Federation of North Vancouver Community Associations

FONVCA AGENDA

Wednesday November 19th 2014

Place: DNV Hall 355 W. Queens Rd V7N 2K6
Time: 7:00-9:00pm
Chair: Val Moller – Woodcroft rep.
email: vmoller@telus.net tel: 604-926-8063

Regrets:

1. Order/content of Agenda

a. Chair Pro-Tem Suggests:

2. Adoption of Minutes of Oct 15th

***a.** http://www.fonvca.org/agendas/sep2014/minutes-oct2014.pdf
Note: (*) items includes distributed support material

b. Business arising from Minutes.

3. Roundtable on "Current Affairs"

A period of roughly 30 minutes for association members to exchange information of common concerns.

a. EUCCA
b. Delbrook CA
c. Blueridge CA
– a presentation by BCA's co-chair Graham Gilley Proposing a "dedicated workshop about the role of FONVCA in the future". (item 6a below)
d) Norgate CA– on Sewage Plant

4. Old Business

a) Update on Healthy Neighbourhood Funds

5. Correspondence Issues

a) Business arising from 0 regular emails:
Distributed with full package and posted on web-site

***b) Non-Posted letters – 5 this period**
Distributed as non-posted addenda to the full package.

6. New Business

a) Proposal by BCA's co-chair Graham Gilley
- proposing a dedicated workshop on the future role of FONVCA.

b) Revision to FONVCA E-mail List – BCA

***c) Privacy / New Council / see also item 7(d)**

***d) New Coach Houses Bylaw**
- more than just another form of secondary suites: Home occupations and boarders impacted.
http://www.fonvca.org/agendas/nov2014/Establishing-a-Child-Care-Facility.pdf

e) The important council issues…
*http://www.fonvca.org/agendas/nov2014/I%27ll%20show%20you%20mine.pdf
*http://www.fonvca.org/agendas/nov2014/RE_%20Extra%20Park%20Protection%20on%20the%20Ballot.pdf

7. Any Other Business

a) Slow responses to FOI Requests
https://www.oipc.bc.ca/special-reports/1696
*b) Municipal Best Practices
*c) Citizen's Guide to Municipal Participation
*d) Election results / Oath of Office

8. For Your Information Items

(a) Mostly NON-LEGAL Issues

***i) Latest Map of DNV Slope Hazard Area**
http://www.sfu.ca/geog/geog355_1137/yla277/355-project_Map1.pdf

***ii) Guide to Shaping Council Decisions**
http://www.**saskatchewan**.ca/~/media/files/government%20relations/advisory%20services/citizens%20guide%20to%20shaping%20council%20decisions.pdf

iii) The Law Handbook from Australia
http://www.legalanswers.sl.nsw.gov.au/guides/law_handbook/pdf/Ch34_neighbours.pdf Lots of neighbourly related sensible advice!

iv) CNV Candidates view on Edible Gardens
http://www.fonvca.org/agendas/nov2014/CNV_council_responses_edible_gardens.pdf

v) Municipal Council Handbook - Newfoundland
http://www.fonvca.org/agendas/nov2014/councillor-handbk.pdf

***vi) Guide to All-Candidates Meetings**
http://www.fonvca.org/agendas/nov2014/Guide%20to%20Organizing%20an%20All%20Candidates%20Meeting%20or%20Debate.pdf

vii) Municipal Control of Land Use – 1961
http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1683&context=flr

(b) Mostly LEGAL Issues

*** i) Ministry reject Metro garbage monopoly bylaw**
http://www.vancouversun.com/technology/Metro+wastetoenergy+facility+doubt+after+government+rejects/10302076/story.html

ii) Phased development agreements and "Entrenchments"
http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1587&context=faculty_scholarship

* iii) Penticton SLAPP suit continue
http://www.fonvca.org/agendas/nov2014/news-clips/Penticton%20SLAPP%20suite%20continues.pdf

9. Chair & Date of next meeting

Wed. Dec 17th 2014 or Jan 21st 2015

FONVCA Received Correspondence/Subject

13 Oct 2014 → 16 Nov 2014

LINKED or NO-POST	SUBJECT

Past Chair Pro/Tem of FONVCA (Jan 2010-present)			Notetaker
Nov 2014	**Val Moller**	**Woodcroft rep.**	**To be determined**
Oct 2014	Brian Albinson	Edgemont & Upper Capilano C.A.	John Miller
Sep 2014	John Miller	Lower Capilano Community Residents Assoc.	Diana Belhouse
Jun 2014	Diana Belhouse	Delbrook CA & S.O.S	Eric Andersen
May 2014	Eric Andersen	Blueridge C.A.	Dan Ellis
Apr 2014	Val Moller	Woodcroft rep.	John Miller
Mar 2014	Peter Thompson	Edgemont & Upper Capilano C.A.	John Gilmour
Feb 2014	John Miller	Lower Capilano Community Residents Assoc.	Diana Belhouse
Jan 2014	Dan Ellis	Lynn Valley C.A.	John Miller
Nov 2013	Diana Belhouse	Delbrook CA & S.O.S	Eric Andersen
Oct 2013	Val Moller	Woodcroft rep.	Sharlene Hertz
Sep 2013	Eric Andersen	Blueridge C.A.	John Gilmour
Jun 2013	Peter Thompson	Edgemont & Upper Capilano C.A.	Cathy Adams
May 2013	John Miller	Lower Capilano Community Residents Assoc.	Dan Ellis
Apr 2013	Paul Tubb	Pemberton Heights C.A.	Sharlene Hertz
Mar 2013	Dan Ellis	Lynn Valley C.A.	Sharlene Hertz
Feb 2013	Diana Belhouse	Delbrook C.A. & SOS	John Miller
Jan 2013	Val Moller	Woodcroft & LGCA	Sharlene Hertz
Nov 2012	Eric Andersen	Blueridge C.A.	Cathy Adams
Oct 2012	Peter Thompson	Edgemont & Upper Capilano C.A.	Sharlene Hertz
Sep 2012	John Hunter	Seymour C.A.	Kim Belcher
Jun 2012	Paul Tubb	Pemberton Heights C.A.	Diana Belhouse
May 2012	Diana Belhouse	Delbrook C.A. & SOS	John Miller
Apr 2012	Val Moller	Lions gate C.A.	Dan Ellis
Mar 2012	Eric Andersen	Blueridge C.A.	John Hunter
Feb 2012	Dan Ellis	Lynn Valley C.A.	John Miller
Jan 2012	Brian Platts	Edgemont & Upper Capilano C.A.	Cathy Adams
Nov 2011	Paul Tubb	Pemberton Heights	Eric Andersen
Oct 2011	Diana Belhouse	Delbrook C.A. & SOS	Paul Tubb
Sep 2011	John Hunter	Seymour C.A.	Dan Ellis
Jul 2011	Cathy Adams	Lions Gate C.A.	John Hunter
Jun 2011	Eric Andersen	Blueridge C.A.	Cathy Adams
May 2011	Dan Ellis	Lynn Valley C.A.	Brian Platts/Corrie Kost
Apr 2011	Brian Platts	Edgemont & Upper Capilano C.A.	Diana Belhouse
Mar 2011	Val Moller	Lions Gate C.A.	Eric Andersen
Feb 2011	Paul Tubb	Pemberton Heights ← Special focus on 2011-2015 Financial Plan	
Jan 2011	Diana Belhouse	S.O.S.	Brenda Barrick
Dec 2010	John Hunter	Seymour C.A. ← Meeting with DNV Staff on Draft#1 OCP	None
Nov 2010	Cathy Adams	Lions Gate C.A.	John Hunter
Oct 2010	Eric Andersen	Blueridge C.A.	Paul Tubb
Sep 2010	K'nud Hille	Norgate Park C.A.	Eric Andersen
Jun 2010	Dan Ellis	Lynn Valley C.A.	Cathy Adams
May 2010	Val Moller	Lions Gate C.A.	Cathy Adams
Apr 2010	Paul Tubb	Pemberton Heights	Dan Ellis
Mar 2010	Brian Platts	Edgemont C.A.	Diana Belhouse
Feb 2010	Special		
Jan 2010	Dianna Belhouse	S.O.S	K'nud Hille

FONVCA AGENDA ITEM 2(a)

FONVCA

Draft Minutes of Regular Meeting, Wednesday October 15th , 2014
Place: DNV Hall 355 W. Queens Rd V7N 2K6
Time: 7:00-9:00pm
Chair: Brian Albinson – EUCCA **Email:**brianalbinson@shaw.ca

Attendees:

Brian Albinson (Chair Pro-tem)	Edgemont & Upper Capilano Comm. Assoc.
Eric Andersen	Blueridge Comm. Assoc
Graham Gilley	Blueridge Comm. Assoc.
Diana Belhouse	Delbrook Community Assoc.& S.O.S.
John Miller (note taker)	Lower Capilano Community Residents' Assoc.
Corrie Kost	Edgemont & Upper Capilano Comm. Assoc.
Val Moller	Assoc. of Woodcroft Councils
Cathy Adams	Resident of Lions Gate

1. Order/content of Agenda

a) Call to Order at 7:05 pm

b) Motion by Eric, seconded by Val – that Cathy Adams be permitted to speak throughout the meeting. Carried.

c) Chair Pro-Tem Suggests: as is, except for additional item 6(d) Re-imbursement of Corrie for printing costs.

2. Adoption of Minutes of Sept 17th, 2014

http://www.fonvca.org/agendas/sep2014/minutes-sep2014.pdf

a. Minutes of September 17th/2014 were approved (motion by Val, seconded by Corrie and carried) as circulated except that Diana was noted to represent both Delbrook Community Assoc. and SOS.
b. Business arising: Noted that the questions to the municipal candidates were sent to them on October 11th with a requested return of replies no later than October 24th.

3. Roundtable on 'Current Affairs'

a) EUCCA – Corrie Kost

- Capilano Road Pipe Project that is now expected to take place mid-next year.
- Sept. 29th COW meeting – new traffic signals for Edgemont Blvd. & Ridgewood Drive are a contentious issue with residents.
- In Edgemont Village, the re-zoning to allow 10 seats take-our restaurant to a 30-seat restaurant in the credit union building ("Edgemont Commons") was completely contrary to the originally zoning for the initial construction.

b) Delbrook – Diana Belhouse

- Reported that the Oct. 20th Delbrook Dialogue #4 had been cancelled as it was felt to be too close to the municipal election.
- Delbrook C.A. is sponsoring a municipal all-candidates meeting 6:30pm Tues Nov 4th in the Potlatch Rm of the Capilano Library

c) Blueridge C.A. – Eric Andersen

- All candidates meeting will on Nov. 10th. Issuing a newsletter to encourage residents to vote.
- Working on the Sharing Gardens.
- Restructuring Blueridge Good Neighbour Days with smaller groups to handle individual tasks.
- Will be attempting to recruit more residents to serve on the association by having job descriptions that will let them know the expectations, duties and timelines.

d) Woodcroft – Val Moller

- Will hold their all candidates meeting on Nov. 13th. It is an informal meet & greet type of meeting where each candidate will be given 3 minutes to introduce themselves and then mingle with the attendees.
- Larco Public Hearing took two nights. Mixed responses. Proposed to be a 9 year 11 months Phasing Agreement with the community centre in the last phase.

4. Old business

a) **Coach Houses**

Pages 153-187 of
http://www.dnv.org/upload/documents/Council_Agendas_Minutes/141006RC_AGN.pdf

- The Bylaw passed. Approx. 2,500 properties qualify but you cannot have both a coach house and a secondary suite. It's cheaper to install a secondary suite than to build a coach house so there isn't expected to be a rush of applications for coach houses.

b) Closed Meetings of Council – Chapter 2

- A further summary of the number of closed meetings is to be included as attachment #1 to the minutes and associations are encouraged to question the number of closed meetings taking place in the DNV.

5. Correspondence issues

a) 0 regular emails.

b) Non-Posted Emails: Moved by Eric, seconded by Val and carried that the 1 non-posted email not be posted.

6. New Business

a) Questions for 2014 Municipal Candidates

- Replies are due by October 24th and are to be posted on the FONVCA website ASAP.

b) Council "lame-duck' period: ethics and legalities

- Municipalities can make laws during the election campaign whereas Provincial and Federal governments cannot. Municipalities are responsible to the Provincial government so how can the Provincial government allow something that they themselves cannot do?

c) Verbal and written submissions to a Public Hearing

http://www.dnv.org/upload/documents/Public_Hearings/141007PH_Public_Input/141007_Public_Hearing_-_Public_Input.pdf ← written submissions

- A verbal submission at a public hearing does not allow abuses and those abuses are dealt with by the Chair. This doesn't appear to be the case with written submissions containing abuse. The Mayor has agreed to discuss the issue of written submissions with the District Clerk.

d) Re-imbursement of printing costs to Corrie

- Motion by Diana, seconded by Eric and carried, that Cathy submit (to the DNV Healthy Neighbourhood Fund) receipts (on behalf of FONVCA) for printing costs incurred by Corrie.

7. Any Other Business

a) Slow responses to FOI Requests – see websites for information.

http://www.oipc.bc.ca/report/special-reports
and more specifically
https://www.oipc.bc.ca/special-reports/1696
(partial extracts included in package)
http://www.scribd.com/doc/240742406/Special-Report-A-Step-Backwards-Report-Card-on-Government-s-Access-to-Information-Responses-April-1-2013-March-31-2014# for full 67 page report

b) Term Limits for Council – see attachment #2 for information.

8. For Your Information Items:

The items listed in this section were not discussed. See agenda for details.

9. Chair and Date of next FONVCA meeting:

Next Regular Meeting:

7pm Wed. November 19th 2014 – Chair Pro-tem – Val Moller

Meeting declared Closed: ~ 8:40pm

Attachment #1

MORE ON DNV CLOSED MEETINGS – by Corrie Kost

2013:

May be closed: 33 meetings
Must be closed: 8 meetings

2014 (Jan-Oct):

May be closed: 19 meetings
Must be closed: 9 meetings

90 (1) A part of a council meeting **may** be closed to the public if the subject matter being considered relates to or is one or more of the following:
(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
(c) labour relations or other employee relations;
(d) the security of the property of the municipality;
(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
(g) litigation or potential litigation affecting the municipality;
(h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 *[annual municipal report]*;
(m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
(o) the consideration of whether the authority under section 91 *[other persons attending closed meetings]* should be exercised in relation to a council meeting.

(2) A part of a council meeting **must** be closed to the public if the subject matter being considered relates to one or more of the following:
(a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
(c) a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under section 14 *[ombudsperson to notify authority]* of that Act;
(d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
(e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the *Auditor General for Local Government Act*.
(3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

ATTACHMENT #2

ARE TERM LIMITS UNCONSTITUTIONAL?

Section 3 of the Canadian Charter of Rights and Freedoms states: “Every citizen of Canada has the right to vote in an election of members of the House of Commons or a legislative assembly and be qualified for membership therein”.

Information:
http://www.cba.org/CBA/sections_municipal/news2014/term-limits.aspx
http://www.cba.org/CBA/sections_municipal/pdf/2014-07-term-limits.pdf

Currently no Canadian municipality has a limit on the number of consecutive terms an individual may serve on its council. Furthermore, no Canadian municipality currently has the jurisdiction to establish such a limit.

FONVCA AGENDA ITEM 6(c) -P1

PRIVACY

Police asking volunteers intrusive questions: watchdog

Government to determine if queries on applications are OK

From Sep 1/2014 Vancouver Sun Page A6

KATIE DEROSA
VICTORIA TIMES COLONIST

> *We are conducting a review on our own and will also await the outcome of the investigation by the privacy commissioner.*
>
> SGT. SARAH FORMBY
> DELTA POLICE SPOKESWOMAN

Do we ask this for municipal candidates?

A privacy watchdog is calling on B.C.'s privacy commissioner to investigate whether police departments are being too intrusive in the questions posed to potential volunteers and employees.

The B.C. Freedom of Information and Privacy Association said several police departments are collecting "unnecessary, inappropriate and excessive personal information" from people applying for paid and unpaid positions.

The non-profit association was approached by someone applying for a volunteer position with the Delta Police Department's community police section. They had been given a 25-page "integrity and lifestyle questionnaire" asking about sexual activity, drug use, finances and whether the applicant has ever been unemployed or on welfare.

Applicants also have to undergo a polygraph test and a background investigation and are told "deceit, dishonest or non-disclosure concerning questions in this document may result in your disqualification from current or future civilian employment opportunities."

"This kind of statement encourages respondents to disclose further personal information even when it is not specifically asked for," said Vincent Gogolek, the association's executive director.

Once the privacy association started investigating, it found many police departments across B.C. have similar questionnaires, he said.

The association is asking B.C.'s information and privacy commissioner, Elizabeth Denham, to determine whether police departments are invading people's privacy with these questions. Denham's office confirmed it had received the complaint and said staff would be reviewing it before deciding whether to launch a formal investigation.

Delta police spokeswoman Sgt. Sarah Formby said this was the first time the department had heard concerns about its questionnaire. "As a result, we are conducting a review on our own and will also await the outcome of the investigation by the privacy commissioner."

In Greater Victoria, the protocol for volunteer applications varies widely between departments.

RCMP detachments ask their prospective volunteers to fill out a three-page application form with basic contact information, availability, reasons for applying, previous job and education experience and references. Applicants typically also undergo an interview and background check. Central Saanich police have a similar application form for volunteers.

However, the process for reserve constables is much more detailed. "We're required by provincial policy to conduct screening to the same standard of police officers," said Central Saanich deputy police chief Les Sylven. "They're put in a position of trust and we need to know their background is clean."

Oak Bay police deputy chief Kent Thom said the department doesn't have an application form, but asks for a resumé. Applicants usually go through an interview process and background check but do not have to take a polygraph test.

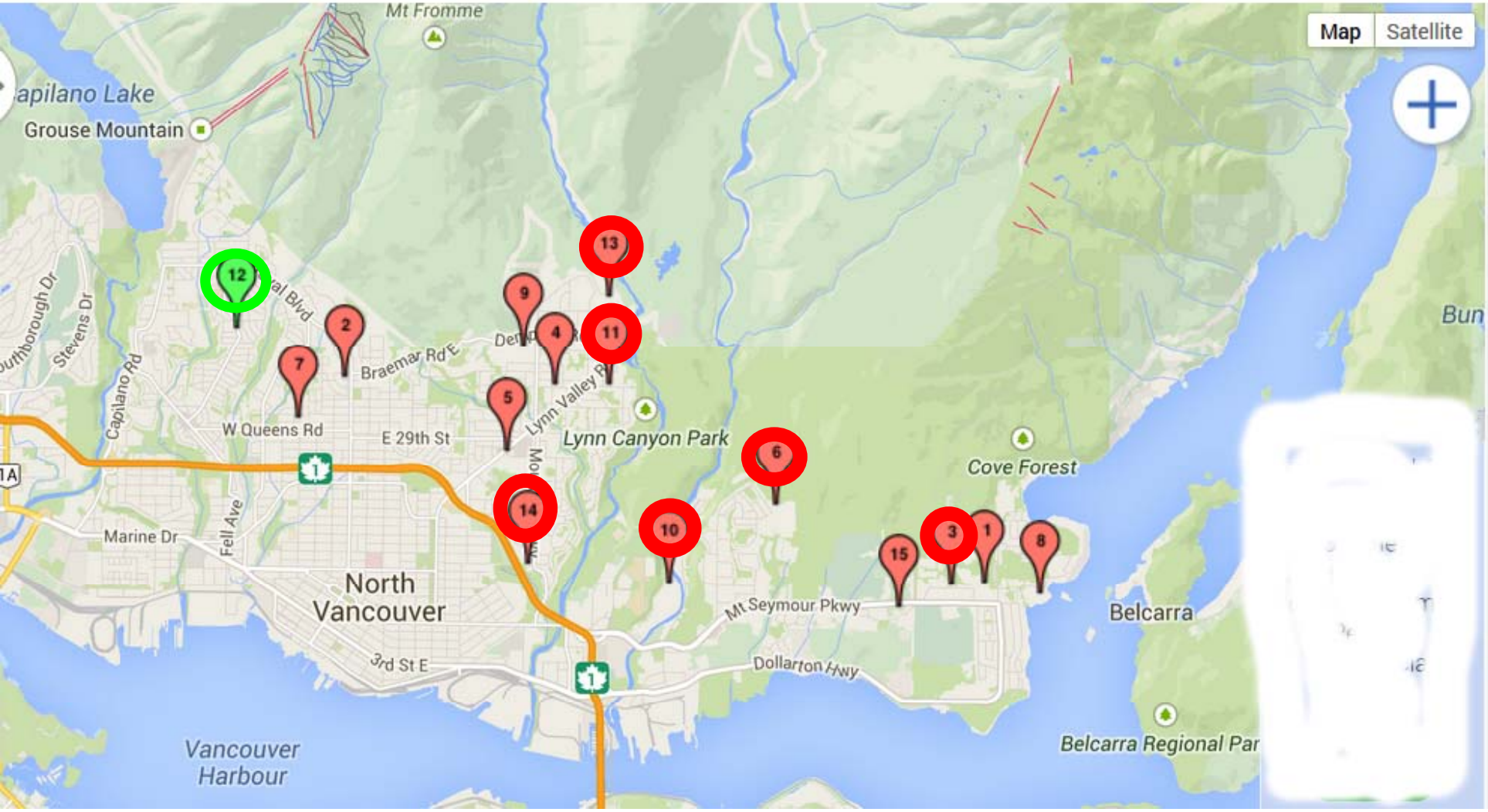
Thom said he can see how people might take exception with some questions on the Delta police questionnaire. He said Oak Bay police has never received complaints about asking for too much personal information.

"We have to be very careful about who we allow into our building and allow access to sensitive information, so sometimes we have to be very specific when we're asking people for information," Thom said. "But there is a fine line and you can't step over it and violate people's privacy."

In April, Denham slammed police departments for handing out unnecessary personal information in employment-related records checks, including information that has not led to a criminal conviction or charge and mental-health information such as suicide attempts.

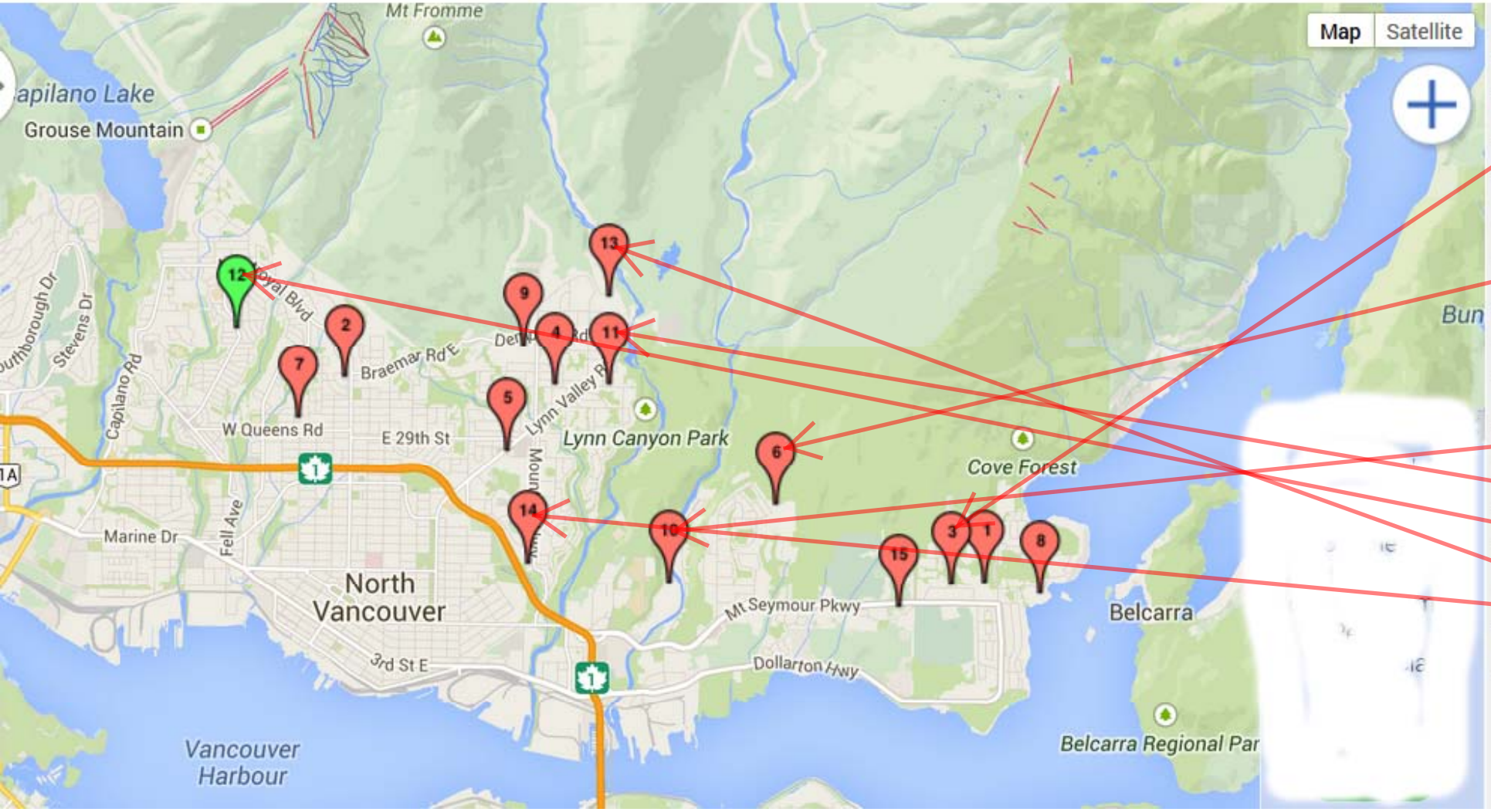
The Victoria Police Department has stopped doing criminal record checks until the province comes up with new legislation regarding what information should be released.

