



**Federation
of
North
Vancouver
Community
Associations**

FONVCA AGENDA
THURSDAY April 17 /2003

Place: DNV Hall 355 W. Queens Rd V7N 2K6

Time: 7:00-9:00pm

Chair: Diana Belhouse - Delbrook Community Association - tel: 604-987-1656

1) Order/content of Agenda

2) Adoption of Minutes of Mar20/2003

3) Old Business

3.1 Shirtsleeve Meeting with Council

- more topics of interest ?

4) Correspondence Issues

4.1 Business arising from email -

attached lists ~33 new letters submitted -

[Mar 17/2003-Apr13/2003](#) contained in a complete list of last 19 months but only for those subjects with recent entries.

4.2 Non-Posted letters. - None this period.

New Business

5) Council and other District issues.

5.1 Report on Northlands Review Committee

-Non-confidential report/update by Corrie

5.2 Commercialisation of Public Libraries

- Vending machines - Brian Platts

5.3 Community Charter:

➤ **Legislative Process** - Steps involved in passing the Community Charter are described in <http://www.fonvca.org/agendas/apr2003/UBCMFactSheet25.pdf>

➤ **Changes** from Draft to 1st Reading: See <http://www.civicnet.bc.ca/library/CommunityCharter/CCChangesOverviewFeb03.pdf>

➤ **Response** from District to request for seminar - see http://www.fonvca.org/agendas/apr2003/Steve_Hardy_3apr2003.pdf

5.4 Negative-Option Democracy:

District's First Counter Petition - Daycare

<http://www.littlerascals.ca/lrd-main.htm>

See CP Notice, CP Form, Daycare Terms of lease at

http://www.dnv.org/upload/documents/Council_Reports/324278.pdf

http://www.dnv.org/upload/documents/Council_Reports/324360.pdf

http://www.dnv.org/upload/documents/Council_Reports/245904.pdf

5.5 Financial Plan / Taxes

- "taxes are a fixed cost" - independent of profit
(how does this differ from residential taxes?)

6) Any Other Business

6.1 - Legal issues to think about- Corrie Kost Counter-Petition - offences and penalties.

It seems false and misleading statements are OK during elections but not when gathering CP signatures! See <http://www.fonvca.org/agendas/apr2003/172-154.pdf>

7) Chairperson & Date of next meeting. May 15 /2003

Attachments

- ♦ List of Email to FONVCA of last 18 months -
BUT ONLY FOR SUBJECTS WITH NEW ENTRIES

OUTSTANDING FUTURE FONVCA ITEMS

A process to follow outstanding issues of Council, for example, where are the:

- Sign Bylaw
- Cat Regulation Bylaw
- Snow removal for single family homes bylaw
- Securing of vehicle load bylaw
- Review of Zoning Bylaw
- Taxicab regulations bylaw
- District-wide OCP
- Street-ends opening to Waterfront

Correspondence Ordered by Subject

* means since new emails
17Mar/2003 --> 13Apr/2003

Only subjects with new entries
are listed - ordered ~ by
volume since 17 Sep/2001

5 Year Financial Plans / Public
Input / Reserve Funds / Budget

Ernie_Crist_22sep2001.pdf
John_Hunter_4oct2001d.pdf
John_Hunter_8jan2002.pdf
Brian_Platts_12jan2002.pdf
Bill_Tracey_13jan2002.pdf
John_Hunter_13jan2002.pdf
Cathy_Adams_13jan2002.pdf
John_Hunter_13jan2002b.pdf
Ernie_Crist_13jan2002.pdf
John_Hunter_13jan2002.txt
Ernie_Crist_1feb2002.pdf
Ernie_Crist_2feb2002b.pdf
Ernie_Crist_4feb2002.pdf
Corrie_Kost_7feb2002.pdf
Ernie_Crist_7feb2002b.pdf
Corrie_Kost_10feb2002.pdf
Ernie_Crist_23feb2002.pdf
Corrie_Kost_27feb2002.pdf
Elizabeth_James_8mar2002.pdf
Ernie_Crist_5mar2002.pdf
Ernie_Crist_5mar2002b.pdf
Ernie_Crist_8mar2002.pdf
Ernie_Crist_8mar2002b.pdf
Ernie_Crist_10mar2002.pdf
Dave_Sadler_11mar2002.pdf
Ernie_Crist_13mar2002c.pdf
Dave_Sadler_13mar2002.pdf
Don_Bell_13mar2002.pdf
Dave_Sadler_13mar2002b.pdf
Dave_Sadler_13mar2002d.pdf
Dave_Sadler_13mar2002e.pdf
Ernie_Crist_17feb2002c.pdf
Ernie_Crist_16mar2002d.pdf
Ernie_Crist_16mar2002e.pdf
Bill_Tracey_17mar2002.pdf
Bill_Tracey_17mar2002-attach.pdf
Brian_Platts_17mar2002.pdf
Ernie_Crist_17mar2002b.pdf
Ernie_Crist_16mar2002.pdf
Ernie_Crist_18mar2002.pdf
Ernie_Crist_20mar2002d.pdf
Ernie_Crist_20mar2002b.pdf
Elizabeth_James_20mar2002.pdf
Heather_Dunsford_21mar2002.pdf
Ernie_Crist_22mar2002c.pdf
Ernie_Crist_23mar2002d.pdf
Dave_Sadler_25mar2002.pdf
Corrie_Kost_28mar2002.pdf
Dave_Sadler_28mar2002.pdf
Ernie_Crist_2apr2002c.pdf
Dave_Sadler_4apr2002.pdf
Ernie_Crist_12apr2002b.pdf
John_Hunter_12apr2002.pdf
Don_Bell_3may2002.pdf
John_Hunter_8may2002.pdf

