

Federation of North Vancouver Community Associations

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RE: Open Letter to the Premier of British Columbia, the Hon. Gordon Campbell

Public participation, via elections, referenda, counter-petition opportunities, public hearings, and other consultation processes has a long tradition for local governments in British Columbia.

For those unfamiliar with the counter-petition process (analogous to “negative billing”), it should be noted that for specific municipal bylaws, such as long term borrowing of funds for capital projects, municipalities are required by the Local Government Act to provide a minimum of 30 days for concerned citizens to gather the 5 percent of eligible voters’ signatures in order to force a referendum on the issue at hand.

The *Federation of North Vancouver Community Associations* (an umbrella organization representing 18 registered community associations in NV District) believes the Provincial Government’s pending “Community Charter” legislation will – by doubling the percentage of voters’ signatures required to initiate a referendum on local government matters – effectively eliminate the ability of citizens to ensure voter assent is required on significant and/or controversial issues in their communities.

In support of retaining the current 5 percent level for counter-petitions, we refer to a survey conducted by the Union of B.C. Municipalities which can be found on-line at http://www.mcaaws.gov.bc.ca/lgd/pol_research/mar/SYMP2000/assent.html This survey of 179 municipalities concluded that “*local governments are making good use of the counter petition mechanisms and getting appropriate results.*”

In his paper on the same subject, Professor Emeritus Robert Bish of the University of Victoria summarizes that, “*upping the counter-petition requirements [from 5 to 10% of eligible voters] for decisions that should be considered in a referendum is a move away from, not toward, accountability to citizens.*” The irony of the situation is that to obtain 10 percent of eligible voters’ signatures is not only extremely difficult, but would in most municipalities exceed what is sometimes required to elect a candidate for councillor!

The view that even 5 percent of the electorate could dictate their will over the majority is hard to support since it can only result in a referendum in which the majority view has the final say.

Of more serious concern, however, the new Charter legislation will remove the provision for a mandatory referendum in order for a municipal council to “undedicate” parkland. The implication of this measure is that by simple majority vote of council, plus a publication of a counter-petition opportunity requiring an unreasonably high 10 percent of eligible voters’ signatures, will be sufficient for the disposal of any dedicated parkland.

The Federation of NV Community Associations thus urges that re-consideration be given to retaining the current 5% requirement when using the counter-petition process. Furthermore, we also urge the Provincial Government to retain in the new Charter the basic requirement for a mandatory referendum in order that voter assent be given before a council can dispose of municipal parkland.