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- Executive considers 17 resolutions referred from the Convention (p.9)
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- holiday Shopping Act repeal effective January 1 (p.8)
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- review of certainty and finality in recent AIPs (p.19)
- treaty negotiations update (p.19)
- Community Charter - Update (p.25)

Community Charter Implementation - the Regulations

A variety of activities have been undertaken in advance of the effective date for the Community Charter - now confirmed by Cabinet to be January 1, 2004. UBCM and MCAWS collaborated on pre-conference sessions on “Practical Advice on the Community Charter” (summary materials distributed by UBCM after the session and available on CivinNet under “previous Conventions”) and MCAWS and LGMA hosted a number of regional workshops this fall. As next steps, the LGMA is planning a full day pre-conference workshop entitled “Performance Measurement and Progress Reporting for Local Governments” at the conference scheduled for June 8 - 10, 2004 in Victoria. As well, the GFOA is also considering a “guidelines” at the conference scheduled for June 8 - 10, 2004 for UBCM. UBCM and the local government are reported to be unhappy with the consultation process that will be in effect under the new Community Charter. Community Charter implementation was opposed in one council and Board of Directors, and many others have had an opportunity to overdraft the Charter. In fact, Minister Falcon met with then-Preside Minister Park Wallace and some representatives of the UBCM Executive in April 2003 and they strongly objected to the initiative as outlined to them. The Minister said he would continue discussions, yet he did not. Although the Minister did make some changes to the proposal he did not meet with the UBCM again prior to introducing the Bill nor did he provide any “guidelines” about which projects the legislation might apply to for consultation by UBCM. UBCM has learned that the Minister did not deal direct with UBCM but met with a group of resource mayors, meeting with them at least on two occasions prior to the tabling of Bill 75 and once again since tabling the Bill. In fact, Minister Falcon attended the UBCM Convention, was invited as part of one of the Cabinet Panels to talk about current initiatives and did not make reference to the legislation he was contemplating.

Bill 75 - Local Government Opposition Could Have Been Avoided

Wide spread local government opposition to Bill 75, the Significant Projects Streamlining Act, could have been avoided or mitigated if the provincial government had followed the consultation process that will be in effect under the new Community Charter.

Bill 75 allows any Minister, who has the prior consent of Cabinet, to override any bylaw or regulation of local government. While the provincial government states that this power will be used in a limited number of cases in any given year, there are no legislative constraints on its application. The range of opinions on its potential application has been wide ranging with MLAs citing the Olympecs, RAY line, Convention Centre, Cranbrook airport, independent property power projects, wind farms, and major resort developments as examples. Bill 75 has also been described by provincial officials as simply an extension of the current s.874 override in the Local Government Act, but the current provision is limited to land use and must be made by full Cabinet after local government has been given an opportunity within 90 days to amend its bylaws.

Bill 75 introduced on November 3rd and passed on November 26th has, in that short time provoked widespread local opposition. At the time of publication UBCM has been notified of 90 municipalities and regional districts and one Area Association that were opposed in one way or another to Bill 75. Only one municipality was on record as supporting the Bill.

UBCM Executive, led by President Frank Leonard led a vigorous campaign to amend the Bill seeking to provide local governments with local government returned to its applica-

Introducing the New UBCM Executive - page 3

UBCM was given approximately a week’s notice that the Bill was proceeding. Such notice would not be acceptable in a Community Charter environment. Yet weeks before the Charter’s implementation on January 1, 2004, we see sweeping legislation that actually proceeds with even the require-

For more Bill 75 coverage - page 24

UBCM 2003 Convention in Review

It was a big week! And if there is any doubt look at some of our numbers about how big a UBCM Convention is. The convention also got a 4.2 out of 5 rating. UBCM Convention Committee Chair Brenda Binnie, along with Aaron Dinwoodie, Don MacLean and Hans Cunningham did the planning this year. This issue of the Newsletter reviews the Convention:
- convention evaluations (p. 8)
- conventions past and future (p. 9)
- A pictorial special on pages 10 - 11 with sponsors featured on page 13 and awards featured on page 14

Welcome to UBCM Delegates

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in this issue...
This year was busy and challenging for Executive members. It included completion of the Community Charter, the issue of police costs for small municipalities and rural areas as well as sponsoring five newly elected training seminars.

**Chair Hans Cunningham** was first elected to the UBCM Executive in 1991 as Electoral Area Representative - a position he held until 1996, when he was elected as a Director at Large. He served as a Director at Large for two years when he was elected Third Vice President. At the 2001 Convention, Hans was elected President of UBCM. During his 12 years on the UBCM Executive, Hans served as Chair of the Resolutions Committee, Member Services Committee, Convention Committee, Awareness Committee as well as a member of the Justice and Protective Services Committee, Presidents Committee and UBCM’s appointment to the BC Fire Safety Advisory Council.

This past year as Past President Hans served as Chair of the Police Costs Task Force. Hans received his Life Membership at the 2003 UBCM Convention. Councillor Mary Ashley served as the Association of Vancouver Island and Coastal Communities representative to the UBCM Executive the past two years. During both years on the Executive, Mary was an active member of the Communities and Resolutions Committees.

**SPECIAL THANKS TO DEPARTING EXECUTIVE MEMBERS**

**Chair**

Councillor Corrine Lonsdale

**Vice-Chair**

Mayor Sharon Hartwell

**Members**

Mayor Jack Peake

**VP Liaison**

Mayor Herb Pond

**Health**

Director Susan Gimsie

**Vice-Chair**

Councillor Ida Makaro

**Members**

Councillor Ellen Woodsworth

**Chair**

Councillor Sharon Hartwell

**Vice-Chair**

Councillor Bob Fearlay

**Members**

Councillor Ian MacKinnon

**VP Liaison**

Mayor Wayne Dahlen

**Resolutions**

Chair

Mayor Don MacLean

**Vice-Chair**

Mayor Jack Peake

**Members**

Councillor Patricia Wallace

**Chair**

Councillor Brenda Binnie

**Vice-Chair**

Councillor Patrice Wallace

**Members**

Councillor Ron Cannan

**VP Liaison**

Chair Marvin Hunt

**Convention**

Chair

Councillor Brenda Binnie

**Vice-Chair**

Councillor Patricia Wallace

**Members**

Councillor Ron Cannan

**VP Liaison**

Director Aaron Dinwoodie

**Aboriginal Affairs**

Chair

Mayor Ted Armstrong

**Vice-Chair**

Mayor Herb Pond

**Members**

Councillor Ellen Woodsworth

**VP Liaison**

Director Aaron Dinwoodie

**Justice and Protective Services**

Chair

Councillor Ron Cannan

**Vice-Chair**

Councillor Bob Fearlay

**Members**

Councillor Corrine Lonsdale

**VP Liaison**

Chair Robert Hobson

**Environment**

Chair

Mayor Herb Pond

**Vice-Chair**

Councillor Bob Fearlay

**Members**

Councillor Corrine Lonsdale

**VP Liaison**

Mayor Wayne Dahlen

**2003-2004 UBCM EXECUTIVE COMMITTEES**

**Presidents Committee**

Mayor Frank Leonard, President, Chair

Director Aaron Dinwoodie, First Vice-President

Chair Marvin Hunt, Second Vice-President

Mayors Wayne Dahlen, Third Vice-President

Councillor Patricia Wallace, Past President

Director Aaron Dinwoodie

Chair of Best Practices Portfolio

VP Liaison: Aboriginal Affairs & Convention Committees

Chair Marvin Hunt

Chair of Finance and Audit Portfolio

VP Liaison: Justice and Protective Services, and Resolutions Committees

Mayor Wayne Dahlen

Chair of Member Services Portfolio

VP Liaison: Communities and Resources, Environment and Health Committees
Your UBCM Executive

UBCM Executive Welcomes New Members*

Mayor Frank Leonard, President District of Saanich

Director Aaron Dinwoodie, First Vice-President Central Okanagan RD

Mayor Sharon Hartwell, Small Community Representative Village of Telkwa

Chair Marvin Hunt, Second Vice-President City of Surrey/GVRD

Chair Susan Gimse, Electoral Area Representative Squamish-Lillooet RD

Mayor Jack Peake*, Assn. of Vancouver Island and Coastal Communities Town of Lake Cowichan

Councillor Brenda Binnie, Director at Large City of Castlegar

Mayor Wayne Dahlen, Third Vice-President City of Dawson Creek

Director Bill Baird*, Assoc. of Kootenay & Boundary Municipalities Kootenay Boundary RD

Councillor Corinne Lonsdale, Director at Large District of Squamish

Councillor Patricia Wallace, Past President City of Kamloops

Councillor Bob Fearnley*, Lower Mainland Municipal Association

Councillor Ida Makaro, Village of Cache Creek

Mayor Don MacLean, District of Pitt Meadows, GVRD Representative

Chair Ted Armstrong, North Central Municipal Association Cariboo RD

Mayor Herb Pond*, Director at Large City of Prince Rupert

Councillor Brenda Binnie, Director at Large City of Castlegar

Councillor Corinne Lonsdale, Director at Large District of Squamish

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Around the Province

Canal Flats Votes to Incorporate

The incorporation vote for the community of Canal Flats in the East Kootenay Regional District was held on Saturday, November 15, 2003. The result was a 70% positive vote with turnout of 65%. The estimated population is 770. The Village of Canal Flats will become BC’s 156th municipality. The first following the Community Charter becoming effective, canal flats elections are expected in late May.

1% increase in UBCM dues

The UBCM determined in July 2003 that they should budget for a 1% increase in member dues for 2004. The dues payable will be adjusted for population changes as reported by the province.

Based on a 1982 benchmark, UBCM dues increases remain below what they would have been even if they were adjusted for CPI. Approximately 60% of UBCM operations are financed by member dues. The remainder of the operations are financed by fee-for-service programs, including our Member Services program; Association Services or private sector sales.

2003 Municipal Pension Plan Annual General Meeting

The second Annual General Meeting (AGM) of the Municipal Pension Plan (MPP) was held on November 8, 2003 in Vancouver. The AGM was broadcast simultaneously by satellite live in Victoria, Nelson, Prince George and Kamloops. There were 86 attendees in Vancouver and over 180 in total at all locations. Presentations at the AGM are posted to the MPP website, which can be reached through a portal on the home page of pensionbc.ca. The meeting presentations included reports on the following topics: Municipal Pension Plan Profile and Financial Highlights; MPP Fund Investments; and Pension and Other Benefits.

You may wish to refer to the Municipal Pension Plan website (pensionbc.ca) or contact Barbara Ingamells, Senior Associate, Benefits and Special Projects and Trustee on the Municipal Pension Board Office at 604-270-8226 ext. 116 for further information regarding the Plan.

