



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
NOVEMBER 5, 2019 – 7:00 PM
KELSEY CENTRE GYMNASIUM**

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 November 5, 2019 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on October 22, 2019 be adopted.

6. Business Arising

7. Petitions and Delegations

a) Dr. Charmaine Enns – North Island Medical Health Officer

Recommended Resolution:

THAT the presentation by Dr. Charmaine Enns, North Island Medical Health Officer be received.

b) Renee Hamel and Chris Read – MOWI

Recommended Resolution:

THAT the presentation by MOWI be received.

8. Correspondence

Recommended Resolution:

THAT the following correspondence be received.

- a) Planting 1 billion hectares of forest could help check global warming – Kim Stephens, Executive Director, Partnership for Water Sustainability in BC
 - b) Thank you from Sayward School for donation in kind for new playground.
 - c) Sayward Food Bank – Karren McClinton
 - d) CivX 2019: Civil Ideas for Less Civil Times – one-day seminar in Vancouver, November 28th
 - e) CRATV Club – support for single designated route
 - f) Appointment to the 2020 Vancouver Island Regional Library Board
- Recommended Resolution:
- THAT Council appoints Councillor Ellis as appointee on the Vancouver Island Regional Library Board of Trustees for 2020, and Councillor Norm Kirschner as the alternate.

9. Mayor's Report – verbal report on RCMP meeting, October 29th

10. Council Reports

11. Old Business

12. Staff Reports

a) Staff Report: Fireworks Bylaw

Recommended Resolution:

THAT Council receive the Fireworks Bylaw report for information and discussion, and;

THAT Council provides direction to Staff.

b) Staff Report: ORV Bylaw

Recommended Resolution:

THAT Council receive the ORV Bylaw report for information and discussion, and;

THAT Council provide direction to Staff.

13. Bylaws

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)(k) of the Community Charter to discuss negotiations and related discussions respecting the proposed provision of a municipal service that are at their

preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

17. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for November 5, 2019 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
OCTOBER 22, 2019
KELSEY CENTRE GYMNASIUM**

Present: Deputy Mayor Joyce Ellis
Councillor Wes Cragg
Councillor Bill Ives
Councillor Norm Kirschner

In Attendance: Lisa Clark, CAO/CFO
Mavis Alkenbrack, Deputy Finance/Admin Officer

Regrets: Mayor John MacDonald

1. Call to Order

Meeting was called to order at 7:02 PM.

2. Public Input (maximum 30 minutes)

Debbie Coates	Question about whether Council was consulted about the generator being removed from the water treatment contract.	CAO directed to look at past staff reports and advise Council at next meeting.
Irene Callaghan	Question regarding the status of the daycare project. Question about the noise bylaw, and why noise is allowed until 11:00pm.	Cllr Cragg indicated that the grant application has not yet been submitted to the province, but that the project is still active. Council advised the gallery that a new noise bylaw is in progress and will have some changes.

3. Introduction of Late Items

4. Approval of Agenda

MOTION R19/272

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for October 22, 2019 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R19/273

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on October 22, 2019 be received.

CARRIED

MOTION R19/274

MOVED AND SECONDED

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.

CARRIED

MOTION R19/275

MOVED AND SECONDED

THAT resolution R19/259 be amended to read:

MOTION R19/259

MOVED AND SECONDED

THAT Council receives the Consultant's report on the FTE Admin 2019 and;

THAT Staff be directed to work within the 2.6 FTE for the Admin department.

CARRIED

MOTION R19/276

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on October 8, 2019 be adopted, as amended.

CARRIED

6. Business Arising

7. Petitions and Delegations

a) Cpl. Kim Graham, Detachment Commander - Sayward Policing Report

MOTION R19/277

MOVED AND SECONDED

THAT the Sayward Policing Report for the period 1 Jan 2019 to 30 Sep 2019 be received.

CARRIED

8. Correspondence

MOTION R19/278

MOVED AND SECONDED

THAT the following correspondence be received.

- a) Letter of support for ORV Management Framework – City of Campbell River
- b) Social Procurement training – SP 201, November 15th, Campbell River

CARRIED

Note: Staff directed to register Cllr. Ives for SP 201 training on Nov 15th

9. Mayor's Reports

10. Council Reports

11. Old Business

12. Staff Reports

- a) **Staff Report: Financial Statements/Variances to Sept 30, 2019**

MOTION R19/279

MOVED AND SECONDED

THAT Council receive the Financial Statements/Variances to Sept 30, 2019 report.

CARRIED

- b) **Staff Report: Projects Update – October 2019**

MOTION R19/280

MOVED AND SECONDED

THAT Council receive the Projects Update – October 2019 report.

CARRIED

- c) **Staff Report: Tree Management Bylaw**

MOTION R19/281

MOVED AND SECONDED

THAT Council receive the Tree Management Bylaw report and;

THAT Council direct Staff to bring the report to the COW meeting on November 5th for discussion.

CARRIED

- d) **Staff Report: Policy Updates Project**

MOTION R19/282

MOVED AND SECONDED

THAT Council receive the Policy Update Project report, and;

THAT Council approves 100-01 Council Conflict of Interest Policy.

CARRIED

13. Bylaws

- a) **Permissive Tax Exemption Bylaw No. 459, 2019**

MOTION R19/283

MOVED AND SECONDED

THAT Permissive Tax Exemption Bylaw No. 459, 2019 be given fourth and final reading.

CARRIED

b) Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019

MOTION R19/284

MOVED AND SECONDED

THAT Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019 be given fourth and final reading.

CARRIED

14. New Business

a) Revenue Canada contacts update

MOTION R19/285

MOVED AND SECONDED

THAT Council authorizes the following Village of Sayward Finance Staff members, Lisa Clark, CAO/CFO and Mavis Alkenbrack, Deputy Finance/Admin Officer, to access data and information from the Canada Revenue Agency for account numbers 10817 9920 RP0001, 10817 9920 RT0001, and 10817 9920 RC0001.

CARRIED

15. Public Question Period (maximum 15 minutes)

Irene Callaghan	Asked how much the totem on the waterfront trail cost the taxpayers of Sayward.	Advised that the totem was donated from the Shoreline Arts group in Campbell River and there was not cost.
Debbie Coates	Thanked Council for hiring Lisa Clark as the CAO, commented about Lisa's commitment to the community, finance background, and that she is a local.	
Debbie Coates	Asked Council to consider a potential tree management bylaw carefully as Sayward is not a city.	

16. In-Camera

MOTION R19/286

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)(k) of the Community Charter to discuss negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED

17. Adjournment

MOTION R19/287

MOVED AND SECONDED

THAT the Regular Meeting of Council for October 22, 2019 be adjourned.

CARRIED

The meeting was adjourned at 8:16 PM.

Mayor

Corporate Officer

Subject: FW: Planting 1 Billion Hectares of Forest Could Help Check Global Warming

Begin forwarded message:

From: "Kim Stephens, Executive Director, Partnership for Water Sustainability in BC"
<kstephens@watersustainabilitybc.ca>
Date: October 22, 2019 at 5:33:29 AM PDT
To: John MacDonald <john.macdonald@saywardvalley.ca>
Subject: Planting 1 Billion Hectares of Forest Could Help Check Global Warming
Reply-To: "Kim Stephens, Executive Director, Partnership for Water Sustainability in BC"
<kstephens@watersustainabilitybc.ca>

Planting 1 Billion Hectares of Forest Could Help Check Global Warming

[View this email in your browser](#)

"Our study shows clearly that forest restoration is the best climate change solution available today, and it provides hard evidence to justify the investment," says
Professor Thomas Crowther, Swiss Federal Institute of Technology



Today, the only technology capable of absorbing CO₂ is photosynthesis. Planting trees is the most efficient, pragmatic and least expensive way to mitigate the carbon impacts of climate change. Trees would also be a cornerstone strategy for adapting to seasonal changes in the water balance. In the British Columbia context, an intact urban tree canopy would intercept half the annual precipitation.

The latest report from the United Nations's Intergovernmental Panel on Climate Change recommended adding 1 billion hectares of forests to help limit global warming to 1.5° C by 2050. Ecologists Jean-Francois Bastin and Tom Crowther and their co-authors wanted to figure out whether today's Earth could support that many extra trees, and where they might all go. Bastin et al are researchers at the Crowther Lab, based at the Swiss Federal Institute of Technology in Zurich.

