



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
FEBRUARY 1, 2022 - 7:00 PM
HYBRID TEAMS & OPEN MEETING
COUNCIL CHAMBERS**

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

1. Call to Order

2. Introduction of Late Items

3. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for February 1, 2022 be approved.

4. Minutes of Previous Meetings

Recommended Resolutions:

THAT the minutes from the Regular Council meeting held on January 18, 2022 be adopted.

THAT the minutes from the Committee of the Whole meeting held on January 25, 2022 be adopted.

5. Petitions and Delegations

a) **Mary Ruth Snyder – Executive Director, Campbell River & District Chamber of Commerce**

6. Correspondence

a) UBCM, The Compass, Jan 26, 2022 re: Province, UBCM commit to review local government finance

b) Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs, re: COVID-19 Update: Meetings and Safety Plans

c) Aniko Nelson, Strathcona Regional District, re: Wood Stove Exchange Program

d) Brian Bedford, Ministry of Municipal Affairs, re: Investing in Canada Infrastructure Program, application intake extended to February 23, 2022

7. Council Reports - None

8. Reports of Committees - None

9. Mayor's Report - None

10. Unfinished Business

a) Share Shed – verbal report from CFO

11. Staff Reports

b) 2022 Local Government Elections

Recommended Resolutions:

THAT Lisa Clark, CFO be appointed Chief Election Officer for the 2022 Local Government Election, with power to appoint other election officials as required for the administration and conduct of the 2022 Local Government Election pursuant to Section 58 of the Local Government Act; and,

THAT Jason Johnson, CAO be appointed Deputy Chief Election Officer for the 2022 Local Government Election.

c) Development Variance Permit Application – 701 and 711 Kelsey Way

Recommended Resolutions:

THAT Council require that Lots 701 and 711 Kelsey Way (legal address) be consolidated by way of a registered subdivision prior to the issuance of a DVP; and

THAT the owners provide an overview of their intended development plans of the property to show how the relocation of the accessory building within the current front setback can be relocated to accommodate better use of the property; and

THAT the attached correspondence be sent to the owners of Lots 701 and 711 Kelsey Way in reply to their application for a DVP.

d) Council Appointments Schedule 2022

Recommended Resolution:

THAT Council receive the Council Appointment Schedule 2022 report for information and discussion.

12. Bylaws

a) Council Procedure Amendment Bylaw No. 479, 2022

Recommended Resolution:

THAT Council Procedure Amendment Bylaw No. 479, 2022 be given fourth and final reading.

b) Revenue Anticipation Bylaw No. 480, 2022

Recommended Resolution:

THAT Revenue Anticipation Bylaw No. 480, 2022 be given first, second and third reading.

c) DRAFT Fireworks Regulation Bylaw No. XXX, 2022

Recommended Resolution:

THAT Council receives the DRAFT Fireworks Regulation Bylaw No. XXX, 2022 staff report for information and discussion.

13. New Business

a) Municipal Signing Authority

With the changes in Council positions (new Deputy Mayor) and Staff (new CAO), new financial signing authorities are required to conduct Village business.

Recommended Resolution:

THAT Council authorizes Mayor Mark Baker, Deputy Mayor Sue Poulsen, Chief Administrative Officer Jason Johnson, and Chief Financial Officer Lisa Clark to be the signing authorities respecting municipal financial matters for the Village of Sayward.

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



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
JANUARY 18, 2022
HYBRID TEAMS & OPEN MEETING
COUNCIL CHAMBERS**

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

Regrets: Councillor Wes Cragg

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

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

1. Call to Order

Meeting was called to order at 7:00 PM

2. Introduction of Late Items

a) Cllr Poulsen requested that the subject of the Share Shed be added to the agenda – added to 10. Unfinished Business.

3. Approval of Agenda

MOTION R22/1

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for January 18, 2022 be approved as amended.

CARRIED

4. Minutes of Previous Meetings

MOTION R22/2

MOVED AND SECONDED

THAT the minutes from the Special Council meeting held on January 11, 2022 be adopted.

CARRIED

5. Petitions and Delegations - None

6. Correspondence

- a) Director Ian Morrison, President, AVICC re: review of licenses for Marine Finfish and Area-Based Aquaculture Management.
- b) Isabella Lee, BC Public Relations and Communications Adviser, Girl Guides of Canada, re: Guiding Lights Across BC – Feb 22, 2022
- c) School District 72, January 12, 2022 Board News
- d) Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs, re: Dec 2021 regional meetings with Min. Josie Osborne and Min. Murray Rankin

7. Council Reports - None

8. Reports of Committees - None

9. Mayor's Report - None

10. Unfinished Business

CLlr Poulsen provided an update on the Share Shed and discussion was held on how to move forward.

MOTION R22/3

MOVED AND SECONDED

THAT going forward the Share Shed be managed and operated by Sayward Futures Society.

CARRIED

11. Staff Reports

a) Plan H Healthy Communities Grant

MOTION R22/4

MOVED AND SECONDED

THAT a notice regarding the Kindling Community Kindness project be placed in the monthly Sayward News and on social media to garner interest and volunteers from the community, and;

THAT Sayward Futures Society and the Village work together over the next several months to carry out the project goals.

CARRIED

b) Bylaw Notice Adjudication System

MOTION R22/5

MOVED AND SECONDED

THAT a Bylaw Notice Adjudication System be re-visited in 2023.

CARRIED

12. Bylaws

a) Council Procedure Amendment Bylaw No. 479, 2022

MOTION R22/6

MOVED AND SECONDED

THAT Council Procedure Amendment Bylaw No. 479, 2022 be given first, second and third reading.

CARRIED

13. New Business - None

14. Public Question Period - None

15. In-Camera

MOTION R22/7

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.

CARRIED

16. Rise and Report

MOTION IC22/7

MOVED AND SECONDED

THAT Council approves the hiring of Jason Johnson as the Village of Sayward Chief Administrative Officer effective February 1, 2022.

CARRIED

MOTION IC22/8

MOVED AND SECONDED

THAT Council approves the hiring of Ann MacDonald as a consultant on a contract basis for a period of 2 months starting January 19, 2022.