FONVCA AGENDA ITEM 6(c) - P2



Name
1 Amelia Hill
2 Connie deBoer
3 Doug Mackay-Dunn
4 Glenn Mackenzie
5 Hazen Colbert
6 Jim Hanson
7 Kevin Macauley
8 Len Laycock
9 Linda Findlay
10 Lisa Muri
11 Mathew Bond
12 Richard Walton
13 Robin Hicks
14 Roger Bassam
15 Wayne Hunter

FONVCA AGENDA ITEM 6(c) - P3



Name
1 Amelia Hill
2 Connie deBoer
3 Doug Mackay-Dunn
4 Glenn Mackenzie
5 Hazen Colbert
6 Jim Hanson
7 Kevin Macauley
8 Len Laycock
9 Linda Findlay
10 Lisa Muri
11 Mathew Bond
12 Richard Walton
13 Robin Hicks
14 Roger Bassam
15 Wayne Hunter

FONVCA AGENDA ITEM 6(d) -part1

AGENDA INFORMATION	
☑ Regular Meeting	Date: OCT 6.14
☐ Workshop (open to public)	Date:

Dept. Manager	GM/ Director	CAO
SDS for	B.	

The District of North Vancouver
REPORT TO COUNCIL

September 23, 2014.
File: 13.6480.30/003.000

AUTHOR: Phil Chapman – Social Planner
Darren Veres – Community Planner
Kevin Zhang – Planning Assistant

SUBJECT: Coach Houses – Zoning Bylaw Amendments

RECOMMENDATION:
THAT Bylaw 8036, which amends the District of North Vancouver Zoning Bylaw 3210, 1965, to enable implementation of coach house policy, is given FIRST reading;

AND THAT Bylaw 8036 is referred to Public Hearing.

REASON FOR REPORT:
To obtain Council's authorization to proceed to Public Hearing with text amendments to the Zoning Bylaw to enable coach housing in single family zones. The draft Coach House "How To Guide" is provided to Council for information.

SUMMARY:
On September 8, 2014 Council directed staff to proceed with the development of Zoning Bylaw amendments and supporting materials needed to implement the proposed "gradual entry" approach to coach houses in the District. Zoning Amendment Bylaw 8036 is now ready for Council's consideration of first reading and referral to public hearing.

EXISTING POLICY:
The District's Official Community Plan (OCP) encourages a variety of housing choices across the full spectrum of housing needs. The *Detached Residential* land use designation in the OCP includes provision for secondary suites or coach houses in single family residential areas. Policy 7.1.2 directs staff to undertake Neighbourhood Infill plans and/or Housing Action Plans where appropriate to develop criteria and identify suitable areas to support detached accessory dwellings (such as coach houses).

The Zoning Bylaw currently allows secondary suites, but does not permit coach house forms of development in single family zones. Property owners interested in having a coach house

are required to rezone their property. This is a potentially expensive, lengthy and uncertain process.

BACKGROUND:
District staff first introduced the proposed gradual entry approach to coach houses to Council at the Committee of the Whole meeting on November 13, 2013. Following an update on the results of a successful community engagement program held in the spring of 2014, Council directed staff to proceed with the development of Zoning Bylaw amendments and supporting materials necessary to implement the proposed "gradual entry" approach to permit coach houses in the District.

Learning from Coach House Experiences Across the Region
Ten Metro Vancouver municipalities now have coach house programs. In each case the development considerations and approval mechanisms vary according to the housing goals and desired outcomes of those municipalities.

The City of North Vancouver (CNV) has had a two-tier approach to coach house development since 2010. Staff have authority to approve applications for coach houses under 800 square feet while Council retains approval authority for larger unit applications (1000 square feet maximum). To date approximately 40 coach houses have been built or are under application.

The District of West Vancouver Council approved bylaws permitting coach housing on July 21st, 2014. Staff are currently working to finalize this program and expects to be ready to accept applications by November 2014.

District staff has built on the experience of the CNV and other municipalities with coach housing policy, design and implementation to inform the development of our coach house Zoning Amendment Bylaw and "How To Guide".

DISCUSSION:
Proposed Zoning Bylaw Amendments
Text amendments to the Zoning Bylaw to enable the approval of coach house development through the DVP process are presented as Zoning Amendment Bylaw 8036 (see Attachments 1 and 2). In particular, highlights of Amending Bylaw 8036 include the following changes:

Bylaw Amendment Reference #	Description of Amendment	Explanation
	Change Definition of Secondary Suite	
2 a	Amends the definition of *secondary suite* in Part 2: Interpretation to: *Means an accessory dwelling unit on a lot in a zone that permits a single family residential building.*	Ties the accessory dwelling unit to the lot and not the single-family residential building.
	Prohibits FSR Exclusions	
2 b	Amends the regulation that permits FSR exclusions for accessory buildings up to 269 sq.ft.	Prohibits this exemption from being applied to the coach house.
	Allows Suite to be Detached	
2 c, d, e, g, h	Amends the regulation limiting the number of secondary suites allowed in a house to be applied to the residential lot instead. Moves the following text related to the size of secondary suites out of the *Uses* section and into the *Size, Shape and Siting* section of each zone: *Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family building.* Adds the following text into the *Size, Shape and Siting* section of each zone: *Location of Secondary Suites: secondary suites must be located within the single family residential building.*	Allows for the DVP process to be used (rather than rezoning) for coach house approvals. Applies to all Single-Family Residential Zones, and Multi-Family Zones where secondary suite are permitted, and also Comprehensive Development Zone 34. These RM and CD zones permit single family residential buildings and secondary suites.
	Allows Home Occupations with Suites	
2 c, e, g	Removes the prohibition of licenced home occupation in conjunction with secondary suites in a single family residential building in Single Family Residential Zones (RS), Residential Multi-Family Zones (RM) and Comprehensive Development Zone 34 (CD by deleting reference to prohibiting *home occupation* as follows: *a single-family residential building containing one or more boarders or lodgers ~~or in which there is a licenced home occupation,~~ may not have a secondary suite;*	Allows a secondary suite in a home that contains a licenced home occupation. Applies to all RS and RM and CD zones that permit single family residential buildings and secondary suites. Secondary suites and home occupations have co-existed for many years with few conflicts or complaints. Potential impacts to neighbours can be managed through other regulatory tools.

In summary, these amendments allow the Development Variance Permit process to be used to vary the location of the secondary suites from within the principal dwelling to an accessory building elsewhere on the lot. Secondary suite location will be processed as a variance similar to variances for height, siting, etc.

Pre-Application
Prior to making a coach house application the applicant will need to:

- obtain a copy of the "How To Guide" to ensure key development and design elements are included in the proposed application,
- determine the amount of square footage available for construction of the coach house, and
- discuss the coach house proposal with adjacent neighbours.

Development Variance Permit Process
While the proposed zoning bylaw amendments will enable coach houses to be considered as a secondary suite in single family zones, approval will be contingent on obtaining a Development Variance Permit (DVP) to vary the location of the suite on the lot. Applications that have demonstrated support from adjacent neighbours will be brought forward for Council consideration.

At the DVP Application stage, the Building Plan Checker will review the submission to identify the types of variances needed. Planning staff will notify neighbouring residents that a DVP application for a coach house has been received. Staff will prepare a report with recommendations for Council. Final approval of the DVP will be determined by Council.

Coach House "How To Guide"
To support implementation of coach houses through the Zoning Bylaw amendment and the development variance process staff have prepared a draft coach house "How To Guide" (see Attachment 3).This document guides prospective coach house builders through a process to self-assess the eligibility of their property, and provides a detailed set of development performance criteria to guide the review and evaluation of coach house DVP applications. This approach facilitates the controlled and gradual entry to coach housing in the District while providing an opportunity for monitoring, review and adjustment as needed after a period of implementation.

Key development and design criteria for coach houses include the following:

- Restricting coach houses to lots 10,000 sq. ft. or bigger, OR lots 50 feet or wider provided that they are on a lane, OR corner lots 50 feet or wider without a lane.
- Limiting coach house size to the amount of space that could otherwise be added to the existing house as a new addition to a maximum of what is already permitted under the existing zoning.
- Restricting the size of the coach house to the same size as permitted for a secondary suite (maximum $90m^2$/968 sq.ft.).
- Allowing either a secondary suite or a coach house, but not both.
- Prohibiting coach houses from being strata-titled.
- Requiring an additional parking space in a non-tandem configuration on the property

- Provision of development and design criteria to protect neighbourhood character and the privacy of neighbours

The draft coach house "How To Guide" is provided as Attachment 2.

Timing/Approval Process:
Should Council give 1st reading to Bylaw 8036 then a public hearing will be scheduled.

Public Input:
In March and early April of 2014, District staff co-hosted with West Vancouver staff, a series of meetings with coach house designers and builders and with planners from nine other local municipalities where coach housing is already permitted.

Subsequently in May and early June of 2014, District staff organized a series of open houses and public events at various locations throughout the District to gather community input on the proposed coach house approach. Approximately 240 people attended the first five events hosted throughout the District. An estimated 2,500 people passed by and had the opportunity to comment on coach house displays at the District libraries. Further, an estimated 6,000 people would have viewed the coach house display in the District Hall at tax time.

In total 192 feedback forms were received. Results of the community engagement showed that 85% of survey respondents *Strongly Agreed or Agreed*, "That Coach Houses should be considered to provide additional housing options in the District".

Concurrence:
The proposed Zoning Bylaw amendments and the draft "Coach House How To Guide" were reviewed by interdepartmental staff from Development Planning, Building Services, Environment, Legal Services and Engineering.

Financial Impacts:
Any increase in development permit fees and tax revenues as a result of coach house development is expected to be very modest as the anticipated uptake for coach houses through the gradual entry program is only 5 to 25 applications per year.

Liability/Risk:
The proposed Zoning Bylaw amendment does not expose the District to any particular risk or liability.

Social Policy Implications:
Coach housing will provide opportunities for greater housing diversity; enable residents to age-in-place on their property; enable young families or young adults to live in single-family neighbourhoods that might otherwise be unaffordable; and provide young couples, seniors and renters an additional housing option beyond apartments, townhouses and larger single-family homes.

Environmental Impact:
Coach house development will lead to a more efficient use of existing land and infrastructure in existing neighbourhoods throughout the District. New developments would need to adhere to relevant Development Permit Area regulations.

Conclusion:
Given the strong community support for coach housing in the District and as coach houses support housing policies in the OCP and provide alternative housing choices for District residents, staff recommends that Council approve first reading and referral of Zoning Amendment Bylaw 8036 to public hearing.

Respectfully submitted,

Phil Chapman	Darren Veres	Kevin Zhang
Social Planner	Community Planner	Planning Assistant

Attachment 1: Zoning Amendment Bylaw No. 8036 (2014)
Attachment 2: Track Changes of Proposed Amendments to Zoning Bylaw
Attachment 3: Draft "Coach House How to Guide"

REVIEWED WITH:

❑ Sustainable Community Dev.	____	❑ Clerk's Office	____	External Agencies:	
❑ Development Services	____	❑ Communications	____	❑ Library Board	____
❑ Utilities	____	❑ Finance	____	❑ NS Health	____
❑ Engineering Operations	____	❑ Fire Services	____	❑ RCMP	____
❑ Parks & Environment	____	❑ ITS	____	❑ Recreation Com	____
❑ Economic Development	____	❑ Solicitor	____	❑ Museum & Arch.	____
❑ Human resources	____	❑ GIS	____	❑ Other:	____

The Corporation of the District of North Vancouver

Bylaw 8036

A bylaw to amend the District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "The District of North Vancouver Rezoning Bylaw 1305 (Bylaw 8036)".

2. Amendments

The following amendments are made to the District of North Vancouver Zoning Bylaw 3210, 1965:

a) Part 2, Interpretation, is amended by deleting the definition of "secondary suite" and replacing it with a new definition of "secondary suite" as follows:

"secondary suite" means an accessory dwelling unit on a lot in a zone that permits a single family residential building;

b) Part 4, General Regulations, is amended by deleting subsection 410 (1)(e) in its entirety and replacing it with a new subsection 410 (1)(e) as follows:

"(e) except in the RSK and RSE zones, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 25m^2 (269 sq.ft.). In the RSE zone, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 19.5m^2 (210 sq.ft.); and"

c) Section 4B172, "Uses", of Comprehensive Development Zone 34 is amended by:

i) deleting subsection (1)(b) in its entirety and replacing it with a new subsection (1)(b) as follows:

"(b) accommodation of not more than two boarders or lodgers in a single-family residential building;"

ii) deleting subsection (1)(c)(i) in its entirety and replacing it with a new subsection (1)(c)(i) as follows:

"(i) only one secondary suite is permitted on a single-family residential lot;"

iii) deleting subsection (1)(c)(ii);

iv) deleting subsection (1)(c)(iv) in its entirety and replacing it with a new subsection (1)(c)(iv) as follows:

"(iv) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;"

v) and renumbering subsection(1)(c) accordingly.

d) Section 4B173, "Size, Shape and Siting Regulations", of Comprehensive Development Zone 34 is amended by inserting the following new subsections:

"(3) Location of Secondary Suites: secondary suites must be located within the single family residential building.

(4) Size of secondary suite: a secondary suite shall not exceed in total area the lesser of $90m^2$ (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building."

e) Section 501, "Uses in Single-Family Residential Zones (RS)", is deleted in its entirety and replaced with a new Section 501, "Uses in Single-Family Residential Zones (RS)", as follows:

"501 Uses in Single-Family Residential Zones (RS)

All uses of land, buildings and structures in RS Zones are prohibited except.

501.1 (a) Principle Use:

(i) One single family residential building

(b) Accessory Uses:

(i) home occupations;

(ii) accommodation of not more than two boarders or lodgers in a single-family residential building;

(iii) secondary suites subject to the following regulations:

a) secondary suites are permitted only in single-family residential zones;

b) only one secondary suite is permitted on a single-family residential lot;

c) the owner of a single-family residential building containing a secondary suite shall be a resident of either the secondary suite or the principal residential dwelling unit; and

d) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;

(iv) bed and breakfast business subject to the regulations contained in Section 405A; and,

(v) buildings and structures accessory to Subsection 501.1 a)."

f) Section 502, "Size, Shape and Siting of Residential Buildings and Accessory Buildings and Structures in Single-Family Residential Zones (RS)", is amended by inserting the new Subsections 502.3 and 502.4 as follows:

"502.3 Location of Secondary Suites: secondary suites must be located within the single family residential building.

502.4 Size of secondary suite: a secondary suite shall not exceed in total area the lesser of $90m^2$ (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building."

g) Section 551, "Uses in Multi-family Residential Zones (RM)", is amended by:

i) deleting subsection 551.2(a)(ii)(1) in its entirety and replacing it with a new subsection 551.2(a)(ii)(1) as follows:

"(1) accommodation of not more than two boarders or lodgers in a single-family residential building;"

ii) deleting subsection 551.2(a)(ii)(2)(a) in its entirety and replacing it with a new subsection 551.2(a)(ii)(2)(a) as follows:

"(a) only one secondary suite is permitted on a single-family residential lot;"

iii) deleting subsection 551.2(a)(ii)(2)(b);

iv) deleting subsection 551.2(a)(ii)(2)(d) in its entirety and replacing it with a new subsection 551.2(a)(ii)(2)(d) as follows:

"(d) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;"

v) and renumbering subsection 551.2(a)(ii)(2) accordingly.

h) Section 552, "Size, Shape and Siting of Residential Buildings in the RM1, RM2 and RM5 Zones", is amended by inserting the new Subsections 552.3 and 552.4 as follows:

"552.3 Location of Secondary Suites: secondary suites must be located within the single family residential building.

552.4 Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building "

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of Bylaw 8036 as at Third Reading

_____

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure

ADOPTED

_____ _____

Mayor Municipal Clerk

Certified a true copy

_____

Municipal Clerk

Document 2254848

Attachment 2: Track Changes of Proposed Amendments to Zoning Bylaw

Subsection	Proposed Amendments to the Zoning Bylaw Text	Existing Zoning Bylaw Text and Proposed Deletions
Part 2 "Interpretation"		
	"secondary suite" means an accessory dwelling unit on a lot in a zone that permits a single family residential building;	~~"secondary suite" means a designated area within a single-family residential building, only in a single-family residential zone, that is comprised of one or more habitable rooms and contains or provides for only one cooking facility;~~
Part 4 "General Regulations"		
410 (1)(e)	(e) except in the RSK and RSE zones, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 25m^2 (269 sq.ft.). In the RSE zone, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 19.5m^2 (210 sq.ft.); and	(e) except in the RSK and RSE zones, accessory buildings, other than parking structures, not exceeding 25 m^2 (269 sq.ft.). In the RSE zone, accessory buildings, other than parking structures, not exceeding 19.5 m^2 (210 sq.ft.); and
4B172 "Uses" (Comprehensive Development Zone 34)		
(1)(b)	(b) accommodation of not more than two boarders or lodgers in a single-family residential building;	(b) accommodation of not more than two boarders or lodgers in ~~single-family residential buildings which do not contain a secondary suite~~;
(1)(c)(i)	(i) only one secondary suite is permitted on a single-family residential lot;	(i) only one secondary suite is permitted ~~in a single-family residential building~~;
(1)(c)(ii)		~~ii) Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building.~~
(1)(c)(iv)	(iv) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;	(iv) a single-family residential building containing ~~one or more~~ boarders or lodgers~~ or in which there is a licenced home occupation,~~ may not have a secondary suite;

Document: 2445178

Subsection	Proposed Amendments to the Zoning Bylaw Text	Existing Zoning Bylaw Text and Proposed Deletions
4B173 "Size, Shape and Siting Regulations" (Comprehensive Development Zone 34)		
	(3) Location of Secondary Suites: secondary suites must be located within the single family residential building. (4) Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building.	
501 "Uses in Single Family Residential Zones (RS)"		
	501.1(a) Principle Use: (i) One single family residential building (b) Accessory Uses: (i) home occupations; (ii) accommodation of not more than two boarders or lodgers in a single-family residential building; (iii) secondary suites subject to the following regulations; a) secondary suites are permitted only in single-family residential zones; b) only one secondary suite is permitted on a single-family residential lot; c) the owner of a single-family residential building containing a secondary suite shall be a resident of either the secondary suite or the principal residential dwelling unit; and d) a single-family residential building containing more than one boarder or lodger may not have a secondary suite; (iv) bed and breakfast business subject to the regulations contained in Section 405A; and, (v) buildings and structures accessory to Subsection 501.1 a).	~~501.1 the use of such land for a purpose related to a use of buildings and structures permitted in these zones;~~ ~~501.2 the use of such buildings and structures as~~ (a) one single-family residential building ~~per lot, which may contain one or more of the following uses:~~ (i) home occupations; (ii) accommodation of not more than two boarders or lodgers ~~in single-family residential buildings which do not contain a secondary suite;~~ (iii) secondary suites subject to the following regulations: a) secondary suites are permitted only in single-family residential zones; b) only one secondary suite is permitted ~~in a single-family residential building~~; ~~c) a secondary suite shall not exceed in total area the lesser of 90m2 (968 sq.ft.) or 40% of the residential floor space of the single-family residential building in which it is located;~~ d) the owner of a single-family residential building containing a secondary suite shall be a resident of either the secondary suite or the principal residential dwelling unit; and e) a single-family residential building containing ~~one or more~~ boarders or lodger~~s or in which there is a licenced home occupation,~~ may not have a secondary suite; (iv) bed and breakfast business subject to the regulations contained in Section 405A. (b) buildings and structures accessory to (a).

Document 2445178

Subsection	Proposed Amendments to the Zoning Bylaw Text	Existing Zoning Bylaw Text and Proposed Deletions
502 "Size, Shape and Siting of Residential Buildings and Accessory Buildings and Structures in Single-Family Residential Zones (RS)"		
	502.3 Location of Secondary Suites: secondary suites must be located within the single family residential building. 502.4 Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building.	
551 "Uses in Multi-family Residential Zones (RM)"		
551.2(a)(ii)(1)	1) accommodation of not more than two boarders or lodgers in a single-family residential building;	1) accommodation of not more than two boarders or lodgers ~~in single-family residential buildings which do not contain a secondary suite~~;
551.2(a)(ii)(2)(a)	a) only one secondary suite is permitted on a single-family residential lot;	a) only one secondary suite is permitted ~~in a single-family residential building~~;
551.2(a)(ii)(2)(b)		~~b) Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building.~~
551.2(a)(ii)(2)(d)	d) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;	d) a single-family residential building containing ~~one or more~~ boarders or lodgers ~~or in which there is a licensed home occupation~~ may not have a secondary suite;
552 "Size, Shape and Siting of Residential Buildings in RM1, RM 2 and RM5 Zones"		
	552.3 Location of Secondary Suites: secondary suites must be located within the single family residential building. 552.4 Size of secondary suite: a secondary suite shall not exceed in total area the lesser of 90m^2 (968 sq.ft.) or 40% of the residential floor space of the principal single-family residential building.	

Document: 2445178

FONVCA AGENDA ITEM 6(d) - part2

Establishing a Child Care Facility Within the District of North Vancouver

District of North Vancouver
Sustainable Community Development - 355 West Queens Rd, North Vancouver, BC V7N 4N5
Phone: 604-990-2387 or eMail planning@dnv.org Fax: 604-984-9683

General Information

https://www.dnv.org/upload/pcdocsdocuments/592f01!.pdf

Child Care Businesses in the District of North Vancouver are regulated by the *Child Care Facilities Business Regulation Bylaw (Bylaw 6724)* and the *Business Licence Bylaw (Bylaw 4567).*

All Child care facilities in the District of North Vancouver must comply with municipal and provincial regulations. As part of the municipal approval process, facilities providing care for more than two children unrelated to the caregiver must obtain a business licence. Registered non-profit societies providing Child care services require a business licence, but are not charged a license fee.

The regulations and the process to obtain approval vary with the site of the facility (i.e. residential / school classroom / commercial space), the capacity of the facility and whether or not it is a new or existing building. (There is a significant increase in requirements for a facility providing care for more than 10 children).

Types of Child Care Facilities

In the District, a Child Care Facility is defined as any premise used for Group Child Care, Family Child Care, Kindergarten, Preschool, Out of School Care or Child Minding. For more information of the types of child care services and Provincial Regulation regarding child care, please contact the North Shore/Vancouver Coastal Health Authority, Community Care Facilities Licensing Department at 604-983-6700, or visit the provincial website: www.hlth.gov.bc.ca/ccf/child/index.com

See section 501 of Zoning bylaw 3210
e) a single-family residential building containing one or more boarders or lodgers or in which there is a licenced home occupation, may not have a secondary suite;

Zoning Requirements

Child care facilities are permitted in the following zones in the District: residential, commercial, industrial and public assembly. Please note that a single-family residential building may **not** contain both a licensed home occupation and a secondary suite *(Bylaw 6922).*

Applications are subject to a review by the Community Planning Department and must be in compliance with all applicable municipal and provincial regulations.

Building Code Requirements

Child care facilities must meet municipal and provincial *Building Code* requirements. The requirements vary depending upon the number of children in care. Child care facilities providing care for 11 or more children must comply with *Building Code* requirements for 'assembly occupancy'.

Municipal Approval Process

Step #1 Contact North Shore, Vancouver/Coastal Health Authority

The first step for any individual or group proposing to establish a facility in the District of North Vancouver is to contact the North Shore/Vancouver Coastal Health Authority, Community Care Facilities Licensing Department (Tel: 604-983-6700) Your Licensing Officer will provide you with a wealth of information on licensing a facility and basic physical requirements.

Step #2 Complete Community Care Facilities Application

After reviewing the information provided by your licensing officer and locating a suitable site, you must complete and return the *Community Care Facilities Application* form to the North Shore/Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department.

Step #3 Licensing Assessor Contacts the District of North Vancouver

The community care facilities licensing officer reviews your application and then sends a letter to the District of North Vancouver Regulatory Services Department, Community Planning Department and the Fire Department, requesting all necessary inspections and reviews to be done.

Step #4 Inspection and Review

After receiving this request letter, you will be contacted by three District employees:

1. The community service clerk will contact you to arrange inspections by building, mechanical and electrical Inspectors. Inspectors will note and advise you of any deficiencies that may need to be corrected. Scheduling a re-inspection (if required) occurs when you, the applicant, contact the service clerk, notifying that the facility's deficiencies have been fixed and are ready to be re-inspected.

