

## Provincial Policy Update

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### Local Government Grants Announcement

Community, Aboriginal and Women's Services Minister, Honourable George Abbott announced on April 1, 2003 over \$36 million in unconditional grants to local government. These consist of:

- \$24 million in small community protection grants, for small – and medium-sized municipalities.
- \$2.1 million in regional district grant funding.
- \$10 million in additional unconditional grants for municipalities providing police services and allocated on the basis of their policing costs. This was what was previously termed traffic fine revenue sharing.

This is the second year of a four year commitment to continue grants without any reductions.

### Community Charter Briefing Opportunities

UBCM has tried to inventory the various opportunities offered to address the Community Charter as noted below. UBCM made a well received presentation at Association of Vancouver Island and Coastal Communities this past weekend.

#### Area Associations

*Okanagan Mainline Municipal Association* – has set aside 1 hour and invited Minister Nebbeling

*North Central Municipal Association* – has set aside 1 hour and invited UBCM to present

*Lower Mainland Municipal Association* – has set aside 1 hour

#### Other Local Government Association Opportunities

- Local Government Management Association (June 17).
- Government Finance Officers - April 25 (1.5 hrs) – concurrent workshop

UBCM is definitely considering a pre-conference session before the 2003 Convention. UBCM is still considering the demand for a session prior to the convention that is cost sensitive and meets the needs of members.

### Recently Introduced Legislation

Only a few new Bills have been introduced since the last issue of In The House (March 28, 2003). One of these, Bill 30, has an item of interest. The School Tax Act is amended such that if a municipality is not applying for a grant in lieu of school taxes which would be payable, then the Surveyor of Taxes may deduct the unclaimed grant from the municipality School Tax administration fees.

**Please make copies of this circular and distribute to Council/Board Members /Staff**

## Recent Bills

### Bill 16 – Coalbed Gas Act

This Bill sets the law with regard to coalbed gas. It considers coalbed gas as a natural gas and includes coalbed gas rights as part of a natural gas tenure.

### Bill 26 – Supply Act (No. 1)

This Bill appropriates \$4.115 billion dollars towards defraying the charges and expenses of the public service of the Province. It also appropriates \$640.4 million towards disbursements for loans and investments. These are from the main estimates for the fiscal year ending March 31, 2004.

### Bill 30 – Provincial Revenue Statutes Amendment Act

The Bill amends a number of statutes administered by the Ministry of Provincial Revenue. Some of those of interest to Local Government are:

**“Hotel Room Tax Act”** – deletes the requirement that the director get the minister’s approval before cancelling, refusing, or suspending a registration certificate and allows an appeal to the minister for a decision of the director in doing this.

**“Land Tax Deferment Act”** – provides that an agreement to defer taxes is not terminated if the eligible property is transferred to the surviving spouse on death of the owner or disposed of in accordance with the prescribed regulations.

**“School Act”** – requires a municipality to apply for the school tax portion of a grant in place of taxes and authorizes the Surveyor of Taxes to disallow all or part of the administration fee if the municipality fails to make the required applications.

Some of the other acts amended by the Bill are “Corporation Capital Tax Act”, “Income Tax Act”, “Logging Tax Act”, “Mineral Tax Act”, and “Motor Fuel Tax Act”.

## Commercial Activities along Provincial Highways

The Ministry of Transportation has issued requests for proposals for commercial activities along provincial highways.

At their AGM on April 6<sup>th</sup> the Association of Vancouver Island and Coastal Communities passed a resolution that stated:

*That the Minister of Transportation be advised that the actions by the Ministry of Transportation to commercialize the highway corridor are in conflict with many of the shared objectives of the Vancouver Island Highway Agreement, the Regional District of Nanaimo Growth Strategy, local official community plans and land use bylaws.*

*The resolution also asked that the Minister of Transportation be respectfully requested to immediately suspend the initiative to commercialize highway right-of-ways and rest stops and consult with local governments.*

On this subject the City of Armstrong said:

*“Council respectfully suggests that some consideration be given to the communities who have spent countless dollars on tourism initiatives to try and get those very customers you are talking about, to come to their communities for their “services”. There is nothing that an itinerant vendor can provide that cannot be found in a community of British Columbia. We respect the argument that rest stops are needed for the travelling public, but they should be left for that purpose, rest.*

*Businesses in our communities adhere to zoning, building and fire code regulations and pay taxes and businesses licenses for the privilege of making a living. Many municipalities do not allow mobile vending in their communities for this reason. If nothing else, a moratorium should be placed on allowing any mobile vending at a rest stop that is within a certain number of kilometres of a community. This would allow for truly isolated rest stops to fill any perceived gap. We are sure that if communities were consulted they would be happy to give you feedback on what is an acceptable distance.”*

***Bills currently in the Legislature,***

*as well as older bills and Hansard transcripts can be viewed on the Legislative Assembly web site at:*

**[www.legis.gov.bc.ca](http://www.legis.gov.bc.ca)**

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## Resolutions Do Get Results

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UBCM has one of the most pro-active local government memberships in Canada in proposing resolutions to change provincial legislation and policy; federal policies or to make a general statement of the common feelings.

