



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
NOVEMBER 2, 2021 - 7:00 PM
HYBRID TEAMS & OPEN MEETING
COUNCIL CHAMBERS**

1. Call to Order

2. Introduction of Late Items

Recommended Resolution:

THAT the following late item be added to the agenda:

a) Salmon and White River Flood Hazard Study and Recommendations – report available at meeting.

3. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for November 2, 2021 be approved.

4. Minutes of Previous Meetings

Recommended Resolutions:

THAT the minutes from the Regular Council meeting held on October 19, 2021 be adopted.

5. Petitions and Delegations

a) Darryl Lyons: request that Council reconsider restoring Question Period at the beginning of meetings.

6. Correspondence

a) Vancouver Island Regional Library Appointments due December 10, 2021

b) David Eby, AG re: BC Housing opportunities in Sayward

c) Tara Faganello, ADM re: Amendments to the Community Charter

Recommended Resolutions:

THAT correspondence (a) to (c) be received.

THAT Council appoints Councillor _____ as Trustee and Councillor _____ as Alternate on the Vancouver Island Regional Library Board of Trustees for 2022.

7. Council Reports

a) Councillor Kirschner – Reconsidering a Motion

Recommended Resolutions:

THAT Council receive Councillor Kirschner's report for information and discussion.

THAT Council rescind motion R21/258.

THAT Council rescind motion R21/233.

8. Reports of Committees – None

9. Mayor's Report – None

10. Unfinished Business – None

11. Staff Reports

b) Shared Fire Service – (Referred from October 19, 2021 Regular Council meeting)

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Recommended Resolutions:

THAT the Shared Fire Service staff report be received for information and discussion; and,

THAT Council consider any next steps if the SRD completes its own work on costs and feasibility of a single Area A fire protection service, and determines that to be the best option for Area A; and,

FINALLY THAT the Village clarify again to the SRD that the Village supports the option to promote and strengthen the current model by working together in collaboration toward a new shared services agreement to replace the one about to expire.

c) Making the Administrative Building Safe and Accessible to Citizens

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Recommended Resolution:

THAT the Making the Administrative Building Safe and Accessible to Citizens staff report be received for information and discussion; and,

THAT staff be directed to seek to obtain the \$5,500 grant from MIABC and use the funds along with \$5,845.99 from the COVID-19 Reserve fund to procure key fobs and the upgraded alarm system as described in this report and the attached quote for the sum of \$11,345.99; and,

FURTHER THAT staff be directed to include the additional \$12,161.17 in the 2022-2026 Financial Plan to install the upgraded camera security system; and,

FINALLY THAT staff return to Council with a quote to procure improved meeting furniture for Council that can provide for effective and engaged meetings and where citizens can feel comfortable and welcomed.

12. Bylaws

a) Ticketing Bylaw No. 422, 2021

Recommended Resolution:

THAT Ticketing Bylaw No. 422, 2021 be given fourth and final reading.

13. New Business – None

14. Public Question Period (maximum 15 minutes)

Mayor: “The purpose of the public question period is to enable citizens to ask questions of Council about issues that are important to the citizen asking the question. Speakers are asked to limit their questions to one each and, if time permits after everyone has had an opportunity to ask questions, speakers may ask a second question. Citizens will be asked to state their name and address.”

15. In-Camera – None

16. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for November 2, 2021 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
OCTOBER 19, 2021
HYBRID TEAMS & OPEN MEETING
KELSEY CENTRE**

Present: Mayor Mark Baker
Councillor Sue Poulsen
Councillor Tom Tinsley
Councillor Norm Kirschner
Councillor Wes Cragg

In Attendance: Ann MacDonald, CAO
Lisa Clark, CFO
Melissa Coates, Finance/Admin Clerk

1. Call to Order

Meeting was called to order at 7:01 PM.

2. In Camera

MOTION R21/244

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 labour relations or other employee relations and per Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interest of the municipality.

CARRIED

In-Camera meeting convened at 7:02

In-Camera meeting adjourned at 7:18 and the regular meeting was re-convened.

3. Introduction of Late Items - None

4. Approval of Agenda

MOTION R21/245

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for October 19, 2021 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R21/246

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on October 5, 2021 be adopted.

CARRIED

6. Petitions and Delegations - None

7. Correspondence

- a) School District 72 Board News
- b) Letter and Cheque to District of Lytton
- c) Craig Baird, Town Sponsorship Podcast Episode

MOTION R21/247

MOVED AND SECONDED

THAT correspondence (a) to (c) be received.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business - None

12. Staff Reports

- a) Staff Report Community to Community (C2C) Forum with KFN to consult on the OCP

MOTION R21/248

MOVED AND SECONDED

THAT the C2C Forum staff report be received for information and discussion; and,

THAT a virtual C2C Forum be held on November 16 from 10:30 am – 1:30 pm with the K'omoks First Nation.

CARRIED

- b) Revisions to Council Procedure Bylaw No. 416

MOTION R21/249

MOVED AND SECONDED

THAT the Revisions to Council Procedure Bylaw No. 416 staff report be received for information and discussion.

CARRIED

MOTION R21/250

MOVED AND SECONDED

THAT Council direct staff to revise Council Procedure Bylaw No. 416 to include a public question period at the beginning of the meetings.

Opposed Cllrs Poulsen, Cragg, Tinsley, Kirschner DEFEATED

c) Community Resiliency Investment Grant - Curbside Wood Debris Chipping initiative

MOTION R21/251

MOVED AND SECONDED

THAT the Community Resiliency Investment Grant staff report be received for information and discussion; and,

THAT the Village of Sayward approve submission of an application to the 2022 Community Resiliency Investment grant program and managing the project if successful in obtaining grant funding.

CARRIED

d) Revisions to Motion R21/240 Water Metering

MOTION R21/252

MOVED AND SECONDED

THAT the Revisions to Motion R21/240 Water Metering staff report be received for information and discussion.

Opposed Cllr Cragg CARRIED

MOTION R21/253

MOVED AND SECONDED

THAT MOTION R21/240 be revised to read as follows:

THAT a Water Metering Bylaw be developed for Council consideration to require installation of water meters to meter all commercial and industrial water users and on all new construction so that when water meters are installed community-wide, water use will be measured for everyone to promote water sustainability and equity in billing.

Opposed Cllr Cragg CARRIED

e) Financial Statements/Variance Report to Sep 30, 2021

MOTION R21/254

MOVED AND SECONDED

THAT the Financial Statements/Variations to Sep 30, 2021 staff report be received for information and discussion.

CARRIED

f) Shared Fire Service

MOTION R21/255

MOVED AND SECONDED

THAT the Shared Fire Service staff report be received for information and discussion.

CARRIED

MOTION R21/256
MOVED AND SECONDED

THAT this initiative be tabled until a future meeting in order for Council to consider the options more carefully.

CARRIED

g) Motion to remove Letters Patent

MOTION R21/257
MOVED AND SECONDED

THAT the Motion to remove Letters Patent staff report be received for information and discussion.

Opposed Cllr Cragg CARRIED

MOTION R21/258
MOVED AND SECONDED

THAT citizens be asked the following question, and that the question accompany the mail out survey on a proposed new Fireworks Bylaw:

"Do citizens support Council investing resources to identify the costs, benefits and process to remove the corporate status of the village and turn it into an electoral area where water, sewer, roads and drainage services are provided by the SRD under the guidance of a single electoral area director, with taxes paid to the SRD versus the Village?"

Opposed Cllrs Poulsen, Cragg CARRIED

13. Bylaws

a) Ticketing Bylaw No. 422, 2021

MOTION R21/259
MOVED AND SECONDED

THAT the Ticketing Bylaw No. 422, 2021 staff report be received for information and discussion; and,

THAT Ticketing Bylaw No. 422, 2021 be given first, second and third reading.

CARRIED

b) Permissive Tax Exemption Bylaw No. 477, 2021

MOTION R21/260
MOVED AND SECONDED

THAT Permissive Tax Exemption Bylaw No. 477, 2021 be given fourth and final reading.

CARRIED

13. New Business - None

14. Public Question Period (maximum 15 minutes)

15. In-Camera – None

16. Adjournment

MOTION R21/261

Moved AND SECONDED

THAT the Regular Meeting of Council for October 19, 2021 be adjourned.

CARRIED

The meeting was adjourned at 8:35 PM.

Mayor

Corporate Officer



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

October 22, 2021

Mayor Mark Baker
Village of Sayward
652 H'Kusam Way
Sayward, BC V0P 1R0
Original sent: mark.baker@saywardvalley.ca

Dear Mayor Mark Baker,

Re: Appointment to the 2022 Vancouver Island Regional Library Board

It is time to consider your 2022 representation on the Vancouver Island Regional Library (VIRL) Board of Trustees. VIRL is the fifth largest library system in British Columbia serving more than 457,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the Central Coast. VIRL enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

In appointing your representative, the *Library Act* (August 12, 2020), section 17 (2) states:
"All subsequent regular appointments must be made each November at the first meeting of the municipal council or regional district board."

The term of office is January 1 to December 31. Reappointment of sitting members is encouraged for continuity, with no more than 8 consecutive years served.

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

Please submit for both your appointed Trustee and Alternate:

1. Certified copy of the Resolution (by provincial legislation)
2. VIRL 2022 Appointment Form
3. 2022 Financial Statement of Disclosure
4. Direct Deposit Authorization form (for travel expense reimbursement)

Strong Libraries ■ Strong Communities

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

By December 10, 2021, return completed forms to Mariah Patterson, Executive Assistant, mpatterson@virl.bc.ca. Please call 250-729-2310 or email if you have any questions.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hyman".

Ben Hyman
Executive Director

cc: Ann MacDonald, CAO, Village of Sayward
Lisa Clark, CFO, Village of Sayward



BRITISH COLUMBIA

VIA EMAIL

Ref: 621120

October 27, 2021

His Worship Mark Baker
and Members of Council
Village of Sayward
PO Box 29
Sayward BC V0P 1R0
Email: mayor@saywardvalley.ca

Dear Mayor Baker and Councillors:

Thank you to your delegation for meeting with ministry representatives during this year's virtual Union of BC Municipalities (UBCM) Annual Convention process. Throughout the COVID-19 pandemic, we have continued to adapt and develop new approaches to how we conduct our work. I am pleased that our governments have had the chance to connect and I want to thank your delegation for its flexibility with provincial appointments this year.

As the Attorney General and Minister responsible for Housing, I write to acknowledge topics raised during our conference call, including building more affordable rental housing, and addressing the infrastructure needs that makes more housing possible.

I encourage you to consider approaching the HousingHub, where BC Housing seeks partnerships with private and non-profit sectors, and all levels of government to create more affordable rental housing and homeownership options for middle-income British Columbians. For more information about HousingHub, please contact Raymond Kwong, Provincial Director of HousingHub, BC Housing, by email at: rk Wong@bchousing.org or HousingHub@bchousing.org, or by telephone at: 604-439-3587.

I am glad to hear there are public and private land opportunities. I encourage you to convene a meeting between yourselves, developers, and BC Housing to determine how they can help meet the housing and infrastructure needs of your community. Staff from BC Housing will reach out to your Chief Administrative Officer, Ann MacDonald, to discuss how to move forward with this meeting.

.../2

Ministry of
Attorney General

Office of the
Attorney General

Mailing Address:
PO Box 9044 Stn Prov Govt
Victoria BC V8W 9E2
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Telephone: 250-387-1866
Facsimile: 250-387-6411

His Worship Mark Baker
and Members of Council
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Thank you, again, to your delegation for the meeting.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing

pc: Douglas Scott, Deputy Minister, Crown Agencies Secretariat
Angela Cooke, Associate Deputy Minister
Shayne Ramsay, CEO, BC Housing
Michelle Babchuk, MLA, North Island
Councillors Tom Tinsley, Norm Kirschner and Wes Cragg



October 26, 2021

Ref: 268550

Mayors and Regional District Chairs of British Columbia

Dear Mayors and Chairs:

I am writing to you to provide you with an overview of the proposed legislative amendments in [Bill 26](#), the *Municipal Affairs Statutes Amendment Act (No. 2), 2021* that was introduced by Minister Josie Osborne in the B.C. Legislature today.

Bill 26 proposes amendments to various pieces of provincial legislation including the *Community Charter* and the *Local Government Act* among other acts. The amendments will address a variety of topics including:

- new tools to help local governments support housing supply by streamlining their development approval processes,
- modernized public notice requirements,
- the requirement for councils and boards to consider codes of conduct, and
- community specific amendments including allowing the dissolution of the Jumbo Glacier Mountain Resort Municipality.

Together, the amendments in this bill will have meaningful impact by providing authorities that support efficient and effective local government operations. These amendments address issues not contemplated by existing legislation, and they will enable local governments to respond to circumstances in their community and provide new tools to increase the efficiency and timelines of housing development.

The Province's news release and information bulletin for the legislation are available here:

<https://news.gov.bc.ca/25595>

<https://news.gov.bc.ca/25596>

Progress of Bill 26 in the B.C. Legislature can be tracked [here](#).

Here are further details regarding the items in Bill 26. I will send a circular with further technical details on the amendments to local government Chief Administrative Officers shortly.

Development Approvals Process Review

To support the streamlining of local government development approvals process and increased housing supply, this bill proposes legislation to remove the default requirement for local governments to hold public hearings for zoning bylaws that are consistent with an official community plan and enable local governments to delegate minor development variance permits to local government staff.

The Province initiated the Development Approvals Process Review (DAPR) to improve the efficiency and effectiveness of development approvals as a way to support the affordability and timeliness of new housing supply getting to market. Stakeholders who participated in DAPR consultations identified process improvement in relation to public hearings and delegation of authority in certain matters from council to municipal staff as two initial areas of action that could have an impact on streamlining development approvals.

Modernizing Public Notice Requirements

We have heard from local governments that the existing notice requirements under local government legislation do not fully meet community needs and the realities of modern electronic communication, particularly in smaller and rural communities.

Bill 26 addresses these concerns by modernizing the options for providing statutory notice to citizens, similar to other provinces. The bill creates a new “local choice” option for local governments to determine and specify, by bylaw, the means of public notice that will have the broadest reach in their communities. This change recognizes that local governments are in the best position to determine how to notify and engage community members and provide greater flexibility for them to reach a wider audience.

Where the existing rules are working well for communities, there will be no requirement to change, and they may continue to use the newspapers for notice. However, the new rules provide additional choices and modernized options for communities that determine they have need for additional or alternative approaches.

Code of Conduct

The bill contains changes that aim to strengthen the responsible conduct of local elected officials. Codes of conduct set shared expectations for behaviour, and these amendments will add a new requirement for all municipal councils and regional district boards to publicly consider the development of a code of conduct for their council or board members.

Currently, there is no requirement for local governments to develop codes of conduct or engage in a conversation about having a code of conduct. The changes in this bill create a standardized process for elected officials to engage in regular and meaningful dialogue about how they will govern together while demonstrating their accountability to the public.

The proposed approach has been developed through a joint Ministry Working Group with UBCM and LGMA and responds to calls for more tools to strengthen local government responsible conduct and was

supported through an endorsed resolution of the membership of the Union of BC Municipalities at the September 2021 Convention.

These changes will not take effect until a regulation to bring them into force is passed – likely in Spring 2022. Additional guidance material will be provided to local governments when the changes are brought into force.

Dissolution of Jumbo Glacier Mountain Resort Municipality

Amendments in this bill will enable the dissolution of the Jumbo Glacier Mountain Resort Municipality (Jumbo). Jumbo was incorporated as a mountain resort municipality in 2013, with no residents, to facilitate the development of a ski resort in the Jumbo Valley.

Specialized provisions are required for the dissolution of Jumbo as the existing authorities are not sufficient to dissolve a municipality without residents or to accommodate changes to revert this area to the Regional District of East Kootenay. The amendments will also repeal the authority to incorporate a mountain resort municipality without residents, like Jumbo, in the future.

The provisions in this bill to enable the dissolution of the municipality at Jumbo are also integral to the agreement between the province and the Ktunaxa Nation to create an Indigenous Protected and Conserved Area in the Jumbo Valley.

Islands Trust Act Amendments

Bill 26 includes amendments to the *Islands Trust Act* that address specific requests made by the Islands Trust. The amendments will support effective governance by ensuring the Islands Trust is able to meet its specialized mandate to “preserve and protect” the Trust Area.