CIVICNET REVISIONS

The new CivicNet, although a significant improvement upon the old, will nevertheless be undergoing some minor structural and editorial revisions as we head into the new year. Changes suggested by a comprehensive site evaluation, as well as member suggestions for improvement, will be implemented and the UBCM welcomes ongoing member input during this process. CivicNet was designed as a tool for our members and we want to ensure that it continues to meet member needs as efficiently and effectively as possible.

We thank you for your patience during this transitional phase.

Local Government Planners and Wall Calendars

Have you ordered your supply of 2004 Pocket Planners and Wall Calendars? There’s still time to order. Simply fax this order form to UBCM M (604) 270-9116.

2004 Area Association meeting dates

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Langford to a City

Langford in the Greater Victoria area will become City of Langford. It was incorporated as a district municipality on December 8, 1992. It has a population of 20,117. Visit their current web site at district.langford.bc.ca

Profile and Financial Highlights; MPP Fund Investments; and Pension and Other Benefits.

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Holiday Shopping Regulation Act Repealed as of January 1, 2004

As a reminder, the government has repealed the Holiday Shopping Regulation Act. The repeal was included in the Miscellaneous Statutes Amendment Act, 2003 which was given Royal Assent on March 12, 2003. UBCM reported this event to the membership in its UBCM News on March 21, 2003 and in the March 2003 edition of the UBCM News.

The actual effective date of the repeal has now been determined as January 1, 2004. Originally, the date was October 1, 2003, but UBCM asked that the date be extended to coincide with the implementation of the Community Charter.

Local governments that have relied on the provisions of the provincial Holiday Shopping Regulation Act should consider amending any bylaws that reference this statute or that replace any bylaws that rely on its provisions. The repeal of the legislation essentially leaves the regulation of shop hours and holiday hours completely within the jurisdiction of local government.

Bylaw Dispute Adjudication

The Ministry of Attorney General introduced Bill 65 – Local Government Bylaw Enforcement Act on October 7, 2003 and the legislation was passed on October 20, 2003 and awaits final proclamation.

The new legislation contains the following elements:

- simple “front-end” process for initiating enforcement;
- local government forum to hear disputes;
- maximum level of fine - $500 (a concern that higher fines would leave the process open to a Charter challenge);
- notice period of 28 days;
- local government will have the ability to determine different levels of fines for different types of bylaws;
- local government will have the authority to provide discounts for early payment and to enter into formal compliance agreements where it is appropriate;
- local government will be required to select an adjudicator from a list maintained by a professional organization for mediation and arbitration and pay them the rate established for these types of services.

The legislation allows the Ministry of Attorney General to phase in the application of the new dispute adjudication system on a local government by local government basis.

The new dispute adjudication system is intended to replace the Provincial Court and / or Justice of the Peace, as the venue for resolving disputes of minor bylaw breaches. The intent is that in the future the Provincial Court will only hear disputes arising from serious bylaw offences where significant fines or imprisonment are contemplated.

It is anticipated that local governments individually, or in groups, will establish bylaw adjudication systems to handle disputes of minor bylaw breaches, such as parking, dog licensing, minor zoning matters and other issues that currently incur a relatively small fine.

In a related development, local governments with new powers under the Community Charter, will be able to expand the range of bylaw offences that may be ticketed and determine the fines for these offences.

Once the new legislation is proclaimed, it is expected that a number of pilot projects may be established around the province. Local governments in the Lower Mainland have offered to be the first implementation site for the new process and discussions are underway with the Ministry of Attorney General.

The intent is to develop a best practices manual and training program that other local governments can use to establish a bylaw enforcement process in the future.

RESOLUTIONS REFERRED TO THE EXECUTIVE

At the November 6-7 meeting, UBCM Executive members considered 17 resolutions referred from the Convention. The referred resolutions were:

- resolutions that delegates directly referred to the Executive for further study, consideration and discussion (10);
- late resolutions that were not admitted for emergency debate but were referred to the Executive (7).

The following is a summary of the Executive’s decisions.

Resolutions Referred to the Executive for Further Study/Discussion:

B45 Change of Name for UBCM

A change of the UBCM name would require a change to UBCM bylaws. A revised resolution would thus need to direct the preparation of the necessary amendments in the form of an extraordinary resolution to be considered at a future UBCM Convention. If such a resolution were to be endorsed, the request to change the UBCM legislation would then be submitted to the provincial government.

B46 Rural/Small Communities Police Costs

In light of Solicitor General Rich Coleman’s announcement at the 2003 Convention that police cost restructuring will be postponed until 2007, the Executive has referred this resolution to the Justice and Protective Services Committee for further consideration in its continued work on the police costs issue.

Continued on page 15

Liquor Policy

Liquor Reform Project

The Liquor Reform Project was established in July 2003 by the Ministry of Public Safety and Solicitor General to help determine the future role of government in the sale and distribution of liquor in British Columbia, and to guide implementation of any changes adopted by government.

The project will help government fulfill its commitment to ensure that liquor distribution and retailing continues to meet the needs of B.C. customers. Changes will reflect social responsibility by guarding public safety and protecting revenue and the interests of taxpayers.

The Liquor Reform Project is looking at:

- Distribution system - province will likely continue to operate this system;
- Retail policy - re-location of stores, ownership, advertisement of products, trade policies;
- BC wine industry - expansion in retail market;
- Special Occasion Licences - streamline system;
- Environmental Stewardship - management of beverage containers;
- Governance - how liquor policy will be administered in the future, public interest issues.

The Liquor Reform Project will be putting forward a policy framework for the operation and management of liquor policy for the consideration of cabinet in 2004.

Liquor Stores

The province has reached a new labour agreement with the BCGEU, as part of that agreement it has agreed to continue to operate at least 190 liquor stores; it currently operates 220 liquor stores.

The province has announced a number of changes in liquor policy to encourage private sector expansion in the liquor business.

Minister Coleman has announced changes in liquor policy advertising. Under the new rules private liquor stores will be allowed to advertise the type of liquor available, a particular brand that is available and the price of the liquor being sold.

The province has increased the wholesale discount for private liquor stores from 10 per cent to 12 per cent – this is the difference between the Liquor Distribution Branch’s retail prices and the prices liquor retailers pay when buying their stock - allowing them to move closer to a level playing field with government liquor stores.

In addition, the province has changed the regulations for locating a Licensee Retail Store. Under the new rules the ownership of the store must remain with the holder of a primary liquor licence, however, the private liquor store will be able to relocate anywhere within a local government boundaries or within five kilometres if outside those boundaries. The intent of the new regulations is to allow private liquor stores to move to better locations in the community, subject to local government zoning bylaws.

B63 Taxi Service for Persons with Guide/Assistance Animals

The Executive has referred this resolution to the Motor Carrier Commission’s Taxi Advisory Committee for comment.

B86 Contaminated Soil

The Executive has referred this resolution to the UBCM Environment Committee for consideration as it moni
Environment Policy: Impacts and Implications for Local Government

The UBCM prepared a discussion paper for the 2003 UBCM Convention entitled “New Environmental Legislation: Impacts and Implications for Local Government”. The paper explored the impacts and implications of the new direction for environmental policy and legislation resulting from a bill being introduced by the Ministry of Water, Land and Air Protection on local government.

The Ministry of Water, Land and Air Protection introduced four bills on May 13, 2003, each of which will change how the ministry operates:

• Bill 53 - Integrated Post Management Act
• Bill 55 – Water, Land and Air Protection Statutes Amendment Act
• Bill 56 – Flood Hazard Statutes Amendment Act
• Bill 57 - Environmental Management Act

The intent of the Ministry of Water, Land and Air Protection is to focus its efforts on high risk sites where there is the greatest potential for harm to human health and the environment from a discharge.

The following highlights the ministry’s future approach to environmental management as outlined in the legislation, all of which were passed in the fall sitting of the legislature:

• decrease reliance on site-specific authorizations (permits);
• introduction of a risk-based authorization approach (three levels of approval: site specific approval, code of practice, notification of activity);
• reliance on qualified professionals to determine risk;
• partnerships with stakeholders to co-develop the standards;
• new tools for compliance and enforcement.

The UBCM discussion paper made two recommendations which were endorsed by the delegates at the conference. The first recommendation was that any shared stewardship and partnership responsibilities should:

• be supported by the appropriate legislative, regulatory and policy authorities that clearly define local government roles and responsibilities;
• provide local government with protection from liability arising from the delivery of provincial standards/guidelines;
• respect local government jurisdiction and recognize its authority;
• be accompanied by the appropriate funding and technical resources.

The second recommendation was that the discussion paper be referred to the Environment Protocol Committee for government-to-government consultations.

The UBCM has had government-to-government consultation with the Ministry of Water, Land and Air Protection on local government concerns. The outcome of this meeting was the recognition that there needed to be better communication and a level of trust built up between the ministry and local government.

The UBCM agreed to undertake the following measures to improve communication and to begin to build a stronger relationship with the ministry:

• continue to work with WLAP on the development of environment legislation and regulations;
• host a one day workshop with the Environment Protocol Steering Committee to address integrated management challenges and environmental policy;
• hold two policy development meetings per year, one in the spring and one in the fall, with the Ministry of Water, Land and Air Protection;
• explore the possibility with the provincial ministries and the federal government in holding a spring 2004 environment conference for UBCM members.

The Ministry of Water, Land and Air Protection is proposing to increase the fees it charges for environmental protection programs. These programs are waste management permitting, pesticide management, contaminated sites and special or hazardous waste programs. The fee increase is intended to place the programs on a user pay basis.

The revenue raised from waste permit fees is $11.3 million and local government currently contributes approximately $1.7 million of the collected revenues. The initial proposal from the ministry was to increase the revenue raised from waste permit fees to $16.8 million, which would have increased local government contribution to waste permit fees to approximately $2.4 million.

UBCM wrote the ministry indicating that it opposed the fee increases on the following basis:

• insufficient notice under the agreements it has with government;
• lack of consultation on the fee increases;
• lack of information related to the disclosure of the administrative costs.

The UBCM requested full disclosure of the ministry’s administrative costs related to the administration of local government waste permit fees. UBCM understands that the fee increases are under going further review and that while there will be fee increases, it is unlikely to move to 100% cost recovery as initially proposed.

The funding assistance is provided on the basis of $0.50 per capita to municipalities (based on BC STATS Population Estimates) and regional districts (based on non-municipal population only). There is a $5,000 minimum and a $50,000 maximum.

Local governments can use the funding for planning, drafting bylaws for West Nile mosquito control, staff training, mapping mosquito producing areas, monitoring mosquito species and abundance; public education, collaborating with other agencies such as regional health authorities, source reduction of mosquito breeding areas, application of control agents, or monitoring and evaluation of West Nile mosquito control. The assistance is focused on fostering a collaborative and proactive approach by local governments undertaking West Nile activities and utilizing Integrated Pest Management where necessary to use control agents.


It is suggested that regional districts contact Dannie Carsen at the Ministry about the appropriate way to apply on behalf of municipalities or electoral areas. For help with any problems completing the application, members can also contact Dannie at 250-387-2188.

