



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
OCTOBER 8, 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 October 8, 2019 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on September 17, 2019 be adopted.

6. Business Arising

7. Petitions and Delegations - None

8. Correspondence

Recommended Resolution:

THAT the following correspondence be received.

- a) Letter: Saving Sequoia Trees on Ambleside
- b) Letter: Darryl and Jackie Lyons - RCMP Reports
- c) Sayward Futures Society – Canada Day Volunteers
- d) Kelly's Bridge – Email from Jeremy Araki Engineer for the project.

Note: This was in response to a concern raised by Cllr Ives.

- e) SRD News Release - Community Wildfire Protection Plan
- f) Western Forest Products – Burning Notice

9. Council Reports - None

10. Mayor's Reports

a) Report on the 2019 UBCM convention

Recommended Resolution:

THAT the Mayor's report on the 2019 UBCM convention be received.

b) Appointment of Deputy Mayor, SRD Rep, and signing authorities:

Recommended Resolutions:

THAT Cllr Ellis assume the role of Deputy Mayor effective September 21, 2019, and;

THAT Cllr Ellis be appointed as Alternate Director to the Strathcona RD effective September 21, 2019, and;

THAT the Council of the Village of Sayward authorize Mayor John MacDonald, Deputy Mayor Joyce Ellis, Chief Financial Officer Lisa Clark, and Deputy Finance/Admin Officer Mavis Alkenbrack to be the signing authorities respecting municipal financial matters effective October 8, 2019.

11. Staff Reports

a) Staff Report: FTE Admin 2019 – Brought Back as per Council Direction

Recommended Resolution:

THAT Council receives the Consultant's report on the FTE Admin 2019 for discussion.

b) Staff Report: Strategic Plan & 2020-2024 Financial Plan Timetable

Recommended Resolutions:

THAT Council receives the Acting CAO's report titled Strategic Plan & 2020-2024 Financial Plan Timetable, and;

THAT Council provide Staff with direction on a Strategic Planning session date, and;

THAT Council approve the Financial Plan timetable proposed by Staff.

c) Staff Report: Dam Update Report

Recommended Resolution:

THAT Council receives the Dam Update Report for discussion.

d) Staff Report: Fireworks Bylaw Report

Recommended Resolutions:

THAT the report on Fireworks Bylaw Report be received, and;

THAT Council provides direction to Staff.

e) Staff Verbal Report on Water Treatment Plant

f) Staff Report: Policy Updates Project

Recommended Resolutions:

THAT Council receives the Acting CAO's report on the Policy Updates Project for discussion, and;

THAT Council approves the following policies: 100-01 Conflict of Interest Policy, 200-01 Criminal Records Search Policy, and 300-04 Vehicle & Equipment Policy.

12. Old Business

13. Bylaws

a) Indemnification Bylaw No. 458, 2019

Recommended Resolution:

THAT Indemnification Bylaw No. 458, 2019 be given fourth and final reading.

b) Permissive Tax Exemption Bylaw No. 459, 2019

Recommended Resolution:

THAT Permissive Tax Exemption Bylaw No. 459, 2019 be given first, second and third reading.

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

Recommended Resolution:

THAT Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019 be given first, second and third reading.

14. Financial – None

15. New Business - None

16. 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."

17. 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.

18. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for October 8, 2019 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
SEPTEMBER 17, 2019
KELSEY CENTRE GYMNASIUM**

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

In Attendance: Lisa Clark, Acting CAO
John France, Consultant

1. Call to Order

Meeting was called to order at 7:02 PM.

2. Public Input (maximum 30 minutes)

Question was asked late in Meeting Irene Callaghan	What are the amounts held in reserve for water and sewer?	Water: \$147,260 less approved transfer for Dam project (\$100,000). Sewer \$284,003.
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3. Introduction of Late Items

Wildfire resiliency workshop added to correspondence as 8 (h)

4. Approval of Agenda

MOTION R19/239

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for September 17, 2019 be approved as amended.

CARRIED

5. Minutes of Previous Meetings

MOTION R19/240

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on September 3, 2019 be adopted.

Opposed: Cllr Ives

CARRIED

6. Business Arising

7. Petitions and Delegations - None

8. Correspondence

MOTION R19/241

MOVED AND SECONDED

THAT the following correspondence be received.

- a) Gas Tax Community Works Fund Payment 2019
- b) Keeping it Rural Conference October 7th & 8th - Kelowna
- c) Invitation - Special announcement September 26th - Children's Health Foundation of Vancouver Island
- d) Regrets: Minister Robinson UBCM
- e) Invitation - Island Health Board of Directors Partnership Event October 10th
- f) Climate Change Disaster Assistance for commercial fishery participants
- g) Coastal Communities Social Procurement Initiative Steering Committee - meeting dates for 2019
- h) Wildfire resiliency workshop

CARRIED

9. Council Reports - None

10. Mayor's Report – None

11. Staff Reports

a) Staff Report: Indemnity Bylaw

MOTION R19/242

MOVED AND SECONDED

THAT Council receives the Consultant's report on the Indemnity Bylaw.

CARRIED

b) Staff Report: Financial Statements/Variances to August 31, 2019

MOTION R19/243

MOVED AND SECONDED

THAT Council receives the Acting CAO's report on the Financial Statements/Variances to August 31, 2019, and;

THAT Staff provide a process outline for the 2020-24 Financial Plan for the October 8 Council Meeting, and;

THAT Council directs Staff to provide a Financial Statements/Variances to September 30, 2019 report for the October 22 Council meeting.

CARRIED

c) Staff Report: Pool Hours 2019

Cllr Cragg cited a potential conflict, left the meeting at 7:38, returned 7:43

MOTION R19/244

MOVED AND SECONDED

THAT Council receives the Consultant's report on Pool Hours 2019, and;

THAT Council approves the opening of the pool on Monday, Wednesday and Friday evenings as well as the weekend schedule.

CARRIED

d) **Staff Report: Dam Update Verbal**

MOTION R19/245

MOVED AND SECONDED

THAT the verbal report on the Dam Update be received.

CARRIED

12. Old Business

UBCM Conference 2019:

Appointments requests have been made to the Premier, Minister Selina Robinson, Minister Jinny Sims, Minister Doug Donaldson, BC Hydro, and BC Assessment. Note: BCAA has provided appointment.

- Minister Robinson regrets
- Minister Sims confirmed
- Minister Lana Popham confirmed
- Premier **regrets/redirect** to agriculture
- BC Hydro, confirmed
- Minister of Forests, staff meeting confirmed

13. Bylaws

a) **Indemnification Bylaw No. 458, 2019**

MOTION R19/246

MOVED AND SECONDED

THAT Indemnification Bylaw No. 458, 2019 be received, and;

THAT Indemnification Bylaw No. 458, 2019 be given first, second and third reading.

CARRIED

14. Financial – None

15. New Business

a) **Appointment of Emergency Program Coordinator - verbal report from Mayor**

MOTION R19/247

MOVED AND SECONDED

That Councillor Cragg be appointed as the Village Emergency Program Coordinator

CARRIED

16. 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.”

Deb Coates	Concern over the amount of water in the dam at this time of the year and asked if the tarps will be able to be removed.	Advised that the contractor will be removing some of the tarps, but some will stay until the project is restarted next year.
Conrad Gates	Inquired on the name of the construction company working at the dam. Also asked whether the Village water supply was still being chlorinated.	Advised that Barry and Vale is the contractor and that yes, the water is being chlorinated.
Irene Callaghan	Asked about the portion of municipal taxes that are going towards the Rec Centre and what an average taxpayer is paying.	Advised that this number will be available at the next meeting.

17. In-Camera

Prepare to go In-Camera

MOTION R19/248

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)(c) of the *Community Charter* to discuss personnel issues.

CARRIED

18. Adjournment

MOTION R19/249

MOVED AND SECONDED

THAT the Regular Meeting of Council for September 17, 2019 be adjourned.

CARRIED

The meeting was adjourned at 8:47 PM.

Mayor John MacDonald

Lisa Clark Acting/CAO/CFO

Sept. 16, 2015

Village of Hayward

I reside at 230 Ambleside. There is a lot for sale adjacent my property on Hayward Heights. On this lot stands two beautiful native Sequoia trees. I propose the village purchase the lot to preserve these grand trees. These are the same trees the library project moved to preserve one, a third of the size of these. I hope council will seriously consider saving these trees for future generations. They are rare.

282-3814. AmmeZooal.

Sept 23, 2019

The Village of Sayward,
The Mayor of Sayward,
The Councillors of Sayward,

Dear Sirs and Madam,

Enclosed please find a copy of the Sayward council meeting of April 17, 2018,
Can you at this time advise me why the Police Report was published one time only in the May 2018
issue of the Sayward news. As you can see the mayor requested this report be posted and we can be
certain that he meant every Police report, and not just the one. Village and Valley residents have a right
to see these reports. Hopefully you will correct this.

Thank-you

Darryl and Jackie Lyons,
291 Ambleside Dr.

Mrs. D. Lyons

sent by Canada Post Sept 23-2019

VILLAGE OF SAYWARD
Minutes
COUNCIL MEETING
April 17, 2018
KELSEY CENTRE GYMNASIUM

Present:

Mayor John MacDonald
 Councilor Janett Hoare
 Councilor Norm Kirschner
 Councilor Joyce Ellis

In Attendance: John France CAO/CFO

1. Call to Order - The meeting was called to order at 2:30 PM
2. Public Input (maximum 30 minutes)

Darryl Lyons – 291 Ambleside	Can Council request a monthly RCMP report?	Mayor responded we get quarterly RCMP reports and asked Staff to post to the Sayward News.
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Sayward Futures Society

Our Community Our Future

October 1, 2019

To: Village of Sayward

Sayward Futures has hosted Canada Day for several years. It's a fun filled day to celebrate Canada's Birthday. All food, activities and entertainment are provided for free to everyone attending. We have many businesses who donate products and services to make this event possible. We also apply annually for a Canadian Heritage Grant that is put toward the cost of this event.