CARRIED

MOTION IC22/9

MOVED AND SECONDED

THAT effective February 1, 2022 Lisa Clark, CFO be appointed Corporate Officer for 6 months.

CARRIED

17. Adjournment

The meeting was adjourned at 7:50 PM.

Mayor

Corporate Officer



**VILLAGE OF SAYWARD
MINUTES
COMMITTEE OF THE WHOLE MEETING
JANUARY 25, 2022
HYBRID TEAMS & OPEN MEETING
COUNCIL CHAMBERS**

Present: Mayor Mark Baker
Councillor Sue Poulsen
Councillor Tom Tinsley

Regrets: Councillor Wes Cragg
Councillor Norm Kirschner

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

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

1. Call to Order

Meeting was called to order at 7:00 PM.

2. Introduction of Late Items - None

3. Approval of Agenda

MOTION C22/1

MOVED AND SECONDED

THAT the agenda for the Committee of the Whole Meeting of Council for January 25, 2022 be approved.

CARRIED

4. Minutes of Previous Meetings - None

5. Petitions and Delegations - None

6. Correspondence - None

7. Council Reports - None

8. Reports of Committees - None

9. Mayor's Report - None

10. Unfinished Business - None

11. Staff Reports

a) Financial Plan 2022-2026

MOTION C22/2

MOVED AND SECONDED

THAT the Committee of the Whole receive the Financial Plan 2022-2026 report for information and discussion.

CARRIED

12. Bylaws - None

13. New Business - None

14. Public Question Period - None

15. In-Camera - None

16. Adjournment

The meeting was adjourned at 8:18 PM.

Mayor

Corporate Officer



CAMPBELL RIVER & DISTRICT CHAMBER OF COMMERCE

We are the intersection point between businesses, all 4 levels of government, education institutions, community organizations, the general public and our Indigenous Nations — providing opportunities for engagement, learning and the raising of our collective vibrancy.

January 15, 2022

RE: District Wide Database

To The Village of Sayward Mayor & Council,

It gives me great pleasure to share with you that the Campbell River & District Chamber of Commerce is the recipient of a Government of Canada grant in support of Shop Local Support Local. Part of the funds *must* be used for advertising, and part of the funds *could* be used for legacy projects. In our application we included a number of legacy projects and we were thrilled when our entire application was approved.

We have a newly built website by a Timberline Secondary grad that was launched last spring, and due to the way it was built and its platform it is extremely versatile and easily maneuverable allowing for the adding of new features.

The legacy project that we have undertaken is to create an online business and community organization database that will be searchable by both category and location. Destination Campbell River had well over 6,000 visitors to the Visitor Centre last year, all of them asking questions about the area. Now, if someone asks about any area in the Strathcona Regional District, the Visitor Centre staff can simply bring up the database, type in the location and all of the businesses and community organizations will come up in their categories for that location.

I respectfully request to attend a future council meeting to discuss the chamber, the database and how else we may be able to collaborate moving forward.

I look forward to speaking with you, thank you for your time.

Sincerely,

A handwritten signature in black ink, reading "Mary Ruth Snyder". The signature is fluid and cursive, with the first name "Mary" being the most prominent.

Mary Ruth Snyder
Executive Director

From: Union of BC Municipalities <ubcm@ubcm.ca>
Sent: Wednesday, January 26, 2022 11:41 AM
To: Lisa Clark
Subject: Province, UBCM commit to review local government finance

THE COMPASS

News and information from the Union of BC Municipalities

Province, UBCM commit to review local government finance



The Province and Union of BC Municipalities will work together to review the local government finance system in B.C. to ensure that municipal governments and regional districts remain resilient in the face of economic changes. [Read more](#)

RCMP amends vaccine policy for support staff

The RCMP has updated its vaccine policy for local government support staff (i.e. those that work in RCMP detachments). New guidance requests that affected local government employees be fully vaccinated "as soon as possible." This replaces previous expectations, communicated on December 10, 2021, that affected individuals be fully vaccinated by the end of 2021. [Read more](#)



Province, UBCM commit to review local government finance



Publishing Date: January 26, 2022

The Province and Union of BC Municipalities will work together to review the local government finance system in B.C. to ensure that municipal governments and regional districts remain resilient in the face of economic changes.

Municipal Affairs Minister Josie Osborne, Finance Minister Selina Robinson, and UBCM President Laurey-Anne Roodenburg have signed a **Memorandum of Understanding** on Local Government Financial Resiliency.

“From the COVID-19 pandemic to recent extreme weather events, local governments are facing new challenges that did not exist a decade ago,” said Josie Osborne, Minister of Municipal Affairs. “Through this new agreement, I look forward to making progress together on matters of mutual interest as we work to gain a greater understanding of local government financial resiliency.”

The MOU will guide the Province and UBCM in a review of the local government finance system. This will include discussions about cost pressures local governments may be experiencing around attainable housing, community safety and climate change, and the impact of the new economy. These issues were identified in a UBCM membership-endorsed report and published in August 2021. The report included 20 recommendations that focused on strengthening the municipal and regional district finance system.

This MOU is in response to a recommendation in the UBCM report to engage through a meaningful working relationship in order to meet the respective interests of strengthening the local government finance system. The UBCM report states that their recommendations are aimed at identifying potential solutions to priority issues that are common to both local governments and the Province. The Working Group will review the recommendations and develop a work plan for short-medium- and long-term consideration.

“The finance system for local government is facing increasing pressure due to the challenges posed by housing attainability, community safety and climate change,” said Councillor Laurey-Anne Roodenburg, UBCM’s president. “These issues impact all levels of government, and are best addressed through cooperation and collaboration. The decision by the Province of BC to join with local government to

examine these challenges and explore solutions is good news for B.C. residents and the sustainability of communities.”

Progress under the MOU will be made through a Local Government Financial Review Working Group made up of staff from the Province and UBCM. The group will review the local government finance system in B.C., analyse the recommendations in the UBCM report, and discuss matters of mutual interest.

“I know from first-hand experience the role local governments play in delivering vital services and infrastructure. We serve the same people and share many of the same priorities,” said Selina Robinson, Minister of Finance. “This MOU is about two levels of government working together to advance our mutual interest – ensuring the strength of the local government finance system.”