Resolutions do get responded to in many ways - see preliminary provincial responses to 2002 resolutions are an example on UBCM's website: [www.civicnet.bc.ca](http://www.civicnet.bc.ca).

Resolutions also get results in terms of provincial legislation. By way of example, so far in this legislative session we have seen several pieces of legislation that respond to UBCM resolutions. Two examples are:

- Bill 22 allows council to reduce **development cost charges** for non-profit and supportive housing (Nanaimo City resolution).
- Bill 11 allows councils to extend the **school speed zones** beyond 8:00 a.m. and 5:00 p.m. to the times posted on the "tabs" (Burnaby & Surrey resolutions).

The scope in Bill 22 to allow Council to appoint all **Board of Variance** members came out of a discussion between MCAWS and UBCM based on related resolutions and comments about the delays being experienced with the current system of provincial appointees.

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## In The House 2003 Index

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January 8	Provincial Announcements of Interest
February 13	Provincial Throne Speech
February 18	Budget Day in BC and Canada
March 21	Recent Legislation, and Other Activities Announced by the Provincial Government
March 28	Legislation and Other Breaking News

Numerous provincial policy issues are also covered in an expanded format in the March 2003 UBCM News - mailed to members this week.

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## Selected Ministers Respond to UBCM Correspondence

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UBCM regularly writes to Ministers about member concerns. Here are extracts from three recent responses.

### 1. Downloading

#### Minister Abbott responds to a special resolution at the 2002 Convention:

*I understand the concerns which the UBCM and individual local governments have with respect to any provincial action which impacts services to communities or local government costs.*

*At the same time, I am part of a government that is attempting to rebuild British Columbia's economy, move from a projected \$4 billion deficit to a balanced budget in three years while continuing to address the priority concerns of British Columbians. I do not believe that the UBCM would dispute the importance of the province achieving these objectives.*

*In working to make the necessary changes to provincial government programs, we have been diligent in not singling out the local government sector. Local government grants have been protected for the full period of the three-year service plan. Given the uncertainty you have faced regarding local government funding over the past decade, this provides you with a greater degree of budget certainty than has been the case for some time. Within this overall grant amount, we have not only been able to maintain unconditional grants, but have also been able to approve over 100 new infrastructure projects under the Canada-British Columbia Infrastructure Program.*

*I am committed to the principle of consultation with the UBCM on matters of mutual interest, and am always prepared to discuss local government issues, including any related to downloading, with the UBCM.*

### 2. Highways R/W Maintenance

#### Minister Judith Reid advised:

*I received many letters last year expressing concern about the elimination of esthetic mowing. I appreciated the opportunity to read these letters and discover how much people care about both public safety and the esthetic appearance of their communities. At the start of this new year, I am pleased to tell you that safety-related complaints connected with esthetic mowing did not increase in the wake of this change in practice.*

*With respect to the appearance of grassy median strips and road shoulders, let me assure you I understand the importance of the tourism industry to our province and its communities. However, as you mentioned in your letter, the elimination of esthetic mowing is saving the province money, about \$1 million a year. These savings allow the ministry to focus its resources on critical safety and rehabilitation needs, which are essential to the revitalization and development of all sectors of the economy, including tourism.*

*While ministry staff and I are always looking for alternative ways to maintain the appearance of ministry properties and rights-of-way, we must first be mindful of our safety needs and our financial imperatives. In light of this, the ministry faces significant challenges in considering the delivery of an esthetic mowing program.*

*All of the foregoing being said, it may interest you to know that the ministry is implementing an "Adopt-a-Highway" program that will encourage community groups and private businesses to undertake or sponsor esthetic grass mowing and landscape maintenance or beautification projects along sections of highways, interchanges and community entrances. Sponsoring community groups and businesses will be recognized for their contributions by highway signage acknowledging their contribution. Interested groups or individuals are encouraged to contact the local district manager who will be able to discuss their participation in the program.*

### **3. Forest Road Maintenance Policy**

#### **Deputy Minister Don Wright reported:**

*The Ministry of Forests is in the midst of working level discussions with the Ministry of Transportation regarding the possible transfer of maintenance responsibilities. The focus of the particular discussions is to determine if there are administrative advantages to rationalizing the provincial road network. The purpose of that rationalization would allow both Ministry of Forests and Ministry of Transportation to focus on administering roads more in line with their mandate. In other words, it is felt that, in general, Ministry of Forests should focus on administering industrial forest roads and Ministry of Transportation on roads that provide main access to communities and populated areas.*

*Regardless, it is important to note that there are still many technical issues that require resolution at the working level, and as such no timeline offers can be made as to when or whether transfer of administration of rural roads will occur. However, it is the ministry's aim to have a resolution to this matter prior to the start of fiscal year 2005.*

***In any event, there are no plans to declassify or deactivate any Forest Service road or highway that provides primary access to***

***a community such as those represented by your members. As such, those primary access roads will continue to be maintained.***

*I also confirm that where transfer of a primary access road to a community is anticipated, community representatives will be contacted prior to transfer.*

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### **UBCM Representation in Victoria**

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UBCM delegations led by UBCM President Patricia Wallace have had a busy time with meetings in Victoria representing local government interests.