Over the years, volunteer support has dwindled to the point that Sayward Futures is considering other options to enable this event to continue.

Sayward Futures is asking for your support to provide volunteers to help coordinate and host this event.

The planning and preparation for the Canada Day event starts as early as March each year. Sayward Futures urgently requires a list of volunteers from your group who will commit time and energy to this annual celebration.

Please send a contact list of volunteers to Sayward Futures by November 15, 2019. Sayward Futures appreciates your consideration of this request. We look forward to working together with other organizations to form a strong committee for the ongoing success of Canada Day.

Sincerely,

Michelle Bridge
Executive Administrator

SFS Contact Info: PO Box 143 / 16 Sayward Rd / Sayward , BC / V0P 1R0
Phone 250 282 0018 Fax 250 282 0119 www.saywardfutures.ca

CAO

Subject: FW: Kelly's Bridge

From: CAO
Sent: September 17, 2019 3:43 PM
To: Jeremy Araki <jaraki@onsite-eng.ca>
Subject: RE: Kelly's Bridge

Thanks Jeremy....good info
Thanks
John France
Consultant

From: Jeremy Araki <jaraki@onsite-eng.ca>
Sent: September 17, 2019 3:00 PM
To: CAO <cao@saywardvalley.ca>
Subject: RE: Kelly's Bridge

As a recreational trail the BCBC does not apply. We use a combination of codes and standards in our designs including the Parks standards. For these truss bridges some of our clients have elected to add chain-link fencing to the insides of the trusses to close up the gaps. However, the client elected not to use this in this case (I am going off memory now) because it does make the bridge very loud and obnoxious from the rattling as you pass across it. However, if there is a concern with the gaps, this is the most common solution. I would caution that if you go down this path you will be adding chain link to all your dock ramps as well.

As an aside, if you add more rails then you create climbing ladders on the sides of the bridges so the only other solution is to build BCBC compliant pickets inside the rails.

Jeremy Araki, P.Eng.
Supervising Engineer, Principal

ONSITE

Engineering Ltd.
Coast Operations
1040 Cedar Street Campbell River, BC V9W 7E2
Ph.: 250-287-9174 ext. 200
Fax.: 1-866-235-6943
Cell.: 250-202-6002
Home: 250-287-9442

From: CAO <cao@saywardvalley.ca>
Sent: Tuesday, September 17, 2019 2:54 PM
To: Jeremy Araki <jaraki@onsite-eng.ca>
Subject: Kelly's Bridge

Can you tell me to what safety standards the bridge was constructed? A question has been raised on safety, that a child could go through the rails?

October 1, 2019

Community Wildfire Protection Plans Underway Across The Region

Campbell River, BC – The Strathcona Regional District (SRD) has been awarded grant funding to develop 8 Community Wildfire Protection Plans (CWPP's) for various communities and areas within the region. These plans will further the Regional District's efforts to reduce wildfire by identifying the risks of wildland/urban interface fires within and surrounding the region.

The \$175,000 Community Resiliency Investment grant from the Union of BC Municipalities (UBCM) will be used to improve aerial imaging and update community wildfire protection plans in the following areas within the Regional District: Sayward Valley in Electoral Area A; Villages of Gold River, Sayward, Tahsis and Zeballos and adjacent areas; Nuchatlaht and Ka:'yu:'k't'h'/Che:k:tles7et'h' First Nations and adjacent areas; and Read Island in Electoral Area C.

"The Community Wildfire Protection Plan is a crucial step in better preparing homeowners and communities to reduce the risk of loss" says Strathcona Regional District Chair Michele Babchuk. "The plans will describe the consequences of a wildfire and examine the possible ways to reduce risk by making recommendations to lessen wildfire threats and impacts to our region."

Given the sheer scale of extreme weather events in the 21st century, partnerships between and among governments, local and First Nations communities and others are vital to more effectively and quickly respond to emergencies when they occur.

"We are all in this together, no matter what those jurisdictions might be. Sometimes, you have to really look beyond jurisdictional boundaries" says Emergency Coordinator for Ka:'yu:'k't'h'/Che:k:tles7et'h', Elizabeth Jack. "Large wildfires may become a new norm that will demand a major shift in thinking. Critical to that equation is partnership and working collaboratively to plan for a new paradigm."

The next step in developing these plans will be GIS mapping utilizing the 2019 Provincial Strategic Threat Analysis (PSTA) Data Package. The contract for this work was awarded to SuavAir Operations, based out of Campbell River following a competitive procurement process. Key community stakeholders such as Fire Chiefs, Emergency Coordinators, Chief Administrative Officers, Planning Departments and the Surge Narrows Forest Advisory Committee will help inform the plans. Community presentations will be held near the end of the project. To learn more about your Community's current Wildfire Protection Plan visit <https://srd.ca/community-wildfire-protection-plans/>.

The Strathcona Regional District is a partnership of four electoral areas and five municipalities providing services to approximately 44,000 residents.

-30-

Media contact: Shaun Koopman, SRD Protective Services Coordinator
250-830-6702 | skoopman@srd.ca

Subject: FW: Sayward - Western Forest Products Pile Burning Program

From: Bruce Vinnedge
Sent: September 25, 2019 3:29 PM
To: 'svfd@saywardvalley.net' <svfd@saywardvalley.net>; 'village@saywardvalley.ca' <village@saywardvalley.ca>
Cc: Taisa Brown <TLBrown@westernforest.com>
Subject: Sayward - Western Forest Products Pile Burning Program

Please be advised that Western Forest Products Inc., Mid Island Forest Operation will be commencing a fall pile burning program in the near future. The exact timing will depend on fire weather and atmospheric venting conditions.

The project will be carried out in accordance with the Open Burning Smoke Control Regulation, which requires that wood waste piles may be only be ignited when minimum atmospheric venting conditions are met for a particular area.

Overview maps of the project may be viewed by following the link below. The files are large (over 6 MB), so I didn't e-mail them directly. Let me know if this works for you. This letter is valid for the Mid Island Forest Operation. Areas outside the Mid Island Forest Operation are greyed out on the map.

<https://www.dropbox.com/sh/i5d9cqi4ig1cw7/AAA6qtQv9oVSeijuTPdxqagla?dl=0>

If necessary, I can be reached using the contact information below. Taisa Brown may also be contacted regarding this notice.

Taisa Brown, Area Forester – tlbrown@westernforest.com. 250-287-5063.

Thanks.

Bruce Vinnedge, RPF
Area Forester

Tel 250.287.5061 Cell 250.202.8340
bvinnedge@westernforest.com

westernforest.com



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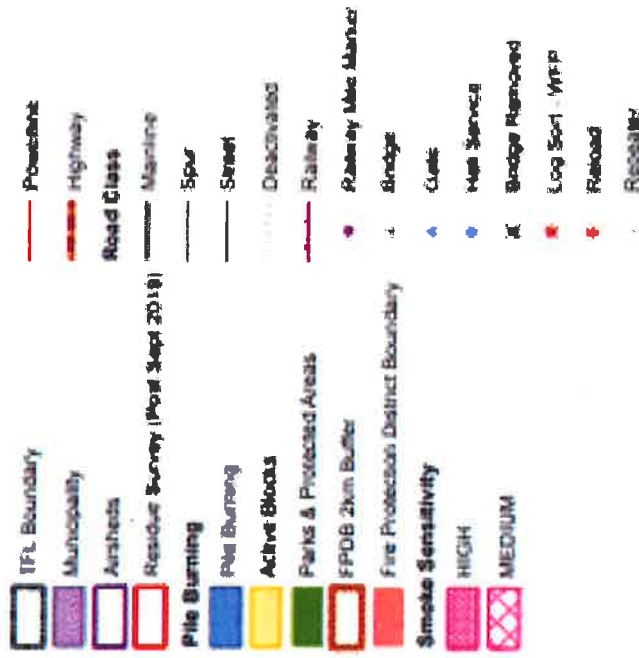
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CENTRAL ISLAND FOREST OPERATION

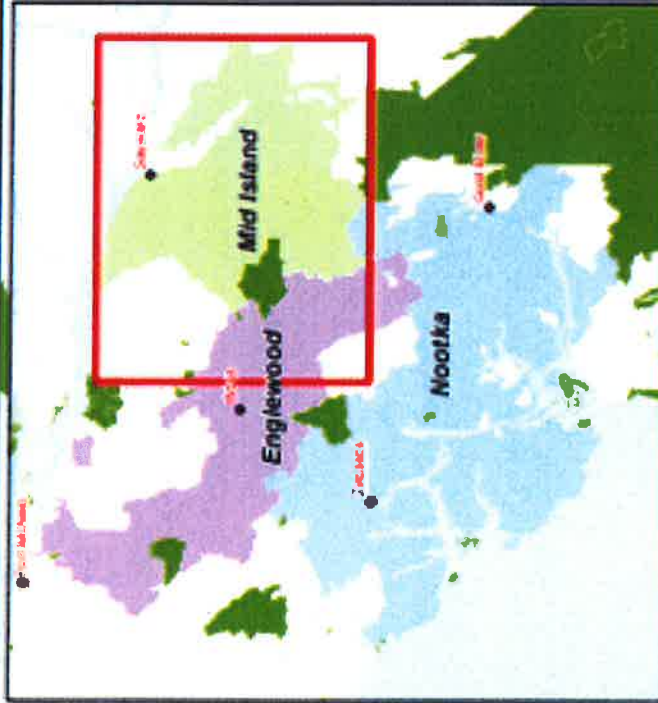
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PLANNED PILE BURNING



