



COMMUNITY CHARTER COUNCIL ACT INTRODUCED

The Honourable Ted Nebbeling, Minister of State for the Community Charter, rose in the House today and introduced the *Community Charter Council Act*.

The *Community Charter Council Act* is very short – 5 sections in 3 pages. It includes a preamble that sets out the provincial government’s intentions to provide greater autonomy, a wider range of tools to reduce reliance on property tax revenues and a statement against downloading.

The Act:

- establishes a Community Charter Council
- sets out the role of the Council
- establishes the principles for the Council to consider in doing its work; and
- developing of its report.

Community Charter Council Composition

The Community Charter Council will consist of the Minister (as Chair) and:

- three provincial appointees to represent the provincial interest;
- four UBCM appointees to represent the local government interest; and
- four members at large appointed by Cabinet with the advice of UBCM.

Role

The Community Charter Council is “responsible for preparing a report (for Cabinet) recommending legislation, to be titled the Community Charter, that will establish a new foundation for Municipal government in British Columbia.” The report must include a draft Community Charter and identify required consequential and transition provisions. The final report is due January 15, 2002.

Principles

The Act contains 12 principles that the Council must consider in preparing its report. Because of the central importance of these to the process, the principles are included in full in this circular.

For full text of the Act, go to the Legislative Assembly web site at www.legis.gov.bc.ca/37th2nd/1st_read/gov12-1.htm

It is anticipated that the Council members will be announced next week and that the Council will hold an organizational meeting shortly thereafter as the beginning of an intensive process.

Community Charter Act Principles

3 *Recognizing the constitutional responsibilities of the Provincial government, the Community Charter Council must consider the following principles in preparing its report:*

- the residents of British Columbia have the right to form autonomous municipalities that provide for the residents’ needs for community association;*
- municipalities are recognized as an order of government;*
- municipal governments must be democratically elected, responsible, accountable and accessible;*
- municipal governments must be provided with adequate powers and discretion to address existing and future community needs;*
- municipal governments have authority to determine the public interest of their communities, including authority to determine the level of municipal expenditures and taxation;*
- municipal governments have authority to determine their administrative mechanisms in order to adapt them to community needs and to ensure effective management and delivery of services;*
- municipalities must be able to draw on financial and other resources that are adequate to support community needs;*
- before new responsibilities are assigned to municipalities, there must be provision for resources required to fulfil the responsibilities;*
- the Provincial government must respect municipal authority in areas of municipal jurisdiction;*
- the Provincial government must respect the varying needs and conditions of different municipalities in different areas of British Columbia when taking actions that directly and specifically affect municipalities;*
- the Provincial government must notify and consult with municipal representatives before it takes actions that directly and specifically affect municipalities and when addressing interprovincial, national or international issues or agreements that will directly and specifically affect municipalities;*
- the Provincial government and municipalities will attempt to resolve conflicts by consultation, negotiation, facilitation and, if necessary, formal dispute resolution.*

Community Charter and the UBCM Convention

Besides the Monday pre-conference study sessions and Wednesday afternoon plenary session, the Tuesday afternoon Forum sessions for small communities, electoral areas (regional districts) and large urban communities will focus on aspects of the Charter that particularly relate to these groups. (See upcoming August newsletter for more details.)

Please make copies of this Circular and distribute them to Council/Board Members and Staff