2. The social planner may contact you to discuss your proposed child care and will review it for compliance with the *Child Care Facilities Business Regulation Bylaw (CCFBRB).*

   If you are proposing to provide **Home Occupied Child Care**, a Public Meeting or Public Hearing may be required to comply with the CCFBRB. (Please refer to the section in this document regarding Public Meetings/Hearings)

Please note: For child care facilities providing care to more than 10 children, increased building code requirements will apply and it may be necessary to hire an architect and/or engineer to prepare plans to be submitted to the North Shore, Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department and District Building Department.

Step #5 Submit District Business Licence Application with Fee Payment

When the proposed child care facility complies with all necessary municipal and provincial regulations, a letter confirming municipal approval will be sent by the District to the North Shore Health, Community Care Facilities Licensing Branch.

Upon completion of inspections in Step 4, apply for a business lIcence at the District Building Department. At that time a fire inspection will be scheduled. After the fire inspection is completed and passed, and upon notification that your facility has been issued an **Interim Permit** from North Shore, Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department, the District of North Vancouver Business Licence Dept. will issue your business licence for operating in the District.

Step #6 Obtain Provincial Community Care Facilities License

At the same time that the District is inspecting and reviewing your child care facility, your Community Care Facilities Licensing Officer at Vancouver coastal Health, will continue working with you to meet the additional standards as set out in the *Community Care and Assisted Living Act* and the *Child Care Licensing Regulation.* When all provincial and municipal requirements have been met, your facility will receive, from the Community Care Facilities Licensing an **Interim Permit** and subsequently, a permanent **Provincial Community Care Facilities Licence.**

As part of the municipal approval process, facilities providing care for two or more children unrelated to the caregiver must obtain a business licence. However, non-profit child care societies applying for a business licence will not have to pay a licence fee.

Contacts

North Shore, Vancouver/Coastal Health Authority
Community Care Facilities Licensing Dept.
132 West Esplanade
North Vancouver, BC V7M 1A2
For information about
Provincial Regulations and Licensing Procedure / Application.
Tel 604-983-6700

District of North Vancouver Municipality
Community Planning Dept
General Enquiries
Municipal Zoning and Child Care Facility Regulations, also Community Child Care Grants.
Tel 604-990-2387
planning@dnv.org

District of North Vancouver Municipality
Bylaw and Building Dept.
For information about
Building code requirements and permit applications.
Tel 604-990-2480

District of North Vancouver Municipality
Business Licence Dept.
For information about
Business licence applications and licence fee.
Tel 604-990-2259

North Shore Community Resources Society
North Shore Child Care Resource & Referral Program
(Main Switchboard – when you call ask for the Child Care Resources Program)
Capilano Mall: Suite 201 – 935 Marine Dr., North Vancouver.
For information about
Services for care providers, parents, daycare referrals and more.
Tel 604 985-7138

The North Vancouver Chamber of Commerce
131 East 2nd Street, North Vancouver
For information about
Business name registration and starting a small business.
Tel 604-987-4488

Inspection of Proposed Child Care Facility

For a home-occupied child care for 10 or less children, building, mechanical and electrical inspections are made of the areas of the home accessible by the children attending the child care.

In general, the inspectors are checking that municipal and *Provincial Building Code* requirements have been met, to ensure the safety of the children in care. The following are examples of items that are checked by inspectors.

Building

- Interior and exterior stairs, guards and handrails
- Size of nap room windows for light, ventilation and exits
- Smoke alarm installed between nap areas (usually in a hallway)
- Fireplaces
- Access to furnace, boiler and storage areas
- Condition of the fence for outdoor play area
- Building permit and other inspection documents on file at District Hall.

Mechanical (Plumbing & Gas)

- Toilets and hand washing sinks for children easily accessible
- Gas range and appliances must be in perfect working order
- Dials on ranges or fireplaces must not be accessible to children
- Furnaces
- Gas appliance clearance must conform to code

Electrical

- Plugs / switches / fixtures mounted and covered
- Ground fault protection switches in bathrooms
- Ground fault protection in service panel and plugs in outside play ground area
- Any work necessary to correct deficiencies noted during inspection, require an electrical permit and must be done by a certified electrician.

Public Meetings / Hearings

What is a Public Meeting / Hearing?

A Public Meeting is a meeting that is held in Council Chambers with Council in attendance, to provide all interested residents an opportunity to express their opinion respecting a proposed business licence application to establish Child care in a residential zone.

A Public Meeting is required if an individual is proposing to provide child care in their home for more that 10 children **(to a maximum of 20**) in any one day. Staff may also recommend to Council that a Public Meeting be held for a child care with nine or ten children where there are concerns about the location of the child care and the impact on either the health and safety of the children in care or the community. At a subsequent Regular Council Meeting, Council either approves or rejects the business licence application.

If the applicant wishes to provide child care in their home for more than 20 children, a Public **Hearing** will be held instead of a Public **Meeting**. The process is similar to a Public Meeting, except that whenever a Public Hearing is held, the District of North Vancouver has to comply with provincial regulations around public notification and receipt of submissions from the public (see District of North Vancouver's *Coming to Public Hearings* information document). Council will expect to hear from the applicant how they will minimize the impact of the child care program on the neighbourhood.

Why is a Public Meeting held?

A Public Meeting is required by the *Child Care Facilities Business Regulation Bylaw,* if, an individual is proposing to provide child care in their home **for 11 to 20 children** in a day. A Public Hearing is required if an individual is proposing to provide child care in their home for **more than 20 children**.

A Public Meeting may be held if recommended by the Community Planning Department and approved by Council, for a home-occupied child care providing care for **9 or 10 children**. Staff may recommend to Council that a Public Meeting be held where there are concerns about the location of the child care and the impact on either the health and safety of the children in care or on the community.

The Public Meeting/Hearing provides Council with information to assess whether or not they will approve the issuance of a business licence for the home occupied child care at a subsequent regular Council Meeting.

Who attends the Public Meetings /Hearings?

Any interested resident is welcome to attend the Public Meeting or Hearing. A letter is sent to all resident/owners of properties within a 50 metre radius of the proposed home occupied child care and the Neighbourhood Community Association, advising them of the purpose, date and time of the Public Meeting/Hearing. A notice regarding the Public Meeting/Hearing is also placed in the *North Shore News*.

What happens at a Public Meeting / Hearing?

The following is a general guide to the procedure followed at a Public Meeting/Hearing. See *Coming to Public Hearings* for more information.

The applicant of the proposed home occupied child care and members of the public indicate their desire to address Council by signing the **Speaker's List** prior to the commencement of the Public Meeting. If applicable, speakers may indicate whether they support or oppose the establishment of the home-occupied child care.

1. The Mayor (or designate) will call the meeting to order.
2. A staff member will speak briefly on the proposed home-occupied child care using the *Guideline for Home Occupied Child Care*.
3. The Mayor calls individuals according to the Speakers List and if applicable will alternate between those opposed and those in support of the application. The maximum time allotted to each speaker is 2 minutes.
4. Council may ask questions of speakers.
5. In addition to hearing from residents, the Public Meeting provides an opportunity for the applicant to outline the proposed child care: hours of operation, ages served, special services i.e. part-time care, etc. and address any concerns which may have been expressed.
6. The Mayor will close the Public Meeting after all those who have indicated a desire to speak have had an opportunity to do so.

At a subsequent regular Council Meeting, Council will decide whether or not to issue a business licence for the home-occupied child care.

How should the prospective provider prepare for a Public Meeting / Hearing?

Any plans to provide home-occupied child care should include discussions with neighbours. It is advisable that these discussions take place at the very early planning stages. These discussions can take a variety of forms: informal over the fence chats; printed handouts outlining the proposed service (include your phone number so neighbours may call for further information); an open house.

Neighbourhood support is a very important component of the *Planning Guidelines for Home Occupied Child Care,* the tool used to evaluate business licence applications for home occupied child care.

What is a Home Occupied Child Care?

In the District of North Vancouver, child care facilities providing care for **up to 20 children** may be located in single-family residential buildings. These types of child care facilities are classified as **Home Occupation** businesses and known as Home Occupied Child Cares. Home Occupied Child Cares account for approximately 500 of the licensed child care spaces existing in the District. They provide a very necessary and valuable service to community residents.

What municipal regulations apply?

In the District, the *Child Care Facilities Business Regulation Bylaw (CCFBRB*) sets out the many provisions specific to Home Occupied Child Cares. The intent of these provisions is to maintain the residential character of the building in keeping with the neighbourhood and to support home occupied child care services that promote safe and healthy communities.

Highlights of the CCFBRB specific to home-occupied child care include:

- The child care facility must be owned by a resident of the dwelling unit.
- A single family home in which there is a licensed home occupied child care, with more than 2 children in care unrelated to the caregiver, may not have a secondary suite.
- 14 Square metres of usable outdoor play space must be provided at the residence, per child in care (this is double the Provincial requirement).
- Public Meeting and Council approval is required for a business licence application for a home-occupied child care providing care for 11 to 20 children.
- Public Hearing and Council approval is required for a business licence application for a home-occupied child care providing care for more than 20 children.
- While there is no specific limit to the number of children in care, the numbers are restricted by the minimum space requirements and maximum group sizes permitted in the *Community Care and Assisted Living Act.*

What are the Planning Guidelines?

The *Planning Guidelines* are not regulations but guidelines to assist District staff to evaluate business licence application for home-occupied child care that promotes safe and healthy communities. The *Guidelines* also assist residents and child care providers to plan for home-occupied child care services that promote the health and well being of children.

For a copy of the *Planning Guidelines for Home Occupied Child Care* call the Social Planning Dept. at 604-990-2387.

FAQ's

Question *May I have a second kitchen in my home for use in the child care facility?*

> **Answer** Yes, the Zoning Bylaw allows a dwelling unit that has a licensed child care facility to have a second cooking facility.

Question *I am planning to open a Preschool Program in my home for 6 children in the morning and 5 children in the afternoon. Will a Public Meeting be required?*

> **Answer** Yes, a Public Meeting will be required because care for more than 10 children (6 in a.m. + 5 in p.m. = 11 total) will be provided during the course of the day.

Question*: I would like to expand my Family Child Care for 7 children to a Group Child Care for 10. Will a Public Meeting be required?*

> **Answer** Maybe. All applications are reviewed using the *Planning Guidelines for Home Occupied Child Care*. The review may result in a recommendation to Council that a Public Meeting be held. Council may agree and call a Public Meeting.

Question *I am buying a home that presently is licensed to provide Child care for 20 children. Will the business licence be automatically transferred to me?*

> **Answer** No. Upon notice by the North Shore, Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department that the ownership of the facility has changed, Community Planning will undertake a review. A Public Meeting will be required because more than 10 children are in care. Depending on how long the home occupied child care has been in operation, it may need renovations to meet present building code requirements.

Question *Can I change the rooms used for child care in my home after I have been licensed?*

> **Answer** Yes, but you must advise the North Shore, Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department who will then contact the District to request all necessary inspections to be done (i.e. building, mechanical and electrical).

Question *I am planning to provide a group child care for 18 children in my home, what renovations will have to be made to meet building and fire code regulations?*

> **Answer** Your home will need to meet *B.C. Building Code* standards for **Assembly Occupancy**. The North Shore, Vancouver/Coastal Health Authority, Community Care Facilities Licensing Department must approve all building plans. Some of the renovations that may be necessary include: fireproofing between floors, a fire sprinkler system, a second means of exit from the floor where the child care is located. Extensive renovations may necessitate the services of an architect and/or engineer.

FONVCA AGENDA ITEM 6(e-1)

north shore news

EDITORIAL: I'll show you mine

North Shore News
November 5, 2014 12:00 AM

There's been a somewhat heartening trend this go-around in municipal elections. Vancouver's civic parties have effectively dared each other into revealing their campaign donor lists before Nov. 15.

Here on the North Shore, City of North Vancouver mayoral candidate George Pringle has been posting his campaign contributions and expenses online in real time (yes, there's a developer in there). And fellow challenger Kerry Morris has sworn he'll take no union or developer cash to fund his campaign. Other candidates for council are doing the same or both.

We applaud this. We will always come down on the side of transparency.

But of course, all of these are half-measures when compared to what ought to be happening. Only the province has the authority to create sensible and binding limits on who can donate and how much money politicians can spend to get elected.

We've castigated the province for missing the opportunity to do this before this election and we'll continue to prod them to get things in order in time for the next one.

In the meantime, don't be afraid to ask candidates how they're financing their campaigns. They'll probably be glad to get some face time with you.

But at the same time, be prepared to ask some other intelligent questions about - say - zoning, municipal services, transportation, TransLink, recreation, parks, affordable housing, amalgamation, waste reduction, infrastructure, public safety, taxes, openness and accountability or anything else in the constellation of issues our next council will have to deal with.

In the end, those will matter far more.

© North Shore News

FONVCA AGENDA ITEM 6(e-2)

Subject: RE: Extra Park Protection on the Ballot
From: "Ellenwood, Dave" <Dave.Ellenwood@burnaby.ca>
Date: 10/11/2014 8:48 AM
To: Corrie Kost <corrie@kost.ca>

Hello Mr. Kost. Thanks for your message. My reference was a comment on the fact that dedication in Burnaby is done through a process directly involving the electorate, rather than a 2/3rds majority vote of Council (at least for dedication) that is an alternative mechanism. We've never un-dedicated any park property, and I can't visualize any scenario where we would. I can't remember any changes to the Charter sections you reference since 2003, but I've asked our Clerk's department for confirmation. And I agree with your implication that the "negative-billing process" for un-dedication is not as effective as would be a requirement for a majority of voters (or higher), and I'm not sure why the provision was written that way. However I do feel direct involvement of the electorate in decisions to protect, or to remove protection of parkland is the most powerful mechanism, and I'm happy our City uses it. Thanks for your interest.

Dave E.

-----Original Message-----
From: Corrie Kost [mailto:corrie@kost.ca]
Sent: November 8, 2014 7:50 PM
To: Ellenwood, Dave
Subject: Extra Park Protection on the Ballot

Dear Dave Ellenwood,

I am a resident of the District of North Vancouver, and very active in community affairs for the past 25years.
I read your constructive comments in the Nov 7/2014 edition of the Burnaby Now "Extra park protection on the ballot".

My question concerns an alleged comment attributed to you that "It's more powerful to seek a majority of people on the ballot at election time because the only way you can reverse that decision is putting it back on the ballot".

I thought that changes brought about by the ~ 2003 Community Charter (in particular sections 30, 84-86) allowed for un-dedication of previously referendum dedicated parkland by the alternative approval process, a sort of negative-billing process where if fewer that 10% of Burnaby's eligible voters object then the un-dedication of parkland passes. I would be very appreciative knowing that I have been wrong on this interpretation for the past 10 years!

Yours truly,

Corrie Kost
2851 Colwood Dr.
N. Vancouver, V7R2R3
Tel: 604-988-6615

FONVCA AGENDA ITEM 7(b)

http://icclr.law.ubc.ca/sites/icclr.law.ubc.ca/files/publications/pdfs/Municipal%20Best%20Practices%20-%20Preventing%20Fraud,%20Bribery%20and%20Corruption%20FINAL.pdf

Municipal "Best Practices": Preventing Fraud, Bribery and Corruption

Elizabeth Anderson

March 2013

International Centre for Criminal Law Reform and Criminal Justice Policy
Le Centre international pour la réforme du droit criminel et la politique en matière de justice pénale

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Introduction

Every society faces the problem of preventing and addressing corruption in its governmental entities, especially at the local level where systemic issues such as organized crime often gain their first foothold. Corruption in local governments, by elected officials or public employees, is an unfortunately frequent reality, not only in developing countries, but even in Western democracies such as Canada, which have been historically regarded as some of the most transparent and least corrupt governments in the world.[1] Recent events, such as the establishment of a commission of inquiry into alleged corruption in the construction industry in Quebec, demonstrate that Canada's local governments are not immune to these issues and raises question about the need and present availability of tools that might be used to combat corruption and educate key actors.

The negative consequences of corruption include rising costs of government, unenforced regulations, potential endangerment of public health and safety, and reduced accountability. More specifically, corruption costs local governments both directly in terms of missing revenue and indirectly in terms of increased taxes and interest payments. The social costs include a loss of public confidence by taxpayers in their own government, and increased resentment by those who must continue to comply with the laws and rules while others are accorded special treatment.

This rise in corruption may be due in part to increased globalization. As Canada increases trade and immigration with countries for which a higher level of activities such as bribery and nepotism are accepted and expected at the local government level, as well as the increasing reach of organized crime, traditional tools and policies may no longer be capable of preventing the spread of corruption among Canada's local elected public officers and employees.

Literature Review

The object of this review is twofold: firstly, to identify the kinds of criminal or quasi-criminal misconduct that may occur in local government , whether by elected officials, staff, or independent contractors; and secondly, and to ascertain what tools, if any, have been developed to assist elected officials in preventing fraud, bribery or corruption in local government. Consideration will also be given to areas in which there is a potential need for additional such tools to be developed to assist municipal actors in preventing and avoiding such conduct.

[1] Transparency International Corruption Perceptions Index 2012, < http://www.transparency.org/cpi2012/results>

Corruption can take many forms, from a small bribe to a public employee to expedite an official process, all the way up to complex schemes to defraud public programs or allow the influence of organized crime. Corruption has been defined by the Canadian International Development Agency as "the misuse of public office for private gain".[2] This definition includes such practices as bribery, fraud, extortion, influence peddling and nepotism.

The World Bank has distinguished between two broad categories of corruption:

- **State capture**: actions by individuals, groups or organizations in the public and private sectors to influence policy formation to their advantage by illegally transferring private benefits to public officials; and
- **Administrative corruption**: the use of the same type of illegal transfers by the same actors to interfere with the proper implementation of laws, rules and regulations.

A similar distinction can be made between "grand corruption", involving elected and appointed officials at the top of government, and "petty corruption", involving employees further down the governmental hierarchy who may, for example, profit personally from the sale of licences.

Risk Areas for Misconduct

Procurement/Contracting

- For municipal services and infrastructure projects; may take the form of kickback brokers, bid rigging, the use of front or shell companies
- Concerns identified by municipal informants include corrupt tendering practices, kickbacks from suppliers, unfair procurement (intervention within municipality to ensure outcome), irregular municipal purchasing procedures, side payments to municipal purchasers, and procurement decisions based on insider links and arranged tender dealings[3]

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[2] Canadian International Development Agency and the Institute of Public Administration of Canada, Anti-Corruption, Leadership Matters Topical Briefs, <http://www.democraticdevelopment.ca/documents/AntiCorruptionLeadershipBrief4.pdf>

[3] Transparency International Canada, Municipal Transparency and Governance: Transparency and Good Governance at the Municipal Level (Toronto: TI Canada, 2005) <http://www.transparency.ca/9-Files/Older/2008-New/20081218 TIMunicipalTransparencyandGovernanceReport2005.pdf>

Municipal Approvals and Licensing

- e.g., zoning approvals, building permits, business licences

Bylaw Enforcement

- e.g. selective enforcement of laws on gambling, liquor, narcotics, prostitution, traffic offences, as well as property tax assessments

Public-Private Partnerships

- raises similar issues as procurement and contracting, above

Election-related Concerns

- Inappropriate election contributions to city councilors, lobbying improprieties/ bribery, campaign help to politicians in return for favourable votes on projects, election cheating

Types of Misconduct

Bribery

- the offering, giving, receiving, or soliciting of any item of value to influence the actions of an official or other person in charge of a public or legal duty.[4]
- Taking money to give people preferential treatment. identified areas of concern include bribes from developers in permitting process, payback for zoning decisions, equipment contracts, or service contracts, bribery of building inspectors to obtain permits, bribery of elected officials for development variances and approvals, bribery of planning staff to obtain recommendations for development approvals
- may take the form of inappropriate gifts/sponsorship such as hockey tickets and other gifts for politicians and/or staff

Nepotism /Cronyism

- cronyism may include awarding contracts to people affiliated with the municipality or corrupt official, patronage appointments based on connections rather than qualifications, awarding contracts at inflated prices

[4] Garner, Bryan, ed. *Black's Law Dictionary* 9th ed. (St Paul: West Group, 2009)

- nepotism may include such issues as favoring family members in municipal hirings, zoning regulation changes based on friendships among colleagues rather than disinterested analysis

Embezzlement

- misappropriation of money or resources under a local government official or employee's control

Fraud

- making false claims for benefits in order to abuse systems such as social security

Extortion

- occurs when a public official forces someone to give them benefits in exchange for acting/ not acting in a particular way, or when an external actor does the same to a public official

Conflicts of Interest

- a personal interest in a matter that goes beyond the interests of other members of the community, and might reasonably be expected to influence the elected official's performance of his or her duties.[5]

- e.g., close links between developers and city staff, campaign contributions from developers, conflict in contract awards, personal interest in administrative decisions

Breach of Duty

- local government officials and employees ignoring applicable municipal legislation, e.g. sale of municipal assets for less than market value

Misuse of Authority

- lack of transparency/democratic concerns such as inappropriate use of in-camera meetings, non-public altering of official records, dishonesty concerning legislative options

[5] Johnson, Peter, "Conflict of Interest, Confidentiality and Liability: What Every Elected Official Needs to Know", presentation, January 2012, < http://lgla.ca/wp-content/uploads/2012/11/LGLA_EOS_2012_Presentation_29_Johnson.pdf>

- fraudulent use of expense accounts such as reimbursing inappropriate expenses, double expensing
- influence on independent third party bodies, such as boards, which are intended to be at arm's length

Criminal Activity

- including organized crime, internal theft/fraud, petty theft/fraud

One of the perhaps the most obvious and yet still most consistently recurring corruption-related problems for local governments is conflicts of interest, possibly due to the many and varied circumstances in which such conflicts may arise. The prevalence of this type of corruption is demonstrated by the amount of legal authority and case law available on the topic.

Governing Documents and Institutions

The Criminal Code of Canada creates offences for more serious instances of corruption, as defined in the following articles:[6]

Article	
119	Offering bribes to judges or Members of Parliament or provincial legislatures; judges or Members of Parliament or provincial legislatures accepting bribes.
120	Offering bribes to police officers, court officers or anyone employed in the administration of criminal law; police officers, court officers or anyone employed in the administration of criminal law accepting bribes.
121	Offering bribes to government officials; government officials accepting bribes; federal or provincial officials using their influence in return for benefit of any kind.
122	Officials committing fraud or a breach of trust in connection with the duties of their office.
123	Influencing, threatening or deceiving a municipal official (member of municipal council or municipal official); municipal officials voting, performing or not performing an official act for benefit of any kind.
124	Purchasing and selling of appointment to government office.

[6] Table adapted from Transparency International Canada, *Strengthening the Anti-Corruption Legal Framework to Promote Clean Local Governments*, (Calgary: Agriteam Canada I Consulting, 2010), pp. 50-51 <http://www.transparency.ca/9-Files/Older/2010-New/2010-10_TI-China_Shanghai_Final_Report.pdf>

125	Influencing or negotiating with respect to appointments to government offices.
426	Giving or receiving secret payments, applicable to private and public organizations and their employees.

RCMP policy defines corruption more widely, as any use of authority which damages the public interest.

In addition to the common law and the Criminal Code, provincial legislation contains conflicts of interest laws for municipal governance. Legislative conflicts of interest laws attempt to deal with the problem by disqualifying a person from seeking or holding office who has a conflict of interest or by codifying the common law relating to fiduciaries.[7]

Municipal corruption in British Columbia is broadly governed by Part 4 of the Community Charter, along with the Criminal Code. Municipal officers are subject to a Code of Ethics, and most municipalities have instituted their own Code of Conduct for elected officials. Avenues for official investigation of corruption in BC issues include the following:

- complaint to an auditor, triggering an investigation by the auditor
- Complaint to the Inspector of Municipalities, who has the powers of an inquiry officer under the Inquiry Act
- Council or committee inquiry within the local government, with the powers of an inquiry officer under Inquiry Act
- Investigation by the RCMP or local police force in the case of alleged indictable crimes or summary conviction offences
- Investigation by the Ombudsperson, who is expressly empowered to examine administrative fairness within local governments
- Investigation by the New Municipal Auditor General, who has wide powers of inquiry
- Court proceeding initiated by ratepayers/electors under the Criminal Code

[7]Feehan, Kevin, "Ethics in Municipal Government", < http://www.auma.ca/live/digitalAssets/47/47002_Ethics_in_Municipal_Government_Handout.pdf>

The following helpful table created by Transparency International Canada sets out the various anti-corruption institutions at each level of government in Canada:[8]

	Federal	**Provincial**	**Municipal**
Prevention	1. Integrity Commissioner 2. The Office of the Registrar of Lobbyists 3. Auditor General 4. Office of the Commissioner for Federal Judicial Affairs 5. Canadian Judicial Council	1. Integrity Commissioners 2. Ombudsmen 3. The Office of the Registrar of Lobbyists 4. Auditors General	1. Integrity Commissioners 2. Ombudsmen 3. The Office of the Registrar of Lobbyists 4. Auditors General
Investigation	RCMP Anti-Corruption Unit, the provincial police and the municipal police		
Prosecution	1. Supreme Court of Canada 2. Federal Courts 3. Tax Court of Canada 4. Military Courts	1. Superior-level Provincial Courts 2. Provincial Courts	Local Courts

Other Methods to Address Corruption

The first line of defence against corruption at the local government level will be effective prevention, detection, and control programs. Despite the many and sometimes complex forms in which corruption comes, there are steps that can be taken at the local government level to prevent and reduce its influence. Diagnostic procedures can be used to identify areas where corruption is especially likely or may already have taken hold. Codes of conduct may clarify expectations about official integrity and reduce situations of conflict of interest, while systematic management procedures may enhance employee oversight.[9]

Other key elements in the prevention of corruption may include strong public disclosure of government information, independent external monitoring and effective internal monitoring, anticorruption education and training (including training in professional ethics, recommendations and consultation services provided for officials, and accessibility to the public), scientific and efficient investigation mechanisms, and judicial and severe punishments for corruption.