The MOU will be reviewed three years from the date of signing unless the parties agree to an earlier review. The ministers of Municipal Affairs and Finance and the president's committee of UBCM will meet at least once a year, no later than June 30 of each year, to discuss the work program for review of the August 2021 UBCM report and to assess progress. The work of the Local Government Financial Review Working Group will be informed by policy paper, **Ensuring Local Government Financial Resiliency**, endorsed by UBCM members at the 2021 UBCM convention.

[Home](#) > [About the UBCM](#) > [Latest News](#)

> [Province, UBCM commit to review local government finance](#)



January 27, 2022

Ref: 269215

Dear Chief Administrative Officers and Corporate Officers:

At the outset, I want to acknowledge the challenges the current COVID-19 wave is posing for everyone and recognize the difficulties that may be faced by local government operations as we move through this next phase of the pandemic. I appreciate and thank local governments for the continued dedication and support in keeping their communities healthy and safe. Recognizing the volume of information around the pandemic, I wanted to highlight some recent changes for you.

COVID-19 Safety Plans

On January 7, 2022, the Provincial Health Officer announced an order requiring employers to reactivate their COVID-19 Safety Plans to reduce the spread of the highly transmissible Omicron variant of the COVID-19 virus.

The new [Workplace Safety Order](#) requires employers to re-activate their COVID-19 Safety Plans within the communicable disease plans that are already in place. WorkSafeBC has provided guidance on reactivation or development of these plans and further information can be found [here](#).

On January 18, 2022, the PHO announced that gyms, fitness centres, and other indoor exercise and fitness facilities are permitted to open effective January 20, 2022, provided they follow additional measures. Further information can be found [here](#).

Meetings

Where possible, local governments are encouraged to shift to electronic meetings for their members if it is authorized in their procedure bylaw. Amendments to the electronic meeting rules that came into force on September 29, 2021, provide local governments with the flexibility to have members attend regular and committee meetings electronically (in addition to special meetings). If you have not already done so, you may wish to review and amend your procedure bylaw to ensure that your council or board has the flexibility to hold meetings electronically so that all council or board members may attend virtually, if necessary. Further guidance can be found [here](#).

In terms of restricting the public to virtual attendance, the rules require that a place be available for the public to attend to hear, or watch, regular and special meetings held electronically to support accessibility and transparency and that a municipal officer be in attendance. The place may be in the

...2

regular council, a board meeting space, or another space with the appropriate with health and safety measures in place.

Some local governments have asked whether the Minister can restrict public attendance at meetings or override the requirement to provide a place for the public for electronic meetings. Previous orders issued earlier in the pandemic that limited in-person public attendance at open meetings or required local governments to make “best efforts” to have the public in attendance were exceptional orders under the *Emergency Program Act* during a Provincial State of Emergency.

Presently, no legislative authority exists to allow the Minister to issue a Ministerial Order (or any other legislative tool) to override public presence at open meetings (including providing a place for the public when electronic meetings are held). Our understanding from the Provincial Health Officer is that there is no intention for any additional restrictions for local government meetings, including restricting in-person attendance at open meetings.

I would encourage all local governments to consider enhanced safety measures where in-person attendance is required to support the health and safety of staff and the public. These measures could include plexiglass, limiting capacity, ensuring physical distancing, and encouraging members of the public to attend virtually as much as possible.

Public Hearings

Public hearings may be held fully electronically and are not required to have a place for the public. Further information is available [here](#).

Proof of Vaccination

As noted in my previous communication, the PHO has indicated that that the proof of vaccination requirement **does not apply** to formal local government business, including by-elections, council/board meetings and public hearings for both council/board members as well as the public attending these events. The reasoning for this is to ensure that access to local government business, including meetings, is not restricted. The local government COVID-19 Safety Plan and health and safety measures put in place can help support safe meeting spaces.

The Ministry’s understanding is that various local governments have taken different approaches to vaccination policies (typically for employees). If local governments are considering adoption of vaccination policies that apply to the public and elected officials, you will want to seek legal advice on the implications of implementing those policies. For example, if there were a vaccination policy for elected officials would the requirements of the local government legislation continue to be met (e.g., attendance at meetings).

We encourage you to keep watching [BC’s Response to COVID-19](#) website for updates. Questions about COVID-19 safety in specific settings may also be directed to WorkSafeBC’s Prevention Information Line at 604.276.3100 in the Lower Mainland (toll-free within B.C. at 1 888 621 SAFE).

Other COVID related information impacting local governments can be found here:

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/covid-19>

If you have questions regarding council or board meetings or timelines for the various pieces of information above, I encourage you to contact our Governance and Structure Branch. You can reach the Governance and Structure Branch by phone at 250-387-4020 or email at LGGovernance@gov.bc.ca. For questions about public hearings please contact the Planning and Land Use Management Branch by phone at 250 387-3394 or by email at PLUM@gov.bc.ca.

Sincerely,



Tara Faganello
Assistant Deputy Minister

pc: Honourable Josie Osborne, Minister of Municipal Affairs
Laurey-Anne Roodenburg, President, UBCM
Gary MacIsaac, Executive Director, UBCM
Candace Witkowskyj, Executive Director, LGMA
Todd Pugh, Executive Director, CivicInfo

January 26, 2022

**Time to change out your inefficient wood stove and qualify for
SRD's Wood Stove Exchange Program**

The Strathcona Regional District (SRD) is offering its Wood Stove Exchange Program once again this year which provides an opportunity for property owners to receive rebates from \$300 - \$750, effective September 15, 2021. Rebates are being offered on a first-come, first-served basis to residents interested in exchanging their old wood stove for a new, high efficiency heat pump, gas insert, wood or pellet stove.

If you live in the villages of Gold River, Tahsis, Sayward, Zeballos and the four electoral areas and you have been thinking about upgrading your wood stove, now is the time. There is a limited supply of rebates and offers expire December 31, 2022. "By trading in your old, inefficient stove for a new, clean burning, high efficiency model you are helping to improve air quality for everyone in the region," said SRD Chair Unger. "Not only do the new stoves burn hotter and slower, reducing smoke output by 70% and consuming less wood but it also reduces the fine particulate matter in wood smoke that are inhalable and can settle in the lungs".