West Nile Assistance Announced

On November 26 the Ministry of Community, Aboriginal and Women’s Services announced funding assistance to help local governments plan and implement West Nile control initiatives that address the level of local risk regarding the West Nile virus. This assistance is available for one year only.

The funding assistance is provided on the basis of $0.50 per capita to municipalities (based on BC STATS Population Estimates) and regional districts (based on non-municipal population only). There is a $5,000 minimum and a $50,000 maximum.

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iHost is a cost-effective, user-friendly, web-based service that helps local governments manage Council Information such as bylaws, minutes, reports, and manuals.

Waste Permit Fees

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The revenue raised from waste permit fees is $11.3 million and local government currently contributes approximately $1.7 million of the collected revenues. The initial proposal from the ministry was to increase the revenue raised from waste permit fees to $16.8 million, which would have increased local government contribution to waste permit fees to approximately $2.4 million.

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Win/Win opportunity for earthquake safety and energy savings.

Kevin Gilbrath has the job of main- taining all the municipal buildings in Maple Ridge and all of the recreation and historic fa- cilities in Pitt Meadows in his capacity as Facilities Operations Manager. That job involves, amongst other things, being responsi- ble for facility safety and energy costs. Looking at issues of earthquake safety, Kevin installed systems to moni- tor the integrity of the fa- cilities’ gas lines via a se- ries of methane sensors mounted at intervals along the pipes. In the event of a leak being de- tected, an acuator system automatically closes off the gas valve at the sup- ply. He used local firm GPSI to assist (Gas Protec- tion Systems Inc.).

It occurred to Kevin that, having already in- stalled systems to moni- tor the main energy users in his build- ings, there was no additional heating was provided and no outside air drawn in. He also added occupancy sensors so that lighting would switch on and off auto- matically.

Now Kevin had acce- ss to automatic control of the main energy users in his buildings, coupled with an ability to monitor usage on a continual basis. Through detailed monitoring, he was able to cut the hours of usage to a mini- mum. And the savings started to roll in. Analysis of gas usage since the monitor- ing and control systems were installed shows a 40% savings with a payback on investment of less than five years. On the basis of these results, there are plans to install similar sys- tems in other facilities in Pitt Meadows and Maple Ridge.

This material is taken from a draft Tenren Gas pro- file of this project.

LIBRARY TASK FORCE ACTIVITIES

The UBCM Library Task Force completed analy- ses of 41 responses to its July 2003 member survey on public library issues in BC and made a formal submission to the MCAWS Public Library Branch (PLSB) in September. The submission details local government concerns with library issues across the province and will inform the PLSB’s en- gaging, development of a strategic plan for BC public libraries.

The Task Force wishes to thank those members who completed the survey – especially in light of its building - and encourages those communities who were unable to participate in the survey process this past summer to contact the PLSB directly with their com- ments and concerns. An online feedback form is available at www.mcaws.gov.bc.ca/lgd/public_libraries/plplan/feedback.htm and comments can also be directed to:

Email: plplan@gcms9.gov.bc.ca
Fax: 250-953-3225

The UBCM submission, as well as background information on public library issues in BC, is available through the UBCM website at www.civicnet.bc.ca under Featured Policy Topics – Library Task Force.

Tax Notice Design Standards Eliminated

After years of lobbying by UBCM, the provincial government will finally deregulate the design of municipal tax notices. As part of the Com- munity Charter implementation, the present regulation that prescribes several aspects of tax notice design will be repealed. Attempts to give municipalities authority to design their tax notices date back to the 1989 Financ- ing Local Government report, and perhaps even further back.

Paul Martin Address to UBCM: Two Highlights

The problem of munici- pal funding in this coun- try is clear. Under rules that were set a century and a half ago in a very differ- ent Canada, most of you collect no taxes that grow with the economy. This was brought home to me, really by one of my first days as a new Cabi-inet Minister in about 1994, I guess it was, when I went to an opening. I was sit- ting in the audience but there was a Federal MP there, a Provincial MLA and the Mayor of the local community and the Fed- eral MP stood up and took credit for a government grant, the Provincial MLA stood up for the govern- ment grant and the Mayor simply introduced every- body. When it was over the Mayor was a friend of mine and I said to him, my God it must be easy, you get all this federal and provin- cial money and you just have to sit there and col- lect it. He looked at me as if I had crawled out from under a rock and said, “Let me just tell you a story. You see that road. We put it in. (It was in an indus- trial park). See underneath there is a sewer sys- tem. We put it in. See that fire hydrant. We pay for the fire service. So let me tell you what really happens here. You put a little bit of money to build the factory, we paid all the money for the services to bring the factory and when the profits from that factory are taxed, you’re going to get half of them, the province is going to get its share and we’re going to get nothing. When the employees go home and they pay taxes, you’re going to get half of them and the province is going to get its share and we’re going to get nothing. Understand what happens here is that we put up the money and you other orders of govern- ment.

Community Charter Implementation Continued from page 1

• Bylaw Revision Regulation
• Short Term Capital Borrowing Limit
• Community Airports Property Tax Exemption
• Industrial and Business Property Tax Exemption
• Assessment Averaging and Phasing
• Converted Value Percentages
• Oath of Office
• Minister Responsible Regulation ( Concurrent authority)
• Repell of Property Tax Demand Notice Regulation and Demand Notice Regulation
• Three Tax Regulations – Municipal Tax Regulation, Regional District Tax Regulation; Improvement District Tax Regulation
• Vancouver International Airport Authority Industrial Property Property Regulation
• Community Charter Bylaw Enforcement Ticket Regulation
• Community Charter Commencement Regulation
• Bill 76 Commencement Regulation
• Interim Regulation

Concurrent Regulatory Authority

The major regulations still to be concluded are those to do with the scope of municipal author- ity under the spheres of concurrent authority respecting:

• natural environment
• public health
• building standards

The regulation regarding wildlife has already been approved.

It is expected that there will be no regulation at this time on bylaws that prohibit soil deposit or deal with soil contamination. These will still require Ministerial approval.

The final major regulation still to be finalized deals with financial borrowing limits and the “voter assent free zone.”

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- Vernon & District Multi-Use Facility
- Vernon & District Community Theatre Complex
- Cranbrook Recreational Complex
- Nainimo Aquatic Centre
- Trail Aquatic Centre
- Trail Memorial Arena Convention North Vancouver Tennis Centre
- Coquitlam Recreational Centre
- WP on First Floor and 2nd
- Whistler Municipal Works Yard
- TELUS Conference Centre – Phase I

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DELEGATE EVALUATIONS

The Delegate Evaluation System is a tool that UBCM uses for managing convention improvements and noting what works. At pre-convention, we received evaluations from approximately 19% of convention attendees. Although this reflects a 1% drop in returns from last year, it is considered a good return on a new system. This year, the Delegate Evaluation forms were part of the registration kit instead of being mailed out post-convention. This system enabled delegates to share their opinions while still fresh and helps UBCM get a quick start on improvements.

Overall, delegates scored the 2003 Convention as ‘Good’ or ‘Excellent’ with a composite rating of 4.2. This great rating is matched only by the 1994 Agricultural Tour scoring 4.6. But that’s not all. Increasingly, our clients are turning to us for related services as well, such as management advice, feasibility studies, financial indicators reports, financial planning, information technology, and human resources planning. Our specialized skills, tailored for your needs, allow us to use your resources — people, facilities, and money — as productively as possible.

We have been providing the public sector with audit opinions and accounting advice for well over 60 years. But that’s not all. Increasingly, our clients are turning to us for related services as well, such as management advice, feasibility studies, financial indicators reports, financial planning, information technology, and human resources planning. Our specialized skills, tailored for your needs, allow us to use your resources — people, facilities, and money — as productively as possible.

For more information on how we can help your Municipality or Regional District, contact one of our 21 offices in British Columbia, or one of our 98 offices across Canada. We’ve got the answers you’re looking for.

If you’ve got questions, we’ve got the answers you’re looking for.

Thank you to all delegates who stopped by our booth to visit and participate in the "Trading Board" booth to visit and participate in the "Trading Board" booth to visit and participate in the "Trading Board"
Gold-Star Recognition Program for well-drafted resolutions

Some members may have noticed a new feature during the resolutions debate at Convention this year. Several resolutions appeared on the big screen with a “Gold-Star” or “Silver Honourable Mention” medal attached.

This year, for the first time, the Resolutions Committee wanted to support the drafting of quality resolutions by selecting several well-prepared resolutions for recognition. The Committee reviewed the resolutions submitted before the June 30 deadline, and selected four resolutions as Gold Star and four as honourable mention. Congratulations to the teams who prepared the well-drafted resolutions selected for 2003:

2003 GOLD STAR RESOLUTIONS

A3 - Municipal Bylaws Fines: Collection Powers (joint submission of North Vancouver City, North Vancouver District and West Vancouver)
A8 - Transit Fuel Cost Increase (Campbell River)
A10 - Community Health Advisory Councils (Burns Lake)
A13 - Mandatory Helmets for Small Wheel Vehicles (Port Moody)

2003 HONOURABLE MENTIONS FOR QUALITY DRAFTING

A4 - Keep of Prisoners (Mission)
A14 - Municipal Boundary Extensions (Sunshine Coast RD)
B69 - Community Bond Interest Tax Exemption (Warfield)
B114 - Diversionary Programs for First-time Offenders (Cochrall)

Being a quality resolution means that the resolution meets several drafting criteria, which UBCM has established over the years. Drafting guidelines are sent to all local governments each spring to assist with the annual task of preparing resolutions for policy debate. According to UBCM’s guidelines, well-drafted resolutions have two or fewer “whereas clauses” and a concise enactment request – the “therefore clause.” Well-crafted resolutions use clear, simple language that defines a problem, the reason for it, and the best way to solve it. The resolutions are limited to a single subject and make appropriate references to policy, regulations or legislation where necessary. Quality resolutions address the interests of all UBCM members.

A quality resolution assists the UBCM, the members and the convention in several ways. They establish good policy by describing the issue and intent clearly, and by indicating specific requests for action to a responsible agency. It makes the debate move more smoothly at convention, and enables UBCM to take appropriate follow up action.

How to improve drafting quality? Have a look at the resolutions noted. Check the guidelines for drafting resolutions. Do not hesitate to contact UBCM staff for assistance and history on an issue before you take the resolution to your council or board. Limit the issues addressed by the resolution to a single subject. Submit several resolutions if you have more points and policy recommendations to make. Good luck with your drafting!
Nearly 130 communities participated in the opening flag parade - here, Mayor Barry Janyk carries the Gibsons flag.

Councilor Wallace, 2002-2003 UBCM President, welcomes the Honourable Paul Martin.

Five Cabinet Panels were held – the Business and Economy Panel included: (L to R) Ministers Bruce, Reid, Halsey-Brandt and Falcon.

