



Legislative Updates

PURPOSE

This communication is being forwarded to inform local governments about a number of provincial legislative changes that have been introduced that are of interest:

- Bill 8 – Community, Sport and Cultural Development Amendment Act
- Bill 13 – Metal Dealers and Recycling Act

BILL 8 - COMMUNITY, SPORT AND CULTURAL DEVELOPMENT AMENDMENT ACT

The Act introduces amendments to the Assessment Act, Community Charter, Local Government Act, Vancouver Charter, School Act, Taxation (Rural Area) Act and the Municipal Finance Authority Act.

The Act implements a number of the recommendations outlined in the 2009 report of the Farm Assessment Review Panel (FARP). The legislation introduces the following measures:

- changes the Assessment Act so that a retired farmer and his or her spouse can retain farm status on the farm residence, where the land continues to be in active operation.
- increases the limit on the assessed value of farm improvements that is exempt from taxation – increases the exemption to the

greater of 87.5 percent of assessed value or \$50,000 (Community Charter: Section 220; School Act: Section 131);

- exempts from taxation under the Act an owner's dwelling on land that is classified as a farm (Taxation (Rural Area) Act: Section 15);
- amends the Vancouver Charter (section 373) to provide a limited exemption from taxation for specified types of farm improvements and specified types of things located on farm land.

The Act also attempts to clarify regional district service review and withdrawal provisions to ensure timely and cost-effective reviews:

- authorizes the minister to specify a time period within which the parties must conclude the service review;
- authorizes the minister to provide direction on the services to be considered under the service review;
- adds to the list of possible actions that a minister must take after receiving notice of service withdrawal, such as direct the parties to engage in further negotiation respecting continued participation in the service and/or the terms and conditions for withdrawal from the service;
- authorizes the minister to tailor the withdrawal process to meet local circumstances – regulations may be

different for different regional districts and different circumstances (e.g. enable a service participant to withdraw from only part of a service).

In addition, the legislation:

- clarifies provincial regulatory authority under the Local Government Act and Community Charter;
- amends the Local Government Act to ensure Regional Districts have the same authority as municipalities to transfer money from one reserve fund for use in another such fund;
- amends the Municipal Finance Authority Act to allow the Municipal Finance Authority to locate its head office anywhere within the Capital Regional District. Currently the Act requires that the MFA head office be in the City of Victoria.

BILL 13 – METAL DEALERS AND RECYCLING ACT

The new law is designed to help to deter and prosecute metal thieves, minimize regulatory costs for the recycling industry and protect the personal information of those who sell metal to scrap dealers. Under it:

- Those who deal in high-value metals like copper, which are targets for metal thieves, will be required to record details including the weight and type of metal purchased, any distinguishing marks on it, and where the seller says he or she got it.

- Dealers will share these details with local police on a daily basis and must keep their records for a minimum of one year.
- Dealers will also record each seller's personal information, including their full name, current address, telephone number and date of birth, as well as vehicle or pick-up address details.
- To protect sellers' privacy, dealers will assign a unique code to each customer from whom they buy metal. This code will accompany purchase information supplied to the police. Dealers will only release a seller's personal information to police who present a court order for that information.
- The law will prohibit dealers from buying regulated scrap metal from any seller unable or unwilling to provide required information.

The proposed legislation avoids the financial and administrative burden of licensing, but will create a dealer registry and a system of compliance and enforcement by appointed inspectors. More specific details - including the types of metal to be regulated, and the penalties for failing to comply with the law - will follow when the Province develops complementary regulations.

UBCM CONTACT

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