Rebate incentives are as follows:

- Wood stove to wood exchanges – \$300
- Wood stove to natural gas, propane, and pellet stove – \$500
- Wood stove to heat pump – \$750

All new stoves which have a CSA-/EPA certification are eligible. To participate, homeowners need to provide evidence that the old stove has been decommissioned, and the new stove has been installed in compliance with building codes.

For more information regarding the program, please visit www.srd.ca/wood-stove-exchange-program or contact the SRD office at 250-830-6718 or rebates@srd.ca.

The Strathcona Regional District's wood stove exchange program is made possible through funding from the provincial Ministry of Environment.

-##-

Media Contact:

Aniko Nelson
SRD Senior Manager, Community Services
250-830-6708 | anelson@srd.ca



Circular No. 22:02

January 18, 2022

To: All Chief Administrative Officers

Re: **Investing in Canada Infrastructure Program:**
Environmental Quality Program – Application Intake Extended

The application deadline for the Environmental Quality Program, under the Investing in Canada Infrastructure Program (ICIP), will be extended until February 23, 2022 (from January 26, 2022) in recognition of multiple recent pressures affecting local governments including from flooding and COVID-19 impacts.

The Province of British Columbia and Government of Canada have partnered on the Investing in Canada Infrastructure Program (ICIP) to fund Green; Community, Culture and Recreation; Public Transit; and Rural and Northern Communities Infrastructure. The ICIP provides communities across British Columbia a variety of funding opportunities to build sustainable communities, to help create long term economic growth, and to support a low carbon, green economy.

On Friday, October 8, 2021, the third intake of the **Environmental Quality (EQ) Program** was announced. The Province and Canada are committing up to \$270 million to support cost-sharing of capital infrastructure projects in communities across the Province. This intake is designed for projects starting in 2023 and completing by 2026.

The EQ Program provides support for reliable water and wastewater systems that meet legislated standards or projects that result in legislative standards being met. It will also support projects that remediate contaminated sites, divert solid waste from landfill, provide treatment or management for stormwater and reduce or remediate soil & air pollutants.

Applications also demonstrating principles of sustainability through long-term community plans and asset management, as well as consideration for environmental enhancement, climate change, water conservation, resource recovery and reuse, and added value for a better planet will have the best chance of success given the oversubscription rates in past intakes.

Grant applications are assessed in the context of published program eligibility guidelines and consideration is given to projects demonstrating alignment with program criteria. This reinforces the expectation that grant funds are allocated fairly and equitably between competing projects.

Program information, including Program Guide, application instructions and links to the application are now available on the ICIP website: www.gov.bc.ca/Investing-in-Canada-Infrastructure-Program.

The Ministry is pleased to provide advice on what is looked for in a successful application for any of our grant programs. Please contact the Local Government Infrastructure and Finance Branch by telephone at: 250-387-4060, or by email at: infra@gov.bc.ca.

Sincerely,

Brian Bedford

A handwritten signature in dark ink, appearing to read "Brian Bedford", enclosed within a faint, hand-drawn oval.

Executive Director
Local Government Infrastructure and Finance Branch
Ministry of Municipal Affairs



STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO
Subject: 2022 Local Government Elections
Meeting date: February 1, 2022

BACKGROUND

The 2022 Local Government Elections will be held in the fall of 2022, with general voting day scheduled for October 15, 2022.

DISCUSSION

Section 58(1) of the *Local Government Act* requires the local government to appoint a Chief Election Officer and a Deputy Chief Election Officer for the purposes of conducting an election. Section 58(2) requires that the Chief Election Officer must appoint other election officials as required for the administration and conduct of the election.

Staff have considered the workload of a new CAO coming on 8 months before the election. Considering the CFO has now worked 2 elections, it may be prudent for Council to appoint the CFO as the Chief Election Officer for the 2022 election, having the CAO as the Deputy. It is also anticipated some contract labour will be required to assist with election related duties; the costs associated with this will be funded from the Election Reserve which Council has been contributing to annually for this very purpose.

RECOMMENDATIONS

THAT Lisa Clark, CFO be appointed Chief Election Officer for the 2022 Local Government Election, with power to appoint other election officials as required for the administration and conduct of the 2022 Local Government Election pursuant to Section 58 of the *Local Government Act*; and,

THAT Jason Johnson, CAO be appointed Deputy Chief Election Officer for the 2022 Local Government Election.

Respectfully submitted,

Lisa Clark
CFO



STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO
Subject: Development Variance Permit Application – 701 and 711 Kelsey Way
Meeting date: February 1, 2022

BACKGROUND

For Council to consider approving a development variance permit to vary the zoning requirements of 701 and 711 Kelsey Way. The development variance permit (DVP) seeks to allow a reduction of the front and rear setback from 6.0 metres to 3.0 metres for both 701 and 711 Kelsey Way. This will allow for the owners to develop the property to within 3.0 metres of the entire perimeter of the two lots.

Development Variance Permits are issued under Section 922 of the *Local Government Act*. A DVP is required whenever proposed construction does not meet the requirements of the zoning bylaw. A DVP cannot vary the use or the density, nor can it vary floodplain specifications or phased development agreements.

DISCUSSION

The owners of 701 & 711 Kelsey Way have requested a variance to reduce the front and rear yard setbacks from 6.0 metres (19 feet) to 3.0 (9 feet) metres. The owners have also indicated on their application a desire to re-build the utility shed in a better location to accommodate better use of the property. The shed is currently located within the road Right of Way along Kelsey Way. The owner has requested the opportunity to meet with Council to discuss her proposed redevelopment of the site.

The property is currently zoned R-C in the Village of Sayward zoning bylaw. (Appendix 1) The owner operates a mobile home park as a legally non-conforming use on the two lots and there are currently 5 mobile homes on site. There is currently an encroachment of one of the mobile homes whereby the mobile home encroaches across the property line of Lot 711 onto Lot 701. A survey plan was prepared in 2009 to consolidate these two lots (701 and 711) and thereby remove the encroachment, but the plan was not completed.