Community. A borginal and W omen’s Services Minister George Abbott gave his third UBCM address.

The Resolutions Committee, chaired by Mayor Leonard and, shown here, Chair Marvin Hunt, Chair Hans Cunningham and Councillor Brenda Binnie guided the Convention through over six hours of discussion of a record number of resolutions.

All Delegate Services experienced a jump in usage this year. Shaw Email, as seen above, as well as Office Services and the Message Centre were consistently busy.
President Pat Wallace outlined key themes in each of the decades leading up to the 100th AGM.

With 1,868 delegates and others registered, the 2003 Convention was the second largest after the Victoria Convention in 2000 where 1,911 attended.

Delegates applaud the announcement by Solicitor General Rich Coleman to delay the charging of police costs on small communities and rural areas.

President-Elect Mayor Frank Leonard laid out some of his ideas for the year ahead.

Premier Gordon Campbell brought the Convention to a close with the final address in what was a week full of events and announcements.

A “sold out” Municipal Marketplace proved to be hugely popular with delegates.
UBCM Annual Convention Dates

<table>
<thead>
<tr>
<th>YEAR</th>
<th>DATES</th>
<th>LOCATION</th>
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<tbody>
<tr>
<td>2004</td>
<td>Mon. Sept. 20 to Fri. Sept. 24</td>
<td>Kelowna</td>
</tr>
<tr>
<td>2005</td>
<td>Mon. Sept. 26 to Fri. Sept. 30</td>
<td>Vancouver Convention &amp; Exhibition Centre</td>
</tr>
<tr>
<td>2006</td>
<td>Mon. Oct. 23 to Fri. Oct. 27</td>
<td>Victoria Conference Centre</td>
</tr>
<tr>
<td>2007</td>
<td>Mon. Sept. 24 to Fri. Sept. 28</td>
<td>Vancouver Convention &amp; Exhibition Centre</td>
</tr>
<tr>
<td>2008</td>
<td>Mon. Sept. 22 to Fri. Sept. 26</td>
<td>Penticton Trade &amp; Convention Centre</td>
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<tr>
<td>2009</td>
<td>Mon. Sept. 28 to Fri. Oct. 2</td>
<td>Vancouver Convention &amp; Exhibition Centre</td>
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<td>2010</td>
<td>Mon. Sept. 27 to Fri. Oct. 1</td>
<td>Whistler Conference Centre</td>
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<tr>
<td>2011</td>
<td>Mon. Sept. 19 to Fri. Sept. 23</td>
<td>Vancouver Convention &amp; Exhibition Centre</td>
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<tr>
<td>2012</td>
<td>Mon. Sept. 24 to Fri. Sept. 28</td>
<td>Kelowna</td>
</tr>
</tbody>
</table>

100TH AGM GROUP PHOTO - taken outside the Vancouver Conference and Exhibition Centre
At 12 noon on Wednesday, September 24th, convention delegates came together to celebrate a milestone. This historic photo heralds the strength of BC local government in keeping communities connected for almost 100 years. In the front row stands the 2002-2003 UBCM Executive.

Developing options.
Our Municipal Group offers experience in all areas of law relevant to local government, including land use and planning, environmental, labour and employment, public private partnerships, tax and litigation.

McCarthy Tétrault is Canada’s premier law firm with a significant presence in all major financial centres in Canada and offices in New York and London, UK.

The right people. The right results...
Convention Registration

TOTAL OF 1,868 DELEGATES ATTENDED the 2003 UBCM Convention in Vancouver, September 22 to 26.

A few relevant statistics on attendance this year include:
• 182 out of 183 members
• 790 voting delegates; 170 non-voting delegates; 385 partners and 523 “others”
• 56 media representatives

Recent registrations:
2003  Vancouver  1,868
2002  Whistler  1,746
2001  Vancouver  1,715
2000  Victoria  1,918
1999  Vancouver  1,694
1998  Penticton  1,579
1997  Vancouver  1,766
1996  Penticton  1,480
1995  Vancouver  1,734
1994  Whistler  1,710
1993  Vancouver  1,668
1992  Vernon  1,553

UBCM Convention Sponsors

UBCM gratefully acknowledges the contributions of the following sponsors of the 2003 UBCM Convention:

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2003 Award Recipients

The Union of BC Municipalities owes its rich history to dedicated local government officials who have faithfully represented their communities and the interests of the people of British Columbia. At the 2003 Convention, two new Long Service Awards and one Life Membership were presented.

Long Service Awards were presented to:

Chair Ted Armstrong, Cariboo Regional District

Director Michael Kokura, Alberni-Clayoquot Regional District

The UBCM congratulates these gentlemen on 25 years of service in local government.

The Life Membership was presented to:

Councillor Patricia Wallace, Kamloops

The UBCM thanks Cllr. Wallace for serving on the Executive and for her role as President in 2002/03.
Awards Given at the 2003 UBCM Convention

**INNOVATION AWARD WINNERS**
The Innovation Award recognizes the development of a program, project, service or approach in providing good government that has incorporated a new idea, method or device. Congratulations to the three winners: (1) City of Kamloops, (2) City of Kelowna, (3) Capital Regional District (and CREST).

- **City of Kamloops**: Sharon Friesen accepts the award with Engineering Manager, Maurice Gravelle and Cllr. Peter Milobar.
- **City of Kelowna**: Ron Cannan accepts the award for the City of Kelowna.
- **Capital Regional District (and CREST)**: Councillor Sharon Friesen accepts the award with Engineering Manager, Maurice Gravelle and Cllr. Peter Milobar.

**BEST PRACTICES**: The Best Practices Award category recognizes municipalities and regional districts that have improved or revised an existing program or service. There were three awards given: Best Practices, Best Local Government Website, Month long/Week long/Year long program.

- **Best Practices**: Mayor David Perry accepts the award for the City of Penticton. Gerri Logan, Vice-Chair for RDOS accepts the award with RD staff.
- **Best Local Government Website**: Mayor Teunis Westbroek accepts the award for the Town of Qualicum Beach on Vancouver Island.
- **Month long/Week long/Year long Program**: Mayor Ron Bell and Dennis Black, Director of Corporate Services for District of North Vancouver.

UBCM received several excellent submissions for these categories, which made choosing the winners a difficult task! The successes of local government initiatives highlighted in each entry gets better every year. President Wallace and MCAWS Minister, George Abbott presented special plaques to the winners on Wednesday, Sept. 24. UBCM congratulates the award winners and the Award of Merit recipients for consistently choosing excellence for their communities.

**BEST LOCAL GOVERNMENT WEBSITE AWARD WINNERS**

- **CITY OF LANGLEY**: Mayor Marlene Grinnell accepts the award with Langley City Council and staff.
- **CITY OF CHILLIWACK**: Mayor Clint Hames accepts first place and an award of merit for Chilliwack.
- **CITY OF LANGLEY**: Mayor Marlene Grinnell accepts the award with Langley City Council and staff.
Resolution

Continued from page 5

The Executive has referred this resolution back to the B137 Rural Landowner’s Advocate Office for BC coalbed methane development have been addressed. No action is required since the issues surrounding the UBCM’s existing resource revenue sharing positional object. It is clear that the intent of the resolution is to support economic and infrastructure development, restricting a separate concern from the emergency transport of injured firefighters.

B105 Health Care Funding and Services

The Executive did not endorse this resolution. The implications of the Romanow Commission require a much more thorough examination before they can be adopted as the policy of the UBCM as a whole.

B124 Economic Stabilization Strategy

The Executive did not endorse this resolution. While it is clear that the intent of the resolution is to support economic and infrastructure development, restricting discussion of the issue to the 250 region conflicts with the UBCM’s existing resource revenue sharing position.

B128 Coalbed Methane Development

No action is required since the issues surrounding coalbed methane development have been addressed by resolution B129, which was endorsed at Convention.

B137 Rural Landowner’s Advocate Office for BC

The Executive has referred this resolution back to the sponsor for clarification and possible resubmission in 2004.

Late Resolutions Referred to the Executive for Further Study/Discussion:

LR4 Fire Hazard
LR5 Fuel Load Management Practices
LR6 Residential Fire Insurance Denial

Although not debated at Convention, these three late resolutions were considered timely in focus and were thus referred to the Executive for further study and discussion. It is important that these resolutions would be tabled until the Executive could discuss the possibility of developing an interface fire action plan.

LR7 Library Book Rate

The Executive endorsed this resolution and has referred it to the Federation of Canadian Municipalities, the Ministry of Canadian Heritage, and Canada Post, as well as to the UBCM Library Task Force for further consideration.

LR8 Federal Aeronautics Act and Local Government Land Use Regulation

The Executive endorsed this resolution according to established UBCM policy (1993-A24) and has referred it to the Federation of Canadian Municipalities and the federal government.

LR9 Blanket Speed Zones

The Executive endorsed this resolution according to established UBCM policy (1999-B44) and has referred it to the provincial government.

LR11 Relocation of the Provincial Operations Communication Centres

Although the resolution addresses matters specific to the identified municipalities (which the UBCM would not normally admit under its resolutions submission guidelines), the issue of policing service changes is one which falls under the purview of the Justice and Protective Services Committee and the resolution has thus been sent to the Committee for consideration in its ongoing activity on policing matters.

Legislative webcasting

Debates of the Legislative Assembly of British Columbia are now carried live on the Internet, as well as on television. The webcasts are archived, so that it is possible to review previous sittings at any time. The archived webcasts are available within 15 minutes of the end of a sitting. This is a pilot project for the fall sitting of the Legislature, which began October 6, 2003, and is scheduled to end November 27. Archives will continue to be available at least until the end of the year. The Assembly will assess feedback from users to determine if the project will be continued in the new year.

Should the pilot project be deemed a success, future enhancements may include expanding to audio webcasts from the Douglas Fir committee room of the Estimates Debates in the Spring.

The webcasting service is intended to further the goal of openness and maximum access to the proceedings of the Legislature. Any area of the province where cable companies do not provide the Legislature’s television signal can now access the proceedings on a personal computer. The Federal House in Ottawa, many of the Provinces and most of the jurisdictions in the United States have already adopted webcasting.

Special features of the B.C. system include:
- large, clear image
- closed captioning
- links to legislative documents relevant to proceedings
- table of contents for archived webcasts with links to events in the webcast and to relevant documents such as bills
- links from times indicated in final Hansard transcripts to those same times in the webcast.

It is therefore now possible to search Hansard for debates of interest, using the Legislature’s search engine, and then click from the Hansard text directly to the appropriate point in the archived webcast.

Link to the webcast from the Legislature’s home page, www.leg.bc.ca. Please send comments and suggestions to webcast@leg.bc.ca. Computer system requirements are outlined in the webcast player’s help file.