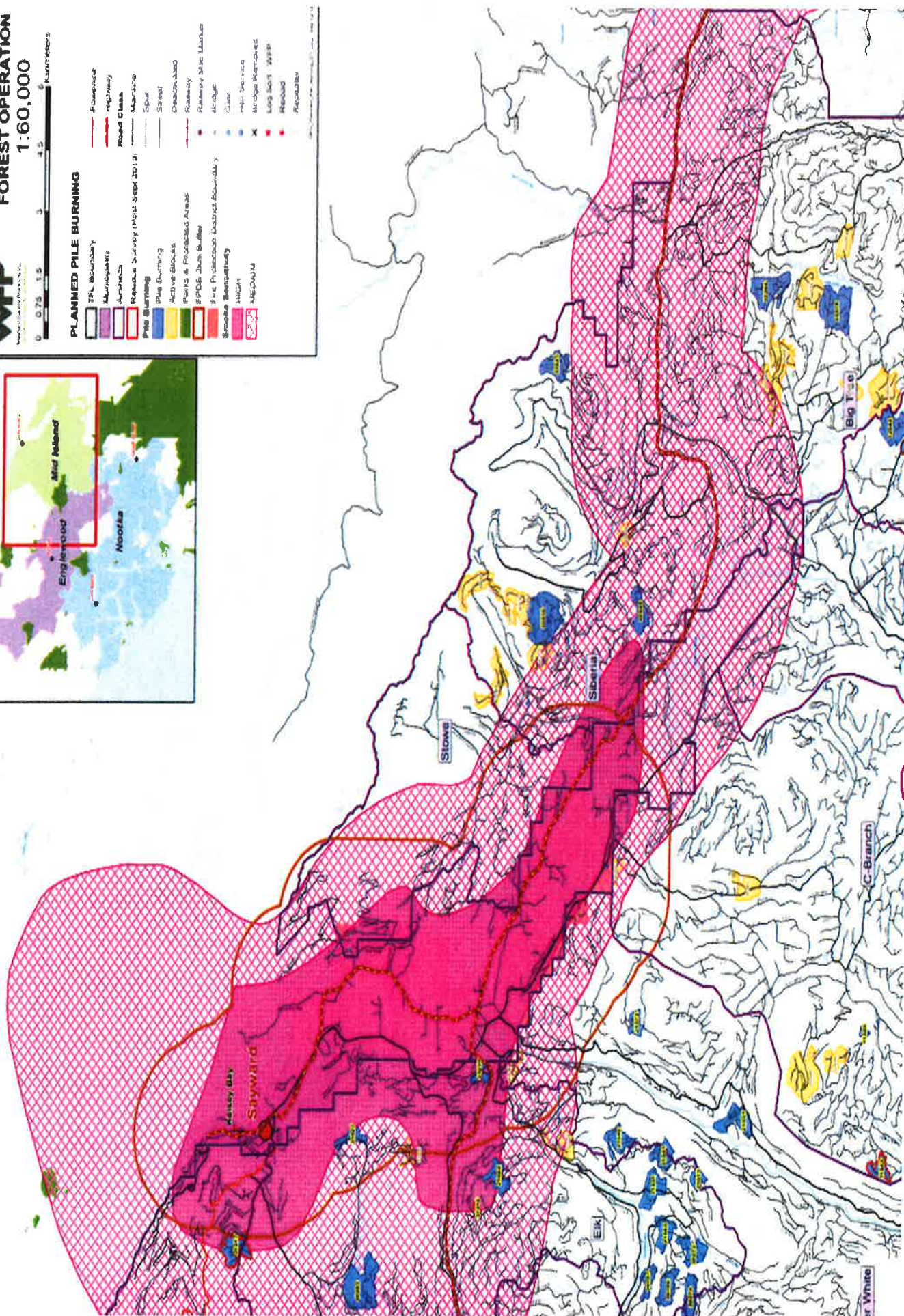
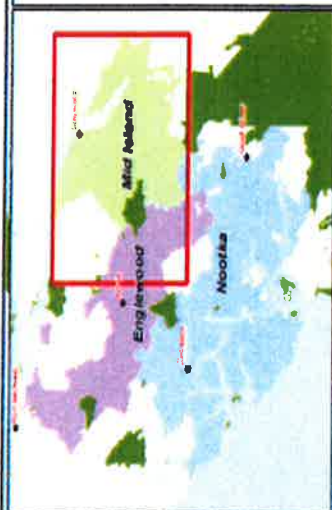
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1:60,000



PLANNED PILE BURNING





Mayor's Report

Mayor and Council
Village of Sayward

FROM: John MacDonald, Mayor
RE: UBCM 2019

I attended UBCM 22-27 Sep 19. The theme for this years UBCM was RESELIENCY & CHANGE.

Day 1 Monday (0800-2130)

Before I left for UBCM, Minister Selena Robinson, Minister of Municipal Affairs and Housing sent her regrets to a meeting request between herself and the Village of Sayward. On Monday morning I went to the Government Appointments Desk to get an appointment with her chief of staff and other staff members. I wanted to discuss our Dam Project and the unfortunate results of mother nature. The appointment was made for Thursday at 1400 when our CAO would be there.

On Monday afternoon I attended the Mayor's Caucus, there were two panels on the agenda, the first being Strong Fiscal Futures. 95% of this panel discussion was directed at Large Municipalities, and the executive was asked to have more on small communities, keeping in mind that small communities and rural municipalities are the backbone of BC. We want to be included when it comes to shared revenues. The second panel was on the opioid Addiction Crisis and what steps are being taken to fight this addiction and stop so many overdose deaths, it was a very interesting discussion from some municipalities including some very small ones that have had overdose deaths.

In the evening I attended the TLA dinner and talk plus Q&A by Minister Donaldson. The discussion centred around what the government has done in regard to forestry and the program for allowable cuts, there has been great cut-back on regional allowable cuts. There was also discussion about softwood tariffs to the US and about logs being shipped to mid-east and some coming back as lumber (a major factor in the closing of so many saw mills in BC). There were many questions directed to the Minister about the current WFP strike. Minister

Donaldson adamantly stated that the government was not interfering with the strike even though it was stated by several TLA members that it is expected to last for a long time!

Day 2 Tuesday (0715-2000)

The morning clinic I attended on Tuesday was Remuneration for Elected Officials, A Best Practices Approach. This was a very interesting clinic, there was a paper produced in the summer on this issue, I have not looked it up yet but will do so in the future. One of the main statements by many was that you normally do not approve a remuneration increase until approximately two months in advance of a general election; the raise is intended for the incoming board or council. There were many questions about who gave raises to their councils or boards due to CRA deleting the 1/3 tax free portion of remuneration, it was surprising how many did and how big these raises were.

I then attended the Small Talk Forum but had to leave early due to meetings as follows:

- a) Deputy Minister (DM) Rick Manwaring to Minister Donaldson, Minister of Forests, Lands and Natural Resource Operations, and Rural Development. The topic discussed was ORV one permit issuance; the DM was generally in agreement with resolution B121 ORV Management Framework, and he also discussed the tenure for use of logging roads which has been in negotiations with the ORV clubs.
- b) Rod Ravenstein & Michael Spatharakis from BC Assessment. The topic discussed was the Village of Sayward's 2019 Assessed Values. I discussed with them the ramifications of taxation when assessments increase by 44%. I re-iterated that the village can keep our municipal mill rate down however with increased assessments the rates for hospital, schools, solid waste and policing are beyond our control and significant increases on tax bills hit the community. Although sympathetic with our citizens, if I were to say it is what it is, that is basically the results of my discussion with them. I did not see any relief in sight and no alternative method to do property assessments. They did suggest that every year we have a member of BC assessment attend a council meeting or open house to talk to the citizens about assessed values and how they are decided.
- c) Minister Popham, Minister of Agriculture. The topic discussed was the increasing impact that government regulations are having on fish farms. I advised the Minister of the importance of fish farms to Sayward for employment of our citizens and retention of the Sayward Futures wharf, without them SFS would not be able to maintain the wharf (structurally). The Minister advised me that there had been an agreement announced the previous Thursday, between Fish Farms/First Nations & Prov Government, and that staff will be sending a copy of the agreement to the village. This concerns the Broughton Archipelago.
- d) MIABC Semi-annual meeting and AGM – There was a quick orientation course for individuals who were new to the MIABC AGM. They did a small introduction of their staff and each spoke for a few minutes on his/her duties with MIABC. They stated that

at least 65% of their claims never go past the review phase and a letter is sent to the individual and municipality giving their decision on the matter. A vote was conducted on the financials and approval of all agenda items presented to the body. Nothing new this year, and they are still paying out dividends.

On top of the above meetings I attended more of the Small Talk Forum, Tourism by Design, and the Planning for Resilient Communities Clinic (had to leave half way thru for MIABC).

In the evening I attended (with my wife) the welcome reception, which was a great chance for networking and some very interesting conversation with a few government staff.

Day 3 Wednesday (0715-1800)

On Wednesday morning I attended the first clinic "Be Fair", Responding Effectively to Complaints. I was not at this clinic long as I had a minister's meeting at 0820, but in the time I was there, two things stood out that I believe we generally are trying to implement:

- i) Complaints should be channeled through Village staff in writing, and
- ii) The complainant should have acknowledgement of receipt and be advised of an estimate of when follow-up action (if required) will be completed. If a complaint is file through the Ombudsperson you must meet their timelines.