Elizabeth_James_8may2002.pdf
Ernie_Crist_9may2002.pdf
Doug_Mackay-Dunn_9may2002.pdf
Corrie_Kost_12may2002.pdf
Corrie_Kost_12may2002b.pdf
Corrie_Kost_12may2002c.pdf
Corrie_Kost_20may2002.pdf
Ernie_Crist_21may2002.pdf
Ernie_Crist_21may2002b.pdf
Ernie_Crist_24may2002.pdf
Ernie_Crist_27may2002b.pdf
Ernie_Crist_28may2002b.pdf
Ernie_Crist_8jun2002e.pdf
Ernie_Crist_9jun2002b.pdf
Ernie_Crist_24jun2002.pdf
Elizabeth_James_17sep2002.pdf
Ernie_Crist_25dec2002.pdf
Corrie_Kost_31dec2002.pdf
Elizabeth_James_8jan2003.pdf
Ernie_Crist_6feb2003.pdf
Ernie_Crist_14feb2003b.pdf
* Ernie_Crist_22mar2003.pdf
* Ernie_Crist_24mar2003.pdf
* Brian_Platts_7apr2003.pdf
* Elizabeth_James_8apr2003.pdf

Lynn Valley Plan / Bicycle
Lanes / Roads

Ernie_Crist_21sep2001.pdf
Ernie_Crist_27sep2001.pdf
Dave_Sadler_21oct2001.pdf
Dave_Sadler_5nov2001.pdf
Ernie_Crist_12nov2001.pdf
Elizabeth_James_13nov2001.pdf
Ernie_Crist_6dec2001.pdf
Ernie_Crist_21jan2002.pdf
Dave_Sadler_22jan2002.pdf
John_Fair_22jan2002.pdf
Ernie_Crist_22jan2002.pdf
Ernie_Crist_5feb2002.pdf
Ernie_Crist_11mar2002a.pdf
Ernie_Crist_20mar2002.pdf
Elizabeth_James_21mar2002.pdf
Dave_Sadler_7apr2002b.pdf
Ernie_Crist_1jun2002.pdf
Ernie_Crist_23may2002.pdf
Ernie_Crist_17jun2002.pdf
Ernie_Crist_19jun2002b.pdf
Ernie_Crist_12jul2002.pdf
Elizabeth_James_17jul2002.pdf
Gord_Howie_17jul2002.pdf
Ernie_Crist_16jul2002.pdf
Ernie_Crist_29jul2002b.pdf
Ernie_Crist_19aug2002c.pdf
Ernie_Crist_22jan2003.pdf
Ernie_Crist_4feb2003b.pdf
Ernie_Crist_5feb2003b.pdf
* Ernie_Crist_12apr2003.pdf

Northlands Golf Course / Affair

Ernie_Crist_31dec2001b.pdf
Ernie_Crist_12may2002.pdf
John_Hunter_13may2002.pdf
Ernie_Crist_26nov2002b.pdf
Ernie_Crist_5dec2002.pdf
Ernie_Crist_7dec2002.pdf
Ernie_Crist_7dec2002b.pdf
Ernie_Crist_27dec2002.pdf
Ernie_Crist_4jan2003.pdf

Ernie_Crist_5jan2003.pdf
Ernie_Crist_5jan2003c.pdf
Elizabeth_James_8jan2003b.pdf
Ernie_Crist_9jan2003.pdf
Bill_Tracey_12jan2003.pdf
Laurie_Johnston_12jan2003.pdf
Elizabeth_James_3feb2003.pdf
Ernie_Crist_18jan2003c.pdf
Ernie_Crist_18jan2003d.pdf
Ernie_Crist_27feb2003.pdf
Ernie_Crist_28feb2003b.pdf
Ernie_Crist_14mar2003.pdf
Ernie_Crist_14mar2003b.pdf
Ernie_Crist_15mar2003.pdf
* Elizabeth_James_11apr2003.pdf
* Ernie_Crist_11apr2003.pdf
* Maureen_Bragg_11apr2003.pdf

Yard Trimming Collection
Program / Recycling /Solid
Waste

Corrie_Kost_6jan2002.pdf
Corrie_Kost_13jan2002.pdf
Ernie_Crist_15jan2002.pdf
Dave_Sadler_16jan2002.pdf
Corrie_Kost_24jan2002.pdf
Elizabeth_James_27feb2002.pdf
Ernie_Crist_16mar2002.pdf
Ernie_Crist_23mar2002e.pdf
Ernie_Crist_13apr2002.pdf
Corrie_Kost_20may2002b.pdf

