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Community charter would give city council power plus

by Wolf Depner / Western Staff Writer

The province will next month table the draft of a law promising local governments unprecedented powers.

And if everything goes according to plans, the new Community Charter will become law in time for the next municipal election, said Ted Nebbeling, minister of state for community charter.

Although Nebbeling could not reveal specific details, he said the charter is the most significant new legislation to be introduced in 30 years.

It will make B.C.'s city councils the most autonomous in the country, he said.

They will have the flexibility to make choices that reflect their unique areas and concerns, he said - something that they do not have under the Local Government Act, which currently guides their actions.

Victoria, he promised, will no longer second-guess local governments. "We recognize that one municipal system for all of British Columbia doesn't work," Nebbeling said.

A provincial council made up of government appointees and mayors has been developing this new charter since last summer.

And organized labour has been raising concerns ever since.

One key area is taxation.

"They are talking about giving municipalities the power to cut taxes for corporations, which will encourage them to come or encourage them to stay," said Keith Reynolds, researcher for the Canadian Union of Public Employees, during a recent labour forum in Penticton.

This could lead to a destructive race between cities to see who can have the lower taxes, Reynolds warned.

Research from the U.S. shows lower taxes could lead to reduced public services.

But that won't happen, Nebbeling said.

"Municipalities don't have (corporate) tax powers, so they can't give it away," he said.

Ted Nebbeling, minister of state for community charter, is considering giving municipalities the power to grant property tax holidays.

The community charter will also make it easier to strike public-private partnerships, Nebbeling said. And they are a "tremendous tool" for building infrastructure. Under the current system, partnerships require much time and paper work.

This won't be the case under the new community charter.

"We are removing a lot of those unnecessary regulations and red tape in order to allow the local and the private sector to form partnerships and to create infrastructure," he said.

Public-private partnerships will also help create more temporary and permanent jobs, Nebbeling said.

But such partnerships worry Reynolds.

British Columbians, he said, will pay more for less.

"And at the end of the day, if (corporations) get control of that money, and our services ... you will pay more for your services," he said. "And the services are not going to be of the quality that you are getting now." Reynolds is also worried the province could use the community charter to offload services onto local councils.

Provincial offloading has partly been blamed for the death of seven people in the Ontario town of Walkerton in the spring of 1999.

But Nebbeling dismissed any fears that a Walkerton-type incident might happen in B.C.

"We're empowering communities, but that does not mean that they can minimize provincial standards when it comes to water provision," he said, adding that the province will ensure standards.

The new community charter, Reynolds said, will also make it more difficult for the public to hold city councils accountable by eliminating the counter-petition process.

The counter-petition process forces a municipal council to hold a referendum if more than five per cent of residents oppose a large project requiring a large amount of borrowing.

Nebbeling confirmed the counter-petition has been replaced by a new mechanism that will require more than five per cent of residents to register their disapproval before a referendum must be held.

The province is also considering raising the amount of money local city councils can borrow for infrastructure without the requirement of public input.

But the community charter will also require city council to hold a mandatory annual meeting during which it must outline its accomplishments and future goals. It must also establish clear performance measures by which council can be judged.

Another community charter proposal is to give local councils the right to override bylaws through the establishment of special development areas.

Such areas already exist in Vancouver, which has its own charter - Whistler is the only other B.C. community to have a community charter.

Vancouver's special development areas include False Creek and Yaletown. The high-density areas that mix commercial, industrial and residential use.

Such developments could allow communities with little room to grow - such as Penticton - to densify. But they also raises the spectre of land-use conflicts.

While it may be too soon to tell how a community charter will impact communities across B.C., Reynolds is sure about one thing.

"We do know that is going to change our lives," he said.