A demolition permit was issued in 2021 for a 6th mobile home along Kelsey Way and that has now been removed. As a non-conforming use, the owners are allowed to continue to operate the non-conforming use but not expand it, so once a mobile home has been removed it can not be

replaced. As series of property deficiencies, including the two encroachments noted above, were presented to the previous owner in 2021 and when the property changed hands in the summer of 2021 the new owners were advised of the previous requests to address the deficiencies. The list included a reference to the utility shed encroaching onto the road right of way; however, the new owners were advised at the time that the encroachment was not the main issue to be addressed, and that it could be addressed at the time of redevelopment and that the Village was not requesting that matter to be addressed as a priority at this time.

ZONING AND SETBACKS

The R-C zone requires a 6.0 metre setback from the front and rear lot lines for principal structures and a 3.0 metre setback from a side lot line. Generally, setbacks are intended to protect the adjacent property users from the use and effects of the property to which the setbacks apply.

Commercial setbacks, for instance, are often less to allow for easy commercial servicing and direct foot and sidewalk access whereas residential setbacks are larger to provide for greater peace and enjoyment of residential properties and to set the residential uses back from traffic and road noise. Accessory buildings are generally subject to differing setback as well to create a quiet, pleasurable, and safe streetscape and to provide for effective placement of the primary structure and, in the front and rear.

In the case of Lots 701 and 711 Kelsey Way, the shed that currently sits in the road right of way is required to be set back 6.0 metres from Kelsey Way but may be 1.6 metres from a side or rear property line. In the case of 711 Kelsey Way, this lot has frontage on Kelsey Way, whereas 701 has frontage on Sayward Road, being the shorter dimension in each case.

Staff recommend that the owners be required to consolidate lot 701 and lot 711 prior to the issuance of a DVP. This will allow for the owners to remove the encroachment as no further development should occur until this is addressed.

As well, Council would be better prepared to consider the application to vary the zoning setbacks if the owners were able to provide an overview of their intended redevelopment plans of the property. This would better inform Council as to the future intended uses of a consolidated lot 701 and Lot 711 and help Council consider the request to vary the front and rear setbacks.

Public consultation is required in order for council to issue a DVP that varies the zoning requirements, so more information about the future development plans of the property will better serve and inform the community as to the future uses of 701 – 711 Kelsey Way and what impacts, if any, a 3.0 metre relaxation of the front and rear setbacks will have on current tenants and adjacent properties.

RECOMMENDATIONS

THAT Council require that Lots 701 and 711 Kelsey Way (legal address) be consolidated by way of a registered subdivision prior to the issuance of a DVP; and

THAT the owners provide an overview of their intended development plans of the property to show how the relocation of the accessory building within the current front setback can be relocated to accommodate better use of the property; and

THAT the attached correspondence be sent to the owners of Lots 701 and 711 Kelsey Way in reply to their application for a DVP.

Respectfully submitted,

Lisa Clark
CFO

Attachments:

- **Correspondence to applicant (Gill, Serena)**



Village of Sayward

Ms. Serena Gill
6973 Burnaby Street
Powell River, BC
V8A 1Z3

Re: 701 and 711 Kelsey Way – Application for Development Variance Permit

Dear Ms. Gill

Thank you for your December 17, 2021 application for a Development Variance Permit to vary the setback on your property at 711 Kelsey Way. The Village of Sayward is looking forward to working with you as you redevelop this property and wishes to support you in this new endeavour.

In accordance with the attached staff report, your application was reviewed by Council at its February 1, 2022 meeting. As noted in the attached report, Staff are again recommending that consolidation of Lots 701 and 711 Kelsey Way be completed prior to Council approving your application in order to address the encroachment of one mobile home from Lot 711 onto Lot 701. Further, as the current use of the property to operate a mobile home park is not a permitted use in the current zoning bylaw, Council would be better prepared to support your request if you could please provide more information as to your overall future development plans.

As you have indicated in correspondence to staff your interest in meeting with Council, can you please consider providing further information to Council, preferably at its February 15, 2022 meeting by way of a virtual or in person delegation, in order for them to have a better understanding of your plans.

Thank you again for your interest in working with the Village of Sayward. We look forward to working with you.

Sincerely,

Lisa Clark
CFO



STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO
Subject: Council Appointments Schedule 2022
Meeting date: February 1, 2022

BACKGROUND

At the December 9th, 2021, Special Council meeting the following appointments to various boards and committees were approved:

1. Council Appointments and Portfolios:

MOTION S21/19

MOVED AND SECONDED

- 1.) THAT Mayor Mark Baker be appointed to the Strathcona Regional District Board and Councillor Sue Poulsen be appointed as alternate; Cllr Poulsen to attend the Comox Strathcona Regional Hospital District Board and the Comox Strathcona Waste Management Committee.
- 2.) THAT Councillor Wes Cragg be appointed to the Sayward Community Tourism Committee and Councillor Tom Tinsley be appointed as alternate.
- 3.) THAT Councillor Norm Kirschner be appointed to the Community Garden Portfolio and Councillor Wes Cragg be appointed as alternate.
- 4.) THAT Councillor Sue Poulsen be appointed as the Healthy Communities and Age Friendly Representative and Councillor Wes Cragg be appointed as alternate.
- 5.) THAT Mayor Mark Baker be appointed to the First Nations Relations and Community Forest Committee and Councillor Wes Cragg be appointed as alternate.
- 6.) THAT Councillor Norm Kirschner be appointed to the Mid Island Forestry Lands Advisory Group.
- 7.) THAT Councillor Sue Poulsen be appointed as Deputy Mayor.
- 8.) THAT Mayor Mark Baker be appointed the Council representative on the Sayward Futures Society Board.

CARRIED

DISCUSSION

For Council's convenience, Staff have provided meeting dates for all Boards and Committees for 2022. If additional information regarding Committee meetings is needed, Council is asked to contact the Village Office staff.

RECOMMENDATION

THAT Council receive the Council Appointment Schedule 2022 report for information and discussion.