Elizabeth_James_10jun2002b.pdf
Ernie_Crist_10jun2002b.pdf
Ernie_Crist_22jun2002.pdf
Ernie_Crist_13mar2003.pdf
* Ernie_Crist_12apr2003b.pdf

War on Iraq / Free Press

Elizabeth_James_31jan2003.pdf
Ernie_Crist_31jan2003.pdf
Ernie_Crist_31jan2003b.pdf
Ernie_Crist_1feb2003.pdf
Ernie_Crist_2feb2003.pdf
Ernie_Crist_2feb2003b.pdf
Barbara_Murray_12feb2003.pdf
Ernie_Crist_12feb2003.pdf
Ernie_Crist_24feb2003.pdf
Brian_Platts_25feb2003.pdf
Brian_Platts_25feb2003b.pdf
* Ernie_Crist_22mar2003b.pdf
* Ernie_Crist_30mar2003b.pdf
* Ernie_Crist_31mar2003.pdf

Tax Exemptions / Canlan

Dave_Sadler_17sep2001b.pdf
Dave_Sadler_28sep2001.pdf
Dave_Sadler_13oct2002.pdf
Elizabeth_James_6mar2003.pdf
Ernie_Crist_1mar2003b.pdf
Ernie_Crist_3mar2003.pdf
Ernie_Crist_4mar2003.pdf
Agnes_Hilsen_4mar2003.pdf
Ernie_Crist_6mar2003.pdf
Ernie_Crist_8mar2003c.pdf
Ernie_Crist_11mar2003.pdf
* Ernie_Crist_25mar2003.pdf
* Ernie_Crist_27mar2003.pdf

Noise Bylaw / Leaf Blowers

Ernie_Crist_6nov2001.pdf
Corrie_Kost_6nov2001.pdf
Bill_Tracey_20mar2002.pdf
Ernie_Crist_11may2002c.pdf
Dave_Sadler_5jun2002.pdf
Brian_Platts_17sep2002.pdf
Ernie_Crist_26dec2002.pdf
* Ernie_Crist_19mar2003.pdf
* Elizabeth_James_19mar2003.pdf

Dog / Cat Licences/Issues

John_Hunter_10dec2001.pdf
Elizabeth_James_10dec2001.pdf
Corrie_Kost_6jan2002b.pdf
Ernie_Crist_7jul2002b.pdf
Dave_Sadler_20jul2002.pdf
Ernie_Crist_20jul2002.pdf
Ernie_Crist_5mar2003.pdf
* John_Fair_7apr2003.pdf
* Don_Bell_8apr2003.pdf

Community Policing Centres /
Integrated Policing

Ernie_Crist_31jan2002.pdf
Ernie_Crist_31jan2002b.pdf
Ernie_Crist_3feb2002.pdf
John_Harvey_9mar2002.pdf
Ernie_Crist_9mar2002.pdf
* Ernie_Crist_13apr2003.pdf

Daycare / Childcare

* Elizabeth_James_7apr2003.pdf
* Elizabeth_James_7apr2003b.pdf
* Elizabeth_James_7apr2003c.pdf
* Ernie_Crist_7apr2003.pdf
* Ernie_Crist_7apr2003b.pdf
* Ernie_Crist_9apr2003b.pdf

Trees

Ernie_Crist_10jul2002b.pdf
Ernie_Crist_14feb2003.pdf
Ernie_Crist_4mar2003b.pdf
Ernie_Crist_6mar2003b.pdf
* Ernie_Crist_9apr2003.pdf
* Ernie_Crist_9apr2003c.pdf

Deregulation of BC Hydro / Sale
of BC Rail

Ernie_Crist_27feb2003b.pdf
* Erik_Lonne_6apr2003.pdf

FONVCA

Minutes Mar 20th 2003

Attendees

Eric Andersen (Chair)	Blueridge C.A.
Al Price	Pemberton Heights R.A.
Corrie Kost	Edgemont C.A.
Val Moller	Lions Gate N.A.
Diana Bellhouse	Delbrook C.A.
Dan Ellis	Lynn Valley C.A.
David Knee	Norgate Park C.A.
Hugh Murray	Lower Capilano C.R.A
Brian Platts	Edgemont C.A.

Regrets Maureen Bragg, Cathy Adams

1. ORDER / CONTENT OF AGENDA

Add:

- 6.2 CANLAN
- 6.3 Council retreat to Grouse
- 6.4 Capilano Dam
- 6.5 Commercial Noise Bylaw
- 6.6 Waterfront Street ends

2. ADOPTION OF JAN 16th MINUTES

Moved by Al Price seconded Dave Knee - carried unanimously

3. OLD BUSINESS

3.1 Shirt sleeve meeting with council

September 9th/2003.

Further topics suggested:

- Financing Strategy for Heritage Fund
- Public Art
- Taxes (restoring public confidence)
- Parks inequities in the western part of District
- Outreach Program by Council
- Community Charter

4. CORRESPONDENCE ISSUES

4.1 Business arising from email:

Corrie briefly reviewed 47 e-mails since last meeting – Councilor Crist sent the majority of the e-mails.

Discussion followed - concerning why some issues raised by the public do not get discussed when raised at Council.

