisition Best Practices Guide recommends that a local government consider clear guidelines when using DCC's for parkland acquisition and improvement.

LR10 FINANCIAL ASSISTANCE FOR MESA CALLS**Canal Flats**

WHEREAS the number of first responder or medical emergency calls the Village of Canal Flats responds to represents 75% of all calls received by the Village of Canal Flats rescue services for the Fire/Rescue Department;

AND WHEREAS the Village of Canal Flats and other local governments incur significant direct costs as a result of responding to rescue/MESA calls:

THEREFORE BE IT RESOLVED that the Province of BC provide financial assistance for a fair and equitable cost recovery to compensate small municipalities for MESA calls.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

Refer to resolution A6 in the 2012 Resolutions Book.

LR11 FISH HABITAT PROTECTION**Strathcona RD**

WHEREAS the federal government, by passage of Bill C-38 has removed the rule against "Harmfully Altering, Disrupting or Destroying" (HADD) fish habitat with a general requirement not to cause "serious harm" to fisheries;

AND WHEREAS the new, generalized and simple language of "serious harm" does not adequately define or provide enough protection for natural, aquatic habitat;

AND WHEREAS allowing developers to simply substitute the natural, aquatic habitat with alternative locations will not replace the need for an intact ecosystem with adequate levels of biodiversity to support aquatic survival:

THEREFORE BE IT RESOLVED that the provisions of C-38 respecting fish habitat protection be removed and replaced by the pre-existing HADD rules so that better protection of aquatic habitat is contained in Canadian law.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

Refer to resolution B80 in the 2012 Resolutions Book.

LR12 SCOTCH BROOM**Parksville**

WHEREAS the Province of British Columbia has enacted the *BC Weed Control Act* to protect farmland and farmers' livelihood against the spread of noxious weeds that are extremely competitive with crops and are difficult and costly to control;

AND WHEREAS Scotch Broom is invasive, spreads rapidly, can render farm land unusable for growing food crops, destroys pasture lands, is toxic to grazing animals, inhibits regrowth of forests, eliminates native vegetation, contains toxic chemicals or substances that can affect the nervous system and the heart and is highly flammable;

AND WHEREAS the Ministry of Forests & Range states that it is "important that broom is recognized as a threat to our biodiversity and preventative means be taken to arrest its spread":

THEREFORE BE IT RESOLVED that UBCM request the Ministry of Agriculture to designate Scotch Broom as a noxious weed under the *BC Weed Control Act*.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

The Resolutions Committee notes that the UBCM membership has endorsed resolutions calling for the inclusion of specific plant species under the Weed Control Act (1992-B42 purple loosestrife; 2004-B73 giant hogweed).

LR13 SMOKING LAWS**New Westminster**

WHEREAS the provincial government, through the regional health boards, is lobbying local governments to introduce strict smoking laws;

AND WHEREAS these laws can vary in severity from community to community, causing ambiguity and confusion:

THEREFORE BE IT RESOLVED that the provincial government addresses the matter of smoking laws to ensure that any regulations be imposed, and enforced by the provincial government, and done so with the intent to provide clarity.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

Refer to resolution B92 in the 2012 Resolutions Book.

LR14 ACCESS TO MEDICAL SERVICES**Kaslo**

WHEREAS the communities of Kaslo and Electoral Area D, Regional District Central Kootenay, received notice on September 13, 2012, that the Interior Health Authority will unilaterally terminate 80% of the current on site emergency medical services to the entire North Kootenay Lake, Lardeau and Duncan Valley communities as of November 2, 2012, without any previous consultation with local government and these communities;

AND WHEREAS at least 20% of the population in the local health area live more than one hour away from the Kaslo health facility site and more than two hours away from the next closest emergency site at Nelson:

THEREFORE BE IT RESOLVED that UBCM support a moratorium on unilateral changes being made by a regional health authority to any health centre or hospital, so that negotiations can find a way to preserve these communities' access to 24/7 emergency services;

AND BE IT FURTHER RESOLVED that the provincial Minister of Health initiate an audit of all health authorities to ensure delivery of medical services to remote and rural British Columbians complies with requirements of the Canada Health Act, all appropriate BC legislation and all contractual agreements between the BC government and the health authorities.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

Refer to resolution B93 in the 2012 Resolutions Book.

LR15 USE OF ELECTRONIC MAIL**Surrey**

WHEREAS the current definition of the word "mail", as contained in Section 29 of the *Interpretation Act*, restricts a local government's means for forwarding statutorily prescribed notices and other communications to regular mail delivered by way of Canada Post, and does not recognize the efficacy that more modern electronic means of communication allow;

AND WHEREAS local governments are being called upon by their residents and business owners to introduce electronic means of communication for reasons related to better service, sustainability and cost containment:

THEREFORE BE IT RESOLVED that the provincial government enact legislation that allows local governments to electronically mail statutorily prescribed notices and other communications and documents.

RESOLUTIONS COMMITTEE RECOMMENDATION: Not Admit for Debate

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

Refer to resolution B7 in the 2012 Resolutions Book.

LR16 TETHERING OF DOGS

Surrey

WHEREAS the *Prevention of Cruelty to Animals Act*, R.S.B.C. 1996, c. 372, includes a definition for “animal in distress” that specifies, among other things, that an animal that is being deprived of space or exercise or is being neglected is in distress;

AND WHEREAS the tethering of dogs is not specifically referenced under provincial legislation;

AND WHEREAS such restraint can cause distress and suffering to dogs:

THEREFORE BE IT RESOLVED that UBCM request that the Government of British Columbia amend the *Prevention of Cruelty to Animals Act*, R.S.B.C. 1996, c. 372 (the “Act”) to specifically reference “tethering of dogs” and to permit enforcement actions under the Act in situations where tethering causes a dog(s) to be “in distress” within the meaning of the Act.

RESOLUTIONS COMMITTEE RECOMMENDATION: ***Not Admit for Debate***

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that this resolution addresses an issue that arose prior to the June 30th submission deadline and therefore does not meet the criteria for admission as an emergency resolution.

*The Resolutions Committee also advises that the UBCM membership has not previously considered a resolution calling on the Province to amend the *Prevention of Cruelty to Animals Act* to include reference to “tethering of dogs” and to permit enforcement actions under the Act in situations where tethering causes a dog to be “in distress” within the meaning of the Act.*