



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
MARCH 3, 2020 – 7:00 PM
COUNCIL CHAMBERS**

1. Call to Order

2. Public Input (maximum 30 minutes)

Mayor: "Public Input is for the purpose of permitting people in the gallery to provide input and shall be no longer than 30 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the Agenda of the meeting; the public input opportunity is meant for input and questions and answers. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record please state your name and address."

3. Introduction of Late Items

4. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for March 3, 2020 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on February 18, 2020 be adopted.

6. Petitions and Delegations

7. Correspondence

Recommended Resolution:

THAT the following correspondence be received.

- a) Kevena Hall, Executive Director, Child Care Capital, Community and ECE Registry Services – Update: Changes to the Childcare BC New Spaces Fund
- b) ICET – Economic Infrastructure and Innovation Program 2020 intake
- c) Emergency Management BC – Modernization of the Emergency Program Act update
- d) Ministry of Municipal Affairs and Housing – Interim Business Property Tax Relief program
- e) WFP – Operations Update

8. Council Reports

9. Reports of Committees

10. Mayor's Report

11. Unfinished Business

12. Staff Reports

a) Staff Report: Projects Update – February 2020

{pg 25}

Recommended Resolution:

THAT Council receive the Projects Update - February 2020 report for information and discussion.

b) Staff Report: Public Nuisance Bylaw

{pg 37}

Recommended Resolution:

THAT Council receive the Public Nuisance Bylaw report for information and discussion.

c) Staff Report: Policy Update Project

{pg 52}

Recommended Resolution:

THAT Council receives the Policy Update Project report, and;

THAT Council approves 100-02 Bylaw Enforcement Policy.

13. Bylaws

a) Village of Sayward Public Nuisance Bylaw No. 417, 2018

Recommended Resolution:

THAT Village of Sayward Public Nuisance Bylaw No. 417, 2018 be given third reading; and

THAT Village of Sayward Public Nuisance Bylaw No. 417, 2018 be given fourth and final reading.

14. New Business

15. Public Question Period (maximum 15 minutes)

Mayor: "The purpose of the public question period is to permit people in the gallery to ask questions about the issues discussed by Council during the meeting. Speakers will be allowed to ask one question each. If time permits, after everyone has had an opportunity to ask questions, speakers will be allowed to ask a second question. For the record, please state your name and address."

16. In-Camera

Prepare to go In-Camera

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(i) of the *Community Charter* to discuss labour relations or other employee relations.

17. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for March 3, 2020 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
FEBRUARY 18, 2020
COUNCIL CHAMBERS**

Present: Mayor John MacDonald
Councillor Joyce Ellis
Councillor Norm Kirschner
Councillor Bill Ives

In Attendance: Lisa Clark, CAO/CFO
Mavis Alkenbrack, DAO/DFO

Absent: Councillor Wes Cragg

1. Call to Order

Meeting was called to order at 7:00 PM.

2. Public Input - None

3. Introduction of Late Items - None

4. Approval of Agenda

MOTION R20/37

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for February 18, 2020 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R20/38

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on February 4, 2020 be adopted as amended.

THAT the minutes from the Committee of the Whole meeting held on February 11, 2020 be adopted.

CARRIED

6. Petitions and Delegations

a) Kirsten Soder, Executive Director – Destination Campbell River

MOTION R20/39

MOVED AND SECONDED

THAT the presentation by Kirsten Soder, Executive Director, Destination Campbell River be received.

CARRIED

7. Correspondence

MOTION R20/40

MOVED AND SECONDED

THAT the following correspondence be received:

- a) Chan Nowosad Boates Inc., Chartered Professional Accountants – Engagement Letter and Audit Planning Report
- b) Kevena Hall, Executive Director, Child Care Capital, Community and ECE Registry Services – Update: Changes to the Childcare BC New Spaces Fund
- c) Mayor Rob Vagramov, City of Port Moody – Universal Public National Pharmacare Program, request for support.
- d) Wounded Warrior Run BC 2020 – invitation to Sayward Legion February 24th, and request for support.
- e) Chief Nicole Rempel, K'omoks First Nation – Press Release regarding protest/blockade on Inland Island Highway Feb 10th, 2020.
- f) Island Health - Dr. Charmaine Enns, Medical Health Officer for the North Island – Coronavirus update

CARRIED

Direction to Staff: That item 7. b) be added to the March 3rd agenda for Cllr Cragg, and
That item 7. f) be included in the March Sayward News

MOTION R20/41

MOVED AND SECONDED

THAT Council authorizes the Mayor to send a letter of support to the City of Port Moody and the Minister of Health Canada regarding the development of a Universal Public National Pharmacare Program.

CARRIED

8. Council Reports – None

9. Reports of Committees - Committee of the Whole meeting February 11, 2020

a) 2020 Salaries & Wages

MOTION R20/42

MOVED AND SECONDED

THAT Council endorse recommendation IC20/16 made by the Committee of the Whole, and;

THAT Council approve the 2020 Salaries & Wages as presented in version 3 of the Financial Plan.

CARRIED

10. Mayor's Report – verbal

Note: The Mayor briefed Council and the gallery on the following items:

a.) Island Timberlands (IT) – meeting to discuss noise complaints regarding the log sort. The Mayor indicated that IT is willing to meet with Council. IT would like some input before the meeting as to what questions Council has so they are prepared to answer.

b.) Ministers meeting regarding the Dam Project – the Mayor stated that the letter has been sent; as of the date of this meeting no response has yet been received.

c.) AVICC 2020 – Cllr Ives will not be attending AVICC 2020, Cllr Kirschner will attend.

MOTION R20/43

MOVED AND SECONDED

THAT the verbal report from Mayor MacDonald be received.

CARRIED

11. Unfinished Business – None

12. Staff Reports

a) Staff Report: Public Works January 2020

MOTION R20/44

MOVED AND SECONDED

THAT Council receive the Public Works January 2020 report for information and discussion.

CARRIED

b) Staff Report: Recreation Centre January 2020

MOTION R20/45

MOVED AND SECONDED

THAT Council receive the Recreation Centre January 2020 report for information and discussion.

CARRIED

c) Staff Report: Fire Department January 2020

MOTION R20/46

MOVED AND SECONDED

THAT Council receive the Fire Department January 2020 report for information and discussion.

CARRIED

d) Staff Report: Admin Office January 2020

MOTION R20/47

MOVED AND SECONDED

THAT Council receive the Admin Office January 2020 report for information and discussion.

CARRIED

e) Staff Report: Website Project

MOTION R20/48

MOVED AND SECONDED

THAT Council receive the Website Project report for information and discussion.

CARRIED

Direction to Staff: Staff directed to schedule a Committee of the Whole meeting for March 6th at 2pm with Sayward Futures Society, the Tourism Committee, and the service provider to discuss the project.

f) **Staff Report: RCMP Lease**

MOTION R20/49

MOVED AND SECONDED

THAT Council receive the RCMP Lease report for information and discussion, and;

THAT Council authorizes the Mayor & Corporate Officer to sign the Renewal Lease Agreement with the RCMP.

CARRIED

g) **Staff Report: Recreation Survey**

MOTION R20/50

MOVED AND SECONDED

THAT Council receive the Recreation Survey report for information and discussion, and;

FURTHER, THAT Council authorizes Staff to open the survey for the period March 1, 2020 to April 30, 2020, and;

FINALLY, THAT Staff be directed to advertise the survey on the Village website, social media and in the Sayward News.

CARRIED

h) **Staff Report: Request for information from Cllr Ives**

MOTION R20/51

MOVED AND SECONDED

THAT Council receive the Request for information from Councillor Ives report for information and discussion.

CARRIED

MOTION R20/52

MOVED AND SECONDED

THAT Cllr Ives request for information be declined.

Opposed: Cllr Ives **CARRIED**

13. Bylaws - None

14. New Business

a) **K'omoks First Nation - Community to Community Event Invitation**

MOTION R20/53

MOVED AND SECONDED

THAT Council receive the Community to Community Event invitation for information and discussion.

CARRIED

15. Public Question Period

Debbie Coates	Asked about the website project and whether there will be one website with links to the other groups (SFS and the Tourism Committee). Also commented on the potential cost savings for the	The Mayor indicated that this is a collaborative project and all 3 groups will be working together.
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	project by bringing all 3 groups together.	
Mark Baker	Commented that if Council has a budget for the website project, the budget should be adhered to. Commented about trust issues between the public, Council and Staff, and indicated that if information is withheld, trust issues tend to become worse. Asked Council what they intend to do to build trust.	The Mayor indicated that Council can access information and files at the Village office if they have questions.
Debbie Coates	Indicated that all the information regarding the new Public Works truck was distributed at a prior Council meeting and commented that it is Staff's job to work within the budget given by Council.	

16. In-Camera

MOTION R20/54

MOVED AND SECONDED

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(i), 90 (1)(c) and 90 (2)(a) of the *Community Charter* to discuss labour relations or other employee relations, the receipt of advice that is subject to solicitor-client privilege, and a request under the *Freedom of Information and Protection of Privacy Act*.

CARRIED

17. Rise & Report

MOTION IC20/23

MOVED AND SECONDED

THAT Council receive the CAO's resignation letter for information and discussion; and;
THAT Council accepts the CAO's resignation effective April 17, 2020.

CARRIED

MOTION IC20/24

MOVED AND SECONDED

THAT Council approves the engagement of Jim Craven and Associates (or alternate) to assist Council in hiring a new CAO, and;

THAT \$10,000 be added to the 2020 Financial Plan for CAO recruitment costs.

CARRIED

18. Adjournment

MOTION R20/55

MOVED AND SECONDED

THAT the Regular Meeting of Council for February 18, 2020 be adjourned.

CARRIED

The meeting was adjourned 9:21 PM.

Mayor

Corporate Officer

Subject:

FW: Update: Changes to the Childcare BC New Spaces Fund

From: "MCF ChildcareBC Engagement MCF:EX" <ChildcareBC.Engagement@gov.bc.ca>

Date: February 10, 2020 at 3:25:33 PM PST

Subject: Update: Changes to the Childcare BC New Spaces Fund

Dear Child Care Partner,

Due to the success of the Childcare BC New Spaces Fund, the Province is updating the funding guidelines and sharing best practices with applicants to better support projects in communities with an acute need for new child care spaces.

Beginning **February 10, 2020**, the New Spaces Fund will be accepting applications through two application windows. The first of these will begin on February 10 and end on May 11, 2020. All applications submitted prior to February 10, 2020 will be assessed under the previous funding guidelines. A second application window is scheduled to open in July 2020 and will close in November 2020.