The Islands Trust has demonstrated leadership in reconciliation efforts in its dealings with First Nations’ interests in Islands Trust governance and activities. The proposed changes in this bill amend the *Islands Trust Act* to include a specific reference to First Nations in the Trust’s objective statement in the Act to recognize and enshrine its ongoing relationship and reconciliation efforts with First Nations.

Amendments will also enable the Islands Trust to provide financial support to third parties for activities that provide education about or preserve the environment and unique amenities of the Trust Area. This ability to support community efforts to educate about the Islands Trust environment and unique amenities complement the existing ability to support heritage and history projects that already exists in the Act.

And finally, the proposed amendments will streamline development approvals processes in the Islands Trust by enabling local trust committees to adopt and amend Development Approval Information bylaws. This change is consistent with other authorities of Local Trust Areas in the Trust and will create efficiencies in approval processes.

Powell River Incorporation Act

Bill 26 adds new targeted amendments to the unique statute incorporating the City of Powell River – the *Powell River Incorporation Act* (PRIA) - as requested by the City of Powell River. The PRIA contains extensive limitations on municipal regulation of the mill in Powell River and the “Mill Site” area of the City. These provisions protected the operations of the pulp mill at the time of incorporation but reduced activity of the mill and transfer of mill lots to the City have made these restrictions a constraint on economic development of those lots – now owned by the City.

The proposed amendments will support the City’s economic development objectives by removing city owned parcels from the “Mill Site” area to allow for further development of those parcels. This proposal is supported by the current mill owner, Paper Excellence and the Tla’amin First Nation.

I trust you find this information helpful, and I also appreciate you communicating back this information from the province to your councils and boards, to your local government staff and to your communities.

Kind regards,



Tara Faganello
Assistant Deputy Minister

pc: Honourable Josie Osborne, Minister of Municipal Affairs
Gary MacIsaac, Executive Director, UBCM
Nancy Taylor, Executive Director, LGMA
Todd Pugh, Executive Director, Civic Info
Chief Administrative Officers of BC



COUNCILLOR'S REPORT

For: Mayor and Council
Prepared by: Councillor Norm Kirschner
Subject: **Reconsidering a Motion**
Meeting date: November 2, 2021

BACKGROUND

On October 19th Council passed the following resolution:

MOTION R21/258
MOVED AND SECONDED

THAT citizens be asked the following question, and that the question accompany the mail out survey on a proposed new Fireworks Bylaw:

“Do citizens support Council investing resources to identify the costs, benefits and process to remove the corporate status of the village and turn it into an electoral area where water, sewer, roads and drainage services are provided by the SRD under the guidance of a single electoral area director, with taxes paid to the SRD versus the Village?”

Opposed Cllrs Poulsen, Cragg

CARRIED

This was an amended resolution from October 5, 2021 where Councillor Cragg tabled the following motion that was carried:

MOTION R21/233
MOVED AND SECONDED

THAT in conjunction with the Fireworks Household Survey a question be sent out for discussion among the citizens of the Village of Sayward to seek citizens' interest in the Village becoming an electoral area of the SRD.

Opposed Mayor Baker, Cllr Tinsley

CARRIED

The purpose of this report is for Council to reconsider the motion per Section 27 (2) of Council Procedure Bylaw No. 416 that states:

(2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.

DISCUSSION

The Village of Sayward Council Procedure Bylaw No. 416 states the following with respect to Council reconsidering a motion it has previously supported:

Reconsideration by Council Member

27.) (1) *Subject to subsection (5), a Council member may, at the next Council meeting,*

(a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and

(b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

(2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.

(3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.

(4) A vote to reconsider must not be reconsidered.

(5) Council may only reconsider a matter that has not:

(a) had the approval or assent of the electors and been adopted

(b) been reconsidered under Section 27 (1) of this Bylaw or section 131 of the Community Charter [mayor may require Council reconsideration of a matter],

(c) been acted on by an officer, employee, or agent of the Village.

(6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.

(7) A bylaw, resolution, or proceeding that is reaffirmed under Section 27 (1) of this Bylaw or section 131 of the Community Charter is valid and has the same effect as it had before reconsideration.

Section 131 of the Community Charter provides the following:

Mayor may require council reconsideration of a matter

131 (1) *Without limiting the authority of a council to reconsider a matter, the mayor may require the council to reconsider and vote again on a matter that was the subject of a vote.*

(2) As restrictions on the authority under subsection (1),

- (a)the mayor may only initiate a reconsideration under this section*
(i)at the same council meeting as the vote took place, or
(ii)within the 30 days following that meeting, and
- (b)a matter may not be reconsidered under this section if*
(i)it has had the approval of the electors or the assent of the electors
and was subsequently adopted by the council, or
(ii)there has already been a reconsideration under this section in
relation to the matter.
- (3) On a reconsideration under this section, the council*
(a)must deal with the matter as soon as convenient, and
(b)on that reconsideration, has the same authority it had in its original
consideration of the matter, subject to the same conditions that applied to
the original consideration.
- (4) If the original decision was the adoption of a bylaw or resolution and that*
decision is rejected on reconsideration, the bylaw or resolution is of no effect and
is deemed to be repealed.

RECOMMENDATIONS

THAT Council receive Councillor Kirschner's report for information and discussion.

THAT Council rescind motion R21/258.

THAT Council rescind motion R21/233.

Respectfully Submitted,

Councillor Norm Kirschner

Attachment:

- **Repeal, Rescission, and Reconsideration in Local Government Legislative Procedure, Nov 2013, Bill Buholzer**

**ON SECOND THOUGHT:
REPEAL, RESCISSION, AND RECONSIDERATION IN LOCAL GOVERNMENT
LEGISLATIVE PROCEDURE**

NOVEMBER 29, 2013

Bill Buholzer

ON SECOND THOUGHT: REPEAL, RESCISSION, AND RECONSIDERATION IN LOCAL GOVERNMENT LEGISLATIVE PROCEDURE

I. INTRODUCTION

As the level of government that is closest to the people, municipalities and regional districts are often the first governments to respond to novel or emerging problems and issues that are of concern to their electorates. Frequently, initial responses to such problems need to be rethought and in some cases reversed, as the novel issue becomes more thoroughly understood. Even with longstanding issues and problems, the accessibility of the decision-making process to the electorate and the relative ease with which resolutions and bylaws can be adopted makes it more likely that decisions at the local level will be made hastily. Small quorums can result in decisions that don't reflect the will of the municipal council or regional board majority as it would be expressed when all members are present, leading to initiatives to have decisions from previous meetings reconsidered. Local government elections are generally held more frequently than elections at other levels of government, resulting in more frequent opportunities for decision-makers to seek to reverse the decisions of their predecessors in order to carry out electoral mandates. These features of local government decision-making make changing legislative direction a relatively common occurrence at the local level. There are several procedures that can be used to change direction. The purpose of this paper is to place each of these procedures in its context, explore some of the issues that can arise in relation to each, to provide suggestions as to which procedure ought to be used in particular circumstances, and to give special attention to the peculiar phenomenon of reconsideration, which doesn't exist at the senior levels of government.

II. PRELIMINARY CONSIDERATIONS ON CHANGING DIRECTION

Several of the issues that arise when considering how a legislative body may change direction stem from certain basic procedural rules and from the rules governing when a resolution or bylaw takes effect. The most basic rule is that, once a legislative body like a municipal council or regional board has decided a matter, the topic is in most respects closed. *Bourinot's Rules of Order* sets this out as follows:

"When a vote has been taken and the motion declared either carried or lost, that decision becomes formally the decision of the body in question and is so recorded. A question once decided cannot be brought up again at the same meeting, but if it should become necessary to rescind a motion that has been passed, notice of intention can be given at one meeting and a motion for rescinding be introduced and dealt with at a subsequent meeting. Ordinarily a motion that has once been negatived cannot be reintroduced; however, another motion of similar intent but different in some particulars may be entertained at the discretion of the chairman [emphasis added].

The democratic right to introduce a proposition in the form of a motion, and of full debate and a free vote thereon, carries with it the obligation of the majority to respect its own decisions to the same extent as the obligation of a minority to accept and respect decisions of the majority. In other words, a decision reached by due process must be recognized and observed as such by all concerned; if it involves action, of whatever nature, that action must be taken.”¹

Note the distinction made in this passage between a motion that has been carried and one that has been lost. A motion that has been carried can be rescinded at a subsequent meeting. According to Bourinot, a motion that has been lost stands on a different footing; it cannot be reintroduced, because the assembly must “respect its own decisions”. As will be seen, however, in local government in BC a motion that has been lost can in fact be reintroduced, through the process of reconsideration.

A second issue arises from the fact that resolutions and bylaws generally take effect from the date of their adoption, or some date in the future; they are not considered to have retroactive effect, and the authority of municipalities and regional districts to legislate retroactively is very limited. Thus, for example, if a municipal council imposes a swimming pool user fee of \$5 per visit on September 1 to take effect immediately, and on second thought on October 1 considers that a user fee of \$6 per visit ought to have been imposed, rescinding or reconsidering the September 1 resolution is not an appropriate procedure because some \$5 user fees will already have been paid. The council cannot set a \$6 user fee retroactive to September 1 (even if there were some practical means to collect the additional \$1 from September users). The most that the council can do is set a \$6 user fee effective October 1, which requires a further resolution identical to that passed on September 1 except for the amount. The wording of the October 1 resolution does not need to refer to the resolution of September 1, or for that matter to any similar resolution from previous years; it may simply speak to the future.

III. MAKING A FRESH DECISION

In many cases including the example just given, a change of direction in local governance can be accomplished by simply making a fresh decision. To take another example, suppose that the municipal council decides in the fall to close the municipal swimming pool for one day each week to save money, by means of a simple resolution passed at a council meeting, resolving that the facility be closed to the public on Mondays, effective October 1. Staff then discover that the local school district has scheduled Monday physical education classes for the facility for the next term, and decide to recommend that the facility be closed on Fridays instead of Mondays beginning in the spring school term. There is no need for the council to repeal, rescind or reconsider its previous decision regarding Monday closures. It may simply pass a further resolution that the facility be closed to the public on Fridays instead of Mondays, effective January 1. Normally, a council resolution is interpreted as indicating the will of the council as of the date it is passed, and as repealing by implication any previous resolutions having

¹ *Bourinot's Rules of Order*, Third Revised Edition 1977, at p. 47.

inconsistent effect. In this case, the fall resolution has been effective to establish the schedule for the facility during the fall months, and the council is concerned not with the operation of the resolution during the latter part of the year, but with its effect in the new year. This concern can be met with the simplest measure: passing a fresh resolution expressing the new will of the council.

IV. RESCINDING A PREVIOUS RESOLUTION

The passage from *Bourinot's Rules of Order* quoted at the beginning of this paper refers to the rescinding of a motion that has been passed as an exception to the rule that "a question once decided cannot be brought up again". Robert's Rules stipulates that motions to rescind may be made at any time after the original motion was passed, but is not in order in relation to something that has been done as a result of the original motion that cannot be undone, or when someone has moved to reconsider the original motion and that motion has not yet been voted on. Some procedure bylaws require notice of a motion to rescind. No time limits are applicable, but a motion to rescind a motion that has already been acted upon would be out of order. A real-life example of rescission is the motion of the City of Toronto Council of February 7, 2012 to rescind its August 25, 2010 resolution requiring then Councillor Ford to reimburse the City in the amount of \$3150 in relation to football club donations that he had solicited in his capacity as a member of Council (a motion on which Ford voted as Mayor, leading to proceedings to disqualify him for conflict of interest). Council's 2010 motion had, notoriously, not yet been acted upon – Ford had not made the reimbursement payment – so the motion to rescind was in order. (It passed, and Ford was exonerated in the disqualification proceedings on the grounds that the Council had no authority to pass the 2010 reimbursement resolution in the first place.)

The topic of rescission sometimes comes up when a council or board has rejected a bylaw at third reading or adoption, and staff or elected officials turn their minds to the status of the bylaw that has had two or three readings but has not been adopted. Is it necessary or appropriate to rescind the resolutions that gave readings to the bylaw? (Some elected officials seem to think that a bylaw has not truly been defeated until all readings have been rescinded.) Note that external authorities like the Minister of Community Development do not rescind their approval of bylaws given after third reading and before adoption, if the bylaw is not adopted. The fact that the approval has been given makes it possible for the bylaw to be brought forward for adoption a second time, subject to any applicable procedural rules on repetitive motions, but the external approval authorities don't seem to consider this a problem. Rescinding the early readings of a bylaw may provide the illusion that the bylaw has had a wooden stake driven through its heart, but the fact is that first and second readings can be moved again, subject to any local procedural limitations on repetitive motions, restoring the bylaw's status quo, and the resolution to rescind first and second reading can perhaps itself be rescinded. (Alberta's *Municipal Government Act* provides that the previous readings of a proposed bylaw are rescinded if the bylaw is defeated on second or third reading, or does not receive third reading within 2 years of first reading. We have no such legislation in BC.)

The proceedings of the Legislative Assembly are littered with Bills that did not proceed past first, second or third reading, and the Legislature takes no “housekeeping” steps to get rid of them; they simply form part of the archival history of the Legislature. We suggest that local governments approach defeated legislation in the same fashion, by simply abandoning the bylaws at the point at which their progress through the local legislative process was halted. (We have seen some proposed bylaws in which the legislative services staff have used word processing software to insert on each page of the document a large watermark indicating “Abandoned on [date]” – which if the document is then locked against further editing would reasonably ensure that subsequent readers of the document in electronic form will know that it didn’t make it through the entire legislative process.) A formal motion to abandon or to “proceed no further” is not necessary. The minutes of the local government speak for themselves, recording that the bylaw achieved certain readings but that its progress was halted at a certain point in the adoption process. A motion to proceed no further would be subject to being rescinded itself if the council or board changes its mind again.

Rescission is sometimes convenient for procedural reasons. A common circumstance is the rescission of the resolution giving third reading of a bylaw that requires a statutory public hearing prior to third reading, where the council or board wishes to hold another public hearing either because it wishes to alter the bylaw or because it would be procedurally unfair to adopt the bylaw without holding a further hearing. Rescission reverses the clock to the point that additional procedural steps can be taken in proper sequence.

V. REPEALING A BYLAW

According to s. 137 of the *Community Charter*, the power to adopt a bylaw includes the power to amend or repeal such a bylaw, and the power to amend or repeal must be exercised by bylaw and is “subject to the same approval and other requirements, if any” as the power to adopt a new bylaw. The amendment or repeal of a bylaw is an obvious way for a municipal council or regional board to change direction.

The usefulness of reconsideration as an alternative to repeal arises in relation to the “same approval and other requirements” aspect of s. 137. In the context of a zoning bylaw, OCP or any bylaw requiring an external approval such as that of the Ministry of Community Development, this proviso means that before repealing a bylaw the local government must repeat all procedural steps that applied to its adoption. As we will see when reconsideration cases are reviewed, reconsideration is treated as a continuation of the original legislative process, and can therefore be done without repeating procedural steps.

(As an aside, it is never appropriate to repeal a bylaw that amended a bylaw. When an amendment bylaw is adopted, it merges with the bylaw it amends and is said to be “spent”. Reversing the effect of an amendment bylaw is accomplished by further amending the base bylaw to back out the amendment. For example, if Zoning Bylaw No. 1000 is amended by Zoning Amendment Bylaw No. 1099 to add “growing and packaging of medical marihuana” to a list of permitted uses in the General Industrial Zone, and the council or board changes its mind

about that amendment a year later, it must do so by adopting a further amendment to Zoning Bylaw No. 1000 to delete that use from the list of permitted industrial uses. It does not repeal Zoning Amendment Bylaw No. 1099. This is why it is never necessary, when repealing a bylaw, to repeal "Bylaw No. XXX and all its amendments". It is sufficient to simply repeal Bylaw No. XXX.)

VI. RECONSIDERATION

As Bourinot observes in the passage quoted at the beginning of this paper, "[o]rdinarily a motion that has once been negatived cannot be reintroduced". Reconsideration of a resolution is a special means of changing direction that is unlike repeal or rescission, in that it is a continuation of the legislative procedure by which the resolution to be reconsidered was initially put before the legislative body and voted on, rather than a fresh legislative initiative. No local government legislative process in British Columbia can be considered to have ended with finality until all possibility of reconsideration of the matter in question has been exhausted. Reconsideration initiated by a mayor or regional board chair, in the exercise of statutory powers to do so, becomes impossible simply with the passage of a relatively brief period of time. Reconsideration initiated under the local government's procedure bylaw is another matter.