The following motion was proposed:

Brian to send a letter to Council - *"In the interest of enhancing respect and public input, when a number of the public speak to an agenda item, it would be respectful for the motion be seconded for discussion."* Moved by Diana Bellhouse, seconded by Al Price- carried unanimously

There was also a motion to confirm Brian Platts as the official Secretary for FONVCA in order to simplify process in dealing with Council and Staff with timely response to correspondence. Moved by Hugh Murray, seconded by David Knee - carried unanimously.

There was an additional motion to establish January Meeting as the formal AGM for FONVCA Moved by David Knee, seconded by Dan Ellis - carried unanimously.

4.2 Non posted e-mails - none

5. NEW BUSINESS

5.1 Report on Northlands Review Committee

Corrie has attended 4 meetings. As it was his opinion that nothing was discussed that was not for public knowledge and hence he is requesting the meetings be open.

5.2 Workshop on Financial Plan 2003 - 2007

Corrie was the only member of public to attend. He gave an overview of the presentation. Corrie felt that the three new Councilors wanted to see more accountability and gave positive indications of improvements to come.

5.3 Community Charter - Corrie gave a review of

changes that could be adopted under the new charter. Subject too big for discussion tonight should table this item for future meeting.

Motion - Brian to write open letter to Premier Campbell and cc newspapers/UBCM supporting UBCM concerns on counter petitions. Moved by Diana Bellhouse, seconded by Dan Ellis – carried unanimously.

6. ANY OTHER BUSINESS

6.1 Legal Issues to think about:

Corrie briefly reviewed two articles:

- one of Public Information and Privatized Government Services and the requirement to provide access to the agreements.
- second one relating to free speech for Municipal Councilors.

6.2 CANLAN: Corrie reviewed his request (under section 330(1)(a) of LGA) to Council in relation to Canlan Agreement:

Right of elector to complain about accounting
330.

- (1) An elector may complain in writing to the council or to the municipal auditor, if the elector considers that
 - (a) a disbursement, expenditure, liability or other transaction is not authorized by or under this or another Act, or
 - (b) there has been a theft, misuse or other defalcation or irregularity in the funds, accounts, assets, liabilities and financial obligations of the municipality or of one of its administrative bodies.
- (2) If a complaint is made under subsection (1) to the council, the council must give notice of the matter to the auditor.
- (3) If a complaint is made under subsection (1) to the municipal auditor, the auditor must give notice of the matter to the council.

6.3 Councilor's rumoured retreat to Grouse for a strategic planning session on April 4 – details and public access request to District clerk have as yet not been confirmed by staff at this time.

6.4 Capilano Dam - Val reported a large discharge over the dam March 12/13 around 1:00 am. Caused damage to riverbanks and concern to residents in Lionsgate Community and Woodcroft. No confirmation for reasons Val requested name of contact person at GVRD. Val was referred to Peter Thompson, as he on the appropriate advisory committee.

6.5 Noise Bylaw –the current bylaw does not address commercial noise in the same as way industrial noise. Resident concerns re: increased noise from the planned expanded Capilano Suspension Bridge restaurant and banqueting facilities. Brian mentioned some concerns already expressed by residents on the Pemberton Bank with noise from the new Avalon facility last summer.

6.6 Opening of Street-ends -Hugh Murray reported on a positive vote on Monday night to open up more waterfront street ends and handed out a list of street end status (attached).

7. CHAIR AND DATE OF NEXT MEETING

Chair Diana Belhouse, Delbrook C.A.

tel# 604-987-1656

7;00 p.m. Thur. April 17 2003 at District Hall

Meeting adjourned 10:00 p.m.

UNOFFICIAL LIST OF DOLLARTON/DEEPCOVE STREET OPENINGS

Note: Poor or non-existent signage common to most access points

1. Dollarton	Closed	Creek
2. Dollarton	Open	Stairs/signed
3. Dollarton	Closed	Borders west boundary of CatesPark - unnecessary
4. Sea Shell Lane/Golf Dr.	Open	Maintained
5. Lowry Lane/Dollar Rd	Open	Model Pocket Park/Minimum pruning
6. Lowry Lane/Bakerview	Open	Clean-up in progress / Located beside future pocket park
7. 650 Beachview	Open	Narrow/improve WF access -looks private
8. 700 Beachview	Open	Narrow/looks private/WF stairs broken-drop off
9. 800 Beachview	Open	Very narrow/signed
10. 900 beachview	Closed	Major encroachment / wall of laurel
11. Banbury/Mnt Seymour	Closed	Major encroachment / landscape
12. Harris Ave/Harris Pl	Proposed	Logical new access point
13. 4489 Harris Pl.	Open	Needs signage
14. 4570 Epps Ave.	Open	Path to beach needs work
15. 4545 Strathcona	Open	Access to Government Wharf needs identification
16. Stracona Pl	Open	Final descent to beach over boulders
17. 4800 Stonehaven	Closed	Major encroachment
18. Naomi/Cove Cliff Rd.	Closed	Vegetation/looks private
19. Eastridge	Closed	Long undeveloped trail to water/looks private
20. Parkside Ln.	Open	Looks private
21. 2500 Panorama	Closed	Creek
22. 2600 Panorama	Open	Looks private / canoe storage
23. 2700 Panorama	Open	Looks private
24. 2800 Panorama	Closed	Major encroachment
25. 2900 Panorama/Seycove	Closed	Walled off

Note possible easement from Eastridge to 2050? Parkside Lane

<p style="text-align: center;">FACT SHEET</p>	<p style="text-align: center;">SUBJECT: LEGISLATIVE PROCESS</p>	<p style="text-align: center;">UBCM ADVISORY SERVICE</p>	<p style="text-align: center;">SERIES No. 25</p>
------------------------------------------------------	----------------------------------------------------------------------------	-----------------------------------------------------------------	-------------------------------------------------------------

**POLICY/
LEGISLATIVE**

Local governments in British Columbia are created by a provincial statute - the *Local Government Act* (or in the case of Vancouver, the Vancouver Charter).

**AMENDMENTS
AND LOCAL
GOVERNMENT**

The *Local Government Act* sets out the powers and duties that a local government must exercise or may assume.

Changes to these powers must be done through amendments to the statute(s). The process of Municipal Act Reform begun in 1998 began to move the scope of powers provided away from specific, detailed authority to broad enabling powers. The municipal service powers of Part 15 is a good example of the new direction in municipal legislation.

Changes to legislation may be initiated in a number of ways including by the Provincial Government itself or through a request of local government.

Resolutions prepared by local government and endorsed at the annual UBCM Convention on proposed legislative change is one method that can be used to request a change in legislation or policy.

The UBCM will become involved where a legislative amendment or change in policy is identified as needed by local governments throughout the Province.

**DEVELOPMENT
OF POLICY AND
LEGISLATION**

The process of developing new legislation in British Columbia is flexible and designed to accommodate changing circumstances. Legislation is generally developed by the Ministry which has been assigned responsibility for the policy or legislative area. How any proposed changes are dealt with will be in large measure determined by the Minister and Deputy Minister responsible.

Major changes in policy will require Cabinet approval. Once the full implications of the policy have been reviewed, Cabinet will make the decision as to what action, if any, is to be taken on the issue. Depending on the complexity of the issue it may require one or more of the following actions:

1. Administrative change in policy by a Ministry;
2. Passage of an Order-in-Council (OIC) by Cabinet (for example, OIC's are used to enact regulations);
3. Passage of legislation or legislative amendments by the Provincial Legislature.

In general, legislative changes are made in the following manner.

1. *Premier issues the call for legislation*
2. *Cabinet Planning Session – a high level review or service plans and legislative plans*

3. *Ministries submit requests for legislation and Cabinet approves the legislative agenda*
4. *Government Caucus Committees review request for legislation*
5. *Caucus reviews requests for legislation*
6. *Legislative Review Committee reviews draft legislation*
7. *Draft legislation ready for introduction*
8. *Bills are introduced in the Legislature*

APPROVAL OF
LEGISLATION BY
THE
LEGISLATURE

Before a Bill containing new legislation or amendments can become law it must go through the following stages:

First Reading: The Government's Bill is introduced and is placed on the Order Paper to be debated in the Legislature.

Second Reading: The general principles of the Bill are debated in the House. The discussion in the Legislature must deal only with the subject matter outlined in the Bill and focus only on the general intent of the legislation.

Committee Stage: A clause by clause examination and debate of the Bill is undertaken.

It is at this stage that the Government will introduce any amendments it is prepared to make to the Bill.

“Committee Stage” is a more informal process where questions can be asked of the Minister responsible for the Bill and amendments may be proposed to the Bill.

Third Reading: Final debate of the Bill including any changes that have been made to it. This is the last point at which the Bill can be discussed by the Legislature before it is passed.

FINAL APPROVAL
OF LEGISLATION

Legislation which is passed by the Legislature does not become law until it receives the Royal Assent of the Lieutenant-Governor.

The Government has three options as to when a Bill will officially become law in the province. It will state in the legislation whether the Bill will become law on the:

1. Date of Royal Assent;
2. Specified date outlined in the legislation (this date may be retroactive or in the future);
3. Date of coming into force (by an Order-in-Council passed by Cabinet - approval of legislation in this manner may be done section by section).

Legislation which is still on the order paper once the current session of the Legislature is adjourned may be considered at the next session of the Legislature when it resumes. However, once the legislative session is prorogued - officially ended - those bills not yet passed must begin the whole process again.

OFFICIAL
PUBLICATIONS
OF THE
LEGISLATURE

Orders of the Day	Lists the business to be conducted in the House on that day. The Order paper will list any motions, written questions, or proposed amendments to Bills which have been placed on notice in the legislature.
Votes and Proceedings	Lists the stage that each Bill is at in the Legislature and any votes that were taken.
Hansard	Records the debate that took place in the Legislature on a daily basis.
Bill 1st Reading	Bill as introduced in the Legislature on first reading.
Committee/Report Stage	Bill has amendments and additions underlined and deletions crossed out as changed from 1st reading Bill.
Bill 3rd Reading	Bill as debated and passed by the Legislature upon third reading.
Act	Legislation which has received Royal Assent and has officially become a law of the Province.
Consolidated Statutes	Compilation of most of the legislation which is law in the Province.
Consolidated B.C. Regulations	Compilation of most of the regulations issued in the Province.
B.C. Gazette	Publication of Orders-in-Council and regulations passed by Cabinet.
Registry of Orders-in-Council	The Ministry of Attorney General maintains a registry of all Orders-in-Council passed by Cabinet.
Electronic Statutes and Documents	The Office of the Clerk, with the assistance of the Queen's Printer operates a Web Site for official publications: http://www.legis.gov.bc.ca/ Bills, Orders of the Day, Votes and Proceedings and Hansard are available on a daily basis when the Legislature is sitting over the Internet.

Updated January 2003

Subject: RE: FONVCA Request For Seminar On New Community Charter

Date: Thu, 3 Apr 2003 22:04:21 -0800

From: "Steve Hardy" <Steve_Hardy@dnv.org>

To: "Brian Platts" <bplatts@shaw.ca>

CC: "Corrie Kost" <kost@triumf.ca>, "Mayor and Council - DNV" <Council@dnv.org>

Dear Brian,

I understand the Mayor has spoken with you last night regarding this matter and his intentions.

At the time of the original request (July 8, 2002) Mayor Bell contacted Minister Nebbeling's office and was advised the Charter was still in Draft form and it was felt that it would be premature to hold an information session on a draft document. On March 11, 2003 the Community Charter was introduced in the house and will take effect in 2004.

I have spoken with Minister Nebbeling's office today and it was recommended that discussion of a possible information session would be more appropriate following the Lower Mainland Municipal Association's (LMMA) Conference May 7-9. At this conference all of the Councils from the Lower Mainland in attendance will be receiving a briefing on the Community Charter from the Minister.

Mayor Bell's intention now is to host a public session in conjunction with the other four "North Shore" municipalities subsequent to the LMMA Conference. I have been instructed to recommend possible dates and venues. The Mayor plans to invite Minister Nebbeling and possibly Donald Lidstone, the municipal law authority who helped draft the legislation for the Provincial Government, to make the presentation to the Council members and the public.

If you have any other questions or comments please forward them to me or call me at 604-990-2270.

Sincerely,

Steve Hardy,
Mayor's Assistant,
District of North Vancouver
Phone 604-990-2270
E-mail hardys@dnv.org

-----Original Message-----

From: Brian Platts [<mailto:bplatts@shaw.ca>]

Sent: Tue 4/1/2003 4:43 PM

To: Steve Hardy

Cc: Corrie Kost; Mayor and Council - DNV

Subject: Re: FONVCA Request For Seminar On New Community Charter

Part 4: Division 5 – Counter Petition Opportunities**Application**

- 172.1(1)** This Division applies to counter petition opportunities required or authorized under this Act in relation to proposed local government bylaws, actions or other matters.
- (2) If the proposed bylaw, action or other matter to which a counter petition opportunity relates is amended or otherwise changed after a notice under section 172.4 has been published, unless the inspector approves, the revised proposal must be considered a new proposal for the purposes of this Division.

2000-7-15.

Process choice for local governments

- 172.2** Despite any other provision of this Act, where this Act requires or authorizes a local government to provide a counter petition opportunity, the local government may instead seek the assent of electors.

2000-7-15.

Deadline for submitting counter petitions

- 172.3(1)** In relation to each counter petition opportunity, the local government must establish a deadline by which counter petitions in relation to the proposed bylaw, action or other matter must be submitted to the local government.
- (2) A deadline established under subsection (1) must be such that it is at least 30 days after the second publication referred to in section 172.4 (1).

2000-7-15.

Notice of counter petition opportunity

- 172.4(1)** Notice of a counter petition opportunity must be published in accordance with section 44 in at least 2 issues of a newspaper, with the second publication at least 30 days before the deadline established under section 172.3.
- (2) A notice under subsection (1) must include the following:
- a general description of the proposed bylaw, action or other matter to which the counter petition opportunity relates;
 - a statement that the local government may proceed with the matter unless at least 5% of the electors of the area to which the counter petition opportunity applies petition against the matter by signing counter petition forms and submitting them to the local government by the deadline;
 - a statement that a counter petition must be in the form established by the local government and that forms are available from the local government on request;
 - a statement that the only persons entitled to sign counter petition forms are the electors of the area to which the counter petition opportunity applies;
 - a description of the area to which the counter petition opportunity applies;
 - the deadline for submitting signed counter petition forms to the local government;
 - the number of electors who must petition against the matter in order to prevent the local government from proceeding without the assent of the electors;
 - other information prescribed under section 172.91 [regulations].
- (3) For the purpose of subsection (2) (g), the local government must make a fair estimate of the total number of electors of the area to which the counter petition opportunity applies.

2000-7-15.

Counter petition forms

- 172.5(1)** The local government must
- (a) prepare counter petition forms ready for distribution at the time of first publication under section 172.4, and
 - (b) subject to subsection (2), distribute a counter petition form to each person who requests one.
- (2) Before providing a counter petition form to a person, a designated local government officer may require the person to sign a declaration that the person will not contravene section 172.8 [*prohibition against false statements*].
- (3) A person who receives a counter petition form referred to in subsection (1) may make accurate copies of the counter petition form, which are to be considered counter petition forms for the purposes of this Division.
- (4) The counter petition forms prepared or accurately copied under this section are collectively the counter petition in relation to the proposed bylaw, action or other matter.

2000-7-15.

**Requirements for signing
a counter petition**

- 172.6(1)** Each counter petition form may be signed by one or more electors of the area to which the counter petition opportunity applies.
- (2) For the purposes of this Division, the electors of the area to which the counter petition opportunity applies are the persons who would meet the qualifications referred to in section 161 (1) (a) [*who may vote at other voting*] if assent of the electors were sought in respect of the matter.
- (3) The full name and residential address of each person signing must be included on the counter petition form and, if applicable, the address of the property in relation to which the person is entitled to register as a non-resident property elector must also be included.
- (4) A person must not sign a counter petition more than once and may not withdraw their name from a counter petition after the deadline established under section 172.3.

2000-7-15.

Effect of counter petition

- 172.7(1)** If a counter petition is certified as having been signed by at least 5% of the electors of the area to which the counter petition opportunity applies, the local government must not proceed with the proposed bylaw, action or other matter unless it receives the assent of the electors.
- (2) If the counter petition is certified as not having been signed by the percentage of electors referred to in subsection (1), the electors are deemed to have approved the proposed bylaw, action or other matter and the local government may proceed with the proposed matter.
- (3) For the purposes of this section, the local government officer assigned responsibility under section 198 [*corporate administration*] must determine and certify, on the basis of the signed counter petition forms submitted to the local government before the deadline established under section 172.3,
- (a) whether the counter petition forms submitted are accurate, and
 - (b) whether the counter petition has been signed by the percentage of electors referred to in subsection (1).

2000-7-15.

Prohibition against false statements

- 172.8** A person who presents a counter petition form to another person for signing must not knowingly make any false or misleading statements to the other person about the proposed bylaw, action or other matter to which the counter petition relates.

2000-7-15.

Offences

- 172.9**(1) The following sections apply in relation to counter petition opportunities, with a reference to voting to be read as a reference to the signing of a counter petition:
section 151 [*vote buying*];
section 152 [*intimidation*];
section 153 (6) (b) [*false declarations*];
section 154 [*penalties*].
- (2) A person who contravenes section 172.8 [*prohibition against false statements*] commits an offence and section 154 (2) applies.
2000-7-15.

Regulations

- 172.91**(1) The Lieutenant Governor in Council may make regulations as follows:
- (a) prescribing information that must be included in a notice under section 172.4 [*notice of counter petition opportunity*];
 - (b) prescribing the form and content of counter petitions under this Division.
- (2) Regulations under this section may be different for different classes of proposed bylaws, actions or other matters to which counter petition opportunities relate.
2000-7-15.

Part 3: Division 17 – Election Offences**Vote buying**

- 151.** (1) In this section, “inducement” includes money, gift, valuable consideration, refreshment, entertainment, office, placement, employment and any other benefit of any kind.
- (2) A person must not pay, give, lend or procure inducement for any of the following purposes:
- (a) to induce a person to vote or refrain from voting;
 - (b) to induce a person to vote or refrain from voting for or against a particular candidate;
 - (c) to reward a person for having voted or refrained from voting as described in paragraph (a) or (b);
 - (d) to procure or induce a person to attempt to procure the election of a particular candidate, the defeat of a particular candidate or a particular result in an election;
 - (e) to procure or induce a person to attempt to procure the vote of an elector or the failure of an elector to vote.
- (3) A person must not accept inducement
- (a) to vote or refrain from voting,
 - (b) to vote or refrain from voting for or against a particular candidate, or
 - (c) as a reward for having voted or refrained from voting as described in paragraph (a) or (b).
- (4) A person must not advance, pay or otherwise provide inducement, or cause inducement to be provided, knowing or with the intent that it is to be used for any of the acts prohibited by this section.
- (5) A person must not offer, agree or promise to do anything otherwise prohibited by this section.
- (6) A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.

RS1979-290-151; 1993-54-10.

Intimidation

- 152.** (1) In this section, “intimidate” means to do or threaten to do any of the following:
- (a) use force, violence or restraint against a person;
 - (b) inflict injury, harm, damage or loss on a person or property;
 - (c) otherwise intimidate a person.
- (2) A person must not intimidate another person for any of the following purposes:
- (a) to persuade or compel a person to vote or refrain from voting;
 - (b) to persuade or compel a person to vote or refrain from voting for or against a particular candidate;
 - (c) to punish a person for having voted or refrained from voting as described in paragraph (a) or (b).
- (3) A person must not, by abduction, duress or fraudulent means, do any of the following:
- (a) impede, prevent or otherwise interfere with a person’s right to vote;
 - (b) compel, persuade or otherwise cause a person to vote or refrain from voting;
 - (c) compel, persuade or otherwise cause a person to vote or refrain from voting for a particular candidate.
- (4) A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.

RS1979-290-152; 1993-54-10.

Prohibition against certain election advertising on general voting day

152.1(1) For the purposes of this section:

"election advertising" means advertising used

- (a) to promote or oppose, directly or indirectly, the election of a candidate, or
- (b) to promote or oppose, directly or indirectly, an elector organization that is endorsing a candidate;

"sponsor" means

- (a) a person who is liable to pay for election advertising, or
- (b) if the services of conducting the election advertising are provided without charge as a campaign contribution within the meaning of Division 8 [*Campaign Financing*], the candidate or elector organization to whom the services are provided as a contribution.

- (2) On general voting day, a person must not conduct election advertising by publishing it in a newspaper or magazine or on radio or television.
- (3) A person must not act as sponsor or agree to act as sponsor of election advertising that is or is to be conducted on general voting day by a means referred to in subsection (1), whether the publication is done within British Columbia or outside British Columbia.

1999-37-39.

Other election offences

153. (1) In relation to nominations, a person must not do any of the following:

- (a) contravene section 72 (3);
- (b) before or after an election, purport to withdraw a candidate from an election without authority to do so or publish or cause to be published a false statement that a candidate has withdrawn;
- (c) before or after an election, purport to withdraw the endorsement of a candidate by an elector organization except as provided in section 79 (6) (a) with the authorization of the elector organization.

(2) In relation to voting, a person must not do any of the following:

- (a) vote at an election when not entitled to do so;
- (b) contravene section 114 (1) regarding voting more than once in an election;
- (c) obtain a ballot in the name of another person, whether the name is of a living or dead person or of a fictitious person;
- (d) contravene section 113 (2) regarding the secrecy of the ballot.

(3) In relation to ballots and ballot boxes, a person must not do any of the following:

- (a) without authority supply a ballot to another person;
- (b) without authority print or reproduce a ballot or a paper that is capable of being used as a ballot;
- (c) without authority take a ballot out of a place where voting proceedings are being conducted;
- (d) put in a ballot box, or cause to be put in a ballot box, a paper other than a ballot that the person is authorized to deposit there;
- (e) interfere with voting under section 102 contrary to the applicable bylaw and regulations;
- (f) without authority destroy, take, open or otherwise interfere with a ballot box or ballots.

(4) In relation to voting proceedings, a person must not do any of the following at or within 100 metres of a building, structure or other place where voting proceedings are being conducted at the time:

- (a) canvass or solicit votes or otherwise attempt to influence how an elector votes;
- (b) carry, wear or supply a flag, badge or other thing indicating that the person using it is a supporter of a particular candidate or elector organization;
- (c) display or distribute a sign, a document or other material regarding a candidate or elector organization, except as authorized by the chief election officer;
- (d) display, distribute, post or openly leave a representation of a ballot marked for a particular candidate in an election.

(5) In relation to Division 8 [*Campaign Financing*] of this Part, a person must not contravene any of the following:

- section 85.1 [*campaign accounts*];
- section 86 [*restrictions on accepting contributions and incurring expenses*];
- section 87 [*restrictions on making campaign contributions*];
- section 89.1 (4) [*transfer of candidate's surplus*];
- section 90 [*duty to file disclosure statements*]

section 20 (any to give a disclosure statement).

- (6) In relation to any matter or proceeding to which this Part applies, a person must not do any of the following:
 - (a) provide false or misleading information when required or authorized by or under this Part to provide information;
 - (b) make a false or misleading statement or declaration when required by or under this Part to make a statement or declaration;
 - (c) inspect a list of registered electors or nomination documents or other election materials, or use the information from any of them, except for the purposes of this Act;
 - (d) be present at a place where voting or counting proceedings are being conducted, unless authorized by or under this Part to be present;
 - (e) impede or obstruct an election official or other person in performing duties and exercising powers given to the person by or under this Part.
- (7) A person who is an election official must not contravene this Part with the intention of affecting the result or validity of an election.

RS1979-290-153; 1993-54-10; 1994-52-68; 1999-37-40.

Prosecution of organizations and their directors and agents

- 153.1**(1) An act or thing done or omitted by an officer, director, employee or agent of an organization within the scope of the individual's authority to act on behalf of the organization is deemed to be an act or thing done or omitted by the organization.
- (2) If an organization commits an offence under this Part, an officer, director, employee or agent of the organization who authorizes, permits or acquiesces in the offence commits the same offence, whether or not the organization is convicted of the offence.
- (3) A prosecution for an offence under this Part may be brought against an unincorporated organization in the name of the organization and, for these purposes, an unincorporated organization is deemed to be a person.

1999-37-41.

Penalties

- 154.** (1) A person who contravenes section 151 or 152 is guilty of an offence and is liable to one or more of the following penalties:
 - (a) a fine of not more than \$10 000;
 - (b) imprisonment for a term not longer than 2 years;
 - (c) a prohibition for a period of not longer than 6 years from holding an elected local government office;
 - (d) a prohibition for a period of not longer than 6 years from voting in local government elections.
- (2) A person who contravenes section 152.1 or 153 is guilty of an offence and is liable to one or more of the following penalties:
 - (a) a fine of not more than \$5 000;
 - (b) imprisonment for a term not longer than one year;
 - (c) a prohibition for a period of not longer than 6 years from holding an elected local government office;
 - (d) a prohibition for a period of not longer than 6 years from voting in local government elections.
- (3) Any penalty under this Division is in addition to and not in place of any other penalty provided in this Part.
- (4) A person is not guilty of an offence under this Part if the person exercised due diligence to prevent the commission of the offence.

RS1979-290-154; 1993-54-10; 1999-37-42.