

AKBLG RESOLUTIONS 2014

- | | |
|---|-------------|
| 1. UBCM COMMITTEES | RDCK |
| 2. MUNICIPAL BOUNDARY EXPANSIONS | RDCK |
| 3. ICBC & FIRE INSURANCE | RDCK |
| 4. AERODROME PLACEMENT | RDCK |
| 5. REVIEW OF LOCAL GOVERNMENT ACT | CRANBROOK |
| 6. DIKING AUTHORITY | GOLDEN |
| 7. ABSENCE OF DIRECTOR DUE TO ILLNESS | RDKB |
| 8. FIRST RESPONDER PROTOCOLS | RDKB |
| 9. LOCAL GOVERNMENT INTEREST IN FIRST RESPONDER SERVICES | CRANBROOK |
| 10. AGRICULTURAL EXTENSION SERVICES | NELSON |
| 11. REVIEW COMMUNITY CHARTER'S REGIONAL DISTRICT GOVERNANCE STRUCTURE | NELSON |
| 12. FIRE & POLICE SERVICES COLLECTIVE BARGAINING ACT | NELSON |
| 13. MOTOR ASSISTED CYCLES (E-BIKES) | GRAND FORKS |
| 14. STANDING COMMITTEE ON ARTS, CULTURE AND HERITAGE | NELSON |
| 15. PROVINCIAL SOCIAL POLICY FRAMEWORK | NELSON |
| 16. AGRICULTURAL LAND RESERVE ZONE 2 | NELSON |
| 17. JUMBO GLACIER MOUNTAIN RESORT MUNICIPALITY | INVERMERE |

RESOLUTION #1 - CARRIED

UBCM COMMITTEES

REGIONAL DISTRICT OF CENTRAL KOOTENAY

WHEREAS local government appointees to committees of the Union of British Columbia Municipalities represent diverse stakeholders and require the ability to consult with such stakeholders:

THEREFORE BE IT RESOLVED that the terms of reference for all UBCM committees include provisions to enable elected local government appointees and appointed local government staff to consult with appropriate stakeholders unless other levels of government expressly require the signing of a confidentiality agreement.

AKBLG Executive Comments: No Recommendation

AKBLC Executives encourages the sponsor to clarify "local government appointees" from the floor.

UBCM comments:

The UBCM membership has not previously considered a resolution requesting that the terms of reference for UBCM Committees include provisions for committee members to consult with stakeholders, unless prohibited by legislation.

Additional information may be required from the sponsor as to what is intended. UBCM is a member driven organization that relies heavily on existing policy approved by the membership through the annual convention and consults extensively with the membership as issues arise throughout the year.

There is always merit in exploring additional membership engagement. This would need to be balanced with other factors that would not be prohibited by legislation but that are also important. For example if one committee member is consulting with a select group, what about the views of the remainder of the membership? Should the individual being consulted receive committee information in advance of being reviewed by the committee itself? In order to prevent such an occurrence it is current UBCM practice that the Committee will determine the need for consultation and do so with the membership through UBCM.

RESOLUTION #2 - WITHDRAWN

MUNICIPAL BOUNDARY EXPANSIONS

REGIONAL DISTRICT OF CENTRAL KOOTENAY

WHEREAS municipalities have the ability to apply for boundary expansions with no ability for affected rural residents to influence such applications;

AND WHEREAS such boundary expansions can have a significant impact on the rural residents and funding of the services they receive within the proposed expansion area:

THEREFORE BE IT RESOLVED that UBCM request the Province of British Columbia to review their policy in regards to boundary expansions to include an assent by referendum for those areas to be annexed.

AKBLG Executive Comments: No Endorsement with the opportunity to rewrite.

AKBLG Executive understands the spirit and intent of the Resolution; however, the resolution does not address the complexity of the issue. In addition, the first WHEREAS is inaccurate.

UBCM comments:

The UBCM membership has consistently endorsed resolutions in support of a greater role in the decision-making process for residents of rural areas identified in proposals for municipal boundary extension (2013-B3, 2003-A14, 1991-B62). Different ways have been proposed for increasing the influence of affected rural area residents on the municipal boundary extension process.

The provincial government in responding to similar resolutions has stated that generally, a boundary extension proposal should have the support of a majority of residents and property owners from the area in question. However, the provincial government has also been clear that resident approval is not the only consideration for approving boundary extensions. Proposals for municipal boundary extension are reviewed based on established technical and administrative criteria.

In cases where a proposed municipal boundary extension might have a significant impact, the Province generally requires mitigation to reduce the impact on regional district services and the communities they serve.

RESOLUTION #3 – CARRIED AS AMENDED

INSURANCE CORPORATION OF BRITISH COLUMBIA & FIRE INSURANCE

REGIONAL DISTRICT OF CENTRAL KOOTENAY

WHEREAS Union of BC Municipalities endorsed resolution 2013 B-141 -- a resolution to allow the Insurance Corporation of BC to issue house insurance.

AND WHEREAS there is a need to progress quickly with implementation of the resolution.

THEREFORE BE IT RESOLVED that UBCM urge the Province to allow ICBC to offer house insurance and to implement as soon as possible.

AKBLG Executive Comments: No Recommendation

UBCM comments:

Due to time constraints the 2013 resolution, B141, was not considered at the UBCM Convention but was referred automatically to the UBCM Executive. Upon consideration, the UBCM Executive endorsed the resolution.

In response to resolution 2013-B141 the provincial government indicated that it had “no plans to have ICBC operating in any insurance markets other than automobile insurance.”

The Province suggested that local government should direct “concerns about the operations of private sector property insurance companies to the Insurance Council of BC, whose mandate is to provide a level of protection to the public pertaining to the sale of insurance products and services under the framework provided by the Insurance Act.”

RESOLUTION #4 - CARRIED

AERODROME PLACEMENT

REGIONAL DISTRICT OF CENTRAL KOOTENAY

WHEREAS under current aviation regulation communities and local government have inadequate opportunities for input into the establishment and placement of airports, aerodromes and helicopter pads in built up areas and residential rural areas:

THEREFORE BE IT RESOLVED that the UBCM work with the Federation of Canadian Municipalities to have input into Transport Canada's Canadian Aviation Regulation Advisory Council Modernization Project to address the noise, traffic, emergency management and loss of property values that result from such installations;

AND BE IT FURTHER RESOLVED that the UBCM request Transport Canada's approval process for the location of commercial aerodromes include a proactive public consultation process to weigh public and financial impact of locating new commercial and private airports, aerodromes and helicopter pads and hangars.

AKBLG Executive Comments: Endorse

AKBLG Executive supports the need for consultation.

UBCM comments:

Resolution 2003-LR8 called for amendments to the federal Aeronautics Act to designate "local government land use, zoning and long-term planning bylaws for land within their jurisdiction" as "the only arbiters for assessing the appropriateness of the location of aerodromes and aircraft activities." The UBCM membership referred resolution 2003-LR8 to the UBCM Executive, who upon further consideration endorsed the resolution.

In response to resolution 2003-LR8 the federal government clarified that there was "no legal requirement to obtain Transport Canada approval to construct an aerodrome on private property in Canada. However, if an aerodrome is to be located within a built-up area of a city or town, Transport Canada advises the proponent to consult local land-use authorities prior to undertaking any substantial commitments." The federal government indicated that the intent behind this policy was to "ensure that local land-use authorities have the opportunity to object to or influence the establishment and development of airports."

RESOLUTION #5 - CARRIED

PART 26 OF LOCAL GOVERNMENT ACT & RELATED LEGISLATION

CITY OF CRANBROOK

WHEREAS current legislation governing subdivision and development is dated and does not adequately serve the needs of local governments or the development community;

AND WHEREAS legislation in neighbouring jurisdictions provides greater certainty for both developers and the public through more responsive provisions for permitting and approvals:

THEREFORE BE IT RESOLVED that the Province of British Columbia be requested to initiate a review of Part 26 of the *Local Government Act* and related planning and development legislation, and consult with the UBCM regarding appropriate changes.

AKBLG Executive Comments: Endorse

AKBLG Executive comments that since there has been no review since 1996 it would be prudent to now do so.

UBCM comments:

The UBCM membership considered but did not endorse resolution 2013-B114, which requested that the provincial government undertake a thorough review of Part 26 of the Local Government Act.

In its comments on resolution 2013-B114, the UBCM Resolutions Committee observed that topics covered within Part 26 have been the topic of UBCM resolutions over the years, such as development permits/variances; zoning; affordable housing; OCPs; public hearings; landscaping; signage; flood plain areas; contaminated sites; non-conforming uses and siting; farm business regulation; permits and fees (DCCs); land use contracts and parkland provision.

At the time, the Committee suggested that this type of thorough review would require dedicated resources from UBCM, its members and the provincial government, which would need to be balanced with other priorities identified by the Province and UBCM members.

RESOLUTION #6 – CARRIED AS AMENDED

PROVINCE TO RE-ESTABLISH AS DIKING AUTHORITY IN COMMUNITIES WITH
UNDER 20,000 POPULATION AND IN RURAL ELECTORAL AREAS

TOWN OF GOLDEN

WHEREAS the Province has designated municipalities as *diking authorities*, and established a wide range of authoritative powers over them including requirements to fully administer and resource ongoing dike maintenance, flood protection planning, monitoring, inspection, reporting, and other associated work as well as to substantively fund disaster prevention and relief initiatives;

AND WHEREAS notwithstanding s. 2(b) of the *Community Charter*, the administrative and financial resources required to undertake these responsibilities are an increasingly unsustainable burden to small communities;

THEREFORE BE IT RESOLVED that the Province be re-established as the *diking authority* in municipalities less than 20,000 in population and in rural electoral areas.

AKBLG Executive Comments: Endorse

UBCM comments:

The UBCM membership has not previously considered a resolution asking that the provincial government be re-established as the diking authority for communities of less than 5,000 in population.

RESOLUTION #7 - CARRIED

ABSENCE OF DIRECTOR DUE TO ILLNESS

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

WHEREAS the role of an Electoral Area Director in electoral area and regional district decision-making is absolutely vital;

AND WHEREAS the current legislation is severely lacking when the absence of the director is due to illness or injury:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities petition the Province of British Columbia to provide clearer legislation that establishes respectful, reasonable and responsible guidance as to how Electoral Area Directors and regional districts are to manage extended absences by Electoral Area Directors due to illness or injury.

AKBLG Executive Comments: Endorse

AKBLG Executive realizes that this raises awareness of the issue.

Regional Districts need similar legislation as Municipalities have in the Charter.

UBCM comments:

The UBCM membership has not previously considered a resolution requesting that the provincial government amend section 110 of the Community Charter to provide clearer guidance to regional districts on managing extended absences of electoral area directors due to illness or injury.

RESOLUTION #8 – CARRIED WITH THE ADDITION OF CRANBROOK AS SPONSOR

FIRST RESPONDER PROTOCOLS

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
CITY OF CRANBROOK

WHEREAS for years, many of our local fire departments have assisted the BC Ambulance Service in the performance of their duties in our local communities providing valuable and wanted services for our constituents;

AND WHEREAS the BC Ambulance Service unilaterally, and without consultation with local government, has undertaken a drastic review of the first responder protocols which may have a distinct negative impact on our local communities, particularly in our small rural communities:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request the Province of British Columbia to refrain from implementing any changes in the BC Ambulance Service response guidelines of first responder protocols until such time as meaningful and effective consultation with local government has occurred to ensure that the needs of the local community are being met.

AKBLG Executive Comments: Resolutions #8 AND #9 together - Endorse

AKBLG Executive feels that Resolution #8 captures the intent of Resolution #9 and is clearer.

UBCM comments:

The UBCM membership considered but did not endorse resolution 2005-B71, which requested amendment of the Health Emergency Act to “require the BC Ambulance Service to automatically advise local fire departments when dispatching emergency health service calls.”

In its comments on the resolution the UBCM Resolutions Committee pointed out that UBCM members had not expressed support for a uniform or standardized approach that did not recognize the diversity of fire services across the province. Rather, the Committee suggested that the UBCM membership might favour local protocols that reflected local circumstances and capabilities.

See also resolution 9.

RESOLUTION #9 SEE RESOLUTION #8 - WITHDRAWN

LOCAL GOVERNMENT INTEREST IN FIRST RESPONDER SERVICES

CITY OF CRANBROOK

WHEREAS the BC Emergency Health Services (BCEHS) Board has approved implementation of a new Resource Allocation Plan (RAP) that would result in a 35% reduction in first responder (FR) responses, which we feel would have a negative effect in ensuring patients' needs come first and would not provide for the efficient and effective use of all resources available;

AND WHEREAS the BCEHS restricts first responders from using skills and protocols that individual responders may be certified to use, above and beyond that which their FR 3 license includes:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request BCEHS to not implement RAP changes affecting FR; consult with individual local governments and their fire chiefs on FR service levels; and enter into partnership agreements with individual local governments, those agreements to specify among other things, call types for which FR service will be provided.

AKBLG Executive Comments: Not Endorse – Refer TO Resolution #8

UBCM comments:

The UBCM membership considered but did not endorse resolution 2005-B71, which requested amendment of the Health Emergency Act to “require the BC Ambulance Service to automatically advise local fire departments when dispatching emergency health service calls.”

In its comments on the resolution the UBCM Resolutions Committee pointed out that UBCM members had not expressed support for a uniform or standardized approach that did not recognize the diversity of fire services across the province. Rather, the Committee suggested that the UBCM membership might favour local protocols that reflected local circumstances and capabilities.

See also resolution 8.

RESOLUTION #10 - DEFEATED

AGRICULTURAL EXTENSION SERVICES

CITY OF NELSON

WHEREAS Nelson's Official Community Plan includes the goal of providing residents with "access to affordable, nutritious food that is produced in a socially just and environmentally sustainable manner;" a local food system that is "robust, resilient and integrated with other sustainable regional and global food systems;" and a "coordinated approach to support farmers' access to the land and resources they need in order to maximize regional food production, processing and distribution;"

AND WHEREAS consultations with farmers and food producers in the Regional District of Central Kootenay, including the City of Nelson, have identified the need for extension services appropriate for Kootenay agriculture and particularly to support entry level farmers:

THEREFORE BE IT RESOLVED that the AKBLG engage the Columbia Basin Trust to explore the establishment of agriculture extension services.

AKBLG Executive Comments: Not Endorse

Although the AKBLG Executive values and appreciates the spirit and intent of this resolution, AKBLG Executive states that this is beyond our capacity and not within our mandate.

UBCM comments

The UBCM membership has consistently endorsed resolutions in support of food systems planning, agricultural policy, funding and other initiatives, and the establishment of agricultural extension services and farm mentorship (2012-B34, 2011-B52, 2011-B53, 2011-B56, 2011-B101, 2010-B47, 2009-B50, 2009-B89, 2009-B132, 2008-B47).

[Note: this resolution is regionally focused and therefore should not go forward to UBCM.]

RESOLUTION #11 – CARRIED UNANIMOUSLY

PROGRESS REPORT ON REGIONAL DISTRICT GOVERNANCE

CITY OF NELSON

WHEREAS the Province of British Columbia in cooperation with UBCM has been refining the *Community Charter* to improve the function of local government:

THEREFORE BE IT RESOLVED that the Province of British Columbia provide a progress report and evaluation of the recommendations from the 2010 Regional District Task Force Report and conduct a review of the current regional district governance structure with the intention to continue to improve the relationship between municipalities and regional districts in British Columbia.

AKBLG Executive Comments: Endorse – Strongly Endorse

UBCM comments:

This resolution makes two requests of the provincial government:

- *provide a progress report and evaluation of the provincial response to recommendations from the 2010 report of the Regional District Task Force; and*
- *conduct a review of the current regional district governance structure with the aim of continued improvement of the relationship between municipalities and regional districts in BC.*

The UBCM membership has not previously considered a resolution requesting that the provincial government provide a progress report and evaluation of its response to the recommendations from the report of the Regional District Task Force.

However, members have consistently endorsed resolutions seeking to clarify and improve the relationship between regional districts and municipalities (2007-A4, 2007-LR9, 2006-B47).

RESOLUTION #12 - CARRIED

FIRE & POLICE SERVICES COLLECTIVE BARGAINING ACT

CITY OF NELSON

WHEREAS in resolution 2011-B3, UBCM requested the Minister of Labour review the impact of the *Fire and Police Services Collective Bargaining Act* (Act) on collective bargaining to determine if it had met its goals of facilitating collective bargaining as results were that the Act had not lead to improved collective bargaining;

AND WHEREAS the Ministry of Labour, Citizens' Services and Open Government responded it had no plans at that time to undertake a review of the impact of the Act, however the Ministry would continue to actively monitor collective bargaining in the sectors covered by the Act:

THEREFORE BE IT RESOLVED that UBCM request the Ministry of Labour to agree at this time to review the impact of the *Fire and Police Services Collective Bargaining Act* on collective bargaining, as to date results are still indicative that the Act has not met its established goal.

AKBLG Executive Comments: Endorse

UBCM comments:

The UBCM membership endorsed resolution 2011-B3, as pointed out by the sponsor. The 2011 resolution called on the provincial government to review the impact of the Fire & Police Services Collective Bargaining Act on collective bargaining, to determine whether the Act had met the goals set when the legislation was first enacted.

In response to resolution 2011-B3 the provincial government indicated that it did not intend to review the impact of the Act on collective bargaining. The Province asserted that the Act had achieved the objective of providing "access for unions and employers to binding interest arbitration to resolve a collective bargaining dispute," and that "by proceeding to arbitration, the parties are able to maintain the ability to engage in face-to-face negotiations and avoid a strike or lockout which would interrupt the delivery of services critical to the protection of human life and property."

RESOLUTION #13 - DEFEATED

MOTOR ASSISTED CYCLES (E-BIKES)

CITY OF GRAND FORKS

WHEREAS the use of motor assisted cycles (e-bikes) is becoming more commonplace across British Columbia and concerns have been raised regarding the operation of e-bikes concerning the areas of: safety, licensing, insurance, and training;

AND WHEREAS as of today in British Columbia you can purchase and operate an e-bike and are not required to have a license, insurance, or training of any kind;

AND WHEREAS these vehicles operate on public roads and there has been an increase in accidents and fatalities associated with e bikes as they can go speeds of 32 km, can weigh over 200 kg and the stopping distance once the brake is applied is 9 metres;

AND WHEREAS coupled with the fact that they are almost silent raises the concern that if there is a collision between an e bike and an automobile, cyclist, or pedestrian it can present real injury and liability issues:

THEREFORE BE IT RESOLVED that the Council of the City of Grand Forks request the Provincial Government review with respect to e-bikes, the following four points:

- that the vehicles be registered with ICBC, similar to a snowmobile;
- that the owner be required to take an approved training course, similar to the BC safeboater course;
- that the owner has liability insurance through their homeowner policy or a separate policy; and
- that power-assisted bicycles be defined as motor vehicles, so that suspended drivers are not able to use a power-assisted bicycle to circumvent their license suspension.

AKBLG Executive Comments: Not Endorse

This is not a priority of local government.

The information in the 3rd Whereas clause is not accurate.

UBCM comments:

The UBCM membership has consistently endorsed resolutions seeking Motor Vehicle Act amendments to provide for regulation and licencing of methods of transportation including off-

road vehicles (2013-B97, 2009-A6, 2007-B20, 2005-B10, 2002-B9, 1999-LR4, 1996-B16, 1992-B68), Segways (2003-B64), and skateboards (1987-B60).

It is also of note, however, that the UBCM membership considered but did not endorse resolution 2013-B11, which called for amendments to the Motor Vehicle Act to provide for regulation and licencing of motorized scooters.

RESOLUTION #14 - CARRIED

STANDING COMMITTEE ON ARTS, CULTURE AND HERITAGE

CITY OF NELSON

WHEREAS municipalities in British Columbia are the largest per capita government funders of arts/culture/heritage in BC:

AND WHEREAS the Province of BC launched *BC Creative Futures in 2013*, acknowledging that cultural industries create job growth, turn ordinary cities in “destination cities,” create interconnections between arts and business, revitalize urban areas, attract skilled workers, and create spin-off businesses.

THEREFORE BE IT RESOLVED that the UBCM strike a standing committee on arts/culture/heritage in order to support and promote arts/culture/heritage to the Province.

AKBLG Executive Comments: Not Endorse

RESOLUTION #15 - CARRIED

PROVINCIAL SOCIAL POLICY FRAMEWORK

CITY OF NELSON

WHEREAS every British Columbian depends on social services, healthcare, justice and education services;

AND WHEREAS our communities are partners in the delivery of many of these services and are facing increasingly complex social challenges requiring coordination between multiple social ministries of government, municipalities and the community agencies and organizations that deliver services to the public.

THEREFORE BE IT RESOLVED that UBCM call upon the Premier to begin a consultation with British Columbians to initiate the development of a Social Policy Framework that will set out key policy directions, values, priorities, roles and expectations, and guide the creation of public policy to meet our social needs now and into the future.

AKBLG Executive comments: Not Endorse

RESOLUTION #16 - CARRIED

CITY OF NELSON

AGRICULTURAL LAND RESERVE ZONE 2

WHEREAS the Provincial Government has, without consultation with the public or with local governments in the AKBLG region, created two zones for the Agricultural Land Reserve in the Province of BC and, through the creation of the “Kootenay Panel Region”, placed some or all of the AKBLG region in Zone 2, thereby discriminating between regions and potentially constraining their ability to achieve and sustain agricultural self-sufficiency and economic development;

AND WHEREAS not all affected regions wish to see the requirements of the Agricultural Land Reserve weakened in Zone 2;

AND WHEREAS substantial agricultural activity has historically taken place and is currently being practiced outside of Zone 1;

THEREFORE BE IT RESOLVED that the UBCM send a letter to the Minister of Agriculture Pat Pimm, Minister of Community, Sport and Cultural Development Coralee Oakes, and Premier Christy Clark, with copies to all BC local governments, requesting that the provincial government undertake consultation with the public, local governments, the Union of BC Municipalities, and affected parties, on the proposed two-zone approach to the ALR; and that Bill 24 not be brought into force until such consultation is complete.

RESOLUTION # 17 - CARRIED

MUNICIPALITIES WITH NO RESIDENTS

DISTRICT OF INVERMERE

WHEREAS the Jumbo Glacier Mountain Resort Municipality (JGMRM) has no residents, no taxable assessment, and an appointed council;

AND WHEREAS the draft JGMRM five year financial plan shows \$1 million of Provincial grant funding sustaining their operations for the next five years;

AND WHEREAS the Association of Kootenay and Boundary Local Governments (AKBLG) is working on a shoe string budget to assist elected local government within the Kootenay and Boundary regions of British Columbia;

THEREFORE BE IT RESOLVED that the UBCM inform the province of British Columbia that they are strongly opposed to the funding of any municipalities without residents.