I had three meetings on Wednesday as follows:

- a) Minister Jinny Simms, Minister of Citizens' Services. The topic discussed was lack of cell service on the Hwy 19 Corridor. I was advised that the Federal Government just this week announced a 75-million-dollar budget for cellphone connectivity on highways. Staff from the Ministry will expand on this when they provide a written response to me.
- b) Minister Jinny Simms – I was part of a delegation from the Strathcona Regional District (SRD) to discuss connectivity and to advise the Minister that our Board Chair, Michelle Babchuk, has been given authority by the board to sign all financial agreements with the province and feds.
- c) Ted Olynyk from BC Hydro. Topic discussed was LED lighting for Sayward and the placement of banners (done by school children) on hydro poles. LED lighting is not planned for Sayward and is very expensive for the Village to have installed. This type of item would have to go to council prior to any LED street lights being installed. On the banner issue I was not surprised to get a negative response due to work-safe regulations and liability, having said this Mr. Olynyk will investigate donating to the Village some of the used steel poles that hydro has. If they were donated the Village could put them wherever they wished to display the banners. He will get back to me on this.

I attended the UBCM Annual Meeting, Keynote Address by Peter Mansbridge, address by Andrew Weaver, AVICC lunch, Resolutions Session and Cabinet Town Hall "Reconciliation, Moving Forward Together"

I also participated in the Resolutions Session which, to me, following ministers and staff meetings, is the meat of being at UBCM. Resolutions SR1 – SR3 inclusive were endorsed. Resolutions A1 – A3 were endorsed, and A4 endorsed with the amendment "that all levels of government must be consulted" The B Part 1 section was passed as a block per recommendations of the UBCM resolutions committee, the following resolutions were taken out of the block for discussion and a vote B7, 25, 35, 65, 71. Results were B25 was defeated, all others endorsed. B43 resolution was removed at request of a mover and seconder. Section B 2-a endorsed with exception of B75, which was referred back to the executive.

Day 4 Thursday (0715 – 1630)

On Thursday I attended the Early Morning Clinic - Getting Older Adults Active and Connected. Much of this clinic was on healthy communities for seniors and on providing support for seniors to understand broadband, internet, webmail and cell phone service (where applicable). I guess the saying "it is hard to teach an old dog new tricks" would fit for seniors like myself.

There was a time-frame from 0855 – 1130 for resolutions, we got as far as resolution B119 before the session finished. I will advise on the resolutions which were defeated all others were endorsed. The defeated resolutions were B82, B84, B110, B111, B112, B113.

The Delegates lunch followed the resolutions, which was again a great networking opportunity.

After lunch the CAO arrived and we met with Minister of Municipal Affairs and Housing Staff, J. Craig, L. Johnson and L. Edwards. We explained our issues with the Dam Project and explained that if there is going to be any more costs incurred for this project, the Village of Sayward does not have the funds and that we would be looking for support financially. MMAH Staff were advised that we, the Village, would be making an appointment to see Minister of Finance (James), Minister of Municipal Affairs (Robinson), our MLA Minister of Transportation (Trevena) and, if required, the Premier once we have all the engineers reports back.

Later we had our meeting with our MLA Claire Trevena and advised her the same as above, we have funding issues with the Dam Project and would be requiring her and her staff's support.

We had an early day, Lisa, my wife and I went out for dinner at the Old Spaghetti Factory in Gastown, an enjoyable evening, not discussing politics or convention.

Day 5 Friday (0730 – 1200)

On Friday the Resolutions Session continued, where we finally got to our resolution B121 which discussed ORV Management Framework, I addressed the delegation, there were a couple of Con's but I am pleased to say that our Resolution was Carried. On Friday we went thru resolutions B119 – B168 all resolutions were carried with exception of the following which were defeated B123, B132, B133, B134, B137, B152, B158. All resolutions from B169 and on were referred back to the UBCM Executive as there was not time to complete all resolutions in the resolution book.

Following the Resolutions Session, the newly elected UBCM Executive was introduced to the delegates.

Premier Horgan gave the final speech, I always look forward to the Premier's speech as this is where the announcements come out about new programs and grants that are available, this is in his words "the second year in a row" where no new programs or grants were announced. Most of his speech was on his government's accomplishments (??) over the past year.

UBCM is a great place for networking and finding out some of the best practices of other Municipalities and Regional Districts. One of the most important things is that all Government Officials, Ministers, MLA's and Staff get to know the Village of Sayward. We are always inviting Ministers and their staff to come to our village.

UBCM puts out a paper usually in about three months after the convention, that advises the disposition of all resolutions.

The binder I had for UBCM, which contains speaking notes etc. is in the Council office for Councillors to review at their leisure. In my opinion, during budget discussions we should be looking at sending a minimum of three to UBCM for 2020. It is the most important conference of all throughout the year.

John MacDonald
Mayor

Lisa Clark

From: John MacDonald
Sent: September-18-19 12:13 PM
To: Joyce Ellis; Bill Ives; Wes Cragg; Norm Kirschner
Cc: CAO; Lisa Clark
Subject: FW: Deputy Mayor Position

I am not sure if everyone received this, it did not come back to my in box so just in case I a resending to everyone.

Thanks
John

From: John MacDonald
Sent: September-18-19 9:57 AM
To: Mayor and Council <MayorandCouncil@saywardvalley.ca>
Cc: CAO <cao@saywardvalley.ca>; Lisa Clark <village@saywardvalley.ca>; Tom Yates <TYates@srd.ca>; David Leitch <DLeitch@srd.ca>
Subject: Deputy Mayor Position

Deputy Mayor

I had stated earlier that I would be changing the deputy mayor position effective 01 Oct 19.

Councillor Ives has been deputy mayor since we were elected and has seen the village thru many ups and downs when I have been away, in particular the extreme windstorm devastation while I was on leave, and has represented the village at SRD during my absence. I would personally like to thank him for his assistance as deputy/mayor for a job well done.

It is earlier than my first change was going to be made however with all the work Councillor Ives has for the International Entrepreneur Program in the next couple of weeks, I am making the change of deputy mayor effective 21 Sep 1919.

Councillor Ellis will assume the role of Deputy Mayor effective 21 Sep and will assume the role as alternate Director for Strathcona Regional District effective 21 Sep.-18-19 and will represent the village in my absence at the SRD.

Councillor Ives will remain as the alternate director for Comox Strathcona Waste Management and Comox Strathcona Regional Hospital Board and continue to represent the Village of Sayward at these two boards.

I will submit a resolution to council at the meeting on 08 Oct 19 to ratify these changes.

Again thanks to councillor Ives.

John MacDonald
Mayor



STAFF REPORT Regular Meeting

Prepared by: John France Consultant
Subject: FTE Admin 2019
Meeting date: September 3, 2019

BACKGROUND

Staff thought it would be helpful to see the Full Time Equivalent (FTE) budget versus actual for admin for 2019. Council asked that this report be returned to a meeting in October. Staff have not revised it but do make the following points: The FTE count for mid October onwards is 2.6. A clerk will be hired shortly to bring the FTE's up to the approved number. Staff will provide an update on admin salary costs at the meeting.

DISCUSSION

There have been several FTE changes so far this year within Admin. Staff have endeavored to stay within the admin personnel financial budget and as advised earlier, we are currently approx. \$5,000 over budget. Adjustments will be made to try to bring this item in line, more on this when the financial Statements are presented to Council late September. FTE's are as follows:

	Budget	May #1	July #2	Aug/Sep #3	Oct	Nov #3	
CAO	1.00	0.00	0.00	0.00	0.00	1.00	
CFO	1.00	1.00	1.00	1.00	1.00	1.00	
Clerk	0.60	0.60	0.30				
FA				1.00	1.00	1.00	
	2.60	1.60	1.30	2.00	2.00	3.00	
Consultant	\$ -	0.60	0.60	0.60	0.60	0.00	
Ivey	\$ 1,500		\$ 6,200				
Total FTE	2.60	2.20	1.90	2.60	2.60	3.00	
Notes							
1	Cons starts work						
2	Deb hours reduced, Ivey brought on						
	Ivey total \$6,200 - to help with projects behind schedule,						
	to train Mavis (August end to first week in September) and						
	to cover while Lisa away						
3	Assumes new hire by Nov 1, Decision by Council to review						
	staffing level. At this point two of three staff have less than two months						
	experience in sayward office						

Council should note the FTE count stays within the budget FTE allocation until the new CAO comes online in November. The Consultant is added as a .6 FTE (three days a week/22.5 hours) and is working around 24 to 27 hours/week. The Clerk's (Deb) hours were reduced to make room for Ivey – for the work that needed to be completed, Ivey has the necessary technical ability.

There is no FTE for the CAO, in essence although being paid, there was no work being done. The chart is supposed to represent FTE's and those working to get Village tasks done.

RECOMMENDATION

THAT Council receives the report on FTE Admin 2019 for information and discussion.

Respectfully,

John France Consultant



STAFF REPORT

For: Mayor and Council
 Prepared by: Lisa Clark, Acting CAO
 Subject: Strategic Plan & 2020-2024 Financial Plan Timetable
 Meeting date: October 8, 2019

BACKGROUND

The Village of Sayward has been using Strategic Plans for several years. Once Council adopts a strategic plan, it is used to produce the Financial Plan and guide the work plans of each municipal department. It is an important and effective way for Council to identify its strategic goals and priorities for the work undertaken by the municipality. Because strategic plan priorities can have significant resource and work load implications, it is important to tie the strategic plan to the annual budget process.

The Financial Plan bylaw and Tax Rate bylaw must be approved by Council before May 15 of each year as set out in the *Community Charter*. Councils of small municipalities with limited resources often pass a Financial Plan Bylaw in the late fall to avoid time conflicts at year-end when staff are working with the audit team. The initial bylaw includes most projected departmental revenues and expenditures; however, requisitions from other governments, tax revenues, and grant funding is estimated. Once these final items are known after the year-end process, an amended Financial Plan bylaw is brought to Council before the May 15th deadline.