A. "Reconsidered and finally adopted"

As a preliminary point, reconsideration of a bylaw initiated by a mayor or regional board chair, or by members of council or the regional board pursuant to its procedure bylaw, is different from the notional "reconsideration" that at one time occurred concurrently with adoption of a bylaw in this province. Throughout most of the history of local government in BC, the adoption of a bylaw had to be accompanied by a "reconsideration" of the bylaw, perhaps indicating a belief on the part of the Governor of the Crown Colony who initially provided for the establishment of local government, and later the provincial Legislature, that municipal councils might be inclined to legislate impulsively. (At the federal level, "sober second thought" notionally occurs in the Senate chamber which must pass legislation referred from the House of Commons before it receives Royal Assent.) An early example of the requirement for reconsideration may be found in the *Victoria Incorporation Act, 1862*, which provided that "[e]very Ordinance passed by the Council shall be reconsidered not less than three days after the original passage, and if confirmed, shall come into effect and be binding on all persons after seven days from the publication of the same".

The last vestige of this kind of requirement, repealed out of the *Municipal Act* around 1990, stipulated that a bylaw had to be reconsidered and adopted not less than one day after third reading. In consequence of this historical statutory language, the bylaw boilerplate of many municipalities in BC still indicates that the bylaw was "reconsidered and finally adopted" on such-and-such a date. However no formal reconsideration of the bylaw actually occurred, with the result that the municipality would likely consider that the bylaw is still eligible for formal reconsideration despite any procedure bylaw stipulation (and the rule in *Robert's Rules of*

Order) that a bylaw may be reconsidered only once. This kind of bylaw boilerplate was the source of considerable confusion and inconvenience in *Virdis v. North Vancouver (City)*,² in which there was an issue as to whether a failed motion on an OCP amendment, recorded in the council minutes under the pro forma heading “Reconsideration and Adoption”, precluded the council from dealing again with the same OCP amendment application within the re-application period stipulated in the land use procedures bylaw (during which a 2/3 majority of council would be required to enable it to consider the application again). The City claimed that the “reconsideration” motion recorded in the minutes was a separate and discrete legislative procedure from a motion to adopt the bylaw, which had allegedly not yet been made or voted on, but the Court disagreed, holding that “reconsideration and adoption” was a single legislative step given that the debate on the motion had clearly encompassed the question of adoption – a conclusion that seems fully supported by the legislative history around mandatory reconsideration. Generally we suggest that, now that the mandatory requirement to “reconsider” bylaws has been repealed, this boilerplate be removed from local government bylaw templates, and that the template simply indicate that the bylaw was “Adopted” on a certain date.

B. Inherent right to reconsider

A useful starting point for any discussion on reconsideration is the observation of the Court of Errors and Appeals of New Jersey in *Jersey City v. State*,³ later cited with approval in the Canadian context in *Re Dewar and East Williams (Township)*⁴ that “the right of reconsidering lost measures inheres in every body possessing legislative powers”.⁵ *Bourinot’s Rules of Order* deals with reconsideration in the following terms, again emphasising that this is a procedure for dealing with motions that have failed:

“[P]rocedures are sometimes provided for not only rescinding a motion decided in the affirmative, but also reconsidering a negative decision. A reconsideration rule usually provides that a person must give notice in writing that he will move at the next meeting that a question be reconsidered. The provision is a useful one, in that conclusions occasionally may be reached hastily or on the basis of inadequate information and a later review may well be in the public interest. It is nevertheless important that reconsideration not be allowed except upon due notice and formal motion, and it is customary to insist on a two-thirds majority vote on a motion to reconsider.”⁶

² [2009] B.C.J. No. 1636 (S.C.), appeal dismissed [2010] B.C.J. No. 808 (C.A.)

³ (1863), 30 N.J.L. 521 at 529.

⁴ [1905] O.J. No. 90 (Ontario High Court of Justice).

⁵ An early reference to this observation is found in the BC Supreme Court’s decision in *Bay Village Shopping Centre Ltd. v. Victoria (City)*, [1971] B.C.J. No. 140.

⁶ Third Revised Edition, 1977, at pp. 47-48.

Robert's Rules of Order has the following:

"Reconsider – a motion of American origin – enables a majority in an assembly, within a limited time and without notice, to bring back for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote."⁷

Robert notes that the motion to reconsider can be made only by a member who voted with the prevailing side – a rule that protects against the mischievous use of the motion by a defeated minority, that the motion must be made within the same "session" as the first motion, and that the motion cannot itself be reconsidered. A time limit is usually not applied in the local government context except in the case of the mayor's statutory powers to initiate reconsideration, where a 30-day rule applies.

C. Initiation of reconsideration by the Mayor

The *Community Charter* in s. 131 enables a mayor to require the council to reconsider a matter that was the subject of a vote, and vote again on the matter. This may be done at the same council meeting as the original vote, or within the following 30 days. The council must deal with the matter "as soon as convenient", which does not necessarily mean at the meeting at which the mayor initiated the process if the council chooses to table the matter to a subsequent meeting. If a bylaw or resolution is rejected on reconsideration, s. 131 says that it is of no effect and is deemed to be repealed. Previous legislation required the mayor to initiate the process by stating his objections to the bylaw or resolution in question, and barred the use of this procedure if an officer or agent of the municipality had already acted upon the bylaw or resolution. These provisions did not find their way into the *Community Charter*. This mayoral power does not exist in most of the other provinces.

Procedurally, the appropriate step for a mayor to take to initiate a reconsideration at a subsequent meeting of council would be to cause the matter to be placed on the agenda of the meeting during the usual agenda-setting process. Alternatively, the mayor could bring the matter forward as new business as the meeting agenda is being adopted. The statutory right of the mayor to require the council to reconsider a matter cannot be subject to any requirement that the council as a whole first approve such an agenda item; rather, s. 131 puts a matter back before the council for decision as if a motion to reconsider had been moved, seconded, debated and voted on in the affirmative by the council.

⁷ Tenth Edition, 2000, at p. 304.

D. Initiation by other members of Council under the Procedure Bylaw

Most council and regional board procedure bylaws make express provision for motions to reconsider, in addition to incorporating Robert or Bourinot and thereby indirectly establishing a reconsideration procedure following the rules laid down by those authors. Procedure bylaws stipulate some or all of the following conditions:

- Notice of motion is required;
- the motion must be made by a member who voted on the prevailing side on the original motion;
- the motion must be seconded;
- the motion cannot be made if a specified period of time has elapsed since the original motion was voted on;
- the motion cannot be made if the local government has acted on the original motion;
- the motion cannot be made if a third party has acted on the original motion;
- the motion cannot be made if the matter has already been reconsidered; and
- the motion requires a simple majority vote.

E. Reconsideration procedure

The effect of an adopted motion to reconsider, or an announcement by a mayor that he or she is requiring the council to reconsider a matter under s. 131, is that the matter being reconsidered is back on the table as if the vote that disposed of the matter had not been taken, and is open for debate. Usually, the mayor or the council member who moved to reconsider opens the debate by stating their reasons for doing so. These may be very simple; for example, a member of council who voted in the negative had misunderstood the motion and actually intended to vote in the affirmative, or members of council who were not present for the vote are now present, and are sufficient in number to change the outcome of the vote. Or they may be more complex, involving new or additional information relevant to the decision that has come to light and that the member of council believes ought to have been taken into consideration. At the close of debate, a vote is taken on the motion just as it was taken on the original motion. The decision stands as the decision of the council or board, notwithstanding its decision on the original motion, which remains in the minutes of the previous meeting but is superseded by the decision reached after reconsideration of the matter. The rule in s. 131 and in Robert that a matter cannot be reconsidered more than once, gives finality to this decision.

F. Reconsideration and statutory procedural requirements

Reconsideration of bylaws enacted or rejected after statutory notifications or a statutory public hearing raises particular issues, on which reasonably consistent direction has been provided in a series of judicial decisions. In the following cases, the court held that a fresh public hearing was required if the council wished to reconsider a bylaw that had been the subject of a public hearing:

*“Witt v. Surrey*⁸: The mayor initiated reconsideration at the council’s inaugural meeting of zoning and OCP amendments adopted just prior to a civic election, under previous legislation that required the mayor to state his reasons for doing so. The bylaws were rejected by the new council, and the owners who had applied for the bylaw amendments sought judicial review, on the grounds that the mayor had not in fact stated his reasons, and that the council had not held a fresh public hearing and had therefore violated the rule now found in s. 131(3)(b) of the *Community Charter* that the council’s authority on reconsideration initiated by the mayor is subject to the same conditions that applied to the original consideration. They succeeded on both grounds, the Court holding that the public had a right to be heard with respect to whatever reasons the mayor had given for bringing the matters back before Council.

*Bay Village Shopping Centre v. Victoria*⁹: The council adopted a zoning amendment bylaw after a resolution to adopt the bylaw had been defeated, the council received further representations by the applicant, and the municipality held another public hearing without giving proper notice. The bylaw was quashed for failure to comply with the statutory hearing notification procedure.”

In the following cases, the court held that it was not necessary to provide fresh notification and another public hearing opportunity before reconsidering a bylaw that was the subject of a public hearing:

*“Royal Oak College v. Burnaby*¹⁰: The Council initiated reconsideration of a defeated zoning amendment bylaw pursuant to its procedure bylaw, and adopted the zoning amendment. Distinguishing *Witt*, the Court held that there was no need for another hearing where there was no statutory requirement that anyone give reasons for initiating reconsideration. The Court indicated that notice and a further hearing would only be required where the council proposed to adopt something substantially different from what was addressed at the public hearing.

⁸ [1989] B.C.J. No. 886 (S.C.)

⁹ [1973] 1 W.W.R. 634 (B.C.C.A.)

¹⁰ [1993] B.C.J. No. 469 (S.C.)

*Lecompte v. Chilliwack*¹¹: The Council reconsidered a zoning amendment bylaw that had been defeated on a tie vote, pursuant to its procedure bylaw, and passed the bylaw. No further public hearing was held. The Court upheld the bylaw, noting that the bylaw that was passed was the same as the one that had been considered at a public hearing and the public had therefore not been deprived of the opportunity to be heard.

*Wingold Construction Ltd. v. Surrey*¹²: Council defeated a zoning amendment bylaw following a public hearing, then reconsidered the matter under its procedure bylaw and adopted the bylaw without further hearing. The Court held that there was no need for a further hearing where reconsideration occurred in a timely fashion and no substantive change had been made in the bylaw."

(There is an additional case, *Brentwood Lakes Golf Course Ltd. v. Central Saanich*,¹³ in which, as in *Witt v. Surrey* decided two years previously, the Council adopted OCP and zoning amendments just prior to an election and the mayor brought them back for reconsideration after the election. Another public hearing was held, the bylaws were repealed, and the repeal bylaws were attacked on the grounds that the notices for the second hearing were defective. That attack failed, with the Court making no observations on whether the second hearing was actually required – likely because, instead of simply reconsidering the adopted OCP and zoning amendment bylaws and defeating them on reconsideration, the District had created new bylaws repealing the amendment bylaws and the statutory hearing and notice requirements clearly applied to the new bylaws. Such a procedure was misconceived, for two reasons – true reconsideration results not in the repeal of adopted bylaws but in a new vote on adoption of those bylaws and possibly a new result, and the repeal of amendment bylaws is not a correct procedure because the amendment bylaws merged with the OCP and the zoning bylaw as soon as they were adopted.)

It seems that the central procedural issue that was addressed in these cases can be addressed by a sharp focus on the statutory rule that an OCP or zoning bylaw cannot be adopted without a public hearing having been held, and the common law rules concerning the receipt of relevant information after a public hearing and before consideration of adoption of the bylaw. Once a public hearing has been properly held, it seems that the bylaw in question can legally be adopted whether or not the resolution adopting the bylaw has been preceded by the defeat of an identical resolution and a subsequent resolution or mayor's intervention initiating reconsideration of the matter. The only circumstance in which a further hearing is required upon reconsideration, one which can arise whether or not a reconsideration step occurs, is where the council has received new, relevant information that could have a bearing on the final outcome and concerning which members of the public have not already had an opportunity to

¹¹ [1988] B.C.J. No. 298 (S.C.)

¹² [1979] B.C.J. No. 1011 (S.C.)

¹³ [1991] B.C.J. No. 2302 (S.C.)

be heard. It seems that the same principle should apply where another kind of procedural step like the approval of a minister or the electors is required; once the approval has been given, the bylaw can be adopted whether or not the adoption resolution has been preceded by the defeat of an adoption resolution and then a motion to reconsider.

VII. IT AIN'T OVER UNTIL IT'S OVER

These zoning cases are a powerful reminder that the local government legislative process is not really over until all possibility of reconsideration has passed – 30 days in the case of reconsideration initiated by the mayor or chair of the regional board, and an indeterminate period of time in the case of reconsideration initiated under a procedure bylaw that doesn't impose a time limit. This fact makes the occasional disputes that arise about whether a council or board retains jurisdiction to not adopt a bylaw after a third reading resolution has passed seem particularly ill-conceived; surely it does, if it retains jurisdiction to not adopt the bylaw after all, even after it has adopted it. It also makes it quite surprising that parties dealing with local governments, and their legal counsel, don't pay more attention to post-adoption scenarios such as the reconsideration and rejection of a zoning amendment after it has been adopted. A purchaser would, it seems, be prudent to draft their contract so that a condition precedent involving the adoption of a bylaw or the passing of a resolution could remain in place at least until the 30-day statutory reconsideration period in s. 131 of the *Community Charter* has elapsed. They would also be prudent to inform themselves as to whether the applicable procedure bylaw allows the introduction of a motion to reconsider even where a third party may have acted upon the resolution or bylaw in question, for example by closing a real estate transaction that was "subject to rezoning". The ability of BC local governments to initiate reconsideration after a bylaw or resolution has been adopted, suggests that it's impossible for outside parties to eliminate all of the risks of sober second thought at the local government level.

NOTES



STAFF REPORT

For: Mayor and Council
Prepared by: Ann MacDonald, CAO
Subject: **Shared Fire Service**
Meeting date: October 19, 2021

BACKGROUND

To obtain Council direction on next steps to explore changes to the shared Fire Service.

DISCUSSION

At its regular Council meeting on August 17, 2021 Council passed the following resolution:

MOTION R21/191

MOVED AND SECONDED

THAT Council receives the Mayor's (verbal) Report; and,

THAT Staff be directed to draft a letter outlining Council's concerns with the study and its recommendations; and,

THAT the Village of Sayward work to promote and strengthen the current model by advertising a public meeting for village and valley residents to discuss the options in the report and to commence the financial planning for 2022 and a new shared services agreement to replace the one about to expire.

CARRIED

The Village sent such a letter and also sent an invitation to the Area A Director to discuss the financial plan for the service, with several dates provided as options. The Village received a reply from the CAO of the SRD who advised that Director Whalley has declined any opportunity to meet with the Council of the Village of Sayward and/or staff. The area director supports the following motion passed on September 8, 2021 at the SRD board meeting:

Whalley/Davis: SRD 777/21

THAT the concept of a sub-regional service model for fire protection through the Regional District be investigated for the Village of Sayward and the Sayward Valley, following which

THAT a further report be prepared for the Board's consideration.

CARRIED

The SRD has advised that the Fire Services Review study (attached) was obtained for the sum of \$10,000. The SRD Board is now faced with the situation of employing more tax dollars and SRD staff resources for a service study that one of the two participants to be included does not support the model, and this would appear to be a wasteful and unfortunate use of resources to provide for unilateral authority to one elected official.

The SRD has requested that Council discuss this and advise the SRD of what the Village will support. If the Village is not supportive of a sub-regional fire service that includes both the Village and the Valley, the SRD may opt to bring forward a subsequent report to the SRD Board at which time we are advised that Director Whalley intends to put forward a motion to explore the option of a single participant fire protection service in Area A in more detail.

The Village is clearly concerned as:

- Two fire services are clearly less efficient and the wrong direction to proceed in terms of sharing resources and services.
- There will likely be problems recruiting enough First Responders as volunteers, a problem we already have with one shared service.
- It will take time and resources to separate the assets, as this has been a shared service for a long time and the Village has good records to show what it owns, what is jointly owned and what is owned by the SRD. The errors in the current agreement will be corrected but it will take time.
- There appears to be no benefits whatsoever and likely more costs; however, given the history and types of call outs, additional tax costs to support two single fire services are likely to impose greater costs on valley residents rather than those in the village given that as much as 70% of the calls have been to the valley, and that has been steadily increasing given that there are more people in the area, larger areas to cover and the nature of the calls. This makes the likelihood of a single service highly unlikely to be supportable or deliverable.