Respectfully submitted,

Lisa Clark, CFO

Prepared by: Melissa Coates, Finance/Admin Clerk

Attachments:

1. Strathcona Regional District Board and Committee meeting schedule 2022.
2. Comox Strathcona Regional Hospital Board and Comox Strathcona Waste Management Committee meeting schedule 2022.
3. Vancouver Island Regional Library Board meeting schedule 2022.
4. Mid Island Forestry Lands Advisory Group meeting schedule 2022.

2022 MEETING CALENDAR

2022 MEETING CALENDAR			
JANUARY			
Wednesday	January 12	9:30 AM	Electoral Areas Services Committee (inaugural)
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission (inaugural)
Wednesday	January 26	9:30 AM	First Nations Relations Committee (inaugural)
		10:30 AM	Municipal Services Committee (inaugural)
		12:30 PM	Regional Board
FEBRUARY			
Wednesday	February 9	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	February 23	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
MARCH			
Wednesday	March 16	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	March 30	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
APRIL			
Wednesday	April 13	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	April 27	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
MAY			
Wednesday	May 11	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	May 25	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
JUNE			
Wednesday	June 15	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	June 29	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
JULY			
Wednesday	July 13	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission

AUGUST			
Wednesday	August 17	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
SEPTEMBER			
Wednesday	September 21	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
OCTOBER			
Wednesday	October 12	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board
		3:00 PM	Strathcona Gardens Commission
Wednesday	October 26	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
NOVEMBER			
Wednesday	November 9	9:30 AM	Electoral Areas Services Committee
		12:30 PM	Regional Board (inaugural)
		3:00 PM	Strathcona Gardens Commission
Wednesday	November 23	9:30 AM	First Nations Relations Committee
		10:30 AM	Municipal Services Committee
		12:30 PM	Regional Board
DECEMBER			
Wednesday	December 7	2:00 PM	Regional Board

COMOX STRATHCONA
REGIONAL HOSPITAL DISTRICT



Comox Strathcona Regional Hospital District
770 Harmston Avenue, Courtenay, BC V9N 0G8
Tel: 250-334-6000
Toll-free: 1-800-331-6007
Fax: 250-334-4358

Due to the ongoing COVID-19 pandemic and the need for access to video conferencing resources, the meetings have been scheduled in the Civic Room of the CVRD offices located at 770 Harmston Avenue, Courtenay. Consideration for meetings to be held in Campbell River in the latter half of the year have been noted, with specific location to be determined.

Comox Strathcona Regional Hospital District - 9:30 am

February 24, 2022 - 9:30am	Comox Strathcona Regional Hospital District
March 24, 2022 - 9:30am	Comox Strathcona Regional Hospital District
April 28, 2022 - 9:30am	Comox Strathcona Regional Hospital District
June 9, 2022 - 9:30am	Comox Strathcona Regional Hospital District
September 8, 2022 - 9:30am	Comox Strathcona Regional Hospital District
December 1, 2022 - 9:30am	Comox Strathcona Regional Hospital District



The Comox Strathcona Waste Management (CSWM) service is a function of the Comox Valley Regional District (CVRD).

770 Harmston Avenue, Courtenay, BC V9N 0G8

Tel: 250-334-6016

Toll Free: 1-800-331-6007

Fax: 250-334-8156

Comox Strathcona Waste Management Board – 9:30 am

Following updated guidance concerning gatherings and events, in-person attendance at CVRD Board and Committee meetings is now once again permitted under reduced capacity. To further support public safety and reduce the spread of COVID-19, the use of masks are required. Meetings may be viewed on the CVRD's live stream webcast found below. For more information, please contact: Lisa Dennis, Manager of Legislative Services at 250-334-6052.

February 17, 2022 - 9:30am	Comox Strathcona Waste Management Board (Cancelled)
March 17, 2022 - 9:30am	Comox Strathcona Waste Management Board
April 21, 2022 - 9:30am	Comox Strathcona Waste Management Board
May 19, 2022 - 9:30am	Comox Strathcona Waste Management Board
September 1, 2022 - 9:30am	Comox Strathcona Waste Management Board
November 24, 2022 - 9:30am	Comox Strathcona Waste Management Board



2022 Board Meetings

All Board meetings are open to the public. The public is welcome to attend these meetings to gain a better understanding of how the library is governed. At times, however, when confidential matters are discussed, the Board may make a motion to conduct portions of the meeting in the absence of the public.

Jan 29 (AGM) Live Stream

Apr 9

Jun 11

Sep 24

Dec 3 (Special Meeting)

2022

Jan 20- OG Deferrals (Stuart Glen) & CSA Carbon Indicator (Marie-Eve Leclerc) Presentations

March 10- Mid Island's 2022 Herbicide Program (Shawn Crawford) & LCC Agreement (TBD)

May 19- CSA Indicator Report for 2021 (Mid Island Silviculture Department)

June 1- Field Trip (Harvesting & Road Building Tour)

Sept 15- Presentations TBD (Nanwakolas Agreement & IRMP Processes)

October- All PAG Meeting (date TBD)

Nov 17- WFP's EMS Monitoring Program (Sarah Germain)



VILLAGE OF SAYWARD

BYLAW NO. 479

A BYLAW TO AMEND COUNCIL PROCEDURE BYLAW 416, 2015

WHEREAS the Council of the Village of Sayward has adopted a Council Procedure Bylaw;

AND WHEREAS the Council of the Village of Sayward wishes to amend "Council Procedure Bylaw No. 416, 2015";

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the Village of Sayward, in open meeting assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited as "**Council Procedure Amendment Bylaw No. 479, 2022**".

2. AMENDMENT

Council Procedure Bylaw No. 416, 2015 is hereby amended as follows:

a.) THAT Part 2, section 4, Inaugural Meeting, be amended by deleting (1) in its entirety and replacing with the following:

(1) Following a general local election, the first Council meeting must be held on the first Tuesday in November in the year of the election.

Read a first time on the 18th day of January 2022.

Read a second time on the 18th day of January 2022.

Read a third time on the 18th day of January 2022.

Adopted on the ____ day of _____ 2022.