DISCUSSION

Staff suggest the following outline for working towards the 2020-2024 Financial Plan/Capital Plan:

	Item		Timeline
1	Staff reviews 2019-2023 Financial plan and existing Strategic Plan	Staff Report for Council review	November 5 th Regular meeting
2	Council meets for a Strategic Planning session		COW meeting early November (possible day session)
3	Staff review updated Council Strategic Plan and other directives	Draft Strategic Plan	Introduction of Draft Strategic Plan – November 19 th Regular meeting
4	Final Strategic Plan		Final Strategic Plan approval - December 3 rd Regular Meeting
5	Financial Plan Process		

	A. COW Council Meeting, November 26, 2019. Detailed review of Financial Plan/Capital Projects B. COW Council Meeting December 10, 2019. Detailed review of Financial Plan/Capital Projects C. COW Council Meeting January 14, 2020. Detailed review of Financial Plan/Capital Projects D. Council Meeting January 21, 2020. First three readings of the Financial Plan bylaw E. Council Meeting February 4, 2020 Final reading of the Financial Plan bylaw F. Council Meeting late March 2020, Staff Report outlining Financial Plan amendments G. Council Meeting early April 2020, first three readings of amended Financial Plan Bylaw H. Council Meeting late April 2020, Final Reading of Amended Financial Plan Bylaw	Each meeting will refine the Financial and Capital Plans, and, provide time for public input and questions. The timeline will also allow for research and reporting on identified issues. Adopt Financial and Capital Plan	November 26, 2019 December 10, 2019 January 14, 2020 January 21, 20120 February 4, 2020 March 2020 April 2020 April 2020
6	Tax Rate bylaw, Water Rate bylaw, Sewer Rate bylaw, Solid Waste Rate bylaw – Admin item	Bylaw	Adopted by Mid May, first 3 readings April 2020, Final reading early May 2020.

Review of Council's 2029 Strategic Goals

Council approved the 2019 Strategic Plan on June 18, 2019. Council is encouraged to hold a Strategic Planning session annually for Staff to summarize current plan implementation during the year (quarterly reporting will also be provided) and offer suggestions for new plan priorities. Council can then consider Staff suggestions, public suggestions, Council member suggestions and establish new strategic priorities for the next year which will ensure Council's priorities are properly reflected in the financial plan, both operational and capital.

RECOMMENDATION

THAT Council receives the Acting CAO's report titled Strategic Plan & 2020-2024 Financial Plan Timetable, and;

THAT Council provide Staff with direction on a Strategic Planning session date, and;

THAT Council approve the Financial Plan timetable proposed by Staff.

Respectfully submitted,

Lisa Clark
Acting CAO



STAFF REPORT

MAYOR AND COUNCIL
VILLAGE OF SAYWARD

FROM: Lisa Clark, Acting CAO/CFO
John France, Consultant
RE: Dam Update Report

Background

The Dam Rehab project originally approved included maintaining the Dam in its current size with considerable work cleaning the surface, dredging, clearing local vegetation, earthquake pinning and several studies. Council subsequently reviewed other options including lowering or taking the Dam out completely. A fourth option, creating a weir upstream and demolishing the Dam was considered and agreed upon as the preferred option.

An analysis was included to provide the life cycle cost of each of the options. Simply, what is the extent of future work required on each option and at what cost. Staff reports from March 21, 2017 and June 6, 2017, and June 4, 2019 are attached to give a more complete historical picture. An IC Staff report from May 7, 2019 is also attached in the IC section as the report was not taken out of IC. Council approved a budget of \$986,213 on June 4, 2019.

a) Consultant Report - Update on Dam Project

MOTION IC 19/61

MOVED AND SECONDED

That the Mayor and Staff be authorized to enter into contracts to complete the Dam project for a total budget of \$986,213;

And That the 2019 Financial Plan be amended by allocating from the Water Operating Surplus and Community Works Reserve, \$100,000 each;

And Finally, That, these recommendations be taken out of In-Camera. **CARRIED**

Discussion

Council is aware of the weather issues encountered in September which effectively stopped the project and made completion in 2019 untenable. Staff have been working with the consultant and contractor to determine where we are at with costs, completion of works to date, and, costs and works to complete the project.

Here is an outline from our consultant on steps taken:

"We just met with Moe and Cameron from Barry & Vale Contracting, and we were able to come to an agreed upon method of payment that is fair for both parties that adheres to the following format:

- *Progress payment for the work completed until the washout (Aug 6 – Sept 11);*
- *Time and Material (T&M) for the site clean-up and demob (Sept 18 – 23);*
- *T&M to re-instate the project next year (June or July 2020); and*
 - *To a condition similar to prior washout (cofferdam installation, dewatering etc) excluding mobilization costs*
- *Progress payments for the completion of the project.*

During the meeting we discussed the percentages presented for each tender line item and considered this a fair matrix of payment based on the level of effort conducted and the procurement of materials. While T&M was considered a move favourable method to pay for the shutdown and start-up in the new year.

As our knowledge of the site has improved considerably since the tendering, we also discussed areas of funding shortfalls due to the volumes and cash allowances set forth in the tender. We also identified an area of potential savings. At this point we have requested Barry & Vale to provide us with costs for the following items:

- *Offsite disposal or mulching of wood waste located uphill of the new reservoir;*
- *Further rock face prep for HDPE installation; and*
- *Cost to haul organics out of reservoir and stockpile along waterline ROW (savings).*

Once we receive this information early next week, we will compile all the projects costs for your discussion with council next week."

Staff have added that we need a line by line comparison on items in the bid, total line bid cost, % complete, cost to date, cost to complete, total cost and variance. This will show what the costs will be if the project is completed in 2020. Staff have also considered options to complete. Going back to retaining the dam is not considered viable because the life cycle costs are prohibitive. Completing the project as currently planned remains the best option, however this is conditional on the anticipated new costs to complete and finding funding sources.

At the time of writing the new projected costs to completion were not available. Staff expect the projections will be available at the meeting. This report, complete with back up and Council recommendations will be provided to the Province. A meeting with the Minister Trevena is being scheduled.

Staff Recommendations

THAT the report on Dam Update Report be received for information and discussion, and;
THAT Council provides direction to Staff.

Respectfully submitted,

Lisa Clark Acting CAO/CFO

John France Consultant



STAFF REPORT
In-Camera

MAYOR AND COUNCIL
VILLAGE OF SAYWARD

FROM: John France, CAO/CFO
RE: Newcastle Creek Dam Funding

BACKGROUND:

In response to concerns raised on safety issues on the dam, Staff was directed by Council to apply for funding to complete a major rehabilitation of the dam structure. Application was made to the Province in 2016.

DISCUSSION:

The Province has announced the Village has been awarded \$657,360 for the Newcastle Creek Dam Rehabilitation Project. This represents 83% of the total cost of the project with the other 17%, coming from Village sources identified in the budget as operating surplus funds (\$134,640) and In-Kind sources (\$10,000) for a total budget of \$802,000. The grant construction is based on a construction budget of \$792,000.

The next step will be to review the project scope with our consultants to ensure we have the best approach to deal with identified issues.

The Province has asked that this information be kept In-Camera by the funders until such time as a funding announcement is made.

STAFF RECOMMENDATION:

That the report on Newcastle Creek Dam Funding be received;
And That the Mayor and CAO are authorized to sign the Shared Cost Agreement.

Respectfully submitted,

John France
CAO/CFO



STAFF REPORT

MAYOR AND COUNCIL
VILLAGE OF SAYWARD

FROM: John France, CAO/CFO
RE: Dam Options Report

BACKGROUND:

The Dam Rehab project originally approved included maintaining the Dam in its current size with considerable work cleaning the surface, dredging, clearing local vegetation, earthquake pinning and several studies. Council has also reviewed other options including lowering or taking the Dam out completely. This report considers these options and provides more detail on a fourth option, creating a weir upstream and demolishing the Dam. This option was discussed but not detailed out.

The analysis has been expanded to include the life cycle cost of each of the options. Simply, what is the extent of future work required on each option and at what cost. Please see the attached consultant reports for details.

DISCUSSION:

This report is broken into two components **Flow Hydrology** and **Water Supply Options**.

Flow Hydrology

Understanding water flows is important when considering the options put forward in the water supply options section. Water flow taken with storage capacity directly impacts the water distribution system's ability to provide water to residents at all times. A copy of the consultant's report is attached; the consultant will address the technical points.

The water distribution system's ability to provide water is not solely limited to flow and storage. In times of severe shortage, conservation methods/restrictions can be put in place to ensure adequate water is available for immediate human consumption needs. Water meters are also an added method which would not only help with conservation but also in reducing operating costs. None of the flow options presented suggest there will be no flow at times; very low flows may occur at times. The consultant's report does recommend further study of Newcastle Creek and the updating of data when the 2015 is released.

Water Supply Options

There are four options presented, all the options are within the allocated budget. The first two options fall within the scope of the funding, the third and fourth option may require us to discuss the options with the funder. This is a point for discussion.

In laying out the chart below, Staff has tried to simplify the elements; actual numbers are available in the report.

The four options are:

	Option	Life Cycle Cost Ave/Yr	Storage	Regulatory
A	Maintain the dam at the current height	\$67,000	Current volume	Significant requirements, High Risk
B	Lower the Dam by 5M	\$67,750	Considerably reduced from A	Significant, Possible Low Risk
C1	Lower the Dam by 10M Reservoir	\$61,250	Considerably reduced from B	Some regulatory, very low risk
C2	Lower the Dam by 10M No Reservoir	\$32,500	Considerably reduced from C2	Some regulatory, very low risk
D	Dam removed to apron, diversion structure upstream	\$19,250	None	Some regulatory, least risk,

Close attention should be given to water storage for each option. Option 4 has no raw water storage and only uses the treated water tank as a reservoir. Life cycle costs: some of these are new costs and some are incremental meaning they are already in the budget. The consultant will provide further details on this point.