The Village has several options:

1. Invest the costs and time to explore the feasibility of a stand-alone fire service for the Village.
2. Do nothing and only consider next steps if and when the SRD completes its own work on costs and feasibility of a single Area A fire protection service, and determine that to be the best option for Area A.
3. Clarify again to the SRD that the Village supports the option to promote and strengthen the current model by working together in collaboration and by commencing with financial planning for 2022 and a new shared services agreement to replace the one about to expire. This can occur with or without the Area Director in attendance, unfortunately, as he has declined to participate.

RECOMMENDATIONS

THAT the Shared Fire Service staff report be received for information and discussion; and,

THAT Council consider any next steps if the SRD completes its own work on costs and feasibility of a single Area A fire protection service, and determines that to be the best option for Area A; and,

FINALLY THAT the Village clarify again to the SRD that the Village supports the option to promote and strengthen the current model by working together in collaboration toward a new shared services agreement to replace the one about to expire.

Respectfully submitted,

Ann MacDonald
CAO

Attachments:

- **Fire Service Review (Sayward Valley)**



Strathcona Regional District

Fire Service Review

Sayward Valley



aegis risk management ltd., April 2021

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1. EXECUTIVE SUMMARY

The Strathcona Regional District (SRD) contracted Aegis Risk Management Ltd. to conduct a *Fire Services Administrative Review* of fire protection in the Sayward Valley portion of Electoral Area 'A'. The review included an assessment of the current contracted service, the potential to establish a new fire department solely for the portion of Electoral Area 'A', and explored other alternative solutions. The objective is to enhance the SRD's role in the oversight and decision making of the service.

The Current Service Arrangement

Fire protection for the Sayward Valley Fire Protection Service Area is provided by the Village of Sayward Volunteer Fire Department (SVFD) by contract. The contract incorporates a complex funding model that has evolved over time to include cost sharing of operational and capital budgets, and joint ownership of some capital assets. The last contract term expired in 2019 and was extended for an additional 2 years.

Response is from two fire stations – one owned by and located within in the Village of Sayward, the other owned by and located within Sayward Valley. The majority of the fire and emergency incidents occur within the much larger SRD Sayward Valley area, however the Village of Sayward operates the fire department and has administrative oversight. The SRD participates in some budgetary decisions however the Village determines how the services will be provided with limited SRD consultation.

Operational decisions are largely made by the Village of Sayward as the service provider and administrator of the fire department. While opportunity does exist for input from the SRD, there have historically been few discussions outside of the annual budget process. There is no formal mechanism to discuss operational, administrative, and strategic issues for the benefit of both parties. The cost for fire protection is shown in Figure 1.1 below.

Figure 1.1
2019 Actual Cost of Fire Protection

Expense (2019 Actual)	SRD - Valley	Village
Internal Expenditures	\$5,054.00	\$4,338.00
Portion of Shared Operating Costs	\$35,840.00	\$22,226.53
Reserve Transfers, other	\$16,700.00	\$0.00
Total Budget	\$57,594.00	\$26,564.53
Total Cost of Fire Protection	\$84,158.53	

The tax rates per \$1,000 of assessed property value for both areas are the normal range for similar communities on Vancouver Island (approximately \$0.5000 to \$1.000 per \$1,000 of assessed value):

- SRD Sayward Valley - \$0.8400 per \$1,000 of assessed value
- Village of Sayward - \$0.5600 per \$1,000 of assessed value

The Fire Underwriters Survey (FUS) grading for insurance purposes is Dwelling Protection Grade (DPG) 3A and 3B for the Village of Sayward while the Sayward Valley has a combination of some DPG 3A/3B and a lower level of DPG 5 mostly due to the lack of fire hydrants. Adopting a new governance model would

likely not affect the FUS grading or insurance rates. However, the DPG 5 could be improved to DPG 3B with the implementation of a water shuttle program which would require additional tanker trucks and rely on mutual aid partners. This may result in a reduction to insurance rates and should be studied further.

Option A - Potential to Establish a New Fire Department for the Sayward Valley Portion of Area 'A'

As one of the driving questions for the impetus of this *Review*, the consultants were asked to analyze this option in the greatest detail. Under this alternative, the Strathcona Regional District would end its Fire Protection service contract with the Village of Sayward and recommend to the Regional Board that the SRD govern and operate the Sayward Valley Fire Protection Service. The alternative would result in two separate services: the Village of Sayward Fire Protection Service, which would provide service to the Village of Sayward; and the Sayward Valley Fire Protection Service, which would service only the Sayward Valley.

Implementing this option would require the SRD to establish a fire department virtually the same as the one currently serving both areas. The minimum requirements to retain current FUS grading requires 15 volunteer firefighters. These volunteers would need to be trained to meet the minimum level of service of "Exterior Operations" under the mandatory *BC Structure Firefighters Competency and Training Playbook*¹ (OFC Playbook). The main difference is that the new fire service would operate from one fire station, serve a slightly smaller area, and use slightly fewer apparatus and equipment than the current arrangement.

Annual operating costs would increase under this model and there are additional one-time start-up costs including the purchase of a second used fire truck (water tender) given that the current fire truck (2007 model) will continue to meet FUS requirements for another 11 years. Figure 1.2 below summarizes cost projections. A full cost analysis is included in Section 4.

Figure 1.2
Projected Costs for New Fire Service

BUDGET ITEM	CURRENT SRD COST	PROJECTED NEW COST
Annual Operating Budget	\$57,494.00	\$70,876.00
Annual Cost per \$1,000 of Assessed Value	\$0.8450	\$0.9617
One-time Capital Start-up Costs ²	n/a	\$176,500.00

Transition to a new service would take approximately 2- 3 years to wind down the current agreement and create new legal and operational capacity. Critical steps include:

- Establishing bylaws and legal framework.
- Recruiting and training new volunteers.
- Acquiring an additional fire truck (water tender) to meet FUS requirements for two fire trucks.
- Reprogramming mapping and dispatch procedures through North Island 911 (NI-911).

¹ <https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/fire-safety/playbook.pdf>

² Debt servicing of Start-up Costs is not included in the Annual Operation Budget or Cost per \$1,000 of Assessed Property Value.

Alternative Governance and Administrative Options

The report describes and assesses two additional service alternatives:

- *Option B, Establish SRD Local Service* — Under this alternative, the existing contract Village of Sayward Fire Protection Service would be terminated and re-established as an SRD governed Service for the Sayward Valley Fire Protection Area. The SRD, as the local government for Area 'A', would provide the service to the existing fire service area in the Sayward Valley portion of Area 'A'. The service would be provided to the Village of Sayward by the SRD through a fee-for-service contract.

In essence, this alternative would take the existing service arrangement and "flip it" to make SRD the service provider, and the Village of Sayward the purchaser of the service.

- *Option C, Establish SRD Sub-Regional Service* — The Village of Sayward and Strathcona Regional District would agree in this alternative to provide fire protection to the Village and the Sayward Valley through a shared, sub-regional service of the SRD. Funding for the service would be levied by the SRD. The service would be administered and governed by the SRD. Decisions on the operation and administration of the service would be made by the Directors representing the two jurisdictions only; decisions on finances, contracts and other matters would be made by the full board.

The three alternatives are described in detail and evaluated against four assessment criteria, including fairness, cost effectiveness, the role in decision-making (i.e., governance) for Area 'A', and the anticipated level of support. The service alternative that calls for the establishment of an SRD sub-regional service, in place of the existing service arrangement, emerges from the evaluation as the preferred model.

In the consultant's opinion, there are significant economies of scale benefiting both jurisdictions in a shared service under any model. While the concept of operating two separate services is attractive from a decision-making perspective, costs would increase for both parties and it is clear that recruitment and retention for a single fire department is a primary challenge.

2. METHODOLOGY

The Strathcona Regional District sought qualified consultants to review the current service arrangements for fire protection in the Sayward Valley which is a portion Electoral Area 'A'. The consultants submitted a proposal with three progressive and optional stages. The SRD selected stages 1 and 2, with stage 3 remaining an option for a later date.

Stage 1 - Internal SRD review with recommendations for options.

This stage included an internal review of the current fire services, administration and governance through engagement with SRD Staff and stakeholders to fully understand the current situation and jointly reach viable options for consideration.

Stage 2 (Optional) – Additional review with Village of Sayward:

This stage included consultation with the Village of Sayward Staff and Fire Department personnel to understand the situation from their perspective, and to explore options to shift from the current model.

Stage 3 (optional) - Facilitated dialogue between the SRD and Village of Sayward with the intent of reaching a new agreement:

This stage would include both consultants attending the region, face to face, to facilitate approximately two days of discussions with SRD and Village of Sayward representatives with the intent of transforming the findings and recommendations from stages 1 and 2 into a new agreement which may include a new governance model. The consultants would work towards facilitating a new agreement including drafting new contract terms and providing a guidance framework for how the parties would approach any potential realignment of governance through their respective local government processes.

Beginning in late October, the consultants conducted a comprehensive document review including letters patent, agreements, policies, financial statements, and budgets. The document review informed a series of face to face and remote interviews with SRD Staff, and the Village of Sayward staff who provided data and information about their contributions to the service arrangement. The consultants then turned to a research and analysis of the information to assess the current service and identify any alternatives to improve on the current model. Those finding are reported herein.

3. REVIEW OF CURRENT FIRE PROTECTION ARRANGEMENT

The purpose of this review is to explore governance and administrative models for the delivery of fire service in the Village of Sayward and the Sayward Valley. Understand the current services with respect to costs, service levels, and demands for service (incidents) will inform the SRD's assessment of the consultant's presented options; and will also help understand where operational improvements could be made regardless of which governance model is adopted.

The Sayward Valley receives fire protection from the Village of Sayward Volunteer Fire Department (SVFD) under contract. The arrangement dates back to an agreement signed by the now dissolved Strathcona-Comox Regional District (SCRD) and has carried forward ever since. Some minor changes have taken place with the addition of a second fire station in the 1980's located in the Sayward Valley area, the inclusion of First Medical Responder medical response within the last decade, and the most recent dissolution of a Road Rescue Society which turned equipment assets over to the fire department.

The last contract term expired in 2019 and was extended for an additional 2 years by mutual agreement. Some amendments were made in 2015 including the addition of a Service Partnership clause which states *"The parties agree to work together to find and evaluate potential efficiencies related to the operation, management, and governance of the service during the term of this agreement"*.³

Operational decisions are largely made by the Village of Sayward as the service provider and administrator of the fire department. While opportunity does exist for input from the SRD, there have historically been few discussions outside of the annual budget process which requires the Village to submit an annual budget to the SRD no later than November 30 each year. There is no formal mechanism to discuss operational, administrative, and strategic issues for the benefit of both parties.

While the SVFD delivers fire services under the contract, the arrangement is more complex than a simple fee for service. Each party owns and maintains one fire station and the assorted capital assets such as equipment and trucks. Some assets are jointly owned. Operating costs for the department, excluding equipment and facilities maintenance, are cost shared with the SRD contributing 60% and the Village 40% of the jointly approved budget. Capital expenses are cost shared at 50% by each party. Figure 3.1 below outlines the major assets and distribution

Figure 3.1
Major Capital Asset Distribution

Village of Sayward	Sayward Valley (SRD)	Shared
<ul style="list-style-type: none"> Fire Station #1 Rescue 33 - 1990 International Rescue Truck Engine 3 - 1997 Ford Superior Fire Engine Rescue equipment transferred from the Road Rescue Society 	<ul style="list-style-type: none"> Fire Station #2 Engine 4 - 2007 Freightliner Fire Engine 	<ul style="list-style-type: none"> Rescue 22 - 2015 Ford F350 Pick-up Truck

³ Modification Agreement between Strathcona Regional District and Village of Sayward, 2015



Engine 3 - 1997 Ford Superior Fire Engine



Rescue 22 - 2015 Ford F350 Pick-up Truck



Engine 4 - 2007 Freightliner Fire Engine



Rescue 33 - 1990 International Rescue Truck

The Village of Sayward has approximately 201 taxable land parcels and a population of approximately 300 residents. There are some large buildings including a school and some light commercial/industrial. The majority of the community has fire hydrants. Fire Station #1 is an older wood framed, two-storey building with two garage bays for fire apparatus. The British Columbia Emergency Health Services (BCEHS) leases a portion of the fire station for the provision of ambulance service in the region.

The Sayward Valley Fire Protection Area has approximately 374 taxable land parcels and a population of around 1000 residents. The area is comprised of mostly rural residential properties with no fire hydrants. Water supply for firefighting is achieved through static water sources including two drafting wells – one located at Fire Station #2 and the other near the gas station at the Junction of Highway 19 and Sayward Road.

Fire Station #2 is a wood framed single storey building built in 1980's with two garage bays for fire apparatus. A building assessment was conducted in 2016 by the Municipal Insurance Association that identified several structural and safety related problems⁴. Most importantly is the location which sits between two waterways that are prone to flooding in the rain seasons often making the facility and equipment inaccessible. Exact records are unavailable at the time of this report. In addition, the report highlighted a variety of maintenance issues. Repairs have been deferred pending this fire service review however the foundation has been repaired.

⁴ Risk Control Survey, Risk management Services Inc., 2016

Sayward Volunteer Fire Department

The current service provided by the SVFD is basic, but fairly typical for similar communities in the region. The *BC Structure Firefighters Competency and Training Playbook*⁵ (OFC Playbook) requires the Authority Having Jurisdiction (AHJ) to set one of three Service Levels summarized below:

- Exterior Operations – firefighters will combat the fire from the exterior without making entry into a burning structure to perform firefighting and rescue actions.
- Interior Operations – firefighters will enter burning structures to perform firefighting and rescue actions.
- Full Service Operations – includes Interior Operations plus a variety of other services such as a road rescue and emergency medical response.

The Village of Sayward has selected “Exterior Operations” which is the minimum level of service.

Approximately 14 volunteers are currently on roster who respond from both stations for every emergency incident. The fire chief reported that turnover of volunteers is high which makes it difficult to maintain a roster of trained firefighters. Until recently, the volunteers have received no compensation, but low attendance rates have caused the Village to approve a payment program for fire practices and training sessions. This is estimated to add approximately \$7,000 to the shared annual budget. These challenges are typical in similar-sized communities and the department is maintaining basic fire protection that is likely the highest achievable for the available budget and small population to fulfill volunteer membership.

Incident Workload

The fire department responds to a variety of incident types including fire, medical and rescue. The volunteers also provide road rescue response to motor vehicle incidents outside of the fire protection boundaries where the Province has jurisdiction. Expenses for these responses are reimbursed through agreement with Emergency Management British Columbia (EMBC) Road and Medical Rescue Policy⁶.

In the last five years, the fire department has responded to 385 incidents which averages to approximately 77 incidents per year. The volume of incidents has remained steady as has the distribution between the two fire protection areas. As with most fire departments providing First Medical Responder services, the majority of the incidents are medical in nature. Call volume is down significantly in 2020 which could be attributed to modifications to the BCEHS dispatch protocols related to COVID-19 pandemic where reliance upon Fire Department First Medical Responders was scaled back in March. Figures 3.2, 3.3 and 3.4 below summarize the incident workload over the last five years⁷.

Dispatch services are provided by North Island 9-1-1 Corporation (NI911) however the incident records and response data are not automatically segregated between the two fire protection service areas. Moving forward, it would be worthwhile to have that data segregated to determine the location and type of incidents that are occurring to inform future planning and decisions.