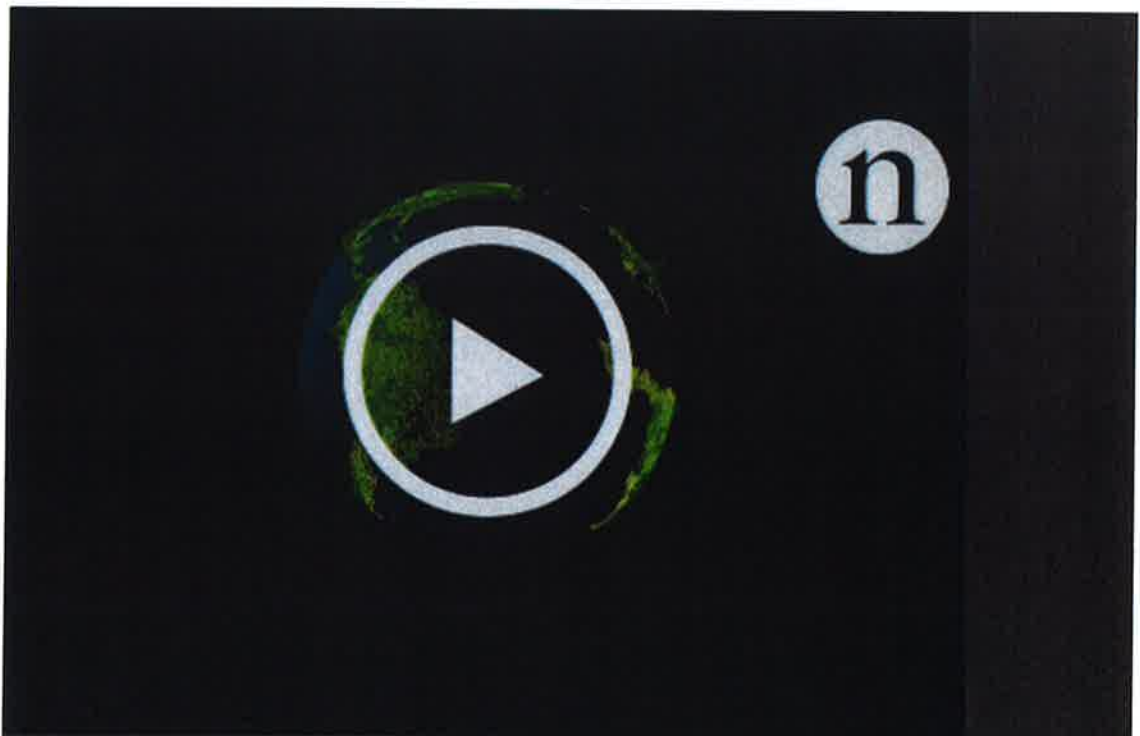
Bastin and Crowther determined that around 0.9 billion hectares of land worldwide would be suitable for reforestation, which could ultimately capture two thirds of human-made carbon emissions. This land area would be equivalent in size to the United States. It would translate to 1–1.5 trillion trees, adding to the 3 trillion trees already on Earth.

WHO IS THOMAS CROWTHER: After completing his doctorate in ecology at Cardiff University, Thomas Crowther switched to Yale University, where he studied the ecology of ecosystems, with a specific focus on

soil. While in the USA, he came into contact with an organisation that is leading the United Nations "billion trees campaign". But no one had a clue how many trees there actually were on the planet, so they couldn't quantify the contribution of their efforts. Crowther was given the task of producing a global map of the world's trees, which allowed them to discover the current population number. The study was published in 2015.

In an email to the Partnership for Water Sustainability, Thomas Crowther wrote: "It is important to remember that trees alone will not stop or reverse climate change. There is absolutely no silver bullet to climate change. We need thousands of solutions to prevent our emissions, and also to draw down the carbon that is already there. Our research suggests that trees are an incredibly powerful option to draw down existing carbon. And, when projects are done right, in an ecologically and socially responsible way, these trees come with so many other benefits to people and biodiversity around the world. "

How many trees are there on Earth?



It's a simple question: how many trees are there on Earth? The answer required 421,529 measurements from fifty countries on six continents. Now this new data has been combined to produce a stunning visualisation of our planet as never seen before.

ABOUT THE CROWTHER LAB:

The Crowther Lab at the Swiss Federal Institute of Technology, Zurich, investigates nature-based solutions to climate change. In their latest study, the Crowther Lab researchers showed for the first time where in the world new trees could grow and how much carbon they would store.

Published in the journal *Science*, July 2019, the study shows that global reforestation would be the most effective method to combat climate change.



Jean-François Bastin

The Potential for Global Forest Cover

The restoration of forested land at a global scale could help capture atmospheric carbon and mitigate climate change. Thomas Crowther's team used direct measurements of forest cover to generate a model of forest restoration potential across the globe.

Their spatially explicit maps show how much additional tree cover could exist outside of existing forests and agricultural and urban land. An additional 0.9 billion hectares of continuous forest would represent a greater than 25% increase in forested area, including more than 500 billion trees and more than 200 gigatonnes of additional carbon at maturity. Such a change has the potential to cut the atmospheric carbon pool by about 25%.

A Benchmark for Global Action: "The restoration of trees remains among the most effective strategies for climate change mitigation, states Dr. Jean Francois Bastin, lead author for the study.

"We mapped the global potential tree coverage to show that 4.4 billion hectares of canopy cover could exist under the current climate. Excluding existing trees and agricultural and urban areas, we found that there is room for an extra 0.9 billion hectares of canopy cover, which could store 205 gigatonnes of carbon in areas that would naturally support woodlands and forests.

"This highlights global tree restoration as our most effective climate change solution to date. However, climate change will alter this potential tree coverage. We estimate that if we cannot deviate from the current trajectory, the global potential canopy cover may shrink by ~223 million hectares by 2050, with the vast majority of losses occurring in the tropics."

"Our study provides a benchmark for a global action plan, showing where new forests can be restored around the globe. Action is urgent, and governments must now factor this into their national strategies to tackle climate change," concludes Dr. Bastin.

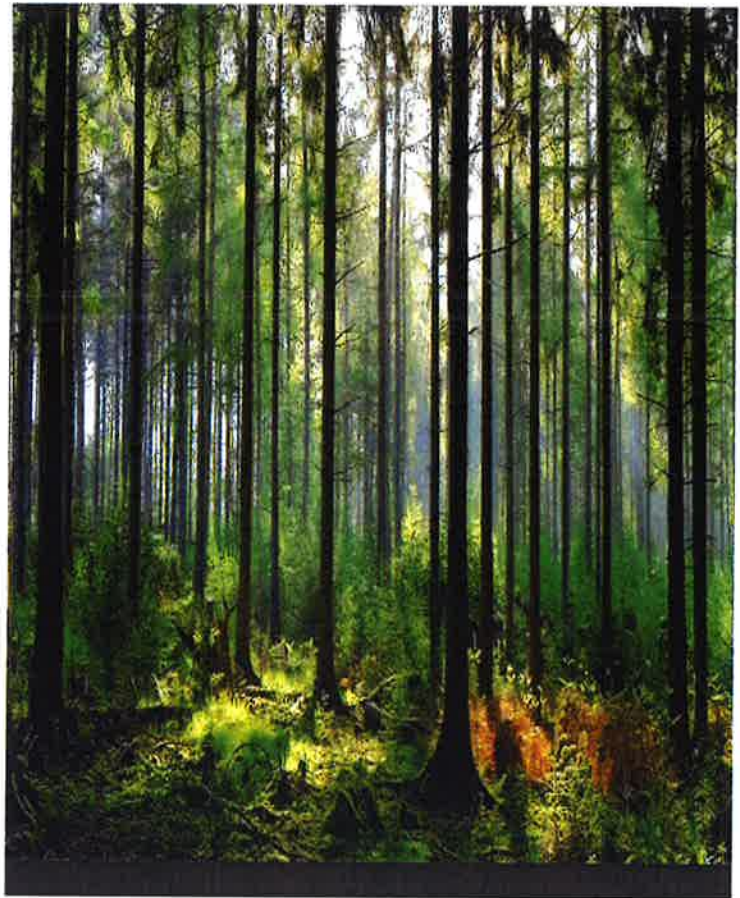


Thomas Crowther

Thomas Crowther's research mission is to develop a global understanding of the ecological processes that drive the carbon cycle and the climate. A deeper understanding is important for improving climate change forecasting.

To fulfil his mission, he has specialists from the fields of satellite remote sensing, genetics of soil-dwelling organisms, ecology of biotic communities and experts in modelling Earth systems.

It was the tree count that drew international



The Best Available Solution

"We all knew that restoring forests could play a part in tackling climate change but we didn't really know how big the impact would be," says Thomas Crowther, the study's senior author and an assistant professor of ecology at the Swiss Federal Institute of Technology, Zurich.

"Our study shows clearly that forest restoration is the best climate change solution available today. But we must act quickly, as new forests will take decades to mature and achieve their full potential as a source of natural carbon storage."

Canada is #3 for Reforestation Potential: The study also shows which parts of the world are most suited to forest restoration. The greatest potential can be found in just six countries: Russia (151 million hectares); the US (103 million hectares); Canada (78.4 million

attention to Crowther.

hectares); Australia (58 million hectares); Brazil (49.7 million hectares); and China (40.2 million hectares).

“Communication was the trigger for everything. Even now, scientists are seldom encouraged to present their research in the public domain. If I hadn’t spent a lot of time doing so, no one would have known about my work.

“Everyone is asking the ultimate question: what form will climate change take over the rest of this century, and how can we manage or conserve natural ecosystems to minimize these effects.

“If we understand how ecological processes are linked to the climate, we can also discover how to combat climate change through specific types of land use, for instance.”

Many current climate models are wrong in expecting climate change to increase global tree cover, the study warns. It finds that there is likely to be an increase in the area of northern boreal forests in regions such as Siberia, but tree cover there averages only 30 to 40 percent. These gains would be outweighed by the losses suffered in dense tropical forests, which typically have 90 to 100 percent tree cover.