Certified a true copy of Bylaw No. 479
this ____ day of _____, _____

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer



STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO
Subject: Revenue Anticipation Bylaw No. 480, 2022
Meeting date: February 1, 2022

BACKGROUND

Many local governments, particularly smaller sized municipalities with limited reserve funds, require the use of a line of credit or short-term borrowing to fund expenses leading up to property tax collection. A revenue anticipation borrowing bylaw is to provide for an operating line of credit, if required. The Village of Sayward has not had an overdraft for many years. However, there is always the possibility that one could be created simply due to the timing of cash receipts and subsequent cash flow.

DISCUSSION

Monthly demands on cash flow for the Village are relatively consistent, however cash from revenue streams are not. The bulk of municipal cash inflows are concentrated in June and July when annual property tax revenues are collected, and the Provincial Small Communities Grant is received (approximately \$375k). In short, there are times when cash flow can be an issue, particularly if large scale capital projects are underway and associated grants are payable only upon completion of such projects.

On average, the Village's monthly net cash flow to cover operating expenses is approximately \$100,000 - \$110,000. This does not include budgeted capital projects which add additional pressures on cash flow. Depending on the timing of some receivable grant funding borrowing to provide sufficient cash flow may be required.

Staff is seeking Council's authorization, through the adoption of Revenue Anticipation Bylaw No. 470, 2021 to obtain short term financing in the form of a line of credit with the Municipal Finance Authority (MFA) not exceeding the sum of seven hundred thousand dollars (\$700,000). The total authorized is calculated as 75% of the 2020 total tax levy plus outstanding amounts from other governments.

The line of credit, if remained unused, will not incur costs for the Village. In the event that cash flow becomes an issue, and the line of credit is needed, Staff will prepare a report to Council to

inform them of such activity and provide a detailed analysis of interest costs and payment terms. Multiple draws on the line of credit are permitted as needed by the Village. The current short-term borrowing rate through the MFA is 2.395% per annum. Interest is calculated daily and compounded monthly.

RECOMMENDATION

THAT Revenue Anticipation Bylaw No. 480, 2022 be given first, second and third reading.

Respectfully submitted,

Lisa Clark, CFO



VILLAGE OF SAYWARD

BYLAW NO. 480

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE

WHEREAS the Village of Sayward may not have sufficient cash on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the *Community Charter* that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

- a.) The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year; and
- b.) The whole amount of any sums of money remaining due from other governments;

AND WHEREAS there are no liabilities outstanding under Section 177;

AND WHEREAS the total amount of liability that Council may incur is seven hundred thousand dollars (\$700,000) made up of the sum of two hundred and fifty thousand dollars (\$250,000), being 75% of the whole amount of the taxes levied for all purposes in 2021, and four hundred and fifty thousand dollars (\$450,000), being the whole amount of the sum of money remaining due from other governments;

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

1. This bylaw may be cited as "**Revenue Anticipation Bylaw No. 480, 2022**".
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the municipality an amount or amounts not exceeding the sum of seven hundred thousand dollars (\$700,000).
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and Financial Officer.
4. All unpaid taxes, the taxes of the current year when levied, and sums due from other governments or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

5. All the monies so borrowed and the interest payable thereon shall be payable on or before the 31st day of December 2022.
6. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the ____ day of _____ 2022.

Read a second time on the ____ day of _____ 2022.

Read a third time on the ____ day of _____ 2022.

Adopted on the ____ day of _____ 2022.

Certified a true copy of Bylaw
No. 480 this ____ day of

_____, _____

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer



STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO
Subject: DRAFT Fireworks Regulation Bylaw No. XXX, 2022
Meeting date: February 1, 2022

BACKGROUND

On January 11, 2022, Council passed the following resolution:

MOTION S22/6

MOVED AND SECONDED

THAT Council direct Staff to prepare a moderately restrictive Fireworks Bylaw and consequent amendments to the Fire Protective Services Bylaw, Ticketing Bylaw, and Fees & Charges Bylaw.

CARRIED

DISCUSSION

In accordance with Council's direction, Staff have prepared a draft Fireworks Bylaw for Council's review. It should be noted that this bylaw has not yet been sent to legal, nor is it ready for any readings at this time.

Key components of bylaw:

- Fireworks will only be permitted by way of a valid Fireworks Permit
- Fireworks will only be permitted for special events (i.e., Canada Day), movie/TV productions, Halloween between the hours of 6pm and 10pm, and New Year's Eve between the hours of 6pm and 12am.
- An application for a Fireworks Permit must be made to the Fire Chief at least 14 days before the date of the event.

Council is asked to review the draft bylaw and provide direction to staff if changes are desired.

Next steps

- Once Council is satisfied with the bylaw, Staff will number the bylaw and send it to legal for review.

- Fire Protective Services Bylaw No. 383, 2010 will be amended to remove Fireworks sections 59 to 76, and to modify section 77 to exclude cost recovery for fireworks violations.
- The Ticketing for Bylaw Offences bylaw will be amended to include the new Fireworks Bylaw and corresponding fines.
- An amendment to the Fees and Charges Bylaw will also be made to include permit fees, etc. as any fees for fireworks permits would be included in the Fees & Charges Bylaw.

RECOMMENDATIONS

THAT Council receives the DRAFT Fireworks Regulation Bylaw No. XXX, 2022 staff report for information and discussion.

Respectfully submitted,

Lisa Clark
CFO

Attachments:

- **DRAFT Fireworks Regulation Bylaw No. XXX, 2022**
- **Fee and Fine Schedule**



VILLAGE OF SAYWARD

BYLAW NO. XXX

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

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

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

1. CITATION

This bylaw may be cited as "**Fireworks Regulation Bylaw No. XXX, 2022**".

2. DEFINITIONS

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

3. INTERPRETATION

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

4. SALE, POSSESSION AND DISCHARGE

- a) No person shall offer for sale, sell, give, or trade Fireworks within the boundaries of the Village.
- b) No person under the age of 18 shall possess, detonate, discharge, or otherwise use Fireworks.
- c) No person being the parent or guardian of any person under the age of 18 years shall allow that person to possess, detonate, discharge, or otherwise use Fireworks.
- d) No person the age of 18 years or older shall possess Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.