⁵<https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/fire-safety/playbook.pdf>

⁶ Emergency Management BC Policy 7.07 Road and Medical Rescue

⁷ Incident response data provided by North Island 9-1-1 Corporation (NI911) and SVFD

Figure 3.2
Incident Responses by Type of Incident, 2016 - 2020

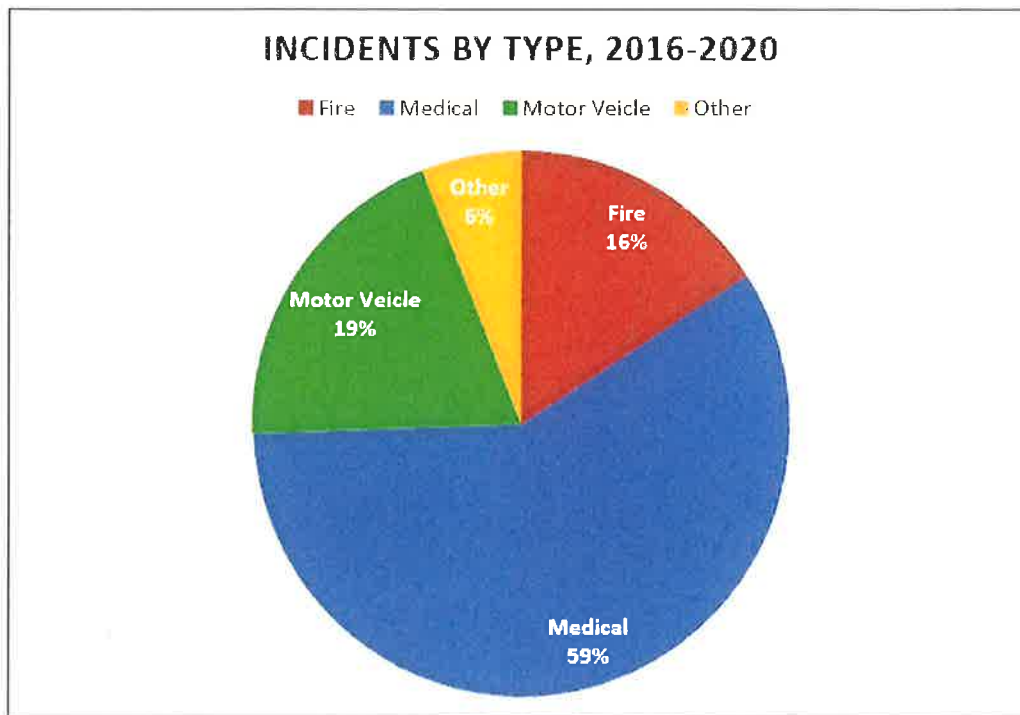


Figure 3.3
Annual Incident Distribution by Area, 2016 - 2020

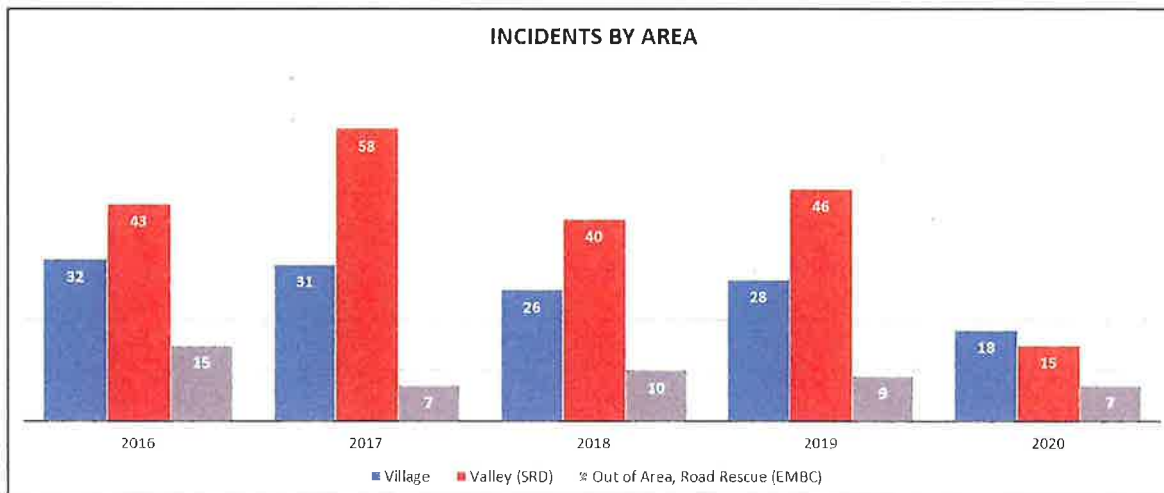
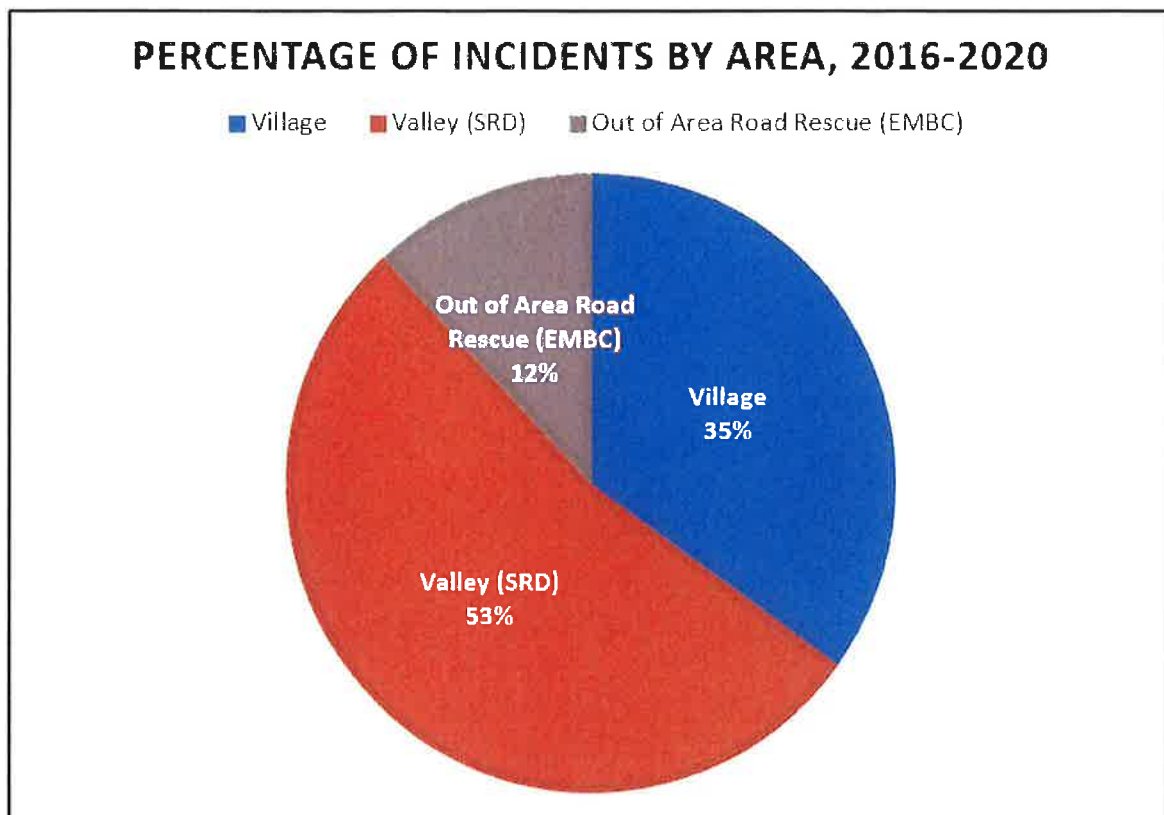


Figure 3.4
Incident Distribution by Percentage, 2016 - 2020



Fire Protection Budget

The funding formula for the SVFD has each party responsible for the repairs and maintenance of its own assets, and a cost sharing model for all other expenses. Operating expenses are portioned at 60% paid by the SRD - Valley and 40% paid by the Village of Sayward. Capital expenditures are shared 50/50. The total cost to operate the fire department under this model are shown in Figure 3.5 below.

Figure 3.5
2019 Actual Cost of Fire Protection

Expense (2019 Actual)	SRD - Valley	Village
Internal Expenditures	\$5,054.00	\$4,338.00
Portion of Shared Operating Costs	\$35,840.00	\$22,226.53
Reserve Transfers, other	\$16,700.00	\$0.00
Total Budget	\$57,594.00	\$26,564.53
Total Cost of Fire Protection	\$84,158.53	

Another common metric for reporting and comparing the cost of fire services to other jurisdictions is the tax rate per \$1,000 of assessed property value that is collected to fund the service. While this can provide a high-level generalization of the cost of fire service, it does not take into account the uniqueness of each community in terms of the services provided, the structure of the fire department, or the geography of the region. Rates are typically lower in small communities with higher density where service can be provided to the maximum number of occupants with the fewest resources. As communities spread out, fire services tend to be more costly. Additionally, some communities have very high property values, such as Nanoose Bay in the Regional District of Nanaimo, which can cause the rate to appear to be lower.

The rates for the Sayward Valley, Village of Sayward, and similar areas in the region are provided in Figure 3.6 below for the purpose of identifying two general trends:

1. The rates are within the normal range for similar communities on Vancouver Island (approximately \$0.5000 to \$1.0000 per \$1,000 of assessed property value).
2. That the rate in the Sayward Valley is slightly higher than the Village.

Figure 3.6
Tax Rates per \$1,000 of Assessed Property Value

Fire Protection Area	Tax Rate per \$1,000 of Assessed Property Value
SRD – Sayward Valley	\$0.8450
Village of Sayward	\$0.5600
SRD - Area 'D' protected by the Campbell River Fire Department	\$0.8520
SRD - Area 'D' protected by the Oyster River Fire Department	\$0.6604
City of Campbell River	\$0.8783
SRD – Cortes Island	\$0.7941
Regional District of Nanaimo (range) ⁸	\$0.2993 to \$0.9376

*Nanoose Bay

Insurance and Fire Underwriters Survey Grading

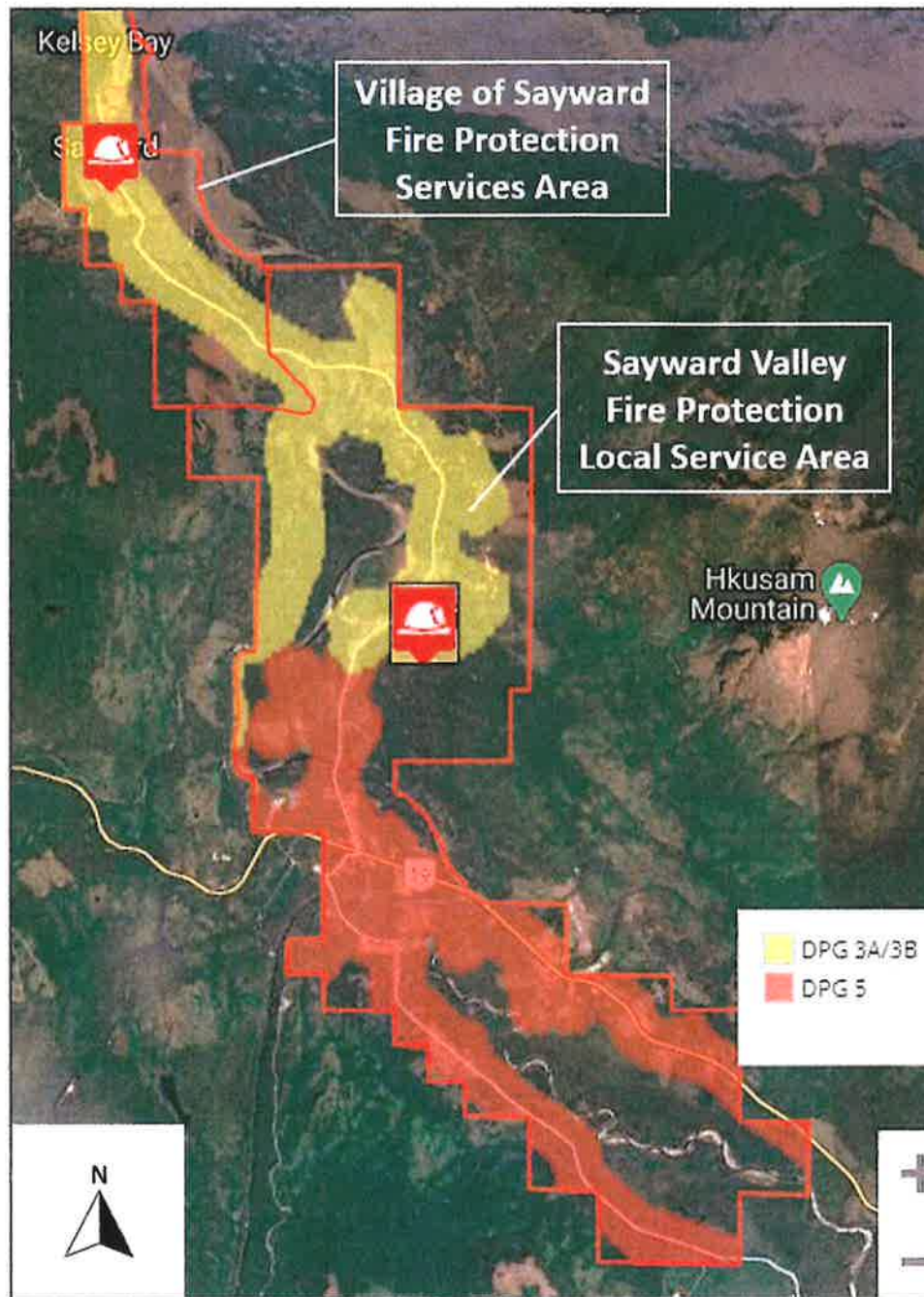
The Fire Underwriters Survey⁹ (FUS) assesses fire protection within communities and assigns a grading that is used by insurers to determine fire insurance rates. The main factors include the water works system; fire department location, apparatus, and personnel; and emergency communications. Grades are assigned as Public Fire Protection Classification (PFPC) for public and commercial buildings, and a Dwelling Protection Grade (DPG) for residential occupancies.

This report will focus upon the DPG given that the areas are predominantly residential. Grades range from 1 to 5, with 1 being the highest, and 5 the lowest. The current DPG for the Village of Sayward is DPG 3A and 3B while the Sayward Valley has a combination of some DPG 3A/3B and some DPG 5 (See Figure 3.7 below). These gradings are typical for similar communities and would be unaffected by any governance change. The portion that is graded at DPG 5 is most likely due to the lack of water supply and fire hydrants.

⁸Nanaimo Regional District, Fire Department Governance Review, Dave Mitchell & Associates Ltd., 2020

⁹<https://fireunderwriters.ca/>

Figure 3.7
Fire Underwriters Survey Dwelling Protection Grade



4. OPTION A - POTENTIAL TO ESTABLISH SEPARATE SAYWARD VALLEY SERVICE

The consultants were asked to analyze the potential to establish a new fire service to serve only Sayward Valley Electoral Area 'A' and separately from the Village of Sayward. This option is presented in this section in some detail. Alternatives for comparison are presented in Section 5 of this report.

Under this option, the Strathcona Regional District would end its Fire Protection service contract with the Village of Sayward and ask the SRD Board to establish a new Sayward Valley Fire Protection Service. The alternative would result in two separate services: the Village of Sayward Fire Protection Service, which would provide service to the Village of Sayward; and the Sayward Valley Fire Protection Service, which would service only the Sayward Valley.

The current structure of the SVFD is already established at the minimum standard to meet OFC Playbook Exterior Operations level of service and to retain FUS grading levels for insurance purposes. Therefore, a newly established fire department, serving only the Sayward Valley Fire Protection area, would need to mirror the current service including volunteers, equipment, and costs.

Dissolution of the Current Arrangement

The current arrangement integrates a combination of functions and asset ownership which would need to be deconstructed through the terms of the agreement and perhaps some negotiations between the parties. Each party owns and maintains a fire station and ownership of most major equipment and apparatus is defined in the agreement (see Figure 3.1 above) however many details would need to be agreed upon with respect to other shared equipment.

After the assets were distributed, the SRD would not have sufficient equipment and apparatus to operate a fire service independently from the Village and including all current services. For example, the Village of Sayward owns all of the Road Rescue equipment so the SRD would need to acquire that equipment if the SRD were to continue to provide additional services such as first responder and road rescue.

Capital Assets

The SRD currently owns a fire station and a 2007 model year fire truck which is the newest vehicle in the current arrangement. The estimated service life is up to the year 2032 when it reaches 25 years of service and has potential to impact FUS grading. One fire truck is not sufficient to operate a fire department. The SRD would need to acquire a second fire apparatus capable of transporting and pumping water for two main reasons. First is the need to have redundancy to maintain fire response if the primary truck breaks down or is undergoing repairs and maintenance. Secondly, it would provide the ability to shuttle water to and from a fire scene where the main fire truck would be supporting fire attack crews. The consultants would recommend acquiring a used high-capacity water tender (tanker) truck for this purpose.