This is where the world could support new forests. The map excludes existing forests, urban areas, and agricultural lands. J. BASTIN, ET. AL., SCIENCE 365, 76, 2019

To learn more about Tom Crowther, a 'man on a mission',
click on the link below to watch a YouTube video.



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test

Our mailing address is:

Partnership for Water Sustainability in British Columbia
1010 Cowan Point Drive
Bowen Island, BC V0N 1G2
Canada

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)



To the Village of Sayward

On behalf of the Sayward School Students, I am writing to say thank you for loaning equipment to the school during the playground construction. We appreciate that your support allowed us to build a great place to play. My favourite part of the playground is the glider. Thank you again for your generosity.

Sincerely, Sienna

4 Indira Rishi, Principal

October 25, 2019

Dear Joyce-

We spoke at a council meeting earlier this year about bringing the food bank back into Sayward. You told me that you would phone me in August to start planning this and I have not heard from you yet. I am hoping that we can get together at your earliest convenience to get started because, as you know, there are many people in Sayward who could benefit from this service. You also said that you would find out if it was possible to use the city's van to support this and I was wondering if that has been arranged.

I look forward to hearing from you in the very near future.

Yours truly,

Karren McClinton
250-282-3345

Subject: FW: LMLGA & CivicInfo BC Invite You to Attend CivX 2019: "Civil Ideas for Less Civil Times", November 28, Vancouver

From: info@civicinfo.bc.ca <info@civicinfo.bc.ca>

Sent: October-29-19 10:14 AM

To: info@civicinfo.bc.ca

Subject: LMLGA & CivicInfo BC Invite You to Attend CivX 2019: "Civil Ideas for Less Civil Times", November 28, Vancouver



"CIVIL IDEAS FOR LESS CIVIL TIMES"

November 28, 2019 – Vancouver

Presented by



LOWER MAINLAND
LOCAL GOVERNMENT ASSOCIATION



CIVICINFOBC

The Lower Mainland Local Government Association and CivicInfo BC proudly present **CivX 2019: Civil Ideas for Less Civil Times**, Thursday November 28, 2019 at the Morris J. Wosk Centre for Dialogue, 580 W. Hastings Street, Vancouver.

At this one-day seminar (8:30am – 4:30pm) delegates will hear practical ideas for making our towns and cities more inclusive for our citizens, regardless of age, gender, culture, or socio-economic background. Our exciting line-up of guest speakers includes:

- Diane Kalen-Sukra, Author, "Save Your City: How Toxic Culture Kills Community & What to Do about It".
- Tasha Henderson, Director, Women Transforming Communities
- Chris Friesen, Director of Settlement Services, Immigrant Services Society of BC.
- Dr. Atiya Mahmood, Associate Professor, Department of Gerontology, Simon Fraser University
- Dr. Ben Mortenson, Associate Professor, Department of Occupational Science and Occupational Therapy, UBC
- Dr. Eamonn O'Laocha, Instructor, Douglas College & Douglas Applied Research, Teaching and Consultancy
- Representatives from the Fraser Basin Youth Council (Co-Creating a Sustainable BC)

The day will wrap with a facilitated session, where local government delegates can share ideas and practices with one another, with a written summary being provided to all in attendance. A full agenda, with detailed session descriptions, will be available shortly.

REGISTER TODAY AT: <https://www.civicinfo.bc.ca/event/2019/CivX>

Who should attend? Like past CivX events, this event will be of particular interest to local government elected officials, local government staff, staff from local government agencies, academics, and post-secondary students.

Our sincere thanks to our sponsors, whose generous support helps to make this event possible!





ORV GATEWAY TO THE NORTH ISLAND

CRATV CLUB PROPOSAL FOR SINGLE DESIGNATION OF THE NORTH ISLAND ORV (Off Road Vehicle) ROUTES

This is a request for North Island Communities to express their support towards Designating the existing network of Forest Service Road & Trail Routes inter-connecting North Vancouver Island Communities as a single designated route. These routes are currently used by ORV Tourists to travel between North Island Communities. The purpose of this designation is to begin the process to meet the future requirements for the RCMP and Local Communities to be able to issue one single Operation Permit. This one single operation Permit will allow ORVs specific designated roadway access to the services of all of the 10 already participating North Island communities along the Routes. The single permit will replace the 10 operation permits currently required.

Note: At present a separate permit for each of the 10 participating communities is required. Each of the 10 permits must be issued by a local community police detachment officer. Tourists have to travel to each Community prior to riding an ORV into a community to be issued their individual Operation Permit for each community. This can involve days of unnecessary extra travel for the potential tourist. This process has proven to be inconvenient, and time consuming, for both Police and the Tourists. Many potential ORV Tourists are discouraged by the current Operation Permit process.

For example: If a group of 20 ORV Tourists wish to ride the entire NI route:

Each of the 20 potential tourists would have to pre-travel the desired route to acquire their permits.

*- RCMP Officers would have to issue: 20 riders X 10 communities = **200 permits**.*

*At 10 minutes per permit: 10min X 200permits = 2000min or **33hrs to issue separate permits***

*For the proposed **single issue permit**: The tourists would not have to pre-travel the desired route.*

*20 riders X 1 permit = 20 permits. 20 permits X 10 min = 200min or **3.3hrs**.*

The proposition B121 was put forward, voted on and passed at the 2019 UBCM Convention by the Delegates representing Communities from throughout the entire province. The intent of B121 was to encourage the Provincial Government to enact legislation to change the framework of laws and regulations to allow a single Operation Permit for ORV access to multiple communities along **designated routes** to be issued in any of the Communities along that designated route.



ORV GATEWAY TO THE NORTH ISLAND

Rural communities and the ORV community throughout the Province are encouraging the Provincial Government to move forward with enacting these minor amendments with appropriate legislation as expeditiously as possible.

There has been some discussion around having a “pilot program”. It could be very economically beneficial for the North Island Communities if we are selected to become that pilot project. Hopefully if we are able to get the route designated quickly. It will help towards the North Island becoming designated as the pilot program and hopefully to getting the legislation enacted by the Provincial Government.

In order to begin the single route designation process. We need an expression of support and your preferred name proposal for the single designated route.

1. This is a possible suggestion for a letter of support:

Our community _____ supports the inclusion of Inter Community ORV Tourism as a part of our North Island Tourism initiatives.

We support the designation of the multi-community connecting network of trail and forest service road routes currently being used by Off Road Vehicles to traverse Vancouver Island from Campbell River north to Cape Scott Park to be designated as a single route.

The purpose of this single route designation is to begin the process to facilitate the ability to issue single Operation Permits for multi-communities as per 2019 UBCM resolution B121 as voted on and passed by the delegates.

We support B121 to be enacted as an amendment to the current ORV Framework of laws and regulations. This minor issuing procedural change will encourage ORV Tourism, and will result in significant economic benefits for participating Communities.

If the Provincial Government elects to have a “pilot project”. We would very much like the Multi-Community ORV Route on North Vancouver Island to be that “pilot project”.

Thank you

October 21, 2019



ORV GATEWAY TO THE NORTH ISLAND

2. Can you please also email your suggestion or preference for a name for the proposed designated NI ORV route to: mcou@telus.net

These are suggestions for the possible NI ORV Designated Route's name:

1. North Island ORV Route
2. North Island Inter-Community ORV Route
3. North Vancouver Island Inter-Community ORV Route
4. North Island Multi-Community ORV Route
5. Community Unity ORV Route
6. North Island Community Unity ORV Route
7. North Vancouver Island 1000
8. North Van Isle 1000

Have you thought of a name suggestion your community would prefer?

Thank you for your support –



Administration
Box 3333 | 6250 Hammond Bay Road
Nanaimo, BC Canada V9R 5N3
t: 250.758.4697 f: 250.758.2482
e: info@virl.bc.ca w: www.virl.bc.ca

October 28, 2019

Mayor John MacDonald
Village of Sayward
PO Box 29, 652 H'Kusam Way
Sayward, BC V0P 1R0
Original sent via email: john.macdonald@saywardvalley.ca

Dear Mayor MacDonald,

Re: Appointment to the 2020 Vancouver Island Regional Library Board

It is time to consider your 2020 representation on the Vancouver Island Regional Library (VIRL) Board of Trustees. VIRL is the fifth largest library system in British Columbia serving more than 457,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the Central Coast. VIRL enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

When appointing your representative, the *Library Act* (October 9, 2019), section 17 (2) states:

"All subsequent regular appointments must be made each November at the first meeting of the municipal council or regional district board."

The term of office is one year, January 1 to December 31. Reappointment of sitting members is encouraged for continuity, but no member may serve for more than 8 consecutive years.

The *Library Act*, section 55, reimbursement of expenses states: "(1) The members of a library board are not entitled to be paid by the library board for their services but may be reimbursed by it for reasonable travelling and out of pocket expenses, including child care expenses, necessarily incurred by them in performing their duties under this Act. (2) A library board may not reimburse a member for any expenses if another body reimburses the member for the expenses or pays the expenses."