For further information contact:
Greg Whincup
Multimedia Services Manager, Hansard Services
Legislative Assembly of B.C.
Victoria BC
V8V 1X4
250-387-0945, fax 356-5661
www.leg.bc.ca/hansard

The financial information received from the province based on the first quarter results suggests that some local governments will increase revenues based on the new provincial process (23) and other communities may lose revenue (27). There are a number of changes currently under way in the delivery of the keep of prisoner program so it is not totally clear how many communities may be affected by the change in provincial government policy.

The province is looking at changes to how it operates the collection of prisoners by the sheriff services and how it operates local prisons, which may reduce municipal jail costs as these changes are implemented. The RCMP is looking at further changes in how it manages municipal jails that may reduce local government costs in individual communities.

The UBCM has sent a notice out to all local governments involved in the keep of prisoner program and requested feedback from them regarding the program and the funding provided. At the UBCM Convention a resolution (Keep of Prisoner A4) was endorsed requesting the following:

THEREFORE BE IT RESOLVED that the provincial government be required to reinstate immediately the necessary funding for keep of prisoners for those prisoners that are the legitimate responsibility of the provincial government, including full reimbursement for the entire time of incarceration in municipal jails.

AND BE IT FURTHER RESOLVED that the provincial government engage in meaningful consultation with the Union of BC Municipalities prior to making any future changes to the keep of prisoner contribution.

Late Resolutions Referred to the Executive for Further Study/Discussion:

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KELOWNA

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> Local Government Consulting
> Community Enhancement
> Services for First Nations
> Community Servicing & Financing

Justice

First Conference on Crime Prevention

The first ever local government conference on “Crime Prevention and Community Safety” was held on November 20 and 21, 2003. The conference provided an opportunity for local governments to:

- Obtain information on crime prevention strategies;
- Identify sources of funding available from the federal and provincial government;
- Share information with other communities on crime prevention initiatives that have worked;
- Identify local government needs to the federal and provincial government;

The overall intent of the conference was to ensure that local governments are aware of the resources available to assist them and have a base level of information to support their efforts in leading their communities in the development of effective and comprehensive crime prevention strategies.

A total of 70 local governments attended the conference and over 90 people participated in it, some communities sending more than one person. Funding for the conference was provided by the federal National Crime Prevention Centre, through the Community Mobilization Fund, and the Ministry of Public Safety and Solicitor General. The conference was held in partnership with BC Justice Institute.

The delegates heard presentations from Rick Linden, University of Manitoba on how to undertake a needs assessment in the community as the first step in developing a successful crime prevention program. They also heard from Dr. Tullio Caputo, Carleton University in Ottawa, on the basic steps in the development of a model municipal drug strategy and the measures needed to ensure a sustainable community crime prevention program. In addition, Professor Pat Brantingham, from Simon Fraser University, provided the delegates with some further information on crime prevention strategies they might consider in their communities.

A youth group from Children of the Street Society provided the delegates with some incites into how youth are recruited into prostitution and the problems they face.

The delegates had an opportunity to share information on the problems they face in their communities, the two biggest issues facing communities appeared to be youth crime and drugs.

Information from the conference can be obtained from the UBCM office or the Ministry of Public Safety and Solicitor General.

Community Revitalization and the Community Charter

By Gary Paget, Ministry of Community, Aboriginal and Women’s Services

Introduction

The Community Charter adopted at the spring 2003 session of the provincial Legislature provides municipalities with a number of new tools and structures other tools which can be used to revitalize neighbourhoods and communities. This article describes these new and renovated tools and provides suggestions on how municipalities can use them effectively. A fundamental feature of the Community Charter is increased local autonomy and flexibility which increases local choice but also places demands on elected officials to make sound policy decisions. This presents new opportunities and challenges for planners.

Community Revitalization: What is it?

What do we mean by the term community revitalization? The Ministry’s A Guide to Community Revitalization describes four aspects of community revitalization: economic, environmental, cultural, and social. In short community revitalization is a multi-faceted process of community change. Communities are interested in revitalization both to respond to forces of change and to respond to opportunities.

Approaches to Community Revitalization

The provincial government has a major role in encouraging community revitalisation over the period 1983 to 1996. The primary component of this program was a $40 million community revitalization capital loan program. This was necessitated by the high interest rates of the period which were as high as 20% but the rationale for the program is not sustainable when municipalities can borrow from the Municipal Finance Authority in the 5% range. Since the demise of the provincial program, provincial efforts have shifted to “self-help”: providing local governments with the tools they need to revitalize communities. Some of the key milestones of this approach were the following:

- Heritage conservation legislation including heritage zoning, heritage areas and heritage agreements;
- Mountain resort legislation which enables mountain resort associations and mountain resort municipalities building on the success of Whistler; and
- New discretionary planning tools including comprehensive development zoning, density bonuses and housing agreements.

The Community Charter builds on this tradition of self-help and provides municipalities with new tools and increased flexibility with existing tools in order to revitalize neighbourhoods and communities.

The fundamental objective of the Community Charter is to enable communities to respond effectively and efficiently to...
Move for Health Day
May 10, 2004 is Move for Health Day.

What is it?
Move for Health Day is an annual international event to raise public awareness about physical activity and to engage health professionals and decision-makers to "move" on physical inactivity and to promote physical activity as a means to healthy living.

Move for Health Day events are a great way to engage your community to support physical activity. British Columbia communities have celebrated Move for Health Day for the last two years. Here are some examples of what went on in BC:

• Daycare center walkathons
• Free community recreation center events, targeting various audiences
• Move for Health Day Challenges for employees
• Community to Community Challenges
• Community Walking Program Launches – e.g., "Walk 103 kms in 2003."
• Mayors and Municipal Councils proclaim Move for Health Day every year to support local activity organizations every year through the various stages of planning, implementing and evaluating non-smoking bylaws and policies in public places in your community. You’ll find an overview of the current non-smoking bylaw situation in your community.

Why?
Almost half of British Columbians are inactive. Childhood obesity has tripled in the last 15 years. Preventable chronic diseases are affecting the lives of thousands of British Columbians and crippling our health care system. Regular physical activity reduces the risk of heart disease, some cancers, obesity, high blood pressure, stroke, osteoporosis and diabetes. Physical activity is also associated with overall wellness.

Start planning your May 10th Move for Health Day event now! For more information call Sharon Meredith at BCRPA at (604) 275-8055, ext. 305 or e-mail sharon@bcrpa.bc.ca. For early reference, the 2003 planning kit is available on the BCRPA web site at: http://www.bcrpa.bc.ca/event_worldhealth.htm.

Smoke-free Public Places Toolkit Available

Health Canada has recently developed "Smoke-free Public Places: You Can Get There", a guide to planning, implementing and evaluating non-smoking bylaws. The guide offers hands-on, easy-to-use resources to help municipalities and communities through the various stages of planning, implementing and evaluating non-smoking bylaws and policies in public places in your community. You’ll find an overview of the current non-smoking bylaw situation in Canada and a discussion of key issues like the benefits and challenges of non-smoking bylaws, and the steps required to get one in place. Also included are promotion and communication ideas, health and economic information, bylaw examples, sample surveys, evaluations and more. Find out about the experiences of other communities in six detailed case stories.

The toolkit contains samples of the following items:

• Smoke-free Bylaw
• Summary of Amended Meat Inspection Regulations Consultation Period Extended

The provincial government passed Bill 37 in 2002 to create a new Food Safety Act. This legislation consolidated a number of food safety related statutes, including the former Meat Inspection Act. The new legislation will be brought into effect when its companion food safety regulations are approved by Cabinet. Draft regulations are now out for public consultation. The draft regulations are posted on the Ministry of Health Planning web site at: www.healthplanning.gov.bc.ca/meatinspect/proj41(). The original deadline for input was December 1, 2003, but at UBCM’s request, the government has extended the consultation period to January 30, 2004.

An important consideration in the drafting process was the historic differences in meat inspection requirements across the province. Under the old legislation, only animals slaughtered in certain designated geographic areas are required to undergo veterinary ante- and post-mortem inspections. In addition, construction and operation standards for slaughterhouses differ between regions. These geographic areas were established where a municipality had exercised its authority under the old legislation. There are 23 such areas in the province at this time. The BSE or Mad Cow incident earlier this year has raised the profile of this issue once again with the public, and has drawn attention to the “patchwork” nature of meat inspection and public health legislation across the province.

Local governments with an interest in the draft regulations should forward their comments in writing by January 30, 2004 to: Kersteen Johnston, Executive Director Health Protection Planning Division Ministry of Health Planning 4th Floor — 1515 Blanshard Street Victoria, BC V8W 3C8

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The Problem Solvers.
Eight communities receive federal funding to combat softwood impacts

In September 22, 2003, the federal government announced over $3.5 million in funding for B.C. communities severely impacted by softwood tariffs. This funding will go towards eight job-creating community-based initiatives worth more than $15 million. The projects announced include:

Coastal B.C.
Mount Waddington
Port Alice will receive $230,000 in funding for a Port Alice Light Industrial Park to accommodate six businesses. Each business has made a financial commitment to set up operations in the community. The total project cost is $560,000.

Cowichan Valley
North Cowichan will receive $310,000 to upgrade and expand the Chemainus Public Wharf as an integral component of the district’s Marine Strategy Plan. The project total cost is $560,000.

The North
Fraser Fort George
Film Prince George will receive $9,000 out of $18,400 total project cost. This project will allow Film Prince George to integrate the software “FILM PILOT” to enable the film commission to seamlessly load and transfer digitized photographs.

Pacific Northwest
The Port Edward Historical Society will receive $191,000 out of a total $382,000 in project costs. The Society will enhance the Aboriginal culture displays and restore integral infrastructure to a cannery that comprises this historic Aboriginal fishing centre.

Cariboo Chilcotin
Jackpine Forest Products Ltd. based in Williams Lake, will receive $2,000,000 out of a total cost of $11,040,099. Jackpine Forest Products will establish a value added facility to manufacture “I” joists for the U.S. housing market.

The Okanagan & Kootenays
Southeast Region of B.C.
Baynes Lake Community Society in Graemere will receive $30,000 to create and restore the 1901 heritage schoolhouse transforming it into a consignment artisan gift shop for the 35 local artisians. The total project cost is $60,000.

Okanagan-Similkameen
The Fairview Heritage Townsite in Oliver will receive $14,387 to develop a historical and ecological site. The plan includes construction of a “discovery building” and the preservation of unique red and blue listed flora and fauna species (red and blue lists denote at-risk species requiring special attention). The project’s total cost is $173,107.

UBCM Legal Assistance Funding Program

The UBCM LEGAL ASSISTANCE PROGRAM was established as a result of a 1978 resolution. Over the years it has provided $190,084 for assistance in 65 cases (some multiple funded). This program is currently funded annually from surprises which have occurred within the operating budget. The 1978 resolution established seven guidelines for the program:

(a) There shall be no participation by the UBCM at the initial trial stage in any court action, whether it be the Supreme, County or Provincial Courts.