The fire station is suitable to support a new fire department however its location in a flood zone is seasonally problematic. Contingency plans to relocate apparatus in those times would be required. The consultants would recommend increasing reserve funding for fire station repairs and apparatus replacement.

Staffing/Volunteers

Volunteer membership under the current arrangement is already strained with recruitment and retention drawing from the population of both jurisdictions. This presents a significant challenge to consider staffing two separate fire departments from this same population base. While most of the current volunteers are residents of the SRD, the newly created fire department would need to recruit and retain a team of at least 15 volunteers (see Figure 7.1 below) to maintain the current FUS grading and associated insurance rates. It is possible that the current volunteers would want membership in both the SVFD and the newly created SRD fire service, however it is likely that many would not. Any vacancies would require brand-new members who would need training and to be fitted with personal protective equipment.

Mutual Aid

If a separate department were established, it would be wise to secure mutual aid agreements with neighbouring jurisdictions which may include the Village of Sayward. While this would be effective and efficient from an operating perspective, the dissolution of the current arrangement could make such negotiations politically awkward.

Response Performance

Assuming the newly created fire service was equipped and staffed with a minimum of 15 trained volunteers, service levels could likely remain the same as would FUS grading. Response times and incident volume would likely trend in a similar fashion as they are now.

Level of service would likely remain at Exterior Operations under the OFC Playbook; however, the SRD would need to determine whether to continue with the Road Rescue and First Medical Responder programs each of which would require additional equipment and training costs.

An additional challenge is that the dispatch and 911 services provided by North Island 911 do not currently distinguish between the Village and the SRD. This would require additional electronic mapping work to separate the addresses into two zones, and the need to establish separate paging and radio systems for each area. While SRD residents are already funding these services, there could be some additional one-time expenses for this customization.

Budget

Because a newly established fire service would be virtually the same as the existing arrangement the costs would be virtually the same only without the cost of maintaining an additional fire station and having fewer fire apparatus. The current operating budget (combined) is \$84,158.53 with the SRD's portion being \$57,549 (see Figure 3.5 above). To estimate an annual operating budget for a newly established SRD service, the consultants have included all SRD current costs plus 50% of the Village of Sayward current costs to project an annual operating budget of \$70,876.27 which would be borne entirely by the SRD (see Figure 4.1 below).

In the consultant's opinion, there are significant economies of scale benefiting both jurisdictions in a shared service under any model. While the concept of operating two separate services is attractive from a decision-making perspective, costs would increase for both parties and it is clear that recruitment and retention for a single fire department is a primary challenge.

Figure 4.1
Option A - Estimated Annual Cost of Fire Protection

Expense (2019 Actual)	SRD – Valley	Village
Internal Expenditures	\$5,054.00	\$4,338.00
Portion of Shared Operating Costs	\$35,840.00	\$22,226.53
Reserve Transfers, other	\$16,700.00	\$0.00
Total Budget	\$57,594.00	\$26,564.53
Total Combined Cost of Current Arrangement	\$84,158.53	
Estimated SRD Cost for a New Service 100% Valley Current Costs	\$57,594.00	n/a
Plus 50% of the Village Costs (50% of \$26,564.53)	\$13,282.27	n/a
Total Estimated Cost of a New SRD Service	\$70,876.27	n/a

There are also some one-time expenses associated with starting a new fire service. The process would not be an immediate transition for the current arrangement and would require advanced planning. Figure 4.2 below shows a projected timeline and budget.

Figure 4.1
Option A - Estimated Timelines and Start-up Budget

YEAR	ITEM	BUDGET ESTIMATE
1	Negotiate termination of current arrangement	n/a
	Establish bylaws for new fire service and establish levels of service	n/a
	Establish administrative/governance model	n/a
	Acquire additional used water tender (tanker) truck	\$100,000.00
	Realignment of response zones and dispatch procedures (NI-911) ¹⁰	\$5,000.00
	Recruitment and retention of new volunteers including a fire chief	\$1,000.00
2	Purchase additional radios and pagers	\$7,500.00
	Purchase additional PPE for new volunteers	\$15,000.00
	Train any new (inexperienced) volunteers to OFC Exterior Operations	\$20,000.00
	Establish operating guidelines, policies, and procedures	\$3,000.00
3	Consider implementation of Road Rescue and First Medical Responder program, equipment, and training	\$25,000.00
TOTAL ESTIMATED BUDGET		\$176,500.00

Establishing a new fire service is one of three options researched and analyzed by the consultants. However, the option to establish a new fire department was the impetus for this study and as such a greater analysis was conducted. For ease of comparison, Figure 4.3 below summarizes this option in a similar format to the two alternative options presented in Section 5 of this report.

¹⁰ Estimate only. It is unknown if these costs would be included under the terms of the existing service agreement with NI-911.

Figure 4.3
Option A - Summary Establish Separate Sayward Valley Fire Service

Service Element	Description
Local Government Service Provider	Under this option, the Village of Sayward would be the local government service provider responsible for the Village Fire Protection Service Area. The SRD would be the service provider responsible for the Sayward Valley Fire Protection Local Service Area.
Legal Framework	<p>Each local government service — the Village of Sayward service and the SRD's Sayward Valley service — would have a legal framework defined by the following documents:</p> <ul style="list-style-type: none"> > <i>Provincial Legislation</i> — The SRD's authority to provide fire protection as a regional district service is conferred by section 332(1) of the <i>Local Government Act</i>. The Village of Sayward's authority for its fire service is conferred by section 8(2) of the <i>Community Charter</i>. > <i>Service Establishing Bylaw</i> — Under section 349(1) of the <i>Local Government Act</i>, the SRD would amend the existing <i>Sayward Valley Fire Protection Service Local Service Area Establishment Bylaw, 1990</i> to exercise the Regional District's service provision authority. The amended bylaw would describe the service as one that provides fire protection throughout the Sayward Valley Fire Protection Local Service Area. <p>The Village of Sayward, similar to all municipalities, does not require or use service establishing bylaws.</p> <ul style="list-style-type: none"> > <i>Fire Services Bylaw</i> — The SRD would create a <i>Fire Services Bylaw</i> to confer specific authorities on the Chief of the Sayward Valley Volunteer Fire Department, and to set out regulations and restrictions that must be followed within the service area, which would be limited to the Sayward Valley. The Village would amend its existing <i>Fire Services Bylaw</i> to set out authorities and requirements in the Village of Sayward. <p>There would be <u>no</u> <i>Fire Protection Service Agreement</i> in this alternative since each party would provide its own fire service.</p>
Service Participating Jurisdiction	Electoral Area 'A' would be the sole participating jurisdiction in the SRD's service establishing bylaw. The Village of Sayward would be the sole participating jurisdiction in the Village of Sayward Fire Protection Service.
Service Area	The service area set out in the SRD establishing bylaw would be limited to the portion of Electoral Area 'A' that is within the Sayward Valley Fire Protection Local Service Area. The service area in the Village's service would be the Village of Sayward.

Service Element	Description
Service Governance	<p>The governing body for the SRD's service would be the SRD Board of Directors. Since the service establishment bylaw would identify only one service participating area (i.e., Electoral Area 'A'), all decisions for the service would be made by the full Board of Directors (see section 207(5) of the <i>Local Government Act</i>). Day-to-day operational decisions would be made by the Chief of the (new) Sayward Valley Volunteer Fire Department.</p> <p>The governing body for the Village's service would be Village Council. Day-to-day operational decisions would be made by the Chief of the (new) Village of Sayward Volunteer Fire Department.</p>
Service Cost, Cost Recovery and Cost Allocation	<p>Each local government would be fully responsible for all operating and capital costs incurred to provide its own Fire Protection Service. Costs in both jurisdictions would be recovered through property value taxes. In the Sayward Valley, the tax would be levied by the SRD. In the Village of Sayward, Village Council would levy the required tax.</p> <p>Under this service alternative there would be no costs to share.</p>
Service Delivery	<p>The existing Sayward Volunteer Fire Department would be broken into two separate departments: the Sayward Valley Volunteer Fire Department, which would deliver service to the Sayward Valley Fire Protection Local Service Area; and the Village of Sayward Volunteer Fire Department, which would deliver service to the Village of Sayward.</p> <p>It would be anticipated that the two separate departments, through their respective local governments, would enter into a mutual aid agreement to provide assistance to one another, as required, in responding to events. Mutual aid agreements between adjacent fire departments are common.</p>

5. ALTERNATIVE FIRE PROTECTION SERVICE MODELS

This section of the report describes and assesses three service alternatives:

- *Option B, Establish SRD Local Service* — Under this alternative, the existing Sayward Fire Protection Service would be dissolved and re-established as an SRD Local Service for Electoral Area 'A'. The SRD, as the local government for Area 'A', would provide the service to the existing fire service area in the Sayward Valley portion of Area 'A'. The service would be provided to the Village of Sayward by the SRD through a fee-for-service contract.

In essence, this alternative would take the existing service arrangement and "flip it" to make SRD the service provider, and the Village of Sayward the purchaser of the service.

- *Option C, Establish SRD Sub-Regional Service* — The Village of Sayward and Electoral Area 'A' would agree in this alternative to provide fire protection to the Village and the Sayward Valley through a shared, sub-regional service of the SRD. Taxes to support the service would be levied by the SRD. The service would be administered and governed through the SRD structure. Decisions on the operation and administration of the service would be made by the Directors representing the two jurisdictions only; decisions on finances, contracts and other matters would be made by the full board.

Service Alternative Profiles

The three service alternatives are profiled in greater detail in Figures 4.1, 4.2 and 4.3.

Figure 5.1
Option B - Establish SRD Local Service

Service Element	Description
Local Government Service Provider	The Fire Protection Service would be established as a service of the Strathcona Regional District. SRD would be the service provider.
Legal Framework	<p>The service's legal framework would consist of a number of key documents:</p> <ul style="list-style-type: none"> > <i>Local Government Act</i> — The SRD's authority to provide fire protection is conferred by section 332(1) of the <i>Local Government Act</i>. > <i>Service Establishing Bylaw</i> — Under section 349(1) of the <i>Local Government Act</i>, the SRD would amend the existing <i>Sayward Valley Fire Protection Service Local Service Area Establishment Bylaw, 1990</i> to exercise the Regional District's service provision authority.¹¹ The amended bylaw would describe the service as one that provides fire protection throughout the Sayward Valley Fire Protection Local Service Area,¹² and to areas outside of the service area with which the SRD has a contract to deliver the service. > <i>Sayward Valley Fire Services Bylaw</i> — The SRD would create a <i>Fire Services Bylaw</i> to confer specific authorities on the Chief of the Sayward Volunteer Fire Department (appointed by the Regional Board), and to set out regulations and restrictions that must be followed within the Sayward Valley Fire Protection Local Service Area. > <i>Fire Protection Services Agreement</i> — The existing <i>Services Agreement</i> would be re-worked to identify the Strathcona Regional District as the service provider, and the Village of Sayward as the contract service recipient.
Service Participating Jurisdiction	Electoral Area 'A' would be the sole participating jurisdiction set out in the service's <i>Establishment Bylaw</i> . The Village of Sayward, as a purchaser of services, would not be a participating area in the service as defined under the <i>Local Government Act</i> .
Service Area	<p>The service area set out in the SRD <i>Establishment Bylaw</i> would be the portion of Electoral Area 'A' that is within the Sayward Valley Fire Protection Local Service.</p> <p>The Village of Sayward would receive service on contract from the SRD. This service area would be identified in a new <i>Fire Protection Services Agreement</i> between the local governments.</p>

¹¹ The *Establishment Bylaw* in place today exists to requisition property taxes to pay the Village of Sayward for fire protection.

¹² This service area is set out in the existing *Fire Protection Services Agreement* between the Village of Sayward and the SRD.

Service Element	Description
Service Governance	<p>The governing body for the service would be the SRD Board of Directors. Since the service establishing bylaw would identify only one service participating area (i.e., Electoral Area 'A'), all decisions for the service would be made by the full Board of Directors (see section 207(5) of the <i>Local Government Act</i>).</p> <p>Day-to-day operational decisions would be made, as at present, by the Chief of the Sayward Volunteer Fire Department.</p> <p>The new <i>Fire Protection Services Agreement</i> could provide a clause, similar to section 21 of the (modified) existing <i>Agreement</i>, to seek ways to include the Village of Sayward in discussions on governance of the service.</p>
Service Cost, Cost Recovery and Cost Allocation	<p>The following points outline the treatment of costs under this service alternative:</p> <ul style="list-style-type: none"> > <i>Service Cost</i> — The service cost would be determined by the SRD Board of Directors, based on recommendations from the Sayward Volunteer Fire Department Chief, and SRD's Protective Services Department. > <i>Cost Recovery</i> — Costs would be recovered from Electoral Area 'A' properties in the Sayward Valley Fire Protection Local Service Area using a property value tax. <p>Costs incurred to service the Village of Sayward would be recovered through a contract payment from the Village to the SRD, as set out under the <i>Services Agreement</i>.</p> <ul style="list-style-type: none"> > <i>Cost Allocation</i> — The contract fee paid each year by the Village to the SRD would be negotiated by the two parties. Negotiations would take into account: <ul style="list-style-type: none"> — the level of cost-sharing in place today under the current <i>Agreement</i> — the level of service provided, measured in part by the data on incidents — changes to ownership over facilities, equipment and vehicles <p>Presumably, the starting point in negotiations would be the cost allocation framework in place under the current service arrangement which assigns operating costs on the basis (approximately) of incident numbers. New equipment costs are split evenly in recognition of the two service areas' equal reliance on a properly-equipped single Volunteer Fire Department. Each jurisdiction is responsible for maintaining its own fire hall, which is required in order to provide timely response to each</p>

Service Element	Description
	service area, and home insurance cost reductions to residents of each area.
Service Delivery	The Sayward Volunteer Fire Department would deliver the service on behalf of the Regional District. The Fire Department would be identified in the <i>Sayward Valley Fire Service Bylaw</i> as the designated fire department.

Figure 5.2
Option C - Establish SRD Sub-Regional Service

Service Element	Description
Local Government Service Provider	Similar to the previous alternative, the Fire Protection Service would be established as a service of the Strathcona Regional District under this option as well. SRD would be the service provider.
Legal Framework	<p>The service's legal framework would consist of a number of key documents:</p> <ul style="list-style-type: none"> > <i>Local Government Act</i> — The SRD's authority to provide fire protection is conferred by section 332(1) of the <i>Local Government Act</i>. > <i>Service Establishing Bylaw</i> — Under section 349(1) of the <i>Local Government Act</i>, the SRD would amend the existing <i>Sayward Valley Fire Protection Service Local Service Area Establishment Bylaw, 1990</i> to exercise the Regional District's service provision authority. The amended bylaw would describe the service as one that provides fire protection throughout the Sayward Valley Fire Protection Local Service Area, the Village of Sayward, and to any areas outside of the service area with which the SRD has a contract to deliver the service. The inclusion of the Village in the establishing bylaw's service area is a key difference between this alternative and the previous one. > <i>Sayward Fire Services Bylaw</i> — The SRD would create a <i>Fire Services Bylaw</i> to confer specific authorities on the Chief of the Sayward Volunteer Fire Department (appointed by the Regional Board), and to set out regulations and restrictions that must be followed within the broader service area, including the Sayward Valley and the Village of Sayward. <p>There would be <u>no</u> <i>Fire Protection Service Agreement</i> in this alternative since neither party would receive the service on contract.</p>
Service Participating Jurisdiction	Electoral Area 'A' and the Village of Sayward would be the two participating jurisdictions set out in the service's establishing bylaw.
Service Area	<p>The service area set out in the SRD establishing bylaw would include:</p> <ul style="list-style-type: none"> > the portion of Electoral Area 'A' that is within the Sayward Valley Fire Protection Local Service Area > the Village of Sayward <p>As the local government service provider, the SRD would be responsible for providing the service to all properties within this broader service area.</p>