VIRL requires annual documentation by December 16, 2019 for both your appointed VIRL Trustee and Alternate, including:

1. Certified copy of the Resolution (by provincial legislation)
2. Financial disclosure statement (original or copy of that on file with the municipality/district)
3. VIRL 2020 Appointment form

Strong Libraries • Strong Communities

Bella Coola Bowser Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo North Nanaimo Wellington Parksville Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte Sandspit Sayward Sidney/North Saanich Soointula Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss

4. Electronic File Transfer (EFT) form (if travel expenses are to be reimbursed via EFT)

By December 16, 2019, please return the completed forms and a copy of the certified resolution to Mariah Patterson, Executive Assistant, mpatterson@virl.bc.ca.

If you have any questions, please contact Ms. Patterson by phone: 250-729-2310 or [email](#).

Thank you for your continued support of Vancouver Island Regional Library!

Sincerely,

A handwritten signature in black ink, appearing to read "Rosemary Bonanno". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Rosemary Bonanno, BA MLS
Executive Director

CC: Lisa Clark, CAO, Village of Sayward



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Fireworks Bylaw
Meeting date: November 5, 2019

BACKGROUND

Fireworks Bylaw 456 received first and second readings at the May 7, 2019 Council meeting and was re-directed to Staff to amend. Another look at Bylaw 456 in September generated a proposed replacement Fireworks Bylaw which simplified the overall language and was subsequently introduced at the October 8th Council meeting.

ATTACHMENTS

- Fireworks Regulation Bylaw 456, 2019
- Proposed Fireworks Regulation Bylaw No. XXX, 2019 (as presented at the Oct 8th meeting).

DISCUSSION

Staff suggest another discussion by Council is needed before any further Bylaws are brought back for approval. A Fireworks Bylaw can prohibit fireworks entirely within the municipal boundaries or it can restrict the discharge of fireworks and only allow use on certain special days (Halloween, New Years, Canada Day). The distinction between consumer fireworks events, display fireworks events, and pyrotechnic fireworks events and the rules and regulations for each category can also be included.

Several options are available to Council as follows:

1. Prohibit the sale and use of all fireworks within the Village of Sayward. This includes prohibiting all consumer fireworks (backyard Halloween and New Years events), all display fireworks (Canada Day), and all pyrotechnic fireworks (movie sets, other events). In short, no fireworks would be permitted within the Village at any time.
2. Allow for consumer fireworks only on specific dates, and only by permit. Display fireworks and pyrotechnic fireworks would be permitted only on approval by the CAO by way of a valid permit and would be advertised to the community before the event. Each fireworks category would also have specific requirements that need to be met for a permit to be issued. Consumer fireworks could be limited to Halloween between the hours of 5:00 pm and 10:00 pm. Any fees for permits would be included in the Fees & Charges Bylaw.
3. Allow consumer, display and pyrotechnic fireworks on any day, but only by way of a valid permit.

Staff are requesting direction from Council on which option they would prefer, or to present another alternate option if desired.

Once Staff are clearer on Council's direction, a Bylaw will be brought to the November 22nd regular meeting of Council for the first 3 readings. In addition, the following steps will be taken:

- Fireworks Regulation Bylaw 456, 2019, first and second readings will be rescinded.
- Fire Protective Services Bylaw No. 383, 2010 will be amended to remove Fireworks sections 59 to 76, section 77 will be modified to exclude cost recovery for fireworks violations (included in new bylaw).
- The proposed bylaw will be modified to include fees and charges. Staff are considering a rewrite of the Fees and Charges bylaw 451 which will be discussed at the next Council meeting.

RECOMMENDATION:

Recommended Resolution:

THAT Council receive the Fireworks Bylaw report for information and discussion, and;

THAT Council provides direction to Staff.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Clark', with a long horizontal flourish extending to the right.

Lisa Clark CAO/CFO



VILLAGE OF SAYWARD

BYLAW NO. 456

A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF FIREWORKS WITHIN THE VILLAGE OF SAYWARD

WHEREAS the Council for the Village of Sayward deems it necessary and expedient to provide for the regulation and control of fireworks within the municipality.

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

1. CITATION

This bylaw may be cited as "**Fireworks Regulation Bylaw 456, 2019**".

2. DEFINITIONS

"ACT" means the *Explosive Act. Revised Statutes of Canada, 1985, Chapter E-17* and its affiliated regulations as amended or replaced from time to time.

"APPLICANT" means the Person making application for a Permit.

"BUSINESS" means the carrying on of a commercial or industrial undertaking of any kind or nature or providing a professional, personal or other service for the purpose of gain or profit.

"CONSUMER FIREWORKS" means an outdoor, low hazard, recreational firework, classed as a Subdivision 1 of Division 2 of Class 7 Fireworks under the Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, roman candles and volcanoes but does not include Christmas crackers, sparklers and caps for toy guns.

"DISCHARGE" means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words "discharged", and "discharging" have a similar meaning.

"DISPLAY FIREWORKS" means an outdoor, high hazard, recreational firework classed as a Subdivision 2 of Division 2 of Class 7 Fireworks under the Act, and includes rockets, serpents, shells, bombshells, tourbillons, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, set pieces and pigeons but does not include Firecrackers.

"EXPLOSIVES REGULATORY DIVISION" means the Explosive Regulatory Division of the Explosives Branch of the Minerals and Metals Sector of Natural Resources Canada.

"FEDERAL REGULATIONS" means the Explosives Regulations enacted under the Act, as of the date of adoption of this Bylaw.

"FIRECRACKER" means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese Firecrackers.

"FIRE CHIEF" means a person appointed by the Council to be in charge of the Fire Department or authorized subordinates.

"FIRE DEPARTMENT" means the Village of Sayward Fire Department.

"FIRE SAFETY PLAN" means a plan dealing with the procedures for a permit holder to follow to protect public safety when discharging Pyrotechnic Special Effects Fireworks, which meets the requirements specified by the Fire Chief.

"FIREWORKS" means consumer fireworks, display Fireworks, and Pyrotechnic Special Effects Fireworks.

"FIREWORKS EVENT" means the observance of a special event or festival where a permit has been issued to allow the discharge of display Fireworks or Pyrotechnic Special Effects Fireworks.

"FIREWORKS EVENT PERMIT" means a current and valid permit issued under this Bylaw specifying and authorizing a person to discharge display Fireworks or Pyrotechnic Special Effects Fireworks.

"FIREWORKS SUPERVISOR" means a Person who is an approved purchaser of display Fireworks and who is qualified under the Act to supervise the discharge of display Fireworks.

"INSURANCE REQUIREMENTS" means the liability insurance requirements set out in Schedule "E" to this Bylaw.

"PEACE OFFICER" means a Person employed as Fire Chief by the Fire Department of the municipality or any Person employed by the Village as a Bylaw Enforcement Officer or any member of the Royal Canadian Mounted Police or any municipal Police Officers.

"PERMIT" means a current and valid permit in the form attached as Schedule "A" to this Bylaw specifying and authorizing a person to discharge consumer Fireworks or display Fireworks.

"PERSON" means an individual and shall include a firm or partnership, association, company, society, body corporate, and the singular shall mean and include the plural, masculine, feminine and converse.

"PROHIBITED FIREWORKS" includes but is not limited to after-market modified Fireworks, cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake Firecrackers and other trick devices or practical jokes as included on the most recent list of prohibited Fireworks as published from time to time under the Act.

"PYROTECHNICIAN" means a Person who is certified under the Act as a Theatrical User, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of Pyrotechnic Special Effect Fireworks under the Act.

"PYROTECHNIC SPECIAL EFFECTS FIREWORKS" means a high hazard firework classed as a Subdivision 5 of Division 2 of Class 7 Firework under the Act and that is used to produce a special pyrotechnic effect for indoor or outdoor performances and includes black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, gerbs, lances and wheels.

"PYROTECHNIC SPECIAL EFFECTS FIREWORKS EVENT" means an event or production, generally for the entertainment industry, where a pyrotechnics permit has been issued to allow the discharge of pyrotechnics special effects Fireworks.

"SELL" includes offer for sale, cause or permit to be sold, trade, or to otherwise dispose of; and to possess for the purpose of sale; and the words "selling" and "sold" have a similar meaning

"VILLAGE" means the Village of Sayward.

3. PROHIBITIONS

- (a) No Person may sell Fireworks.
- (b) No Person may buy, sell, hold, possess, store, discharge, or otherwise use any prohibited Fireworks.
- (c) No person may buy, sell, hold, possess, store, discharge, or otherwise use Firecrackers.
- (d) No Person may hold, possess, store, discharge or otherwise use consumer Fireworks at any time.
- (e) No Person under the age of eighteen (18) years may hold, possess, store, discharge, or otherwise use any Fireworks.
- (f) No Person being the parent or guardian of any person under the age of eighteen (18) years shall allow that Person to hold, possess, store, discharge, or otherwise use any Fireworks.
- (g) No Person may hold, possess, store, discharge, or otherwise use any Fireworks in a manner that increases the risk of physical injury to any Person or damage to any public or private property.
- (h) No Person may hold, possess, store, discharge, or otherwise use display Fireworks without a Fireworks Event Permit.
- (i) No display Fireworks Permit holder may hold, possess, store, discharge, or otherwise use display Fireworks in contravention of a Fireworks Event Permit.
- (j) No Person may hold, possess, store, discharge, or otherwise use pyrotechnic special effects fireworks without a Fireworks Event Permit.
- (k) No pyrotechnics Permit holder may hold, possess, store, discharge or otherwise use the Pyrotechnic Special Effect Fireworks in contravention of a Fireworks Event Permit.