(b) The UBCM shall only participate in appeals of Court decisions, prior to consideration of the appeal court, which affect all municipalities or their employees in a substantial way.

(c) Complete discretion will be exercised by the UBCM as to whether it should contribute part or all of the costs of an appeal. The decision whether the UBCM will participate will be made by the Executive.

(d) There will be no UBCM participation in Court decisions involving the validity of a particular bylaw or the interpretation thereof which could be achieved by amending the bylaw to bring it within the Municipal Act (Local Government Act).

(e) The UBCM will not participate in Court decisions which deal with the policy of a particular municipality, e.g. shopping hours, no-growth policy, etc., which may not be a general policy of most municipalities.

(f) The UBCM will not participate in Court actions when the subject matter is clearly indefensible from its start.

(g) The UBCM shall have some control over the selection of Counsel and any losses recovered shall, by agreement, go to reimburse the UBCM and secondly, the municipality involved.

When a request for funding is received from a member, the UBCM assigns the evaluation to a lawyer of a firm not connected with the case but practising in municipal law. This independent review provides the Executive with a recommendation to approve or not to approve funding. The UBCM Executive then reviews the case based on the established criteria and recommendation and renders a decision. The UBCM and the municipality administer the cases funded through the process to settlement or final court decision.
Aboriginal Affairs Update

CERTAINTY AND FINALITY IN RECENT AGREEMENTS IN PRINCIPLE

One of UBCM’s longstanding interests in treaty negotiations is that they will result in settlements with First Nations that are certain and final. UBCM members have endorsed policy on this critical issue. Based on this, UBCM has continued to provide advice to the provincial and federal governments on the legal mechanisms used in treaties to achieve certainty.

The five recent draft Agreements-in-Principle (AIPs) with First Nations are significant milestones in the BC treaty process, (see Treaty Negotiations Update article this page for list of AIPs). They represent a “work in progress” towards final agreements. UBCM invited the law firm of Singleton Urquhart to provide an assessment of how our interests in achieving certainty and finality are addressed in the five AIPs. UBCM’s Aboriginal Affairs Committee has now endorsed the Singleton Urquhart report Certainty and Finality in Recent First Nations Agreements in Principle (September 2003) and the recommendations to provincial and federal governments it contains.

The report discusses whether the AIPs meet UBCM’s objective of certainty and finality. It reviews the UBCM policies and principles with respect to certainty and finality and comments on whether the AIPs are in accord with these policies and principles.

The language used in the “General Provisions” chapter of the five AIPs differs from that used in the Nisga’a Final Agreement (NFA). UBCM’s 1998 policy paper reviewed the NFA and concluded that while retaining flexible arrangements designed for durability and adaptability in treaty implementation, it yielded a substantial degree of certainty.

The Singleton Urquhart report concludes that recent AIPs completed in 2003, contemplate a treaty and other agreements which provide less certainty and finality than the NFA. First, the legal mechanism for optimizing certainty contained in the recent AIPs is incomplete, insofar as an agreement on a back-up legal technique for re-leasing or otherwise foreclosing “residual” aboriginal rights has yet to be derived. Further, in the AIPs the parties agree to negotiate amendments to the Governance and Final Agreements with a view to incorporating undefined additional rights. These provisions allowing additions of future Aboriginal rights is a significant “re-opener” not found in the Nisga’a Final Agreement.

The report also discusses other aspects of the AIPs and their implications for certainty and finality. With respect to governance, while all the recent AIPs include a chapter on this subject, the main focus is on lands, resources and fiscal arrangements, and the majority of governance issues have been set aside for future negotiation in a Governance Agreement. The Governance Agreement will be separate from the treaty and not constitutionally protected. So far, only the Snuneymuxw (Nanaimo) treaty table has produced a draft Governance AIP. The Singleton Urquhart report concludes that the Governance Agreement approach can be considered consistent with the UBCM principles that for topics where certainty is not achievable and dynamic rights are evolving, governments should consider using back-up agreements outside a treaty.

With respect to overlapping land claims with other First Nations, the AIPs provide little certainty and finality since most do not address the issue in any substantive way.

Based on the report, UBCM is recommending to the federal and provincial governments that they strive to achieve certainty and finality through inclusion of an appropriate back-up techniques to the modification provisions. Specifically, all future AIPs and Final Agreements should address the issue in a more substantive way.

TREATY NEGOTIATION UPDATE

Lead Tables

In 2003, Agreements in Principle (AIPs) were developed at five treaty tables by the Governments of Canada, British Columbia and the following First Nations: Snuneymuxw (Nanaimo area), Lheidli T`enneh (Prince George area), Maa-Nulth (west coast Vancouver Island), Slammon (Powell River area), Tsawwassen (Lower Mainland). Of these, the Lheidli T`enneh, Maa-Nulth and Slammon (bolded above) have been ratified by all three parties. Ratification of the other two AIPs has not yet taken place; the Tsawwassen First Nation will be voting in early December and the Snuneymuxw have not yet finalized a date.

Negotiation of AIPs represents a significant landmark in the six stage BC treaty process (AIP completion is stage 4). An Agreement in Principle is a non-legally binding document that outlines the major points of agreement between the parties for provisions that will form a final treaty.

With three of these original five fast track tables now proceeding with final agreement negotiations and potentially two more taking this step in the near future, the question our members want answered is, what tables are next? Which ones will be fast-tracked now or will government resources continue to be primarily focused on final agreement negotiations? UBCM will be closely monitoring the situation to provide our members with up-to-date information on which tables are gearing up for more intensive negotiations. The federal government is optimistic that as many as six more AIPs could be reached in 2004, based on continued progress at other tables.

BCTC Annual Report

The British Columbia Treaty Commission’s Annual report for 2003, published this fall, is cautiously optimistic about the progress of treaty negotiations. This is perhaps best illustrated by the title of their report: “Treaties Are Within Reach, if...”

The number of difficult issues still to be negotiated and not resolved by the AIP stage is the main reason for their cautious optimism. This list includes:

1. Governance
2. Certainty
3. Compensation
4. Cooperative management

Since 1980 our firm has restricted its practice to acting for local government and providing advice concerning municipal law to other clients.
I n January 1997, the UBCM together with the First Nations Summit, held the first province-wide Community to Community Forum. This jointly-organized event brought together First Nations and local government community leaders from around BC to discuss common issues, goals and opportunities for joint action. Its success was due to a spirit of goodwill and an open exchange of concerns, ideas, and constructive viewpoints. There was consensus among the participants that Community to Community Forums at regional and local levels should be encouraged.

The Union of BC Municipalities (UBCM) and the First Nations Summit (FNS), with funding and program support from the federal and provincial governments, have been supporting regional forums between neighbouring First Nations and local government governments since 1999.

Regional Community to Community Forum is a jointly organized mechanism between elected leaders from neighbouring local government and First Nation communities. It can involve one or more local governments and First Nations. The goal of a regional Community to Community Forum is to increase understanding and to improve overall relations between local governments and First Nations. A Community to Community Forum provides a time and place for dialogue on issues of mutual interest. These issues may relate to economic development, land-use planning, natural resource management, service delivery, and other areas of common responsibility or interest.

Since it was first initiated, the program has continued to gain momentum and build on its success. There were approximately 8 regional Community to Community forums funded and successfully completed in 2000, 20 events in 2001 and 15 events in 2002. So far in 2003, 32 forums have been funded and 19 held so far.

Given the continuing high levels of interest in the program and the fact that the current program ends in March 2004, UBCM and the First Nations Summit agree that securing more funding for future years is a priority. A review of the program, which focuses on the accomplishments, potential improvements or needed changes and next steps is now underway and results will be considered by the Aboriginal Affairs Committee early in 2004.

Treaty Negotiations
Continued from page 19

5. Revenue sharing
6. Land status
UBCM’s AIP analysis (see article this page) concluded that lack of progress in the case of governance and resolution in the case of certainty, are of significant concern to local governments and First Nations, and their interest have not been addressed fully in the past.

The BCTC’s annual report also expresses concern about the Government of BC’s lack of resources for treaty negotiations, the Government of Canada’s unilateral proposals to withdraw from some negotiations and the province’s land offer to the Haida. A major portion of the report is devoted to making a business case for the settle- ment of a joint board to purchase the cost of negotiating treaties with the benefits that will accrue from their settlement. A copy of the annual report is available through the BCTC webpage: www.bctreaty.net

Resource Revenue
Continued from page 19

parties may agree to provide a First Nation with Resource Revenue Sharing payments which are “notional or actually linked to actual or projected revenues associated with: forestry; oil and natural gas; mineral, and other natural resources agreed to by the parties.” The Cost Sharing Understanding does not involve pre-treaty Revenue Sharing Agreements that have been entered into by BC or Canada with First Nations bilaterally.

Resource Revenue Sharing is seen as a way to respond to the parties’ desire to participate and benefit more from the whole of their traditional territories. Additionally, it may spark greater support by First Nations communities for resource development in their regions.

The design of RRSA is largely up to negotiation at treaty tables. At that time, specific issues related to geographic scope, methodology for determining the payments, timing and process for making them and duration will be discussed. The offers will be made jointly by Canada and BC and the Resource Revenue Sharing would commence on the effective date of the treaty.

PTAG members expressed a wish for a workshop to discuss issues related to the design of RRSA and to provide advice to both the federal and provincial governments. Concerns with the Cost Sharing Understanding expressed by PTAG members related to: overlapping land claims will be dealt with, impacts on the ground with respect to adjacent communities not receiving resource revenues, and how fluctuations in revenues will be managed. A copy of the news release and agreement is available on the BCTC webpage: www.bctreaty.net

Certainty and Finality
Continued from page 19

should include a technique for effectively circumscribing aboriginal rights in the Final Agreements and the jurisdiction and powers set out in the Governance Agreements.

UBCM seeking assurances from both governments that future agreements in Principle and Final Agreements entered into will include provisions to the greatest extent possible, those characterizing of certainty and finality sought by BC governments and reflected in UBCM policies.

Kootenay Municipalities
Concerned about Provincial Apportionments

Under the Columbia Basin Agreement, local governments and First Nations had the power to make direct appointment to the Columbia Basin Trust Board. Ten of the 18 board members were directly appointed by five affected regional districts (2 each) with another 2 by the tribal council and the final six directors appointed by the Lieutenant Governor in Council. Recently Bill 79 Columbia Basin Trust Act, 2003 has changed that process. Regional districts will no longer appoint one person from each of the affected regional districts to the Trust Board, instead 3 regional directors will be selected by the Columbia Basin Trust Board. The remaining 5 board members will be appointed by the Lieutenant Governor in Council.