Additional updates to the 2020/21 funding guidelines include:

- Priority for projects with a provincially funded cost per space of under \$40,000
- An increased focus on linkage between the proposed project and the need within their community
- Reference to a community child care plan or needs assessment, such as those created through UBCM's Community Child Care Planning Grant program
- That any necessary professional, administrative and consulting services total no more than 15% of the total provincially-funded project cost

More detailed information about these changes can be found on the Childcare BC website at: www.gov.bc.ca/childcare/newspacesfund

In addition, Ministry staff will be hosting two information sessions by teleconference for organizations who want to know more about how these changes will impact current or future space creation projects and create quality, affordable child care for families across the province.

Dial-in information is provided below:

Session	Time	Dial In Number	Passcode
Friday, February 14	2:00 PM-3:00 PM PST	604-681-0260 (Vancouver) 1-877-353-9184 (Toll-free in B.C.)	80255#
Wednesday, February 19	3:00 PM-4:00 PM PST	604-681-0260 (Vancouver) 1-877-353-9184 (Toll-free in B.C.)	80256#

If you have additional questions, please contact the Capital Funding program at MCF.CCCF@gov.bc.ca or 1-888-338-6622 (option 5)

Kind Regards,

Kevena Hall

Executive Director, Child Care Capital, Community and ECE Registry Services

Acknowledging my privilege to serve on this territory, the traditional territory of the Lekwungen people, I call on the Songhees and Esquimalt First Nations.

From: Island Coastal Economic Trust <info@islandcoastaltrust.ca>
Sent: February 21, 2020 9:57 AM
To: cao@saywardvalley.net
Subject: \$1.8M in ICET Funding Available

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**\$1.8 MILLION IN FUNDING AVAILABLE FOR ECONOMIC
INFRASTRUCTURE AND INNOVATION PROJECTS**
*Island Coastal Economic Trust's 2020 intake dates scheduled
for April and October*

COURTENAY, 21 February 2020 – After a highly successful intake of proposals in 2019, the Island Coastal Economic Trust (ICET) is now accepting applications for economic diversification projects and interested parties are encouraged to contact ICET staff early for information and support.

The Economic Infrastructure and Innovation Program (EIIP), provides up to \$300,000 in matching funding support for projects located on Vancouver Island (north of the Malahat) and on the Sunshine Coast. Specific sectors of focus include business and industry support, downtown revitalization, strategic tourism infrastructure, destination trails, innovation infrastructure and innovation support.

“Our priority is to ensure our communities have what they need to be successful in tomorrow’s economy,” says ICET Chief Executive Officer Line Robert. “Consequently, one of our key goals is to support economic diversification through innovation and adaptation, and that includes a strong focus on technology and the knowledge economy.”

Ensuring incremental economic benefits, in the short to medium term, is a key criteria for any successful EIIP project. Past investments that have made noteworthy impact on the regional economy include unique projects such the [This Fish](#) traceability app, which enabled local commercial fishers to develop a creative solution to a global problem; the [Ucluelet Aquarium](#), which capitalized on community strengths and values to develop a state of the art aquatic learning centre; the [Elk Falls Suspension Bridge](#), a community led project that doubled the number of park visitors in the first year alone; or the 180 km [Sunshine Coast Trail](#), Canada’s longest hut-to-hut hiking trail.

Recently approved projects are supporting the development of remote tourism hubs and indigenous experiences, such as the Huu-ay-aht First Nation’s [Anacla-Bamfield Walking Trail](#); technology and the creative sector, with the [Powell River Entrepreneurial Ecosystem Incubator](#); or the rise in food innovation centres, such as the [Alberni Valley’s Regional Food Hub](#), a handling and processing facility that will provide cost-effective solutions for small scale food producers and processors.

“Our funding model is built to provide full lifecycle support and we work with applicants from concept to completion,” says Ms. Robert. “Staff is available to review proposals prior to the upcoming submission dates and we encourage applicants to contact us as early as possible in the project development process.”

More detailed information on the EIIP application process can be found on

ICET's website. The submission deadline for the North Island and Sunshine Coast Region is **April 3rd** and the Central-South Island Region is **April 9th**.

###

About the Island Coastal Economic Trust

Created and capitalized by the Province of BC, the Island Coastal Economic Trust (ICET) has been at the forefront of economic diversification, planning and regional revitalization for the past thirteen years.

ICET is independently governed by a Board of Directors and two Regional Advisory Committees which include more than 50 locally elected officials, MLAs and appointees from the Island and Coast. This exceptional team of leaders collaborate to set regional priorities and build vital multi-regional networks.

Through a community centered decision-making process, ICET has approved more than \$52 million in funding for over 200 economic infrastructure and economic development readiness projects. These investments have leveraged over \$270 million in new investment into the region creating more than 2500 construction phase jobs and 2650 long term permanent jobs.

A full overview of ICET can be found at www.islandcoastaltrust.ca

For further information:

Line Robert, CEO
Island Coastal Economic Trust
Tel. 250-871-7797 (Ext. 227)
line.robert@islandcoastaltrust.ca

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Island Coastal Economic Trust

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**To request media images, please contact Amanda Fortier, ICET
Communications Officer.**



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Our mailing address is:

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Courtenay, BC V9N 1H3

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February 21, 2020

Re: Emergency Support Services Modernization:

Dear Chief Administrative Officer:

As you are aware, the Province is committed to implementing lessons learned from the 2017 and 2018 flood and wildfire seasons and adopting the United Nations' Sendai framework for Disaster Risk Reduction. In doing so, BC is changing the way we approach emergency management. In support of this shift, Emergency Management British Columbia (EMBC) is modernizing the *Emergency Program Act*, enabling us to work together to implement the legislative changes needed moving forward.

Since the release of the *Emergency Program Act* discussion paper on October 28, 2019, EMBC has received a great deal of helpful feedback on the proposed policy changes. In the Spring we will be publicly releasing a "What We Heard Report".

Ensuring that the needs of the citizens impacted by emergencies are supported is a priority for EMBC. As part of the Province's modernization of the broader emergency management system, EMBC is working to modernize the Emergency Support Services (ESS) Program. The ESS Modernization Project aims to ensure that evacuated individuals can access services more easily and efficiently, while enhancing administration, reporting and financial accountabilities at all levels of government. Initiated in 2018, phase one of the project included; rebranding of the program name from *Emergency Social Services* to *Emergency Support Services* to reflect feedback received from local governments; an increase to evacuee meal per diems; policy amendments; and most notably, the development of a digital registration and referral proof of concept that was successfully piloted in four communities over a six-month period during Spring/Summer of 2019.

Phase two of the project continues to build on the work from phase one, recognizing the importance of engagement at every step and the value of collaborative and transparent processes. ESS Modernization components have been broken into packages to be implemented as appropriate by your community Emergency Program and/or Emergency Support Services Program.

Packages includes the following:

- Program Branding – New Provincial Emergency Support Services Logo and program vision statement;
- Technical Planning Information – Pilot Community feedback and recommendations;
- ESS Modernization Survey; and
- The Path to ESS Modernization.

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Phase two will have a large focus on the development and provincial implementation of the online Evacuee Registration Assistance (ERA) tool to be rolled out through to Spring 2021. The ERA tool will be developed and implemented in a phased approach, enabling communities to realize the benefits in real-time as they become available. Starting in April 2020, the ERA tool will have the functionality to support: evacuee self-registration, digital registration and referrals, and basic reporting. Increased functionality will be developed and implemented, including; a *Vendor Portal* - improving the process and time for ESS vendors to be reimbursed. The final development and implementation in Spring 2021, will shift the method of ESS support delivery to empower evacuees to make decisions to best support themselves during an evacuation and will include direct payment options to vendors and to evacuees.

EMBC understands that it may not be feasible for all communities to implement the ERA tool and will be rolling out implementation and training in a phased approach. In order to develop an informed provincial implementation and training strategy, we are asking all Local Authorities and First Nations to have their Emergency Program Coordinator, or person responsible for their Emergency and or ESS program, complete the *ESS Modernization Survey*. The survey link and instructions are included in the attached package. This information will be used to inform the development of the provincial implementation plan that will be shared with communities in the Spring of 2020.

The work being done at all levels of government to modernize Emergency Support Services programs represents a significant step forward in modernizing Emergency Management in British Columbia.

If you have any questions, please contact Madeline Maley, Assistant Deputy Minister, Response Operations at madeline.maley@gov.bc.ca.

Thank you for your continued support.

Sincerely,



Lori Halls
Deputy Minister
Emergency Management BC

Attachments: ESS Modernization Package

pc: Madeline L. Maley, RPF, Assistant Deputy Minister, Emergency Management BC
Emergency Program Coordinator

Reference: 563605

BRANDING INFORMATION FOR THE EMERGENCY SUPPORT SERVICES PROGRAM

Following the 2017 and 2018 response season, Local Authorities, First Nations and the ESS community provided feedback about the ESS program branding and identity. As a result, the program was officially renamed “Emergency Support Services” on April 1st, 2019. The intention was to remove the perception of ‘social services’ while simultaneously increasing awareness of basic needs and supports administered on a temporary basis via the ESS program.

Approved Logo

The following is the approved logo that can be used by local ESS programs throughout the Province.

There is no requirement for local teams to adopt the Provincial ESS Program logo. EMBC will be utilizing the logo on all newly developed material going forward.

Pdf files have been attached in a separate document for your use.



ESS Program Vision

To support the updated program name and logo, EMBC worked with a variety of partners to develop the program vision.

Emergency Support Services is a Provincial Program delivered by Local Authorities and First Nations that meets the basic needs of British Columbians impacted by disasters by providing short-term support in a compassionate manner.

TECHNICAL PLANNING INFORMATION FOR THE EVACUEE AND REGISTRATION ASSISTANCE (ERA) TOOL

Equipment Type	Roadside/in the field	Reception Centre
Computers	iPad or Chromebooks with a protective case to minimize weight and allow portability	- Laptop computers with larger screens including keyboards and mice to assist in data entry. - These computer devices must have the ability to read PDF documents.
Printers	- Portable/Bluetooth enabled printers - The correct printer drivers must be loaded onto computer	- Multifunction devices for scanning, copying and printing. - The correct printer drivers must be loaded onto computers
Network	Mobile hotspots provided by network providers and/or portable WiFi routers enabled devices to connect to the internet	Internet provided to devices through WiFi or hardwire network cable in established Reception Centre facilities
Best Practices	- Extra chargers and power bars (including battery operated) are recommended. - Data plans should be reviewed in advance to ensure coverage and estimate costs required for remote connectivity. Mobile providers may be able to establish a mobile network that can provide connection to a community that isn't serviced. - Community Emergency and ESS Plans should be adjusted to consider use of IT. This includes determining connectivity in pre-identified RC/GL locations and data coverage in core and outlying community areas. The plan should also establish procedures for tech support from their Local or First Nations Government. - ESS Teams develop standard operating procedures for callouts including who will keep and update IT devices, how they will be signed out and how they will be secured when used in the field.	
Purchasing Responsibility	Local and First Nations Governments are responsible to purchase hardware to support ESS response within their jurisdiction. Communities are encouraged to apply for the Community Emergency Preparedness Fund Grant administered by the Union of British Columbia Municipalities. The Provincial Government, through EMBC, may make available additional laptop computers as surge support. These can be accessed through a resource request through the British Columbia Emergency Management System.	