4. EXCEPTIONS

- (a) Storage of consumer Fireworks shall be permitted only if all the following conditions are met:
 - (i) The consumer Fireworks are stored only for the purpose of wholesale sales to retailers or distributors outside of the Village;
 - (ii) The wholesale Business storing the consumer Fireworks holds a valid business license with the Village;
 - (iii) The wholesale Business storing the consumer Fireworks holds the required licenses and permits from the Federal and/or Provincial governments;
 - (iv) The Fire Chief is advised of the location where the consumer Fireworks are stored; and
 - (v) The quantity of the consumer Fireworks stored is approved by the Fire Chief.

5. FIREWORKS EVENT PERMITS

- (a) Any Person before discharging Fireworks must apply for and receive a Fireworks Event Permit.
- (b) Every application for a Fireworks Event Permit must be accompanied by the Permit application fee as set out in Village of Sayward Fees and Charges Bylaw.
- (c) Fees under this Bylaw shall be payable as set out in Village of Sayward Fees and Charges Bylaw.
- (d) Every application for a Fireworks Event Permit must be submitted to the Village at least 30 days prior to the date upon which the Fireworks Event is to occur.
- (e) Every application for a Permit under this Bylaw, shall be made by the Person setting off the Fireworks.
- (f) Every application for a Permit under this Bylaw shall be writing and be in general accordance with Schedule "A" attached to this Bylaw.
- (g) Every Applicant for a Fireworks Event Permit shall hold a current and valid Fireworks Supervisor and/or Pyrotechnics Certification card as issued by Natural Resources Canada.
- (h) The Applicant shall, without limiting its obligations or liabilities under the Fireworks Event Permit, purchase and maintain at its own expense and cost, the insurance policy listed in Schedule "F" attached to this Bylaw. The insurance policy shall be maintained continuously from the date of commencement of the Fireworks Event Permit until the date of the expiry of the Fireworks Event Permit or such further period as may be specified in Schedule "F".
- (i) An Applicant shall submit a written agreement from the owner of the property on which the Fireworks Event is to take place and a written agreement from any Sponsoring Organization of the Fireworks Event, in general accordance with Scheduled "C" and "D", attached to this Bylaw. In the case of Fireworks Events that are to take place on Village owned property, permission from the Village is required.
- (j) Every Fireworks Event Permit issued under this section shall be in general accordance with the form in Schedule "E" attached to this Bylaw and shall be issued by the Fire Chief. Prior to the issuance of the Fireworks Event Permit, the applicant shall provide evidence, satisfactory to the Village, of the insurance required under subsection 6 of this section.
- (k) Fireworks Events shall end prior to 11:00 p.m. and may not start prior to 7:00 p.m. on any day and shall be started and completed within the time period specified on the Fireworks Event Permit, except as authorized by the Fire Chief.
- (l) Fireworks Events may be inspected by the Fire Department to ensure all safety aspects have been adhered to as set out in the Act and in general accordance with Schedule "A" attached to this bylaw.
- (m) The Fire Chief may revoke a Fireworks Events Permit issued under this bylaw at any time.
- (n) A Fireworks Events Permit issued under this Bylaw is not transferable.
- (o) All Fireworks and all debris from the Fireworks Event shall be removed and safely disposed of by the Permit hold as soon as practical after the Fireworks Event is completed and on or before the expiry of the Permit.

6. ENFORCEMENT

- (a) If any Person contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and each day that the violation is caused or allowed to continue constitutes a separate offence and is subject to:
 - (i) A fine in accordance with the Village of Sayward "Ticketing Offence Bylaw", if the information respecting the infraction is laid by means of a ticket; or
 - (ii) upon summary conviction, a fine of not less than \$100.00 and not more than \$10,000.00 or imprisonment not exceeding the maximum allowed by the Offence Act.
- (b) Peace Officers are designated to enforce this Bylaw.
- (c) No Person shall obstruct a Peace Officer, or any other designated person engaged in the administration or enforcement of this Bylaw.
- (d) Every Person who contravenes a provision of this Bylaw commits an offence and each day that the violation is caused or allowed to continue constitutes a separate offence.
- (e) Every Person who possesses or discharges Fireworks contrary to the provisions of this Bylaw commits an offence and shall when directed to do so, surrender all fireworks in their immediate possession to a Peace Officer who shall be authorized to search and seize and hold all such Firecrackers or Fireworks in the interest of public safety and as evidence of the commission of the offence.
- (f) Fireworks seized under this Bylaw may be disposed of without compensation.
- (g) A Peace Officer is duly authorized by the Village to enter onto any property at any reasonable time to ascertain whether provisions of this Bylaw are being observed and is authorized and may apply a penalty in accordance with this section of this Bylaw, if deemed necessary.

7. EXEMPTION

This Bylaw does not prohibit or regulate the use of torpedoes, flares, fuzzes or similar pyrotechnic devices by motorists, boat operators, railroads, police or other agencies for signaling purposes or illumination.

8. SCHEDULES

The schedules attached to this Bylaw form part of this Bylaw.

9. TRANSFER

A Permit issued under the terms of this Bylaw may not be reassigned or transferred to another Person without the express consent of the Village.

10. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Read a first time on the 6th day of May 2019.

Read a second time on the 6th day of May 2019.

Read a third time on the ____ day of _____ 2019.

Adopted on the ____ day of _____ 2019.

Mayor

Chief Administrative Officer

SCHEDULE 'A'

APPLICATION FOR FIREWORKS EVENT

1. Applicant must be the person setting off the Fireworks.
2. Completed application, including all the required information plus fee, must be submitted to the Fire Chief, Village of Sayward, at least 30 days prior to the event
3. A completed Checklist for Fireworks, in general accordance with page 2 of Schedule "A" must be attached to this application.
4. A signed "Applicant Save Harmless Agreement" in general accordance with Schedule "B" must be attached to this application.
5. If the Fireworks are not on property owned by the Applicant, written approval from the Owner of the property in general accordance with Schedule "C" must be attached to this application.
6. If applicable, a signed "Sponsoring Organization Save Harmless Agreement" in general accordance with Schedule "D" from the sponsoring organization must be attached to the application.

Name of Applicant: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

I hereby make application on behalf of myself (x) _____ or Sponsoring Organization to hold the following Fireworks Event: _____

Name of Event: _____

Location: _____

Date: _____ Start Time: _____ End Time: _____

Estimated number of spectators: _____

Property Owner where Event to be held: _____

I hereby certify that I have completed a course for Fireworks Supervisor, or for Pyrotechnics Certification; have read, understand and will be guided by the principles and safety rules in the Fireworks Manuals; and that I will fulfil my legal duty of care as defined therein and by the specified instructions of the manufacturer governing a particular fireworks, and further that I will comply with all requirements of the *Fireworks Regulation Bylaw No. 456, 2019*.

Signature of Applicant

Date

Fireworks Supervisor Card No. _____ Level: _____ Exp. Date: _____

Pyrotechnics Certification: Card No. _____ Level: _____ Exp. Date: _____

CHECKLIST FOR FIREWORKS EVENTS

VENUE OF THE EVENT: _____

DISPLAYER'S NAME: _____

DATE & TIME OF DISPLAY(S): _____

This checklist forms part of the Permit process for a Fireworks Event Permit. It must be fully completed by the Applicant and returned to the Village of Sayward Fire Department, before an application for a Fireworks Event Permit will be processed.

1. Written permission from the Owner of the venue where the Fireworks Event is to be held.
2. Site plan, drawn to scale, with the direction of firing, separation distances, position of ramps and mortars, any significant ground features, rights of way, buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans and location of emergency vehicles indicated.
3. A complete list and description of all products to be used including charge size, effects and manufacturer's name.
4. A description of the firing system to be used.
5. A description of the Fire Safety Plan in place
6. Where, and in what fashion, will the fireworks be stored within Village limits.
7. Upon request by the Village of Sayward Fire Department, a demonstration of the product(s) to be used may be required.
8. Upon request by the Village of Sayward Fire Department, references from previous Fireworks Events may be required.
9. For Fireworks Events that include Pyrotechnics Special Effects Fireworks, a copy of the Explosive Regulatory Division event approval.

Signature of Fireworks Applicant _____ Date _____

Company name _____

Note: Schedules "B", "C", and "D" must be completed and attached to this application. Applicant will be required to provide insurance in accordance with Schedule "F" and will be required to provide evidence of such insurance to the satisfaction of the Village prior to receiving the Permit under this Bylaw. Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of the *Fireworks Regulation Bylaw No. 456*. The information is collected under the authority of the *Freedom of Information and Privacy Act* and the *Community Charter*. If you have any questions about this collection, please contact the Chief Administrative Officer, Village of Sayward at (250) 282-5512.

SCHEDULE 'B'

APPLICANT SAVE HARMLESS AGREEMENT

I, _____ being the Applicant for the Fireworks Event Permit, agree to the following:

The Applicant shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities. The Applicant shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or non-performance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

Signature of Fireworks Applicant _____ **Date** _____

Company name _____

SCHEDULE 'C'

OWNER/OWNERS SAVE HARMLESS AGREEMENT

I/WE, _____ being the Owner/Owners of _____, consent to the holding of a Fireworks Event on the described property and to be held at, in, or near the above described property in conjunction with:

_____ on _____
Name of Special Event or Festival Date

The Owner/Owners shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities

The Owner/Owners shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or non-performance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

Signature of Owners _____ Date _____

Signature of Owners _____ Date _____

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of the *Fireworks Regulation Bylaw No. 456, 2019*. The information is collected under the authority of the *Freedom of Information and Privacy Act* and the *Community Charter*. If you have any questions about this collection, please contact the the If you have any questions about this collection, please contact the Chief Administrative Officer, Village of Sayward at (250) 282-5512.

SCHEDULE 'D'

SPONSORING ORGANIZATION SAVE HARMLESS AGREEMENT

(To be signed by the Sponsoring Organization of the Fireworks Event Permit)

_____ hereby agrees that:

1. It is the Sponsoring Organization of the Fireworks Event Permit;
2. The Sponsoring Organization shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities; and
3. The Sponsoring Organization shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or nonperformance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

IN CONNECTION WITH _____
Name of Special Event or Festival

HELD AT _____, Sayward, BC

ON _____, 20 _____ pursuant to the *Fireworks Regulation Bylaw No. 456, 2019*.

_____ Date _____
AUTHORIZED SIGNATURE OF SPONSORING ORGANIZATION

Print Name

SCHEDULE 'E'

FIREWORKS EVENT PERMIT

Date _____

Pursuant to *Fireworks Regulation Bylaw No. 456, 2019*, PERMISSION IS HEREBY GRANTED TO:

_____ of _____ on behalf
of _____

(Name of Sponsoring Organization)

To set off Fireworks as per Fireworks Event Permit Application No. _____ and in connection with
_____ to be held at
_____ on the _____ day of _____, 20 ____
between the hours of _____ and _____.

AND TO USE AND EXPLODE the aforesaid Fireworks on the date and between the hours indicated above,
and under the direct supervision of: _____

This Fireworks Event Permit shall be valid from _____ to _____

This Permit shall be valid only for above noted purpose, and during or on the date(s) and during the hours
herein specified, and is issued under authority of *Fireworks Regulation Bylaw No. 456, 2019* and shall be
subject to the *Explosive Act, 1985*, as amended and *Explosive Regulations* made thereunder, and may be
cancelled at any time by the Fire Chief of the Village of Sayward without prior notice.

Fire Chief, Village of Sayward

SCHEDULE 'F'

INSURANCE REQUIREMENTS

1. Applicant to Provide

The applicant shall procure and maintain, at its own expense and cost, the insurance policies listed in Section 2 of this Schedule, with limits no less than those shown in the respective items, unless in connection with the performance of some particular part of the Fireworks Event Permit, the Village advises, in writing, that it has determined that the exposure to liability justifies lower limits. The insurance policy or policies shall be maintained continuously from the commencement date of the Fireworks Event Permit until the expiry of the Fireworks Event Permit or such longer period as may be specified by the Village.

2. Insurance

As a minimum, the Applicant shall, without limiting its obligations or liabilities under any other contract with the Village, procure and maintain, at its own expense and cost, the following insurance policies:

Workers Compensation Insurance covering all employees of the Applicant engaged in the works and services related to the Fireworks Event, in accordance with the statutory requirement of the Province having jurisdiction over such employees.

Comprehensive General Liability Insurance:

- (a) Providing for an inclusive limit of not less than Five Million Dollars (\$5,000,000.00) for each occurrence or accident.
- (b) Providing for all sums which the Applicant shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting therefrom) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out or related to the Fireworks Event Permit or any operations carried on in connection with the Fireworks Event Permit.
- (c) Including coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability.
- (d) Including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.

3. The Village Named as Additional Insured

The policy required by section 2.2 of this schedule shall provide that the Village is named as an Additional Insured thereunder and that said policy is primary without any right of contribution from any insurance otherwise maintained by the Village.

4. Certificates of insurance

The Applicant agrees to submit a Certificate of Insurance in a form satisfactory to the Village, prior to the commencement date of the Permit.

The Certificate shall provide that 30 days written notice be given to the Village prior to any material changes or cancellation of such policy or policies.

5. Additional Insurance

The Applicant may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the Village.

6. Insurance Companies

All insurance, which the Applicant is required to obtain with respect to the Fireworks Event Permit, shall be with Insurance Companies registered in and licensed to underwrite such insurance in the Province of British Columbia.

7. Failure to Provide

If the Applicant fails to do all or anything which is required of it with regards to insurance, the Village may do all that is necessary to effect and maintain such insurance, and any monies expended by the Village shall be repayable by and recovered from the Applicant. The Applicant expressly authorizes the Village to deduct from any monies owing the Applicant, any monies owing by the Applicant to the Village.

8. Non-payment of Losses

The failure or refusal to pay losses by any insurance company providing insurance on behalf of the Applicant shall not be held to waive or release the Applicant from any of the provisions of the Insurance Requirements of the Fireworks Event Permit, with respect to the liability of the Applicant otherwise. Any insurance deductible maintained by the Applicant under any of the insurance policies is solely for its account and any such amount incurred by the Village will be recovered from the Applicant as stated in section 7 of this schedule.



VILLAGE OF SAYWARD

BYLAW NO. XXX

A BYLAW TO REGULATE, PROHIBIT AND IMPOSE REQUIREMENTS IN RELATION TO FIREWORKS

WHEREAS Section 8 of the Community Charter authorizes a council, by bylaw, to regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives;

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

1. CITATION

This bylaw may be cited as "**Fireworks Regulation Bylaw No. XXX, 2019**".

2. DEFINITIONS

Schedule "A" contains definitions of terms used in this bylaw.

3. INTERPRETATION

Unless otherwise defined in Schedule "A", all words and phrases in this bylaw shall be construed, as the context and circumstances may require, in accordance with the meaning assigned to them by the Fireworks Act, R.S.B.C. 1996, c.146 (the "Fireworks Act"), the British Columbia Building Code 2006, the Fire Services Act, R.S.B.C. 1996, c.144 (the "Fire Services Act"), the British Columbia Fire Code 2006, or any successor legislation.

4. SELLING, GIVING OR TRADING FIREWORKS

No person shall offer for sale, sell, give, or trade Fireworks within the boundaries of the Village.

5. POSSESSION OF FIREWORKS

No person shall possess Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.

6. FIRE OR DISCHARGE OF FIREWORKS

No person shall explode, light, activate, fire or discharge Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.

7. FIREWORKS PERMIT

A person may apply to the Fire Chief for a Fireworks Permit to possess, explode, light, activate, fire, or discharge Fireworks.

8. FIREWORKS PERMIT REQUIREMENTS

Every holder of a Fireworks Permit must:

- a) possess, explode, light, activate, fire, or discharge only those Fireworks specified in the permit;
- b) possess, explode, light, activate, fire, or discharge the Fireworks in accordance with the terms and conditions of the Fireworks Permit;
- c) ensure that the Fireworks are possessed, exploded, lit, activated, fired, or discharged only by the holder of the Fireworks Permit or under the direct supervision of the holder of the Fireworks Permit; and
- d) present the Fireworks Permit for inspection immediately upon demand by a Peace Officer.

9. POWER TO GRANT PERMITS

The Fire Chief is authorized and empowered to grant a Fireworks Permit provided that the applicant satisfies the requirements in this bylaw.

10. POWER TO SUSPEND OR REVOKE PERMITS

The Fire Chief is authorized and empowered to suspend or revoke any Fireworks Permit in the following circumstances:

- a) in the opinion of the Fire Chief, weather or other site conditions present an undue risk of an Incident; or
- b) the Fire Chief determines or becomes aware that the holder of the Fireworks Permit has contravened or has permitted or suffered the contravention of any provision of this bylaw.

11. FEE ESTABLISHED

Every applicant for a Fireworks Permit shall pay the Permit Fee prescribed in Schedule "B".

12. SITE INSPECTION

Before issuing any Fireworks Permit the Fire Chief may, at the expense of the applicant, conduct one or more site inspections. The fee for such inspection or inspections is established in Schedule "B".

13. TIME FOR APPLICATION

Every application for a Fireworks Permit shall be made to the Fire Chief at least 14 days before the date of the event, in the form prescribed by the Fire Chief.

14. CONTENTS OF APPLICATION

Every application for a Fireworks Permit shall include:

- a) the deposit of security with the Village in the form of a cash deposit, irrevocable letter of credit, or other form of security acceptable to the Village, in the amount of \$1,000, to be used for the purposes of paying any costs and expenses incurred or suffered by the Village, including but not limited to costs arising or resulting from damage to Village property or enforcement costs, caused by or arising from the applicant's failure to comply with the requirements of this bylaw and all other applicable laws, provided that, any amount of security not required for the foregoing purposes shall be returned to the applicant one

- week after the Fireworks Permit event date;
- b) payment of the applicable Permit Fee prescribed in Schedule "B", except that the Permit Fee may be discounted by the Fire Chief by ninety percent (90%) for any of the following:
 - i. events sponsored by the Village;
 - ii. events held by not for profit community associations incorporated under the Society Act of British Columbia and operating within the Village;
 - c) proof of public liability insurance in the name of the applicant and the Village, such insurance to be with one or more insurance companies registered to do business in the Province of British Columbia and in a form acceptable to the Village, and the insurance shall provide coverage in an amount not less than two million dollars (\$2,000,000) per occurrence;
 - d) proof of a valid Fireworks Supervisor's Certificate;
 - e) a fire safety plan that includes:
 - i. a site plan, drawn to scale with the direction of firing;
 - ii. separation distances;
 - iii. positions of ramps and mortars, if any;
 - iv. description of any significant ground features, rights of way, buildings or structures, or overhead obstructions;
 - v. parking areas or spectator viewing areas;
 - vi. fallout zone;
 - vii. a north arrow; and
 - viii. traffic control plans and locations for emergency vehicles;
 - f) an event description that includes:
 - i. a time schedule for the event;
 - ii. attendance estimates;
 - iii. a list of all Fireworks to be used;
 - iv. firing procedures;
 - v. emergency response procedures;
 - vi. a list of crew members;
 - g) the name, address and telephone number of the applicant;
 - h) the name, address and telephone number of each wholesaler or retailer from whom the applicant will obtain the Fireworks; and
 - i) the name, address and telephone number of the owner of the property on which the Fireworks will be used, along with a written statement signed by the property owner indicating that the property owner has granted permission for the use of Fireworks on the property.

15. INDOOR & OUTDOOR MOVIE/TB/CONCERTS PYROTECHNICS

If, in the opinion of the Fire Chief, the use of Fireworks at an indoor or outdoor film or television shoot, concert or stage production, or any other event will require on-site fire protection, then the Fire Chief may require the site to be attended by such Fire Rescue Department equipment

and personnel as the Fire Chief considers necessary or desirable for the protection of persons, property or safety generally, and the cost for the attendance of the Fire Rescue Department, equipment and personnel shall be paid to the Village by the holder of the Fireworks Permit in accordance with the rates established in Schedule "B".

16. OFFENCES AND PENALTIES

Every person that contravenes or violates any provision of this bylaw or any term or condition of a Fireworks Permit, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw or any term or condition of a Fireworks Permit, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or any term or condition of a Fireworks Permit, commits an offence and shall be liable, on summary conviction, to a fine of not more than \$10,000 or if an information is laid by means of a ticket, in accordance with the procedure set out in the Offence Act, to a minimum fine as stipulated in Schedule "B" of this bylaw. Where the offence is a continuing one, each day that the offence continues shall be a separate offence.

17. SURRENDER OF FIREWORKS

Any person who possesses Fireworks in violation of this bylaw shall immediately surrender the Fireworks to a Peace Officer and the Peace Officer may dispose of them without compensation.

18. SEVERABILITY

If any section or subsection of this bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the bylaw without affecting the validity of the remainder of the bylaw.

19. SCHEDULES

All Schedules attached to this bylaw form part of this bylaw.

Read a first time on the ____ day of _____ 2019.

Read a second time on the ____ day of _____ 2019.

Read a third time on the ____ day of _____ 2019.

Adopted on the ____ day of _____ 2019.

Certified a true copy of Bylaw No. XXX
this ____ day of _____, 2019

Chief Administrative Officer
Village of Sayward

Mayor

Chief Administrative Officer

Schedule "A"

DEFINITIONS

VILLAGE means the Village of Sayward.

FIRE CHIEF means the person appointed by Council as the Fire Chief, or his or her designate.

FIRE RESCUE DEPARTMENT means the regularly constituted Fire Rescue Department of the Village of Sayward.

FIREWORKS means all of those fireworks classified as "Class 7" in the Explosives Regulation (Canada), C.R.C., c.599 (the "Explosives Regulation"), or its successor regulation, but does not include sparklers, Christmas crackers, caps for toy guns, model rocket engines as specified in Subdivision 3, Division 2, Class 7 of the Explosives Regulation, or highway flares or other small distress signals used exclusively for that purpose.

FIREWORKS PERMIT means a permit to possess, explode, light, activate, fire and discharge Fireworks issued by the Fire Chief and includes the fire safety plan required in section 14(e) of this bylaw.

FIREWORKS SUPERVISOR'S CERTIFICATE means either a Level 1 Supervisor or Level 2 Supervisor's Certificate issued by the Explosives Branch of Natural Resources Canada but does not include an Apprentice Certificate.

INCIDENT means a fire, an explosion, a situation where a fire or explosion has occurred or is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Rescue Department has responded or will respond.

OWNER shall have the meaning assigned to it under the Community Charter of British Columbia and includes the authorized agent of the Owner.

PEACE OFFICER means a person employed by the Fire Department of the Village of Sayward, acting as a Local Assistant to the Fire Commissioner as defined under the Fire Services Act (RSBC 1996, c.144), or any person employed by the Village of Sayward as a Bylaw Enforcement Officer, or any person carrying out the duties of a Police Officer for the Village of Sayward.

PERMIT FEE means the permit fee as set forth in Schedule "B".

Schedule "B"

FEE AND FINE SCHEDULE

Description	Section #	Amount
Fireworks Permit	7	\$100.00 per event
Site Inspection	12	\$100.00 per inspection
Selling Fireworks	4	\$200.00
Possession without a permit	5	\$200.00
Discharge fireworks without a permit	6	\$200.00
Not in accordance with permit	8 (b)	\$100.00
Not supervised	8 (c)	\$100.00
Failure to present permit	8 (d)	\$100.00
Equipment	15	\$250.00 per hour for equipment, plus 10%
Personnel Attendance	15	\$65.00 per hour for each person, plus 10%



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: ORV Bylaw
Meeting date: November 5, 2019

BACKGROUND

ORV Bylaw 446 was adopted on July 11th, 2019. This bylaw regulates the use of off-road vehicles within the Village boundaries along a designated route attached to the bylaw as Schedule "A".

ATTACHMENTS

- Off-Road Vehicle Regulation Bylaw No. 446, 2019
- Operation Permit – Sayward RCMP

DISCUSSION

Subsequent to the Bylaw's adoption, Staff have discovered some omissions and typographical errors. Staff were also given direction to bring the Bylaw back to Council for discussion at the Nov 5th Council meeting. Staff propose the following:

- A new Bylaw to address the following items:
 - a) Typographical errors will be corrected
 - b) A section will be added stating an operation permit is required by all operators of ORV's. Permits can be obtained from the Sayward RCMP detachment.
 - c) Other changes as directed by Council after discussion.
- Off-Road Vehicle Regulation Bylaw No, 446, 2019 will be rescinded

On the attached updated Operation Permit provided by the Sayward RCMP, ORV's now have access to Sayward Rd. from the Village's designated route (Kelsey Way) to Straits View Café for meals and accommodations, and ORV's are also permitted to travel from the Village's designated route to a sanctioned (licensed) Bed & Breakfast.

RECOMMENDATION:

Recommended Resolution:

THAT Council receive the ORV Bylaw report for information and discussion, and;

THAT Council provides direction to Staff.

Respectfully submitted,

Lisa Clark CAO/CFO



**VILLAGE OF SAYWARD
BYLAW NO. 446**

**A BYLAW TO REGULATE THE OPERATION OF OFF-ROAD VEHICLES IN
THE VILLAGE OF SAYWARD**

WHEREAS the Council for the Village of Sayward deems it necessary to regulate the use of off-road vehicles in the Village of Sayward.

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

1. CITATION

This bylaw may be cited as “**Off-Road Vehicle Regulation Bylaw No. 446, 2019**”.

2. DEFINITIONS

BYLAW means this Bylaw.

BYLAW ENFORCEMENT OFFICER means the Bylaw Enforcement Officer for the Village or their appointed designate.

COUNCIL means the Council of the Village of Sayward.

DESIGNATED ROUTE means those routes in a public place designated by Council for use by Off-Road Vehicles.

DRIVERS LICENCE means a licence to operate a motor vehicle by a governmental body with the authority to regulate and administer vehicle licensing within its jurisdiction.

HIGHWAY has the same meaning as in the Motor Vehicle Act and includes all public streets, road, ways, lanes, bridges and any other public way designated for and regularly used by motorized vehicles licensed by the Province.

MOTOR VEHICLE ACT means the Motor Vehicle Act for the Province of British Columbia.

OFF-ROAD VEHICLE means an Off-Road Vehicle as defined in the Off-Road Vehicle Act for the Province of British Columbia.

OWNER means the registered Owner of an Off-Road Vehicle.

PEACE OFFICER means a police officer, police constable or RCMP member.

PROVINCE means the Province of British Columbia.

PUBLIC PLACE means property owned or occupied by the Village and includes all Designated Trails but does not include Highways and property owned by the Village but occupied by another person.

VILLAGE means the Village of Sayward.

3. OPERATION OF OFF-ROAD VEHICLES WITH THE VILLAGE

- a) No person shall operate an Off-Road Vehicle in the Village except as authorized by the Bylaw.
- b) No person shall operate an Off-Road vehicle in a Public Place other than on a Designated Route.
- c) A person operating an Off-Road Vehicle in the Village is permitted access between a Designated Route and a sanctioned Bed & Breakfast within the Village boundaries.
- d) The Owner of an Off-Road Vehicle operating on a Designated Route within the Village must:
 - i. carry proof of third-party liability insurance in the minimum amount of \$2 million per occurrence for the operation of the Off-Road Vehicle;
 - ii. carry proof of registration of the Off-Road Vehicle with the Insurance Corporation of British Columbia (ICBC), obtain a licence for its operation under this section and obtain for it an owner's certificate under the Insurance Vehicle Act of British Columbia; and
 - iii. display an ICBC number plate or sticker in a clearly visible location on the back of the Off-Road Vehicle.
- e) Every person operating an Off-Road Vehicle within the Village must:
 - i. only ride on a Designated Route as shown on the map attached to this Bylaw as **Schedule "A"**.
 - ii. provide proof of valid insurance and documentation required under this Bylaw when requested by a Bylaw Enforcement Officer;
 - iii. not operate an Off-Road Vehicle on any part of the Highway except in compliance with the requirements of the Motor Vehicle Act;
 - iv. exercise caution when crossing a Highway;
 - v. not ride on a Designated Route between the hours of 10:00 PM and 7:00 AM.
 - vi. except in the circumstances referred to in section 21(3) of the Off-Road Vehicle Regulation and except for off-road side-by-side vehicles, wear a safety helmet, and ensure that each passenger wears a safety helmet that meets the requirements of the Off-Road Vehicle Regulation, BC (Reg. 193/2015);
 - vii. not exceed a speed of 20 kilometers per hour;
 - viii. operate it on the right-hand side of a Designated Route;
 - ix. not to operate an Off-Road Vehicle in a careless, reckless, or negligent manner as to endanger or cause injury to a person, property or become a nuisance;
 - x. not operate an Off-Road vehicle in a manner as to harass, chase, injure or kill any domestic or wild animal;
 - xi. Not tamper with by removing or replacing any posted Designated Route signs or barricades;
 - xii. obey all traffic regulation signage; and

xiii. to cross only at designated Off-Road Vehicle locations.

4. EXEMPTIONS

- a) Sections 3 a) and 3 b) of this Bylaw do not apply to:
 - (i) police, fire, ambulance, search and rescue or other vehicles operated by emergency response personnel engaged in the execution of their emergency response duties;
 - (ii) persons acting at the request of emergency response personnel during an actual or apparent emergency event; and
 - (ii) Off-Road Vehicles owned and operated by local, provincial or federal governments if use is within the scope of their duties.

5. ENFORCEMENT

A Peace Officer or Bylaw Enforcement Officer is empowered to enforce any and all provisions of this Bylaw.

6. OFFENCES AND PENALTIES

- a) If any Person contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
 - (i) a fine in accordance with the Village of Sayward "Ticketing Offence Bylaw", if the information respecting the infraction is laid by means of a ticket; or
 - (ii) upon summary conviction, a fine not exceeding \$2,000.00 and the costs of prosecution.

7. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Public Hearing held on the 26th day of May 2019.

Amended at second reading on the 18th day of June 2019.

Read a third time on the 18th day of June 2019.

Adopted on the 11th day of July 2019.

Village of Sayward Off-Road Vehicle Regulation Bylaw No. 446, 2019

Certified a true copy of Bylaw No. 446
this 5 day of Sept, 2109

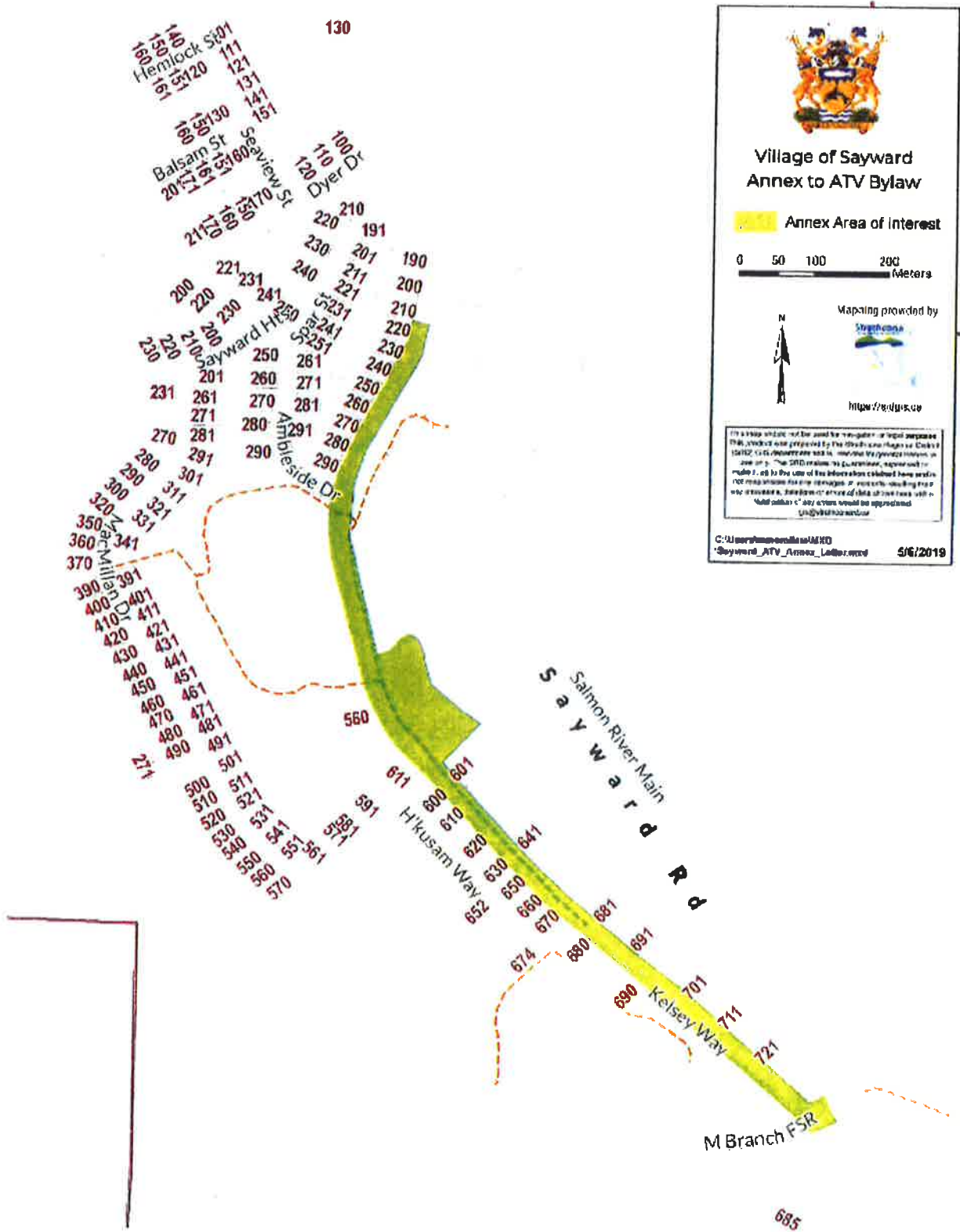


Chief Administrative Officer
Village of Sayward


Mayor

Chief Administrative Officer

Schedule "A"





Operation Permit (No Fee)

Issued under the provisions of the Motor Vehicle Act
Regulations, Division 24

Permission is hereby granted to: _____

Of _____

in the Province of British Columbia to use or operate in accordance with the Motor Vehicle Act, Commercial Transport Act and regulations thereunder, the following described vehicle, namely:

VEHICLE MAKE	VEHICLE MODEL	VEHICLE YEAR
VEHICLE IDENTIFICATION NUMBER (VIN)	VEHICLE TYPE	

In addition to MVAR Division 24 restrictions, vehicle operation is restricted to the following limitations and conditions (for example: time(s) of day, days of week, portion of the highway right of way or shoulder, specific roads/highways, specific locations or crossings on the highway, distance traveled along highway, etc.):

1. Salmon River Main FSR to Dyer Rd, onto Sayward Rd to cross Highway 19, directly to the Mid Island COOP Gas Station for fuel (1590 Sayward Rd) and/or directly to Sayward Valley Resort for accommodations (1546 Sayward Rd)
2. The Village of Sayward, as per their local bylaw requirements (access along the Designated Route (Kelsey Way) and/or between a sanctioned Bed & Breakfast)
3. Along Sayward Rd, accessing from the north end of Kelsey Way directly to Straits View Cafe and accommodations (40 Sayward Rd)
4. Speeds not exceeding 20 km/h

PLEASE SIGN BOTH COPIES OF THIS FORM

DATE OF ISSUE (dd/mm/yyyy)

ISSUING OFFICIAL (print name and rank or title)

DATE OF EXPIRY (WITHIN 2 YEARS OF ISSUE)
(dd/mm/yyyy)

SIGNATURE OF ISSUING OFFICIAL

RCMP- Sayward Detachment

DETACHMENT OF ISSUING OFFICIAL

I understand that the vehicle may not be operated contrary to the conditions outlined in this permit

SIGNATURE OF PERMITEE

This permit is to be carried when vehicle is operated on highways

Permit is valid only when issued by the police detachment nearest to where the vehicle is being operated, or if operated on the Gold Rush Snowmobile Trail, a police detachment responsible for any of the Gold Rush Snowmobile Trail highway traverses.