The big push was on Thursday, April 10<sup>th</sup> with four sets of meetings with Ministers.

- **Agriculture/Aquaculture**

Meeting with Ministers Abbott and Van Dongen on the recommendations of the Agriculture-Local Government Review Committee Report. Issues discussed were right to farm legislation in relation to both agriculture and aquaculture.

- **Community Charter**

Met with Minister Ted Nebbeling to discuss the progress of the Community Charter through the House. The Charter is now expected to receive second reading after the two week break of the Legislature (the high level debate as opposed to the clause by clause discussion which occurs at Committee stage which follows second reading).

Also discussed were potential new revenue sources and the development of the regulations needed to accompany the Charter's enactment.

### ***CHECK US OUT!!***

UBCM Circulars are posted on our website:

[www.civicnet.bc.ca](http://www.civicnet.bc.ca)

Recent circulars of interest:

- In the House (February 18) Budget Day
- Member Release (March 5) Highlights of February Executive Meeting
- In the House (March 21) Recent Legislation, other Activities and Announcements

- **MCAWS**

Met with the Honourable George Abbott to discuss a number of ongoing files including the 1% utility tax.

- **Provincial Economic Streamlining**

The last meeting was with Ministers Abbott and Falcon regarding the provincial governments interest to facilitate the approvals of “provincially significant developments”.

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## **Police Costs**

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A week earlier, UBCM met with Minister George Abbott and Solicitor General Rich Coleman.

During the meeting the province presented its “bottom-lines” with respect to recovery of police costs and UBCM presented its expectations. A communiqué of the results of the meeting is being finalized that will include a revitalized consultation program. A new discussion paper will be issued and a series of regional consultations will be held before the end of June.

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## **Product Stewardship – New Regulatory Framework Under Development**

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The Ministry of Water, Land and Air Protection has developed a “British Columbia Industry Product Stewardship Business Plan”. The ministry is looking at a single regulation to cover all product stewardship programs in the province by September 2003 and will be moving from a government control model to an industry responsibility model. The ministry has stated that it will be looking at developing a new regulatory framework for the stewardship programs in the province:

- Scrap Tires (1991)
- Lead-Acid Batteries (1991)
- Used Oil (1992)
- Post Consumer Paint (1994)
- Residuals (1996/97)
- Beverage Containers (1970-Litter Act; 1998-current regulation)

The ministry is attempting to develop a regulatory framework that is results based and one in which the industry stewardship plan, once approved, would be legally binding and the basis on which the ministry might take enforcement action if problems should arise.

Under this new framework it is important that the positive elements of the existing regulation be retained from both a business and public policy perspective. In the case of business, there is a need to ensure that a level playing field is maintained and that the rules are the same for everyone in the sector so that no one gains an economic advantage. In the case of the public, there is a need to ensure that the results that industry is expected to achieve are clearly understood, such as an 85% recovery rate for beverage containers, and that the deposit-refund system is maintained as it has proven to be very important to meeting the recovery objective. It is also important that that the retail sector be involved in the process as this continues to provide the greatest level of convenience to the consumer in returning the product directly and the stewardship agencies management of the product. The most successful stewardship programs to date all directly involve the retail sector in the collection of the product – tires, batteries, new oil program, and the beverage container program.

The future development of sustainable communities will increase urban density and the need for greater integration in the product chain (producer-manufacturer-retailer-consumer-product recovery). Stewardship programs will need to develop and promote economic models that encourage this process in the future, for example, the integrated recycling models like the Changes Recycling Centres would appear to be a system that would support this concept.

The UBCM has requested that the provincial government framework for product stewardship programs contain the following measures:

- Fully funded by the industry – (i.e. costs such as, marketing, collection, transportation, and processing the material).
- Maximize the recovery rate of product from local landfills – 85% recovery rate or higher;
- Ensure the consumer has the broadest choice of options – deposit-refund system, eco-fees etc.;
- Ensure the operation of a mixed collection system – return-to-retail, depot and curbside;
- Ensure that decisions related to solid waste management are made with the agreement of the municipal and regional district governments in the area;
- Expansion of product stewardship programs to cover milk containers/milk products;
- Introduction of post-consumer content requirements to promote the development of markets for recycled plastic containers.