EMERGENCY SUPPORT SERVICES MODERNIZATION SURVEY

Starting April 1, 2020, Emergency Management British Columbia (EMBC) will launch the new Emergency Support Services **Evacuee Registration Assistance (ERA)** tool. Provincial implementation will be conducted in a phased approach in support of Local Authorities and First Nations Emergency Support Services (ESS) programs across the province.

This survey will be used to gather information about your Local Authority or First Nation Emergency Support Services program, to inform the training and implementation plan. ***All Local Authorities and First Nations communities are being asked to complete this survey by March 13, 2020.***

This survey will take **less than 10 minutes** to complete.

Survey Link: <https://survey.jag.gov.bc.ca/snapwebhost/s.asp?k=158032524900>

If you have questions about this survey, please contact essmodernization@gov.bc.ca.

ESS PATH TO MODERNIZATION FEBRUARY 2020 – APRIL 2021



□ EMBC ESS Provincial Program Activities

✓ Local Authority and First Nation Activities

Dated: January 29, 2020



February 24, 2020

Dear Chief Administrative Officer/Chief Financial Officer:

Subject: Interim Business Property Tax Relief Program

On behalf of the Ministry of Municipal Affairs and Housing, I am providing this material for distribution to municipalities to ascertain which communities might be interested in implementing the proposed property tax exemption for 2020.

Today, the Province tabled legislation to provide immediate, short-term property tax relief for tenants in commercial properties who are disproportionately affected by an increase in property taxes, particularly small businesses, non-profits and arts and culture organizations.

This Interim Business Property Tax Relief program would allow municipal governments to give businesses relief for the current tax year, while the Province continues to work with local governments and key stakeholders to develop a permanent solution that works for everyone. Municipalities would choose whether to use the program, as well as how many properties to exempt, and to what extent.

In anticipation of quick implementation, the Province took the exceptional step of pre-announcing the legislation on January 17th and has been working with interested municipal staff to help them prepare for implementation. Staff in the Ministry of Municipal Affairs and Housing held a number of meetings with a working group of municipalities, primarily from Metro Vancouver. I want to thank them for their input and advice.

As indicated during those conversations, the Ministry has also developed a user guide, a model bylaw and a sample public notice to help municipalities meet the tight implementation deadline for 2020. BC Assessment has also been working with municipalities to provide data to help them identify potential properties for exemption.

To help you in determining if your municipality is interested in using the legislation, I have attached a backgrounder for your consideration. If you have any questions, please feel free to contact Brian Currie at Brian.Currie@gov.bc.ca or (250) 356-6075.

Thank you for support for this interim solution as we continue to work together to find a permanent solution that works for communities of all sizes.

Sincerely,

David Curtis
Assistant Deputy Minister
Ministry of Municipal Affairs and Housing

BACKGROUNDER

INTERIM BUSINESS PROPERTY TAX RELIEF

POTENTIAL BENEFITS

- If passed, the legislation would enable municipalities to provide immediate, short-term property tax relief for commercial property tenants who have been struggling for years with unexpected and significant property tax increases, particularly small businesses, non-profits and arts and culture organizations.
- If municipalities choose to use the tool, they would be able to exempt, by bylaw, a portion of the commercial (Class 5 – Light Industry and Class 6 – Business and Other) property value from taxation; this would result in lower property taxes for commercial lessees who are required to pay all or a portion of these taxes under the terms of their leases.

DURATION OF THE INTERIM SOLUTION

- This legislation would allow municipalities to give targeted relief for up to five years (through the 2024 tax year), while the Province continues to work with local governments and key stakeholders on a permanent solution.
- However, we do not think it will take five years to find a permanent solution that works for everyone; once we introduce a longer-term mitigation strategy, this interim solution would be rescinded, and the permanent fix would replace it.

SUPPORT FOR MUNICIPALITIES

- To help municipalities meet the tight timelines for 2020, we pre-announced the legislation and have been engaged in several outreach efforts with interested municipalities under the terms of non-disclosure agreements. We also extended the bylaw adoption deadline and adjusted notification and adoption requirements for 2020, and BC Assessment is providing property data when requested so municipalities can run some preliminary numbers.
- As well, we have prepared a user guide, model bylaw and sample notice to provide further support for implementation.
- If your municipality is interested in implementing the Interim Business Property Tax Relief program for 2020, please contact Brian Currie at Brian.Currie@gov.bc.ca or (250) 356-6075 for more information.

ELIGIBILITY REQUIREMENTS

- The legislation would have a basic framework requiring a property to be assessed as commercial and occupied by at least one commercial tenant responsible for property taxes in whole or in part, the amount of which varies with the amount of tax imposed.

- The legislation would also require a municipality to set certain criteria thresholds properties would have to meet to be eligible for this exemption. This is to ensure municipalities have flexibility and autonomy in addressing their unique community needs, at the local level. These include:
 - Base year (2015 or any year thereafter), to use as comparison to the current tax year;
 - Percentage increase in assessed Class 5/6 land value over base year (e.g., the combined Class 5/6 land value for 2020 must be 50% higher than it was in 2015);
 - Minimum land value percentage of total assessed value (e.g., for the current tax year, the portion of the total assessed value of the property attributable to land must be 80%); and
 - Percentage of the exemption by property, area or kind (e.g., all properties in neighbourhood X receive a 10% exemption).
- This issue looks very different in each community. A top-down, blanket approach from the Province would be moving in the wrong direction; municipalities are in the best position to address the issue in their communities and determine what specific properties need relief.
- It would be up to municipalities to determine annually which properties are eligible and the amount of the exemption.

MUNICIPAL TAX REVENUE IMPLICATIONS

- Municipalities would be able to decide whether to give up the municipal tax revenues those properties would have generated or redistribute the tax burden within or among classes by adjusting tax rates.

INTERIM SOLUTION VS. SUB-CLASS PROPOSAL

- Introducing a new sub-class would have further complicated an already complex assessment system, required a new methodology for valuing “development potential”, and was legislatively challenging to implement. Precedent-setting changes to the assessment system need to be done thoughtfully and with great care as they have a significant impact and potential for unintended consequences.
- The UBCM resolution was only endorsed by a small margin (54% Yes, 46% No) and while it reflects a strong desire on the part of municipalities to provide relief to small businesses, it was also clear that there was significant concern about whether that approach would work for all municipalities, not just those in Metro Vancouver.
- This interim solution would allow municipalities to give businesses and organizations immediate relief while the Province continues to work with local governments and key stakeholders to develop a permanent solution that works for everyone.

FLOW-THROUGH TO SCHOOL TAXES

- This exemption would flow through to school taxes.
- Municipalities would be required to raise the same amount of school tax revenue as would have been raised without the exemption by adjusting school tax rates for Class 5 and/or Class 6.

Subject: FW: WFP Operations update

From: Jack Reynolds <JReynolds@westernforest.com>

Date: February 28, 2020 at 8:00:17 AM PST

To: John MacDonald <john.macdonald@saywardvalley.ca>, Village of Sayward <village@saywardvalley.ca>

Cc: Jeff Ternan <JTernan@westernforest.com>

Subject: WFP Operations update

Good morning John and Lisa:

As you are aware, the WFP/USW labour dispute has been resolved and the new agreement has been ratified. We are currently taking steps to get operations rolling again and currently have mechanics working through our fleet to prepare for startup. Throughout the TFL, falling, yarding and some roadbuilding is starting this week. We are tentatively planning to start the Kelsey dryland sort in a couple of weeks once we get enough inventory in our system. We will also be starting r/w falling and road building this week within the M-Branch blowdown areas we reviewed with you in late January. We are looking forward to a better year for our workers, contractors and communities!

Once we have some wood flowing through the sort we can look at the playground logs you mentioned to replace the current ones that are starting to rot. I'll be sure to remind our operational folks to put some logs aside so it doesn't get forgotten.

If you have any questions, please do not hesitate to reach out!

Thanks,
Jack

Jack Reynolds, RPF
Operations Forester

Tel 250.287.5018
jreynolds@westernforest.com

westernforest.com



Western Forest Products Inc.
DEFINING A HIGHER STANDARD

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STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Projects Update – February 2020
Meeting date: March 3, 2020

BACKGROUND

Council should receive regular updates on strategic plan progress, municipal projects and directions to Staff. Resolutions passed by Council that involve Staff follow-up should also be tracked so Council can see the progress being made.

ATTACHMENTS

- Projects Update spreadsheet (February 2020)

DISCUSSION

Attached is the progress report for projects for February 2020. The attached report shows item, description, progress and priority for major projects but does not include the day to day items which take up a considerable amount of Staff time. There is a huge time commitment to completing these projects. Therefore, as new projects come up, consideration should be given to what is already approved and in the work plan.

Staff will go through the list and Council should ask questions if clarity is needed. Items in grey are items that have been completed since the last report. Staff also request direction from Council on priority items over the next 6 weeks.

RECOMMENDATION

THAT Council receive the Projects Update – February 2020 report for information and discussion.