5. FIRE OR DISCHARGE OF FIREWORKS

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

6. FIREWORKS PERMIT

A Fireworks Permit will only be issued for the following types of events:

- a) Community events that are open to the general public;
- b) Film and television events requiring the use of pyrotechnics and special effects;
- c) Halloween between the hours of 6pm and 10pm; and
- d) New Year's Eve between the hours of 6pm and 12am.

A person may apply, using the permit application form in Schedule "B", to the Fire Chief for a Fireworks Permit to possess, explode, light, activate, fire, or discharge Fireworks. Permit holders must be 18 years or older.

7. FIREWORKS PERMIT REQUIREMENTS

Every holder of a Fireworks Permit must:

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

8. POWER TO GRANT PERMITS

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

9. POWER TO SUSPEND OR REVOKE PERMITS

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

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

10. FEE ESTABLISHED

Every applicant for a Fireworks Permit shall pay the Permit Fee prescribed in the Fees and Charges Bylaw.

11. SITE INSPECTION

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

12. TIME FOR APPLICATION

Every application for a Fireworks Permit shall be made to the Fire Chief at least 14 days before

the date of the event using the permit application form in Schedule "B".

13. CONTENTS OF APPLICATION

Every application for a Fireworks Permit, except as provided in a), shall include:

- a) Where the exception is applied under e), permit info required is limited to c), h), i) and j) below;
- b) the deposit of security with the Village in the form of a cash deposit, irrevocable letter of credit, or other form of security acceptable to the Village, in the amount of \$1,000, to be used for the purposes of paying any costs and expenses incurred or suffered by the Village, including but not limited to costs arising or resulting from damage to Village property or enforcement costs, caused by or arising from the applicant's failure to comply with the requirements of this bylaw and all other applicable laws, provided that, any amount of security not required for the foregoing purposes shall be returned to the applicant one week after the Fireworks Permit event date;
- c) payment of the applicable Permit Fee prescribed in the Fees and Charges Bylaw.
- d) proof of public liability insurance in the name of the applicant and the Village, such insurance to be with one or more insurance companies registered to do business in the Province of British Columbia and in a form acceptable to the Village, and the insurance shall provide coverage in an amount not less than two million dollars (\$2,000,000) per occurrence;
- e) proof of a valid Fireworks Supervisor's Certificate; except no Fireworks Supervisor's Certificate is required where the Fire Chief determines that the fireworks being used are low hazard fireworks as defined under Subdivision 1 of Division 2, Class 7 Section 14 of the Explosive Regulations which are fireworks generally used for recreation, such as fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, and volcanoes. This exception is for use of fireworks on a resident's property only.
- f) a fire safety plan that includes:
 - i. a site plan, drawn to scale with the direction of firing;
 - ii. separation distances;
 - iii. positions of ramps and mortars, if any;
 - iv. description of any significant ground features, rights of way, buildings or structures, or overhead obstructions;
 - v. parking areas or spectator viewing areas;
 - vi. fallout zone;
 - vii. a north arrow; and
 - viii. traffic control plans and locations for emergency vehicles;
- g) an event description that includes:
 - i. a time schedule for the event;
 - ii. attendance estimates;
 - iii. a list of all Fireworks to be used;
 - iv. firing procedures;

- v. emergency response procedures;
- vi. a list of crew members;
- h) the name, address and telephone number of the applicant;
- i) the name, address and telephone number of each wholesaler or retailer from whom the applicant will obtain the Fireworks; and
- j) the name, address and telephone number of the owner of the property on which the Fireworks will be used, along with a written statement signed by the property owner indicating that the property owner has granted permission for the use of Fireworks on the property.

14. INDOOR & OUTDOOR MOVIE/TELEVISION/CONCERT PYROTECHNICS

If, in the opinion of the Fire Chief, the use of Fireworks at an indoor or outdoor film or television shoot, concert or stage production, or any other event will require on-site fire protection, then the Fire Chief may require the site to be attended by such Fire Rescue Department equipment and personnel as the Fire Chief considers necessary or desirable for the protection of persons, property or safety generally, and the cost for the attendance of the Fire Rescue Department, equipment and personnel shall be paid to the Village by the holder of the Fireworks Permit in accordance with the rates established in the Village of Sayward Fees and Charges Bylaw.

15. OFFENCES AND PENALTIES

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

16. SURRENDER OF FIREWORKS

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

17. SEVERABILITY

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

18. SCHEDULES

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

Read a first time on the ____ day of _____ 2022.

Read a second time on the ____ day of _____ 2022.

Read a third time on the ____ day of _____ 2022.

Adopted on the ____ day of _____ 2022.

Certified a true copy of Bylaw No. XXX
this ____ day of _____, 2022

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer

Schedule "A"

DEFINITIONS

VILLAGE means the Village of Sayward.

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

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

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

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

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

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

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

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

PERMIT FEE means the permit fee as set forth in the Village of Sayward Fees and Charges Bylaw.

Schedule "B"

APPLICATION FOR FIREWORKS PERMIT

Name of Applicant _____ Age _____

Mailing Address of Applicant _____

Telephone: _____ Email Address: _____

I hereby make application for a Fireworks Event on behalf of:

Myself _____ or Organization _____

Address location of display: _____

Date of Event: _____ Time: _____

Describe public or film/television event if applicable:

Fireworks source (wholesaler/retailer)

Name: _____

Address: _____ Phone: _____

Description of Fireworks being used: _____

Office use only:

Security deposit?	Y/N
Liability insurance?	Y/N
Fireworks Supervisor's Certificate	Y/N
Fire Safety Plan?	Y/N
Event description?	Y/N

PAYMENT OF FEES: _____ (check if paid)

FEE AND FINE SCHEDULE

Description	Section #	Amount
Fireworks Permit	6 (a) and (b)	\$100.00 per event
Fireworks Permit	6 (c) and (d)	\$25.00 per event
Site Inspection	11	\$100.00 per inspection
Possession without a permit	4	\$200.00
Discharge fireworks without a permit	5	\$200.00
Not in accordance with permit	7 (b)	\$100.00
Not supervised	7 (c)	\$100.00
Failure to present permit	7 (d)	\$100.00
Equipment	15	\$250.00 per hour for equipment, plus 10%
Personnel Attendance	15	\$65.00 per hour for each person, plus 10%