Service Element	Description
Service Governance	<p>The governing body for the service would be the SRD Board of Directors. The full Board would make decisions related to service finances, land matters, contracts and borrowing for the service, as required under section 210 of the <i>Local Government Act</i>.</p> <p>Decisions on the administration and operation of the service, including votes on the provisions of the <i>Sayward Fire Services Bylaw</i>, would be made by the participating jurisdictions' directors — namely, the Electoral Area 'A' Director and the Village of Sayward Municipal Director — on the Board. Votes on these decisions would be made as weighted stakeholder votes which, based on current populations and the SRD's voting unit, would assign one vote to each Director.</p> <p>Day-to-day operational decisions would be made, as at present, by the Chief of the Sayward Volunteer Fire Department.</p>
Service Cost, Cost Recovery and Cost Allocation	<p>The following points outline the treatment of costs under this service alternative:</p> <ul style="list-style-type: none"> > <i>Service Cost</i> — The service cost would be determined by the SRD Board of Directors, based on recommendations from the Electoral Area 'A' and Village of Sayward Directors (as well as input from the Fire Chief and the SRD's Protective Services Department). > <i>Cost Recovery</i> — Costs would be recovered by the SRD from Electoral Area 'A' properties in the Sayward Valley Fire Protection Local Service Area, and from Village of Sayward properties within the Village Fire Protection Service Area, using a property value tax. <p>Under this option, it should be emphasized, both local jurisdictions would be taxed by the SRD to provide the service. The Village would not pay a fee-for-service contract.</p> <ul style="list-style-type: none"> > <i>Cost Allocation</i> — The method of cost-allocation, would be determined by the two participating jurisdictions. Costs could be divided based on any factor or combination of factors, including number of incidents per jurisdictions, converted assessment, population, or other measures. <p>As with the previous alternative, the starting point in negotiations would be the cost allocation framework in place under the current service arrangement which assigns operating costs on the basis (approximately) of incident numbers. New equipment costs are split evenly in recognition of the two service areas' equal reliance on a properly-equipped single Volunteer Fire Department. Each jurisdiction is responsible for</p>

Service Element	Description
	<p>maintaining its own fire hall, which is required in order to provide timely response to each service area, and home insurance cost reductions to residents of each area.</p> <p>The overall approach to cost-sharing would be detailed in the service establishing bylaw.</p>
Service Delivery	<p>The Sayward Volunteer Fire Department would deliver the service on behalf of the Regional District. The Fire Department would be identified in the <i>Sayward Fire Service Bylaw</i> as the designated fire department.</p>

6. EVALUATION OF SERVICE MODELS

Assessment Criteria

Each of the service model alternatives could be made to work for Electoral Area 'A' and the Village of Sayward, the two jurisdictions that currently receive fire protection from the Sayward Volunteer Fire Department. Which specific alternative, should the jurisdictions consider developing? To answer this question, it is helpful to evaluate the alternatives against a set of factors that includes the following assessment criteria:

- *Fairness* — The preferred model is the alternative in which the amount paid each year by taxpayers of the Sayward Valley and by those in the Village of Sayward is appropriate given the each group's level of relative benefit (i.e., the level of benefit relative to that received by the other).
- *Cost Effectiveness* — The preferred service model is the one that is most cost-effective for taxpayers in the Sayward Valley, as well for those in the Village of Sayward.
- *Role in Decision-Making (i.e., Governance)* — The preferred model is the alternative that would give the Director for Electoral Area 'A', on behalf of the residents of the Sayward Valley, meaningful input into decisions on service scope, service level, service budgets and other important matters. The preferred model would give both jurisdictions a voice in decision-making.
- *Anticipated Level of Support* — The preferred model is the one that would be supported by the Sayward Valley community, the Village of Sayward and the Sayward Volunteer Fire Department.

Figure 6.1 presents an evaluation of the service models against the assessment criteria.

Figure 6.1
Evaluation of the Service Models

Assessment Criteria	Option A - Establish SRD Local Service	Option B - Establish SRD Sub-Regional Service	Option C - Establish Separate Sayward Valley (SRD) Service
Fairness	<ul style="list-style-type: none"> > Fairness would depend on ability of SRD and Village of Sayward to negotiate equitable service payment from Village to SRD. 	<ul style="list-style-type: none"> > Fairness would depend on ability of two jurisdictions to determine, within SRD service establishment framework, approach to cost sharing. 	<ul style="list-style-type: none"> > Each party would pay full cost of its own service, and would be sole beneficiary of its service. > Over-dependence of one jurisdiction on the other through a mutual aid agreement could distort level of fairness.
Cost-Effectiveness	<ul style="list-style-type: none"> > Reliance on a single Sayward Valley Volunteer Fire Department would continue current high level of value-for-money. > At current service level, and under existing cost-sharing arrangement, little to suggest that service model would provide any savings to Sayward Valley taxpayers over existing service. > To achieve significant savings, would need to reduce scope or level of service, and/or shift greater amount of cost to Village of Sayward. 	<ul style="list-style-type: none"> > Reliance on a single Sayward Valley Volunteer Fire Department would continue current high level of value-for-money. > At current service level, and under existing cost-sharing arrangement, little to suggest that service model would provide any savings to Sayward Valley taxpayers over existing service. > To achieve significant savings, would need to reduce scope or level of service, and/or shift greater amount of cost to Village of Sayward. 	<ul style="list-style-type: none"> > Establishment of separate Sayward Valley Volunteer Fire Department would result in duplication of local service, which would not be cost-effective.

Assessment Criteria	Option A - Establish SRD Local Service	Option B - Establish SRD Sub-Regional Service	Option C - Establish Separate Sayward Valley (SRD) Service
	<ul style="list-style-type: none"> > Potential to benefit from future centralized technical support through SRD Protective Services Department could make more cost-effective. 	<ul style="list-style-type: none"> > Potential to benefit from future centralized technical support through SRD Protective Services Department could make more cost-effective. 	
Role in Decision-Making	<ul style="list-style-type: none"> > Decisions on service would be made by full SRD Board on which both jurisdictions' Directors sit. Board would be guided in decisions, however, by the advice from the participating jurisdiction in the service (i.e., Electoral Area 'A'), not the jurisdiction that purchases the service (i.e., Village of Sayward). > Electoral Area 'A' and SRD could consult Village of Sayward on service matters; however, recommendations to the Board would likely come from Electoral Area 'A' only. > In all, Area 'A' would have elevated role in decision-making for the service compared to role under current service arrangement. 	<ul style="list-style-type: none"> > This model would provide Electoral Area 'A' a meaningful role in decision-making for the service. Indeed, the model would provide shared control over the service by Electoral Area 'A' and the Village of Sayward. Directors from both jurisdictions would need to agree to all decisions on the administration and operation of the service. > The full Board would make decisions on financial matters, land issues and contracts based on joint recommendations from the two Directors. 	<ul style="list-style-type: none"> > Decisions on the service would be made by the full SRD Board. The Board would likely be guided in its decisions, however, by recommendations from the Electoral Area 'A' Director. > Since each jurisdiction would have its own service (and Volunteer Fire Department) under this model, neither jurisdiction would expect a role in decision-making for the other's service. > Any consultation on issues would be limited to mutual aid agreements and other joint issues.

Assessment Criteria	Option A - Establish SRD Local Service	Option B - Establish SRD Sub-Regional Service	Option C - Establish Separate Sayward Valley (SRD) Service
Anticipated Level of Support	<ul style="list-style-type: none"> > Based on discussions with SRD to date, it is anticipated that the Electoral Area 'A' Director would support this option. > Support may depend to some degree, however, on the ability under the model to reduce the total net cost to Area 'A' taxpayers for fire protection. A reduction in the total net cost for Area 'A' would require either a decrease in the existing level of fire protection service, and/or significant fee-for-service payments from the Village of Sayward. Both of these would require the agreement of the Village of Sayward > It is not clear why the Village of Sayward would endorse this model — the model does not appear to offer any benefit to the Village. Without the Village's support, implementation of the model would be difficult. 	<ul style="list-style-type: none"> > This alternative would provide the jurisdictions the ability to share decision-making for the service, while continuing to rely on a single Volunteer Fire Department. > This model would likely be supported by both the Village of Sayward and the Volunteer Fire Department — support that would enable implementation of the alternative. 	<ul style="list-style-type: none"> > Support for this model may be difficult to achieve given the challenges in establishing two Volunteer Fire Departments (the existing department struggles to maintain minimum staffing), and the inherent duplication of service in the model.

Assessment Criteria	Option A - Establish SRD Local Service	Option B - Establish SRD Sub-Regional Service	Option C - Establish Separate Sayward Valley (SRD) Service
	<p>> It is equally unclear why the Volunteer Fire Department would support this model.</p>		

7. ADDITIONAL OBSERVATIONS

Through the course of the review, the consultants identified a few operational items that should be noted, and that the SRD may wish to consider separately from the governance model options. These observations relate to the current arrangement and should also be considered under any new shared service arrangement in future.

Volunteers Recruitment to Maintain FUS Grading

The Fire Underwriters will not assign a grading without conducting a full assessment of the community however, they do publish the general minimum requirements for each level. The SVFD currently has only 14 volunteers which is below the required minimum of 15 to maintain a DPG 3A or 3B. The fire department should strive to recruit and retain additional members to maintain the current grading. (see Figure 5.1 below for an abbreviated summary).

Figure 7.1
Fire Underwriters Survey Minimum Requirements¹³

DPG Grading	Water Works	Apparatus	Firefighters
3A	Water supply system (fire hydrants) meeting FUS minimum requirements	Response within 8 km by road with a Pumper Truck	<ul style="list-style-type: none"> 15 auxiliary (volunteer) firefighters
3B	Not required – however the department must have training and equipment to deliver water by water tender (tanker truck) to meet FUS Standard Tanker Shuttle Service	Two units required <ul style="list-style-type: none"> Pumper Truck Water Tender 	<ul style="list-style-type: none"> 15 auxiliary (volunteer) firefighters
4	Reserved for communities that contract for fire protection services from fire service agencies with a DPG of 1, 2, 3A, or 3B.		
5	Considered “unprotected” if not meeting the minimum requirements of 3B.		

A recruitment and retention strategy may need to consider some form of monetary reimbursement for volunteers. Some options include reimbursing volunteers for lost wages when they attend incidents and training sessions; implementing an annual grant or stipend program that could be distributed among the volunteers or fund social events; or perhaps considering a shift to a paid-on-call (POC) service. Based upon the current incident volume, the cost to shift to a POC model would likely not exceed \$25,000 annually.

Sayward Valley Fire Station 2

Given the location in a flood zone and the numerous building deficiencies, the SRD may wish to consider alternatives to investing in the current repairs and maintenance plan and instead redirect those funds toward reconstruction in a new location. A new facility could serve as the main fire station with the fire chief and deputy chief headquartered there and operating under an SRD governance model.

Additionally, there may be opportunity to incorporate space for leased to the BC Emergency Health Service (BCEHS) who may have interest in relocating from their current space at the Village of Sayward Fire Station 1. The chief and deputy chief indicated that the current space is in need of repairs and does

¹³<https://fireunderwriters.ca/Grading/Dwelling-Protection-Grade>

not provide the privacy necessary for a multi-gender crew. With a potential revenue stream, reconstruction in a new location may become a more viable option.

OFC Playbook Level of Service Declaration

The Village of Sayward has selected “Exterior Operations” as the official level of service for SVFD. This is the lowest acceptable level under the OFC Playbook and is common for similar sized and resourced communities. However, it does not permit firefighters to make entry into burning buildings to extinguish fires and rescue any occupants who may be trapped inside.

If the department shifted to the “Interior Operations” level, interior firefighting would be allowed but the training requirements would increase – both in time and cost. The SRD may wish to consider the level of service in conjunction with a volunteer recruitment and retention plan, and volunteer compensation. However, ensuring a full roster of volunteers and training them to the exterior level is a higher priority.

Regardless of whether the service level changes, the officially declared level of service should be codified in policy which was unclear at the time of this report.

Potential to Improve FUS Grading by Enhancing Water Supply

Much of the Sayward Valley has no fire hydrants, although there are some predetermined locations where water can be drafted from static water sources. This is perhaps the main reason for the lower FUS grading in that area. While it may be impractical to construct a water supply system, alternatives exist to improve water supply that could perhaps result in an improvement to the FUS grading which would likely translate to reduction in residential fire insurance rates.

Many jurisdictions on Vancouver Island have improved their FUS grading from DPG 5 to DPG 3B by demonstrating the capacity to shuttle water with water tenders (tanker trucks) and maintain a consistent flow of water as required by the FUS criteria. FUS recognizes two levels of alternative water supply.

- *Standard Water Shuttle Service* is the lowest level of FUS recognized alternative water supply.
- *Accredited Superior Tanker Shuttle Service* is the highest recognized level and offers the greatest savings if achieved.

In both scenarios, the fire department must demonstrate the ability to provide a continuous water supply and fire flow at a specified volume and duration. Typically, this is achieved with multiple water tenders which usually requires mutual aid from several neighbouring communities. Given the travel time to the two closest mutual aid fire departments (City of Campbell River and Village of Woss) is almost an hour, this may prove a difficult task but one worthwhile studying.

Even if either shuttle service above cannot be achieved, there is opportunity to make improvements to the current water supply by locating additional static water sources for drafting and installing appliances, such as dry hydrants, at those locations to expedite water access.

Oversight of a new Sub-regional Fire Protection Service

Fire services within the SRD are currently coordinated through the Protective Services Coordinator position. Should a Strathcona Regional District sub-regional fire protection service be established as recommended in this report, the SRD may also wish to review the capacity for this position to adequately oversee and support the new service alongside existing duties.

8. RECOMMENDATIONS

The Strathcona Regional District (SRD) contracted Aegis Risk Management Ltd. to conduct a *Fire Services Review* of fire protection in the Sayward Valley portion of Electoral Area 'A'. The review included an assessment of the current contracted service and explored alternative solutions. The overall aim is for the SRD to enhance its role in the oversight and decision making for the fire services.

The consultants' findings from the *Review* have been presented in this report. Based on these findings, the following recommendations, divided into different categories, are provided for the consideration of the Strathcona Regional District:

Alternative Service Models

- THAT the Board endorse the establishment of a Strathcona Regional District sub-regional fire protection service, with Electoral Area 'A' and the Village of Sayward as participants, to replace the existing service arrangement.
- THAT the current level of service is maintained or improved upon under a new service arrangement.

Fire Department Operations

- THAT the Fire Department recruit, train, and retain a continuous roster of a minimum of 20 volunteer firefighters to ensure Fire Underwriter Survey DPG 3A/3B grading is sustained.
- THAT the Board consider the establishment of a financial reimbursement program for volunteer firefighters to incentivise recruitment and retention.
- THAT the Board consider adding at least one high-capacity water tender (tanker truck) to the fleet either as an additional apparatus or when replacing the next fire engine.
- THAT the Fire Department consider conducting a feasibility study on alternative water supplies for the areas where fire hydrants are not available including:
 - Determine the potential to achieve either a Standard Tanker Shuttle Service or Superior Tanker Shuttle Service to meet the Fire Underwriters Survey criteria.
 - Determine locations for additional drafting stations from natural and manmade static water sources.
- THAT the Board consider a flood mitigation plan or long-term replacement and relocation plan for Fire Station 2.

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STAFF REPORT

For: Mayor and Council
Prepared by: Ann MacDonald, CAO
Subject: **Making the Administrative Building Safe and Accessible to Citizens**
Meeting date: October 19, 2021

BACKGROUND

Staff recommend using some of the COVID-19 Safe Restart Grant funds to improve safety and accessibility of the Administration Building, Council Chambers, and the Kelsey Centre. Staff confirm that the expenditures meet the terms and conditions of the grant.

This includes the following expenditures:

- Replacement of keys to the building with Key Fobs
- Council Meeting Tables to provide for effective meetings where Council members can face each other during discussions.
- Comfortable chairs for citizens that provide a comfortable and welcoming experience for citizens attending meetings

DISCUSSION

Staff have obtained some estimates for some of this work and suggest the following:

1.) Building Security:

Currently, an unknown number of former staff, volunteers, council members and former elected officials all have keys to various parts of the building. Staff have tried to manage this by managing the security codes; however, often, when the building is occupied, former staff, volunteers, council members and former elected officials have all entered the building while using their own keys. This has become noticeable during key peak times with COVID awareness and protocols where the doors are locked, even if staff are on site. Staff have asked some former staff for keys but have not been able to retrieve them. There is no reason for all these people to have keys to the building and there is a decided risk to have the keys out there in the hands of citizens who do not have a reason to have keys.

Phase One (Fob system and alarm upgrades)

The cost for Phase One would be approximately \$11,500. The Village is eligible to apply for a \$5,500 grant from MIABC given that there are security risks at play, leaving the remaining \$6,000 for the village to cover using COVID funds, \$2,000 of which was already approved as part of the 2021-2024 Financial Plan.

Access Controls on 4 Doors

- 1- Municipal Entrance Door
- 2- Municipal Rear Office Access
- 3- Mayor/Council Entrance Door
- 4- Rec Centre Entrance Door

Alarm System Upgrades and Partitioned to 4 Areas

- 1- Municipal Area
- 2- Council Area
- 3- Rec Centre Area
- 4- Boiler Room Area

New Keypads at Doors

- New Keypad at Mayors Door
- New Keypad at Boiler Room
- New Replacement Keypad at Municipal
- New Replacement Keypad at Rec Centre

New Wireless Alarm Contacts for:

- Pool Room Exit Doors 1
- Pool Room Exit Doors 2
- Rec Centre Upper Exit Doors (Either side of new entrance door)

Staff have put in place a tight key protocol for the issuance of keys going forward, but there are a lot of keys out in the hands of people now, and staff have been unable to recover them, either because we don't know all of those who have them or because people have refused to give them back. Key Fobs can be decommissioned once the staff member or person no longer needs the keys and that would provide for much improved security.

Staff also obtained a quote for an updated camera system and recommend that initiative be included in the 2022 budget for a cost of approximately \$12,000.

Phase Two (Security camera upgrades)

Replace 8 existing cameras and add more onto 16 Channel Recorder

Add new cameras to following outdoor locations:

- 1- Back South Corner - Facing Along Back of Building
- 2- Back South Corner - Facing Towards Recycling Area
- 3- Coverage along front of Rec Centre
- 4- Coverage on Municipal Entrance Area

2.) Council Meeting Furniture:

Currently, there is a single large table that all five members of council sit around. This does not provide for effective social distancing nor does it allow for the members to face each other and make eye contact easily during a meeting, as the members are spread along the length of the table and facing outwards rather than each other. This is not conducive to relationship building or team building, and members do not want to have their backs to citizens who may be in the office, again making it difficult to circle the table. Smaller meeting tables, possibly a series of small round tables effectively spaced and located to provide for social distancing and eye contact is preferable.

3.) Citizen Seating:

COVID has made it very difficult for citizens to feel connected to their community and their community leaders. Meetings have been restricted and people are concerned about attending meetings, particularly given that so many citizens are seniors and in the vulnerable age category for those at risk of COVID.

Currently, the chairs that are set out for the public are considered short term chairs meant for short periods of time. More comfortable seating would give the meetings a visual marker that citizens are important and providing for their comfort while Council debates the village business would be more inclusive and give the message to community members that their participation and presence at meetings is important.

Use of COVID Funds:

The Village received \$268,000 in COVID-19 Safe Restart grant funding from the province at the end of 2020. The Village, unlike regional districts, do not have to spend and/or appropriate these funds before December 31, 2021. The funds can be carried over to future years.

To date, the following costs have been appropriated for designated items as listed below:

Item	Amounts
Grant Amount	\$268,000
2020 COVID-19 Expenses	\$ 5,660
Laptops for remote Council meetings	\$ 6,000
Keyless entry systems for Village office and Kelsey Rec Centre doors	\$ 2,000
Public Address Sound System for Mayor and Council and Citizen use	\$ 15,000
Village Website Redesign	\$ 8,000
Upgrades to access and egress, windowed doors where possible, disabled opener	\$ 15,000
Hazmat suits and dock for sewage lagoon	\$ 13,000
Total Expenditures:	\$ 64,660
Available COVID-19 Reserve funds	\$203,340

RECOMMENDATIONS

THAT the Making the Administrative Building Safe and Accessible to Citizens staff report be received for information and discussion; and,

THAT staff be directed to seek to obtain the \$5,500 grant from MIABC and use the funds along with \$5,845.99 from the COVID-19 Reserve fund to procure key fobs and the upgraded alarm system as described in this report and the attached quote for the sum of \$11,345.99; and,

FURTHER THAT staff be directed to include the additional \$12,161.17 in the 2022-2026 Financial Plan to install the upgraded camera security system; and,

FINALLY THAT staff return to Council with a quote to procure improved meeting furniture for Council that can provide for effective and engaged meetings and where citizens can feel comfortable and welcomed.

Respectfully submitted,

Ann MacDonald
CAO

Attachments:

- **Blanchard Security Quote October 14, 2021**

BLANCHARD



QUOTE

Number AAAQ2185

Date Oct 14, 2021

375-1434 Ironwood St. Campbell River, BC V9W 5T5,
t. (250) 914-0202 f. 1-888-821-8521

Quote For

Village of Sayward

Lisa Clark

652-A H'Kusam Way - PO Box 29
Sayward, BC V0P 1R0

Phone 250-282-5512

Fax

Quote for the following:

Access Controls on 4 Doors

- 1- Municipal Entrance Door
- 2- Municipal Rear Office Access
- 3- Mayor/Council Entrance Door
- 4- Rec Centre Entrance Door

Alarm System Upgrades and Partitioned to 4 Areas

- 1- Municipal Area
- 2- Council Area
- 3- Rec Centre Area
- 4- Boiler Room Area

New Keypad at Mayors Door

New Keypad at Boiler Room

New Replacement Keypad at Municipal

New Replacement Keypad at Rec Centre

(Remove old keypad from previous Library Room)

New Wireless Alarm Contacts for:

Pool Room Exit Doors 1

Pool Room Exit Doors 2

Rec Centre Upper Exit Doors (Either side of new entrance door)

Upgraded Camera System and New Wiring Installation

Replace 8 existing cameras and add more onto 16 Channel Recorder

Add new cameras to following outdoor locations:

- 1- Back South Corner - Facing Along Back of Building
- 2- Back South Corner - Facing Towards Recycling Area
- 3- Coverage along front of Rec Centre
- 4- Coverage on Municipal Entrance Area

Salesperson	P.O. Number	Ship Via	Terms
Marc Blanchard			Net 30
Qty	Description	Unit Price	Ext. Price

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOUR FOR HARDWARE ONLY AND ON A DEPOT BASIS - WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.



Qty	Description	Unit Price	Ext. Price
Access Controls			
2	CDVI A22KITSTB Atrium 2-Door STARPB Reader Security Access Control Kit	\$1,289.22	\$2,578.44
1	RCI 0162X32D 0 Series 0162 3/4" Rim Strike, 1,500lbf Static, Brushed Stainless Steel 12/24V AC/DC	\$469.22	\$469.22
3	Camden CX-ED2079 Universal Low Profile Electric Strike Grade 2, 12/24V AC/DC	\$205.98	\$617.94
900	Genesis 22061109 22 AWG 6C Str Shielded, Gray (Per Ft)	\$0.30	\$270.00
900	Genesis 18 AWG 2 Stranded Conductors, Csa Listed Cmg/Ft4, White (Per Ft)	\$0.28	\$252.00
2	Yuasa NP7-12 12V 7Ah General Purpose Battery	\$59.98	\$119.96
2	CDVI KTAG25 Black Key Ring Badge (Pack of 25)	\$151.22	\$302.44
1	Adams Rite Lever	\$62.00	\$62.00
1	Adams Rite Deadlatch 1 1/8"	\$132.32	\$132.32
1	Commercial Lock/Electric Strike Latch Protector	\$44.36	\$44.36
10	Locksmith Labour (Per Hr)	\$93.50	\$935.00
32	Technician Labour (Per Hr)	\$93.50	\$2,992.00
SubTotal			\$8,775.68
Alarm System Upgrades			
1	64 Zone NEO Control Panel in a Large Cabinet	\$205.98	\$205.98
4	NEO 8 Zone Expander Module	\$81.98	\$327.92
3	Full Message LCD Hardwired Keypad - No Wireless Transceiver	\$189.07	\$567.21
1	Wirefree Full Message LCD Keypad - Comes supplied with batteries	\$223.32	\$223.32
5	PowerG Wireless Door/Window Contact with Auxilliary Input	\$77.98	\$389.90
1	Yuasa NP7-12 12V 7Ah General Purpose Battery	\$59.98	\$59.98
16	Technician Labour (Per Hr)	\$93.50	\$1,496.00
1	Alarm System Installation Discount (Based on 3 Year Monitoring Agreement)	-\$700.00	-\$700.00
SubTotal			\$2,570.31
Camera System			
1	HikVision Indoor/Outdoor 4MP IP Bullet Camera w/ Varifocal Lens 2.8mm to 12mm, FOV 104° to 29°	\$449.98	\$449.98
1	HikVision Indoor/Outdoor 4MP IP Turret Camera w/ Fixed Lens 4mm - FOV 83° - White	\$243.32	\$243.32
2	HikVision Indoor/Outdoor 4MP IP Turret Camera w/ Fixed Lens 2.8mm, FOV 103° - White	\$243.32	\$486.64
3	HikVision Indoor/Outdoor 4MP IP Turret Camera w/ Fixed Lens 2.8mm, FOV 103° - White	\$243.32	\$729.96
5	HikVision Indoor/Outdoor 4MP IP Vandal Dome Camera w/ Fixed Lens 2.8mm, FOV 103° - White	\$234.98	\$1,174.90
4	HikVision Conduit Base - Medium - White	\$43.98	\$175.92
1	HikVision 16 Channel NVR w/ 16 PoE Ports (No HD, Up to 24TB)	\$1,114.98	\$1,114.98
1	Western Digital Purple Series - Surveillance Hard Drive - 4TB	\$287.47	\$287.47
2,500	Genesis 63602108 4-Pair Category 6 Riser, Black, 1000 ft. Reel-in-Box (Per Ft)	\$0.34	\$850.00
48	Technician Labour (Per Hr)	\$93.50	\$4,488.00
SubTotal			\$10,001.17

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PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOUR FOR HARDWARE ONLY AND ON A DEPOT BASIS - WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.



Qty	Description	Unit Price	Ext. Price
Travel Costs (6 trips from Campbell River and back with 2 technicians)			
900	KM Travel (0.60 / km)	\$0.60	\$540.00
24	Travel Time Cost (Per Hr)	\$67.50	\$1,620.00
SubTotal			\$2,160.00

Quote pricing is valid for 30 days after date of issue

Total Before Taxes	\$23,507.16
GST (5%)	\$1,175.39

Total Estimate	\$24,682.55
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PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOUR FOR HARDWARE ONLY AND ON A DEPOT BASIS - WE SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.





VILLAGE OF SAYWARD

BYLAW NO. 422

A BYLAW OF THE VILLAGE OF SAYWARD TO AUTHORIZE TICKETING FOR BYLAW OFFENCES

WHEREAS Sections 264 and 265 of the *Community Charter* authorize a Council, by bylaw, to:

- a. Designate a bylaw which may be enforced by means of a ticket in a form prescribed by regulation;
- b. Designate bylaw enforcement officers for the purpose of enforcing bylaws by means of a ticket;
- c. Authorize the use of any word or expression on a ticket to designate an offence against a bylaw;
- d. Establish penalties, not greater than the amount prescribed by regulation, for an offence against a designated bylaw.

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

1. This Bylaw may be cited as "**Ticketing for Bylaw Offences Bylaw No. 422, 2021.**"
2. Those bylaws listed in Schedule 1, attached to and forming part of this Bylaw, under the heading "*Designated Bylaws*" may be enforced by means of a ticket in the form prescribed under section 264(1)(a) of the *Community Charter*.
3. Those persons listed in each row of Schedule 1, attached to and forming part of this Bylaw, under the heading "*Designated Bylaw Enforcement Officers*" are designated as bylaw enforcement officers for the purpose of enforcing the Designated Bylaw listed in the same row of Schedule 1.
4. The words or expressions set forth under the heading "*Designated Offence*" in Schedules 2 through 5, attached to and forming part of this Bylaw, designate the offence committed under the section of the Designated Bylaw listed in the same row of the applicable Schedule.
5. The amounts listed in Schedules 2 through 5 under the heading "*Penalty*" designate the fines prescribed pursuant to Section 265 of the *Community Charter* for contravention of corresponding Designated Offences.
6. In the case of a continuing offence, each day that the offence continues constitutes a new

offence, and a separate ticket may be issued for each day that the offence continues.

7. If any section, subsection, sentence, clause, phrase or lesser portion of this bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion of the bylaw shall be severed, and the remaining provisions of this bylaw shall not be affected.

Read a first time on the 19th day of October 2021.

Read a second time on the 19th day of October 2021.

Read a third time on the 19th day of October 2021.

Adopted on the ____ day of _____ 2021.

Certified a true copy of Bylaw
No. 422 this ____ day of

_____, _____

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer

SCHEDULE 1

<i>Schedule</i>	<i>Designated Bylaws</i>	<i>Designated Bylaw Enforcement Officers</i>
2	Animal Control Bylaw No. 418, 2015	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
3	Noise Control Bylaw No. 342, 2005	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
4	Parks Control Bylaw No. 421, 2018	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
5	Building Bylaw No. 334, 2005	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer

SCHEDULE 2
ANIMAL CONTROL BYLAW NO. 418, 2015

<i>Designated Offence</i>	<i>Section</i>	<i>Penalty (\$)</i>
Unlicensed dog	4.1	75.00
No licence tag on dog	4.4	50.00
Prohibited removal of licence tag	4.5	50.00
Unauthorized keeping of animals outdoors	5.1	75.00
Keep more than three dogs	5.2	200.00
Prohibited keeping of livestock	5.3	100.00
Sell wild or exotic animal	5.4	100.00
Display wild or exotic animal	5.4	100.00
Keep wild or exotic animal	5.4	100.00
Dog in restricted area of park	5.5	100.00
Dog at large	5.6	100.00
Fail to remove dog excrement	5.7	150.00
Keep dog that has killed or injured	5.8(a)	200.00
Keep barking dog	5.8(b)	200.00
Keep aggressive dog	5.8(c)	200.00
Keep dog for dog fighting	5.8(d)	200.00
Keep birds that are a nuisance or disturb	5.9	100.00
Keep more than three cats	5.10	200.00
Cat at large	5.11	100.00
Fail to muzzle/enclose dangerous or vicious dog	5.12	200.00
Interfere with impounding of animal	6.4	300.00
Unlawfully remove animal from Pound	6.9	200.00
Obstruct Animal Control Officer	9.4	300.00

SCHEDULE 3
NOISE CONTROL BYLAW NO. 342, 2005

<i>Designated Offence</i>	<i>Section</i>	<i>Penalty (\$)</i>
Continuous and persistent noise that disturbs	4.1	100.00
Amplified sound that disturbs	4.2	100.00
Noise that disturbs	4.3	100.00
Animal noise that disturbs	4.4	100.00
Construction outside permitted hours	5.2.1	100.00

SCHEDULE 4**PARKS CONTROL BYLAW NO. 421, 2018**

<i>Designated Offence</i>	<i>Section</i>	<i>Penalty (\$)</i>
Damage park vegetation or soil	4.1(a)(i)	200.00
Remove park vegetation or soil	4.1(a)(i)	200.00
Damage park improvement	4.1(a)(ii)	200.00
Remove park improvement	4.1(a)(ii)	200.00
Damage park building or structure	4.1(a)(iii)	200.00
Remove park building or structure	4.1(a)(iii)	200.00
Damage park fixture or equipment	4.1(a)(iv)	200.00
Remove park fixture or equipment	4.1(a)(iv)	200.00
Permit dog or other animal in stream or pool	4.1(b)	100.00
Deposit garbage where not permitted	4.1(c)	100.00
Deposit household/trade waste	4.1(d)	100.00
Vehicle not in designated area	4.1(e)	100.00
Animal not in designated area	4.1(f)	100.00
Launch water vessel from undesignated area	4.1(g)	100.00
Use object in a dangerous manner	4.1(h)	100.00
Dump foreign material	4.1(j)	200.00
Operate amplifying system/loudspeaker	4.1(k)(i)	150.00
Camp overnight	4.1(k)(ii)	100.00
Participate in unauthorized event	4.2(a)	100.00
Unauthorized commercial activity	4.2(b)	150.00

SCHEDULE 5
BUILDING BYLAW NO. 334, 2005

<i>Designated Offence</i>	<i>Section</i>	<i>Penalty (\$)</i>
Work without permit	6.1.1	500.00
Occupy without occupancy permit	6.1.2	500.00
Provide false information to building official	6.1.3	500.00
Tamper with official notice	6.1.4	500.00
Obstruct building official	6.1.6	500.00
Failure to comply with stop work order	6.1.7	1,000.00
Work contrary to bylaw	6.1.8	1,000.00
Demolition without permit	6.1.9	1,000.00