Respectfully prepared,

Lisa Clark, CAO/CFO

Item	2020 Strategic Plan	Description/Info	Progress	Priority
1 a	Water Treatment Plant Project	One of Sayward's most important infrastructure projects.	Nearing completion, a few minor items OS. Operational testing complete. There are a few items stemming from operating permit that Council/staff will have to work on. First is a Watershed Protection Plan which will require outside resources - budget for 2020, cost unknown (Staff will look into costs and project complexity). Second, update our cross connection regs into a policy. Staff should be able to do this, timeline 2020. Some final work needed on deficiencies, Staff are engaging IDL/AWP, final holdback remains in place. Cross Connection Control Program - update our program requirements to meet standards, Tony looking at options Watershed Protection Plan: This is a huge project and will require financial resources and considerable staff time. Assess new plant and include in AMP, Onsite Engineering to complete, added cost unknown but in works. Asset management plan to include life cycle of plant and plans to finance replacement. Staff to submit final claim to UBCM, need to confirm final reporting requirements in order to receive funds. \$438,412.50 owing to VOS. Final claim submitted Dec 2019, awaiting funds. Staff to include in budget discussions. Included in 2020 budget discussions Jan 28.	High
b	WTP Reporting Requirements - Cross Connection Control Program			Medium
c	WTP Reporting Requirements - Watershed Protection Plan			High
d	WTP Reporting Requirements - Asset Management Plan			Medium
e	WTP Reporting Requirements - Progress and UBCM claim for funds (SPF)			High
f	Generator and fencing for WTP area (capital purchase)			High
2 a	Dam Project	Identify revised project budget, determine funding shortfall, report to Council on options	Project stalled due to major weather event. Staff to report to Council on options for 2020. Funding an issue. Mayor sending letter to Minister Trevena to arrange a meeting in Victoria. Letter to be sent week of Feb 3rd. Letter sent, no response as of Feb 28th. Submit info certifying design meets drinking water protection act, construction permit, and water sustainability Act requirements, Staff to complete Assess the weir and include in AMP, 2020 item as dam project delayed	High
b	Dam Reporting Requirements - Drinking Water Protection Act			High
c	Dam Reporting Requirements - Asset Management Plan			High
d	Dam Reporting Requirements - Water Conservation Plan		Water quality requirement, staff training is complete. Water Conservation Plan will need to be updated, Staff to complete.	High
e	Dam Reporting Requirements - Final Report	Requirements need to be completed as part of the funding agreement. Funding conditional on completing the reporting.	Final Report: Staff to complete once project finished.	High

3	a	Working Waterfront Project	ICET, Trail final report	Info on forestry and Village installed, one totem installed, as well as concrete barriers. Additional benches placed, eaves troughing installed, and fencing (railing) completed. To do: Finalize expenditures, solar lighting. Solar lighting complete. Project construction now substantially complete.	Medium
	b	WWP Reporting Requirements - ICET final report		Final Report: Staff to complete, some funds outstanding and receivable.	Medium
	c	WWP Reporting Requirements - BC Rural Dividends final report		Final Report: Staff to complete	Medium
4		Van Brocklin Road Exchange – Bylaw and Notification.	Van Brocklin, RROW process	Has been to Council June 18, legal issues to resolve, roadway identified. VB to get QEP to identify row then survey. Have spoken to QEP, directions given on how to proceed. Await survey from QEP. Lisa spoke to Van B on Aug 20th to follow-up, he will respond after Labour Day weekend. Meeting with Van B. February 28th.	Medium
5		Bylaws			
	a	Ticketing Bylaw	R19/224 - THAT Council receives the report on Ticketing Bylaw 422, And Further THAT, Council directs Staff to include a provision in the bylaw for early payment of fines and to create a policy on requiring the issuance of a warning letter prior to the issuance of a bylaw ticket.	First draft to Council, a few additions required, draft clean up, policy on warning letter. Staff have spoken to Gold River and will bring a report to Council early 2020, BENS (Bylaw Enforcement Notification System) may be the best option due to challenges being experienced by Gold River with their Ticketing Bylaw.	Medium
	b	Fireworks Bylaw	R19/297 THAT Council receive the Fireworks Bylaw report for information and discussion, and; THAT Staff be directed to engage the public for opinions and feedback on the potential new fireworks bylaw.	Plan change: New bylaw being prepared, repeal of existing provisions in Fire Protection Bylaw, report to Council Nov 5th meeting. Staff working on a survey for residents to provide input. Will be done before the end of the year. Survey being worked on, Jan 2020. Recreation survey live, fireworks survey next, Spring 2020	High
	c	Backyard Burning Bylaw:			Medium
		R 19/89 - THAT staff revamp and revise the Village's backyard burning bylaw and bring back before Council for consideration.	In progress		Medium

R 19/153 - THAT Council, in collaboration with the Sayward Fire Chief/Deputy Fire Chief, amend the Fire Burning by-law; and THAT the Village of Sayward add provision in our burning bylaw 272 as follows: 1) New provision in bylaw to include a Recreational Backyard firepits, Special Occasion/Ceremonial Fires, Outdoor Cooking Stations, and wood fired Saunas & Hot Tubs each to have a separate and distinct permit process, which may be required to have measurements and current photographs showing placement of the apparatus and/or fire pit, 2) Backyard recreational fire pits would be yearly permits based on the calendar year with a cost of \$50.00 per year or part thereof.	d Public Nuisance Bylaw:	R 19/94 - THAT third reading of Public Nuisance Bylaw No. 417, 2019 be rescinded to permit an amendment to the Bylaw to allow the running of backup generators (24 hours a day) in the event of power interruptions to the Village; and THAT Public Nuisance Bylaw No. 417, 2018 be amended at second reading; and THAT Public Nuisance Bylaw No. 417, 2018 remain at second reading to allow the gallery to send comments to the CAO.	e Traffic And Highways Bylaw	f Business License Bylaw	g Fees & Charges Bylaw	h Building Bylaw	In progress, Staff to meet with Fire Chief late October, early November. Time constraints and schedule conflicts have pushed this meeting later in the year. Staff aim to meet with FD staff in December. Follow-up 2020. Staff asks for direction - Unknown if Gallery input was asked for or received. Staff to obtain more information and look into current status. Report to Council March 3rd. Bylaw needs to be updated and then sent to MOTI for input before bringing to Council. Needs updating for artisans at gift store, Staff to review Needs to be updated to only include administrative items, removal of regulatory bylaw fees and charges, Staff to review SRD in process of providing a building bylaw template for their building inspection customers, staff will follow up on progress. Working in conjunction with SRD, Gold River - on new Building Bylaw. Time resources are challenging - we need to do this, may have to look at other resources. Medium Medium Medium Medium Medium Medium
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i Reserve Bylaw	SP: Infrastructure Updates & Asset Replacement - Approve reserve policy and update bylaw and integrate into financial plan: Adopt a formal reserve policy and include in future Financial Plan. Update Reserve bylaw. Recognise the need to plan for capital asset replacements in accordance with the Asset Management Plan.	Asset Management Plan needs to be reviewed so recommendations are used when creating Bylaw. Staff to review	Medium
j Revenue Anticipation Bylaw		1st, 2nd, 3rd reading Janaury 21st, final reading Feb 4th. Complete	Medium
k Bylaw Review Project	Staff anticipate a need for a bylaw review as several old bylaws need updating. Must be completed by May 15th and sent to Province.	Report to be brought to Council early 2020, Staff will include with FP discussions.	Medium
l Financial Plan Bylaw, Tax Rates Bylaw, Sewer/Water/Solid Waste Bylaws		First 3 readings of FP Bylaw March 17, final reading April 7th. Tax rates and user fees bylaws, first 3 readings April 21, final reading May 7th.	High
6			
a VoS Backup Power Supply - Sewer Lift Stations (\$120,000 from Investing in Canada Infrastructure Program, Rural and Northern Communities, awaiting decision early 2020)	R19/07 - THAT the report from the Chief Administrative Officer be received; and THAT the Council for the Village of Sayward supports an application to the Investing in Canada Infrastructure Program – Rural and Northern Communities grant program to purchase generators to operate the Village’s sewer lift stations during a power outage, and further THAT the Council for the Village of Sayward supports the project and commits to its share of any ineligible costs or cost overruns associated with the project as currently provided for in the 2019 financial plan.	Decision on grant to be made late 2019/early 2020	Medium

b	Evacuation Route Planning Grant (\$24,500 from UBCM, approved 2019)	R 19/160 - THAT the Mayor and EOC Director/Councillor Ives consult with Strathcona Regional District Protective Services Coordinator Shaun Koopman to issue an amended Request for Proposal to BC Bid for evacuation planning for the Village of Sayward. R 19/336 - THAT Council receive the Evacuation Plan Project report for information and discussion, and; THAT the contract for developing an evacuation plan be awarded to Behr Integrated Solutions Inc. in accordance with its November 13, 2019 quotation, and; FINALLY, THAT the Mayor and Chief Administrative Officer be authorized to execute the contract on behalf of the Village of Sayward.	RFP provided to Village for review. Staff will respond week of July 8. Work with SRD, RFP issued Oct 9th, closing date Nov 13th. 4 proposals received, Staff, EPC and SRD Protective Services Coordinator reviewing the week of Dec 2nd. Report to Council Dec 17th. Staff to send contract to Behr Integrated Solutions Inc., project to start early 2020.	Medium
c	Emergency Operations Centres Grant (\$24,428 from UBCM approved 2019)	R 19/163 - THAT the Mayor, EOC Director/Councillor Ives and the CFO liaise with Protective Services Coordinator Shaun Koopman regarding evacuation planning, and, training and radio communications enhancement.	Onto Council for info September 3. Work with SRD. Staff looking into status, Councillor Cragg and DF/C Paul Hibbert follow-up. HF radios purchased by Shaun, status of drone unknown.	Medium
d	Rural Dividend Pond Grant (\$10,000 from BC Rural Dividends, approved 2019)	SP: Community Relations - update and enhance the village website.	Council approved plan to redirect funding to website development. Next step, Rural Dividends to approve new project - application in progress. Application submitted Nov 29th, awaiting response. Application for re-purposing approved Dec 23rd, Staff Report to Council Jan 14th COW meeting. Report on Feb 4th regular meeting. COW meeting with SFS and Tourism Committee scheduled for March 16th.	Medium
e	2020 Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning Project (\$150,000 from UBCM, awaiting decision 2020)	R 19/337 - THAT Council receive the Grant Opportunity – Flood Planning report for information and discussion, and; THAT the Village of Sayward supports the submission of an application to the CEPF 2020 Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning stream, and will provide overall grant management if the application is approved.	Report to Council Dec 17th. Next steps, apply for grant (Shaun & Staff), deadline January 24th, 2020. Grant submitted, awaiting decision.	Medium

f 2020 Age Friendly Grant (\$25,000 for Planning Grant, awaiting decision 2020)	SP: Village Operations – R 18/207 – That Council authorize an application to be made to UBCM for a grant under the 2019 Age-Friendly Communities Program in the amount of \$15,000 for Stream 2, Age-Friendly Projects; and That Council set up a steering committee made up of seniors in the community to provide input into the development of a wellness program; and Further that Council commit to updating its Official Community Plan to be inclusive of age-friendly principles and planning. R19/305 – THAT Council endorses recommendation C19/41 made by the Committee of the Whole, and; THAT Staff be directed to look into a planning grant to update the Official Community Plan in 2020.	Staff will follow-up with grant application, steering committee and OCP update on to do list. Report to Council January 7th, 2020. Grant application sent to UBCM, report to Council if approved.	Medium
g ORV Trail Fund	R20/9 - THAT Staff be directed to make application to the ORV Trail Fund for 2020. R20/32 - THAT Council receive the Off Road Vehicle Trail Fund – 2020 Grant report for information and discussion, and; THAT Council does not apply for the Off Road Vehicle Trail Fund grant for 2020.	Application deadline Feb 28, 2020, Staff to prepare report for meeting Feb 4th. Council resolution to not apply for funding for 2020.	Medium
h Community Emergency Preparedness Fund (CEPF) Emergency Support Services (ESS) Grant (\$5,800 submitted Feb 14th)	R20/31 - THAT Council receive the 2020 Sayward ESS Grant report for information and discussion, and; THAT the Village of Sayward supports the submission of an application to the Community Emergency Preparedness Grant ESS funding stream and will provide overall grant management if the application is approved.	Grant application submitted February 14th, awaiting decision	Medium

7	Fire Services Agreement - to review service and funding mechanism	SP: Community Relations - Work with SRD on funding for services jointly used by all valley residents. Recreation, Fire, Health	IC19/122 THAT Council receives the report on the Village/SRD Fire Protection Contract, and; THAT Option B presented in the staff report dated November 5, 2019 be approved as a method moving forward to look at cost sharing for the Sayward Valley Fire Department, and; FURTHER THAT, the Strathcona Regional District be asked to approve the process outlined in Option B and work with Village Staff to collect the required information, and; FINALLY, THAT a time extension to the fire service agreement be requested from the Strathcona Regional District.	In progress. Meeting Aug 20 with Mayor and VFD staff to look at options. Deputy Fire Chief to send Staff data on call-outs. Resolution sent to SRD for their approval, next steps are working with the SRD on data collection and moving forward with a new agreement. Council resolution Nov 5th sent to SRD, will be on SRD Agenda early December. Fire service agreement extension signed Dec 2019, for additional 3 years. Next steps, collection of data in collaboration with the SRD.	Medium
8	Recreation Services Agreement	SP: Community Relations - Work with SRD on funding for services jointly used by all valley residents. Recreation, Fire, Health	Recreation Services Agreement - to expand financial support	Rec Centre shared agreement with Strathcona Regional District. Staff working with SRD on how best to engage residents on this topic, SRD CAO away until week of Dec 2nd, Staff to follow-up. Staff meeting with SRD CAO Dec 13th. Report to Council Feb 2020. Recreation survey set to go out end of January/beginning of February. Survey approved by Council February 18, 2020, will be live from March 1, to April 30, 2020.	Medium
9	MAIS: final training and installation		MAIS: final training and installation - full accounting system	Complete, a few minor outstanding items in Payroll	High
10	Projects/issues report		List of all projects, grants, bylaws, other items that Staff are working on	Update full report, Mar 3rd meeting	High
11	Budget Variance		Budget to Actual, quarterly report	Will be part of F/P discussions, new report second meeting of April 2020 for 1st quarter	Medium
12	Policy Update Project		Several Village of Sayward policies are outdated and need revision. Some new policies required.	Project started by CAO in 2015, consultant prepared several new policies and a roadmap of which policies are to be repealed. Staff working on this project as time permits.	Medium
a	Personnel – Hiring Policy		New format	In progress	Medium
b	Reserve Policy		New Policy	In progress, to do in conjunction with AMP	Medium
c	Procurement Policy		New Policy	In progress, to be completed with Social Procurement component, needs legal review	Medium
d	Respectful Workplace Policy		New Policy	In progress	Medium
e	Annual Property Tax Sale Policy		New format	In progress	Medium

f	Personnel – Benefits, Leaves and Employment Conditions Policy	New format	In progress	Medium
g	Public Works Inspection Policy	New Policy	To do, in conjunction with AMP	Medium
h	Campground Policy	MOTION R19/232 THAT Council receives the report on the Campground for information and discussion, and, provide Staff with direction. And THAT Council directs Staff to advise Mr. Pringle that his request to use the campground for longer than one month is not approved. And THAT the campground policy dated 11/02 be rescinded, And Finally, THAT Staff develop a new campground policy for deliberation at a future Council meeting.	To do	Medium
i	Ticketing Policy	MOTION R19/224 THAT Council receives the report on Ticketing Bylaw 422, And Further That, Council directs Staff to include a provision in the bylaw for early payment of fines and to create a policy on requiring the issuance of a warning letter prior to the issuance of a bylaw ticket.	To do. Staff have spoken to Gold River and will bring a report to Council early 2020, BENS (Bylaw Enforcement Notification System) may be the best option due to challenges being experienced by Gold River with their Ticketing Bylaw.	Medium
j	Bylaw Enforcement Policy		Staff have determined a need for a Bylaw Enforcement Policy, this would outline roles and responsibilities, and the process involved when receiving a complaint. March 3rd agenda.	Medium
k	Other small policies that need consolidation and review		To do	Medium
13	Finalize Asset Management Plan		Field work complete, draft reports available, need to review study goals to output. Met with Onsite on AMP, revisions required and addition of new WTP per funding agreement. Another meeting scheduled for Oct 22nd. In progress.	Medium
14	Entrepreneurial Immigration Program		Councillor Ives initiative, phone and e-mail (Staff) - done, to-do: info on website, program committee. Program started, apps being received, logistics OK?	Medium
15	Financial Plan 2020-2024	Several meetings held to allow for public input and Council direction on financial plan	First COW meeting Dec 10th. Additional meetings: Jan 28th, Feb 11th. Final plan to be brought to regular meeting March 17th	High

16	Records Management	Staff anticipate a need for a records management review as filing system not consistent and consolidation necessary.	Report to be brought to Council early 2020, Staff will include with FP discussions. To be discussed at Jan 28th COW.	High
17	Development Cost Charges	Complex item, will need time to prepare report to Council	Staff to look into additional funding for updating the OCP with a DCC component	Medium
	Resolutions			Medium
	R 18/75 - That Council receives the Report on Water Sewer Garbage Rates 2018, That the water rate bylaw be amended to reflect 94 units for the dry land sort, That the water and sewer rate bylaws be amended to reflect 26 units for the school, That the water and sewer rates bylaw be amended to add a Grocery under Store, That the water and sewer rates bylaw be amended to add a rate for Campgrounds – Serviced Stalls times Months in Operation divided by 12 - times Motel Rate, And Finally That, a rates review be completed within the next two years to balance revenue streams and to modernise the bylaws.		Changes made as directed, review planned for 2020	Medium
	IC 18/41 - That staff be authorized to issue a residential building permit for 650 Kelsey Way in advance of the commercial component; and that the commercial component must be completed within two years of the issuance of the building permit for the residential dwelling.		Building permit application not submitted yet	Medium
	R 19/13 - THAT the presentation made by Alex Turner be received; and THAT staff work with the Tourism Committee and Nature Trust to facilitate a parking lot off Sayward Road and trail improvements to improve access to Kelly Bridge; and FURTHER THAT Staff arrange a meeting with Nature Trust.		Meeting with Nature Trust, Staff currently corresponding on the parking lot - NT has indicated not receptive due to intrusion on NT properties (Trail and parking lot). Emails exchanged, Nature Trust is not interested in creating a new parking lot. SFS to approach NT for a meeting with their Board. Next steps?	Medium
	R 19/63 - THAT Council receive the CFO's report on the Climate Action Revenue Incentive Program for information and discussion; and THAT Staff be directed to implement a GHG measuring system and report on potential carbon reducing projects for 2019; and FURTHER THAT \$10,000 be added to the 2019 budget for the costs of carbon reducing projects.		Funds in 2019 budget, carry forward to 2020.	Medium
	R 19/76 - THAT staff liaise with Island Timberlands and create an MOU for VOS to use any and all Island Timberlands Forest service roads in a time of a called emergency for evacuation of the Sayward Community.		Staff have discussed with SRD Co-ordinator, template for MOU available. Contacted WFP, they are receptive, Island Timberlands (Mosaic) has no assets in our area.	High
	R 19/77 - THAT staff liaise with Mid Island Co-op, Island Timberlands, Western Forest Products and Mainroad Inc, to create individual MOUs for provision of fuel to VOS (emergency vehicles and generators only) during a time of a called emergency.		Staff have discussed with SRD Co-ordinator, template for MOU available. Next contact Island Timberlands (Mosaic), Western and Mainroad. Western has expressed interest in an MOU, Mosaic has declined (they have no fuel assets stationed in our area), Mainroad receptive. DRAFT MOU with Mainroad on December 3rd Council Meeting agenda. MOU approved by Council. Next steps MOU with WFP. May need to wait until strike is over.	High

R 19/78 - THAT in accordance with the Community Charter and other applicable provincial legislation, the Village of Sayward donate land (site to be determined) for an entrepreneur to build and operate a grocery store in the Village; and THAT Council consider waiving certain fees and charges in place at the time in support of the project; and THAT should Council be successful finding an individual to build and operate a store in the Village, that a Contract with that entrepreneur be put in place providing the entrepreneur with a timeline to get the store up and running; and FURTHER THAT the Contract provide in principle certain conditions to ensure the continual operation of the business over a certain number of years, to be determined by Council.	SP: Economic Development - Assist and support prospective businesses interested in locating to the Sayward area.	Staff note: Resolution is complex, Council has limited authority to provide assistance to a business - will require legal (partnering agreement).	Medium
R19/212 - THAT Council receives the report on the Campground Rental for the Nurse Practitioner, And THAT Council approves the rental of Site 2 at \$350/month for the Nurse Practitioner until July 31, 2020 when Council will revisit.		Letter done, back to Council July 2020	Low
R19/213 - THAT Council receives the report on Sayward Harbour Authority – Request for Water/Sewer Fee Exemption, And THAT Council approves the request for a water and sewer fee exemption for 2019 on condition that the washrooms remain available for public use.		Report back to Council in 2020	Low
R19/274 - THAT resolution R19/255 be amended to read: MOTION R19/255 MOVED AND SECONDED THAT Staff be directed to facilitate the installation of safety rails on Kelly's Bridge, and; THAT this installation be subject to funds available in the 2020 Financial Plan.		Staff looking into estimate, will be included in FP discussions	Medium
R20/29 - THAT Western Forest Products be invited to speak to Council at a future meeting.		Public Town Hall meeting? Dates?	Low
R20/41 - THAT Council authorizes the Mayor to send a letter of support to the City of Port Moody and the Minister of Health Canada regarding the development of a Universal Public National Pharmacare Program.		Letter to do	Medium

R 20/5 3 - THAT Council receive the Community to Community Event invitation for information and discussion.	SP: Community Relations - Work in improving our relationship with the K'omoks First Nation, regular communications, and ways and means to jointly promote Sayward	Mayor has e-mailed Komox FN with a suggested date of March 27th, awaiting reply from KFN	Medium
Direction to Staff:			
December 3, 2020: Council indicated a desire for Staff to prepare a Climate Action Charter report detailing the progress the Village has made to date.	SP: Living Green - Continue to pursue the goal of becoming a carbon neutral community.	Staff report March 17th Regular Meeting	Medium
February 4, 2020: Staff directed to post Coronavirus information on the Village website.		Done, posted to website February 10th	Low
February 11, 2020: Staff directed to inquire on possible grant funding for the gazebo ramp and handrails through the Rick Hanson Foundation.		At Feb 11th meeting Cllr Ellis indicated she would look into this grant, since that time she has indicated that the grant applications are not yet being accepted for 2020.	Medium
February 18, 2020: That item 7. b) (Update: Changes to the Childcare BC New Spaces Fund) be added to the March 3 rd agenda for Cllr Cragg, and That item 7. f) (Coronavirus update) be included in the March Sayward News		Done, added to March 3rd agenda, Coronavirus added to March SN	Low
February 18, 2020: Staff directed to schedule a Committee of the Whole meeting for March 6th at 2pm with Sayward Futures Society, the Tourism Committee, and the service provider to discuss the project.		Upon further discussions, meeting to be scheduled for March 16th at 2pm, added to section above.	Medium



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Public Nuisance Bylaw
Meeting date: March 3, 2020

BACKGROUND

Public Nuisance Bylaw No. 417 has been in draft status since late 2018. At the October 9, 2018 regular meeting the Bylaw was brought to Council and following resolution was passed:

MOTION R18/182

MOVED AND SECONDED

That Public Nuisance Bylaw No. 417, 2018 be given first, second and third reading.

CARRIED

Upon further review by Staff, recommendations were made to Council to include an exemption in the Bylaw for the sound of emergency backup power generators during power outage events. At the April 16, 2019 Council meeting the following resolution was passed:

MOTION R19/94

MOVED AND SECONDED

THAT third reading of Public Nuisance Bylaw No. 417, 2019 be rescinded to permit an amendment to the Bylaw to allow the running of backup generators (24 hours a day) in the event of power interruptions to the Village; and

THAT Public Nuisance Bylaw No. 417, 2018 be amended at second reading; and

THAT Public Nuisance Bylaw No. 417, 2018 remain at second reading to allow the gallery to send comments to the CAO.

CARRIED

ATTACHMENTS

- Public Nuisance Bylaw No. 417, 2018

DISCUSSION

It is unclear to Staff what actions were intended to be taken after the April 16th Council meeting to obtain feedback from the gallery/public. In an effort to move this item along, Staff have reviewed and formatted the document using current font and logo, however the Bylaw wording has not been altered, and no other further amendments are recommended by Staff.

The exemption for back-up generators is listed in section 6.0, item i.

It is recommended that Council consider the third and fourth (final) reading at this meeting.

STAFF RECOMMENDATIONS

Recommended Resolution:

THAT Council receive the Public Nuisance Bylaw report for information and discussion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Clark', written over a horizontal line.

Lisa Clark, CAO/CFO



VILLAGE OF SAYWARD

BYLAW NO. 417

A BYLAW TO PREVENT AND PROHIBIT NUISANCES AND DISTURBANCES

WHEREAS the Village of Sayward wishes to promote a safe, comfortable and inviting community for all of its citizens, businesses and visitors.

AND WHEREAS the small minority of persons that creates nuisances and disturbances and that, in general, engages in uncivil behaviour threatens the quality of life desired by the population as a whole.

AND WHEREAS it is in the public interest for the Village to take the necessary measures to eliminate nuisances, disturbances and occurrences of uncivil behaviour.

NOW THEREFORE the Council of the Village of Sayward in open meeting assembled hereby enacts as follows:

PART 1 - TITLE

1. This bylaw may be cited for all purposes as "Public Nuisance Bylaw No. 417, 2018".

PART 2 - DEFINITIONS

2. In this bylaw, unless the context otherwise requires:

Arterial Road	means an Arterial Highway as classified under the British Columbia <i>Highway Act</i> ;
Boulevard	means the area of a Highway between the edge of the pavement or curb of the Roadway and the adjacent property line of the Highway;
Bylaw Enforcement Officer	means a Peace Officer, as defined in the British Columbia <i>Interpretation Act</i> and those Persons designated by Council as a Bylaw Enforcement Officer to enforce the provisions of this Bylaw;
Chief Administrative Officer	means the Chief Administrative Officer duly appointed by Council;
Continuous	means any Noise or sound continuing for a period of five (5)

Noise	minutes or more in any 15-minute period;
Council	means the Council of the Village of Sayward;
Discarded Materials	includes but is not limited to all materials not in use for the construction or maintenance of a building situated on that property, appliances, furniture, cans, containers, bottles, glass, circulars, pamphlets, handbills, paper or other litter or rubbish, unlicensed or inoperable motor vehicles or motor vehicle parts, boats or boat parts, machinery, animal carcasses, vegetation cuttings or debris, solid or liquid waste, firewood, unless it is neatly piled or stacked against a wall or fence, and all other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended;
Drainage Facility	includes Boulevard drainage inlet, catch basin grate, culvert headwall or lawn basin inlet;
Graffiti	includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, acid etched, painted or drawn on any structure or thing but does not include any of the following; a. a sign, public notice or traffic control mark authorized by a Village Bylaw or Provincial or Federal legislation; or b. in the case of private property, a letter, symbol or mark for which the Owner of the property on which the letter, symbol or mark appears has given prior, written authorization.
Herbicide	means any kind of material that is used to control Noxious Weeds;
Highway or Other Public Place	includes every Street, road, Boulevard, sidewalk, Lane, square, parking lot, courtyard, bridge, viaduct and any other way open to public use and any land, park, green space, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;
Independent Sound Consultant	means a professional engineer, licensed to practice in the Province of British Columbia, with acoustical expertise;
Intersection	means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways which join

	one another at or approximately at right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; and, for the purpose of this definition "Highway" does not include a lane or way less than 5 meters in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lane or way;
Lane	means a Street with a right of way not exceeding 8 metres in width;
Noise	includes any loud outcry, clamour, shouting, disturbance or movement or any sound that is loud or harsh or undesirable;
Noxious Weed	means any weed designated as noxious pursuant to the <i>Weed Control Act</i> ;
Occupier	means a Person who occupies Real Property but does not include the Occupier of a unit in an apartment, hotel or institution;
Owner	Means the Owner of Real Property;
Panhandle	means to beg for, or, without consideration ask for, money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one's self or for any other Person but does not include soliciting by the holder of a permit issued by the Village of Sayward;
Peace Officer	has the same meaning as in the British Columbia <i>Interpretation Act</i> and includes a Bylaw Enforcement Officer;
Pedestrian Facility	means a structure for pedestrian use including a walkway, sidewalk, stairs, ramp, and curb letdown;
Person	includes a natural Person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a Person to whom the context can apply according to law;
Pesticide	means any kind of material that is used to control pests, fungi, and insects;
Real Property	means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the Real Property;
Residential Premises, Residential Property and	shall have the same meanings as in the <i>Residential Tenancy Act</i> of British Columbia;

**Tenancy
Agreement**

Road Surface	means gravel, asphalt, cement, concrete or material of any kind whatsoever placed upon any street, road, Highway, bridge, viaduct, Lane, or any other way designed or intended for use by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited;
Roadway	means a portion of a Highway approved for use for vehicular travel;
Sight-Distance	means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic;
Special Event Permit	means a permit issued by the Village authorizing the use of a Highway or Other Public Place for the purposes of a special event;
Street	means any Highway, Roadway, sidewalk, boulevard, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes all structure located in any of those areas;
Traffic Control Signal	means a Traffic Control Signal as defined in the British Columbia <i>Motor Vehicle Act</i> ; and
Utility Company	means any utility company that has structures, including but not limited to, postal boxes, lamp posts, telecommunication and power boxes and poles, situated on any Highway or Other Public Place within the Village.
Village	Means the Village of Sayward

PART 3 - INTERPRETATION

- 3.0 Words or phrases defined in the British Columbia *Interpretation Act*, *Motor Vehicle Act* or *Community Charter* (or any successor legislation), shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw or the context otherwise requires.
- 3.1 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.
- 3.2 The headings contained in the Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 3.3 If any part of this Bylaw is for any reason held invalid by any court of competent

jurisdiction, the invalid portion shall be severed, and the severance shall not affect the validity of the remainder.

PART 4 – STREET NUISANCES

Restrictions on Panhandling

- 4.0 No Person shall Panhandle after sunset on any given day.
- 4.1 No Person shall sit or lie on a street for the purpose of Panhandling.
- 4.2 No Person shall continue to Panhandle from a person, or follow a person, after that person has made a negative response.

Use of Highways

- 4.3 No Person shall:
 - a. urinate or defecate on a Highway or other public place;
 - b. impede or obstruct any other person on a Highway or other public place, excluding lawful picketing as provided in the *BC Labour Code*;
 - c. stand or congregate on a Highway or other public place in such a manner as to impede or obstruct the free movement of other persons or vehicular traffic;
 - d. camp or erect a tent or other camping facilities on a Highway or other public place;
 - e. sleep in any vehicle located on a Highway or other public place;
 - f. swear or use indecent, obscene, blasphemous or grossly insulting language on or about a Highway or other public place; or
 - g. carry on any obscene, lewd or indecent activity on a Highway or other public place.

PART 5 – LITTERING

- 5.0 No Person shall deliver circulars, pamphlets, handbills or papers to or within any Real Property or building located on the Real Property, unless such deliveries are deposited within a receptacle provided by the owners or occupiers of the Real Property or building.
- 5.1 No Person shall deposit or throw any discarded materials, in or on any Highway or other public place.

PART 6 – NOISE REGULATION

Exemptions

- 6.0 This Part shall not apply to:
 - a. the operation of emergency vehicles;
 - b. the emergency repair of a public Highway;
 - c. operations of a public utility;
 - d. Peace Officers acting in the course of their duties;

- e. events held under authority of a Special Event Permit issued by the Chief Administrative Officer or their designate;
- f. the operation of farm vehicles during planting or harvesting;
- g. any person functioning within the limits imposed by a permit issued by the Chief Administrative Officer or their designate; and
- h. snow clearing.
- i. The sound of emergency backup power generators during power outage events. Backup generators are permitted to run twenty-four (24) hours a day during a power outage event only.

- 6.1 An application for a permit referred to in Sections 6.0(e) and 6.0(g) of this Bylaw may have a decision under this Bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.
- 6.2 The permit referred to in Sections 6.0(e) and 6.0(g) will be in a form prescribed by the Chief Administrative Officer or their designate.

Regulations

- 6.3 No Person shall make or cause, or permit to be made or caused, any noise, in or on any Highway or other public place or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- 6.4 No Person, who is the Owner or Occupier of real property, shall allow or permit such real property to be used in such a manner that noise emanating from the real property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of a person or persons in the neighbourhood or vicinity.
- 6.5 No Person shall operate any radio, stereophonic equipment or other instrument, or any apparatus for the production or amplification of sound either in or on private premises or in any highway or other public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- 6.6 No Person shall own, keep, or harbor any animal or bird which, by its cries, unduly disturbs the peace, quiet, rest, enjoyment, comfort, convenience or tranquility of the surrounding neighbourhood, Persons in the vicinity or the public at large.

Construction and Garbage Collection Noise

- 6.7 No Person shall, before 7:00 am on any day from Monday to Saturday when such day is not a Statutory Holiday, or before 8:00 am on any Sunday or Statutory Holiday, and after 10:00 pm on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or tends to

disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.

- 6.8 No Person shall, before 7:00 am on any day from Monday to Saturday, or before 8:00 am on any Sunday or Statutory Holiday and after 10:00pm on any day, operate a garbage truck which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.

Power Tools and Model Airplanes

- 6.9 No Person shall, before 8:00 am and after 10:00 pm on any day, use or operate any power gardening tool or other power tool or machine or any model airplane, boat or car powered by an internal combustion, turbine or rocket engine.

Public Address Systems

- 6.10 Except for sports announcements at the grounds where such sports are being played, no person shall operate any outdoor public address system at any time from any vehicle, real property, place or premises without the permission of the Chief Administrative Officer or their designate.

Commercial or Industrial Operations – Noise

- 6.11 Every Owner or operator of an industrial or commercial business which generates a Continuous Noise of a level that disturbs the occupants of the neighbourhood or Persons in the vicinity shall, at the request of the Village, supply the Village with:
- a. a report prepared by an independent sound consultant recommending methods to abate the Noise; and
 - b. a letter of certification sealed by the independent sound consultant that the methods approved by the Chief Administrative Officer for the abatement of noise have been fully implemented.

Motor Vehicle Noise

- 6.12 The following noises are, in the opinion of Council unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:
- a. the squeal of a tire on a Road Surface made by a motor vehicle which is accelerating, stopping or changing direction;
 - b. a loud, roaring or explosive sound emitted by a motor vehicle;
 - c. the amplified sound of a radio or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle;

- d. the sound of the diesel engine of a bus, truck or other vehicle which has been idling or otherwise running continuously for more than five minutes at the same location, except that this clause shall not apply where the bus or truck is located within a garage or depot approved by Village Bylaws and Permits for its long-term parking;
- e. the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding five (5) minutes or the sound of an automobile security system, but not including its activation status signal, which is made more than three (3) times in a 24-hour period;
- f. the sound of a horn or other warning device on a motor vehicle used for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle;
- g. the sound of a brake or other type of engine brake on a motor vehicle used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.
- h. the sound of a vehicle for which the muffler has been cut out, disconnected, modified by the removal of baffle or other part or which has been opened or widened creating a greater noise than is standard.

6.13 No person shall make or cause or permit to be made or caused, any objectionable, unnecessary or disturbing Noise set forth in Section 6.12 or operate a motor vehicle so as to cause any objectionable, unnecessary or disturbing Noise set forth in Section 6.12 contrary to Division 7A of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58.

PART 7 – PROPERTY MAINTENANCE

Graffiti

- 7.0 No Person shall place graffiti, or cause graffiti to be placed, on any wall, fence or other structure or thing in any Highway or other public place.
- 7.1 No person shall place graffiti, or cause graffiti to be placed, on any wall, fence, building or structure that is located on Real Property and adjacent to a Highway or other public place.
- 7.2 Every owner of Real Property shall remove graffiti that is located on the Real Property adjacent to a Highway or other public place within five (5) working days of the placement of the graffiti.
 - a. Every Utility Company shall remove graffiti that is located on any Utility Company structure that is situated on any Highway or other public place within five (5) working days after receiving notification of the graffiti from the Village.

- b. A Utility Company is exempt from the requirement in Section 7.2(a) if the Utility Company has entered into an agreement with the Village regarding the removal of graffiti from the Utility Company structures.

Boulevard Maintenance

- 7.3 Every Owner or Occupier of Real Property shall maintain in a clean, tidy and well-kept condition every Boulevard fronting on the Real Property and, without limiting the generality of the foregoing, shall:
- a. remove accumulations of filth, rubbish, discarded materials, hazardous objects and other materials which obstruct a drainage facility;
 - b. keep grassed areas trimmed and free of noxious weeds;
 - c. keep landscaping trimmed so that driveway and intersection vision clearances are unobstructed;
 - d. keep landscaping from encroaching over paved roadways or gravel shoulders.

Sidewalks and Pedestrian Facilities

- 7.4 Every Owner or Occupier of Real Property shall:
- a. remove rubbish from every pedestrian facility bordering the Real Property;
 - b. keep landscaping from encroaching over a sidewalk, or walkway, from ground level to a height of 2.4 metres.
- 7.5 No person shall:
- a. willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any boulevard;
 - b. erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the Village;
 - c. apply a Pesticide or Herbicide to any Boulevard; or
 - d. dispose of any vegetation cuttings, rubbish, discarded materials or any liquid or solid waste on any Boulevard or in any Drainage Facility.
 - e. section 7.5(c) does not apply to the Village or any other public utility.

Fences

- 7.6 Every Owner or Occupier of Real Property shall:
- a. In any zone, where an Owner or Occupier of property adjacent to a Highway has erected a fence adjacent to that Highway, the Owner or Occupier shall not allow that fence to fall into a state of disrepair.
 - b. An Owner or Occupier of Real Property whose fence erected adjacent to a Highway has fallen into a state of disrepair shall repair it forthwith upon receipt of notice given pursuant to this Bylaw.
 - c. In every zone where the keeping of livestock is permitted, every Owner or Occupier of Real Property abutting upon any Highway shall forthwith,

upon receipt of notice given pursuant to this Bylaw, erect fences along the boundary of that property abutting on the Highway for the purpose of preventing livestock from straying upon said Highway.

Intersection Vision Clearance

- 7.7 No Person who owns or occupies Real Property located at any Intersection, shall place or permit to be placed or grow a tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.87 feet) from the point of intersection, between an elevation such that an eye 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface elevation of one road, cannot see an object 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface of the other road.

Street Signs

- 7.8 No Person shall remove, deface or damage any street name sign or any other sign or marker erected upon any Highway by or at the direction of the Village.

Hazardous Trees and Shrubs

- 7.9 a. If in the opinion of the Village, any trees, hedges, bushes, or shrubs growing or standing on any Real Property are:

- (i) a hazard to the safety of persons on any Highway or other public place;
- (ii) likely to damage public property, or
- (iii) seriously inconveniencing persons on any Highway or other public place

the Village may order the Owners or Occupiers of the Real Property on which they grow or stand to trim, remove or cut down such trees, hedges, bushes or shrubs.

b. If the Person so ordered does not take the required action referred to in Section 7.9(a), the Village may proceed pursuant to Sections 7.19 to 7.21 of this Part.

House Numbering

- 7.10 All Owners and Occupiers of buildings shall display in a conspicuous place on the Real Property on which the building is located, the street number assigned by the Village to such building so that the same is of contrasting colour to its background and readable from the Highway.

Birds

- 7.11 No person shall keep or feed within the Village, birds so that they congregate in such numbers so as to constitute a nuisance or disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.

Demolition Sites

- 7.12 On any property where the demolition of any building or structure has taken place;

- a. all debris and material whether to be discarded or retained shall be removed forthwith;
- b. any basement or other excavation shall be filled in or covered over to lot grade level forthwith, upon receipt of notice served pursuant to the Bylaw.

Unsightly Premises

- 7.13 No Owner of Real Property shall permit the Real Property to become or remain unsightly or permit water, rubbish, discarded materials or noxious, offensive, or unwholesome matter to collect or accumulate around that real property.
- 7.14 Every owner of Real Property shall:
- a. keep the Real Property clear of Noxious weeds and unsightly and unkempt brush, trees, or other growths;
 - b. keep ground cover vegetation from exceeding 30 cm in height; and
 - c. prevent infestation by caterpillars and other noxious or destructive insects and clear the Real Property of such insects.
- 7.15 Every Owner of Real Property shall remove or cause to be removed from the property any unsightly accumulations of filth, discarded materials, brush, trees, vines, Noxious Weeds or other growths, of any kind on a regular basis, or when ordered to do so by the Village.
- 7.16 Every Owner of Real Property shall maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

Rental Premises

- 7.17 Every Owner of residential premises or residential property subject to a tenancy agreement shall:
- a. maintain the physical condition and structural repair of the residential premises or residential property to the health, life safety and fire protection standards of the British Columbia *Building Code* and the Village of Sayward Fire Prevention Bylaw; and
 - b. maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

Vacant Premises

- 7.18 No Owner of Real Property shall cause or create a nuisance or permit a nuisance to be caused or created by allowing a vacant building on the Real Property to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance or inconvenience to the general public.

Default and Remedial Action Notices

- 7.19 Where an Owner of Real Property or other responsible person fails to comply with the requirements of this Part, Council may make a declaration requiring that the Owner or other responsible person bring the Real Property into compliance with the provisions of this Part within specified time frame. A Bylaw Enforcement Officer may issue a notice in relation to Council's declaration.
- 7.20 If the Owner or other responsible person fails to comply with the notice requirement within the time limit specified in the notice, the Village by its workers, or others authorized by the Chief Administrative Officer, may, at all reasonable times and in a reasonable manner, enter the Real Property and affect such compliance at the cost of the defaulting Owner or other responsible person. Such cost shall consist of all costs and expenses incurred by the Village in affecting compliance with this Part including, without limitation, administrative costs, costs of attendance at the property by Village employees or its contractors and the costs of removal, clean up and disposal.
- 7.21 If an Owner or other responsible person defaults in paying the cost referred to in Section 7.20 to the Village within 30 days of a demand for payment from the Village, the Village may recover from the Owner or other responsible person, in any court of competent jurisdiction, the cost as a debt due to the Village. If an Owner has not paid the debt by December 31 in the year in which the debt was incurred, the Village may direct that the amount of the cost be added to the Real Property tax roll as a charge imposed in respect of work or service provided to the Real Property of the Owner.

Reconsideration

- 7.22 An Owner or other responsible Person who has been issued a notice pursuant to Sections 7.19, 7.20 and 7.21 of this Part may make representations to Council to have the decision reconsidered by applying in writing for such reconsideration within 14 days of receipt of the notice, or lesser time if specified in the notice.

PART 8 – ENFORCEMENT AND PENALTY

Right of Entry

- 8.0 A Bylaw Enforcement Officer may, at all reasonable times, enter upon any Real Property in the Village in order to ascertain whether the regulations contained within this Bylaw are being complied with.

Enforcement

- 8.1 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

Offences and Penalties

- 8.2 Any person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000 (and not less than the fines

prescribed in the Village of Sayward Ticketing Offence Bylaw), the cost of prosecution and any other penalty or order imposed pursuant to the Community Charter (British Columbia) or the Offence Act (British Columbia). Each violation against this Bylaw shall be deemed to be a separate and distinct offence, and, where the offence is a continuing one, each day that the offence is continued constitutes a separate offence.

PART 9 – SEVERABILITY

- 9.0 If any section, subsection, paragraph, clause, phrase or word within this Bylaw is for any reason held to be invalid by the decision of a court or competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

PART 10 – REPEAL

- 10.0 Property Maintenance Bylaw No. 384, 2010; Noise Control Bylaw No. 342, 2005; No-Idling Bylaw No. 389, 2011 and Liquor Consumption Bylaw No. 77, 1977 are hereby repealed.

Read a first time on the 9th day of October 2018

Read a second time on the 9th day of October 2018

Read a third time on the 9th day of October 2018

Rescinded third reading on the 16th day of April 2019

Amended at second reading on the 16th day April 2019

Read a third time on the ____ day of _____ 2020

Adopted on the ____ day of _____, 2020

Certified a true copy of Bylaw
No. 417 this ____ day of
_____, 2020

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Policy Update Project
Meeting date: March 3, 2020

BACKGROUND

The 2020 approved Strategic Priorities includes the following strategic goal:

Strategic Priority	Item	Progress Measures	Timeline
1. Village Operations	a.) Review and update Village internal policies and procedures. There are several policy and Bylaw updates that need to be completed. Policies include: Personnel Benefits, Conflict of Interest, Criminal Record Search, Hiring, Annual Tax Sale, Permissive Tax Exemption, Respectful Workplace, Procurement. Bylaws include: Building, Zoning (Cannabis), Reserves.	Additional Policies and Bylaws approved by Council	All of 2020

Staff are working on the Policy Update Project as time permits. Since mid-2019 5 (five) policies have been prepared by Staff and approved by Council resolution. These policies are listed below:

1. 100-01 Council Conflict of Interest Policy
2. 200-01 Criminal Records Search Policy
3. 300-01 Permissive Property Tax Exemption Policy
4. 300-03 Credit Card Policy
5. 300-04 Vehicle & Equipment Policy

DISCUSSION

Staff have determined a need for a Bylaw Enforcement Policy to establish guidelines to staff for bylaw enforcement activities. A draft policy has been prepared and Council is asked for input and review. In general terms, the policy outlines procedures on handling bylaw complaints and roles and responsibilities of staff and other Village officials. Specifically, the policy contains the following sections:

- 1.0 Purpose
- 2.0 Policy
- 2.1 Responsibility
- 3.0 Confidentiality

- 4.0 Procedures
- 4.1 Enforcement
- 5.0 References
- 6.0 Approval History

Confidentiality, and voluntary compliance are addressed in the policy as well as anonymity, timeframes for response, and enforcement action.

Staff have looked at various other municipal Bylaw Enforcement Policies and have pulled information from the BC Ombudsman - Bylaw Enforcement: Best Practices Guide for Local Governments document. Staff recommend Council approval of Policy 100-02 Bylaw Enforcement Policy.

ATTACHMENTS

- DRAFT 100-02 Bylaw Enforcement Policy

STAFF RECOMMENDATIONS

THAT Council receives the Policy Update Project report, and;

THAT Council approves 100-02 Bylaw Enforcement Policy.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa Clark', written over a horizontal line.

Lisa Clark, CAO/CFO



Village of Sayward

Title: Bylaw Enforcement Policy

Policy # 100-02

Category: Administration and General Government

1.0 PURPOSE

This policy is intended to establish guidelines to staff for bylaw enforcement activities.

The objective of the Bylaw Enforcement Policy is to obtain compliance with municipal bylaws through effective enforcement based on consistency, education and fairness. This policy describes the procedures related to bylaw enforcement, including the issues of confidentiality as set out in the *Freedom of Information & Protection of Privacy Act*, the setting of priorities for action, and includes provisions for further enforcement.

2.0 POLICY

The Village of Sayward does not have the resources to formally inspect properties and to enforce bylaws on a regular basis in order to determine whether or not its various bylaws are being complied with at all times. Therefore, it is the general policy of the Village to rely on citizen complaints.

Every attempt shall be made to achieve voluntary compliance with bylaws through education and information prior to initiating any manner of enforcement action. Wherever possible, it is recommended that residents attempt to resolve their issues amicably between neighbours before contacting the Village for assistance.

The Village has no duty to take enforcement action on any bylaw within the municipality. Discretion will be exercised by the Village on a case-by-case basis as outlined in this policy.

To reduce the opportunity for intimidation and neighbourhood conflict, the Village wishes to establish a policy with a balance of accountability and confidentiality among the various parties to this process. The Village understands the importance of providing confidentiality to both the complainant and the alleged violator. It is recognized that many complaints take place in the context of other disputes between neighbours and the motivation for the complaint itself may be retribution. Disclosure could serve to exacerbate the dispute and may even put persons at risk or harm.

2.1 RESPONSIBILITY

- a) Officers and employees of the Village are not required to report bylaw violations observed:
 - i. on personal time, or
 - ii. during work hours, unless it is within that employee's scope of duty to do so, or where the violation poses a risk to public health and safety.
- b) A member of Council wishing to report a bylaw violation or submit a complaint must make a formal written complaint to the Village or bring forward the matter for Council consideration at a closed council meeting. Anonymous complaints will not be accepted through a member of Council.

- c) Village staff will be responsible for responding to complaints and conducting investigations. Their roles and responsibilities for doing so are outlined in specific Village bylaws. The Mayor and Council are not to be involved in the investigation of a complaint.

3.0 CONFIDENTIALITY

- a) A complainant's name and any particulars of the complaint which may reveal the identity of the complainant will not be disclosed to the alleged violator or any member of the public.
- b) A response of an alleged violator, whether verbal or written, shall not be disclosed to the complainant.
- c) Where personal information is provided, the Village will keep the information confidential and use the personal information only to determine the validity of the complaint and the alleged violator's response.
- d) If a person submits a request under the *Freedom of Information and Protection of Privacy Act* for the disclosure of information or records contained in a complaint or in a response to a complaint, other than for that person's own personal information, it is the Village's policy to refuse disclosure under sections 15 and 22 of the Act.
- e) The anonymity and confidentiality afforded complainants and alleged violators by this Policy cannot be assured if the investigation results in court proceedings as the complainant may be required to act as a witness for the prosecution.

4.0 PROCEDURES

- a) To be considered a valid complaint, reports of alleged infractions of bylaws are to be reported by the complainant to the Village office, preferably in writing using the Bylaw Complaint Form in **Schedule 'A'**. Anonymous complaints of alleged infractions will not be acted upon.
- b) To be considered an enforceable complaint, a complainant must:
 - i. Provide their name, address and telephone number;
 - ii. Describe the nature and location of the alleged infraction; and
 - iii. Describe any attempts made by the complainant to resolve the problem.
- c) Complaints to the Village may be initiated by phone, although a formal written complaint will be required.
- d) All complaints directed to the Village will be logged, recorded, and acknowledged within three (3) business days of receipt. A preliminary review of the complaint will be undertaken to set a priority level and to ensure that the complaint is credible and in the best interest of the Village of Sayward and its residents.
- e) The named individual(s) will be notified by phone call, in-person, by email, or by registered letter and given the opportunity to provide their perspective and any supporting evidence.
- f) Following a review of this information, established violations, if any, will be identified and the individual will be given the opportunity achieve voluntary compliance within a set timeframe, identified on a case-by case basis, before further action is taken. Individuals may also be requested to cease the activity until compliance is achieved.
- g) Where a complaint is deemed credible, all actions associated with investigation and enforcement will be documented in a bylaw infraction file.
- h) The timeframe for conducting reviews and investigations will vary depending on the facts of the case, however, if an investigation proceeds beyond one month the complainant will be contacted and advised of the status of the complaint, understanding that no guarantee can be given to the potential completion date; every effort will be made to respond to complainants in an efficient, expedient manner.

- i) As the review progresses:
 - i. If no violation is found or;
 - ii. If the individual voluntarily complies within the set timeframe or;
 - iii. If the Village requests the actions cease and they do,the bylaw infraction file will be closed, and the complainant will be advised of the conclusion of the review/investigation by email, or by registered letter if no email is available. Note: all bylaw related matters must be permanently retained.
- j) A response to the complainant may be withheld if legal action is pending.

4.1 ENFORCEMENT

- a) The Village, in determining whether a remedy is necessary, will consider, but not be limited to, matters such as:
 - i. the scale, number and duration of the infraction(s)
 - ii. the current, short and long-term impacts caused by the infraction(s)
 - iii. the potential for precedents
 - iv. the resources available to resolve the matter
 - v. whether it is in the best interests of the public and/or the Village to proceed
 - vi. the likelihood of obtaining the desired results
 - vii. whether public safety is at risk
 - viii. whether enforcement may act as a deterrent in future cases
- b) Upon receipt of a bylaw complaint, infractions will first be ordered on the basis of the date the complaint was received, and will then be assigned a priority level of:
 - i. **Low Priority:** A bylaw violation unlikely to cause life, health and/or safety issues and/or negatively impact the community or the environment.
 - ii. **Medium Priority:** Multiple low priority violations or a bylaw violation with potential to cause life, health and/or safety issues and/or negatively impact the community or the environment.
 - iii. **High Priority:** Multiple bylaw violations or a bylaw violation currently causing life, health and/or safety issues and/or negatively impact the community or the environment.
- c) Staff will attempt to obtain voluntary compliance of Village bylaws before any bylaw enforcement action is taken unless there is a record of previous bylaw violations by that individual.
- d) Staff will bring forward any recommendation for prosecution of an offence under the *Offence Act*, court action through civil proceedings, and remedial action to Council for its consideration.
- e) Council will decide whether to provide funding for legal action, decline to do so, or recommend other actions. Staff, with the assistance of legal counsel, will follow up with any motion to initiate legal proceedings.
- f) At the end of legal proceedings, the Chief Administrative Officer (CAO) will advise the complainant and any other affected parties of the outcome and close the enforcement file once compliance has been established (i.e. completion of any on-going monitoring requirements).

5.0 REFERENCES / POLICY INTEGRATION

BC Ombudsman - Bylaw Enforcement: Best Practices Guide for Local Governments

<https://www.bcombudsperson.ca/sites/default/files/Special%20Report%20No%20-%2036%20Bylaw%20Enforcement%20-%20Best%20Practices%20Guide%20for%20Local%20Governments.pdf>

Village of Lumby Bylaw Enforcement Policy:

<https://lumby.civicweb.net/document/2743>

Village of Cumberland Bylaw Enforcement Policy:

<https://cumberland.ca/wp-content/uploads/2012/09/9.1-Bylaw-Enforcement-policy-Nov-14-2012.pdf>

6.0 APPROVAL HISTORY

ISSUED BY: CAO	APPROVED BY: Mayor & Council	RESOLUTION NO:	DATE:
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Signed by:

Mayor:	CAO:
Date:	Date:

Schedule "A"



VILLAGE OF SAYWARD
BYLAW COMPLAINT FORM

Date _____

Name of Complainant _____

Address of Complainant _____

Phone No. of Complainant _____

Nature of Complaint: (include date and address of where incident happened)

Signature of Complainant

OFFICE USE ONLY:

Complaint No. _____

Folio No. _____

Bylaw No. _____

Action Taken:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.