Staff, in considering the reports and data, recommends option D. Staff would prefer that either an alternate source for back up water was found and/or a second reservoir to be built – to supplement the minimal storage in this option. These back up options can be looked at in future years.

Attachments:

NHC Newcastle Creek Low Flow Hydrology Report

NHC Newcastle Creek Raw Water Supply Assessment of Options

STAFF RECOMMENDATION:

That the report on Dam Options be received;

And That Council provides direction to Staff on the preferred option.

Respectfully submitted,

John France
CAO/CFO

Village of Sayward Council In-Camera

Mayor and Council
Dam Project

June 4, 2019

Normally a full report would be provided...however, timing is of the essence.

1. Low bid on the Dam project has offered to extend our response time to tomorrow, June 5.
2. Bid price is \$817,213, plus \$169,000 for engineering, enviro, permits, design...total \$986,213...shortfall \$194,213 with minor contingency
3. The option to split the project over two years adds approx. \$384,000 to the project and is therefore not a viable option.
4. The consultant has confirmed the budget remaining and has confirmed engineering portion is viable (this will be confirmed in writing)
5. Low bid has confirmed ability to do the project, but with a modified schedule which is within our completion timeline (this will be confirmed in writing)
6. Staff have identified two sources of funding to complete the project, \$100,000 from unallocated CWF reserve and \$100,000 from the Water operating surplus, currently at \$171,151 and \$147,260 respectively. Allocation of these funds will not impact future projects now on the books.
7. There are several elements of the WTP and Dam projects that need to be considered in a future report. Originally a sand trap was included to take out the sand prevalent in our raw water, the sand impacts equipment wear/tear and the water process. Staff will determine whether a sand trap can be installed and at what cost – and bring back to a future Council meeting. Also originally, a generator was included in the WTP. VIHA has recommended a generator and given the frequency of power failures, Staff also recommend a generator be installed. Staff will bring back a report on the installation of a generator to a future Council meeting. The Supervisory Control and Data Acquisition (SCADA) system may also be an issue. Staff is working with IDL on this issue.

Recommendations

That the Mayor and Staff be authorised to enter into contracts to complete the Dam project for a total budget of \$986,213

And That the 2019 Financial Plan be amended by allocating from the Water Operating Surplus and Community Works Reserve, \$100,000 each

And Finally That, these recommendations be taken out of In-Camera

John France
Consultant



STAFF REPORT

MAYOR AND COUNCIL
VILLAGE OF SAYWARD

FROM: Lisa Clark, Acting CAO/CFO
John France, Consultant
RE: Fireworks Bylaw Report

BACKGROUND:

Fireworks Bylaw 456 received first and second reading at the May 7, 2019 Council meeting and has not proceeded since that time for various reasons. Staff reviewed this bylaw and suggest a simpler bylaw be considered by Council. The proposed bylaw is taken from the City of Nanaimo (with a few minor amendments) and is both well considered (includes the necessary controls) and is easy for Staff and applicants to follow.

Attachments:

- Fireworks Regulation Bylaw 456, 2019
- Proposed Fireworks Regulation Bylaw No. XXX, 2019

DISCUSSION:

Staff have included several comparisons for Council review. The proposed bylaw greatly simplifies section 3, Prohibitions, of Bylaw 456 as follows:

- No person shall offer for sale, sell, give, or trade Fireworks within the boundaries of the Village.
- No person shall possess Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.
- 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.

Furthermore, under section 4 (456) Exceptions, Fireworks can be stored within the Village but not sold (within the Village) and the owner of the fireworks must be licensed by Federal/Provincial authorities. And finally, the Fire chief must be advised of the storage location and approve the quantity of fireworks. The proposed bylaw prohibits storage within the Village as outlined in the bullets above. Staff suggest this is a safety improvement as well as simplifies that no fireworks may be sold or stored within the Village.

The event permitting and planning is also simplified, See section 5 (456) and section 14 of the proposed bylaw. Insurance provisions are covered under section 14 (c).

If Council agrees with the new bylaw, the following steps will be taken at the October 22 Council meeting:

- 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), remove Schedules A and B.
- Fees and Charges Bylaw 451 will be amended to include fees and penalties under the proposed fireworks bylaw. Subsection 4 (g) will be repealed, section 5 Schedule J – Fire Protective Services replaced with Schedule J - Proposed Fireworks Regulation Bylaw No. XXX, 2019.
- The proposed bylaw will be modified to make it consistent with Fees and Charges Bylaw 451 – Proposed current schedule B removed into bylaw 451 and new schedule B added for the permit.

STAFF RECOMMENDATION:

That the report on Fireworks Bylaw Report be received;

And That Council provides direction to Staff.

Respectfully submitted,

Lisa Clark Acting CAO/CFO
John France Consultant



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.

Village of Sayward Fireworks Regulation Bylaw No. 456, 2019

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.

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, Acting CAO
 Subject: Policy Updates Project
 Meeting date: October 8, 2019
 Attachments: DRAFT 100-01 Council Conflict of Interest Policy
 DRAFT 200-01 Criminal Records Search Policy
 DRAFT 300-04 Vehicle & Equipment Policy

BACKGROUND

The 2019 approved Strategic Plan includes the following strategic goal:

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.	Staff, and Council approval	Policy & Bylaw approval
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DISCUSSION

As presented to Council in April of 2019 the following policies were set as priorities as part of the Policy Update Project:

1. Council Conflict of Interest (new)
2. Criminal Record Search
3. Personnel – Hiring
4. Respectful Workplace (new)
5. Permissive Tax Exemption - **done, Policy 300-01 approved by Council at April 16, 2019 Meeting**
6. Annual Property Tax Sale
7. Reserves
8. Procurement Policy - is a substantially new Policy and requires legal review before bringing to Council for adoption. Council has also indicated a desire to include Social Procurement as part of the new policy.

9. The Personnel – Benefits, Leaves and Employment Conditions Policy needs some more time to review as this Policy is quite comprehensive.
10. The Public Works Inspection Policy should be considered for amendment in concert with next steps in the Asset Management Program, namely discussion/consideration of changes to service levels as the Policy speaks to those service levels.

In addition, Staff have been directed by resolution as follows:

MOTION R19/224

MOVED AND SECONDED

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.

CARRIED

MOTION R19/232

MOVED AND SECONDED

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.

CARRIED

It has also been indicated to Staff that there is a need for a vehicle use policy. There are also several other small policies that staff are looking at consolidating and re-numbering.

Staff have attached 3 (three) policies for Council's review and discussion:

1. 100-01 Council Conflict of Interest Policy
2. 200-01 Criminal Records Search Policy
3. 300-04 Vehicle & Equipment Policy

100-01 Council Conflict of Interest Policy

This is a new policy that defines Conflict of Interest for awareness and establishes parties' responsibilities if a Conflict of Interest does or may exist.

200-01 Criminal Records Search Policy

New format. The old version has been provided for reference. Updated for consistency with RCMP guidelines (i.e. 2 types of criminal record checks). Suggestions taken from the Local Government Management Association HR Toolkit.

300-04 Vehicle & Equipment Policy

This is a new policy that sets out the manner in which municipally owned vehicles and equipment shall be used and operated.

STAFF RECOMMENDATIONS

THAT Council receives the Acting CAO's report on the Policy Update Project for discussion, and;

THAT Council approves the following policies: 100-01 Conflict of Interest Policy, 200-01 Criminal Records Search Policy, and 300-04 Vehicle & Equipment Policy.

Respectfully submitted,

Lisa Clark, Acting CAO



Village of Sayward

Title: Council Conflict of Interest Policy

Policy # 100-01

Category: Administration and General Government

1.0 PURPOSE

In order to maintain strong public confidence in the government and of administration of the Village of Sayward, persons elected to office must be, and appear to be, free of conflict and from personal interest and benefit when carrying out their duties and exercising their authority.

This Policy is intended to establish guidelines to identify conflict of interest and potential conflict of interest for members of Council and to define responsibilities of and steps for Council in relation to Council conflict of interest.

The facts of each situation will be unique and will need to be considered when determining if a member is in a conflict of interest situation. Accordingly, an overriding principle of this policy is that Council approach each situation openly, with a complete examination of the facts and without premature judgement, giving each member of Council support in making his or her own determination of conflict of interest.

It is important to recognize that there is nothing improper if a member of Council is in a conflict of interest situation so long as that member conducts himself or herself appropriately in relation to the matter that gives rise to the conflict of interest.

2.0 POLICY

The Village of Sayward is committed to impeccable governance and stewardship that protects the interests of the Village. Each member of Council commits to removing himself or herself from decisions or deliberations in which that member has a conflict of interest.

2.1 APPLICATION

This policy applies all of Council.

2.2 RESPONSIBILITY

Members of Council are responsible to:

- a) Familiarize themselves with this policy including the meaning and nature of conflict of interest and the actions to take in circumstances of conflict of interest;
- b) Not ignore/ leave unaddressed a violation (discussing, voting after declared conflict) by any member of Council; and
- c) Follow this policy and the provisions of the *Community Charter* and its regulations as they relate to conflict of interest.

The CAO is responsible to:

- d) Provide orientation to Council in relation to conflict of interest;

- e) Bring attention to Council, in an appropriate venue, any matters that may come to the attention of the CAO in relation to a potential conflict of interest for a member of Council; and
- f) Support direction of Council in relation to any conflict situation.

3.0 DEFINITIONS

The definitions surrounding Conflict of Interest contained in this policy are presented for convenience and awareness. Members of Council must be vigilant in familiarizing themselves with their obligations of office including relating to conflict of interest.

Conflict of Interest: A conflict of interest is a situation in which an individual has competing interests or loyalties. A conflict of interest will still exist where an outcome serves both interests. A Council member must only have the Village's interests as a priority save and except for the exemptions listed in this policy.