[8] Transparency International Canada, *Strengthening the Anti-Corruption Legal Framework to Promote Clean Local Governments*, (Calgary: Agriteam Canada I Consulting, 2010), pp. 45 <http://www.transparency.ca/9-Files/Older/2010-New/2010-10_TI-China_Shanghai_Final_Report.pdf>

[9] Lyman, Theodore, Fletcher, Thomas, and Gardiner, John, *Prevention, Detection and Correction of Corruption in Local Government* (Washington, DC: National Institute of Law Enforcement and Criminal Justice, 1978), at iii.

The three main controllable components of corruption are opportunity, incentive and risk.[10] An effective program for addressing corruption should account for all three factors.

Formalized guidelines, such as codes of ethics, regarding outside financial interests, gifts and favors, treatment of information, outside employment, respect for professional judgment, political activity, and other aspects of public behavior establish formal guidelines for ethical behavior and help cut down on the ambiguity that can attend individual consideration of ethical rights and wrongs.[11]

Disclosure policies, another useful tool, shed light on the outside interests of public officials by requiring the routine reporting of situations that may suggest a conflict of interest.[12]

Practical Tools

The main focus of this literature review was to review what practical tools have been developed in Canada to assist in the prevention of fraud and corruption at the local government level, with an examination of tools have been developed in the US, UK, Australia and the EU as a secondary priority.

The greatest number of resources produced to date, both in Canada and in the surveyed world literature, seem to deal with the common problem of conflict of interest. Other resources deal with the development, implementation and administration of codes of conduct to prevent and reduce corruption. Notably scarce are resources which might assist local government officials in dealing with the ever-increasing influences of organized crime, while maintaining personal and public safety.

Resources

Canadian

Advisory Services Branch, *Ethical Conduct*, BC Ministry of Community, Sport and Cultural Development <http://www.cscd.gov.bc.ca/lgd/gov_structure/community_charter/governance/ethical_conduct.htm>

- describes BC's legislation applicable to municipal officials and covering conflict of interest; inside influence; outside influence; exceptions from conflict restrictions; gifts; contracts; and use of

[10] *Supra* note 9 at 5.

[11] *Supra* note 9 at 21.

[12] *Supra* note 9 at 24.

insider information
Alberta Municipal Affairs, *Municipal Councillors' Guidelines for Conflict of Interest* (Edmonton: Alberta Municipal Affairs, 2010) < http://www.municipalaffairs.alberta.ca/documents/msb/conflict_of_interest_2010(1).pdf> - Sets out and provides guidance for councillors on interpreting the applicable legislation relating to municipal conflicts of interest
Canadian International Development Agency and the Institute of Public Administration of Canada, *Anti-Corruption*, Leadership Matters Topical Briefs, < http://www.democraticdevelopment.ca/documents/AntiCorruptionLeadershipBrief4.pdf> - Topical brief defining corruption, listing anti-corruption measures and further resources
DeLorenzi, Brian L., *Frank Greco - From Mayor to CAO in One Easy Step,* Institute of Public Administration of Canada, Case Study Series, 2011 < https://www.ipac.ca/knowledge/CaseStudies?dosearch=1&category=84> - Case study on conflicts of interest from IPAC Case Program in Public Administration, for education of local government officials
Giorno, Guy W., *Municipal Conflict of Interest: What's New?* (Toronto: Fasken Martineau, 2013) < http://www.fasken.com/files/Event/745da4bb-fe0b-433c-8f02-059b268e6458/Presentation/EventAttachment/64cfe786-f577-4bbc-9df0-0aa592460410/2013%2002%2008%20oba%20giorno%20municipal%20conflict%20v01.pdf> - addresses conflict of interest questions such as what is a pecuniary interest, obligation to ascertain one's obligations, scope of exemptions from disclosure and recusal - Provides overview of legal questions and demonstrates through case law that despite the relative availability of resources, this is still a tricky issue for councilors
Government of Saskatchewan, *Guide to Municipal Conflict of Interest* (Regina: Saskatchewan Government Relations Advisory Services and Municipal Relations Branch, 2010) <http://www.municipal.gov.sk.ca/Administration/Guides/Conflict-Of-Interest> - outlines rules and guidelines for conflict of interest and reputation management for municipal Councilors in Ontario, including Municipal Conflict of Interest Act and the rules regulating Councilor participation in matters in which they have a direct or indirect pecuniary interest
Institute of Public Administration of Canada, *Codes of Ethics*, IPAC Leadership Brief Series (Toronto: IPAC, 2007) < http://www.ipac.ca/documents/WBI-CodeofEthics.pdf> - leadership brief which defines "codes of ethics", "code of conduct" and "statement of values" - identifies common content of ethics codes, details benefits and deficiencies of ethics codes and addresses issues regarding implementation
Institute of Public Administration of Canada, *Conflict of Interest*, IPAC Leadership Brief Series (Toronto: IPAC, 2007) < http://www.ipac.ca/documents/WBI-ConflictofInterest.pdf> - leadership brief defining conflict of interest and addressing current causes of concern

- distinguishes real from apparent and potential conflicts of interest, details different forms of conflict of interest and ways in which it can be prevented and punished
Institute of Public Administration of Canada, *Ethics and Values*, IPAC's Leadership Brief Series (Toronto: IPAC, 2010) <http://www.democraticdevelopment.ca/documents/EthicsAndValuesLeadershipBrief3.pdf> - leadership brief defining ethics and values and providing an overview of the ethical dimensions of government - describes ways for leaders to promote ethical conduct and identifies frameworks that may help establish ethical and values-based regimes
Transparency International Canada, *Strengthening the Anti-Corruption Legal Framework to Promote Clean Local Governments* (Calgary: Agriteam Canada I Consulting, 2010), <http://www.transparency.ca/9-Files/Older/2010-New/2010-10_TI-China_Shanghai_Final_Report.pdf> - overview and report on development of an anti-corruption legal framework for local governments in Shangahi for which Transparency International Canada served as the Canadian partner - potential utility for Canadian municipalities interested in establishing a similar framework - Appendix E is an especially useful overview of the framework for prevention, investigation and prosecution of corruption in Canada
Smith, Patrick J and Stewart, Kennedy, *Making Local Accountability Work in British Columbia* (Institute of Governance Studies, Simon Fraser University: 1998) - Two-volume report describing a need for increased accountability in municipal governance in BC has meant that local and making recommendations to achieve this
Transparency International Canada, *Municipal Transparency and Governance: Transparency and Good Governance at the Municipal Level* (Toronto: TI Canada, 2005) <http://www.transparency.ca/9-Files/Older/2008-New/20081218-TIMunicipalTransparencyandGovernanceReport2005.pdf> - survey to identify areas where lack of transparency and related effects are most problematic at the municipal level - concludes the most problematic areas are in procurement / contracting and municipal approvals (ie. re-zoning, by-laws, etc.)
Webb, Kernaghan, *Voluntary Codes: A Guide for their Development and Use*, Transparency International Canada, 1997 < http://www.transparency.ca/9-Files/Older/Reports-Older/Readings/Sr-E09.html> - guide designed to assist individuals and organizations interested in developing and implementing voluntary codes to provide ethical guidelines and standards of behaviour - highlights issues and considerations of code design and operation

Worldwide

Campos, J. Edgardo and Pradhan, Sanjay, *The Many Faces of Corruption: Tracking*

Vulnerabilities at the Sector Level (Washington, DC: World Bank, 2007) <https://openknowledge.worldbank.org/handle/10986/6848>

- From abstract: This paper explores the use of prototype road maps to identify corruption vulnerabilities, suggests corresponding warning signals, and proposes operationally useful remedial measures in each of several selected sectors and for a selected sample of cross cutting public sector functions that are particularly prone to corruption and that are critical to sector performance. Numerous technical experts have come together in this effort to develop an operationally useful approach to diagnosing and tackling corruption.

Gilman, Stuart C. and Lewis, Carol W., *The Ethics Challenge in Public Service: A Problem-Solving Guide* (San Franciso: John Wiley & Sons, 2005)

- practical tools and techniques for making ethical choices in the ambiguous, pressured world of public service; day-to-day ethical dilemmas managers face in their work, including what to do when rules recommend one action and compassion another, and whether it is ethical to dissent from agency policy
- explores managers' accountability to different stakeholders and how to balance the often competing responsibilities

Jones, P. C., *Fraud and Corruption in Public Services*: *A Guide to Risk and Prevention*, (Burlington, VT: Gower, 2004)

- provides public sector practitioners in auditing and financial management with a practical approach to combating and minimizing fraud and corruption
- addresses the implications of fraud and corruption and suggests specific courses of action to be taken to combat such malpractices.

Klitgaard, Robert E*., Controlling Corruption* (Berkeley: University of California Press, 1988)

- provides a framework for designing anti-corruption policies, and offers five case studies demonstrating how policymakers in various circumstances were able to control corruption

Lyman, Theodore, Fletcher, Thomas, and Gardiner, John, *Prevention, Detection and Correction of Corruption in Local Government* (Washington, DC: National Institute of Law Enforcement and Criminal Justice, 1978) <https://www.ncjrs.gov/pdffiles1/Digitization/50199NCJRS.pdf >

- Summary of two years of US research in area of corruption in local land use and building regulation
- Methodology for prevention, detection and correction of corruption in local government

Messick, Richard E. and Kleinfeld, Rachel, Writing an Effective Anticorruption Law (World Bank: Washington, DC, 2002) <https://openknowledge.worldbank.org/handle/10986/9777>

- From abstract: The note looks at effective anticorruption legal instruments, ensuring that laws are in place to deter corruption... Considerations to the inclusion of bright-line rules include, the preclusion of receiving gifts or payments by government employees; of interest in a corporation or entity affected by that employee's decision; of hiring relatives; and, that employees must publicly disclose assets hold.

Organisation for Economic Cooperation and Development, *OECD Toolkit for Managing Conflict of Interests in the Public Service* (Paris: OECD Publishing, 2005) < www.oecd.org/governance/ethics/49107986.pdf>

- offers a set of tools based on examples of sound conflict-of-interest policy and practice drawn from OECD member and non-member countries, designed for adaptation to suit countries with different legal and administrative systems

Organisation for Economic Cooperation and Development, *Post-Public Employment: Good Practices for Preventing Conflict of Interest* (Paris: OECD Publishing, 2010) < http://www.oecd-ilibrary.org/governance/post-public-employment_9789264056701-en>

- reviews the measures taken in OECD countries for avoiding conflict of interest when officials leave public office; includes a detailed case study of Norway's experience in developing and implementing post-public employment guidelines for politicians and the public service

Quah, Jon S., ed. *Corruption and Accountability in Selected Countries* (New York: Marshall Cavendish Corp, 2005)

- looks at key issues in governmental responses to both political and administrative corruption. The countries studied include Western democracies, Lithuania, New Zealand, Thailand, Bangladesh, and other Asian countries

Rose-Ackerman, Susan, *Corruption and Good Governance*, Management Development and Governance Division, Bureau for Policy and Programme Support, United Nations Development Programme, 1997

- From abstract: The challenge facing all societies is to create a system of governance that promotes, supports & sustains human development. This publication discusses the issue of corruption, isolating its underlying economic causes in the industrial & developing world. It assesses options for combating corruption & highlights important lessons learned from reform experiences of a number of countries. It also discusses domestic reform strategies & the role of the international community.

Rose-Ackerman, Susan. *Corruption and Government: Causes, Consequences and Reforms*. Cambridge: Cambridge University Press, 1999.

- Textbook overview of corruption, especially as it effects developing countries, but substantial amounts of useful scholarly discussion which may be applicable at any level of governance

Rose-Ackerman, Susan, *Redesigning the State to Fight Corruption : Transparency, Competition and Privatization* (Washington, DC: World Bank, 1996) <https://openknowledge.worldbank.org/handle/10986/11627>

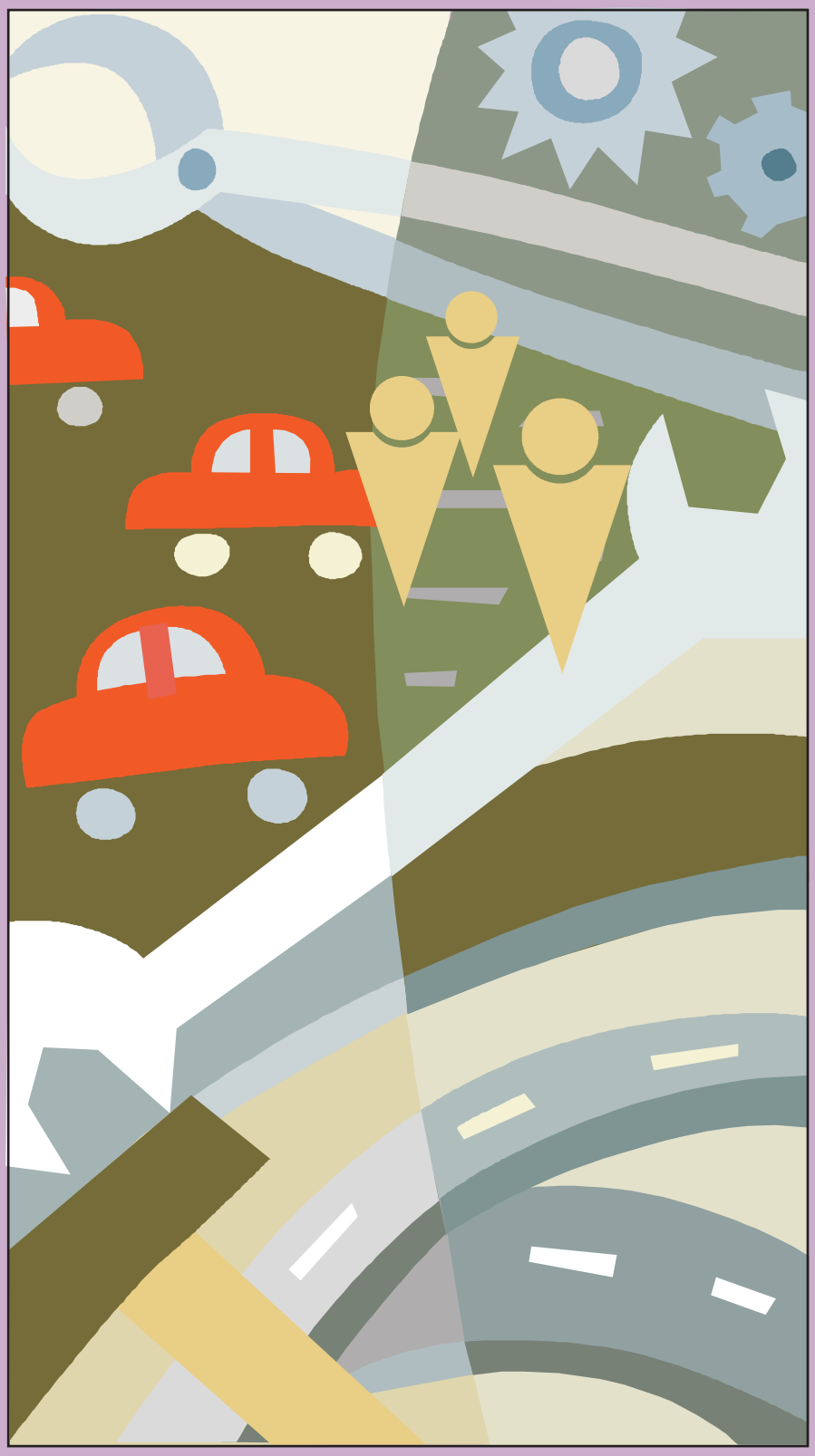
- From abstract: "The author proposes three types of anticorruption strategies: those that reduce the benefits that officials control, those that increase the costs of bribery, and those that limit the bargaining power of officials. In essence, fighting corruption involves introducing more competition, privatizing government activities, and introducing greater transparency."

Shah, Anwar, *Performance Accountability and Combating Corruption* (Washington DC: World Bank Publications, 2007)

- Offers analytical framework and operational approaches needed for the implementation of results-based accountability - Covers performance based accountability, e-government, network solutions to performance measurement and improvement; institutions of accountability in governance; legal and institutional framework to hold government to account; fighting corruption; external accountability; ensuring integrity of revenue administration; the role of supreme audit institutions on detecting fraud and corruption; and the role of parliamentary budget offices and public accounts committees
World Bank, *Fostering Institutions to Contain Corruption* (Washington, DC: World Banck, 1999) <https://openknowledge.worldbank.org/handle/10986/11477> - General overview: how can institutions of accountability be developed to control endemic corruption? - From abstract: "Effective and durable corruption control requires multiple, reinforcing, and overlapping institutions of accountability. And where corruption is endemic, these institutions need to be of three kinds: horizontal accountability, vertical accountability, and external accountability."
World Bank and United Nations Office on Drugs and Crime, *Public Office, Private Interests: Accountability through Income and Asset Disclosure* (Washington, DC: World Bank, 2012) < https://openknowledge.worldbank.org/handle/10986/6010> - how-to guide for designing IAD systems for implementation in local governments - provides an overview of the objectives of IAD systems, identifies the relevant international anticorruption instruments, and provides a summary of key considerations that should influence the design, implementation, and enforcement of an IAD framework. Chapters two and three drill down into the design of IAD systems and address practical aspects of implementation.

FONVCA AGENDA ITEM 7(c)

www.okotoks.ca/data/1/rec_docs/168_CitizensGuide.pdf



CITIZEN'S GUIDE

to participation in municipal decision-making

PUBLIC INPUT TOOLKIT for Municipalities

For further information, contact:

Planning and Coordination Unit
Alberta Municipal Affairs
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The Citizen's Guide to Participation in Municipal Decision-Making
is available online at
www.municipalaffairs.gov.ab.ca

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CITIZEN'S GUIDE

to participation in municipal decision-making

This guide will help you become an active citizen in your municipality. It will provide the essential information you need to be part of the municipal decision process.

1. The value of participation

Municipalities are established to serve people. They become better (and happier) places when people get involved in decisions. Decisions made by your local (municipal) government affect your day-to-day life and deserve your attention. You may be affected by decisions about annual budgets, public transportation, garbage pickup, new building developments or whether the house next door to yours can be enlarged. As a citizen and taxpayer, you have a stake in the outcome of municipal decisions.

There are many opportunities for the public to become involved and take part in decision-making. Municipal officials welcome input from the public; in some cases, they are required by law to seek it. However, the final decision rests with Council.

In some situations, the public will be directly notified and asked to respond (e.g. by completing a survey or attending a meeting). However, in many situations, you must make an effort to become informed and involved. Often, the municipality is not obligated to notify the public personally about an issue or decision process taking place.

Become more proactive in the decisions affecting your municipality. You have the opportunity to help your municipal Council make better decisions and to improve the quality of life in your community.

Tip: There are usually community groups or associations that can help you become familiar with municipal issues and processes. Working together helps to ensure success.

2. How to succeed at public input

If you want to get the best results in return for your effort to participate in municipal decisions, consider the following:

Learn what is going on. Sometimes a little detective work is needed to find out what changes are being considered. Be aware of what is going on around you so you know when public input is being requested or when you can request to give public input. Early enquiries are always a good idea.

Learn about the Decision. Learn what decisions have already been made, and what decisions or parts of decisions remain to be made and will be affected by public input, and what the public input is intended to achieve. Sometimes your input addresses only a part of a decision, and other (and possibly larger) parts may already have been decided and are no longer open for public discussion.

Work with others. There is more power in a group approach. When citizens work together, they are more likely to influence municipal decisions. However, this means you must achieve consensus with others and any differences should be discussed within the group, not with others.

Respect the processes established by municipalities and recognize that staff and councillors may have real practical and legal constraints on what they can do. Municipalities must consider what is good for all.

Tip: Be open to compromise. Remember, there are often several perspectives to an issue.

Be realistic about your goals. Municipal Council must make decisions that consider the needs of all parties concerned, within the zoning established in the municipal development plan. Study the situation and consider your requests carefully. If a developer is acting within the requirements, you may want to discuss possible modifications that would reduce the impact on neighbours (e.g. entry area, parking).

Never underestimate your power as a citizen and member of community organizations to effect change in a positive and calm way.

Other levels of government may sometimes need to be involved in what appears to be a simple municipal matter. You can take the initiative to involve other government officials or take your input to forums set up under provincial or federal legislation.

3. Learn what is going on

Find out about your municipality

Familiarize yourself with the particular ways that your municipality operates. The Government of Alberta's website (www.municipalaffairs.gov.ab.ca) includes useful information about how municipalities operate.

Your municipality may have a website. If not, look at websites for other municipalities to find out general information that might also apply where you live. For example, the process of development applications is largely set out in the *Municipal Government Act* and applies to all municipalities regardless of size. Larger municipalities such as Edmonton and Calgary have information in printed form

and on their websites which explains the process. The local county or municipal district website may offer information valuable to a summer village resident.

Go to your municipal office or local library and look for brochures about anything connected with the municipality, including procedures, bylaws and dates and times of Council and committee meetings. If you need clarification on a particular aspect, make an appointment to talk with an administrator or call and ask your questions.

Work together

If you want to get better information about the municipal decisions that may affect your neighbourhood, become part of the "network" of people who are likely to know. These people include:

- Your elected municipal councillor
- The municipal administrator or planner who deals with zoning and planning
- A local community association or non-government organization

It is recommended you attend a Council meeting and see how decisions about zoning, development or services are handled. Introduce yourself to some of the interested citizens, if you do not know them already.

4. Provide input to municipal decisions

Does Council or administration make the decision?

The Municipal Government Act provides guidance about who has the power and responsibility to make various decisions. Only Council can decide to rezone a piece of land, but administrative staff can determine whether or not to issue a development permit. Council makes policy decisions about such things as budget, budget allocation, bylaws, or land use.

There is an exception. Council may have established an area as a "direct control district." These districts have specific requirements that must be met by all proposals (e.g. preservation of historic buildings). In these cases, Council approval is required.

The following table describes three types of municipal decisions, noting where formal public notification is required, and whether formal public input is normally suggested.

Type of Decision	Description and Notification
Council, e.g. bylaw change	A bylaw that must be advertised.
Administrative with a right of appeal, e.g. a development permit that generally conforms to the zoning	Decision made by an administrator or administrative committee. Those affected are notified. Those citizens may appeal to a civic board within an established timeframe.
Administrative without right of appeal, e.g. installation of a new sewer line	Administration has the power to make many decisions about municipal services, signs, construction, etc. These decisions may be advertised if they affect the community (notification is not legally required). Public input may or may not be requested.

When will a municipality inform citizens about a decision or request public input?

Public input is required before a municipality can change certain bylaws, for example, when a road is closed. In this case, the municipality is required by law to formally notify you (the citizen) by advertising or mailing a notice, and to seek public input before a decision is made.

In many other situations, the municipality (usually Council) will decide it needs to gather public input before it makes a decision.

If public input is required by Council, the administration may do one or all of the following:

1. notify citizens (mail, direct contact, media),
2. hold public meetings,
3. request input through a survey.

The earlier you can become involved, the better—especially if municipal staff are not yet able to make plans public. For example, if property is being developed in your area, the plans may be fairly well advanced before there is any legal obligation for the developer or municipality to notify the community or neighbours. If you notice surveyors on a property or roadway that may concern you, call your municipality and ask questions. Sometimes administrative staff may not be able to divulge confidential information (perhaps the developer has not yet made a formal application), but they may then recommend to the developer that some discussion takes place with the community. Also, if you know who is potentially developing a property, you may contact them directly and ask for a meeting to which municipal staff could then be invited.

Council decisions

Decisions by your elected Council can only be made by passing a bylaw or resolution. Once a decision is made in this way, it is very difficult to have it reviewed or changed. You could only do so by persuading councillors to reopen the decision or by challenging the decision in court. It is much better to try to

influence Council's decision by providing input before the bylaw or resolution is passed.

There are different ways to provide input to high level decisions under consideration by a Council:

- In some situations the law requires a municipality to hold a **public hearing** before it makes a decision on a particular issue (e.g., a road closure or land use rezoning bylaw). This would be a **statutory public hearing.** In other situations, a municipality may decide to hold a public hearing because of the nature of the issue. This would be a **non-statutory public hearing.** Public hearings are advertised in the press and may also be noted on a municipal website or by notice in public buildings. If you have a specific interest in the issue, you may receive a mailed notice about the hearing. Some tips about presenting at meetings are provided under item 5, page 9 of this guide.
- In larger municipalities, decisions made by Council are often based on information from **committees** of councillors. The committee will review an issue and report to Council with recommendations, so it's best to try to influence those recommendations. Municipalities will each have their own policies as to when members of the public may make presentations (either to Council or to a committee). Find out what these policies are in your area so you do not miss the opportunity to give input to the decision process at the appropriate time. In some municipalities, citizens may make presentations to committees (e.g., transportation committee) but not to Council when it is making the decision.
- Some Council decisions are prompted by a municipal **department** that may have been looking at an issue for many reasons. For example, the department may be responding to an enquiry from a Councillor (often initially from a citizen), a department may of its own volition be seeking to take an action for which it needs Council approval, or the department is responding to an issue raised with them directly by a member of the public. It is always possible for you to contact administrative staff to ask for a meeting on a particular issue, or to request that a public meeting be held in the community.

  As a result of its deliberations in any of these situations, the department will ultimately be sending a report to Council with recommendations.
- Lobby, write and talk to your councillors. Remember to talk to all councillors, not just the ones that represent your area, because they all have a vote. Group action is often more effective than individual action, so if appropriate, try to involve other groups who may also be affected by the decision.

Examples of high level municipal decisions:

- Rezoning land
- Adopting an area structure plan
- Adopting an annual budget
- Closing a public roadway
- Privatizing a municipal service

Administrative decisions, with right of appeal

Some decisions that might affect you as a community member are made by administrative staff. In situations where these decisions have a significant impact on the lives of particular citizens, the law provides for a system of appeal to a board made up of citizen volunteers, councillors or a combination of the two. For example, a Council can establish an Assessment Review Board which deals with complaints about taxes and tax assessments.

If you have an interest defined by the law, you will be notified of appeals before such boards. For example, if a development permit is granted which requires variances from the established requirements, nearby neighbours may be notified and given an opportunity to appeal to a Subdivision and Development Appeal Board.

There are also situations where a matter does not go before a municipal appeal board, but where the law allows a citizen to appeal a decision of Council to the Courts or to a provincial appeal board. For example, if an administrative decision is given to a community member to remedy unsightly property, there is a right to request Council to review the decision or, in limited circumstances, to challenge Council's decision in the Courts. Some decisions concerning municipal utilities can be appealed to the provincial Public Utilities Board.

As a community member affected by a decision made by the administration, you can always contact your municipality to discuss a situation before a decision is made. Once a decision is made, you are bound by the strict procedures of appeal which you should be careful to follow. With regard to making appearances before appeal boards, see the tips under item 5, page 9 of this guide.

Tip: Every municipality has to establish (or share with another municipality) a Subdivision and Development Appeal Board for the appeal of subdivision issues and development permits.

Administrative decisions, without right of appeal

Other decisions made by administrative staff do not have to be reviewed or passed by Council and are not subject to formal avenues of appeal. Such decisions might include whether a recreation program will continue or not, when street cleaning will take place in a particular area, or what traffic measures might be appropriate or not in a certain area. Following are some suggestions on how you can provide input to these decisions:

- Generally, the earlier you are involved in a decision process, the better chance you will have to influence the outcome. Don't expect to be formally notified.
- It is always possible to contact administrators (by e-mail, phone or in person) to discuss the decisions they are making. Even if a decision has

been made, it might still be important to talk about the effects of the decision and request a review.

- If you think the decision affects a number of people, think about organizing a public meeting and asking civic staff to attend.
- If you are part of a community group or association, maintain ongoing links and good relations with municipal administrators. This can be time-consuming and is not easy for volunteer groups, but can pay dividends in the long run.
- Be aware of notices either in the press or mailed to your home which might be asking for input on a decision. Generally, municipalities want to make decisions that are good for most people and therefore public meetings will often be held to canvass certain issues.

Advisory boards

Sometimes municipalities will set up advisory boards relevant to particular areas or issues. The boards serve to advise Council and the administration, when requested, on matters such as heritage and historical issues, recreation issues or public services such as fire protection. Citizens are generally invited to apply to sit on the boards and it is always possible for members of the public to make representations to an advisory board in regard to any particular issue either in writing or in person.

5. Tips on making meeting presentations

The following tips will help you to prepare:

Learn the date and time for the meeting. Contact the municipal office or visit the municipal website.

Learn clearly the issue at hand and understand the particular decision being made by the municipality or Council. If you are "on topic" and clearly address the issue at hand, your input will be much more valuable to those making the decision.

Register in advance to speak. Some municipalities have registration forms online, or you may contact the municipality by telephone. If you need presentation equipment (e.g., a computer, projector, etc.) request it at that time.

Find out what the meeting process will be. Your municipality may have policies about how meetings are organized (e.g. presentations by the public may be limited to five minutes). Also, try to observe a meeting before you attend your own to see how the forum works. Many board/committee/ Council meetings are open to the public, as are public meetings and hearings.

If providing any supporting materials, make sure you have enough copies for each board/committee/Council member. Call in advance to find out how many copies are needed. Note: Providing a summary of your speaking notes allows the listener to focus on you rather than taking notes.

Be prepared to make your point succinctly. You will be better received if you are ready and prepared. If you only have five minutes to speak, the time can go very quickly.

If presenting as part of a group, use your time wisely. Each group member should plan to present different points. Repetition of the same point(s) can irritate those hearing the issue.

Remain civil, no matter how deeply or passionately you feel about an issue. Members of the public can be asked to leave meetings if their conduct is improper.

If you cannot attend a meeting in person, you may write to the Council or committee members in advance of the meeting.

Municipal Election Results

2014 Municipal Voter Turnout was 23.0%

http://www.election2014.civicinfo.bc.ca/2014/reports/Results.asp?localgovernmentid=86

For region see

http://www.election2014.civicinfo.bc.ca/2014/reports/regionresults.asp?regionid=9

For more on DNV:
http://www.dnv.org/election/results.asp?ElectionID=8

For 2011:
See http://www.elections.civicinfo.bc.ca/2011/reports/regionresults.asp?regionid=9
and
http://www.elections.civicinfo.bc.ca/2011/reports/electionResults.asp?localgovernmentid=86
(attached)

For 2011 voter turnout was 20.6%

Close Window

CIVICINFOBC

2014 Local Government & School District Elections

North Vancouver (District)

Local Government Contact Information

Jurisdiction:	North Vancouver District
Street Address:	355 West Queens Road North Vancouver, BC, V7N 4N5
Phone:	604-990-2311
Fax:	604-990-2403
URL:	http://www.dnv.org
General Email:	infoweb@dnv.org

North Vancouver (District) Election Details

23.0%

Estimated Eligible Voters:	64062
Total Number of Votes Cast:	14709
Councillors to be Elected:	6

Chief Election Officer Contact

Chief Election Officer:	James Gordon
Phone:	604-990-2207
Email:	gordonja@dnv.org

Mayor Candidate(s)

	First Name	Last Name	Initial	Gender	Acclaimed	Votes	Elected
✓	Richard	Walton		M	YES	**0**	**YES**

Councillor Candidate(s)

	First Name	Last Name	Initial	Gender	Acclaimed	Votes	Elected
✓	Lisa	Muri		F		**7818**	**YES**
✓	Doug	MacKay-Dunn		M		**7625**	**YES**
✓	Robin	Hicks		M		**6950**	**YES**
✓	Jim	Hanson		M		**6422**	**YES**
✓	Mathew	Bond		M		**5871**	**YES**
✓	Roger	Bassam		M		**5825**	**YES**
	Linda	Findlay		F		5510	
	Wayne	Hunter		M		4512	
	Glenn	MacKenzie		M		4352	
	Kevin	Macauley		M		4037	
	Len	Laycock		M		3505	
	Connie	deBoer		F		2872	
	Amelia	Hill		F		2781	
	Hazen	Colbert		M		2722	

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CIVICINFOBC

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2011 Local Government & School District Elections

North Vancouver (District) - 2011 Election Results

Street Address:	355 West Queens Road North Vancouver, BC, V7N 4N5	**Chief Election Officer:**	James Gordon
Phone:	604-990-2311	**Phone:**	604-990-2207
Fax:	604-990-2403	**E-mail Address:**	gordonja@dnv.org
URL:	http://www.dnv.org	**Est. Number of Eligible Voters:**	58852
General email:	infoweb@dnv.org	**Total Number of Votes Cast:**	12138
		Councillors to be Elected:	6

http://www.facebook.com/NVanDistrict?v=box_3

Mayor Candidate(s)

	First Name	Last Name	Initial	Gender	Acclaimed	Votes	Elected
✓	Richard	Walton	S	M		9897	YES
	Marjorie	Goodman	J	F		2241	

Councillor Candidate(s)

	First Name	Last Name	Initial	Gender	Acclaimed	Votes	Elected
✓	Robin	Hicks	D	M		7565	YES
✓	Michael	Little	D	M		7401	YES
✓	Douglas	Mackay-Dunn		M		7197	YES
✓	Lisa	Muri	A	F		7173	YES
✓	Roger	Bassam	K	M		6034	YES
✓	Alan	Nixon	J	M		5780	YES
	Holly	Back	J	F		5230	
	John	Gilmour		M		4931	
	Kevin	Macauley	F	M		4259	
	Wendy	Qureshi	J	F		3111	
	Austin	Park	K	M		1500	
	Howard	Dahl		M		1426	

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Reception DC

PEACE RIVER REGIONAL DISTRICT
RECEIVED
DAWSON CREEK
JUN 19 2014
Referred To:
File No.:

From: Minister, CSCD CSCD:EX <CSCD.minister@gov.bc.ca>
Sent: June-19-14 1:41 PM
Subject: FW: Oath of Office and Local Government Elections
Attachments: 155732 Enclosure Oath Examples.docx

Please find the Oath of Office examples attached.

From: Minister, CSCD CSCD:EX
Sent: Thursday, June 19, 2014 1:32 PM
Subject: Oath of Office and Local Government Elections

Regional District Chairs

Dear Chair:

I am writing to highlight a recent legislative change that may be of interest to your regional district board. The Legislative Assembly of British Columbia recently passed legislation making changes to local elections campaign finance, and some other targeted changes, including the oath of office for directors of regional district boards.

Bill 21, the *Local Elections Statutes Amendment Act*, amends the oath of office provisions under the *Local Government Act* to give regional district boards the power to adopt their own, customized oath of office by bylaw. This change makes the approach for regional district oaths of office consistent with the approach for municipalities. If a regional district or a municipality does not adopt its own oath of office, the standard oath of office contained in the Local Government Elections Regulation applies.

Regional districts will now have the ability to emphasize the powers and responsibilities of the office that reflect the values and priorities of their communities. This will strengthen the accountability of regional district directors to their electors. It is not mandatory for any local government to adopt its own oath of office; however, I encourage all local governments to consider whether adopting their own oath of office would be beneficial in promoting accountability. Consideration of a new oath of office is timely given that successful candidates (and those who are acclaimed) in the November 2014 elections will need to make their oath of office in order to take their places at council and board tables.

The Province of British Columbia appears to be unique in Canada in providing local governments the authority to set their own oaths of office. As a result, there are not a large number of best practice examples to consider if you are interested in adopting your own oath of office. However, you may wish to refer to the customized oaths of office developed by your local government colleagues, Kelowna and Richmond, which are enclosed.

Sincerely,

Coralee Oakes
Minister

City of Richmond

Oath of Office

Bylaw No. 8779

I, ...[name of person elected or appointed]....., do [swear]/[solemnly affirm] that:

- *I will perform the duties of the office of [Mayor]/[Councillor] faithfully and with integrity and will not allow any private interest to influence my conduct in public matters;*
- *I will abide by the statutes, bylaws and policies that govern the City and will promote openness, accountability, and responsible leadership; and*
- *I will dedicate myself at all times to acting in the best interests of the residents of the City of Richmond.*

FONVCA AGENDA ITEM 7(d) - P3

Local Government Elections Regulation, BC Reg 380/93

Current version: as posted on Aug 12, 2014

Link to the latest version: http://canlii.ca/t/85ln
Stable link to this version: http://canlii.ca/t/529p1
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B.C. Reg. 380/93 Deposited November 12, 1993
O.C. 1541/93

Community Charter*; *Local Government Act*; *Vancouver Charter

LOCAL GOVERNMENT ELECTIONS REGULATION

Note: Check the Cumulative Regulation Bulletin 2014
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 106/2014, June 4, 2014]

Oath of office

1 (1) The following oath of office with the necessary changes in form, as applicable, is prescribed for the purposes of section 120 (3) of the *Community Charter*, section 210 (6) of the *Local Government Act* and section 140 (6) of the *Vancouver Charter*:

I, ...[*name of person elected or appointed*]....., do [swear] [solemnly affirm] that:

- I am qualified to hold the office of .....[*office*]..... for the .....[*jurisdiction*]..... to which I have been [elected] [appointed];
- I have not, by myself or any other person, knowingly contravened the .....[*applicable Act*]..... respecting vote buying or intimidation in relation to my election to the office; [*not applicable to persons who have been appointed*]
- I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
- as required by the .....[*applicable Act*]....., I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter.

(2) As an example, the following is to be used as the oath of office made by way of solemn affirmation for a person elected as under the *Vancouver Charter* as a member of the Council of City of Vancouver:

I, ...[*name of person elected or appointed*]....., do solemnly affirm that:

- I am qualified to hold the office of councillor for the City of Vancouver to which I have been elected;
- I have not, by myself or any other person, knowingly contravened the *Vancouver Charter* respecting vote buying or intimidation in relation to my election to the office;
- I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
- as required by the *Vancouver Charter*, I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter.

[am. B.C. Regs. 365/2003; 106/2014, Sch. 1, s. 1.]

Election financing disclosure

2 (1) This section applies in relation to the following that are held before the 2014 general local election:

(a) assent voting;

(b) an election.

(2) The classes of election expenses for the purposes of section 90 (4) (f) of the *Local Government Act* and section 62 (4) (f) of the *Vancouver Charter* are

(a) election campaign advertising or communication expenses for

(i) radio, television, newspaper, magazine or electronic advertising for the public,

(ii) signs, pamphlets, flyers and brochures,

(iii) advertising and promotion for the public not described in subparagraph (i) or (ii), and

(iv) newsletters for members of the elector organization,

(b) election campaign office expenses for

(i) compensation paid to persons for work done relating to the election campaign other than for services described in section 89 (2) of the *Local Government Act* or section 61 (2) of the *Vancouver Charter*,

(ii) rent, insurance and utilities,

(iii) courier services and postage,

(iv) furniture, telecommunication equipment and other equipment, and

(v) office supplies and other office expenses not covered by subparagraphs (i) to (iv),

(c) convention and similar meeting expenses,

(d) expenses for campaign related functions not described by paragraph (c),

(e) research and polling expenses,

(f) campaign related transportation, and

(g) other.

(3) This section is repealed on December 31, 2015.

[en. B.C. Reg. 310/99; am. B.C. Reg. 106/2014, Sch. 1, s. 2.]

Document identifying electors

3 The classes of documents that may be accepted as evidence for the purposes of section 57 or 57.1 of the *Local Government Act*, or for the purposes of section 30 or 30.1 of the *Vancouver Charter* are

(a) a British Columbia Driver's Licence,

(b) a BC identification card within the meaning of the Identification Card Regulation,

(b.1) a photo BC services card within the meaning of the Identification Card Regulation,

(b.2) a non-photo BC services card within the meaning of the Identification Card Regulation,

(c) an Owner's Certificate of Insurance and Vehicle Licence issued by the Insurance Corporation of British Columbia,

(d) a British Columbia CareCard or British Columbia Gold CareCard,

(e) a Ministry of Social Development and Economic Security Request for Continued Assistance Form SDES8,

(f) a Social Insurance Number card or confirmation of Social Insurance Number letter issued by the government of Canada,

(g) a Citizenship Card issued by Citizenship and Immigration Canada,

(h) a real property tax notice issued under section 369 of the *Local Government Act* or section 21 of the *Taxation (Rural Area) Act*,

(i) a credit card or debit card issued by a savings institution as defined in section 29 of the *Interpretation Act*, or

(j) a utility bill issued for the supply of electricity, natural gas, water, telephone services or coaxial cable services by

(i) a public utility as defined in section 1 of the *Utilities Commission Act*,

(ii) a gas utility as defined in section 1 of the *Gas Utility Act*,

(iii) a water utility as defined in section 1 of the *Water Act*,

(iv) the British Columbia Hydro and Power Authority, or

(v) a corporation licensed by the Canadian Radio-television and Telecommunications Commission for the purposes of that supply.

[en. B.C. Reg. 309/99; am. B.C. Regs. 4/2013, App. 2, s. 1; 106/2014, Sch. 1, s. 3.]

[Provisions relevant to the enactment of this regulation: *Community Charter*, S.B.C. 2003, c. 26, sections 120 (3), 123 and 282; *Local Government Act*, R.S.B.C. 1996, c. 323, sections 156 (2) (a.1) and (e) and 210 (6); *Vancouver Charter*, S.B.C. 1953, c. 55, sections 128 (2) (a.1) and (e) and 140 (6)]

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Version: 2 Last modified: 6/2/2005 11:29:00 AM Viewed: 11/17/2014 2:10:38 PM

Code of Ethics

For members of
District of North Vancouver Council
and Council Appointees to Boards,
Committees, Commissions and Task Forces ("members")

Adopted by the Council of the District of North Vancouver

November 28, 2000

Preamble
Application of the Code
1. Act in the Public Interest
2. Comply with the Law
3. Conduct of Members
4. Respect for Process
5. Conduct of Public Meetings
6. Decisions Based on Merit
7. Communication
8. Conflict of Interest
9. Gifts and Favours
10. Confidential Information
11. Use of Public Resources
12. Advocacy
13. Policy Role of Members
14. Positive Work Place Environment
15. Implementation
16. Compliance and Enforcement
MODEL OF EXCELLENCE - Member Statement

Preamble

The residents and businesses of the District of North Vancouver are entitled to have fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the District of North Vancouver’s Governance Principles and Corporate Values as described in the Corporate Business Plan, the District seeks to maintain and enhance the quality of life for

all District residents through effective, responsible and responsive government. To help achieve this goal, members have committed to strive to ensure that:

- public business is conducted with integrity, in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
- their conduct in the performance of their duties and responsibilities with the District be above reproach; and
- the decision-making processes be accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

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Application of the Code

To this end, the Council of the District of North Vancouver has adopted a Code of Ethics applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. Unless otherwise specified, "members" is intended to include both members of Council and committees. The bodies which Council can appoint members to are referred to collectively as "committees" in the Code.

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1. Act in the Public Interest

Recognizing that the District seeks to maintain and enhance the quality of life for all District residents through effective, responsive and responsible government, members will conduct their business with integrity, in a fair, honest and open manner.

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2. Comply with the Law

Members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the *Constitution Act*; the Provincial *Human Rights Code*; the *Criminal Code*, the *Local Government Act*; *Community Charter*; laws pertaining to financial disclosures, and employer responsibilities; and relevant District bylaws and policies.

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3. Conduct of Members

The conduct of members in the performance of their duties and responsibilities with the District must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the staff or the public.

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4. Respect for Process

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the District Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by District staff. Members of committees shall be aware of the mandate of their respective committee, and act in accordance with it.

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5. Conduct of Public Meetings

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body; or otherwise disturb a meeting.

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6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

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7. Communication

Subject to paragraph 10, members shall publicly share substantive information that is relevant to a matter under consideration by the Council or a committee, which they may have received from sources outside of the public decision-making process.

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8. Conflict of Interest

The Mayor and Councillors shall be aware of and act in accordance with Division 6 of the Community Charter, and shall fulfil part (c) of their *Oath of Office.* Other Members shall act in accordance with the Conflict of Interest provisions of Corporate Policy 1-0360-3.

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9. Gifts and Favours

Members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the District, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member. A member may participate in District programs open to the public and may purchase District property or goods offered for public sale.

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10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or legal affairs of the District. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

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11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

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12. Advocacy

Members shall represent the official policies or positions of the District Council or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council, their committee or the District of North Vancouver, nor will they allow the inference that they do.

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13. Policy Role of Members

Members shall respect and adhere to the council-Chief Administrative Officer structure of government as practised in the District of North Vancouver. In this structure, the Council determines the policies of the District with the advice, information and analysis provided by the public, committees, and District staff.

Members, therefore, shall not interfere with the administrative functions of the District or with the professional duties of District staff; nor shall they impair the ability of staff to implement Council policy decisions.

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14. Positive Work Place Environment

Members shall treat other members, the public and District staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Members shall be aware of and act in accordance with the Corporate Harassment Policies 7-2585-1 and 7-2585-2.

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15. Implementation

The District of North Vancouver Code of Ethics is intended to be self-enforcing. Members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions.

For this reason, the Code of Ethics will be provided to candidates for Council and applicants to committees. Members elected to Council or appointed to a committee will be requested to sign the Member Statement affirming they have read and understood the District of North Vancouver Code of Ethics. In addition, Council and committees shall review annually the Code of Ethics, and Council shall consider recommendations from committees and update the Code as necessary.

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16. Compliance and Enforcement

The District of North Vancouver Code of Ethics expresses standards of ethical conduct expected for members of the District Council and committees. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the District of North Vancouver.

Council may impose sanctions on members whose conduct does not comply with the District's ethical standards, such as motion of censure. Council may also rescind the appointment of a member to a committee for breaching the Code of Ethics.

To ensure procedural and administrative fairness, a member who is accused of violating any provision of the Code of Ethics with the exception of paragraph 14 shall have a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare his or her

case to respond to these allegations. Before considering a sanction, Council must ensure that a member has

1. received a written copy of the case against him or her;
2. a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. an opportunity to be heard.

The procedures outlined in Corporate Policy 7-2585-3 *Complaint Resolution Procedures – Harassment* has been adopted by Council for dealing with a complaint under Policy 7-2585-1 and/or 7-2585-2 (see paragraph 14, above).

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council or committee decision.

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* * * * *

MODEL OF EXCELLENCE

Council of the District of North Vancouver
and Council Appointees to Boards,
Committees, Commissions and Task Forces

MEMBER STATEMENT

As a member of the District of North Vancouver Council or of a District committee, I agree to uphold the Code of Ethics adopted by the District and conduct myself by the following model of excellence. I will:

Recognize the diversity of backgrounds, interests and views in our community;

Help create an atmosphere of open and responsive government;

Conduct public affairs with integrity, in a fair, honest and open manner;

Respect one another and the unique role and contribution each of us has in making the District a better place to work and live;

Strive to keep the decision-making processes open, accessible, participatory, understandable, timely, just and fair;

Avoid and discourage conduct which is not in the best interests of the District;

Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read and understood the District of North Vancouver Code of Ethics.

_____
Signature

_____
Date

_____
Name Office

From: ***http://www.bclaws.ca/civix/document/id/complete/statreg/380_93#section1***

Oath of office

1 (1) The following oath of office with the necessary changes in form, as applicable, is prescribed for the purposes of section 120 (3) of the *Community Charter*, section 210 (6) of the *Local Government Act* and section 140 (6) of the *Vancouver Charter*:

I, ...[*name of person elected or appointed*]....., do [swear] [solemnly affirm] that:

• I am qualified to hold the office of .....[*office*]..... for the .....[*jurisdiction*]..... to which I have been [elected] [appointed];

• I have not, by myself or any other person, knowingly contravened the .....[*applicable Act*]..... respecting vote buying or intimidation in relation to my election to the office; [*not applicable to persons who have been appointed*]

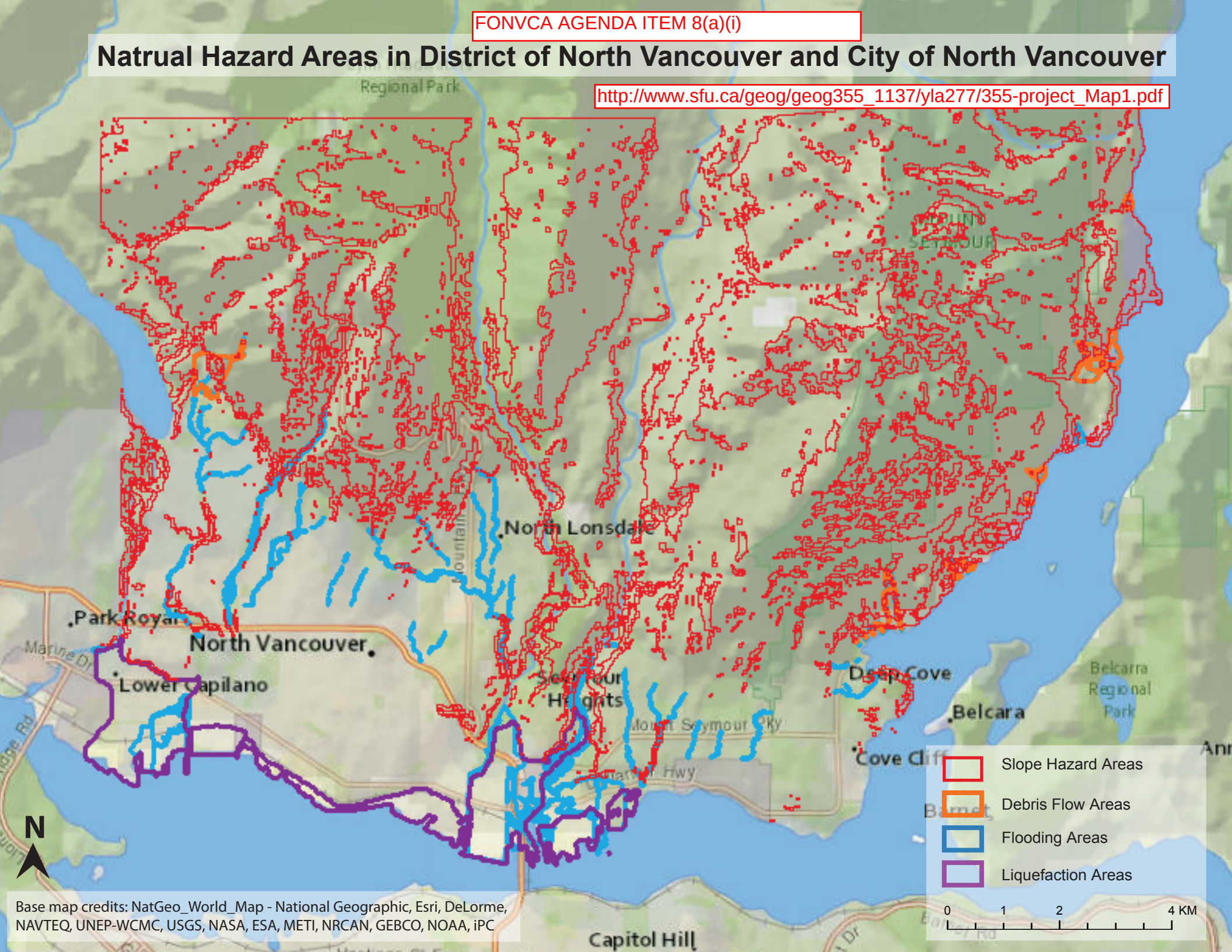
• I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;

• as required by the .....[*applicable Act*]....., I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter.

FONVCA AGENDA ITEM 8(a)(i)

Natrual Hazard Areas in District of North Vancouver and City of North Vancouver

http://www.sfu.ca/geog/geog355_1137/yla277/355-project_Map1.pdf

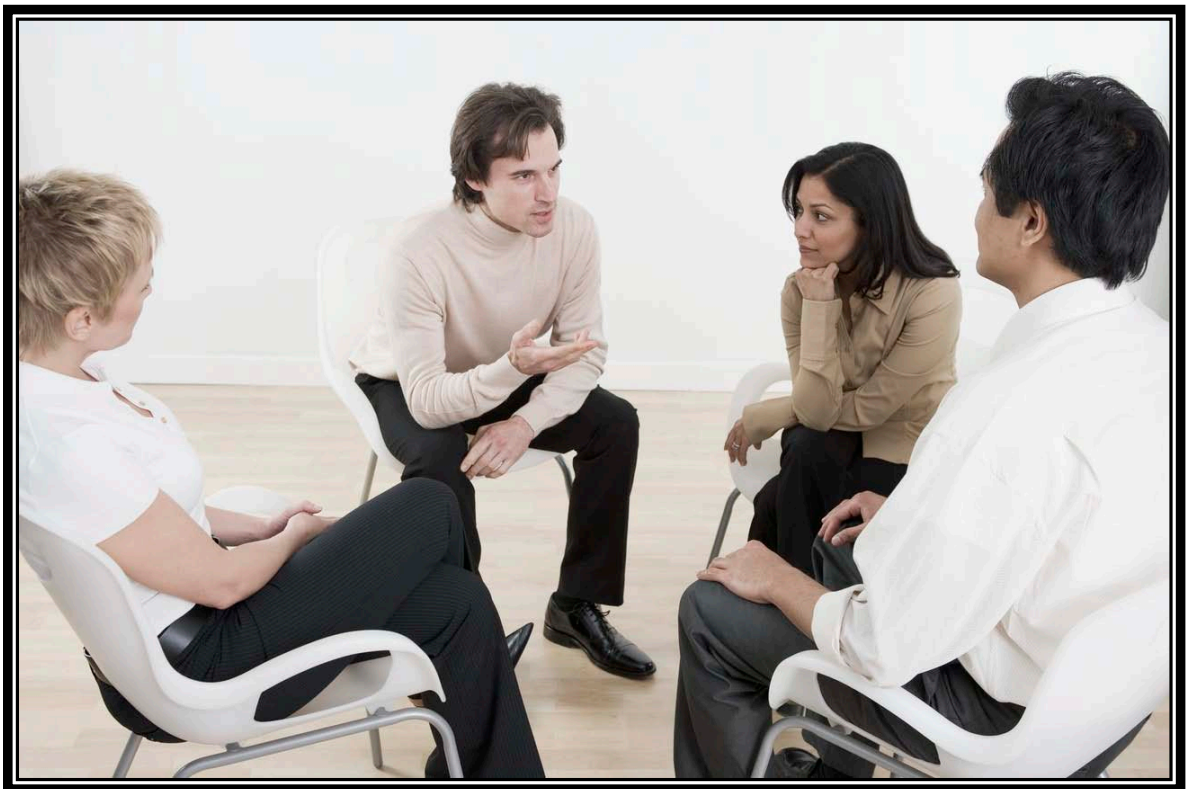


Base map credits: NatGeo_World_Map - National Geographic, Esri, DeLorme, NAVTEQ, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, iPC

FONVCA AGENDA ITEM 8(a)(ii)

http://www.saskatchewan.ca/~/media/files/government%20relations/advisory%20services/citizens%20guide%20to%20shaping%20council%20decisions.pdf

A CITIZEN'S GUIDE TO SHAPING COUNCIL DECISIONS



August 2014

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Introduction

The Municipalities Act is the legislation setting out the framework within which municipalities, other than cities or northern municipalities must use to govern themselves while reaching decisions which affect property owners and residents. Saskatchewan cities function under *The Cities Act* which closely parallels *The Municipalities Act.* These statutes confer responsibility to municipalities to encourage and enable public participation in the governance process.

This document is intended to help citizens explore and understand the options available to those who want to be involved in the municipal governance process. For instance, you may want council to change an existing policy or adopt a new policy regarding a public matter.

NOTE: *The information in this document is not a substitute for legislation. It is important to examine the exact wording of legislative references. Questions of a legal nature should be directed to a solicitor.*

Executive Summary

Your Municipality

Municipalities are created by provincial legislation and are recognized as a responsible and accountable level of government within their jurisdiction. The jurisdiction includes most issues which impact citizens and ratepayers including but not limited to, waste collection and disposal, land use policy and property taxation policies. Municipalities have autonomy or the ability to act according to their own direction regarding the majority of matters within their jurisdiction. Very few bylaws or policies require provincial approval. Municipal councils and the individual members of council are accountable to the people who elect them.

Through its decisions and policies your municipal council will provide services, facilities and other things that, in its opinion, are necessary or desirable for all or part of the municipality. If you feel your council should consider or change a particular policy or decision there are steps you can take in an effort to bring about change.

Citizens' Role

Encouraging municipal accountability by citizens and ratepayers falls into three categories. Initially, you may build political support at the local level to persuade council to change or adopt a policy or bylaw. You could begin this process by opening lines of communication with council, speaking with individual members of council to lobby for support or perhaps addressing council at one of its meetings. You may discuss your views with other citizens to determine the level of support which exists for your proposal, contrasting that to the support

that exists for council's position. The public accountability provisions in legislation provide you with rights:

- to observe council meetings;
- to access municipal documents; and
- to petition council.

Members of council are elected for a four-year fixed term of office. If you are not satisfied with the position taken by a member of council on a public issue you have the right to vote for an alternate candidate or to seek office yourself. There is no ability to recall or "unelect" a member of council prior to the expiration of his or her term of office although there are situations where a judge might order the office of an elected member to be vacated.

A final option by which you may hold council accountable is to initiate a legal action through the courts in an effort to remove a disqualified person from office, to overturn bylaws or policies or to resolve potential liabilities. There may be matters for which a municipality cannot be sued. This option should be considered only as a last resort and after obtaining legal advice.

More detailed information is contained within this document.

Definitions

1. "Act" means *The Municipalities Act* and unless otherwise indicated, *The Cities Act*
2. "Administrator" means the person appointed to the office of Administrator (for ease of reference only in this document it also refers to City Clerk, Village Clerk and other similar persons)
3. "CA" means *The Cities Act*
4. "Council" means the duly elected council of the municipality
5. "Elected official" means a person who has been elected to council including mayors, reeves, councillors and aldermen. They may also be referred to as "member of council" or simply "member"
6. "LGEA" means *The Local Government Election Act*
7. "MA" means *The Municipalities Act*
8. "Ministry" means the Ministry of Government Relations
9. "Municipality" means rural and urban municipalities including cities, towns, villages and resort villages
10. "Plebiscite" means a vote of electors to provide council with non-binding direction
11. "Referendum" means a vote of electors to provide council with binding direction
12. "Statutory" means enacted, regulated or authorized by legislation or regulation

Municipal Initiatives / Responsibilities

Role of Elected Officials

Elected officials are responsible for developing public policy and for making decisions affecting the day-to-day affairs of their municipality.

Members of council have a duty to represent the public and to consider the well-being and interests of the municipality.[1]

Public participation initiatives

Legislation, for the most part, does not describe how a municipality is to encourage and enable public participation in the governance process. It is up to council to determine how it might engage the public during the development of public policy. These initiatives might include public meetings, surveys or simply talking to electors. The activities might be more formal such as plebiscites and referendums.

Municipalities are required to formally advise the public of their intention to consider certain matters.[2] Some but not all, of the matters for which notice must be provided include:

- borrowing money;
- selling or leasing land for less than fair market value unless there was a public offering; and
- setting the remuneration payable to members of council.

The municipality's *Public Notice Bylaw* lays out the minimum notice requirements and method by which the public will be informed of impending action. Unless a longer time is specified, public notice must be given at least seven days before the council meeting at which the matter will be discussed. The document *Public Notice Obligations* is available on the ministry's website and[3] outlines those matters for which public notice must be provided by municipalities other than cities.

Public notice does not mean that citizens are automatically able to provide input regarding the proposed agenda item. For some issues such as permanent road closures [4] or zoning bylaw amendments[5], there may be a statutory opportunity to address council. You should contact the municipal administrator if you want to formally address council at an upcoming meeting as there may be municipal procedures or policies to place business items on council's agenda.[6]

Accountability to Electors

Municipalities are recognized by legislation as a level of government within their jurisdiction and as being accountable to the people who elect them.[7] Citizens may hold their municipal government accountable through three different mechanisms:

- political pressure;

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[1] Section 92 MA; Section 65 CA
[2] Section 128 MA; Section 102 CA
[3] www.municipal.gov.sk.ca
[4] Subsection 13(5) MA; Subsection 13(3) CA
[5] Subsection 207(2), *The Planning and Development Act, 2007*
[6] Section 81 MA; Section 55 CA
[7] Section 3 MA; Section 3 CA

- electoral process; and/or
- legal action.

Political pressure

Decisions by government at any level, including municipalities, are by their very nature, political. There is generally more than one side or one view with respect to most matters addressed by council. Members of council will often consider matters in the face of competing, and even sometimes conflicting interests. Municipalities will typically search for solutions where all or at least the majority of interests can be satisfied; however, there will be instances where this may be unattainable.

In situations where you feel the municipality failed to take certain views into sufficient consideration prior to making a decision, you may attempt to persuade one or more members of council to reconsider the matter. You may lobby individual members of council by discussing the matter with them informally, or request attendance at an upcoming council or council committee meeting to discuss the matter more formally.

Building political pressure may also include activities designed to gauge the level of support from other citizens. These activities include discussing the matter with other citizens, encouraging them to talk to members of council, or writing letters to the editor of local newspapers.

Building political pressure is, in essence, undertaking activities at the local level to elevate the consideration of a specific point of view with respect to a matter where there may be competing interests.

Electoral process

Elected officials hold office with the approval of their citizens and ratepayers.

- If you are an elector in an urban municipality, you have an opportunity every four years to elect members of council, including the mayor.
- If you are a voter in a rural municipality, you vote for your division councillor and your reeve every four years.
    - Elections for reeve are held in 2012, and every four years thereafter.
    - Elections for members of council representing an odd-numbered division are held in 2012, and every four years thereafter.
    - Elections for members of council representing an even-numbered division are held in 2014, and every four years thereafter.

The ministry's website contains information regarding election dates and qualifications of electors and candidates.[8]

[8] www.municipal.gov.sk.ca

You have the opportunity to effect electoral change, either by supporting a candidate or seeking office yourself.

Legal challenge

In situations where the municipality has allegedly acted contrary to the Act or other legislation, citizens may influence municipal policy through the courts. This may involve quashing (also called overturning) a bylaw or a resolution of council. This option should be considered only when all other alternatives have been exhausted and after consulting legal counsel.

Citizen Initiatives

An effective method of affecting municipal policy, from a cost standpoint as well as achieving results, may be the citizens' ability to influence public opinion.

In order to address concerns regarding municipal decisions, you may need:

- courage;
- persistence;
- persuasive skills; and
- time.

It is one thing to discuss municipal matters at "coffee row" where the consensus is "somebody" should do "something." It takes courage to be that "somebody" to come up with "something," which may then be critiqued by others in the community. Persistence and your ability to persuade others will enable you, either alone or with others, to overcome possible resistance to proposed changes. This persistence, however, should not overshadow recognition that there may be little public support for alternative proposals. You should be prepared to further recognize that it may take some time to achieve your goal of building political support for a proposed policy.

To build public opinion or raise awareness of an issue, you are encouraged to consider the following strategies:

- become informed;
- research the issue;
- meet with council;
- facilitate a public meeting of electors;
- promote a plebiscite; and
- request a referendum.

Become Informed

Municipal issues can rarely be classified as "black and white" topics. There may often be competing interests for scarce resources. For example, a municipality may choose to devote

fewer resources to recreation programs in favour of providing more funds to the fire department. Citizens may generally agree that the fire department may need more funding. Others may suggest that these additional funds should be redirected from other activities, such as economic development initiatives, rather than recreation. Yet others might suggest that a modest tax increase is the appropriate response.

To become informed of the various aspects of municipal affairs, you are encouraged to exercise your right to attend council meetings to observe your members of council debate municipal issues.[9] Information can be obtained by requesting or viewing public documents such as meeting minutes and financial statements.[10] Copies of these documents may be obtained from the municipal office at a reasonable cost, which is established by council.

Research the Issue

As noted above, competing interests are not uncommon when discussing municipal matters, such as the type and quantity of municipal services or facilities.

If you want to know why council acted on an issue in a particular way, ask the administrator. This discussion should focus on the technical aspects, such as:

- factors considered;
- all options examined by council,;
- the expected outcomes; and
- possible implications of council's direction.

Administrators do not have voting privileges on questions coming before council, nor do they have responsibility to defend or rationalize a council's decision. Their role is to explain the decision. The advice or recommendations provided by the municipal administrator or other employees to council is considered to be information which may not be accessible by the public.[11] Your discussion should be limited to the "what" of the matter.

The question of "why" should be directed to members of council. The member should be able to explain why they felt the selected option was superior to others. While you might not be swayed to the member's position, you should come away with a sense of why that member of council thought the public interest was served.

Determine the public interest

Citizens may identify the public interest regarding a matter by discussing it with others in the community, including stakeholders who may be impacted both positively and adversely by council's decision. Sending letters to the editor of the local newspaper may be another way to create awareness and promote discussion regarding the decision.

[9] Section 120 MA; Section 94 CA
[10] Section 117 MA; Section 91 CA
[11] Section 16, *The Local Authority Freedom of Information and Protection of Privacy Act*

It is important to keep an open mind during these discussions with others. Some people may support council's decision, and if you find there is a significant level of support for council's position, it may be more difficult for you to convince council to change the policy.

Explore options / develop alternatives

Part of a citizen's research should include exploring options or alternatives. The discussions with the administrator and/or members of council may identify alternative options which were set aside for a variety of reasons. It may be beneficial to council and the community in general to identify choices which may enjoy greater public support.

These new options or alternatives may be identified through discussions with the administrator, members of council, or other citizens. Using the Internet or other media to examine how other municipalities have dealt with similar situations may result in solutions which council might not have considered.

Proposing choices or options may enhance your efforts to influence council's policies.

Meet With Council

Talking with individual council members at the local restaurant, skating rink, or other places is not the same as meeting with council. Municipal decisions are made collectively by members of council at a council meeting. Citizens desiring to influence policy should be prepared to attend a council meeting to address all members of council at one time.

Getting on the agenda

Contact the administrator to identify the municipality's requirements to be placed on the agenda to meet with council. The municipality may have enacted a council procedures bylaw which will lay out these rules, or they may have unwritten practices which have evolved over the years. These rules or practices may address some or all of the following:

- a deadline by which a request to be placed on the agenda must be filed with the administrator;
- the requirement for a written summary of the major items being addressed in the presentation to council; or
- a time limit to present the matter to council.

Prepare for the meeting

Proper preparation for the meeting with council will enhance, but not guarantee, the success of your presentation. You should ensure that you are fully knowledgeable regarding the matter at hand. Consider the following points:

- Clearly identify the issue. If there are other non-relevant matters which you wish to address, it may be beneficial to deal with those at another time. Including too many items at one time may minimize action on any of the items;
- Outline the research procedures and outcomes. Withholding the identity of those persons with whom you have discussed the issue may cast doubt on the credibility of the results of those discussions. Include the source of external data to enable others to compare the current situation with the other situations you have identified;
- Propose alternatives to council. It should be presumed that council carefully considered the matter and made its decision based on a long-term benefit to the municipality. Proposing constructive alternative ideas may be viewed positively by council, particularly in those circumstances where action should be taken by council and where the status quo is not a publicly acceptable option;
- Rationalize the alternatives. Just as members of council should be prepared to provide reasoning for their decisions, be prepared to provide reasons for your suggestions. You may wish to constructively offer reasons why council's position may not be the best option;
- Be prepared to answer questions. The presentation, and the written summary if one was provided, may not have adequately addressed all of the considerations associated with the issue; and
- Be aware there may be resistance to new proposals. Try to keep the discussion focussed on the matter at hand.

At the meeting

The delegation to the council meeting may be comprised of one citizen or a group of citizens. Where there are multiple attendees, it is important that a single person is designated as the spokesperson for the group. Among other things, there are two important considerations which the group may wish to think about when determining its spokesperson.

- Does the person have good speaking skills? If not, the presentation may drift from its main intention, or the speaker may be unable to maintain council's focus on the issue.
- Does the person have a poor social or business relationship with one or more members of council? If so, these biases may emerge during the discussion and may compromise the merits of the points being raised.

Citizens attending the meeting, but not actively participating in the presentation, should refrain from cheering, applauding, or other such actions. These actions may detract from the merits of the views being expressed to council, generating unwarranted resistance. The attendance of supporters should by itself clearly demonstrate there is support for alternative actions.

Following the presentation, members of council may pose a question to which the spokesperson may not be the best respondent. In this case, you should ask council's approval to defer the question to one of the other citizen delegates.

When the presentation and questions have concluded, your status will shift from a delegate to an observer. You are entitled to observe council's deliberations with certain exceptions.[12] Your attendance, however, is on the condition that you do not disrupt members' debate.[13] Consider the effect your continued presence may have on those deliberations. While some councillors may be comfortable debating publicly, many have difficulty with this aspect of their role.

In some specific instances council can close a meeting to the public. If this should occur, you may be asked to leave the council chambers; however, you are entitled to return when council reconvenes the open meeting following those confidential discussions. Council may then pass a motion regarding the issue. Alternatively, there may be no resolution, signifying that council intends to take no immediate action regarding the matter.

Following the meeting

In the days following the meeting, the municipality may provide you with written confirmation on the outcome of the meeting with council. A written response signifies conclusion of this phase of citizen involvement and ensures that all parties are aware of council's decision. You may wish to clarify your expectation of a written follow-up either during the presentation to council or afterwards with the administrator.

Public Meeting of Voters

A public meeting of voters is not the same as a meeting of council. This public meeting is typically convened to discuss a specific matter and serves to create awareness and build community understanding of the topic.

The outcome of this meeting is not binding on council – it will simply provide council with an opinion poll of those who attended, and possibly a recommended course of action. The final decision regarding the matter resides with council.

Public meetings may be initiated by council[14] or they may arise from a petition.

- For information regarding a petition for a public meeting, please refer to Appendix "A".
- For information regarding conducting a public meeting, please refer to Appendix "B".

If you feel a public meeting of voters is warranted consider the question of timing.

- A public meeting of voters held prior to meeting with council as a delegation provides council with community input.

[12] Section 120 MA; Section 94 CA
[13] Subsection 119(3) MA; Subsection 93(3) CA
[14] Subsection 129(1) MA

- Calling for a public meeting following the meeting with council as a delegation is a strategy that could be used to compel council to reconsider a matter if you were initially unsuccessful.

Plebiscites and Referendums

Plebiscites and referendums are forms of direct democracy where the voters of a municipality are entitled to vote to signify their acceptance or rejection of particular proposals. Voting on bylaws, resolutions and questions must be conducted in accordance with *The Local Government Election Act.*[15]

Promote a plebiscite

Plebiscites may be initiated only by council.[16] Council may respond to formal or informal requests to hold a plebiscite regarding a proposed policy. A petition cannot compel council to move forward with a plebiscite. The outcome of a plebiscite does not bind council to a course of action.

Request a referendum

Referenda may only be initiated by council or the council may be obligated to hold a referendum as the result of a petition of voters.[17] There are prescribed technical requirements for these petitions.

The outcome of a referendum is binding on council if the voters approve the measure. On the other hand if the majority of persons voting do not approve the proposed resolution or bylaw council may exercise its discretionary authority to pass the proposed resolution or bylaw if it wishes to do so.[18]

In those situations where a municipality is required to pass a bylaw or resolution – that is to say, where the referendum result approves the proposed bylaw or resolution – the municipality's ability to amend or repeal the bylaw or resolution is limited. The municipality may proceed with this action if any of the following conditions are met:

- The electors approve the proposed amendment or repeal of a bylaw or resolution through a plebiscite or a referendum;
- Amendment or repeal is necessary to avert an imminent danger to the health or safety of the residents of the municipality; or
- The bylaw or resolution to be amended or repealed has been in place for at least three years and the council provides a minimum of 21 days public notice of its intention to amend or repeal the bylaw or resolution.

If the amendment is non-substantive, the above conditions may not apply.

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[15] Part V applies to referendums in urban municipalities; Part VIII Division 9 applies to those in rural municipalities
[16] Section 130 MA; Section 104 CA
[17] Sections 131 & 132 MA; Sections 105 & 106 CA
[18] Section 137 MA; 111 CA

Petition for referendum

The subject matter of a petition to conduct a referendum must address matters within the jurisdiction of council pursuant *The Municipalities Act* or *The Cities Act*. A petition to conduct a referendum cannot address matters enabled by other legislation such as *The Local Improvements Act, 1993,* or *The Planning and Development Act, 2007*.

The subject matter cannot involve the adoption of an operating budget or a capital budget or the authorization of the municipal tax levy.[19] For example, a referendum regarding upgrades to the water treatment plant may be considered as part of the capital budge, and therefore, beyond the reach of a referendum petition; whereas citizens might petition for a referendum to pass a new bylaw respecting management of the waterworks system.

Technical requirements

Only persons who are eligible to vote within the municipality are qualified to sign petitions requesting a referendum. The minimum number of petitioners required for a valid petition is:[20]

- in cities, electors representing at least 10 per cent of the population; and
- in other municipalities, the greater of
    - 25 voters, or
    - voters representing at least 15 per cent of the population.

Each page of the petition must contain the same statement of purpose and a statement indicating that each petitioner by signing the petition attests he or she is an elector of a city or a voter of a municipality other than a city and has not previously signed the petition.[21] For the purposes of a petition it is important that the petitioners are appropriately identified as an elector or a voter.

In addition to his or her signature each petitioner must include:

- printed surname and given names or initials;
- civic address or legal description of land on which his or her status as a voter is based;
- the date on which the petitioner signed the petition; and
- the signature of a person who witnessed the petitioner signing the petition.

The petition must be accompanied by a signed statement of an individual who indicates:

- he or she is the representative of the petitioners;
- the date on which the first signature was collected; and
- the address to whom the municipality may direct any inquiries about the petition.

[19] Section 132 CA; Section 106 CA
[20] Section 132 MA; Section 106 CA
[21] Section 133 MA; Section 107 CA

Overlooking any of the above requirements may compromise the validity of the petition.

A sample petition and representative's statement can be found here:

- of electors in cities see Appendix "C"; and
- of voters in other municipalities see Appendix "D".

Presentation to municipality

A petition must be presented to the municipality within 90 days after the first person signs the petition. The petition is deemed to be presented to the municipality when it is filed with the administrator. If you present it to council at a meeting rather than filing it with the administrator make sure that this happens before the deadline.

Post-presentation obligations

Within 30 days after the date on which it is filed the administrator is responsible for determining the sufficiency or validity of a petition for a referendum. Names may not be added to or removed from the petition after it has been filed with the municipality. When counting the number of petitioners the following circumstances will result in the signatory being excluded:

- the petitioner's signature was not witnessed;
- the petition page contains a statement of purpose different from that contained on the other pages;
- missing or incorrect printed name of petitioner;
- missing or incorrect civic or legal address of petitioner;
- no date indicating when the petitioner signed the petition; or
- a date indicating the petitioner signed the petition earlier than that specified on the representative's declaration.

Insufficient petition

If the administrator reports that the petition is insufficient council is not required to proceed with the referendum.[22]

Sufficient petition

If the petition is valid council is required to take the following steps in a timely fashion to submit the proposed bylaw or resolution to the voters:[23]

- determine the date for the vote;
- finalize the wording of the draft bylaw or resolution;
- enact an election procedures bylaw or resolution;
- provide notice of the date of the vote; and

[22] Section 135 MA; Section 109 CA
[23] Section 136 MA; Section 110 CA

- provide for the appointment of representatives to observe voting and ballot counting procedures.

Appendix "E" contains detailed information regarding the actions that will be taken by the municipality after it receives a valid petition for a referendum.

Petition for Audit

In the case of a municipality other than a city, voters of a municipality may petition council to undertake a financial or management audit of:

- the municipality;
- a council committee or other body established by the council; or
- a controlled corporation established by council. [24]

Financial or manage audits are different from the annual financial statement audit which is intended to determine if the municipality's financial statements are prepared in accordance with generally accepted accounting principles. In so doing, the auditor is also required by the Act to report any impropriety found during the course of the audit and report to the mayor/reeve of the municipality with a copy to the Minister. Auditors use their professional discretion in determining the materiality of any items mentioned in the management letter.

A financial audit is an audit which identifies:

- instances of fraud, theft, or other financial misappropriation;
- improper or unauthorized transactions;
- non-compliance with provincial or federal statutes;
- non-compliance with municipal bylaws.

A management audit is an audit to:

- review the performance and operations of a municipality to evaluate whether its operations are undertaken economically, efficiently and effectively;
- investigate and identify issues related to the policy, organization, operation or administration of the municipality; and
- propose appropriate solutions to any issues identified during the course of the audit.

To be deemed sufficient, a petition for a financial or management audit must be signed by voters representing at least one-third of the population of the municipality. Further, the petition must also meet the technical requirements of a petition for a referendum. These technical requirements are discussed earlier in this guide – see Plebiscites and Referendums, Technical Requirements.

Within 30 days after the date on which it is filed, the administrator must inform council if the petition for a financial or management audit is or is not sufficient.

[24] Section 140.1 MA

Upon receipt of a sufficient petition for a financial or management audit, council must engage the services of an auditor to conduct the audit within 180 days from the date the petition is received by council. The auditor cannot be the auditor appointed to undertake the municipality's annual financial audit. Council is required to work with the auditor to define the scope of the audit, and to co-operate with the auditor during the audit. The audit must be conducted in accordance with the guidelines and standards as recommended from time to time by the Chartered Professional Accountants of Canada. The municipality is responsible for all costs of the audit.

Within 30 days of receiving the auditor's report, the municipality shall publicize a notice municipal office and in a newspaper circulating within the municipality that the report is available to the public by mail or personal delivery to any person that requests a copy. The exception to this is where misconduct is identified. In this situation, the auditor will send the report to the Deputy Minister of Justice and the municipality cannot make the report public.

Electoral Process

Members of council are elected and hold office for a fixed period of time in accordance with *The Local Government Election Act.* From a citizen's viewpoint the election process will consist of a call for nominations followed by voting for candidates.

Incumbent members of council may view re-election as approval of their performance during their last term. In many cases, individuals who seek office as a member of council including the reeve or mayor may be unchallenged and therefore they are acclaimed to office. Acclamations may also be viewed as approval of past performance or support of an individual's leadership abilities.

Citizens who desire change may offer their services by running for office or by supporting other candidates. The nomination period begins when the returning officer posts the Call for Nominations. It ends five weeks before Election Day.[25]

- In a resort village, Election Day is the last Saturday in July, 2016, and every four years thereafter.
- In other urban municipalities, Election Day is the fourth Wednesday in October, 2016 and every four years thereafter.
- In rural municipalities, Election Day is the fourth Wednesday in October in even-numbered years.
    - Elections for the reeve and councillors representing odd numbered divisions are held in 2016 and every four years thereafter. ;
    - Elections for councillors representing even numbered divisions are held in 2018 and every four years thereafter.

[25] Sections 50 and 160.15 LGEA

The deadline for posting the Call for Nominations is ten business days before the close of the nomination period. [26]

There is no legislation to recall or overturn the election of sitting members of council. Elected members are entitled to serve their full term unless they become disqualified from holding office as provided by legislation. Other than by-elections the general election is your only opportunity to effect change regarding the makeup of council.

Legal Challenge

Citizens retain the right to proceed through the courts to challenge decisions of municipal council however, this option is generally not viewed as simple, inexpensive or quick.

As with the efforts to apply political pressure to members of council your intent to consider a legal challenge involves some initial preparations. You may wish to gather copies of correspondence relating to the matter along with copies of council minutes, bylaws or other relevant documents. Consider researching the legislation particularly *The Municipalities Act* or *The Cities Act* or any other legislation dealing with the activity which is being called into question. Consult with your lawyer to obtain legal advice regarding this process.

You have the right to challenge the validity of bylaws or resolutions within 60 days of their passage.[27] The challenge may focus on three main areas:

- Is the bylaw or resolution illegal due to a lack of substance or form? Did council contravene legislation and/or exceed its legislative powers? The legislation provides guidance to the courts that the municipality's power to pass bylaws is to be "interpreted broadly"[28] and therefore, narrow interpretations may be less likely to succeed;
- Were the proceedings before the passing of the resolution or bylaw non-compliant with the Act or other legislation? In some cases council may be required to provide notice or hold a hearing prior to making a final decision regarding the matter. Proceeding in a manner contrary to that provided by legislation may render the bylaw or resolution susceptible to a challenge; and/or
- Was the process flawed? Failure to provide notice or to ensure that meetings were properly convened or held may compromise a municipality's ability to defend its bylaw or resolution.

Applications to quash bylaws or resolutions of council are heard by the Saskatchewan Court of Queen's Bench.[29] You are strongly advised to obtain the services of legal counsel before proceeding.

[26] Sections 45 and 160.15 LGEA
[27] Section 358 MA; Section 320 CA
[28] Section 6 MA; Section 6 CA
[29] http://www.sasklawcourts.ca/default.asp?pg=queens_bench

Bylaws or resolutions which are passed in good faith by the council may not be challenged on the grounds that the bylaw or resolution is unreasonable.[30] Likewise, bylaws or resolutions may not be challenged on the basis of the qualifications of members of council.[31]

You may initiate legal action if you feel you have been civilly harmed or personally wronged or injured by the municipality. Legal actions may be pursued through Small Claims Court[32] or through the Saskatchewan Court of Queen's Bench.

The Law Society of Saskatchewan maintains a database of judgments which is fully searchable.[33] This online database which can be accessed free of charge, shows many actions against municipalities are unproductive however, there are situations where applicants have been successful.

Municipalities enjoy statutory immunity or non-liability, in certain circumstances including, but not limited to:

- situations where the municipality acts in accordance with its statutory authority unless it is negligent;[34]
- most nuisances arising from public works or utilities;[35] and
- exercising good faith discretionary authority to not take action.[36]

Conclusion

It has been said "democracy is a messy form of government" however, it is a form of government that is clearly accountable to its electors. Municipal government is a form of democracy and accountability and citizens' ability to influence decisions made by their elected officials, is enshrined in this form of government and its legislation.

Open communication is one of the most effective ways to lobby your members of council for specific decisions. Debate the matter with elected members, municipal officials and other citizens. Define the public interest and build political support.

The cliché "it is not possible to please all of the people all of the time" is a lesson quickly learned by many members of council. Likewise councillors, mayors and reeves who consistently disregard public opinion soon discover that they may have little support from electors when seeking re-election. Concerned citizens have opportunities to seek office or to support other candidates who may enjoy more support.

[30] Section 360 MA; Section 322 CA
[31] Section 361 MA; Section 323 CA
[32] http://www.sasklawcourts.ca/default.asp?pg=pc_newSmallclaimshome
[33] http://www.lawsociety.sk.ca/
[34] Section 339 MA; Section 302 CA
[35] Section 340 MA; Section 303 CA
[36] Section 341 MA; Section 304 CA

Municipal policies may be challenged through the courts. Saskatchewan courts have demonstrated their willingness to overturn decisions made in bad faith or where procedural fairness has been compromised.

This document provides information regarding options to influence decisions made by council. The initiatives described in this document do not guarantee success in every instance. More than anything else the success of your efforts will be a reflection of your:

- courage;
- persistence;
- persuasive skills; and
- support from other citizens.

For further information please contact:

Government of Saskatchewan **Ministry of Government Relations Advisory Services**
1010 – 1855 Victoria Avenue
Regina, Saskatchewan S4P 3T2
Phone: (306) 787-2680
Fax: (306) 787-3641

Appendix A – Petition for a Public Meeting

Citizens in every municipality have the right to petition the municipality to call a public meeting of voters.[37] The minimum number of signatures of voters required to compel the municipality to proceed with this action depends on the type of municipality.

- In cities, a petition is to be signed by at least five per cent of the population.
- In resort villages, the petition is to be signed by at least eight per cent of the voters. The petition organizers are encouraged to consult with the administrator to estimate the total number of voters. Few municipalities including resort villages use voters' lists so the exact number of voters and more importantly the minimum number of petitioners, should be clarified.
- In all other municipalities, the petition is to be signed by the greater of:
    - 20 voters; or
    - five per cent of the population.

Persons signing the petition must be eligible to vote within the municipality.

The technical requirements of the petition may differ depending upon the type of municipality.

- In cities the legislation regarding petition requirements does not address the matter of the petition purpose. Therefore, the petition requirements for a public meeting are the same as those for a referendum.
- In municipalities other than cities the legislation regarding petition requirements is specific to petitions calling for a referendum. Consult with the administrator to confirm the minimum requirements for a valid petition which may be less stringent than those required to request a referendum.

When sufficient signatures have been obtained, the petition is delivered to the council which is typically accomplished by delivering it to the municipal administrator. If citizens wish, they may formally present the petition at a council meeting. Make sure that the petition is delivered before the deadline so that none of the signatories are excluded from the petition.

The administrator is responsible to determine the sufficiency of the petition. If the petition is sufficient a public meeting must be held within 30 days of its receipt by council. Council has the right to refuse the petition if it concerns the same or similar subject of a public meeting held as the result of a petition within the past twelve months.

Council is required to provide public notice of this meeting in accordance with its Public Notice Bylaw. The minimum amount of public notice is seven days.[38]

[37] Subsection 129(2) MA; Subsection 103(1) CA
[38] Section 128 MA; Section 102 CA

Appendix B – Conducting a Public Meeting

The mayor or reeve is responsible for calling the public meeting and its location, date and time. Legislation does not address the manner in which the public meeting is to be conducted.

In the absence of statutory requirements one has to rely on generally accepted rules of parliamentary procedure when conducting a public meeting of the voters. Authorities on parliamentary procedure have written many books on the topic most of which are available at book stores or libraries. Potential research documents include *Roberts' Rules of Order*, *Bourinot's Rules of Order* and *Parliamentary Procedure at a Glance* by O. Garfield Jones.

A public meeting of the voters may be held to provide participants with information or to gather public input regarding a particular municipal matter or concern. When such a meeting is held as the result of a petition the petition generally indicates the topic to be discussed. Attendees are usually given the opportunity to ask questions and voice their opinions.

As these meetings are not council meetings decisions affecting the municipality cannot be made. Only council at a duly held council meeting can make decisions affecting the municipality. The attendees may make suggestions and recommendations but these are not binding on council. Since this is a public meeting of the voters the voters may run the meeting with council being present to answer questions and listen to concerns.

One issue to be addressed is that of meeting officials – a chairperson and perhaps a secretary. If a secretary is appointed consideration should be given to the following:

- What information is to be recorded?
- What is to be done with the “minutes” after the meeting?

In many situations the municipal administrator may prepare notes for council’s consideration at a future council meeting. If a municipal record of the meeting is prepared it should avoid verbatim comments and instead focus on key discussion points. Verbatim comments may be repetitious, irrelevant, inflammatory or incomplete and attempts to capture every word may lead to missing critical points.

The selection of the chairperson may be contingent on the purpose of the meeting and manner in which it was called.

- If council initiated the public meeting to provide information and/or solicit public input it may be appropriate for the mayor or reeve or other elected official to conduct the meeting.
- If the meeting is being held as the result of a petition or an anticipated petition it may be beneficial if someone other than an elected official fulfills the role of chairperson. The chairperson may be selected by those attending the meeting through a process of nomination and voting. Another alternative might include council and the petitioners’ representative jointly appointing a neutral, capable individual.

The chairperson is responsible for making the meeting run smoothly and without disruption. The chairperson should be impartial and avoid participation in the debate. He or she should be knowledgeable about parliamentary procedures and be someone who is seen by the community as non-partisan and technically able to run a meeting. The chairperson conducts the meeting in a manner agreed to by those present.

It is a good practice for the chairperson to go over certain “ground rules” and get agreement from the attendees on these rules before discussion starts. Some “ground rules” the chairperson might want to consider are:

- explaining the purpose of the meeting;
- establishing an order of business (agenda);
- attendance by the public (i.e. non-voters) and news media;
- allowing or prohibiting tape or video recordings;
- length of time and number of times a speaker is given the floor; and
- the procedure for handling resolutions if any, while bearing in mind that resolutions will not bind council to a course of action.

Appendix C – Petition for Referendum (Cities)

STATEMENT OF REPRESENTATIVE OF PETITIONERS

TO: THE CLERK OF THE CITY OF _____

Submitted herewith is a petition pursuant to section 106 of *The Cities Act*.

I am attaching this statement to the petition as required by section 107 of *The Cities Act* and:

I do hereby declare that I am a representative of the petitioners and the City may direct any inquiries about the petition to me at the following address:

_____
Printed Name

_____
Address

_____
City Postal Code

_____
Daytime phone number

_____
Other phone numbers where you can be reached

_____

_____
SIGNATURE OF REPRESENTATIVE

_____
DATE SUBMITTED TO THE CLERK

PETITION REQUESTING A REFERENDUM

We the undersigned being electors of the _____ of _____ do hereby petition according to section 106 of *The Cities Act* the Council of the _____of _____ to hold a referendum for the purpose of submitting the following matter to the electors for approval or rejection:

_____

_____
(State clearly the question that is being petitioned for submission to the electors)

(NOTE: Each page must have an identical statement of purpose and must be filed within 90 days of the first signature to be valid)

Each Signatory below hereby attests that he or she is a qualified elector of the municipality and has not previously signed the petition.			
Signature of Elector (Print and Sign Name)	POST OFFICE BOXES ARE NOT ACCEPTABLE **Address** (House and Street Name or Legal Land Description)	**Date Signed**	**Witness** (Must be 18 or over)
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			

Appendix D – Petition for Referendum (other than cities)

STATEMENT OF REPRESENTATIVE OF PETITIONERS

TO: THE ADMINISTRATOR OF _____

Submitted herewith is a petition pursuant to section 132 of *The Municipalities Act*.

I am attaching this statement to the petition as required by section 133 of *The Municipalities Act* and:

I do hereby declare that I am a representative of the petitioners and the municipality may direct any inquiries about the petition to me at the following address:

_____
Printed Name

_____
Address

_____
Town/Village /RM Postal Code

_____
Daytime phone number

_____
Other phone numbers where you can be reached

_____

_____
SIGNATURE OF REPRESENTATIVE

_____
DATE SUBMITTED TO THE ADMINISTRATOR

PETITION REQUESTING A REFERENDUM

We the undersigned, being voters of the _____ of _____ do hereby petition according to section 132 of *The Municipalities Act* the Council of the _____of _____ to hold a referendum for the purpose of submitting the following matter to the voters for approval or rejection:

_____

_____
(State clearly the question that is being petitioned for submission to the voters)

(NOTE: Each page must have an identical statement of purpose and must be filed within 90 days of the first signature to be valid)

Each Signatory below hereby attests that he or she is a qualified voter of the municipality and has not previously signed the petition.			
Signature of Voter (Print and Sign Name)	POST OFFICE BOXES ARE NOT ACCEPTABLE **Address** (House and Street Name or Legal Land Description)	**Date Signed**	**Witness** (Must be 18 or over)
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			
Print Sign			

Appendix E – Municipal Actions after Receiving a Valid Petition

If the petition is valid council is required to take specific steps in a timely fashion to submit the proposed bylaw or resolution to the voters.[39]

- In the case of a resort village where the petition is filed on or before March 1st of the year in which a general election is being held the vote shall be held before the end of the year. If the petition is filed at any other time the vote will be held within nine months after the petition is filed with the municipality.
- In the case of other municipalities where the petition is filed on or before July 1st of the year in which a general election is being held the vote shall be held before the end of the year. If the petition is filed at any time the vote will be held within nine months after the petition is filed with the municipality.

The wording of the draft bylaw or resolution is to be finalized at least eight weeks before the vote.

If council passes the bylaw or resolution requested by the petition then it is not required to proceed with the referendum.

The council may apply to the Court of Queen's Bench for direction if:[40]

- the wording of the petition is unclear,
- there are conflicting petitions or
- for any other reason where the court's direction might be required.

The petitioners' representative or representatives are to be provided notice that the court's direction is being sought and any order the court makes regarding the petition shall govern the referendum vote.

The Local Government Election Act (the LGEA) requires urban municipalities to enact an election bylaw which will address the following matters:[41]

- date of the vote which may correspond to the date of the general election or a by-election;
- time and place that the returning officer will declare the results of the vote; and
- time and place that the returning officer will receive representations and designate observers.

Rural municipalities are required to pass a resolution to address voting issues specifically:[42]

- date of the vote, which may be on the date of a general election;
- appointment of the returning officer;

[39] Section 136 MA; Section 110 CA
[40] Section 138 MA; Section 112 CA
[41] Section 115 LGEA
[42] Section 160.9 LGEA

- location of the polling place for each division;
- appointment of a deputy returning officer and any other election officials the council considers necessary; and
- time and place that the returning officer will count the ballots.

Public notice is to be provided respecting the voting date:

- In urban municipalities the first publication of the notice must occur between three to five weeks before voting day. Although the notice is legislatively required to be published once council may publish it more often. The notice must outline the purpose of the vote. For example, it should say what question is being put to the voters or what is the intent of the proposed bylaw. Borrowing bylaws will include particulars of the debt to be incurred. Bylaws granting a special privilege or franchise are to be published in full. The notice will also indicate when results will be announced and full particulars regarding when and where electors may vote.[43]
- In rural municipalities notice must be provided by publication of a prescribed form in a local newspaper at least eight days before voting day. The prescribed form includes a summary of the bylaw or question being submitted to the voters, the date and location where voting will take place and the date and location where the returning officer will announce the results.[44]

Supporters and opponents of the bylaw or question may oversee voting and ballot counting procedures:

- In urban municipalities the returning officer will receive representations requesting these appointments at the time and location specified in the election procedure bylaw. Up to two members of either side may attend while votes are being cast however, only one member from each side is permitted to attend the counting of the ballots.[45]
- In rural municipalities persons interested in promoting or opposing the proposed bylaw or question apply to the reeve who may authorize two persons to attend on behalf of each applicant at the polling place, the counting of the votes and any recount that might occur.[46]

If the vote results in a tie the effective result is that the referendum was not won and the matter is deemed to be resolved in favour of the status quo.[47]

The provisions respecting voter qualifications, advance polls, voting procedures, recounts and other challenges are the same as those which normally apply to municipal elections.

[43] Section 116 LGEA
[44] Section 160.91 LGEA
[45] Section 118 LGEA
[46] Section 160.93 LGEA
[47] Sections 124 & 160.95 LGEA

Further information regarding this topic may be obtained from the *Election Information* portion of the Ministry's website.[48]

[48] http://www.municipal.gov.sk.ca

FONVCA AGENDA ITEM 8(a)(vi)

http://www.scarboroughcan.ca/sites/default/files/users/Guide%20to%20Organizing%20an%20All%20Candidates%20Meeting%20or%20Debate.pdf

SCARBOROUGH CIVIC ACTION NETWORK

Educate yourself, improve your community.

Guide to Organizing an All-Candidates Meeting

SCARBOROUGH CIVIC ACTION NETWORK

Guide to Organizing an All-Candidates Meeting

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4155 Sheppard Avenue East
Toronto, ON

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Introduction

All-Candidates Meetings are central to democratic processes and are an important element of civic action and engagement.

All-Candidates Meetings are central to the democratic process. These meetings establish connections between candidates and residents; allow voters to make informed decisions on election-day; give candidates the opportunity to present their platforms on issues that matter to residents; and give residents the opportunity to raise issues that they feel need to be addressed by the successful candidate.

This is a step-by-step guide on how to organize an All-Candidates Meeting. This guide will help you carry out an effective and successful All-Candidates Meeting, contribute to local democratic processes and make a substantial difference in the quality of life of individuals in your community.

ICON KEY
Organizational Tasks
Logistics
Communication
Publicity
Secretarial duties

How to Use This Manual

This manual is hands-on and action oriented. Each of the symbols in the 'Icon Key' identifies the kinds of tasks that need to be taken in each step of the process.

If the Organizing Committee decides to do so, they can split up responsibilities based on these icons.

Step 1

Creating an Organizing Committee

Organizing Committees ensure continuity, maximize efficiency and reduce confusion. Once an Organizing Committee is in place, you can allocate responsibilities!

The first step to creating an All-Candidates Meeting is to establish an Organizing Committee responsible for overseeing the organization of the event. Step 1 prepares you to plan the event in an organized fashion and to get residents of the ward or riding involved.

This step is also important because it ensures that the work of organizing the event is divided up so that one person does not end up organizing the event on their own. If the work is divided up properly, you are also demonstrating to the candidates that residents are engaged in and care about the community.

Step 1 consists of…

- **Creating an Organizing Committee**
- **Assigning Roles to Organizing Committee Members**
- **Finding Volunteers**
- **Setting Meeting Dates**

Create an Organizing Committee

The role of the Organizing Committee is to oversee the organization of the All-Candidates Meeting. Establish an Organizing Committee as soon as possible!

The Organizing Committee should be made up of a diverse group of people and be inclusive. Any resident of the ward or riding should be welcome to participate in organizing the event.

Finding Members

Finding people to help organize your All-Candidates Meeting may be difficult. Below, we have identified a number of places to look for individuals to join the Organizing Committee.

Friends and/or Family	Youth groups	Business Associations
Community Workers at your local centre	Neighbourhood Associations	Local organizations

Assign Roles (Optional)

By assigning roles to Organizing Committee members, you can maximize efficiency and reduce confusion of who is meant to do what.

We have identified five positions and their corresponding responsibilities. Whether or not you would like to assign roles to members of the Organization Committee is up to you!

Roles of Organizing Committee Members

Group Coordinator
Creates meeting agendas, acts as the official spokesperson for the Organizing Committee, maintains contact with the Organizing Committee members and ensures that tasks are completed on time. The Local Group Coordinator also provides assistance to the members when required.

Secretary
Takes notes during meeting (minutes) and circulates them to all members of the Organizing Committee. Records the All-Candidates Meeting.

Public Outreach Coordinator
Designs a flyer to advertise the All-Candidates Meeting and distributes promotional materials to Organizing Committee members and other organizations to post flyers and promotional material throughout the ward/riding.

Candidate Recruitment Coordinator
Contacts candidates running in your ward or riding, extends invitations to participate in the All-Candidates Meeting and follows up with the candidates as required.

Logistics Coordinator
Books a suitable venue, organizes the material and equipment required for the event, coordinates the set up of Voter Education Information kiosk at the event and develops and distributes the itinerary of the event to the Organizing Committee.

Set Meetings

Once you have your Organizing Committee in place, set all of your meetings from the date that you first meet, to the date of the All-Candidates Meeting. By setting your meeting dates in advance, you can better avoid scheduling conflicts.

It is recommended that the Organizing Committee meet at least once a month. Between each meeting, members must accomplish the tasks they are responsible for.

Running Organizing Committee Meetings

At each of meetings, you should…

- Review what each individual has accomplished since the last meeting
- Identify what needs to be done, who will carry out the task and when it must be completed by

We encourage that at each Organizing Committee meeting you have the secretary take minutes so that you know what it is you discussed at the meeting.

Finding Volunteers

It is important to ask others in the community if they are interested in assisting to organize the event.

Why? First, the more volunteers, the more you will get the word out about the event and the more people will attend. Second, the more resident volunteers, the more you demonstrate to candidates for City Councillor that the community is engaged and interested in issues that affect their quality of life.

To find volunteers, contact local community centers, libraries and public schools. The more people you get in touch with, the more people know about the event.

When you have gathered volunteers

If you have a lot of volunteers, organize them into 'Working Groups,' depending on their strengths and/or interests. Each working group should have a representative on the Organizing Committee.

When recruiting volunteers, ask: Why might they want to organize this event?
Desire to give community service and give back to the community
Desire to learn about and meet the candidates
Contributing to democracy and the political process
They are asked by friends or business ties
They want recognition of particular causes
To obtain confirmation that the candidates will support their cause

Step 2 Logistics

Choose a date, time and location for the event as soon as possible to ensure that the candidates can come!

The Organizing Committee must decide when and where they would like to have the All-Candidates Meeting. This must be established **as soon as possible** to make sure that all of the candidates can attend the event.

Step 2 consists of…

- **Selecting a date, time and place**
- **Contacting the candidates**

Select a date, time and place

When?

The best time to hold public events is a weekday evening or Saturday.

Tip

It is recommended to give the candidates two choices of dates. That way, the candidates can select the date that is best for them, which limits the possibility of the candidates having a scheduling conflict.

Where?

Reserve a location for the event for the two dates you selected. Look into using a public space such as a library, public school, university/college campus, community centre or a senior's centre because these spaces are often free or can be rented at a minimal cost.

Tip

When selecting a location, make an effort to …

a) Select a space you are confident you can fill. The more packed the space, the more impressive the event appears and the more worthwhile it is for the candidates to attend.
b) Choose a location that is accessible by car or public transit
c) Choose a location that is accessible for people with disabilities

When reserving a location, remember to…

a) Book the time required for set-up and clean-up
b) Ask about insurance and the materials they provide such as chairs, tables and sound systems

Contact Candidates

✓ First, find out who the candidates for City Councillor in your ward are. You can invite *all* of the candidates to be as non-partisan as possible.

✓ Call the candidate and ask to speak to the Campaign Manager or Scheduling Assistant. Ask them if the candidate is available on the first date of your choice. If they cannot make it, ask them if they are available on the second date of choice.

✓ Fax, email or drop an invitation off within a day of contacting the candidate.

✓ Give the candidates three or four days to respond and call them back to secure their attendance.

Tip

Your Letter of Invitation should inform the candidates of the:

- Date, time and place of the event
- Format of the meeting or a point stating that you will follow-up closer to the event with a schedule for the event which will also outline the format of the meeting.

Step 3 Fill in Details

Once you have chosen a date and invited the candidates, you can spend time filling in the details of the event.

Details can make or break an event. The details of the event also set the tone of the event. Filling in the details of an All Candidates Meeting requires the Organizing Committee to make decisions around how you want the candidates to present their platforms and what kind of debate-format you want to use. In this step, the Organizing Committee must also begin to prepare materials that will be required on the day of the event.

Step 3 consists of...

- **Planning the format of the event**
- **Selecting a Moderator, Interview Panel or Timekeeper**
- **Planning the logistics of the event**
- **Preparing questions to ask candidates**
- **Developing Guidelines and Code of Conducts**

Plan the format of the event

There are a number of ways you can format your All-Candidates Meeting. In formal meetings, questions are preselected and each candidate has an equal amount of time to answer each question or speak to identified issues. In informal meetings, constituents are given the opportunity to 'meet and greet' candidates.

Choose any of the below components and custom-make your own event!

Components of All-Candidates Meetings

Welcome & Introduction	Moderator welcomes candidates and guests, and thanks them for attending the event. He/She also reviews the agenda for the evening and the chosen format.	4 min
Candidate Introductions	Candidates are each given an equal length of time to introduce themselves, why they are running and/or present broad issues that are important to them.	1.5-2 min each

Interview Panel: Preselected Questions	Panelists ask the candidates questions that have been *preselected* by the community or Organizing Committee. Questions should be on issues that have been identified by the community. 👍 **Pro:** This allows the community to really think about and ask questions that matter to them. 👎 **Con:** Questions have to be thoughtful and concise – not long and rambling. Ensure questions relate to role of Councillor.	1-2 min each
Interview Panel: Submitted Questions	Residents submit their questions in writing at the beginning and during the event. Panelists randomly draw questions and screen them to ensure that they are on topics that have not been asked, are appropriate, are on issues that would affect the community as a whole (and not just one or two members) and are respectful. 👍 **Pro:** Allows shy people to ask questions. It allows the audience to speak without the possibility of losing control over the event. 👎 **Con:** Puts more pressure on the Panelists. Questions have to be concise. Ensure questions relate to role of Councillor.	1-2 min each
Audience Questions	Moderator asks for questions from the audience. These questions are *not* preselected by the Organizers. Moderator limits questions to a certain amount of time or a certain number of questions. 👍 **Pro:** Voters can ask personalized questions on issues that they believe are important. 👎 **Con:** Audience members can be longwinded and partisan. Moderator's role will be more difficult.	1-2 min each
Candidate Platforms	Candidates are each given the same amount of time to discuss issues that matter to them and their platform. This allows them to go into specific issues they think are important. 👍 **Pro:** Candidates can highlight the issues that matter to them and voters get a better sense of what they do if elected. 👎 **Con:** Candidates will not necessarily speak to issues that matter MOST to the community. They will focus on their own strengths/concerns.	3 min each
Rebuttals	You might want to allow candidates to respond to each other, especially if they are discussing issues that are contentious or important to the community. If you allow rebuttals, give the candidates a specific amount of time to speak so that they do not go off on tangents or arguments! 👍 **Pro:** Candidates will respond if another candidate is not answering a question or not providing enough information. Rebuttals allow for a lively debate. 👎 **Con:** Candidates may point fingers, behave disrespectfully, pick on incumbents or particular candidates and move the event away from issue-based discussion to personality-based discussion.	1-2 min each

Wild Cards	Wild cards allow candidates to rebut, but do so in a controlled manner. Each candidate receives the same number of wild cards (2-5 cards). Each wild card is worth the same number of minutes (1-2 min). Candidates can use their wild cards whenever they like to respond to another candidate. **Pro:** Candidates respond if another candidate is not answering a question, not providing enough information or attacking them. Wild cards allow for a lively but controlled debate. **Con:** Candidates may point fingers, behave disrespectfully, pick on incumbents or particular candidates and move the event away from issue-based discussion to personality-based discussion.	1-2 min each
Meet & Greet	This is a more 'informal' kind All-Candidates Meeting. Constituents and candidates are given time to walk around the room, get to know each other and discuss issues that matter to the community. **Pro:** Meet and Greets allow voters to meet candidates and get to know them on a more personal, informal level. **Con:** This may not allow for adequate discussions of issues that matter to the community. For those who are shy, it might be intimidating to approach candidates.	30 min
Speed Dating	This is slightly more formal than the a meet and greet. For this event format, tables are laid out throughout the room. One candidate sits at each table. Voters are assigned to a table when they enter the room and are given a list of questions they could ask candidates. Each candidate is given 10-15 min to speak with the voters at each table. When time is up and the bell rings, the candidates move to the next table. **Pro:** Allows voters to meet candidates and get to know them on a more personal, informal level. Allows voters to ask questions directly to candidates and demand answers. **Con:** Candidates might take over discussions at the table and not allow voters to speak about issues that matter to them. For those who are shy, it might be intimidating.	10-15 min each
Voter Education	You may want to do a quick reminder for participants regarding how, when and where to vote on election day. It is important to also remind them how to vote if they have not received a Voter Information Card in the mail and are not on the Voter's List.	10 min

Custom-make your own All-Candidates Meeting

When you plan the format of your meeting, remember to be creative! You can choose a number of the components above to mix-and-match.

Tip

Some combinations that work well are:

a) Welcome + Candidate Introductions + Speed Dating/Meet & Greet
b) Welcome + Candidate Platforms + Audience Questions + Rebuttal
c) Welcome + Candidate Introductions + Interview Panel (Preselected questions and/or submitted questions) + Wild Cards/Rebuttals

Plan the detailed logistics of the event

Be familiar with the venue

✓ Make sure that there are enough chairs and tables. If there are not enough available, look into renting chairs and tables early. Make sure to get quotes from a number of rental places because these costs can add up!

✓ Familiarize yourself with the acoustics in the space. Think about if you will need a microphone and sound system.

✓ Have a sense of how you want the space to be set up before the event.

Plan the timing of the event

How much time do you want to allocate to Voter Education, if any?

How much time do you want to allocate to each component of the All-Candidates Meeting?

Tip

Try to keep your event around 2.5 hours. It is difficult to do, but many people cannot stay for longer than this!

Example of Organization of the All-Candidates Meeting

Components of Event	Who	Time Allocated
Voter education	Organizers	10 Minutes
Welcome Review Agenda	Moderator	5 minutes
Introduction of Candidates	Candidates	1.5 minutes each x 5 = 7.5 minutes
Preselected Question 1	Panelist	1 minute
Answers	Candidates	2 minutes each x 5 = 10 minutes
Preselected Question 2	Panelist	1 minute
Answers	Candidates	2 minutes each x 5 = 10 minutes
Questions from audience	Candidates	30 minutes all-together
Closing Thank You Where you can get more information	Moderator	3 Minutes

Select a Moderator, Interview Panel & Timekeeper

Moderator

The role of the moderator is to introduce the event and candidates. The moderator moderates audience questions, keeps the event moving on time, is responsible for ensuring that each candidate is given the opportunity to answer each question, and maintains a respectful environment throughout the debate.

Interview Panel

The interview panel is responsible for posing questions to the candidates at the event. If you choose to ask preselected questions, the panel simply asks the candidates the questions. However, if you choose to have questions submitted in writing by the audience at the event, the panel must read through the questions on the spot and select the questions they feel best represents the community.

It is recommended that the Organizing Committee selects a diverse group of people, including diverse ages and genders.

Timekeeper

The role of the timekeeper is to keep the track of how long each speaker and candidate speaks for, and notify them when they are running out of time.

Prepare Questions to Ask Candidates

✓ Learn the role of City Councillors and what they have influence over

✓ Examine what matters to communities in your Ward
- Surveys
- Speak to friends and colleagues

✓ Draft your own questions
- Short and concise
- Ensure that preambles and questions do not turn into speeches
- Personalize questions by making reference to the community or personal experiences
- Make sure that anecdotes are well articulated

✓ Select which questions will be asked
- Choose questions on diverse topics/issues

Develop Guidelines and Code of Conduct

Guidelines for Panelists

To prepare the interview panelists, you might want to develop some guidelines for them to follow. Below are examples of guidelines.

- Feel free to read a number of questions to get a sense of what kinds of questions the audience is asking. Also, feel free to combine questions if there are a number of questions on the same topic.
- Present questions so that there is a natural flow to the debate. For example, ask a question on a specific topic and then follow with a general question.
- Ensure that topics are not addressed more than once, so a broad range of issues are covered in the limited time available
- Have discretion to select questions that are more concrete and challenging, versus vague and unfocused
- You do not have to read the questions directly as they are written. If you are able, focus questions, present them in a respectful manner and express them as eloquently/succinctly as possible
- Do not pose questions that require candidates to say who they will vote for in the election
- Do not pose questions that are only addressed to one candidate. All questions must be addressed to all candidates

Code of Conduct

Sometimes debates can get rowdy. It is important to set ground rules so that candidates and guests are aware that disrespectful comments and behavior will not be tolerated. Feel free to say: "If you feel that you are unable to abide by the code of conduct, we ask that you do not attend this event."

You can send the code of conduct before the event to the candidates, post these guidelines on the doors of the event location or print these off for the candidates to sign before the debate.

Below are a number of rules that you can use at your events.

- A reasonable decorum will be expected by the guests and candidates to ensure a fair and equitable discussion. The moderator will ensure and maintain a productive and respectful environment.
- If anyone acts out of line and fails to maintain a reasonable decorum, they will be asked to leave the event immediately. We take the security and respect of candidates and guests very seriously.
- We ask the candidates to respect each other by not speaking over one another and speaking to each other in a civilized manner.
- We ask the audience to respect the candidates and applaud good ideas rather than the candidates themselves.
- No campaign related information can be passed out inside of the debate room– if you wish to hand out material, do so before and after the question and answer period at your table. No campaign related buttons, banners or posters are allowed in the debate room.

Step 4 Publicize

Prioritize publicity!

It is important to start advertizing as soon as you can so that people are aware of the event before their schedules become overwhelmed. Make use of a number of methods to get the word out.

Publicizing

Contact local media, including community weeklies

You can do this by sending a brief email to a journalist with who, what, where and when information of your event.

Put up flyers

Put flyers up in public spaces. These include community centers, libraries, cafes, bus stops, apartment buildings and so on. They should all be located in your ward.

Contact Community Centers and Local Agencies

Speak to community workers at your Community Centers and Agencies. Request that they bring people to the event.

Call friends, families and colleagues

Ask those you know to come! Ensure that they live in your ward and remind them to bring others!

Send emails to networks

Networks like SCAN have large contact lists. If you send a brief email with important details to these networks, they might agree to distribute it.

Tip

Remind people to come to the event the week before it happens. This is important to get people out because they might forget that the event is taking place.

As well, use word-of-mouth as much as possible. People are more inclined to come to an event if personally asked.

Step 5 The Day Of

The day of any event can be busy. Be as organized as possible!

To ensure that the event runs smoothly and is as beneficial as possible, it is very important to be as organized as possible. Make sure that you have all the materials you require for the event ready.

Step 5 consists of…

- **Gathering materials**
- **Taking notes of the Meeting**
- **Setting up a voter education table**
- **Promoting Civic Action in Scarborough**

Gather Materials

The following is a list of the materials you may need on the day of the event.

Stop Watch	To keep track of the time
One yellow & one red piece of paper	To indicate to the speakers and candidates how much time they have left to speak Yellow = 20 second warning | Red = time's up
Tables & Chairs	Tables required for the candidates, time keeper/panelists & candidate's campaign materials
Pads of paper & pens	For the candidates so that they can take notes
Microphone	If required
Name Cards	To be placed in front of each candidate
Computer & Projector	To give the Voter Education presentation
Copies of the agenda	Organizing Committee needs copies to keep the event moving forward & knows what is happening
Voter Education Materials/Resources	You can obtain these from SCAN
Wild Cards	If required

Taking Notes of the Event

It is recommended that you have someone take notes of the event or record the event (video or audio). This generally falls under the responsibilities of the Secretary.

Notes should include:

- Which questions were asked
- How the questioned were answered by the candidates
- The verbal commitments made by the candidates

Set up a Voter Education Table

It is very important to have a table dedicated to Voter Education. Here, constituents can pick up information about voting and can ask questions.

Promote Civic Action in Scarborough

SCAN is a well-known network in Scarborough. It organizes many events every year, bringing organizations and individuals together to discuss issues that matter to Scarborough residents as citizens of Toronto, Ontario and Canada. It also plays an important role in mobilizing towards civic action and engagement.

As the organizers of the event, you represent one of many Scarborough Civic Action Network groups carrying out voter education throughout Scarborough. We hope that you use this platform to promote future engagement within your community.

We have provided a sign-up sheet for those interested in becoming members of the Scarborough Civic Action Network and in staying informed.

Step 6 After the Event

Congratulations on completing your event! After the event, it is important to complete some specific tasks.

Upon completing your event, it is important to debrief and wrap up some loose ends. These final steps are an important part of organizing the event because it allows you to learn from the challenges you experienced and establish relationships with the candidates and SCAN.

Debrief Organizing Committee

Debriefing does not have to take a long time but it is important. Debriefing consists of reviewing and assessing the successes and challenges of organizing the event, how efforts could be improved for the next election and perhaps discussing the commitments made by each candidate.

This meeting should not take longer than an hour. The secretary should take minutes of this meeting.

Follow up

With Candidates

- Send a 'Thank you' note to each of the candidates for participating in the event. Also thank the moderator, panelists, timekeepers and volunteers.
- Reiterate your support for specific commitments they made, which the Organizing Committee also supported

With Scarborough Civic Action Network (SCAN)

- Report the successes and challenges of the All-Candidates Meeting
- Forward the completed SCAN membership form
- Send any stories or pictures!

FONVCA AGENDA ITEM 8(b)(i)

Metro waste-to-energy facility in doubt after government rejects regional bylaw

High-profile lobbyists blamed for convincing Victoria to block Bylaw 280

BY LARRY PYNN, VANCOUVER SUN OCTOBER 17, 2014

Ralph McRae, chair of NorthWest Waste Solutions, opposed Bylaw 280 and seeks to open a 'mixed-waste-material recovery facility' — known as MRF — to process waste from multi-family residential buildings and the industrial/commercial/institutional sector.

Photograph by: Arlen Redekop, Vancouver Sun

The future of a $470-million waste-to-energy project is in doubt after the B.C. government Friday rejected a Metro Vancouver bylaw that would have prohibited waste generated within the region from being transported outside to Abbotsford and beyond to Washington state.

Metro Vancouver chair Greg Moore said regional officials must now meet to determine the future of regional waste management and the prospects for meeting aggressive diversion targets.

"Disappointment is an understatement," the Port Coquitlam mayor said in an interview. "We will need to review all elements of the plan from disposal bans to recycling, to landfilling, to transfer stations and waste to energy."

Moore fingered two companies — Belkorp, operator of the Cache Creek landfill, and hauler BFI Canada/Progressive Waste, which also operates an Abbotsford transfer station — for a high-profile lobbying campaign that persuaded the government.

Belkorp hired lobbyist John Les, the former solicitor general and Chilliwack MLA, as well as former Metro Vancouver chief financial officer Jim Rusnak.

BFI/Progressive hired Dimitri Pantazopoulos, who served as Premier Christy Clark's principal secretary and assistant deputy minister of intergovernmental relations, and also as the Liberals' chief pollster during the 2013 provincial election.

BFI/Progressive executive vice-president Dan Pio praised Environment Minister Mary Polak for "taking the time to carefully consider the consequences of the proposed bylaw on taxpayers and businesses. There is no room for a monopoly in the management of waste."

He added that the province's decision paves the way for the private sector to make greater investments in waste-handling facilities that can more efficiently remove recyclables.

Belkorp vice-president Russ Black called Moore's response a case of "sour grapes" and the province's decision balanced. "The principle of increased taxation in building a $500-million incinerator hasn't resonated with … business groups who have to pay for it."

Polak said in a letter to Moore she rejected Bylaw 280 because:

• It "stifles competition," limits options potentially at taxpayers' expense, may result in increased dumping due to increased tipping fees, and might not stop the flow of waste outside the region.

• A recently launched recycling program for packaging and printed paper funded by producers "stands to eliminate the need for flow controls."

• It could have a "destabilizing" effect on the "established waste management system," particularly private companies in the multi-family and industrial-commercial-institutional sectors.

• It might fail to "withstand a trade challenge."

Polak also announced that Marvin Hunt — Liberal MLA for Surrey-Panorama, former Surrey councillor, and former chair of Metro Vancouver's waste committee — will conduct a three-month review of Metro Vancouver's solid waste management plan "focusing on the multi-family and industrial-commercial-institutional waste streams."

The review will also address "the role local government and the private sector play in maximizing diversion from landfills."

Sharon Gaetz, chair of the Fraser Valley Regional District, applauded the province's decision, saying she hopes that Metro Vancouver now abandons any plans for an incinerator that would add emissions to the airshed.

Bylaw 280, approved by Metro Vancouver one year ago, sought to ensure that garbage generated in the region is processed at regional facilities — not transported to areas such as Abbotsford to avoid waste prohibitions and exploit lower dumping charges, and to ultimately be shipped south to a private landfill in the arid Columbia River region of Washington state.

Metro Vancouver vice-chair Raymond Louie criticized the province for ignoring the wishes of 23 communities within the regional district.

“I find it unfortunate that it has taken a year to arrive at a decision that simply avoids the realities of maintaining and enhancing an effective recycling system in favour of the interests of a few big haulers and landfill owners,” the Vancouver councillor said.

Metro Vancouver estimates about 160,000 tonnes of waste will be shipped south through Abbotsford into Washington in 2014 — about 100,000 tonnes of that, or 10,000 truck loads, from Metro Vancouver, up from 50,000 tonnes in 2012.

This represents about 20 per cent of the commercial trash collected in the region this year and a loss of about $11 million in tipping fees, the region estimates.

Moore argued that by diverting garbage away from Metro Vancouver, private companies are undercutting the region’s waste-diversion targets of 70 per cent by 2015 and 80 per cent by 2020.

Ralph McRae, chair of NorthWest Waste Solutions, also opposed Bylaw 280 and seeks to open a “mixed-waste-material recovery facility” — known as MRF — to process waste from multi-family residential buildings as well as the industrial/commercial/institutional sector.

McRae has visited MRFs in the San Jose, Calif., area and is confident that modern technology is capable of extracting 80 per cent of garbage in the form of compostable/recyclables.

Moore said he’s not convinced MRFs have proven they can effectively handle the region’s waste.

McRae noted that Hunt was “instrumental in crafting” Metro Vancouver’s Integrated Solid Waste and Resource Management Plan. He criticized Metro for losing its way in its “dogged efforts to increase its annual revenues and build an incinerator that no one wants or needs.

“The private sector is ready, willing and able to deliver the diversion targets the plan demands.”

Black said that Belkorp already has a Coquitlam site where it proposes to build a facility to take a “last pass” at waste to remove recyclables such as organics, paper, plastics and metals, a move that would ultimately rob the region of enough material to fuel another waste-to-energy facility.

“Bylaw 280 was always about protecting the volume and fuel value for an incinerator,” he argued, adding the bylaw would have created a “police state around waste.”

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FONVCA AGENDA ITEM 8(b)(iii)

http://www.pentictonherald.ca/news/article_313d346a-5cb5-11e4-a9fb-0017a43b2370.html

The price tag for seeking legal action against Elvena remains a mystery

Herald staff | Posted: Saturday, October 25, 2014 7:10 pm

Vancouver law firm went after 75-year-old woman

Elvena Slump, left with husband Ernie

Penticton taxpayers might never find out the true cost of legal action against Penticton senior Elvena Slump who penned a series of letters to local politicians and senior administrators.

Just prior to the Labour Day weekend, Slump received a letter from the Vancouver law firm of Harper Grey LLP demanding an apology for critical statements made towards CAO Annette Antoniak, chief financial officer Colin Fisher and communications manager Simone Blais. The

law firm described Slump's email, which was carbon copied to the Penticton Herald (but not published) "defamatory and unfounded."

Slump refused to apologize and in turn hired her own lawyer and held a press conference on the steps of city hall. A fundraiser hosted by businessman David Prystay raised $1,650 for her legal expenses which she instead donated to the food bank and South Okanagan Women in Need Society.

The City appears to have backed down as Slump, nor her lawyer Paul Varga of Pearce Taylor Schneiderat in Penticton, have since heard back.

Penticton Mayor Garry Litke previously stated that other citizens received similar letters quoting Worksafe BC regulations which prohibit any form of bullying in the workplace. The mayor agreed that Slump did not make any physical threats.

Litke described Harper Grey as "the top libel lawyers" in B.C. and said he was uncertain what the cost of the action against Slump would be.

The Herald filed a freedom of information request asking what the final bill was. The City responded after the 30-day deadline had expired, and the request was declined.

"With regards to your request for letters from Harper Grey LLP and the costs associated with those letters, I am unable to provide you with any information as it falls in its entirety under the exception for Legal Advice and is subject to solicitor client privilege," wrote Dana Schmidt, corporate officer for the City of Penticton.

The City also declined a request by The Herald for copies of similar letters sent to other citizens and the cost involved (with the name of the recipient blacked out.)

The Herald filed an appeal, Friday, noting that not only did the City receive "advice" but it took a definite action by sending Slump a letter.

Several lawyers contacted by The Herald on the condition of anonymity said based on Litke's description and the strong reputation of Harper Grey, the action against Slump could cost upwards of $10,000 depending on the amount of preparation time that was required.

NEWS-CLIPS for Oct 13 – Nov 16 2014

Afforda-BULL.pdf
B.C. Assessment denies Vancouver businesses a tax break.pdf
B.C. election reform proposals ignored.pdf
Binging bear trapped in British Properties.pdf
By default.pdf
Carolan's column confuses.pdf
Cast your vote to end gridlock.pdf
City manager says property tax 'hot spots' are on her radar.pdf
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Density and development heat up City of North Vancouver debate.pdf
Distinct visions in city mayor's race.pdf
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Housing affordability a hot topic.pdf
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LETTER_ Taxi firms must adapt or accept their fate.pdf
Massive property transfer planned from BC Housing to non-profit agencies.pdf
Metro waste-to-energy facility in doubt after government rejects regional bylaw.pdf
Mountain Highway Overpass being replaced with full interchange.pdf
MountainHighwayOverpass-668x392.jpg
MP Saxton Announces Highway 1 and Mountain Highway Interchange to Benefit from Government Partnership.pdf
My Vote Matters group aims to boost Vancouver's voter turnout.pdf
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Nanaimo considering cat licence policy.pdf
No 'dirty secrets' at district.pdf
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Parting words from the departing.pdf
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Public-Hearing-Notice-on-Coach-Houses.pdf
Reduce parking, promote ride share.pdf
Social media election day ban upsets Vancouver's mayor.pdf
Solution to empty houses.pdf
Speech therapy.pdf
The trouble with lame duck 'continuity'.pdf
There goes the neighbourhood.pdf
Time for a real estate reality check-text.pdf
Time for a real estate reality check.pdf
Towers approved for Lower Capilano.pdf
Traffic help on the way.pdf
Transit, density dominate City of North Vancouver mayor debate.pdf
Trick or treat.pdf
Vancouver Sun ePaper- Three- quarters of Metro neighbourhoods are too expensive for typical families.pdf
Voting in civic elections matters.pdf
West Vancouver tops spending list.pdf