On Sharing: Federal Gas Tax

"So what our goal has to be is to make municipal funding more predictable, more reliable and to an even greater degree, yours and provincial control. To do that cities need a new fiscal partnership and while your primary relationship remains with the province, as it should be, the Federal government’s role in so much of what occupies cities means that we must do our share. One part of the answer is longer-term infrastructure agreements and longer term housing agreements and others of such nature. But another part of the answer is surely sharing a portion of the gas tax that we collect at the federal level. You have suggested this. And there are going to be many obstacles that we’re going to have to overcome along the way in terms of negotiations, the mechanisms in how we’re going to do it. But let me be very clear about one thing, we the Canadian government, if indeed that comes to pass. We will do everything that we can to make that happen. No matter how long it takes, we are going to have to overcome from having a greater degree, yours and provincial control. To do that we need a new fiscal partnership and while your primary relationship remains with the province, as it should be, the Federal government’s role in so much of what occupies cities means that we must do our share. One part of the answer is longer-term infrastructure agreements and longer term housing agreements and others of such nature. But another part of the answer is surely sharing a portion of the gas tax that we collect at the federal level. You have suggested this. And there are going to be many obstacles that we’re going to have to overcome along the way in terms of negotiations, the mechanisms in how we’re going to do it. But let me be very clear about one thing, we the Canadian government, if indeed that comes to pass. We will do everything that we can to make that happen. No matter how long it takes, we are going to have to overcome from having
LETTING GO OF BAD HABITS
By Eli Mina, M.Sc., P.R.P.

An important part in the life of an elected municipal official is the interaction with the community. Councils need to be accountable and satisfying in serving in more senior levels of government.

S o what’s the problem? As you interact with the community, there are some habits you should be aware of and avoid. When speaking to individual citizens, you must keep sight of the needs of the larger community. You need to be well prepared and committed to serve. You should remember that loud and powerful voices are not necessarily a representative pulse of the whole community. In a public meeting, you need to maintain decorum and elevate the stature of Council as a decision making body.

This article describes eight bad habits sometimes in evidence in municipal council meetings. These habits can undermine a council’s ability to work as an effective decision-making body, and can reduce its capacity to act in the best interests of the community as a whole.

1. Converting a Council meeting into a public forum: In small communities, where everyone knows everyone, the lines between decision makers and average citizens can easily become blurred. In some communities, citizens sometimes speak up without recognition by the Mayor, and may even raise points of order or make motions. This is contrary and not representative democracy, and Council’s ability to govern and make tough decisions is severely compromised. It must be made clear that the public is there to observe, and that it may only speak when permitted to do so by Council.

2. Addressing citizens on a first name basis: A public delegation makes a presentation to Council, and the members follow up by asking questions. Knowing a persönlicher, they refer to him or her on a first name basis. This diminishes the distance between decision makers and citizens. Being too casual or friendly can impair Council’s ability to say no to individuals or small groups, even when this must be done in the interests of the broader community.

3. Allowing abusive comments: A citizen uses harsh and abusive language, and does not accept the response of a staff member. Operat- ing under the notion that citizens are the masters, no one intervenes. This poisons the air and gives license to others to do the same. Council must recognize its duty of maintaining decorum, regard- less of how tough the issues may be. Everyone should know that it’s okay to speak passionately about the issues, but personal atti- tudes, racially and slurs are not acceptable.

4. Allowing heckling: During a controversial public hearing, some citi- zens may heckle individu- als who express unpopular views. The Mayor may either call on another member to continue the process and allow it, or he or she may consider it a duty to say something like: “Ladies and gen- tlemen. I must ask you to give the person at the microphone the microphone. We need to make sure that people staying here are able to speak equally, respectfully and decorum at this meeting.”

5. Allowing applause: Yes, this can be a problem. If citizens who speak in support of a certain viewpoint are enthusiastically applauded and cheered, those who hold opposing views may be too intem- dated to speak. At the start of the meeting, the Mayor should say something like this: “In fairness to all points of view on this issue, I would ask that you give applauding speakers applause. It can make them feel important and that they have a voice. To oppose views to speak. We need to make it safe and comfort- able for people to partici- pate in the process. Let’s be fair.”

6. Being too lenient with public delegations: Many Councils place lim- itations on the number of public delegations and the time they are allowed to speak. Conversely, other Councils make public delegations the prime focus of every meeting, and do not establish limits or time frames.

7. Directing comments to specific groups: Many Councils place lim- itations on the number of public delegations and the time they are allowed to speak. Conversely, other Councils make public delegations the prime focus of every meeting, and do not establish limits or time frames.

8. Council acting as the prime focus of every meeting. Council ends up meeting. Council ends up.

Eli Mina M.Sc., P.R.P. is a Vancouver based consultant and Registered Parliamentarian. He specializes in building better boards and councils, preventing policy-making from dealing with dysfunctions, denystifying and humanizing the rules of order, and minute taking standards. Eli can be reached at (604) 730-0377, or by e-mail at elima@elimina.com. His web site is www.elimina.com.

Eli is the author of “The Complete Handbook of Business Meetings,” and two other books on meetings, shared decision making, and rules of order. For book excerpts and for ordering information visit www.elimina.com/books.

Courses and Resources

BC Road Construction & Maintenance Safety Network Traffic Control Person Training New WCB Regulatory Requirements

The BC Road Construction & Maintenance Safety Network (Safety Network) facilitates the creation of a positive occupational health and safety culture by providing a forum where employers work together to reduce the human and financial impacts associated with accidents and injuries in the road construction and maintenance industry.

The Safety Network is a society incorporated under the British Columbia Society Act and is funded by Workers’ Compensation Board (WCB) assessments for Sub-Sector 7230 – Road Construction or Maintenance. “Our goal, is to provide municipalities with a quality product,” said Tom Johnson, Chair. “That includes a safer worksite.”

Along with designing programs for this industry, the Safety Network was contracted by WCB to administer a new traffic control person (TCP) training program to regulate training throughout the province. This standardized program came from a TCP Committee consisting of representatives from the British Columbia Government, municipalities, industry, labour force and educational institutions. The “best practices” were developed and included in the instructors and TCP training materials.

Effective June 30, 2003, the WCB required that all people working as TCPs must have certification of attendance in an approved training course. The Safety Network offers the only WCB approved program that issues a certificate for TCPs.

Local governments, TCPs and contractors working for local governments providing traffic control are all required to be in compliance with this new requirement by March 2004. “When we were at the UBCM convention we held discussions with many municipal officials,” stated Stephen Torrence, executive director. “It was very apparent that more needs to be done to ensure the public safety of citizens in the road construction and maintenance industry.”

The “best practices” were developed and included in the instructors and TCP training materials. The result is that Council is more excited and satisfying in its capacity to act in the best interests of the public.

Communities and Natural Resources in Transition: Linking Social Science and Practitioners for a Sustainable Future

February 18 and 19, 2004
University of Northern BC – Prince George, BC

Historically the linkages between natural resource management, the social sciences and forest-based communities, including First Nations, have been weak. The focal point of many councils’ efforts is to create and sustain collaborative, forest-based, sustainable forest management (SFM) requires improved and innovative social and economic research and practices. Nowhere is this situation more press- ing than in British Columbia where timber market pressures, policy changes, timber sector re- structuring, and massive mountain pine beetle sal- vinia operations are changing the human links to our natural resources.

Forum Purposes

• Facilitate the exchange of new knowledge and learning from research and practice about the human dimensions of natural resource manage-
• Expand networking and partnerships between natural resource practitioners/policy makers, community leaders and members, and social sci- entists; and
• Extend the use of social science research and practice in real-life situations.

Who should attend?

• Community leaders and individuals involved in community development, planning and transi-
• Natural resource managers, decision makers and policy specialists; and
• Social Science researchers doing research on natu-

For more information and to pre-register contact: UNBC Continuing Education either through their website or by calling Rob Bryce at (250) 960-5991. Updated information will be posted to the website at: http://www.unbc.ca/conted/socialsciences
MFA Pooled Leasing Program (Prime Less 1%)  

We would like to take this opportunity to thank participants in one of our optional financial programs – the Municipal Finance Authority Pooled Leasing Program. This program has been in transition over the past year and we are pleased to report that restructuring is now complete and the program is more efficient and secure than ever.

The MFA Pooled Leasing Program was developed in 1995 as an optional program providing a streamlined process and lower rates than other financial institutions and manufacturers’ captive leasing terms for BC Municipalities, Regional Districts, School Districts, Colleges and Universities, E-Comm, CIVRID, Sewage and Drainage, the Greater Vancouver Water District, TransLink and Improvement Districts. The program now extends beyond BC and as far east as Ontario.

The MFA Leasing Corp. (a wholly-owned subsidiary of MFA) has been developed to service MFA Pooled Leasing Program assets in the MFA name and ensure that cash flows are handled only by MFA staff. Our service contractor, Public Body Leasing (PBL), handles the Pooled Leasing Program documentation with the assistance of an online management system for the program and calculates monthly payments.

Community Revitalization

Continued from page 16

Local issues and objectives. This is primarily achieved through legislation that broadly empowers, rather than specifying in detail, what municipalities can and cannot do and how.

This is done by:

- providing new tools;
- increasing flexibility and providing greater choices in how existing tools are used; and
- removing impediments and reducing provincial approvals.

Let’s look at three of the new and/or transformed tools: local service areas, business improvement areas and revitalization tax exemptions.

Local Service Areas

The Community Charter provides one set of simplified rules for establishing local benefiting areas. Detailed legislative specifications in 31 sections for local improvements and specified areas’ sections are replaced with 19 compact, broadly-enabling sections for local service areas.

The local service area enables council to provide any service to part of a municipality considering to be of benefit to that area. This provides the opportunity to charge beneficiaries to develop or redevelop infrastructure in a particular area of a municipality with the consent of the property owner. Councils can use petitions, referenda or council initiative to establish these areas. The simplified rules of creating a threshold for success of 50% of owners having at least 50% of the assessed values in the case of a petition or council initiative. They answer a long-standing concern of electors on a 50-50 test.

These changes to benefiting areas will be of particular interest to municipalities looking for a way to finance redevelopment of existing areas. Councils can use property taxes or frontage taxes. Local service areas complement existing powers with respect to development costs, which are most useful in “green fields” situations. In this sense, this is a major step forward by allowing council to consider requests of the development industry for more flexible area-based finance. The challenge for municipalities will be to develop the appropriate policy context within which local service areas would be created.

Business Improvement Areas

The business improvement area (BIA) has been around since 1991 and currently there are 37 active associations in the province. The Community Charter reworks the existing provisions in the Local Government Act to introduce additional local choice and flexibility. For example, detailed rules relating to the operation of a BIA have been replaced by a general enabling authority to establish terms and conditions on receipt and expenditures of monies. Closely linked to a local service area, a business improvement area is a tool for self-help; businesses agree to be taxed in order to support activities which promote the economy of a particular area of a municipality. The purposes of a business promotion scheme include:

- Undertaking studies
- Enhancing of municipal physical infrastructure
- Encouraging business development
- Conserving heritage property and
- Remove graffiti
- Business improvement area can be created by petition, or council initiative.

The Community Charter increases the usefulness of the tool by lowering the bar for creating a business improvement. Now 50% of the owners having 50% of the property values are necessary to create a BIA and the 20 year time limit on a BIA has been eliminated.

A business improvement area is financed by the beneficiaries. Additional financing has been provided to establish different tax rates on different categories of businesses other than prescribed assessment classes. For example, there could be different charges for hotels, bed and breakfasts and restaurants. This builds on flexibility in the mountain resorts legislation.

In conclusion, the legislative changes increase the attractiveness of this tool which will please advocates. At the same time, it places pressures on municipalities to create both overall policy and to design bylaws which clearly establish expectations with respect to the business improvement area and the private association managing the area.

Reactivation Tax Exemptions

The Community Charter provides council with the authority to provide property tax exemptions to encourage investment in revitalization areas. The revitalization area must be designated in an official community plan or in the municipal financial plan. The municipality must identify the reasons for designating the exemption area and the objectives of the exemption. The intent is that municipalities will go through a thorough de- liberative process before designating an area and that there will be full public process, discussion and debate and that the exemption will be placed in the context of the larger policy interests of the municipal government.

In addition, the municipality must adopt a property tax exemption program bylaw. This ensures that a program has been fully worked out with the minimum requirements that the bylaw includes:

- kinds of property eligible for the exemption;
- extent of the exemption;
- conditions attached to the exemption; and
- recapture amount or the taxes which must be returned should the conditions be violated.

The Ministry of Community, Aboriginal and Rural Development Services has developed an advisory bulletin on the elements of good property tax exemp-

The Municipal Finance Authority is pleased to announce the October 2003 launch of its Com mercial Program (CP) Program in Canada.

In early July, the MFA began the process of launching the CP Program with a presentation to Standard & Poor’s – a well-known rating agency. We are pleased to announce that Standard & Poor’s has issued the MFA CP Program the highest short-term rating possible (A-1+).

In the CP Program, the MFA borrows short-term (i.e., 30 days) monies in its own name, instead of using the bank as a conduit. Currently, our Interim Financing and Leasing Program borrowers in the form of lower rates will in turn be passed on to all Interim Financing and Leasing Program borrowers in the form of lower rates or dividends to be introduced in 2004.

Please call the MFA office if you have any questions about the CP or any other MFA program.

The MFA Staff would like to wish you and your families the best of the holiday season and look forward to seeing you in the New Year!

Municipal Finance Authority of BC
737 Fort Street
Victoria, BC V8W 2V1
Phone: (250) 383-1181
Fax: (250) 384-3000
mfa@mfa.bc.ca
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The savings we accrue from the CP Program will in turn be passed on to all Interim Financing and Leasing Program borrowers in the form of lower rates or dividends to be introduced in 2004.

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Local governments have a lot on their plate at the best of times. When it comes to meeting Kyoto targets for reduced fossil fuel emissions, it may be difficult to see immediate benefits of energy conservation and it may require staff time to identify appropriate community strategies. Despite the hurdles, many BC municipalities are now ready for the challenge, leading the way into 21st Century by thinking about how land use, transportation, buildings, infrastructure and energy supply all relate to sustainability.

For example, the City of New Westminster is planning the redevelopment of the Woodwards area in a modern and sustainable way. The Woodlands plan will revitalize this strategically-located area into an integrated mixed-use neighbourhood including residential, health care, commercial, cultural and recreational facilities. A number of energy issues have been addressed in the planning of this new community:

- Reduced car dependency through on-site amenities, local community services and enhanced connections to adjacent amenities;
- Heritage building preservation (saving embodied energy!), passive solar considerations, trees and recycling of existing building materials;
- District energy potential and other sustainable energy strategies addressed in the comprehensive master plan;
- Storm water measures, green roof recommendations, energy efficient building designs and measure guidelines for existing buildings.

Of course, not all municipalities have a neighbour to retrofit or revitalize. But there are many smaller scale options available which also demonstrate leadership in energy savings, conservation and reduced energy demand.

Take the City of White Rock, for example, the winner of the 2003 Community Energy Association Energy Awareness Award. In 2001, the City decided to build a new Operations Building. Instead of going the way of demolition and constructing anew, the city decided to renovate an abandoned Sanitary Treatment Plant, using a buried tank wall as the foundation.

The White Rock Operations Building (6545 sq or 608 sm) was completed in 2003 at a cost of $1,220,000, only 8% more than the cost of an equivalent conventional building. The expected pay-back from all those energy saving features is 11 years. Currently, the energy cost savings are “gravy” for the White Rock taxpayer!

Still feeling the energy blues? Don’t know how to start or where to turn for help in scoping your energy saving project? The Community Energy Association (CEA - formerly the BC Energy Aware Committee) may be able to help. We are a non-profit society dedicated to providing support for local governments in their initiatives to reduce energy demand and improve energy efficiency, both in the corporate environment and throughout the community.

The CEA is presently working on initiatives with the City of Prince George, the Capital Regional District, the Douglas First Nation, and continuing projects with the City of Quesnel and Municipality of Bowen Island. The CEA is a good place to start if you need help in scoping projects that will help address your concerns.

If you’d like to discuss your community’s needs, please contact Odette Brassard, Projects Coordinator, 604-876-5710 or obra@communityenergy.bc.ca, and check the website www.communityenergy.bc.ca.

You are invited to join the BC Community Forest Association.

The BC Community Forest Association is a unified voice for the interests of all BC communities engaged in community forest management as well as those seeking to establish community forests. Formed in March 2002, the BCCFA is a non-profit society whose mission is to promote and support the practice and expansion of sustainable community forest management in BC.

The BCCFA is:

- Linking community forest initiatives;
- Working to ensure the viability of community forests in First Nations and other rural communities;
- Providing education on community forestry issues;
- Assisting community forest practitioners in accessing resources required to succeed;
- Promoting community forest management as a strategy for community economic development;
- Promoting the management and practice of community forest initiatives in a manner which respects First Nation rights and interests, and which fosters understanding and cooperation between rural communities and First Nations.

To become a member, please contact Jennifer Gunter at Box 1227 Kaslo, BC V0G 1M0 Ph. (250) 353-2034 E-mail jgunter@netidea.com.

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Renewable energy:
- The facility harnesses solar energy with the use of new locally-purchased solar tubes to provide base radiant heating for the building.
- Thermal energy in storm water diverted from city streets into a detention tank is being used to augment heating the facility in the winter months and cool the building in the summer.
- Solid waste reduction:
  - The wastewater treatment plant’s concrete clarifiers and pump house has become the foundation for the new facility.
  - The former office building was 97.7% recycled, diverting 427,670 tonnes from the landfills.
  - The new building used recycled materials such as heavy timber, components, wood decking and insulation.
  - All construction waste was sorted into accepted recycled components.

Atmospheric strategies:
- An average 40% fly ash was incorporated into all new concrete to significantly reduce CO2 emissions from cement production.
- The green roof reduces heat gain.
- Natural ventilation strategies eliminate air conditioning.
- Materials used were produced within a 500-mile radius to reduce transportation emissions and other environmental impacts.

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If you’d like to discuss your community’s needs, please contact Odette Brassard, Projects Coordinator, 604-876-5710 or obra@communityenergy.bc.ca, and check the website www.communityenergy.bc.ca. Successful implementation of the new annual reporting requirements depends on ensuring municipalities are aware of the new Charter provisions. A number of initiatives were carried out this fall, including a discussion on progress reporting at the UBCM Fall Convention, Small Talk Forum. Other implementation activities included six, regional workshops presented jointly by the LGMA and the Ministry. These implementation workshops were designed to provide information and advisory materials to local governments on the Community Charter. Informational materials distributed at these workshops may be found on the CivicInfo BC website.

Finally, the Ministry and LGMA have developed a Guide to Municipal Progress Reporting to further support municipalities with their reporting process. This guide provides practical approaches to meeting the new Charter reporting requirements, and includes guidelines for setting objectives and measures and sampling annual reports. The guide is now available on the Ministry’s website.

Although municipalities are not required to publish a progress report in the first year, municipalities should keep in mind; they are still responsible for preparing their first municipal report by June 30, 2004. If you have any questions or comments on the new annual reporting requirements, please contact the MCAWS Financial Analyst for your area: 

http://www.mcaws.gov.bc.ca/ldg/infra/index.htm

P art 4 Division 5 of the Community Charter lays out new provisions that require municipalities to produce an annual municipal report regarding financial and operational information of the municipality. As part of their annual report municipalities are required to include a progress report respecting newly set objectives and measures. As a result of discussions at the invitation-only workshop held this past June, amendments have been made to the Community Charter Through the introduction of the Community Charter Through the introduction of the implementation scheme can be found on the Ministry’s website at: http://www.mcaws.gov.bc.ca/char

Community Charter – Update on Municipal Annual Reporting

Momentum is really building behind the development of community forestry in BC. In March of 2003, the Liberal Government announced its intention to double the Community Forest Program. This was great news to the many rural communities that have expressed an interest in becoming involved in the program. The proposed expansion is certainly a step in the right direction, but a small step given the high demand for Community Forest Agreements in BC.

The BC Community Forest Association (BCCFA) was formed in 2002 to bring together community forest organizations in order to promote and support the practice and expansion of sustainable community forest management in BC. This was great news to the many rural communities that have expressed an interest in becoming involved in the program. The proposed expansion is certainly a step in the right direction, but a small step given the high demand for Community Forest Agreements in BC.

The BCCFA believes that community forestry offers a proactive approach to addressing the economic, social and environmental concerns of all forest-based communities, and encourages the participation of BC communities in its ongoing efforts.
Is your municipal government considering new and innovative approaches to sustainable community development?

The Green Municipal Funds help Canada’s municipal governments build healthy communities.

Visit the Federation of Canadian Municipalities’ Web site (www.fcm.ca) to find out how you can participate. Our project officers can help you develop your application.

Municipal governments are implementing exciting, innovative solutions to clean up the air, water and soil and to address climate change.

Established in 2000, the $250 million Green Municipal Funds (GMF) help municipal governments invest in energy efficiency and renewable energy, water, wastewater and solid waste management, and sustainable transportation. More than 100 municipal governments and their partners are participating.

- Open to all municipalities
- Applications accepted year-round for Green Municipal Enabling Fund (GMEF) and Green Municipal Investment Fund (GMIF) – NEW
- Expanded project categories – NEW
- Brownfields redevelopment plans now eligible – NEW
- Flexible innovation criteria
- GMF financing can be combined with other funding programs

The Government of Canada has endowed the Federation of Canadian Municipalities with $250 million to establish the Green Municipal Funds and support municipal government action to cut pollution, reduce greenhouse gas emissions and improve quality of life.

Sustainable Communities: You Decide! National Conference and Trade Show 2004

February 4 – 7

Ottawa, Ontario • http://kn.fcm.ca