Pecuniary Conflict of Interest: A conflict of interest in which the Council member has a direct or indirect financial interest in the matter.

Non-pecuniary Conflict of Interest: A type of interest that places the person in a conflict position (e.g., bias, personal interest, being of a "closed" mind or pre-judgement of the matter) without direct or indirect financial interest. This could include any benefit obtained by relatives, close friends, or associates of a member who is in conflict. Examples may include a rezoning application by a relative or close personal friend, or a business license decision involving a competitor business to one operated by a close friend.

Exemptions to a Conflict of Interest include:

- a) A pecuniary interest in common with electors of the municipality generally, also referred to as a "community of interest". An example is a Council member who is a taxpayer while voting on a tax rates bylaw;
- b) The remuneration of elected officials;
- c) An interest so "remote or insignificant" that it "cannot reasonably be regarded as likely to influence the member;" and
- d) An exemption established by legislation.

4.0 PROCEDURES

- a) Each Council member must evaluate a matter being considered by Council against his/her own interests to determine if a conflict of interest exists;
- b) Where an elected official considers that he or she is in a conflict of interest, the Councillor must:
 - i. declare that he or she is in a conflict of interest in the matter;
 - ii. describe the general nature of conflict;
 - iii. not take part in discussion relating to the matter nor vote on the matter;
 - iv. immediately after declaring the conflict of interest, leave the meeting while the matter is being discussed;
 - v. not attempt to influence the vote on the matter;
 - vi. refrain from any discussions with other Council members or with staff in any venue of the matter (before or after making formal declaration of the conflict of interest).
 - vii. not re-engage in the matter in any way unless the Council member following legal advice, determines that he or she is not in conflict; and

- viii. obtain a legal opinion at his or her own cost if he or she wishes to reverse a prior declaration of conflict of interest on a matter.
- c) If a Council member believes another Council member has a Conflict of Interest, that Council member is encouraged to discuss the issue with the Mayor, CAO or the member with the potential Conflict of Interest, before a Council Meeting takes place.

5.0 REFERENCES / POLICY INTEGRATION

Ministry of Municipal Affairs and Housing, "Ethical Conduct":

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/conduct-of-locally-elected-officials/responsible-conduct>

and references therein.

6.0 APPROVAL HISTORY

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

Mayor:	CAO:
Date:	Date:

	Village of Sayward	
	Title: Criminal Records Search Policy	Policy # 200-01
	Category: Personnel	

1.0 PURPOSE

The Village of Sayward ("Village") is committed to creating an environment where children and other vulnerable individuals in our society are protected and therefore has a legitimate interest in ensuring that qualified and appropriate staff is selected to work with these individuals. The Village is viewed by the public as holding positions of confidence and trust when children are placed in its care and/or while they are using its recreation facilities. Criminal record searches in addition to interviews and documented reference checks are made to provide another level of security with respect to the prevention of abuse.

2.0 POLICY

As a condition of employment with the Village of Sayward, current and potential employees and volunteers in designated positions are required to provide a clear or satisfactory criminal record check.

The objectives of the criminal record search are to:

- a) determine if a person has been convicted of a criminal offense;
- b) obtain information related to the candidate's suitability for working with children or other vulnerable individuals; and
- c) determine if a risk is posed to children or vulnerable individuals.

3.0 DEFINITIONS

Vulnerable Individuals: Individuals who, because of age or emotional, mental or physical difficulties or communication barriers, are restricted in their ability to remove themselves from an abusive situation.

Working with Vulnerable Individuals: Working directly with or having or potentially having unsupervised access to children or other vulnerable individuals in the ordinary course of employment or in the practice of a position or contract for service with the Village.

Criminal record file: Consists of an individual's criminal charges, convictions and discharges, as well as fingerprint information. It includes fingerprints if the individual was charged or convicted.

Criminal Record check: This process verifies whether an individual has a criminal record and provides the applicant with the detailed information that can be legally disclosed.

Vulnerable Sector (VS) check: This process verifies whether an individual has a criminal record, as well as any record suspensions (formerly pardons) for sexual offences and local police records for information relevant to the VS check. The information that can be legally disclosed is provided to the applicant.

Designated Position: Refers to a position within the Village's operations in which an employee either works directly or indirectly with vulnerable sectors such as children. Appendix "A" lists the designated positions.

4.0 PROCEDURES

4.1 Prospective Employees, Contractors and Volunteers

- a) The "Consent for Criminal Record Search" form (Appendix "B") shall be presented to a successful candidate for any of the designated positions identified in this policy following the interview by the Department Manager.
- b) The candidate is to take the "Consent for Criminal Record Search" form to the RCMP detachment for processing. Photo ID and one other piece of identification shall be presented to the RCMP. In addition, a certified cheque in the amount of \$25 made payable to the Receiver General of Canada must be included. Candidates are responsible for this payment, however reimbursement from the Village will be approved after the hiring process is complete.
- c) Only the CAO shall have knowledge of the results of the Criminal Record Search. If it is confirmed that a criminal record exists, the CAO will assess whether the conviction(s) or charge(s) are relevant to the job and whether the interests of the Village would be prejudiced because of appointment.
- d) The prospective employee or volunteer will be provided with an opportunity to explain the circumstances surrounding the offense. The factors to be considered include details of the offense, length of time intervening between the conviction and employment decision, employment history of the individual, age at the time of the offense, and efforts at rehabilitation. If the person is not hired because of the results of the search, the reasons must be explained to them.
- e) All advertisements and offers of employment for any of the positions identified in this policy must include the following statement: "This position is subject to satisfactory results of a criminal record search prior to appointment."
- f) The Criminal Record of an employee or volunteer shall be kept in the strictest of confidence and kept in secured and confidential storage accessible to only to the CAO. Notes of any conversations with a person that is or is not hired because of a criminal record shall also be kept in secured and confidential storage accessible only to the CAO.

4.2 Current Employees, Contractors and Volunteers

- a) Individuals in designated positions are required to:
 - i. provide an updated criminal record search of the appropriate type every 5 years.
 - ii. disclose any criminal charges and convictions for an offence that indicates a risk to vulnerable individuals or mismanagement of financial and other assets.
- b) The Village reserves the right not to employ or contract any individual who refuses to authorize a personal criminal record search or whose search results contain a criminal record that has been deemed to disqualify them from this condition of employment.

5.0 REFERENCES /POLICY INTEGRATION

Village of Sayward Personnel – Hiring Policy No. 200-04

Royal Canadian Mounted Police webpage, "Criminal Record and Vulnerable Sector checks":

<http://www.rcmp-grc.gc.ca/en/criminal-record-and-vulnerable-sector-checks>

Office of the Information & Privacy Commissioner: Investigation Report F12-03 – *Use of Employment Related Criminal Record Checks: Government of British Columbia*

6.0 APPROVAL HISTORY

ISSUED BY: CAO	APPROVED BY: Mayor & Council	RESOLUTION NO:	DATE: October 2005
REVISED BY: CFO	APPROVED BY: Mayor & Council	RESOLUTION NO:	DATE:

Signed by:

Mayor:	CAO:
Date:	Date:

Appendix "A" – Designated Positions

This policy applies to all volunteer, contract, full-time, part-time and student workers in the following positions:

Recreation and Culture

1. Lifeguards at Kelsey Recreation Centre
2. Front Desk Clerks at Kelsey Recreation Centre
3. Water Safety Instructors at Kelsey Recreation Centre
4. Recreation Manager at Kelsey Recreation Centre
5. Custodians at Kelsey Recreation Centre
6. Volunteer Instructors, Volunteer Assistants, or Volunteer Drivers at Kelsey Recreation Centre

Appendix "B" – Consent for Criminal Record Search



Village of Sayward
652 H'Kusam Way, PO Box 29,
Sayward, B.C. V0P 1R0
Phone: (250) 282-5512

CONSENT FOR CRIMINAL RECORD SEARCH

(FORM MUST BE PRESENTED IN PERSON TO RCMP, ALONG WITH A CERTIFIED CHEQUE IN THE
AMOUNT OF \$25 MADE PAYABLE TO THE RECEIVER GENERAL OF CANADA)

POLICE AGENCY _____

Full Name of Applicant _____
Surname Birth Surname Given Names

Birthdate _____ Birthplace _____
YY MM DD

Address _____ Telephone _____

_____ Postal Code _____

WHEREAS I have applied for a sensitive position of trust (e.g. a job that can bring me into contact with children), and I am required by the Village of Sayward to disclose whether or not I have any convictions or have been charged under any Federal or Provincial enactment:

AND WHEREAS I understand that disclosure of a criminal record may not necessarily preclude me from the position I have applied for:

AND WHEREAS I understand that, if the Village of Sayward should decide any conviction or charge disclosed might preclude me from the position I have applied for, I will be given an opportunity to see and discuss that criminal record;

I, therefore, authorize the _____ (Police Agency) on my behalf to inquire into and determine whether or not I have a criminal record. I hereby agree to disclose the Criminal Record Check documents to Village of Sayward. The details of any record shall be held in confidence. To this end I herewith affix my signature.

SIGNATURE

WITNESS

DATE _____
YY MM DD

Village of Sayward

POLICY MANUAL

TITLE: ***CRIMINAL RECORD SEARCH***

COUNCIL APPROVAL DATE: October 26, 2005

PURPOSE

The Village of Sayward is committed to creating a climate where the children and other vulnerable individuals in our society are protected and has a legitimate interest in ensuring that qualified and appropriate staff is selected to work with these individuals. The Village is viewed by the public as holding positions of confidence and trust when children are placed in its care and/or while they are using its recreation facilities. Criminal record searches in addition to interviews and documented reference checks are made in an attempt to provide another level of security with respect to the prevention of abuse.

OBJECTIVES

The objectives of the criminal record search are to:

- a) determine if a person has been convicted of a criminal offense;
- b) obtain information related to the candidate's suitability for working with children;
- c) determine if a risk is posed to children or vulnerable individuals.

POLICY

Definitions:

Vulnerable Individuals are individuals who, because of age or emotional, mental or physical difficulties or communication barriers, are restricted in their ability to remove themselves from an abusive situation.

Working with Vulnerable Individuals is working directly with vulnerable individuals or having or potentially having unsupervised access to children in the ordinary course of employment or in the practice of a position or contract for service with the Village.

All prospective employees, contractors and volunteers at the Kelsey Recreation Centre interacting/working with children or other vulnerable individuals will be required to complete and sign a "Consent for Criminal Record Search" form. The information

obtained from the record search is confidential and will be made available to the applicant upon request. This information will not be used for any other purpose. Criminal record searches will be processed by the RCMP and the Village will be notified of any convictions. The Village reserves the right not to employ or contract any individual who refuses to authorize a personal criminal record search or whose search results contain a criminal record that has been deemed to disqualify the prospective candidate.

All advertisements and offers of employment for any of the positions identified in this policy must include the following statement:

"This position is subject to satisfactory results of a criminal record search."

The "Consent for Criminal Record Search" form shall be presented to a candidate for any of the positions identified in this policy following the interview by the Department Head. The candidate is to take the "Consent for Criminal Record Search" form to the RCMP detachment for processing. Photo ID and one other piece of identification shall be presented to the RCMP. Only the CAO and Department Head shall have knowledge of the results of the Criminal Record Search. If it is confirmed that a criminal record exists, the CAO and Department Head will assess whether the conviction(s) or charge(s) are relevant to the job and whether the interests of the Village would be prejudiced as a result of appointment. The prospective employee or volunteer will be provided with an opportunity to explain the circumstances surrounding the offense. The factors to be considered include details of the offense, length of time intervening between the conviction and employment decision, employment history of the individual, age at the time of the offense, and efforts at rehabilitation. If the person is not hired because of the results of the search the reasons must be explained to them.

The Criminal Record of an employee or volunteer shall be kept in the strictest of confidence and kept in secured and confidential storage accessible to only to the CAO and Office Assistant. Notes of any conversations with a person that is or is not hired because of a criminal record shall also be kept in secured and confidential storage accessible only to the CAO and Office Assistant.

Individuals Covered by Policy

This policy applies to all volunteer, full-time, part-time and student workers in the following positions:

1. Lifeguards at Kelsey Recreation Centre
2. Desk Clerks at Kelsey Recreation Centre
3. Water Safety Instructors at Kelsey Recreation Centre
4. Recreation Manager at Kelsey Recreation Centre
5. Custodian at Kelsey Recreation Centre
6. Volunteer Instructors or Assistants at Kelsey Recreation Centre
7. Members of the Kelsey Centre Recreation Commission

	Village of Sayward	
	Title: Vehicle & Equipment Policy	Policy # 300-04
	Category: Finance	

1.0 PURPOSE

The Village of Sayward owns and operates vehicles and equipment for the benefit of taxpayers of the municipality. This policy sets out the manner in which municipally owned vehicles and equipment shall be used and operated.

2.0 POLICY

Municipal vehicles and equipment are valuable assets. Every operator of municipal vehicles or mobile equipment shall do so safely, responsibly and within the parameters set by legislation and workplace procedures and policies.

2.1 APPLICATION

This policy shall apply to all vehicles and mobile equipment under the ownership or control of the Municipality, and to all drivers and operators of such vehicles and equipment.

2.2 RESPONSIBILITY

The Chief Administrative Officer (CAO) is responsible for the supervision and management of the Municipality's vehicles and equipment including, but not limited to, the following:

- a) Ensuring vehicle and equipment maintenance is current and properly documented by each Department Head;
- b) Maintaining a vehicle and equipment recapitalization schedule;
- c) Disposing of surplus vehicles and equipment in accordance with applicable Council policy.

3.0 DEFINITIONS

Vehicle: For the purposes of this policy "vehicle" shall mean a car, van, SUV, truck or other apparatus owned by the municipality.

Equipment: For the purposes of this policy "equipment" shall mean other assets owned by the municipality, including but not limited to, lawnmowers, tractors, concrete mixers, generators, chainsaws and other equipment.

On call: For the purposes of this policy, on call shall mean that an employee has been assigned the duties of responding to after hour's emergency situations for their particular department.

Village: Means the Village of Sayward

4.0 PROCEDURES

4.1 Use of municipal vehicles and mobile equipment

- a) All vehicles provided by the Municipality are to be used for activities involved in conducting Municipal duties and responsibilities and are not to be used for personal use.

- b) Municipal vehicles are not available for non-municipal use.
- c) Municipal equipment may be used to assist local non-profit organizations by authorization of the CAO. All such use shall be recorded and reported in a CAO report to Council.

4.2 Employees

- a) All municipal vehicles shall be identified with the Municipality's name and logo clearly visible.
- b) During regular working hours, the Department Manager, or designate, shall determine which, if any, employees shall have access to, or use of, municipal vehicles in their departments.
- c) All employees who are required to operate municipally owned vehicles as part of their job have a responsibility to have a valid and current driver's license. It is the responsibility of the employee to report any suspension of their driver's license to their immediate supervisor. The CAO shall be advised immediately of the suspension of an employee's license.
- d) Any person authorized to operate a municipally owned vehicle will be required to submit a satisfactory Drivers Abstract report to their Department Manager or CAO at or before the time of hire or date of authorization. Subsequent satisfactory Drivers Abstract reports must be provided at the request of the Village.
- e) Any person operating a municipal vehicle:
 - i. Shall possess a valid driver's license appropriate for the class of vehicle they are operating.
 - ii. Shall be responsible for the safety, security and care of the vehicle at all times.
 - iii. Shall ensure vehicles are kept clean and in a presentable manner.
 - iv. Has a duty to report, immediately to their supervisor or the CAO, all damages or accidents.
- f) Any operator authorized by the Village to use a municipal vehicle shall be the sole person authorized to use that vehicle and such persons shall not allow unauthorized individuals to operate or access the vehicle at any time.
- g) Any person operating a municipal vehicle shall adhere to the Laws of British Columbia and Canada as the case may be. Any offence may result in disciplinary action up to and including dismissal or other such remedies as may be deemed appropriate by the Village and relevant authorities.
- h) Emergency vehicles responding to emergency calls will always respond with safety in mind, while keeping in mind the emergency to which they are responding.
- i) No driver shall operate a Municipal vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, alcohol, or prescription or other medication.
- j) All operators must always wear seat belts while in a moving vehicle, whether they are the driver or a passenger
- k) Operators share responsibility for vehicle and equipment maintenance and shall ensure maintenance standards are upheld and deficiencies reported.
- l) Operators shall always lock unattended vehicles.
- m) Operators shall familiarize themselves with the Municipality's vehicle idling bylaw.
- n) No smoking is allowed in a Municipal vehicle.
- o) During non-use, operators must leave municipal vehicles parked at a Village of Sayward facility and the vehicle must be secure if left at that facility.
- p) Any person operating a municipal vehicle must always be mindful of the Village of Sayward's public image and maintain courteous behaviour and customer service.
- q) Requests by employees to use municipal vehicles for special events such as out of town conventions or courses shall be considered and may be authorized by the CAO.
- r) Employees are not permitted to take municipally owned vehicles home with the following exceptions due to the nature of the position:
 - i. Public Works Manager
- s) Employees are not allowed to take vehicles home except in the following special circumstances:

- i. When the employee is on call and the vehicle is equipped with special tools, equipment, materials, etc., provided that the home location permits the employee to respond within an appropriately prompt timeframe.
- t) Employees required to use their personal vehicles in the carrying out of their duties on behalf of the Village of Saward will be reimbursed with the mileage rate set by Council. Such reimbursement shall be subject to satisfactory completion of an expense report form and must be approved by the CAO.
- u) Any parking ticket, speeding ticket, seatbelt fine or other such charge shall be the responsibility of the person operating the vehicle, and not that of the Village, and shall be reported to the CAO.
- v) Failure to adhere to the above policies may result in disciplinary action up to and including termination.

4.3 Volunteers

- a) A volunteer, including but not limited to, a volunteer firefighter, may be authorized by the Fire Chief or the CAO to operate municipal vehicles on receipt of a satisfactory driver's abstract. Driving privileges shall not be extended to a volunteer with a driving record the CAO deems unsatisfactory.
- b) Volunteers operating municipal vehicles shall be subject to the same conditions and responsibilities as municipal employees.

4.4 Procurement

- a) Vehicle and mobile equipment purchases are subject to Policy 300-05 Procurement Policy.

4.5 Fuel Credit Cards

- a) The Public Works Manager, Recreation Manager, CAO and Fire Chief shall obtain a fuel credit card for refuelling of vehicles and equipment.
- b) Credit cards shall be used only for municipal vehicles and equipment.
- c) All receipts are to be signed and submitted to the Finance department for payment.

4.6 Reporting

- a) All accidents and vehicle or equipment damage, however caused, shall be reported immediately to the CAO.
- b) Complete records shall be maintained documenting all accidents.
- c) An employee to whom a Municipal vehicle has been assigned, shall advise the Department Manager or CAO of the need for maintenance or repair.

5.0 REFERENCES / POLICY INTEGRATION

District of Summerland Vehicle Use Policy:

https://www.summerland.ca/docs/default-source/administration/policies/800-10-vehicle-use-policy.pdf?sfvrsn=316af9fb_2

Jasper Municipal Vehicles and Equipment Policy:

<https://www.jasper-alberta.com/DocumentCenter/View/236/C-001-Municipal-Vehicles-Administrative-Procedures-PDF?bidId=>

6.0 APPROVAL HISTORY

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

Mayor:	CAO:
Date:	Date: