



FONVCA AGENDA

THURSDAY September 16th 2010

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

Time: 7:00-9:00pm

Chair: K'nud Hille – Norgate Park C.A.

Email: kshille@yahoo.com **Tel:** 604-980-8762

Regrets: Val Moller (attending other meeting at hall)
Cathy Adams (attending other meeting at hall)

1. Order/content of Agenda

2. Adoption of Minutes of June 17th

<http://www.fonvca.org/agendas/sep2010/minutes-jun2010.pdf>

3. Old Business

3.1 Council Agenda Distribution - continued

<http://www.fonvca.org/agendas/jun2010/council-agenda-distribution.pdf>

Survey of Aug 23/2010

WEB posting (www.dnv.org)	Yes but step backward...large pdf, no links
Facebook (Wall)	Yes
Paper copy in libraries	Cap – avail. – not archived Lynn – not current – archived Parkgate – not available – printout free on demand
Sunday North Shore News	Listing of items not done
Paper Copy at District Hall	Yes

- 3 citizens spoke to council on Mon Aug 23 on retro steps taken recently on public distribution of council agenda

3.2 Renewal of FONVCA.ORG in Oct/2010

- need to collect dues for another 3-5yr term
- cost is ~ \$100/yr

3.3 Update on OCP Process

OCP Required Content

<http://www.fonvca.org/agendas/sep2010/OCP-Required-Content.pdf>

4. Correspondence Issues

4.1 Business arising from 20 regular emails:

4.2 Non-Posted letters – 0 this period

5. New Business

Council and other District issues.

5.1 Next Shirtsleeve Meeting – Oct 12/2010

Topics...?

OCP: Where is the meat?

Taxes: What can be done if they are out of control.

Ref: Sun Article of 21Jun2010:A tool to help citizens fight City Hall

<http://www.vancouversun.com/homes/tool+help+citizens+fight+City+Hall/3180222/story.html?id=3180222>

<http://www.taxpayer.com/sites/default/files/RatepayerTPJune2010.pdf>

5.2 Public consultation should be mandatory?

Should public consultation be mandatory when public bodies make decisions which could negatively impact a community? Eg. Sculpture in Deep Cove

<http://www.nsnews.com/entertainment/Cove+sculpture+meeting/3494570/story.html>

<http://www.theprovince.com/news/Petition+launched+against+proposed+Deep+Cove+Park+sculpture/3437476/story.html>

5.3 Importance of Topsoil – Law & Policy Primers

<http://www.waterbucket.ca/gi/sites/wbcgi/documents/media/288.pdf>

<http://www.waterbucket.ca/gi/sites/wbcgi/documents/media/289.pdf>

5.4 Charlottetown Primer on Roundabouts

<http://www.city.charlottetown.pe.ca/roundabout.php>

5.5 Budget Review for Program Cuts

- status

- HST impact on DNV budget

5.6 New Development near Raven Pub

5.7 Review Guidelines for Discussion Topics

“Our mandate is to improve the quality of life in our neighbourhoods. Furthermore, the Federation is a forum for the common concerns of member associations and its purpose is to strengthen these organizations through the sharing of information and experience.”

limit to Council impact/influence only

→

all topics of general interest

5.8 Request to coordinate meetings at Hall

http://www.fonvca.org/letters/2010/14jun-to/Cathy_Adams_10sep2010.pdf

DNV Staff scheduled Community Meetings should minimize conflicts with other Community Meetings held at Hall.

6. Any Other Business

6.1 Legal Issues

a) How CNV dealt with “illegal fourplex”

Jul 31/2009 NSNEWS article

<http://www.vancourier.com/news/keep+illegal+fourplex+turfed/2859718/story.html>

May 26/2010 Supreme Court decision

<http://www.courts.gov.bc.ca/jdb-txt/SC/10/07/2010BCSC0743.htm>

Jun 20/2010 NSNEWS article

<http://www.nsnews.com/story.html?id=6aaf667a-8179-486c-90f4-e4e9c0a21227>

b) Crisis in Lillooet Governance

"Council will decide whether to approve a bylaw making it illegal to post any signs or posters without a permit and illegal to meet in public without a permit whether it's for a political meeting or a picnic."

Read more:

<http://www.lillooetratepayers.org/content/crisis-lillooet-governance-aug-2010>
<http://www.vancouver.sun.com/news/Lillooet+attempts+turn+water+complaints/3430567/story.html>

c) Update on Sign-Bylaws in Canada

http://www.millerthomson.com/docs/Freedom_of_Expression_and_Sign_By-Laws_in_Canada_Where_are_we_now.PDF and
<http://spacingmontreal.ca/2010/07/19/court-throws-out-montreal-anti-postering-bylaw/>

d) Signage and Tax Revenue (TPST)

<http://wx.toronto.ca/inter/it/newsrel.nsf/0/10dedcb75d7018b4852576fd00557488?OpenDocument> and worth a read is
http://www.toronto.ca/legdocs/municode/1184_693.pdf

6.2 Any Other Issues (2 min each)

a) Metro advised to boost taxes (attached)

<http://www.vancouver.sun.com/business/Boost+Metro+power+report+advises/3285892/story.html>

b) Grouse Grind Incident (multiple attachments)

-Grouse-Grind-outrage

<http://www.vancouver.sun.com/opinion/Hiker+outraged+resort+didn't+help+ailing+woman+Grouse+Grind/3397209/story.html>

-grouse-grind-blame

<http://www.vancouver.sun.com/opinion/op-ed/Grouse+Mountain+takes+blame+Metro+neglect/3411339/story.html>

-grouse-grind-metro

<http://www.vancouver.sun.com/opinion/Grouse+Grind+issue+about+assigning+blame/3435397/story.html>

c) Fourth review of climate science of IPCC

- EPA vindicates science.

<http://www.epa.gov/climate/climatechange/endangerment/downloads/responses-volume2.pdf>

<http://www.realclimate.org/index.php/archives/2010/02/ipcc-errors-facts-and-spin/>

The above "clarifies" some misconceptions that result from 2Sep201 SUN article:

<http://www.vancouver.sun.com/technology/road+rebuilding+trust+climate+science/3472844/story.html>

d) Proposed New Community Amenity Contributions

- applies to newly rezoned/developed properties to supply community amenities with predictable costs to developer

- 50% of "uplift" seen as viable

-not to be confused with Development Cost Charges -DCC

http://www.dnv.org/upload/documents/Council_Presentation/1421990.pdf - Coriolis Consulting Corp – june/2010

More: <http://www.dnv.org/article.asp?a=4904>

e) Tax Rates Explained (NSN Jul 21)

http://www.nsnews.com/story_print.html?id=3301739

"Slicing the municipal tax pie is a complicated process" – Mayor Walton – NSN Jul 21

- good historical content

http://www.nsnews.com/story_print.html?id=3304123

"Reviewing tax rates only part of picture" –

Elizabeth James – NSN Jul 21

http://www.nsnews.com/story_print.html?id=3276011

"Sharing municipal tax pain"

Elizabeth James – NSN Jul 14

f) Increasing cost of local government (NSN Jul 18)

http://www.nsnews.com/story_print.html?id=3292590

-by Bill Bell

g) How Facts Backfire

http://www.boston.com/bostonglobe/ideas/articles/2010/07/11/how_facts_backfire/

Facts don't necessarily have the power to change our minds!

h) New Liquor Licence Rules:

http://www.leg.bc.ca/39th2nd/1st_read/gov20-1.htm

Some of the changes (see sections 114+ of Bill 20) remove local government involvement in applications

http://www.vancouver.sun.com/story_print.html?id=3366031

No consultation with province, contrary to Community Charter. See also

http://www.vancouver.sun.com/story_print.html?id=3366033

i) North Shore Crime Stats

http://www.nsnews.com/story_print.html?id=3331978

Crime severity index in DNV (one of lowest in Canada) is about half that in CNV.

j) Demographics of DNV vs. Toronto

<http://www.fonvca.org/agendas/sep2010/pop-toronto-vancouver-and-map.pdf>

k) DNV collects \$413,063 from traffic fine revenues

NSN – Jul 28/2010

http://www.nsnews.com/story_print.html?id=3333666

l) Tool to help fight City Hall – SUN Jun 21/2010

http://www.vancouver.sun.com/story_print.html?id=3180222

<http://www.taxpayer.com/sites/default/files/RatepayerTPJune2010.pdf>

m) Public Bicycle Sharing Systems

Paris:

<http://www.vancouver.sun.com/travel/Gear+shift+continues+Paris/3393732/story.html>

Hamilton:

http://www.raisethehammer.org/blog/1907/hamilton_ready_for_bike-sharing

Best Review:

http://en.wikipedia.org/wiki/Bicycle_sharing_system

7. Chair & Date of next meeting.

Thursday October 21st 2010

Attachments

-List of Email to FONVCA - **ONLY NEW ENTRIES**

OUTSTANDING COUNCIL ITEMS-Cat Regulation Bylaw;

Review of Zoning Bylaw; Securing of vehicle load bylaw; Snow removal for single family homes bylaw.

FONVCA Received Correspondence/Subject
14 June 2010 → 12 September 2010

LINK	SUBJECT
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_2jul2010.pdf	Biking and Hiking don't belong together...
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_7jul2010.pdf	Sage Wisdom out of the Past (and present) – Hiking and Biking
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_11jul2010.pdf	Why is DNV catering to only the 2%? (Bikers)
http://www.fonvca.org/letters/2010/14jun-to/Wendy_Qureshi_20jul2010.pdf	Amalgamation on the North Shore
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_21jul2010.pdf	A 12 year old Delta girl was killed during a mountain bike ride
http://www.fonvca.org/letters/2010/14jun-to/Brian_Platts_1aug2010.pdf	Bylaw Enforcement
http://www.fonvca.org/letters/2010/14jun-to/Wendy_Qureshi_7aug2010.pdf	Highrises will ruin Lynn Valley
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_10aug2010.pdf	Mountain bikers just can't help themselves...
http://www.fonvca.org/letters/2010/14jun-to/Brian_Platts_16aug2010.pdf	Yard Waste 6-Bag Limit
http://www.fonvca.org/letters/2010/14jun-to/Wendy_Qureshi_17aug2010.pdf	Apathy at the municipal level is the key
http://www.fonvca.org/letters/2010/14jun-to/Corrie_Kost_19aug2010.pdf	Agenda for Council Meetings – large PDF
http://www.fonvca.org/letters/2010/14jun-to/Corrie_Kost_19aug2010b.pdf	Agenda list in NSN for Council Meetings
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_20aug2010.pdf	Of common sense, good behaviour and decency...
http://www.fonvca.org/letters/2010/14jun-to/Corrie_Kost_23aug2010.pdf	Agendas for Council Meetings (format)
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_23aug2010.pdf	Like DNR, like DNV? (mountain biking)
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_25aug2010.pdf	"...and not a single tree will be harmed..." (!?) - Mountain biking
http://www.fonvca.org/letters/2010/14jun-to/Monica_Craver_27aug2010.pdf	effect of development and industrial expansion into wildlife habitat
http://www.fonvca.org/letters/2010/14jun-to/Irwin_Jerome_29aug2010.pdf	Proposal for a Community Tree Preservation Ordinance
http://www.fonvca.org/letters/2010/14jun-to/Colin_Hemmes_8sep2010.pdf	Thanks for Mt. Fromme Trail upgrades
http://www.fonvca.org/letters/2010/14jun-to/Cathy_Adams_10sep2010.pdf	Request to Co-ordinate meetings at DNV Hall

FONVCA

Minutes June 17th 2010

Place: DNV Hall, 355 West Queens

Time: 7:00pm

Attendees

Dan Ellis(CHAIR) Lynn Valley C.A.
Diana Belhouse Delbrook C.A. and
NV Save our Shores Soc.
Cathy Adams(NOTES)Lions Gate N.A.
Val Moller Lions Gate N.A.
John Hunter Seymour C.A.
Eric Andersen Blueridge C.A.

Regrets: Corrie Kost Edgemont C.A.

The meeting was called to order at 7:09 PM

1. ORDER / CONTENT OF AGENDA

3 items were added under Any Other Issues.

- a) Community Services Initiative
- b) Blueridge Community Days
- c) Delbrook Bylaws Issue

2. ADOPTION OF MINUTES - May 20th 2010

Adoption moved by John Hunter, seconded by Val Moller. Last month's minutes were adopted as circulated.

3. OLD BUSINESS

3.1 Council Agenda Distribution

There was discussion on the topic of how the council agenda gets distributed, and the effectiveness. Just some of the agenda topics are being included in the District Dialogue page, and sometimes there is only a reference to where to access the agenda, such as the District web page, libraries, etc. This was the case on June 4th. When the North Shore News covers the agenda, their article listing agenda items is usually incomplete.

***Action – John Hunter will follow up on this with the District. The request will be that all agenda items for Council meetings be listed in the District Dialogue, and that it be placed in the Friday paper, instead of Sunday.**

3.2 Renewal of FONVCA.ORG by Oct/2010

The cost for the website is \$100. per year. We would like to collect a total of \$300. so that the renewal can be for 3 years. While some community associations have contributed the suggested \$20. , many have not.

***Action – John Hunter will follow up with DNV on the possibility of some funding. Possibility of accessing Healthy Neighbourhood Funds for this purpose?**

3.3 Update on OCP Process

There are two sessions this month, titled Directions and Choices. One was last night (June 16th) with a second one scheduled for June 19th. The forum included presentations, display boards and a series of skits by Theatre Sports. Four high level strategic moves have been put forward by the District. Message boards to solicit reaction to statements were provided, along with “sticky notes” for use by participants.

Concerns were raised at the FONVCA meeting that the questions being asked are designed to be uncontroversial and a “slam dunk” as far as the responses solicited. Where are the questions such as “**Do we want 20,000 more people in the District by 2030?**” The general feeling was that the questions being asked are based on an underlying message “this is going to be the case...”.

Issues brought up at the FONVCA meeting included:

- more density proposed, without associated park space;
- that this has been a self selection process, without going out to the public, via surveys, for example;
- there has not been any costing provided;
- the process has been too long, and too repetitive;
- there are too many initiatives;
- and there is no mention of the need to control costs.

On the issue of Local Plans – are they going to continue to exist? If so, in what form? No answers yet.

The Community Charter has a section on what is required to be included in an OCP.

There was real concern expressed around the table on the OCP process, and the preconceived notions being put forward. Does development pay its own way? There was a study done that suggested it does not. The OCP Roundtable has expressed concern that the costing for initiatives, etc. has not been done. An analysis of services also needs to be done.

4. CORRESPONDENCE ISSUES

4.1 Business arising from 1 regular e-mail

No discussion.

4.2 Non-posted letters – 0 this period.

5. NEW BUSINESS

Council and other District Issues

5.1 DNV Energy and Green House Gas Emissions

<http://www.env.gov.bc.ca/cas/mitigation/ceei/pdf/2007North-Vancouver-DM.pdf>

http://www.env.gov.bc.ca/cas/mitigation/ceei/RegionalDistricts/Metro-Vancouver/ceei_2007_north_vancouver_district_municipality.pdf

Lots of information provided through links to reports, etc. Question about whether some of this information has been used in the OCP process?

For all munis...

<http://www.env.gov.bc.ca/cas/mitigation/ceei/reports.html>

<http://www.env.gov.bc.ca/cas/mitigation/ceei/pdf/ceei-user-guide.pdf>

http://www.bchydro.com/about/company_information/reports/gri_index/en8_2_greenhouse.html

<http://www.toolkit.bc.ca/ceei>

<http://www.bcclimateexchange.ca/index.php?p=caee>

5.2 DNV 2009 Annual Report

This will be presented at next Monday's council meeting – 7pm June 21st.

<http://www.dnv.org/article.asp?a=4851>

5.3 Next Shirtsleeve Meeting – October 12th/2010 at 7:00 p.m.

http://www.fonvca.org/agendas/jun2010/Cathy_Adams_27may2010.pdf

<http://www.fonvca.org/agendas/jun2010/Fall-Shirtsleeve.pdf>

Dave Stuart wishes to discuss Financial Planning for the District.

5.4 Summer Meetings of FONVCA

Decision made to cancel the July FONVCA meeting. Instead – we will organize a dinner at a

restaurant – location to be decided. August meeting may also be cancelled – decision on that pending.

5.5 Web Posting of Council Correspondence

Letter went to Council requesting better access of public correspondence sent to Council, as per the May FONVCA meeting. No response to date.

6. ANY OTHER BUSINESS

6.1 Legal Issues

Pot Holes – The District had been sued for damages to a vehicle, related to someone hitting a pothole on Marine Drive. The judge ruled that the DNV had made reasonable efforts to deal with the problem, and dismissed the claim.

<http://www.fonvca.org/agendas/jun2010/potholes.pdf>

http://www.provincialcourt.bc.ca/judgments/pc/2010/00/p10_0064.htm

Related Issue:

<http://csc.lexum.umontreal.ca/en/1989/1989scr2-1228/1989scr2-1228.html>

6.2 Any Other Issues

- a) **Community Services Initiative** – LVCA/DNV meeting. DNV wishes to explore partnerships with LVCA (Parkgate model?). Concern from the community about downloading.
- b) **Blueridge Community Days** – Eric reported that the numbers were down a bit this year – perhaps weather related? The event is lots of work, but the community comes together to put it on.
- c) **Delbrook Bylaws Issue** - Diana updated us on the ongoing problem her neighbourhood is having with an in home business, and concerns about bylaws not being enforced in regards to this landscaping business.

7. CHAIR AND DATE OF NEXT MEETING

Chair: Norgate Park Community

Association – K'nud Hille to be contacted.

Date: Thursday, August 19th, 2010 – to be confirmed (later this meeting was cancelled) and now set for Sep 16th 2010

The meeting was adjourned.

Subject: Distribution of Council Agendas to Libraries

From: James Gordon <gordonj@dnv.org>

Date: Tue, 25 May 2010 16:10:39 -0700

To: Mayor and Council - DNV <Council@dnv.org>

CC: "corrie@kost.ca" <corrie@kost.ca>, Nathalie Valdes <ValdesN@dnv.org>, Linda Brick <BrickL@dnv.org>, Jeanine Bratina <BratinaJ@dnv.org>, James Gordon <gordonj@dnv.org>

The District is pleased to announce that paper copies of Council agendas will be provided to each of the three library branches starting with the June 7th meeting. The agendas will be delivered at approximately 5:00 pm on the Wednesday before a Council meeting and the librarians will find an appropriate location at each branch for the agenda to be posted. This should enhance access to Council information for those residents who are not able to do so via the internet.

James A. Gordon

Manager of Administrative Services

and Municipal Clerk

District of North Vancouver

355 West Queens Road

North Vancouver, BC V7N 4N5

604.990.2207 Direct

604.984.9637 Fax

Required content

877.

(1) An official community plan **must** include statements and map designations for the area covered by the plan respecting the following:

(a) **the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years;**

(b) the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses;

(c) the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;

d) restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;

(e) the approximate location and phasing of any major road, sewer and water systems;

(f) the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites;

(g) other matters that may, in respect of any plan, be required or authorized by the minister.

2) An official community plan **must** include housing policies of the local government respecting affordable housing, rental housing and special needs housing.

(3) An official community plan **must** include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.

A tool to help citizens fight City Hall

BY MAUREEN BADER, SPECIAL TO THE SUN JUNE 21, 2010

Governments at all levels make spending decisions that drive people crazy and a fake lake is just one example. But will politicians stop making awful spending decision on their own? Not likely. Citizens must develop a bottom-up solution to stop dubious spending. In fact, grassroots success at the local government level is already bringing accountability back to some municipalities. To help this local effort grow, the Canadian Taxpayers Federation has produced a ratepayers association template to assist citizens in their fight against City Hall.

Every year, municipal governments set sail on a spending ship that sends property taxes ever higher. Between 2002 and 2008 (the last year for which data are available), inflation rose by about 12 per cent and population by 8.5 per cent, but municipal spending in British Columbia rose by a whopping 50 per cent. That drove property taxes up by 37 per cent. The sails are now starting to deflate.

What underlies the spending problem is that local governments have gone far beyond their core mandate of supplying police, fire and public works. So it comes as no surprise that the biggest increase in municipal spending between 2002 and 2008 was in the area of recreation, which rose by 66 per cent, and is now higher than spending on police and fire combined.

Recreation facilities like arenas often end up being white elephants. For example, the 1976 Montreal Olympic Stadium, otherwise known as the Big Owe, had a \$1.25 billion cost overrun and took 30 years to pay off. Today, the Big Owe sits empty most of the time because the Montreal Expos left town and the Montreal Alouettes play at McGill University. In fact, the largest crowd after the 1976 Olympics was the 78,322 who showed up for a Pink Floyd concert in 1977.

Tired of getting less for more, citizens at the municipal level are banding together to let governments know their account is overdrawn. For example, a citizens' group in West Vancouver, the Interested Taxpayers' Action Committee (ITAC), started up in 2006 and after four years of effort, got the West Vancouver city council to vote unanimously against a property tax hike in 2010. They are now working to get government spending under control.

The persistence of ITAC's members, the media, blogs, websites, broadcast e-mail, podcasts and social media were instrumental in achieving their goal. The ratepayers association template is modelled on the success of ITAC.

With the current government stimulus plan encouraging local governments to get into the arena game, the template is timely.

Because it is possible to stop arena projects. A number of B.C. community groups have already organized to prevent municipal governments from spending on big-ticket white

elephants. In 2010, citizens in Peachland rejected federal government stimulus money when they voted no to city borrowing to build a curling rink. However, the rejection of arena spending started earlier. In 2009, tax weary citizens in Dawson Creek voted no in a referendum asking whether the city should take on more debt to build a recreation facility. But even "core" infrastructure spending, when of questionable value, can be stopped. In 2009, citizens in Victoria shot down that city's plan to borrow big to replace a bridge.

Across the province, people have joined together to stop the spending spree at City Hall. With a few simple tools, dedicated people in any municipality can control local government spending and stop the property-tax spiral. It is possible to fight City Hall and win.

You can view the ratepayers association template at <http://www.taxpayer.com/sites/default/files/RatepayerTPJune2010.pdf>

Maureen Bader is B.C. director of the Canadian Taxpayers Federation.

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Ratepayer Association Template

Introduction:

This is a Ratepayer Association (RPA) guide, one that is:

- Focused on a single issue – curbing local government expenditures to reduce or, at least, restrain, the growth of property taxes and user fees;
- Active on a municipality-wide basis rather than in a specific geographic area of a municipality; and
- Does not necessarily need to involve participation by a broad-based membership to help achieve its objectives.

The RPA should be founded on two principles:

- *Coyne's law*, which states “Governments should only do what only governments can do.” This means making clear choices about what activities local government should be engaged in, so that taxpayers’ scarce dollars are used for only those goods and services that cannot be provided by individuals and businesses; and
- Government expenditures must be controlled to protect the taxpayers’ collective purse from excessive pillaging.

Setting up a Ratepayers Group

Focus:

Keeping the RPA's focus on local government expenditures, related rates of taxation (ie. property taxes and user fees) and the need for greater efficiency in the delivery of local government services will help create widespread support for RPA initiatives and public policy recommendations. Thus, the RPA should concern itself with municipal spending and taxation issues.

Scope:

The RPA could represent the interests of all categories of taxpayer, residential, business and industrial.

Participation:

Modern North American life, with its seemingly incessant demands on people's time, coupled with the relatively tedious and complex nature of local governance matters, not to mention the cunning and guile of empire-building bureaucrats, means that a RPA based solely upon the anticipated mass participation of local taxpayers is unlikely to succeed and is, in fact, unnecessary.

Today, the trend is for people to not even vote in elections, municipal or otherwise, let alone become active members of a civic or service organization.

A RPA that involves a small number of members can be highly effective. The key to success is the composition of this membership.

To be successful in re-directing municipal governments, the RPA will need, first and foremost, to be seen as being credible. The persuasive force of its ideas and persistence, together with its choice of spokesperson, are central to credibility. Also, the collective educational accomplishments, occupational experience or service to the community of the RPA's members will be important to the organization's reputation.

Strategic Considerations:

Don't expect overnight results. A reasonable period of time (ie. one electoral cycle) should be chosen to seek influence over the public policy agenda. Remember, the key to political success means a politician must see which way the parade is going then jump to the front of the line. It takes time to create that parade.

Arguments for change must be well-crafted and accurate. Shoddy research or inept presentation will instantly undermine any influence that a RPA might hope to exert.

Principal sources of relevant information include:

- StatsCan and StatsBC (ie. population data)
- BC Ministry of Community Development web-site – Local Government section (ie. annual capital and operating expenditures listed by municipalities)
- Municipality's annual budget documents, "Schedules of Remuneration" (ie. filed each year pursuant to the Financial Information Act) and staffing reports.

A RPA should steer clear of any direct involvement in local politics. It should remain a non-partisan advocacy group, willing to work with whoever is elected to council.

Getting Started:

Once a core group is organized, the preliminary tasks should be:

- Assign responsibilities (chair, secretary, spokesperson, etc.);
- A spokesperson must be chosen to ensure the RPA “speaks with one voice.” He or she must not only be articulate, media savvy and presentable, they must be prepared to work diligently at establishing and maintaining contact with media representatives, elected officials, other community opinion leaders and, yes, selected senior bureaucrats at “City Hall.” The latter can, and often will, be helpful in providing advice and information;
- Decide on a name for the organization;
- Record all decisions, tasks to be done and by whom.

To create stability and reinforce the members’ commitment, the RPA should be incorporated pursuant to the provisions of the *BC Society Act*. This is a relatively straight-forward and inexpensive procedure. Annual reporting requirements are minimal. The key is the “purposes clause” of the constitution, which sets out the RPA’s objectives.

RPA members are volunteers and their time must be respected. Accordingly:

- Meetings should be infrequent (ie. no more than three or four per year) and relatively brief (ie. no more than ninety minutes in duration);
- An agenda should be distributed in advance of each meeting and minutes or, at least, an “action plan” ought to be produced following each meeting and relied upon to both provide institutional memory and encourage individual accountability;

A RPA should maintain an account in a financial institution.

- Members ought to each contribute a small amount per year (ie. \$100) so as to cover ongoing administrative expenses (ie. website hosting and domain name registration, post office box, photocopying, room rentals, etc.)
- Funds should be raised from members’ respective personal connections with family, friends and acquaintances resident in the municipality when required for specific purposes (ie. a newspaper advertising campaign or “town hall” meetings).
- The most effective and efficient way to raise money is via e-mail, with follow-up telephone calls if necessary. A RPA can and should be influential without the need to raise and spend much money.

Lastly, modern communications technology (ie. blogs, websites, broadcast e-mail, podcasts and “social media”), if employed with consistent skill, can be effective in overcoming obstacles the seeming unwillingness of people to participate in public policy development or the electoral process. While increasing numbers of taxpayers may not have the inclination or time to attend a council meeting or other public forum to show their support for a RPA initiative or proposal, once persuaded as to its efficacy or utility, they are likely to communicate their views to mayor and council via email or a website. The important thing is that the RPA message gets through to local government decision-makers.

Conclusion:

The three key weapons in a RPA's arsenal are 1) the quality of its analysis and ideas, 2) its focus and persistence and 3) its effective use of the internet.

The West Vancouver's *Interested Taxpayers' Action Committee* (ITAC) is an example of a successful RPA. It was, established by two individuals in January 2006. A copy of its constitution, filed in May 2008, is attached.

ITAC consists of 14 members, all residents of the municipality, including individuals with backgrounds in accounting, finance and community service, having held elected office on local council or school board.

It maintains an informational blog, www.thepluckedgoose.wordpress.com (which currently requires updating) and, on the basis of a single appeal via broadcast e-mail, made in March, 2007, raised over \$6,500 for a series of community newspaper advertisements encouraging West Vancouver residents to demand the District restrain its spending and end or curtail tax increases.

Arguably, ITAC's efforts over the past four years contributed significantly to the District of West Vancouver (DWV) imposing the lowest property tax increase for 2009 among the 22 municipalities in the Metro Vancouver region, as well as to making local government expenditures and related taxation rates the central issue of the November 2008 municipal election campaign. Sixty per cent or so of those who voted for DWV mayor in that election cast a ballot for a candidate who espoused a reduction in local government expenditures and the restraining of tax increases. In addition, an ITAC member was elected to council. In February 2010, again due in large part to ITAC's pressure, the DWV brought in a budget that involved a zero percent tax increase, believed to be unique in Metro Vancouver.

Sound arguments, some media savvy and persistence are the keys to successfully influencing public policy development at the local level, not to mention elsewhere. A RPA that follows this approach does not require a large membership in order to become a "player" on the local government scene.

June 15, 2010

FORM 1
SOCIETY ACT
Constitution

1. The name of the society is "INTERESTED TAXPAYERS' ACTION COMMITTEE"
2. The purposes of the society are as follows:
 - a) To foster and facilitate by all methods public awareness of the source, quantum, manner, efficiency of use, wisdom of use or other issues associated with the receipt or projected receipt of funds by local government organization and/or associated with the expenditure of local government funds, whether characterized as capital or operating expenditures or otherwise;
 - b) To foster and facilitate by all methods the analysis, debate and discussion of the source, quantum, manner, efficiency of use, wisdom of use or other issues associated with the receipt or projected receipt of funds by local government organization and/or associated with the expenditure of local governmental funds, whether characterized as capital or operating expenditures or otherwise;
 - c) To foster, encourage and facilitate by all methods the involvement of people in local self-government in all manners;
 - d) To solicit, receive and accept funds by gift, bequest or otherwise and apply these funds to the functions of the society; and
 - e) To address and attend to issues and matters arising from the purposes of the society referred to in paragraphs 2(a) through (d) and any other purposes of the society from time to time lawfully adopted by the Society.
3. The Society shall have perpetual succession and has power to acquire by purchase, gift, devise, bequest, trust agreement, contract or otherwise, real and personal property, and may hold, sell, dispose of, exchange, mortgage, lease, let, improve, and develop any such property, and without restricting the generality of the foregoing, may acquire in any way or ways real and personal property as is empowered by the Section.
4. The activities of the Society shall be carried on with out purpose of gain for its members and any income, profits or other accretions to the Society shall be used in promoting the purposes of the Society.
5. Upon the dissolution of the Society and after the payment of all its debts and liabilities, any remaining property shall be turned over, transferred and assigned to one or more recognized charitable organizations operating within the Province of British Columbia as directed by the members.
6. Paragraphs 3, 4, 5 and this Paragraph are unalterable.

Bylaws

The bylaws of the society are those set out in Schedule B to the *Society Act*.

Cove sculpture meeting set

BY JAMES WELDON, NORTH SHORE NEWS SEPTEMBER 10, 2010

North Vancouver's Arts Office is looking for a new place to put its proposed five-metre Mirare sculpture after a plan to install it in Deep Cove Park met with fierce opposition from the public.

The organization informed residents it would be erecting the \$76,000 stainless steel artwork -- compared by some critics to a giant bong -- in the popular greenspace next to Rockcliff Road as part of the regional Necklace Project. Close to 150 neighbours, concerned that the piece would detract from the natural setting, submitted a petition opposing the plan to the District of North Vancouver.

The Arts Office will be holding a public information meeting Thursday to present some possible alternative sites and to hear feedback from residents. The 6:30 p.m. meeting will take place at the Deep Cove Shaw Theatre at 4360 Gallant Ave. Participants will be invited to ask questions at the event, but may also do so in advance by sending them to info@artsoffice.ca.

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5.2b

Petition launched against proposed Deep Cove Park sculpture

Locals dub art installation 'the bong'

BY JOHN BERMINGHAM, THE PROVINCE AUGUST 24, 2010



Ian Forsyth, director of the arts office, with a model of a proposed statue for Deep Cove, on Aug. 24. The art work 'Mirare' is created by artists Cheryl Hamilton and Mike Vandermeer.

Photograph by: Mark van Manen, PNG

Deep Cove residents are up in arms over a plan to plunk a public-art sculpture in their midst.

More than 150 locals have signed a petition in a bid to prevent the five-metre-high stainless-steel obelisk with an LED light on top, called Mirare, from being installed in Deep Cove Park.

Petition organizer Karen Williams says it's more suited to downtown Vancouver than to a setting of trees and water, right across the street from her house.

"It's right in my field of view," Williams said Tuesday. "I don't want to stare at that thing 365 [days a year]."

"They're going to have to move it," added the 18-year resident. "There's a lot more appropriate places for it."

Longtime Deep Cove resident Trevor Carolan, who also signed the petition, said it's already been nicknamed The Bong.

"It looks maybe on a good day like a giant lava lamp," he said. "It's the wrong place for this."

Carolan said the first anyone knew about the sculpture was at a meeting last month. It's due to be installed in November.

"People hadn't been informed," he said. "It came as quite a jolt.

"A community doesn't need things shoving down its throat."

Ian Forsyth, director of the Arts Office in North Vancouver, said it's part of a regional public-art project, and an independent panel thought the Deep Cove site best reflected the theme of "illumination."

"It's meant to be kind of a gatepost between the natural environment and the developed environment," said Forsyth.

Two other sites on the North Shore were rejected for the obelisk. But several other locations were tested last week.

"We are looking at other locations in Deep Cove," he added. "Public art is not meant to be divisive."

Forsyth said he's surprised by the local reaction, and doesn't think the obelisk would be at-odds with the surroundings.

In an e-mail statement, Mirare artist Cheryl Hamilton said she and sculptor Mike Vandermeer believe that an open conversation about art should take place before censorship is imposed.

"It seems as though some people have shut themselves off from that conversation before making a judgment," said Hamilton.

Mirare is an "esoteric signpost," she said, one that asks us to treat nature with "respect and reverence."

"Deep Cove sits on the edge of our man-made environment here in Vancouver," she added. "The sculpture would sit in the park to remind us all that we should stay cognizant of the line between urban and rural."

District of North Vancouver Mayor Richard Walton said he's scheduled a meeting next month with the community to hear their concerns, and hopefully find a solution.

"The whole point of public art is to enrich people's experiences, not to anger or distract them," he said.

Local MLA Jane Thornthwaite said she's also had numerous complaints from residents, and is glad Walton has "taken the reins."

jbermingham@theprovince.com

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Topsoil: *Just How Do You Obtain a Performing Topsoil Layer, to Advance Rainwater Management & Water Conservation Goals?*

A Law and Policy Primer for Municipal Staff and Designers



Topsoil: *Just How Do You Obtain a Performing Topsoil Layer, to Advance Rainwater Management & Water Conservation Goals?*

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Preface

An absorbent topsoil layer has emerged as a fundamental building block for achieving *water sustainability outcomes* through implementation of green infrastructure practices:

- **Rainwater Management:**
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- **Water Conservation:**
Well-rooted landscaping then requires less irrigation water, stays green longer during a drought, and contributes to *sustainability of water supply*.

In collaboration with three municipalities (City of Surrey, City of Courtenay and District of North Vancouver) that have pioneered absorbent topsoil requirements, the Green Infrastructure Partnership has developed two primers to assist local government staff and designers: this one deals with *Law and Policy*, while the other is a *Technical Primer*.

The co-leads for this initiative were **Susan Rutherford** (Staff Counsel with West Coast Environmental Law Research Foundation) and **Rémi Dubé** (Acting Manager for Development Services, City of Surrey). Their efforts are greatly appreciated.

Raymond Fung, P.Eng., Chair
Green Infrastructure Partnership
February 2010



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Topsoil: *Just How Do You Obtain a Performing Topsoil Layer, to Advance Rainwater Management and/or Water Conservation Goals?*

*A Law and Policy Primer for Municipal Staff and Designers**

Introduction: Topsoil to Increase Absorbency and Save Water

Conserving the existing, improving or adding “topsoil”¹ to a site is one means² of achieving on-site source control of rainwater. Adequate depth of good quality topsoil on new or existing (re)developments has many benefits. Upping absorbency, the topsoil layer assists³ community rainwater management infiltration objectives and supports strategies to conserve water which may be in scarce supply. Lawns⁴ built to meet a topsoil standard are also less prone to weeds or chemical interventions (herbicides and pesticides) – an additional environmental and health benefit.

But how do local governments ensure that a healthy layer of topsoil is a priority for, and survives, the development and re-development⁵ processes? In this Primer, local governments that have grappled with that challenge share lessons learned on law and policy considerations for achieving a layer of topsoil as an objective. An accompanying **Technical Primer** sets out technical considerations involved in implementing a topsoil objective. Strategies that worked well for those communities may also reap results in your community. One key to obtaining results seems to be to recognize that responsibilities are shared and actions are most successful when aligned with actions and policies at other levels of government, as well as the understanding and actions of the development, building and professional consulting communities. When objectives are tackled jointly, results are more quickly realized.



The actions described in this summary are not listed in sequential order. Your community’s circumstances may require a different order or emphasis.

Regional Context and Other Senior Government Support

Because liquid waste/resource management and watershed management impact us on a regional basis and are often planned on a regional basis,⁶ watershed health goals and objectives (e.g. biodiversity protection, improved water quality) will reinforce, and their own achievement will

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be mutually supported by, local actions such as the achievement of topsoil objectives. A coordinated, regional/local team approach may facilitate the sharing of overlapping responsibilities. For example, the Okanagan Basin Water Board's [Sustainable Water Strategy](#) reflects and supports the region's priority of reducing water demand and all local actions complementary or further to that priority.

Understanding and support for topsoil strategies by senior governments and review agencies may provide additional incentive for municipal action to meet watershed objectives.

INTERNAL COLLABORATIONS

Key Planning Documents

Since the Official Community Plan (OCP) provides key direction to municipal regulation⁷ and action, inserting supportive policy in the OCP becomes critical. For example, the City of Courtenay's [OCP](#) not only endorses the [Water Balance Model](#), it also specifies minimum topsoil depths (300mm for groundcover and grass; 450mm around shrubs). These minimums are routinely incorporated into development permits.

To achieve agreement on OCP policy, solicit both inter-departmental staff support as well as policy leadership from elected representatives.

If your municipality has a Sustainability Charter, ensure mention of soil and benefits. Similarly, integrate topsoil requirements into all planning documents (guidelines used for design or applications such as, engineering, parks, building services) and policies until it becomes an integral part of planning, development and review.

Educate City Hall – gain inter-departmental support for your objective

Experience has proven it is not enough to have the City Engineering department alone understanding the importance of the topsoil layer. Gaining inter-departmental understanding and support is critical not only when overarching guidance policies are put into place (e.g. in an OCP or Sustainability Charter), but also in ongoing operations.

Local governments that have had success achieving topsoil objectives recommend:

- **Generally, communicate objectives and establish joint expectations and understanding across all relevant departments**, so all staff comprehend the issue and how their plans, operations and actions are needed to support (or otherwise may hinder) the advancement of topsoil objectives. **Specifically, for any new project, proposal or application, consult EARLY with other departments up-front and discuss the details and implications of a topsoil objective.** Successful municipalities have worked in a collaborative way to share topsoil objectives with staff in the following departments or functions: Engineering, Planning, Parks, Roads and Transportation, Operations and Maintenance, Construction Inspection, Building Inspection, Environmental, Front Counter, By-law Enforcement.
- **Clarify the benefits associated with topsoil.** If possible, quantify the benefits in terms of costs and savings. Make sure you've canvassed and fully understand all of the benefits yourself, before attempting to convince others, as others may not need to understand the details as long as they understand the overall objectives and benefits.
- **Face to face education/communication is best** and will not only reinforce written communications but also respond to questions or concerns. For example, you might start by circulating a Backgrounder, then hold a meeting, or a series of meetings.
 - Sample corporate report
<http://www.waterbucket.ca/gi/sites/wbcgi/documents/media/275.pdf>



BCWWA



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- Sample educational powerpoint (See the “Rain and Drainage Simulator” on “Sustainability in My Backyard” – an educational resource from the City of Surrey at <http://sustainabilityinmybackyard.ca/>)

REGULATIONS

Bylaws and Permitting Systems

Local governments need to plan for how they are going to enforce bylaw requirements. An education and outreach program that communicates topsoil benefits effectively will inspire change and long-term compliance; a regulatory underpinning provides a backbone.

Note that all regulatory approaches will necessarily be subject to detailed engineering that addresses suitability and feasibility of topsoil objectives.

One approach for accomplishing topsoil objectives is to employ the regulatory mechanism of a development permit.⁸ Design guidelines are stipulated and frame specific permit requirements. One disadvantage to using a development permit system as the sole mechanism for achieving topsoil objectives is that while non-compliance may be enforced at the outset through non-issuance of the permit, action later entails civil court action, which is unwieldy.



A further approach is to incorporate objectives as requirements into a Subdivision Standards Bylaw.⁹ However, this approach has some of the disadvantages of a development permit system, in that its focus is very “front end” biased.

Another approach is to use a regulatory tool such as an Environmental Bylaw¹⁰ or a Soil Permit Bylaw,¹¹ with appropriate enforcement and penalty provisions built in to address non-compliance. For example, a bylaw might stipulate that a single family home must obtain a soil permit to move greater than 18 cubic metres of soil on or off the property. The first option to explore is conservation of soil,

but that is not always feasible. A bylaw might address management or storage options for good topsoil that is scraped off as part of an excavation, or consider a bonus if it is provided. The bylaw might also stipulate requirements with respect to controlling sediment and erosion.¹² Forms and flyers may facilitate communication of very specific requirements - whether for individual property owners or more sophisticated developers. Permit requirements and consequences (fines, etc.) for non-compliance can all be stipulated in the bylaw.

Note that a permitting system may create a fee revenue opportunity¹³ for a municipality, which may assist in partially offsetting the costs of staff bylaw inspection, compliance and enforcement activities. The latter may be carried out by building inspection staff, environmental staff, or other designated or bylaw enforcement officers.

North Vancouver is currently investigating options for placing topsoil requirements on redevelopment applications.

Finally, some municipalities may find it helpful to use *Land Title Act* conservation covenants¹⁴ registered against the title to properties to ensure owners of land are bound to maintain topsoil presence, standards and effective drainage performance in perpetuity.



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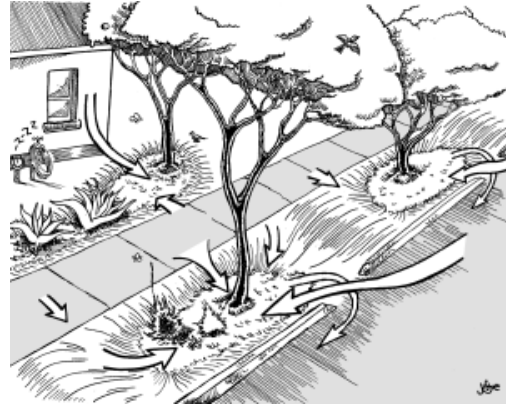
Financial Security – Give the regulation teeth

Taking financial security is a key element to securing performance. Security may be taken by a local government further to the authority of a bylaw¹⁵ or further to terms provided in a contract between a developer and a builder. At least one developer has realized it serves their company's best interests (increased value and lowered unpredictable costs) to take security in an amount equal to 4-5 times the cost of the soil. This developer also documents its 'contractor expectations', including soil specifications, to all builders that work with the developer, and the developer also regularly undertakes compliance activities on the development site.

Performance Standards

Local governments need to identify¹⁶ what constitutes acceptable performance for release of financial security. Issues that need policy/management include:

- Responsibility for placement on-lot and off-lot;
- Site grading;
- Quality of topsoil – sourcing, grade, certification, evaluation of native soil or soil remediation;
- Protection of topsoil to prevent compaction until construction is completed.



Our accompanying **Technical Primer** provides more detailed considerations regarding performance and other considerations.

A need exists to ensure that project designs as built meet the stipulated standard. Many municipalities find that it helps to have a bylaw that places the responsibility on the developer's Engineer of Record or Qualified Professional, to be accountable for professionally certifying that the project's performance will achieve the goals and objectives set out in the performance standard.¹⁷

EXTERNAL COLLABORATIONS

Educate and/or Collaborate with Consulting, Development and Building Professionals

Because a range of people are engaged in planning and working on the land base, it becomes important to communicate with stakeholders and to establish joint expectations. This group includes land or home owners, developers, builders and the full suite of consulting professionals.

Be clear: identify acceptable minimum standards and methodologies for design and installation, and communicate regulations and policies, together with the objectives and benefits to be gained from the program, to all affected or interested parties.

Solicit ideas: listen to ideas and concerns and incorporate them into the plan.

Through targeted presentations and municipal examples, educate and train consultants with information that is consistent with municipal expectations.



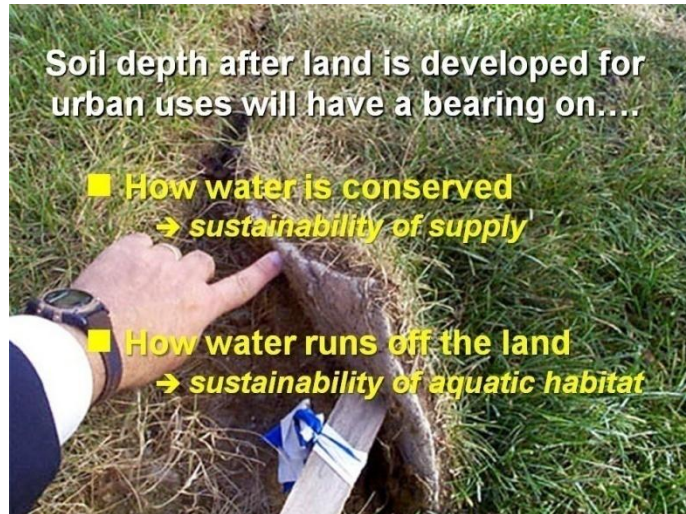
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Communicate with Neighbours and Home Owners

Experience has confirmed that communication to the public of topsoil requirements may help to advance achievement of the objective and reinforce compliance efforts, thus reducing the need for enforcement activities. Engaging more people means more eyes are able to observe neighbourhood activity.

Strategies for public communication might include signage, education and other strategies:

- Posting signs with pictures depicting the objective and benefits to be derived;
- Posting contact phone numbers at which inspectors can be reached;
- Engaging local environmental groups;
- Informing and educating home owners about onsite rainwater management and water conservation, and how topsoil fits into that context. Understanding will build support for long term maintenance (See the “Rain and Drainage Simulator” on “Sustainability in My Backyard” – an educational resource from the City of Surrey at <http://sustainabilityinmybackyard.ca/>).



Note that providing ongoing notification of the bylaw and accompanying bylaw enforcement activities will reinforce the message that your municipality is committed to implementation and to achievement of the bylaw’s objectives.

¹ “Topsoil” has multiple technical and lay definitions and names. For purposes here, we are referring to

² Topsoil is but one of many considerations in a source control strategy: elevations, permeable surface area, tree cover, etc. are other considerations.

³ Benefit is positively correlated with the percentage of permeable surface. (e.g. If the topsoil only covers a surface area of one square meter and the rest of the site is impermeable, little is accomplished.)

⁴ Healthy (topsoiled) lawns are one means to achieve absorbency. Landscaping with native, drought-resistant species (xeriscaping) or building rock and rain gardens are other low impact strategies.

⁵ Redevelopment presents an important moment/opportunity to improve the performance of the existing developed land base which, in some communities, constitutes a large percentage of overall community land base. E.g. in the District of North Vancouver it is a critical component: 85% of the overall land base is currently developed as single-family residential.

⁶ For example, in Metro Vancouver, the Greater Vancouver Sewerage and Drainage District and its members submit a Liquid Waste Management Plan (and updates thereto) to the Minister of Environment further to section 24 of the *Environmental Management Act*. Once approved, such Plans become part of local liquid waste regulation and actually replace regulation by the *Municipal Sewerage Regulation*.

⁷ Section 884(2) of the *Local Government Act* requires that all municipal bylaws adopted or works undertaken by a Council after an OCP must be consistent with the relevant plan.

⁸ See section 920 of the *Local Government Act* for details about development permits and guidelines.

⁹ See section 938 of the *Local Government Act* for local government authority to prescribe standards in a bylaw relating to subdivision servicing.

¹⁰ For municipal authority re: the environment, see sections 8 and 9 of the *Community Charter* together with the *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation*, BC Reg. 144/2004



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¹¹ See sections 8 and 9 of the *Community Charter* regarding fundamental powers to make bylaws in relation to soil removal and deposit. Section 195 of the *Community Charter* provides authority to charge fees in relation to soil removal or deposit.

¹² Sediment and erosion control bylaws are authorized pursuant to section 907 of the *Local Government Act* which addresses authority to regulate runoff and stormwater management. Section 909 is also relevant, as it enables local governments to regulate landscaping to preserve, protect or restore the natural environment. In addition, section 69 of the *Community Charter* provides municipalities with specific authority in relation to drainage.

¹³ For example, the District of North Vancouver charges \$171 for residential soil permits and \$351 for commercial-industrial ones. Charging municipal fees is authorized by section 194 of the *Community Charter*.

¹⁴ See section 219 of the *Land Title Act*. The opportunity to impose a covenant may arise as part of a rezoning approval, for example.

¹⁵ Section 8(8) of the *Community Charter* provides that the power to “regulate, prohibit and impose requirements” under section 8 (fundamental powers) includes the power to “... require persons to do things with their property, to do things at their expense and to provide security for fulfilling a requirement.”

¹⁶ Note that most municipalities only reference MMCD standards for municipal land (e.g. sidewalk to curb) and not for on-lot land; however, these standards could be extended to other applications.

¹⁷ The authority of municipalities to rely on the opinions of qualified professionals in the building permit process is set out in section 55 of the *Community Charter*.

West Coast Environmental Law Research Foundation is grateful to the following foundations for their *generous financial support of this project*:



The Bullitt Foundation

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Introduction: Topsoil Implementation Procedures

Development changes the characteristics of a watershed. Everyone involved in the development process has the duty to take reasonable steps to reduce the negative impacts of development. The intent of this checklist is to provide a common ground for approving agencies and designers to produce minimum acceptable performance standards.

As part of a Green Infrastructure Partnership Topsoil Primer set that presents examples of acceptable mitigative measures and Best Management Practices (BMP's), this Technical Primer checklist outlines some of the field characteristics of the implementation of a topsoil objective. This document provides information that can be incorporated into design guidelines and specifications to define what is acceptable.

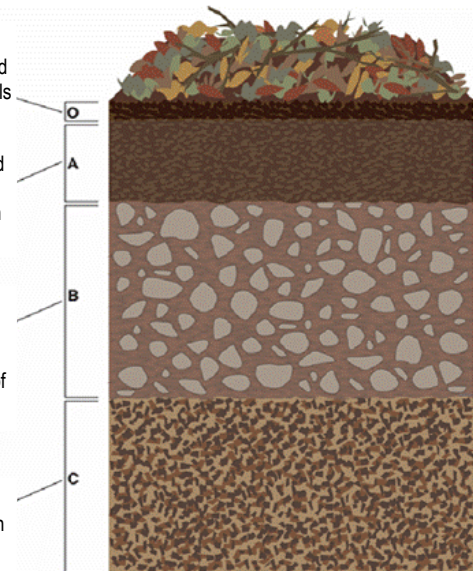
This Technical Primer provides design steps and implementation issues to provide an "on the ground" low impact development methodology. It supplements common sense and appropriate design procedures which always apply when designing and implementing site features.

Organic layer: dominated by organic material consisting of under-composed or partially decomposed plant materials such as dead leaves

Topsoil: largely mineral soil developed from parent material; organic matter leached from above gives this horizon a distinctive dark colour

Subsoil: accumulation of mineral particles, such as clay and salts leached from topsoil; distinguished based on colour, structure, and kind of material accumulated from leaching

Unconsolidated material derived from the original parent material from which the soil developed



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Application /Suitability

Improving or adding a performing topsoil layer to a site, as a BMP for stormwater/rainwater management and water conservation, is one of the simplest and easiest of the BMPs to implement. It treats rainwater runoff through detention, exfiltration, and slowing down of flows.

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Paying simple care to some of the following details will optimize the benefits and the long term performance and acceptability of this form of water management.

This primer provides general technical steps to implement topsoil as a stormwater/rainwater BMP. Law and policy implementation issues are addressed in the accompanying **Law and Policy Primer**. The main technical considerations are application and suitability, proper sizing and design, **materials and placement, and inspection and quality control**. The main difference between traditional landscaping and topsoil as a BMP is the consideration by the designer, owners and installers of the importance of quality control and proper installation.

Areas covered by existing tree canopy and undisturbed areas maintain the existing infiltration and storage qualities of a site. While undisturbed areas could benefit from additional topsoil to increase storage, the designer will need to balance the suitability of disturbing areas compared to the potential benefits. Tree cover provides another form of BMP that is not addressed in this technical primer but the benefits of tree cover are significant and the designers are encouraged to maintain or increase canopy cover where feasible.

Determining Existing Conditions:

Total Site Area

Undisturbed areas, not receiving flows from impervious areas

Net Design Area

Existing topsoil Depth

Pervious Landscape Area (Excludes B)

Impervious Area draining to Pervious Landscape (Pv)

Pervious ratio**

Impervious ratio

$$A_{Total} \text{ m}^2$$

$$B \text{ m}^2$$

$$A_{Net} = A_{Total} - B$$

$$d1 \text{ mm}$$

$$Pv \text{ m}^2$$

$$Ip \text{ m}^2$$

$$P1 = Pv / A_{Net}$$

$$I1 = Ip / A_{Net}$$

** Pervious surfaces able to infiltrate water into the subsoil that will always remain pervious, discount areas that may be paved or built upon in the future.

Enhanced Topsoil Depth $d2 = d1 + (d1 \times I1/P1)$ mm

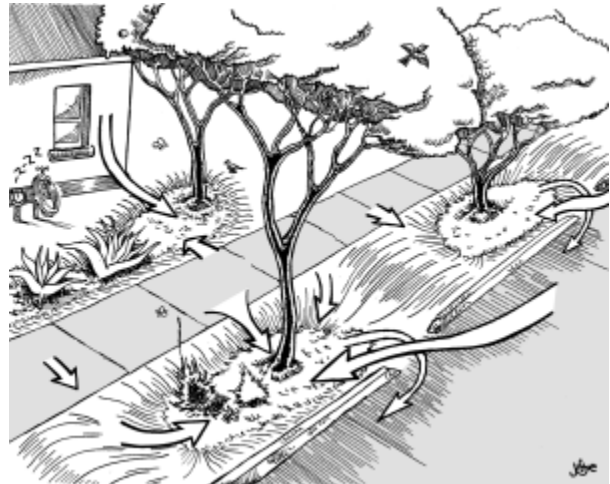
(d2 is depth required to match existing volume and infiltration)

Sizing and Design:

Topsoil, as a BMP, is forgiving in its design with failsafe performance if basic sizing guidelines are observed.

Sizing is limited to the available pervious surfaces of the site, so the site layout should maximize the site areas that can be covered with topsoil.

- Maximize topsoil areas as part of site design.
- Pervious areas that do not receive water from impervious areas should be subtracted from the total site area when determining the topsoil depth.
- Pervious areas that remain undisturbed by the development can be subtracted from the total site area.





Green Infrastructure Partnership

- Design topsoil areas to accept runoff from impervious areas.
- Design impervious areas to drain to topsoil and pervious areas.
- Pervious areas receiving runoff should be 20% or more the size of the impervious area draining to it.
- Flow velocity of water entering topsoil areas should be less than 0.3 m/s for planters and 1.0 m/s for turfed areas (control tributary surface types, area and slopes to reduce flow velocities).
- Topsoil areas should be gently sloping (2%) or dished for ponding.
- Ponding time should be less than 48 hours.
- Provide overflows and/or under drains to maintain desired performance.
- Ponding depth should be limited to 150 mm.
- Overflow should be designed so as to allow safe conveyance from ponded areas after large rain events.
- Avoid concentrating flows to landscaped areas unless inlets are well designed to manage flow velocities, debris and sediments.
- Provide 150mm elevation difference from pavement to landscaped areas to allow for sediment build-up and plant growth at the interface.
- Do the topsoil placement and planters meet the residents' expectations for functionality and aesthetics?
- Minimum topsoil depth should be 150 mm.
- Maximum topsoil depth should be 450 mm.
- Where the topsoil depth needed is greater than 450 mm, additional sustainability measures may be required (e.g. detention, infiltration galleries, green roofs, tree canopy, rain gardens, and pervious pavements).
- Does the subsoil infiltration rate require the addition of sub-drains to provide adequate drainage? (infiltration < 0.5 mm/Hr)
- Do subsoil infiltration rate and available infiltration area allow for a reduction in the amount of topsoil required? (Infiltration > 75 mm/Hr)

Material Products and Placement

Proper selection and preparation of materials is essential for the successful implementation of the Topsoil BMP. Topsoil contains organic material subject to variability between suppliers and production methods. A proper balance of quality control for hydraulic performance, structural stability and plant support is critical.

- First, identify if the topsoiled/landscaped area is a low traffic lawn, high traffic lawn, or planters, shrub or groundcover.
- Second, once the use is determined, ensure the topsoil meets the specifications appropriate to that use, and amend soil as necessary:
 - for lawn areas, topsoil should meet or exceed the MMCD specification for growing medium with the organic content amended to be 8%, and
 - for planters, shrub and groundcover areas, topsoil should meet the MMCD specification for growing medium with organic content of 8 to 15%.
- Protect existing subsoil and placed topsoil from compaction during construction.
- Rip or till subsoil prior to placing topsoil to a depth of 150 mm (do not use heavy machinery).





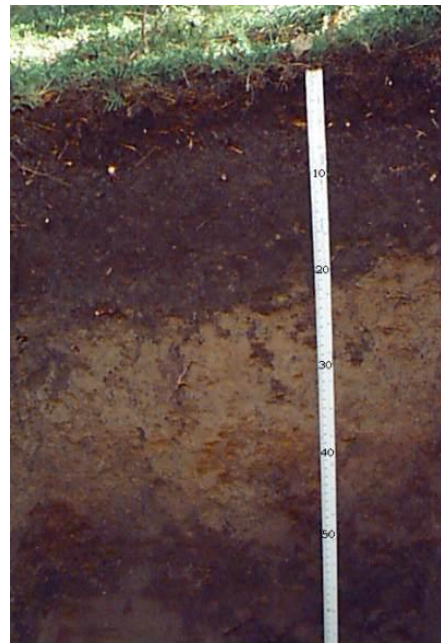
Green Infrastructure Partnership

- Till the subsoil and topsoil to transition soil textures (this avoids potential barriers to water flow between the soil layers).
- Cover the topsoil with vegetative cover or mulch to improve infiltration properties, reducing crusting and erosion.
- Provide effective erosion control of topsoil and upstream areas to protect from excess sediment onto the topsoil areas.
- Transport, store and place topsoil in a manner that preserves the desired structural qualities of the materials.

Inspection and Quality Control

Well designed and placed topsoil is effective and resilient. Quality control and follow-up are crucial to the long-term success of this measure. Designers should ensure that mechanisms are in place through municipal or existing inspection requirements as described in the accompanying **Law and Policy Primer**, or determine if additional requirements need to be set up as part of the individual project.

- Ensure your topsoil supplier is familiar with the intended objectives and structural requirements of the soil in all aspects of the process: manufacture, storage, shipping, and placement.
- Ensure installation crews are aware of the importance of proper placement techniques and grading.
- Ensure the site construction supervisor is aware of the function of the topsoil and has quality assurance procedures in place.
- Topsoil storage, handling and movement must protect the materials, structural integrity, and quality and prevent contamination that may affect the materials performance.
- Topsoil, once placed, should be protected from compaction by other trades or construction practices. Alternatively, measures should be put in place to remediate compaction after all of the construction work has been completed.
- Where topsoil is placed as a requirement for sustainability, consider how its properties will be protected over the long term. (Consider the use of restrictive covenants, education programs, and signage. For more details, see the **Law and Policy Primer**.)



Jordmån: Kulturjordmån

Foto: Åke Nilsson

- Procedure should be put in place to confirm the final topsoil depth meets or exceeds required depth during installation, with measures in place to certify the correct placement.
- Follow-up inspection procedures should be implemented to allow for certification of the installation, including as-built drawings and material specifications used.
- Does the landscaping require special maintenance and long term monitoring? Are the requirements set out in a maintenance manual?
- Confirm that inlet and outlets are working and will remain functional and sustainable over the long term.
- Have you taken financial security to ensure the proper long term functioning of this BMP?

Subject: Thursday evening meeting

From: Cathy Adams <cathyadams@shaw.ca>

Date: Fri, 10 Sep 2010 12:26:38 -0700

To: Tom Lancaster <LancasterT@dnv.org>

CC: Susan Haid <HaidS@dnv.org>, Brian Bydwell <Brian_Bydwell@dnv.org>, FONVCA <fonvca@fonvca.org>

Hello Tom

I'm questioning why Planning selected next Thursday evening for an important meeting, especially for those of us in Lower Capilano. I am aware that other members of, and regular attendees of FONVCA, might also have been interested in attending. It is FONVCA's regular meeting night.

I know that in the past, DNV tried to avoid meetings that night, as a courtesy to those of us who would need to then be two places! It was believed that there had been some direction from council in that regard, as well.

thank you for your response

Cathy Adams, President

Lions Gate Neighbourhood Association

Bid to keep illegal fourplex turfed East 14th Street suites nixed after 20 years

BY BENJAMIN ALLDRITT, NORTH SHORE NEWS FRIDAY, JULY 31, 2009



Coun. Rod Clark dubbed landlord's presentation 'a dog and pony show.'

A North Vancouver landlord seeking to legalize his illegal fourplex rental building was turned away by city council after a public hearing July 20.

Pasquale Pucci told council his family has owned the property at 328 East 14th St. for 20 years. Although the lot is zoned for single-family homes, the Puccis' building is illegally divided into four suites, three of which are currently being rented out. Hoping to renovate the building, Pucci asked council to change both the zoning bylaw and the official community plan to allow his family to stratify the property.

Each of the two strata titles would include a secondary rental suite, for a total of four units.

"There is very little rental stock in the City of North Vancouver," Pucci said. "And we would like to maintain it."

During the course of the public hearing, Pucci admitted his family had rented the illegal suites for many years. Discovered by a city inspector in 2000, the suites were removed -- but then reinstalled sometime after city inspectors had moved on.

In 2008, neighbours complained to the city that the building's garage was being used to operate a small business. When inspectors returned, they discovered the illegal suites again. The bylaw enforcement was suspended to allow the Puccis to bring their rezoning request before council.

"The suites were there when we purchased the building in 1989," Pucci said. "We knew it was illegal, but we were trying to help our community and keep the rents low."

Coun. Bob Fearnley pressed staff on why the illegal suites had been allowed to exist for so long.

"It's not an easy issue," said community development director Richard White. "There are a lot of suites in duplexes out there. When the bylaws direct us towards eviction it can cause considerable hardship, not necessarily for the property owner but for the tenants."

Coun. Mary Trentadue said she approved of the renovation plans, and wanted to help retain rental units in the city.

"It's very unfortunate what's been going on there," she said. "But the city has been part of that issue. We've known about this and have accepted the taxes all these years. I don't want to vote no on this just as punishment."

Coun. Guy Heywood said he also liked the renovation drawings, which he had reviewed as a member of the Advisory Design Panel.

"But," he said. "I just can't approve of rewarding bad behaviour."

Across the table, Coun. Rod Clark struck a harsher tone.

"I know a dog and pony show when I see one and this one takes the cake," he said.

"Mr. Pucci has been living there for just two months, running this illegal fourplex all these years and now he's trying to sneak in here as the court of last resort. I just can't bring myself to do it."

Clark conceded that he also had known about the illegal suites for several years.

"The city does have some responsibility here," agreed Coun. Pam Bookham.

"This illustrates the challenge of housing," Mayor Darrell Mussatto said. "I don't condone illegal suites. It's not right, but I understand it. Mr. Pucci has come forward in good faith to do this. If we can't put density here, next to other developments and the hospital, we're going to have some big challenges.

Council voted 4-2 not to amend the zoning or official community plan, with Mussatto and Trentadue in the minority.

After the vote, council also passed a motion from Fearnley that explicitly rejected Pucci's application, preventing it from being brought back before council for at least one year.

City won't appeal court on zoning

City of North Vancouver councillors have decided not to appeal a B.C. Supreme Court judgement that overturned a rezoning decision they made last summer.

BY NORTH SHORE NEWS JUNE 20, 2010

City of North Vancouver councillors have decided not to appeal a B.C. Supreme Court judgement that overturned a rezoning decision they made last summer.

In May of this year, Justice Austin Cullen decided the city hadn't given Pasquale Pucci a fair hearing before turning down his application to rezone the property at 328 East 14th St.

The Pucci family owns a duplex on the property, and each unit has an illegal secondary suite. City staff have known about the illegal suites for years, but city policy barred them from taking any action against the Puccis beyond writing a few letters.

Hoping to renovate the building, Pucci came to city council in July of 2009 to ask for the four-unit building to be legalized.

While Mayor Darrell Mussatto and Coun. Mary Trentadue felt the lot was an appropriate place for increased density, several councillors said granting the request would amount to "rewarding bad behaviour."

"I can't believe that we are being pitched the way we are," said Coun. Rod Clark at the time. "Mr. Pucci has been there for two months, he has been running an illegal operation for all these years and now he thinks he is going to sneak here in the court of last preserves."

Cullen said that although councillors were entitled to consider the illegal rental suites as part of their decision, the city failed to properly disclose all of its internal communications on the matter.

"I think that was the critical issue that the judge was getting at," Mussatto said in an interview after Cullen's decision. "If you're going to go into areas that weren't anticipated, like enforcement issues, Mr. Pucci has a right to know all that information and council has a requirement to have that information."

Councillors voted unanimously to pass on launching an appeal.

Mussatto said the decision was driven partly by the costs of going back to court and partly by the fact that Pucci is entitled to bring his application back in front of council in July anyway.

"We are going to proceed with another public hearing for Mr. Pucci," he said.

The city refuses to say how many tax dollars were spent on lawyers responding to the suit.

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Crisis in Lillooet Governance Aug 2010

Attached Documents:



[civillib1a.pdf](#)

On September 1st, 2010 a Committee of the Whole was assembled; one councillor was absent. No one read the letter from the BC Civil Liberties Association. Only two submissions had been received by the District. Bylaw 343 is under revision. One councillor objected to the Bylaw.

Proposed Bylaw 343 is feared widely to be stepping on the rights guaranteed in the Charter. August 3 an emailed letter was sent from the BC Civil Liberties Association to Mayor and Council. This [LRA](#) letter addressed to the Attorney General explains how it seems we arrived at this purported and perplexing need for 5 to 10 more Bylaw Officers. The named Directors already have full time jobs--or do they?

Attorney General, the Honourable Mike de Jong
Premier Gordon Campbell, Office of the Premier
BC Civil Liberties Association, Attn. Jesse Lobdell

URGENT - REGARDING PROPOSED BYLAW 343 in LILLOOET, BC - IMMINENT

Powers of Bylaw Officer(s) in Lillooet, BC
(Bylaw Officers are proposed to increase by 10 to 15 employees)
Lillooet Ratepayers Association
Box 253, Lillooet V0K 1V0

Dear Premier and Ministers:

Important note: The Lillooet Ratepayers Association is excluded from District business and council meetings and is privy only to online postings which usually meet with long delays rendering the information stale. FOI's would be required armfuls.

At the Council meeting in Lillooet July 19, 2010, a young woman inquired about the powers associated with the Bylaw Officer. Did the Bylaw Officer have the power to drive in his own vehicle and enter onto her property with a flashlight, near midnight checking water restriction adherence. The Chief Administrative Officer responded that the Bylaw Officer has the same powers as the police.

This is misleading. The law is based upon 'a reasonable man' and in the Community Charter it states:

Community Charter (SBC 2003) Chapter 26

Part 2 - Municipal Purposes and Powers

Division 3 - Ancillary Powers

Authority to enter on or into property

16

(4) Except in the case of an emergency, a person

(a) may only exercise the authority at reasonable times and in a reasonable manner, and

(b) must take reasonable steps to advise the owner or occupiers before entering the property

We believe our [CAO](#) needs a more thorough understanding of the Community Charter. We also fear Bylaw 343, proposed August 3, 2010 was drafted in response to questions raised on July 19, 2010 at council, regarding the powers of our present Bylaw Officer.

In Lillooet on Tuesday, August 3, 2010 on regular Council meeting evening, approximately 130 people gathered outside the District Offices to object to:

the District's secret regular Council meetings excluding ratepayers/public and lack of disclosure

sudden secret meetings excluding any ratepayers/public disclosure

the insistence on keeping Dickey Creek turned off while our gardens die

watering restrictions (contrived, see previous emails)

Proposed Bylaw 343

It is important to note that at council, when asked who authored this far-reaching Bylaw, there was complete silence. However, it is understood who authored it. Not the Mayor, not the councillors.

Proposed Bylaw 343 reads in part:

DEFINITIONS

3. In this bylaw:

Bylaw Enforcement Officer means the person in the position of Bylaw Enforcement Officer for the District of Lillooet, a Director, a Peace Officer, or a member of the Royal Canadian Mounted Police (RCMP)

Director means the Director of Recreation, Director of Public Works, Chief Administrative Officer, Director of Finance and Deputy Clerk, or their designate

Public Place means and includes parks, playgrounds, beaches, swimming areas, boulevards, trails, greenbelts, required buffer zones, or real or personal property owned, held or under the care, custody or jurisdiction of the District of Lillooet for public park, recreation or community purposes.

Proposed Bylaw 343 continues:

7. No person, unless authorized and permitted in accordance with this bylaw, shall in or on any Public Place:

(1) Perform or take part in any procession, march, drill, performance, ceremony, concert, meeting or other formal gathering

(2) Post, paint or affix any advertisement, bill, poster, picture, or thing advertising any product, service, or event

(3) Sell or display for sale or give away, any refreshment, goods, article, or thing or sell or offer any service for a fee

The proposed bylaw goes on to include violation fines from \$150 to \$10,000.

On the same day, the BC Civil Liberties Association wrote Lillooet Mayor and council stating the following:

'The BCCLA is very concerned that aspects of this bylaw would infringe on Charter rights to expression and assembly, and we look forward to making a more detailed submission for your and your District's consideration.'

(letter in full attached in jpg)

*Bylaw 343 proposes to add up to ten Bylaw Officers, presently named 'Directors' and already holding fulltime positions such as Chief Administrative Officer.

At the Council Meeting of August 3, 2010, the CAO determined that 'property' as used in the Community Charter means 'homes' as in structures on property. We believe this is another unfortunate interpretation of the Community Charter on the part of our CAO.

Community Charter, Part 2, Municipal Purposes and Power,
Division 1 Purposes and Fundamental Powers

(5) The authority may only be used to enter into a place that is occupied as a private dwelling if any of the following applies:

- (a) the occupier consents;
- (b) the municipality has given the occupier at least 24 hours' written notice of the entry and the reasons for it;
- (c) the entry is made under the authority of a warrant under this or another Act;
- (d) the person exercising the authority has reasonable grounds for believing that failure to enter may result in a significant risk to the health or safety of the occupier or other persons;
- (e) the entry is for a purpose referred to in subsection (6) (a) in relation to regulations, prohibitions or requirements applicable to the place that is being entered.

Please respond to our concerns by return, as we fear the bylaw may be passed in the blink of an eye—with three readings in one sitting—the Mayor confirmed this was a possibility with Proposed Bylaw 343. This happens with Bylaws in Lillooet.

We have been patronized long enough with reassurances that the provincial authorities are 'working with the District' officials. Our overall situation is extremely urgent and we respectfully request your direct and immediate intervention.

Yours sincerely,

Sec/Treas.

Lillooet Ratepayers Association

Box 253

Lillooet, BC V0K 1V0

Tel : 250-256-XXXX

Fax : 250-256-XXXX

6.1b -ii-

Lillooet attempts to turn off water complaints

VANCOUVER SUN AUGUST 23, 2010

There have been days this year when Lillooet's tap water has double the amount of arsenic that's considered safe for human consumption.

Almost every day, the arsenic concentration in water pumped from one of the district's three wells has at least twice the maximum allowed. The guideline is 10 micrograms per litre, which means that the risk of getting an arsenic-related cancer is one in 100,000. Double the concentration and the risk is two in 100,000.

But even at that level, some health scientists believe no amount of arsenic is safe for humans and that ingesting any arsenic puts humans at risk of gastro-intestinal upset and skin problems in the short term and cancer in the long term.

"The guideline is probably not as low as some people would like it to be," says Dr. Paul Hasselback of the Interior Health Authority, which oversees water delivery systems throughout the region. But, he says, the guideline recognizes the health risks, but also "what's technically feasible."

And 10 micrograms per litre is not always technically feasible in Lillooet and several other Interior communities where arsenic occurs naturally because of the geology. They are among the few in Canada that can't consistently meet the arsenic standard, and Lillooet is the worst.

Another 520 or so B.C. communities fail to meet other national standards. Some of B.C.'s 3,500 water systems have had boil-water notices in place for two decades or more. People in Dodge Cove near Prince Rupert, for example, have been boiling their drinking water since March 31, 1988.

So far, Lillooet residents have been the most aggressive in hounding local politicians at the city, district, provincial and federal levels to find a speedy solution to their water problem. For their trouble, the most outspoken have been badmouthed and even sued by politicians.

"We get treated like garbage because we care," Anne-Marie Anderson said through tears last week.

She and other members of the Lillooet Ratepayers Association have provoked city council into trying to silence them.

On Sept. 1, council will decide whether to approve a bylaw making it illegal to post any signs or posters without a permit and illegal to meet in public without a permit whether it's for a political meeting or a picnic.

While the heavy-handed (and likely unconstitutional) bylaw is inexcusable, it's definitely easier and cheaper than a permanent resolution to the long-standing water problem. But it bears noting that few Lillooet residents want to pay more for water and part of their complaint is that the city is installing water meters.

Until 2000, when seven people died in Walkerton, Ont., after drinking municipal tap water, Canadians took drinking water for granted, believing that it was a "Third-World problem," or a problem only on Indian reserves.

Until B.C.'s Drinking Water Protection Act was passed in 2001, there were no water quality guidelines. When the guidelines were implemented in 2003, the number of boil-water notices shot up because so few communities -- Vancouver and Victoria included -- adequately treated surface water before piping it

into homes.

Without filtration, chlorination or other treatment, giardia and cryptosporidium protozoa and bacteria lurk behind the particles in turbid water. Boiling water kills the bugs. But it doesn't eliminate arsenic.

Which brings us back to Lillooet.

It has three wells, including the arsenic-laden Conway well, and two surface water sources. Over the past 16 years, the district has blended water from all five sources in an attempt to reduce the arsenic.

But for the past two years, even that hasn't always been feasible.

When forest fires raged nearby last summer, the creeks weren't usable and water was trucked in.

This year, so much mud and dirt has come down the fire-damaged mountains that until last week, no creek water was used.

Instead, the district, on the advice of engineers, has been pumping even more water than normal from the Conway well based on a theory that if more water goes through the aquifer, less arsenic (a heavy metal) will be picked up along the way.

It worked in another Interior community that has a problem with naturally occurring uranium, Hasselback says.

It's not clear whether it's working as well in Lillooet.

The ratepayers' association has been getting tap water independently tested and has found widely varying levels of arsenic at different times and in different homes in addition to wide variations in the chlorine levels.

Its conclusion is that the so-called "blending" isn't working.

Rather than risk any arsenic, the association proposes capping the wells and reverting to creek water only, even if it means having to boil water.

That seems like a Third-World solution. But a permanent, First-World solution will include blending water from both wells and creeks and improved treatment and filtration is "realistically" five years away, according to Hasselback.

He insists the district is making "reasonable progress forward." The question is: Are people willing to pay for it?

Tomorrow, a look at the public policy failures that have brought British Columbians to this brink, and the cost of making it right.

dbramham@vancouversun.com Blog: www.vancouversun.com/bramham

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6.1 b extra

In Lillooet, you might soon need a permit to picnic

And don't even think about holding a protest march or publicizing your garage sale. A proposed bylaw would outlaw that and much more

BY DAPHNE BRAMHAM, VANCOUVER SUN AUGUST 14, 2010

Nothing seems to aggravate civic politicians more than citizens who disagree with them.

Vancouver Mayor Gregor Robertson dropped the f-bomb at a public meeting this summer, which is bad enough.

But in Lillooet, the council has taken it to a whole new level. It has tabled a bylaw that would ban all unauthorized public meetings from protests to picnics and make it illegal to post even a lost-kitten sign without a permit.

It's the apex of an escalating war over water, water quality and the installation of water meters that began a few years ago. Along the way, the former mayor has sued several citizens for defamation. Recording devices have been banned at council meetings. Council has made it more difficult for citizens to access documents.

Unfortunately, the only unique part of Lillooet's response is the bylaw. The rest seems to be increasingly popular elsewhere. A number of councils across the province have done some or all of those things in a shared disdain for debate, the democratic process and citizen involvement.

Meanwhile, the contractor installing the meters complained a few weeks ago about being harassed and a female resident, who lives alone, asked council whether the bylaw enforcement officer has to come on to her property in the middle of the night to see if she's complying with the watering restrictions.

Lillooet Mayor Dennis Bontron says the bylaw is aimed at curbing vandalism and it does indeed prohibit use of parks and all public places between 11 p.m. and 6 a.m. It would also make it illegal to take up temporary or permanent residence, light fires, set off fireworks, consume alcohol or endanger others in public places.

But those infractions are at the bottom of the list, not the top, which bolsters citizens' belief that the council's priority is stomping out legitimate dissent. Which is not to say that Lillooet doesn't have a vandalism problem. Like most municipalities, it does.

The issue is the way council was advised by its staff to respond by banning all "unauthorized" public gatherings and all posters, signs or bills, setting penalties of up to \$10,000 and six months in jail and bolstering the bylaw enforcement capability by deputizing all of the town's senior staff and anyone they choose to designate.

(Lillooet -- population 2,300 -- has one bylaw enforcement officer in addition to the RCMP, who have good relations with the nearby T'it'q'et tribal police.) At the very least, the bylaw would mean that without a permit, no family picnics could be held in parks and beaches and certainly not past 11 p.m. No "lost cat" posters, garage or bake-sale signs could be put up in public places.

But rallies, demonstrations and protests would also be banned. Not even Vancouver contemplated such sweeping restrictions in its failed pre-Olympic bylaw. It limited protest and signs near Olympic sites, but not citywide.

And to put \$10,000 and six months in jail in perspective, that's double the maximum fine for vote-buying under the Municipal Act, although only half the jail time.

To Lillooet council's credit, on the Tuesday following the long weekend it didn't follow the chief administrative officer's recommendation and pass the bylaw that had landed on councillors' desks only three days earlier.

It probably helped that council had only recently read the report of an independent consultant it had hired for a two-day seminar on "excellence in governance." Among George Cuff's recommendations to council were that it needed to manage the media better, communicate better with residents, re-establish citizens' trust and never pass anything at first sight.

And it likely didn't hurt that council received a letter from the B.C. Civil Liberties Association asking to be heard at that meeting. Its view is that because of the wide restrictions it places on expression and free association, the bylaw is likely unconstitutional.

As policy director Michael Vonn says, the bylaw is so sweeping that council might require a permit to hold its meetings.

In tabling it, council has agreed to give citizens a chance to at least respond at a later meeting.

Still, the sheer audacity of such a sweeping and anti-democratic bylaw is so stunning that you can't help realize that we're not so far removed from repressive regimes such as China or the former Soviet Union.

A quote from distinguished historian Arnold Toynbee that was e-mailed to me this week sums it up succinctly.

"Civilizations are not murdered. They commit suicide."

dbramham@vancouversun.com

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April 6, 2010

City of Toronto introduces new sign bylaw updating and improving sign regulations

The City of Toronto's new sign bylaw and Third-Party Sign Tax came into effect today. The bylaw and sign tax were approved by City Council at its meeting of November 30 to December 7, 2009.

"Together the new bylaw and related initiatives provide a means to advance city beautification, enhance the public realm, and assist in achieving our environmental goals," said Mayor David Miller. "The bylaw also creates a more accessible and transparent review and enforcement process for permanent signs in the City of Toronto."

The adoption of a new city-wide sign bylaw for Toronto, including processes for administration and enforcement of the bylaw, and the introduction of a new tax on third-party signs, will improve the regulation of signs in the city.

Previously there were six comprehensive sign bylaws and close to 100 amendments, all containing separate definitions and/or regulations for signs. The new sign bylaw contains one common, updated set of definitions and regulations for the entire city.

The sign bylaws of the former municipalities were also largely reliant on the zoning designations of the properties where signs appeared. Those bylaws do not always result in the most appropriate signage permissions for the property. The new sign bylaw addresses this issue through the creation of Sign Districts and Special Sign Districts that conform to the vision for the city as outlined in the Official Plan and respect the unique characteristics of certain neighbourhoods in the city.

Many signs in Toronto are within close proximity to residential or natural areas. The new sign bylaw contains regulations which protect those areas. These regulations include standards for the maximum level of illumination of a sign, prohibiting signs from spilling light onto adjacent properties and the requirement that illuminated signs be shut off between the hours of 11 p.m. and 7 a.m.

As Toronto is a dynamic city with neighbourhoods that are constantly evolving, there is a need to create a limit as to how long third-party signs (billboards) can remain at a given location. Under the former bylaw there was no limit, which over the years led to some third-party signs operating in incompatible surroundings. The sign bylaw now contains a five-year renewal requirement for all third-party signs. Third-party signs may continue to operate beyond the original five years, but in order to do so they must continue to comply with sign bylaw regulations; this compliance ensures that these signs only operate in compatible surroundings.

The new sign bylaw also prohibits the construction of new roof signs. Roof signs are difficult to integrate into the architecture or design of a building. They can also interfere with established skylines and work against urban design policies and zoning bylaws that restrict the heights of buildings and structures throughout the city.

Along with the new sign regulations comes a new process for seeking minor relief from those regulations for signs where a proposal may not comply with the sign bylaw. Formerly, relief from the requirements of the sign bylaw (variance) was sought through an application to one of the four Community Councils. Under the new bylaw, the approval of variances for first-party signs has been delegated to staff. In the case of third-party signs, the authority has been delegated to a new Sign Variance Committee.

Nearby/neighbouring residents and businesses will also be notified of variance applications, as there are now requirements for notification for any sign variance applications in the city.

A Third-Party Sign Tax (TPST) has been developed with the goals and objectives of the new sign bylaw in mind and will be used to provide a stable source of revenue for the new Sign Bylaw Unit. This tax will apply to the owners of all third-party signs in the city with a sign face area greater than one square metre. The TPST rates range from \$1,150 to \$24,000 per sign structure and are expected to raise approximately \$10.4 million in revenue annually for the City.

All owners of third-party signs in the city were required to provide a complete inventory of their signs to the Chief Building Official by March 31, 2010. The owners of third-party signs will receive their first tax bill by July 1, 2010, and TPST payments are due September 1, 2010. The TPST will be payable on the issuance date of all third-party sign permits after April 6, 2010.

In the future, a new Sign Bylaw Unit in Toronto Building will be formed. In the meantime, existing district staff will continue to assist customers with sign applications. Customers should be aware of the following service changes throughout the transition

period:

- Applications for permits and preliminary project reviews (PPRs) for first-party signs will continue to be taken in, reviewed and inspected through one of the four district offices.
- Applications for permits and preliminary project reviews (PPRs) for third-party signs will be taken in and reviewed through the Toronto East York District office located at Toronto City Hall, 100 Queen St. W., 1st floor, West Tower.
- All third-party sign permits issued after April 6, 2010 will be issued through the Toronto East York District office (located at Toronto City Hall) and inspected through the district offices.
- Applications for sign variances and sign bylaw amendments will be taken in and processed through the Toronto East York District offices at Toronto City Hall.

For more information and updates, please visit <http://www.toronto.ca/signbylawproject/>, e-mail signbylawproject@toronto.ca, or call 416-392-8000.

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Close Window

Boost Metro's power to tax, report advises

One-per-cent surcharge on HST would raise \$450 million to help fund infrastructure

By Kelly Sinoski, Vancouver Sun/July 16, 2010

Metro Vancouver should have the power to impose personal income and sales taxes on the region's residents to help pay for bridges and other expensive infrastructure, says a report commissioned by the regional authority.

Metro directors found the idea "enticing," but figured they would have a tough time convincing the provincial government to grant them new tax powers.

The report, by Trent University Prof. Harry Kitchen, suggests Metro Vancouver should lobby the B.C. government for permission to impose the taxes that would be set locally and "piggybacked" on the provincial income tax and the harmonized sales tax.

A one-per-cent surcharge on the 2008 provincial personal income tax, for instance, would have yielded \$37 million, Kitchen said. On the HST, it would bring in \$450 million.

"Municipal governments face significant infrastructure funding challenges and revision to the tax distribution system should be contemplated," Kitchen told Metro's finance committee Thursday.

"Municipalities should have access to more than the property tax. The property tax does not get revenue from people commuting or visiting the municipalities. This would expand the range of local taxes."

Metro Vancouver could justify the new taxes on the grounds that residents and visitors travelling through the region use services they don't necessarily pay for, Kitchen said.

The taxes could augment the property tax -- Metro's major source of tax revenue -- or replace it.

Kitchen said the level of spending and growth over time in Metro has been "extremely modest," with no evidence of unnecessary tax burdens or tax increases.

"The annual average increase in the property tax burden per capita for Metro Vancouver's services over the past two decades has amounted to nothing more than the price of a couple of cups of coffee per year," he said.

He said residents will argue against any increase in property taxes, but they "unfortunately have to realize that property taxes fund a range of public services that make this country what it is."

"There is no threshold that says you can only take the property tax," he said. "My argument is, you as local

councils should have the opportunity to use property taxes, plus a personal income tax and a sales tax."

Vancouver Coun. Raymond Louie said the concept of additional revenue streams was "enticing," especially to capture a "wider set of people not necessarily paying their fair share" for services, such as commuters and visitors.

But committee members noted it would be a long-term project to convince the province to make such changes.

Richmond Coun. Harold Steves suggested Metro start lobbying the provincial government immediately, noting that Tacoma, Wash., built its

transit system and is redeveloping its downtown core with revenue collected from personal income taxes.

"I was quite impressed with what they were able to do," he said. "Their philosophy was, the whole region should pay for transit. It seems to me big things like that should be paid for by [everyone]."

Steves said personal income taxes could help preserve agricultural land because the money would come from throughout the region, including from cities such as Vancouver that don't have any farmland left and don't feel a need to contribute.

He noted one of the reasons Metro Vancouver is seen as efficient, with low taxes, is that it "does things on the cheap." He pointed to the Iona sewage treatment plant, which has been polluting the Fraser River since 1959, yet Metro keeps putting off replacing it.

"It's probably the most polluting thing Metro Vancouver is doing and we keep tabling it because we don't have the money to pay for it," he said.

Malcolm Brodie, Richmond's mayor and chairman of Metro's finance committee, said he thinks most municipalities would support having the option of levying another tax.

"One of the funding problems we have at the local level is getting only eight cents out of every tax dollar that's raised," Brodie said. "At some point, some adjustments have to be made to give local governments a more responsive revenue regime."

Municipalities balked at a recommendation in Kitchen's report that they hand over control of sewage, water and garbage collection to Metro Vancouver, saying that would cost them their autonomy.

The report was sent back to the finance committee and Metro's 22 municipalities for analysis before any decisions are made.

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Hiker outraged resort didn't help ailing woman on Grouse Grind

By Vivian Luk, Vancouver Sun August 14, 2010

A Vancouver man says he is outraged that Grouse Mountain Resort did nothing to aid a woman who was in medical distress on the Grouse Grind.

The resort does not own the challenging three-kilometre trail, but it does own the tram many Grind hikers ride down after reaching the top, and recently doubled its fees from \$5 to \$10.

Richard Kinar, 53, was trekking up the Grind on Thursday when he noticed a woman lying near the halfway mark.

"She had been vomiting, she was covered in dirt, she was frightened, and I believe she was becoming hypothermic," said Kinar, who covered the woman with his fleece jacket and dialed 911.

She told Kinar she was 46 and this was her first Grind. She had called the resort's guest services department, and was told an ambulance was on its way.

Help arrived nearly an hour later, Kinar said.

Wayne Kennedy, of the District of North Vancouver Fire Services, said a crew was dispatched at 1:52 and arrived at Grouse Mountain two minutes later. It took them 36 minutes to hike up to the halfway mark, after which they carried the woman down in a basket structure.

She had overexerted herself and was dehydrated, Kennedy said. "Grouse Mountain did nothing to assist her," Kinar said. "The ambulance service had to be dispatched ... and put staff members at the bottom of the Grind to walk up.... Grouse could have had someone by her side ... in 10 minutes."

The trail is owned and maintained by Metro Vancouver. "There have been ongoing efforts to come to some sort of agreement for Grouse [resort] to take over the responsibility of the Grind," Metro spokesman Bill Morrell said. "It's a real money spinner for them. But there were some legal and liability issues."

Consequently, the resort is not obliged to respond to medical emergencies on the Grind. "Grouse does have first-aid responders year-round on-site at the resort," Grouse Mountain Resort spokesman William Mbaho said. "If someone comes to guest services, first responders would be able to help them. But ... we're not in the business of searching [for] and rescuing people."

Kinar said the resort's staff told him as much when he complained. "It's a real cash cow for Grouse, but they refuse to accept any responsibility for anything that happens."

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Grouse Mountain takes the blame for Metro's neglect

By Michael Cameron, Special to the Sun August 18, 2010

Re: Hiker outraged resort didn't help ailing woman on Grouse Grind, Aug. 13

Before we get into the bigger issues, let us first say that the ailing hiker in this incident is okay and received excellent medical attention thanks to the work of the North Vancouver Fire Department, B.C. Ambulance Service and the staff of Grouse Mountain.

There is no reference to Metro Vancouver's absence in the article despite the fact that it had eight staff 400 metres above the location, had full radio communications and was alerted to the incident.

Reporter Vivian Luk is correct that Metro Vancouver is the owner of the lands. Provincial legislation makes it the occupier of the lands and gives it sole responsibility for them. The Rory Manning lawsuit from the 1999 snow avalanche incident bore this out. Grouse Mountain was enjoined in that as the only agency providing information and services related to the Grouse Grind. We became involved simply because we warned of the "Extreme Avalanche Hazard."

For 11 years, Grouse Mountain has tried to assume the management of the Grouse Grind trail. Metro Vancouver has either declined our overtures or proposed conditions so onerous that no reasonable person would ever accept them.

One recent scenario required Grouse Mountain to assume all liability and the multimillion-dollar remedial cost for the geotechnical risks on the entire mountain face owned by Metro Vancouver.

Despite those risks and challenges we remain interested in solving this issue. If a long-term solution was in place, this article would never have been written. Grouse Mountain's qualified safety staff would have been on scene to deal with this incident. In fact, already this year we have

responded to all 10 of the incidents on the Grouse Grind as a good Samaritan, just like Richard Kinar.

Bill Morrell's comments are disingenuous. Grouse Mountain does not charge anything for hiking. This is simply an attempt by Metro Vancouver to shirk its landowner responsibilities.

Let's turn to Richard Kinar. Good on you for lending aid. You did the right thing. Unfortunately, some of your facts are not accurate.

The first distress call came at 13:46. As agreed, with all agencies, our first call is to 911. In this case, the North Vancouver District Fire Department and B.C. Ambulance Service assumed command and conducted the assistance.

The first fire department dispatch was at 13:53 and arrived on scene at 14:00. Grouse Mountain fulfilled its agreed-upon role by preparing the staging area and dealing with the logistics to allow the NVFD to conduct its mission. The first firemen attended the victim at 14:30. Pretty impressive given the location halfway up a mountain. The fire incident commander was on the phone with the victim at 14:02 and was working to determine her injuries.

This was hardly a case of negligence. Tremendous resources were applied to this incident and not one Metro Vancouver staff responded. The entire cost of this incident was borne by the District of North Vancouver and B.C. taxpayers or Grouse Mountain Resorts. Metro Vancouver gets off scot-free.

Michael Cameron is general manager of Grouse Mountain Resorts Ltd.

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Read more:

<http://www.vancouversun.com/opinion/Grouse+Mountain+takes+blame+Metro+neglect/3411339/story.html#ixzz0xYwUE4q1>

The Grouse Grind issue isn't about assigning blame

By Bill Morrell, Vancouver Sun August 24, 2010

How unfortunate that Michael Cameron of Grouse Mountain Resorts (GMR) would look everywhere but in the mirror regarding concerns raised by a citizen about GMR's lack of responsiveness to a hiker in distress on the Grouse Grind.

Surely it would have been better to learn from the criticism and re-evaluate safety and response procedures, than to leap to assign blame to others.

Some clarity in terms of the Grind, its ownership, evolution and management might be helpful.

Most of the Grind is located on off-drainage lands that are part of the region's Capilano watershed, although access, both at the bottom and at the top, is on land controlled by GMR. Because it contributes to a healthy community, is off-drainage and does not impact water quality, and recognizing its popularity with residents and visitors alike, Metro Vancouver has not opposed its use despite what amounts, technically, to trespass on closed watershed lands.

The trail itself was originally blazed in the early 1980s by a number of avid hikers who worked voluntarily to establish and then make minor improvements to it. It was not endorsed by the region, nor is it within the legal mandate of the Greater Vancouver Water District (which owns the land) to enable its continued use.

But as the Grind's popularity grew, in no small part as a result of promotion by Grouse Mountain Resorts, it became apparent that volunteer efforts and ad hoc repairs were not sufficient to ensure its safe use. So Metro Vancouver adopted a more active role in its management and for a period of time, the region and GMR worked collaboratively on repair work and resort staff contributed to nightly safety sweeps of the trail.

When protracted negotiations that would have transferred management of the Grind to the resort failed, owing primarily to GMR's refusal to accept

any liability at all for its use, they walked away from that collaborative approach.

Since that time, it has been the taxpayers of Metro Vancouver who have underwritten the costs associated with the Grind and its use. It is the taxpayers who spent upwards of \$200,000 in 2010 alone on necessary trail repairs, and who have provided an ongoing subsidy to North Shore Rescue so that safety sweeps are carried out.

In his commentary, Cameron accuses me of being disingenuous, presumably due to my quote in the original news report suggesting the Grind is a money spinner for the resort, because, he says, " ... Grouse Mountain does not charge anything for hiking."

That is true, and neither does Metro Vancouver. But GMR certainly does charge \$10 for the tram ride down and undoubtedly sells more than the occasional refreshment to the 500,000 hikers who climb the Grind each year. Clearly, the Grouse Grind is a financial and legal liability to the Water District and a unique risk-free financial asset to one party alone -- the resort.

GMR so clearly sees the benefits to their corporate interests of the safe and effective operation of the Grind that they have actively pursued purchase of the property. And on behalf of Metro Vancouver, Water District Commissioner Johnny Carline has been doing his best for the past 10 years to sell it to them. That sale, however, can only proceed if founded on terms that are fair to the taxpayers who own the land, to the users who enjoy its amenity, and to North Vancouver District in whose jurisdiction it lies.

Bill Morrell is a division manager in Metro Vancouver's corporate relations department.

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Don't judge a tax rate by its cover

Slicing the municipal tax pie is a complicated process

NORTH SHORE NEWS JULY 21, 2010

The current difference in tax rates between residential and business properties has developed since 1984 when one mill rate applied to fractionalized or discounted assessment values for each classification. These fractions were changed by the province as residential values increased, to maintain equity between the classes.

In 1984, all property was assessed at full actual value and municipalities were given the discretion to set tax rates. Thus the provincially-controlled fractional assessments were transferred to a municipally-controlled variable tax rate. This was to allow local governments to determine the tax loads according to their revenue requirements and their respective tax strategies.

The tax paid by owners of all properties is based on a combination of the municipal tax rate set by councils, and the assessed value of the property set by the provincial government's B.C. Assessment Authority. Municipal tax rates for residential (regardless of property value) have historically been lower than business, of which there are three primary property tax classes: general business, light industry and major industry.

Each business class has its own economic drivers, its unique demand for municipal services and contributes to the community in a different way. This was one of the rationales for the province allowing municipalities the autonomy to adapt to local needs (rather than having province-wide multipliers) and to respond to changes that occur over time (rather than using static rate).

The reason for this difference was a provincially-established assessment "ratio" which resulted in the following equivalent ratios: the general business rate was 2.4 times the residential rate; light industry was 2.8 times residential; major industry was 3.4 times residential.

The rationale was that business properties were generally assessed at lower market values than residential. Therefore the intention was to ensure that the property tax regime was fair and equitable between all classes.

As outlined earlier, the provincial government allowed municipalities to vary the multiples to reflect changes in the assessments in each tax class and other factors. Major changes occurred between 1985 and 1995 as residential values increased dramatically and, on a provincial basis, the multiples changed across the board. Today the multiples in the District of North Vancouver are as follows: business is 3.32 times residential; light industry is 8.69 times residential; major industry is 17.08 times residential.

Part of the reason for these changing multiples is that residential assessment has increased at a faster rate than all business property classes. General business assessments have increased faster than industry tax classes. Therefore, the taxes actually paid by most businesses have not increased relative to the residential taxes paid at the ratios noted above.

As most know, every property tax bill collects taxes for various agencies, including local government, regional government, provincial agencies such as the B.C. Assessment Authority and, of course, schools. The province does intervene from time to time in these tax rates for certain tax classes.

In 2002, for example, industries paid \$12.50 per \$1,000 of assessed value and light and business paid \$9.90 for school taxes. Today, that rate has been reduced to \$6.80 per \$1,000 of assessed value, and each industry receives a 50 per cent tax rebate (set to increase to 60 per cent in 2011). This has been an attempt to ensure the tax system is fair and equitable.

District council has recognized the need for fair and equitable taxation and adopted a five-year property tax strategy that aims to restore an acceptable taxation balance among all tax classes. It is based on an approach that aims to ensure that taxes paid by each property owner are competitive within the Metro Vancouver region.

For example, the tax rate for general business is \$8.63 per \$1,000 of assessed value, below the Metro average of \$10.57. In 2006, district business properties had a tax increase of two per cent compared with a 4.75 per cent increase for residential. In 2009 and 2010, business tax rate increases were also slightly lower than on residential properties.

The business class is showing good financial health in the district. The vacancy rate is below average for Metro Vancouver (2.1 per cent compared with 4.6 per cent regionally), and the number of building permits issued for commercial space has remained relatively constant for the past five years.

Rates for light industry are above the Metro average and are being adjusted downward over the next few years; and the tax rates for major industry are being adjusted downward commensurate with new industrial investment.

Perhaps a better measure of what has happened in the tax regime is to look at dollars paid. For example, major industry's taxes have increased by 2.2 per cent per annum since 1999 compared with a rate of inflation of 2.1 per cent per annum (a completely different picture from comparing the multiplier of 3.4 in 1984 to 17.08 in 2010).

The suggestion that business should not pay more than twice what a resident pays is arbitrary and not based on any scientific measurement of benefits or services consumed. And the suggestion that the province should step in and legislate a cap has a dangerous precedent in the Port Properties Act. The PPA created a two-tier rate structure with half of the industries paying \$27.50 per \$1,000 of assessed value, with the other half paying a \$44.39 rate. There is no equity in arbitrarily shifting taxes between or within classes without a reasonable conceptual foundation.

If residential land values increase at a greater rate than industrial land values, the ratios have to adjust, or there will be a shifting of the tax base from industry to residential. The ratios need to be adjusted to maintain equity measured in taxes paid between the various classes.

For example, let's say a municipality requires \$300 to run its operations in Year 1. The gross assessed value of its residential properties is \$100,000 and for businesses is \$200,000. The tax rate for residents is \$1 per \$1,000 of assessed value and the tax rate for businesses is \$2: residents pay

\$100 in taxes and businesses pay \$200. The multiplier between classes is two.

In Year 2, the municipality still requires \$300 to run its operation, but the residential assessments due to homeowner improvements and an active real estate market, has increased to \$200,000 (from \$100,000) while the business assessments have remained static. The tax rate for residents is now \$.50 per \$1,000 of assessed value, and the business rate is still at \$2. The multiplier has doubled (from two to four) yet the businesses are still paying the same amount of taxes as the prior year. The rate of assessment growth between two classes will worsen the multiplier even though the amount of taxes paid is the same.

Tax relief is not the only way a municipality contributes to the health of businesses. Land use decisions, revitalization exemptions, the creation of business improvement areas, beautification and transportation improvements all help. The district recently undertook a door-to-door survey of many businesses in each of the three tax categories to identify the key issues for businesses. The primary concern was not excessive taxation, but excessive regulation. As a result, council is adopting new, streamlined and more flexible zoning with broad support from the business community.

It is also shortening the timelines for permits of all kinds, and is responding to issues relating to customer service and business advocacy. The mayor recently addressed the North Vancouver Chamber of Commerce on these issues.

In summary, the district recognizes that it can do more for its businesses, and needs policies that encourages rather than discourages investment and job-creation. These concerns are a key component of achieving long-term sustainability within our ongoing official community plan work.

Taxing business unfairly is short-sighted and undermines the health of our community which needs buoyant economic activity. But focusing only on the ratio or gap between residential and business property tax rates is a simplistic and inaccurate way of assessing equity between different property tax classes.

Mayor Richard Walton

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Reviewing tax rates only part of picture

BY ELIZABETH JAMES, NORTH SHORE NEWS JULY 21, 2010

"In the main, municipalities have had to meet revenue needs from property taxes. And with increased inflation and infrastructure replacement added to downloaded responsibilities, municipal and regional tax rates across the board have soared."

District of North Vancouver Coun. Robin Hicks, July 2010

The trouble with just asking a question is that one is often asking for trouble, if you get my drift.

So when it came to my request for comments from North Shore mayors and councillors on the June report of the Canadian Federation of Independent Business (CFIB), I half-expected the exercise to be akin to prying BC Rail information out of digital archives in Victoria.

Instead, what I received was a deluge of really good material; so much so that it warrants more coverage than was possible in last week's column.

Warned by my editor that the subject is fact-heavy and dense -- this is, after all, summertime when the livin' is supposed to be easy -- I'll do my best to make it an effortless, if not overly pleasant read.

June 15, 2010 was a really, really bad day for CFIB to release a report that complained about what it called the unfair gap between residential and business property taxes.

That's because, just 15 days later, the provincial government activated the Harmonized Sales Tax (HST), which effectively transferred \$2-billion in input taxes away from business and onto the shoulders of individual British Columbians, many of whom also pay property taxes.

According to Finance Minister Colin Hansen, this was done largely to relieve business of onerous paperwork and to help them become more competitive. In this context, "business" is an all-encompassing term that refers to everything from Mom 'n' Pop enterprises to international corporations.

As it happens, the HST does virtually nothing to improve the lot of most small-business owners who, according to MLA Rick Thorpe, former minister of small business and revenue, provide 98 per cent of jobs in the province. So they have been vocal in their opposition to the tax because they believe it will drive consumers to spend less overall.

First up to bat when I put out the call for comments on the CFIB move, was District of West Vancouver Coun. Michael Smith.

Staking his ground in support of small business, Smith said, "there is no rational argument for taxing business property at a higher rate than residential . . . especially when school taxes, set by the provincial government as a percentage of assessed property, really hit West Vancouver hard because of high assessments."

Smith believes the explanation for higher business-property tax rates lies in the political arena:

"Businesses have no vote and are poorly represented . . . the majority of municipal politicians have little or no private sector business or management experience," he explained.

"There is very little understanding of how hard it is for a business to create the revenue to pay its staff, its suppliers and (its) taxes to every level of government," he concluded.

Garrett Polman, a West Vancouver resident and member of ITAC -- the Interested Taxpayers Action Committee -- appears largely in agreement with Smith: "As with any tax situation that is out of kilter, redressing the balance is extremely difficult because it means finding someone else to pay the bill," he said.

Polman stressed, however, that he was not making an argument for giving businesses a vote, which he thinks is "fraught with unresolved complexities."

What I found even more interesting was Polman's "second thought" observation about the CFIB numbers that "four out of five municipalities adjacent to Vancouver -- the City and District of North Vancouver, New Westminster, Burnaby and Richmond -- were not that much less expensive."

The aberration was the City of Richmond where, on recent trips, Polman had been "struck by the number of businesses they have there; could that be due to their lower tax rate?"

Now that rang a bell. I'd had my own niggle about Richmond when so little community opposition was voiced to the multi-millions of dollars the municipality was doling out on Olympics-related facilities and events. So I went digging into the "archives" in my closet.

Sure enough, there was my answer -- a July 2005 reply to concerns I had expressed about District of North Vancouver municipal taxes and spending, relative to those of other municipalities.

From James Ridge, the former district chief administrative officer, the letter touched on the relative financial health of GVRD municipalities:

"We are roughly middle of the (GVRD) pack . . . what you are seeing in those municipalities with gaming revenue . . . (is that they are) rapidly building huge reserves compared with others," he said.

"Richmond's entire capital program is funded by gaming, and New Westminster is ploughing six million a year into reserves from gaming."

Ridge emphasized that he was not in any way advocating casinos for the district.

Whether those figures remain true to the present is a matter for clarification. But the relevance of this anecdote is that it shows, as little else can, that a simple review of tax rates, dollar numbers, and/or the gaps and multipliers between residential and business property taxes, without knowing details of the factors that fed into them, will not get us where we need to be.

As I wrote last week, I firmly believe the only way taxpayers can be sure their municipal services are necessary and giving value for money, is to undertake arms-length, tri-community, value-for-money

audits that will provide the answers we need.

Municipal budgets and spending patterns do not happen overnight; nor do they happen without significant influence from residents and businesses in the community. So to commission those audits would neither imply mismanagement on the part of municipal administrations nor set an uncomfortable precedent. Indeed, as a strategy common to many government bodies and successful corporations, value-for-dollar audits should be far less worrisome to our local administrators, than are headlines that point the finger at "municipalities [that] continue with tax and spend policies," as stated by Brian Bonney, director of provincial affairs for CFIB. Nor would an audit come close to matching the embarrassment of seeing widespread publication of the "six-figure salaries" of municipal staffs.

In closing, there was another important response to my original enquiry that deserves more durable coverage than this column should expect to receive.

What amounts to a primer on the evolution of residential and business taxes, the document was forwarded by Mayor Richard Walton, Coun. Robin Hicks, and chief financial officer Nicole Deveaux, all of the District of North Vancouver. Although prepared in the district, the concepts apply across the North Shore, and should be of interest to anyone who is concerned about how their municipal and regional tax-rates are derived.

Too detailed for compression into this column, readers will find the complete document posted on the North Shore News website (www.nsnews.com) under Opinion.

rimco@shaw.ca

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Sharing municipal tax pain

BY ELIZABETH JAMES, NORTH SHORE NEWS JULY 14, 2010

"Businesses in B.C. pay on average three times more property taxes than an equivalently valued residential property . . . businesses pay five, six even seven times more than residents. This ratio represents not only the worst in B.C., but is also among the worst in Canada."

The Case for a Cap on the Property Tax Gap, Heather Tilley, Canadian Federation of Independent Business, June 2010

While many of us concentrated on anti-HST petitions or on television coverage of the World Cup of soccer, the Canadian Federation of Independent Business was circulating what has become its annual plea for fairness in property taxation.

Based on 2009 data, the numbers contained in the Tilley report argue a reasoned case for the CFIB assertion that "small businesses are unreasonably burdened" by municipal property taxes and that "local economies and jobs are at stake if this continues."

CFIB concerns are echoed by District of West Vancouver Coun. Michael Smith and Coun. Robin Hicks of the District of North Vancouver:

"In the main, municipalities have had to meet revenue needs from property taxes," said Hicks.

"And with increased inflation and infrastructure replacement added to downloaded responsibilities, municipal and regional tax rates across the board have soared."

In North Vancouver, the CFIB report cited an average city property valued at \$755,984, noting that, in real dollars, the owner of a residential property would pay \$3,395 in taxes, while the owner of a business property pays 4.09 times more at \$14,269.

Although said to have improved for fiscal 2009/2010, that 4.09 multiplier placed the city 10th in an overall ranking of the 30 "worst offenders" of British Columbia's 160 municipalities and regional districts.

On a property valued at \$847,575, the District of North Vancouver differential was somewhat better at 3.67 or \$3,861 to \$15,353, for a 25th placing overall.

By contrast, business taxes in the District of West Vancouver were off the worst-offender chart and below the provincial average, at 2.33 times residential.

An important part of the CFIB case for parity centres round the fact that businesses do not use many of the services for which the tax is raised -- to which citizens respond, "businesses get to write off their taxes as an expense; we don't."

Both positions are correct, but neither tell the whole story.

Although businesses may not use all services directly, they do receive indirect benefit or, as Coun. Pam Bookham put it, "businesses have benefitted from densification in the Lonsdale and Marine Drive areas which brought more potential customers within easy walking distance. . . ."

Nevertheless, as CFIB emphasized, tax writeoffs can only be used if there is a business profit against which they can be applied.

So with respect to parity, if a 30 per cent tax writeoff for a profitable business were to be factored into the equation, "parity" should result in a residential to business ratio of only 1:1.3 -- well below the 2009 multipliers.

When approached for the CFIB definition of a fair split between the two property-tax classes, Brian Bonney, director of provincial affairs in this province, said, "When our members were surveyed, a third were looking for parity; but a majority indicated that an annual move toward a 2-1 ratio between business and residential by 2012 would be reasonable."

Reasonable perhaps; but fair? Would it achieve what business owners say they want?

The questions need to be asked because the last point to be made about the achievement of parity in the interest of lightening the business tax burden, is that business owners must live somewhere, so whether in the same community or elsewhere, they would still be faced with a burdensome residential tax bill that no one can write off against revenues.

Decisions about the amount and apportionment of taxation rest with municipal governments; and the common denominator for both CFIB and residential taxpayers is that "if municipalities would cut back on salaries and 'out-of-control' spending, most taxation problems would disappear."

So let's flip the coin and look at the view enjoyed -- or as some believe, overly enjoyed -- by local government.

By the barest of descriptions, municipal governments exist to make land-use decisions and to provide core services to their citizens: policing, fire protection, water, sewer, solid waste collection, local roads and parks and recreation amenities.

At least that was their original *raison d'être*.

Like Topsy, however, and largely in response to public demand, the mandate "just grewed" until, today, by a few dollars here or millions there, council budgets, reserves and heritage funds are nibbled away for all manner of worthy reasons until the next budget cycle rolls around.

Furthermore, as we have seen from TransLink and the ballooning GVRD/Metro bureaucracy, regionalization of services does not equate to lower overall costs.

Indeed, a late draft of this column had already been submitted when, on Friday evening, I read North Shore News reporter Jane Seyd's disturbing story *Six Figure Salaries on the Increase at Municipal Halls* and noted the additional salary and expenses for mayors and councillors who participated on Metro committees.

To put salaries and expenses in context, every \$500,000 or so spent in the District of West Vancouver adds one per cent to a residential tax bill. In the City and District of North Vancouver, one per cent represents approximately \$350,000 and \$670,000 respectively.

Tough budgetary slogging to be sure, but we are still only part way around the circumference of municipal tax-revenue needs and about to run into some of the heaviest budget-busters of all: the need for local governments to shoulder the direct and indirect costs of services downloaded by senior governments.

Under the heading Principles of Municipal-Provincial Relations, the wording of Section 2.2 (b) of the Community Charter reads: "the Provincial government must not assign responsibilities to municipalities unless there is provision for resources required to fulfill the responsibilities."

Sure -- just like Victoria covers the K-12 resources under the School Act.

Couns. Bookham and Bob Fearnley were right to voice their concerns about the City of North Vancouver offering a \$1.6 million mortgage and a one-time \$300,000 grant to the Vancouver Resource Society for a social housing project in the city.

No matter how worthy the motives, every time a municipality takes the fall for a federal or provincial responsibility that citizens have already been taxed to provide, it not only invites more of the same, it creates a need for additional property taxes.

Municipalities are in a vice; squeezed between the must-haves and wants of residential and business citizens on the one hand, and the dictates and downloads of senior governments on the other. All indications are that something is about to give.

It is past time for all three councils to commission arms-length value-for-money audits. They must include an accounting of the costs that have been assumed for senior government responsibilities, and recommendations for action.

When those are completed, preferably before the end of the current term, then municipalities must act on the findings. They must implement the recommendations and, with vigorous support from UBCM, stand up to senior governments and challenge them to stop hiding their own failures behind the skirts of local administrations.

If those measures are to be taken -- and succeed -- they are best achieved by a joint task force to involve council and staff, and representation from individual residents and business citizens.

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Fraser Institute may have it right

BY BILL BELL, SPECIAL TO NORTH SHORE NEWS JULY 18, 2010

I am not a fan of the Fraser Institute and never have been.

Since 1974 they have been driving centre-left-leaning people everywhere absolutely crazy with research reports that support a right-wing agenda.

To any self-respecting leftist, the name conjures up images of fat-cat, top-hat capitalists meeting over expensive brandy and cigars to devise another report to support squeezing more off the backs of the working class.

But then every once in awhile something comes along like the excellent July 9 North Shore News story Six-figure Salaries on the Increase at Municipal Halls, by reporter Jane Seyd, that makes even this columnist think the Fraser Institute has it right this time -- at least when it concerns the increasing cost of government and the taxes we have to pay.

When I read Seyd's news piece, my head was shaking with complete disbelief.

"Between the districts of West Vancouver, North Vancouver and the City of North Vancouver, 183 civil servants earned more than \$100,000 last year -- double the number who took home that kind of paycheque in 2008 and almost quadruple the 51 town hall employees who earned a six-figure salary six years ago."

The headline should have read Out of Control! Weren't any of our local politicians minding the store? Perhaps they were too busy submitting their expense reports to those same administrators for approval?

Canadians are a strange breed. Unlike our American cousins, we don't hate taxes (the despised HST not withstanding), as long as we believe that our tax dollar is being well spent and that we are getting the best bang for our buck. We do not begrudge taxes to pay for health care, roads, sewers or education, but when we read about our hard earned dollars going to pay a bureaucrat like City of North Vancouver manager Ken Tollstam slightly more than \$248,000 in 2009, our blood begins to boil.

According to the Fraser Institute the average Canadian family paid a total of \$28,878 in taxes on income of \$69,175, and yet politicians of all stripes and persuasions, provincial, municipal and federal keep acting as if we can afford even more. When is enough, enough?

Local politicians should not be so smug when it comes to what they deem as small increases of three and four per cent in the tax rate. They rarely mention hidden increases in utilities or recreational fees, to name but a few of the hidden taxes they also control.

One only has to look at the negative reaction to the imposition of the HST to see that the population's tolerance to increased taxation is no longer a guarantee. The recent province-wide polls on the popularity of the Gordon Campbell Liberals and the HST should provide a wake-up call to those

municipal councillors who have become complacent "tax and spend" front men for the overpaid bureaucrats they were elected to keep in check.

The City of North Vancouver is a relatively small municipality, yet: "Thirty-six people in the city earned more than \$100,000. Top earners included city manager Ken Tollstam who made slightly more than \$248,000, fire chief Barrie Penman, who made \$167,000 and planner Richard White who made \$163,000." You would think they were running a big city.

The District of North Vancouver is not much better according to Seyd's story. "In the District of North Vancouver, the total employee payroll was \$43 million last year, up from \$38.3 million the year before, plus \$239,000 in expenses. Among the top earners on the public payroll, 100 more people earned more than \$75,000 in 2009 than did so in 2008, according to a District of North Vancouver staff analysis. Of those top earners, 82 earned more than \$100,000." That's an awfully large six-figure club they have at district hall.

Over in West Vancouver, they appear to be doing somewhat better with anti-tax activist David Marley watching over them. Marley is not complacent with a zero per cent increase, and next year it appears he will be taking a page out of the budget process in San Francisco where, according to him, they reduced their budget by five per cent.

"Speaking of California, the authors point out that this year the City of San Francisco has evidently managed to cut \$100 million from its payroll and benefits cost of \$2.5 billion. Interestingly, that's four per cent or, based on last year's figures, the amount the District of West Vancouver operating budget would have to be trimmed to obtain a five per cent decrease in local property taxes for 2011. Food for thought," Marley said in a recent email.

I think most taxpayers on the North Shore would be happy with zero per cent increase in taxes next year. A good start would be to freeze all administrator salaries earning more than \$100 grand a year. Perhaps the mayors might want to consider leading by example by freezing their own six-digit salaries.

And to think I once said that Rice Lake would have to freeze over on a July day before I advocated anything the Fraser Institute published. bill@ontheroadin.com

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THIS STORY HAS BEEN FORMATTED FOR EASY PRINTING

How facts backfire

Researchers discover a surprising threat to democracy: our brains

By Joe Keohane | July 11, 2010

It's one of the great assumptions underlying modern democracy that an informed citizenry is preferable to an uninformed one. "Whenever the people are well-informed, they can be trusted with their own government," Thomas Jefferson wrote in 1789. This notion, carried down through the years, underlies everything from humble political pamphlets to presidential debates to the very notion of a free press. Mankind may be crooked timber, as Kant put it, uniquely susceptible to ignorance and misinformation, but it's an article of faith that knowledge is the best remedy. If people are furnished with the facts, they will be clearer thinkers and better citizens. If they are ignorant, facts will enlighten them. If they are mistaken, facts will set them straight.

In the end, truth will out. Won't it?

Maybe not. Recently, a few political scientists have begun to discover a human tendency deeply discouraging to anyone with faith in the power of information. It's this: Facts don't necessarily have the power to change our minds. In fact, quite the opposite. In a series of studies in 2005 and 2006, researchers at the University of Michigan found that when misinformed people, particularly political partisans, were exposed to corrected facts in news stories, they rarely changed their minds. In fact, they often became even more strongly set in their beliefs. Facts, they found, were not curing misinformation. Like an underpowered antibiotic, facts could actually make misinformation even *stronger*.

This bodes ill for a democracy, because most voters — the people making decisions about how the country runs — aren't blank slates. They already have beliefs, and a set of facts lodged in their minds. The problem is that sometimes the things they think they know are objectively, provably false. And in the presence of the correct information, such people react very, very differently than the merely uninformed. Instead of changing their minds to reflect the correct information, they can entrench themselves even deeper.

"The general idea is that it's absolutely threatening to admit you're wrong," says political scientist Brendan Nyhan, the lead researcher on the Michigan study. The phenomenon — known as "backfire" — is "a natural defense mechanism to avoid that cognitive dissonance."

These findings open a long-running argument about the political ignorance of American citizens to broader questions about the interplay between the nature of human intelligence and our democratic ideals. Most of us like to believe that our opinions have been formed over time by careful, rational consideration of facts and ideas, and that the decisions based on those opinions, therefore, have the ring of soundness and intelligence. In reality, we often base our opinions on our *beliefs*, which can have an uneasy relationship with facts. And rather than facts driving beliefs, our beliefs can dictate the facts we chose to accept. They can cause us to twist facts so they fit better with our preconceived notions. Worst of all, they can lead us to uncritically accept bad information just because it reinforces our beliefs. This reinforcement makes us more confident we're right, and even less likely to listen to any new information. And then we vote.

This effect is only heightened by the information glut, which offers — alongside an unprecedented amount of good information — endless rumors, misinformation, and questionable variations on the truth. In other words, it's never been easier for people to be wrong, and at the same time feel more certain that they're right.

"Area Man Passionate Defender Of What He Imagines Constitution To Be," read a recent Onion headline. Like the best satire, this nasty little gem elicits a laugh, which is then promptly muffled by the queasy feeling of recognition. The last five decades of political science have definitively established that most modern-day Americans lack even a basic understanding of how their country works. In 1996, Princeton University's Larry M. Bartels argued, "the political ignorance of the American voter is one of the best documented data in political science."

On its own, this might not be a problem: People ignorant of the facts could simply choose not to vote. But instead, it appears that misinformed people often have some of the strongest political opinions. A striking recent example was a study done in the year 2000, led by James Kuklinski of the University of Illinois at Urbana-Champaign. He led an

influential experiment in which more than 1,000 Illinois residents were asked questions about welfare — the percentage of the federal budget spent on welfare, the number of people enrolled in the program, the percentage of enrollees who are black, and the average payout. More than half indicated that they were confident that their answers were correct — but in fact only 3 percent of the people got more than half of the questions right. Perhaps more disturbingly, the ones who were the *most* confident they were right were by and large the ones who knew the least about the topic. (Most of these participants expressed views that suggested a strong antiwelfare bias.)

Studies by other researchers have observed similar phenomena when addressing education, health care reform, immigration, affirmative action, gun control, and other issues that tend to attract strong partisan opinion. Kuklinski calls this sort of response the “I know I’m right” syndrome, and considers it a “potentially formidable problem” in a democratic system. “It implies not only that most people will resist correcting their factual beliefs,” he wrote, “but also that the very people who most need to correct them will be least likely to do so.”

What’s going on? How can we have things so wrong, and be so sure that we’re right? Part of the answer lies in the way our brains are wired. Generally, people tend to seek consistency. There is a substantial body of psychological research showing that people tend to interpret information with an eye toward reinforcing their preexisting views. If we believe something about the world, we are more likely to passively accept as truth any information that confirms our beliefs, and actively dismiss information that doesn’t. This is known as “motivated reasoning.” Whether or not the consistent information is accurate, we might accept it as fact, as confirmation of our beliefs. This makes us more confident in said beliefs, and even less likely to entertain facts that contradict them.

New research, published in the journal *Political Behavior* last month, suggests that once those facts — or “facts” — are internalized, they are very difficult to budge. In 2005, amid the strident calls for better media fact-checking in the wake of the Iraq war, Michigan’s Nyhan and a colleague devised an experiment in which participants were given mock news stories, each of which contained a provably false, though nonetheless widespread, claim made by a political figure: that there were WMDs found in Iraq (there weren’t), that the Bush tax cuts increased government revenues (revenues actually fell), and that the Bush administration imposed a total ban on stem cell research (only certain federal funding was restricted). Nyhan inserted a clear, direct correction after each piece of misinformation, and then measured the study participants to see if the correction took.

For the most part, it didn’t. The participants who self-identified as conservative believed the misinformation on WMD and taxes even *more* strongly after being given the correction. With those two issues, the more strongly the participant cared about the topic — a factor known as salience — the stronger the backfire. The effect was slightly different on self-identified liberals: When they read corrected stories about stem cells, the corrections didn’t backfire, but the readers did still ignore the inconvenient fact that the Bush administration’s restrictions weren’t total.

It’s unclear what is driving the behavior — it could range from simple defensiveness, to people working harder to defend their initial beliefs — but as Nyhan dryly put it, “It’s hard to be optimistic about the effectiveness of fact-checking.”

It would be reassuring to think that political scientists and psychologists have come up with a way to counter this problem, but that would be getting ahead of ourselves. The persistence of political misperceptions remains a young field of inquiry. “It’s very much up in the air,” says Nyhan.

But researchers are working on it. One avenue may involve self-esteem. Nyhan worked on one study in which he showed that people who were given a self-affirmation exercise were more likely to consider new information than people who had not. In other words, if you feel good about yourself, you’ll listen — and if you feel insecure or threatened, you won’t. This would also explain why demagogues benefit from keeping people agitated. The more threatened people feel, the less likely they are to listen to dissenting opinions, and the more easily controlled they are.

There are also some cases where directness works. Kuklinski’s welfare study suggested that people will actually update their beliefs if you hit them “between the eyes” with bluntly presented, objective facts that contradict their preconceived ideas. He asked one group of participants what percentage of its budget they believed the federal government spent on welfare, and what percentage they believed the government should spend. Another group was given the same questions, but the second group was immediately told the correct percentage the government spends on welfare (1 percent). They were then asked, with that in mind, what the government should spend. Regardless of how wrong they had been before receiving the information, the second group indeed adjusted their answer to reflect the correct fact.

Kuklinski’s study, however, involved people getting information directly from researchers in a highly interactive way. When Nyhan attempted to deliver the correction in a more real-world fashion, via a news article, it backfired. Even if people do accept the new information, it might not stick over the long term, or it may just have no effect on their

opinions. In 2007 John Sides of George Washington University and Jack Citrin of the University of California at Berkeley studied whether providing misled people with correct information about the proportion of immigrants in the US population would affect their views on immigration. It did not.

And if you harbor the notion — popular on both sides of the aisle — that the solution is more education and a higher level of political sophistication in voters overall, well, that's a start, but not the solution. A 2006 study by Charles Taber and Milton Lodge at Stony Brook University showed that politically sophisticated thinkers were even less open to new information than less sophisticated types. These people may be factually right about 90 percent of things, but their confidence makes it nearly impossible to correct the 10 percent on which they're totally wrong. Taber and Lodge found this alarming, because engaged, sophisticated thinkers are “the very folks on whom democratic theory relies most heavily.”

In an ideal world, citizens would be able to maintain constant vigilance, monitoring both the information they receive and the way their brains are processing it. But keeping atop the news takes time and effort. And relentless self-questioning, as centuries of philosophers have shown, can be exhausting. Our brains are designed to create cognitive shortcuts — inference, intuition, and so forth — to avoid precisely that sort of discomfort while coping with the rush of information we receive on a daily basis. Without those shortcuts, few things would ever get done. Unfortunately, with them, we're easily suckered by political falsehoods.

Nyhan ultimately recommends a supply-side approach. Instead of focusing on citizens and consumers of misinformation, he suggests looking at the sources. If you increase the “reputational costs” of peddling bad info, he suggests, you might discourage people from doing it so often. “So if you go on ‘Meet the Press’ and you get hammered for saying something misleading,” he says, “you'd think twice before you go and do it again.”

Unfortunately, this shame-based solution may be as implausible as it is sensible. Fast-talking political pundits have ascended to the realm of highly lucrative popular entertainment, while professional fact-checking operations languish in the dungeons of wonkery. Getting a politician or pundit to argue straight-faced that George W. Bush ordered 9/11, or that Barack Obama is the culmination of a five-decade plot by the government of Kenya to destroy the United States — that's easy. Getting him to register shame? That isn't.

Joe Keohane is a writer in New York. ■

New liquor licence rules worry municipalities

Some of the changes remove local government involvement in applications

BY JEFF LEE, VANCOUVER SUN AUGUST 6, 2010



Bill 20, the provincial government's overhaul of liquor legislation, enables police to ticket people who have open containers of alcohol in public without having to prove they consumed the liquor.

Photograph by: Mark Van Manen, Vancouver Sun, Vancouver Sun

New rules proposed by the provincial government to streamline how it deals with liquor licences will mean less consultation with local government officials, who worry that could result in more neighbourhood noise and nuisance complaints.

The changes will remove the need for local government involvement for applications ranging from licence renewals to the establishment of small lounge-style facilities.

"It takes decision-making away from the local government, but we at the local government are the ones who deal with it when there are problems," said Surrey Coun. Barbara Steele, the first vice-president of the Union of B.C. Municipalities and chairwoman of the union's community safety committee. "If there is a problem that could face local government, then we should at least be consulted on what is happening."

This fall, the province plans to develop new regulations that range from allowing hospitals and care facilities to serve liquor to visitors, to tightening how special-occasion licences are granted. The proposals were outlined in a miscellaneous amendments bill in the spring, in which the government tightened up a number of liquor licence rules. Those changes were largely welcomed by local governments, even if the province passed them without consultation from municipalities, Steele said.

But it is some of the broader plans in the package that are worrying municipal governments, especially if they weaken local involvement into how applications are decided, according to Coun. Raymond Louie, Vancouver's deputy mayor.

Louie said the city is wary because the last time the province enacted sweeping liquor law changes

without consultation, it resulted in more problems at the local level.

"This is similar to what happened with another large suite of liquor regulation changes ... [in 2004] without consultation with municipalities. We were saddled with a massive increase in liquor licence seats and the prospect of liquor stores cropping up on every corner of our city without proper controls," Louie said.

To counteract those negative effects, the city had to bring in bylaws to limit and control land use involving liquor licences, he said.

The UBCM raised concerns this summer after the miscellaneous amendments bill was introduced with no local consultation. Although the province said it will consult this fall on the more substantive proposed changes, local governments should have been asked for their opinions from the start, Steele said.

The UBCM wrote to Housing and Social Development Minister Rich Coleman protesting the lack of consultation, she said.

"We're not absolutely against [the changes] and it's not that a lot of these changes can't work, it's just that it was slammed through without any consultation," Steele said.

The provincial government declined to provide anyone who could comment on the record.

However, it provided a fact sheet in which it said that "nothing has changed in terms of local government's decision-making processes when it comes to liquor licensing."

The fact sheet also said the Liquor Control and Licensing Branch wrote to the UBCM shortly before the bill was introduced, outlining the changes and promising "full consultation on any possible regulations."

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Some liquor law changes

BY JEFF LEE, VANCOUVER SUN AUGUST 6, 2010

The following are some of the changes to provincial liquor rules passed in Bill 20 this spring, along with proposals for more changes later this year.

Approved and now law:

- The Liquor Control and Licensing Branch (LCLB) and police can now hire minors as plants to determine if establishments are following identification checking rules.
- The LCLB can suspend a licence for up to 14 days without a hearing.
- Police can now ticket people who have open containers in public without having to prove they consumed the liquor.
- All licensees -- rather than only liquor manufacturers -- may sponsor community activities and events.
- Police don't have to notify the LCLB in writing when they seize liquor.
- Legislation that permits agents to sell only to the Liquor Distribution Branch and not to the public and licensees has been clarified.

Some of the proposed new provincial regulations would:

- Provide greater control over special-occasion licences, including who can apply and where they can be held.
- **Repeal the provision for local government input on liquor licence renewals.**
- Allow seniors' care homes and hospitals to serve liquor to guests as well as patients and residents.
- Relax how liquor manufacturers can promote their products and the rules around ownership links between liquor manufacturers and licensees.
- Allow liquor manufacturers and agents to donate liquor to charity special-occasion licence events.
- Amend the process for bringing small amounts of alcohol into B.C. from elsewhere in Canada for personal use.

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North Shore long-term crime stats drop

Two districts rank as some of the safer Canadian communities

BY JANE SEYD, NORTH SHORE NEWS JULY 28, 2010

THE number of crimes reported to police has dropped significantly on the North Shore in the past decade, although last year, crime was up slightly over 2008.

The long-term decline in crime on the North Shore mirrors an overall trend across the country that has seen lower levels of most kinds of crime, according to Statistics Canada, which released the numbers last week.

Statisticians examine the crime rate by looking at both the number of crimes reported compared to the size of the population and the severity of those crimes. They then rank communities and give them an overall "crime severity index."

The higher the crime index, the worse the crime is in that community.

On the North Shore, the City of North Vancouver, with a population of just under 50,000, had the worse crime rating of the three municipalities, with a "crime severity index" of just over 100. The city ranked 77th for crime out of 208 communities with populations of more than 10,000 included in the report (with one being the worst and 208 being the best.)

The average national index number across Canada was slightly more than 87.

In comparison, crime in neighbouring West Vancouver with a similar population was rated less seriously, with an index figure of 63 (and a ranking of 162), while crime in the District of North Vancouver was rated lower still, with a "crime severity index" of about 54 (and a rank of 177).

Those figures are up very slightly in the past year in both West Vancouver and the District of North Vancouver, although the severity of crime in the city remained stable.

John Turner, chief of the policing services program for Statistics Canada, said often a very small increase in a crime like robberies will be enough to push the figures higher, because robberies are considered violent crime.

More significant, however, is the amount that crime has fallen in the past decade.

Ten years ago, the City of North Vancouver had an overall crime severity index of 160 -- 60 per cent higher than it was in 2009, indicating a much higher crime profile.

Crime statistics were also higher a decade ago in other parts of the North Shore, with the District of North Vancouver weighing in with a crime index of 86 -- 60 per cent higher than it is today -- and West Vancouver clocking in with an index of 75 -- 16 per cent higher than current figures.

Violent crime was also down in the city over that time period although it was slightly up in the districts of both North and West Vancouver.

Across the country, Statistics Canada reported that both the volume and severity of crime reported to police fell by three per cent in 2009 from the previous year. Crime is also down 17 per cent from its level a decade ago.

StatsCan said nearly 2.2 million crimes were reported to police in 2009, about 43,000 fewer than in 2008. The majority of the decline was due to a reduction in three property crimes: car thefts, break-ins and mischief were all down in 2009.

Violent crime, which accounted for about one in five crimes, was also down by four per cent in 2009 and was 22 per cent lower than it was in 1999. Rates for many violent crimes fell in 2009, including serious assault, sexual assault and robbery.

However, some violent crimes did increase. There were 806 attempted murders in 2009 across the country, 85 more than in 2008. Increases were also reported in the rate of extortion, firearms offences and criminal harassment.

There were 610 homicides in 2009, about the same as the previous year. The homicide rate has been relatively stable for the past decade and well below the peak during the mid-1970s.

Youth crime is also declining, according to Stats Can.

However, youth violent crime is higher now than a decade earlier. Both the volume and severity of youth violent crime were about 10 per cent higher in 2009 than in 1999.

Impaired driving also increased Canada-wide for third year in a row, up three per cent in 2009.

Across the country, crime was most serious in the territories and the western provinces.

Saskatchewan reported the highest rates of serious crime among the provinces, followed by Manitoba, British Columbia and Alberta. North Battleford, Sask., with a population of just under 14,000 had the dubious distinction of having the worst crime index, with a score of 311. The town of Tecumseh, Ont., with a population of just under 25,000 scored the best, with an overall crime index of just 26.

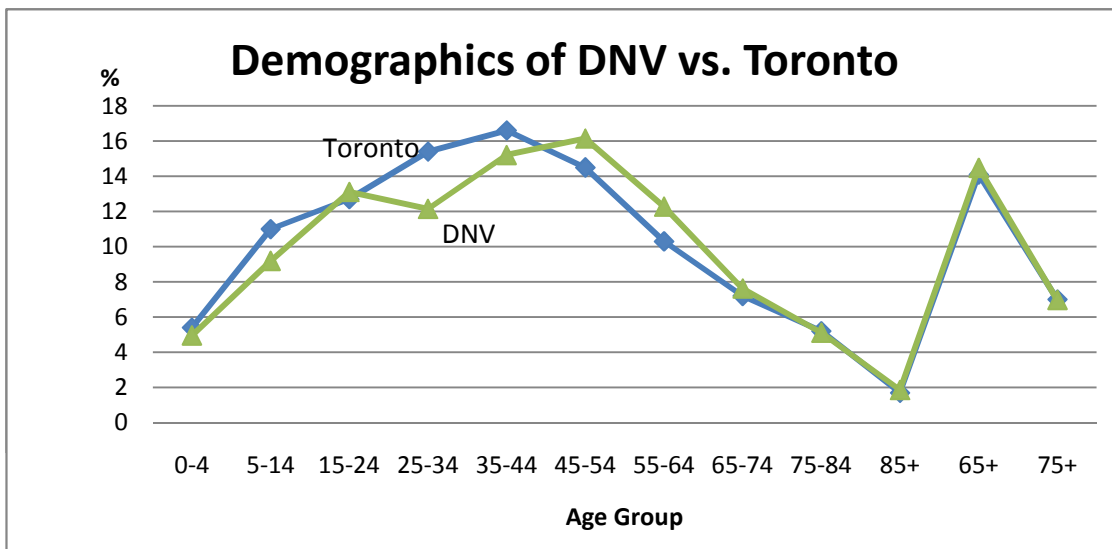
The City of Vancouver had a crime index of just under 120 and was ranked 52nd for crime.

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Ages	Toronto	DNV
0-4	5.4	4.95
5-14	11	9.19
15-24	12.7	13.11
25-34	15.4	12.15
35-44	16.6	15.21
45-54	14.5	16.15
55-64	10.3	12.28
65-74	7.2	7.62
75-84	5.2	5.11
85+	1.7	1.85
65+	14.1	14.48
75+	7	6.97

http://www.toronto.ca/demographics/pdf/2006_age_and_sex_backgrounder_with_maps.pdf



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Traffic fine revenue returns to North Shore

BY LARA HOWSAM, NORTH SHORE NEWS JULY 28, 2010

North Shore residents given a traffic ticket may receive some comfort knowing their fines are going to good use.

Thanks to traffic fine revenue the North Shore is able to maintain public safety initiatives that benefit the local community.

The province announced last week that the North Shore will receive \$1.9 million in funding from a restructuring of three existing programs: the Traffic Fine Revenue Sharing program and Small Community and Regional District grants. All three North Shore communities will see a complete return on all local traffic fine revenues.

“By delivering all traffic fine revenues back to the local community, we are equipping municipalities with a stronger arm in punching out crime,” West Vancouver-Capilano MLA Ralph Sultan said in a press release.

Each of the three North Shore municipalities will benefit from the \$1,087,045.

The District of North Vancouver will receive \$413,063, the City of North Vancouver will receive \$312,716 and the District of West Vancouver will receive \$361,266.

This is the third instalment of a total of \$227 million provided to local governments since 2009.

Small communities have benefited from \$413 million in provincial dollars since 2001 from traffic fine revenues.

“Funding for public safety initiatives is an important priority for families on the North Shore and the province is doing its part in helping us maintain safe streets and communities,” West Vancouver-Sea to Sky MLA Joan McIntyre said in the same press release.

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A tool to help citizens fight City Hall

BY MAUREEN BADER, SPECIAL TO THE SUN JUNE 21, 2010

Governments at all levels make spending decisions that drive people crazy and a fake lake is just one example. But will politicians stop making awful spending decision on their own? Not likely. Citizens must develop a bottom-up solution to stop dubious spending. In fact, grassroots success at the local government level is already bringing accountability back to some municipalities. To help this local effort grow, the Canadian Taxpayers Federation has produced a ratepayers association template to assist citizens in their fight against City Hall.

Every year, municipal governments set sail on a spending ship that sends property taxes ever higher. Between 2002 and 2008 (the last year for which data are available), inflation rose by about 12 per cent and population by 8.5 per cent, but municipal spending in British Columbia rose by a whopping 50 per cent. That drove property taxes up by 37 per cent. The sails are now starting to deflate.

What underlies the spending problem is that local governments have gone far beyond their core mandate of supplying police, fire and public works. So it comes as no surprise that the biggest increase in municipal spending between 2002 and 2008 was in the area of recreation, which rose by 66 per cent, and is now higher than spending on police and fire combined.

Recreation facilities like arenas often end up being white elephants. For example, the 1976 Montreal Olympic Stadium, otherwise known as the Big Owe, had a \$1.25 billion cost overrun and took 30 years to pay off. Today, the Big Owe sits empty most of the time because the Montreal Expos left town and the Montreal Alouettes play at McGill University. In fact, the largest crowd after the 1976 Olympics was the 78,322 who showed up for a Pink Floyd concert in 1977.

Tired of getting less for more, citizens at the municipal level are banding together to let governments know their account is overdrawn. For example, a citizens' group in West Vancouver, the Interested Taxpayers' Action Committee (ITAC), started up in 2006 and after four years of effort, got the West Vancouver city council to vote unanimously against a property tax hike in 2010. They are now working to get government spending under control.

The persistence of ITAC's members, the media, blogs, websites, broadcast e-mail, podcasts and social media were instrumental in achieving their goal. The ratepayers association template is modelled on the success of ITAC.

With the current government stimulus plan encouraging local governments to get into the arena game, the template is timely.

Because it is possible to stop arena projects. A number of B.C. community groups have already organized to prevent municipal governments from spending on big-ticket white

elephants. In 2010, citizens in Peachland rejected federal government stimulus money when they voted no to city borrowing to build a curling rink. However, the rejection of arena spending started earlier. In 2009, tax weary citizens in Dawson Creek voted no in a referendum asking whether the city should take on more debt to build a recreation facility. But even "core" infrastructure spending, when of questionable value, can be stopped. In 2009, citizens in Victoria shot down that city's plan to borrow big to replace a bridge.

Across the province, people have joined together to stop the spending spree at City Hall. With a few simple tools, dedicated people in any municipality can control local government spending and stop the property-tax spiral. It is possible to fight City Hall and win.

You can view the ratepayers association template at <http://www.taxpayer.com/sites/default/files/RatepayerTPJune2010.pdf>

Maureen Bader is B.C. director of the Canadian Taxpayers Federation.

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Ratepayer Association Template

Introduction:

This is a Ratepayer Association (RPA) guide, one that is:

- Focused on a single issue – curbing local government expenditures to reduce or, at least, restrain, the growth of property taxes and user fees;
- Active on a municipality-wide basis rather than in a specific geographic area of a municipality; and
- Does not necessarily need to involve participation by a broad-based membership to help achieve its objectives.

The RPA should be founded on two principles:

- *Coyne's law*, which states “Governments should only do what only governments can do.” This means making clear choices about what activities local government should be engaged in, so that taxpayers’ scarce dollars are used for only those goods and services that cannot be provided by individuals and businesses; and
- Government expenditures must be controlled to protect the taxpayers’ collective purse from excessive pillaging.

Setting up a Ratepayers Group

Focus:

Keeping the RPA's focus on local government expenditures, related rates of taxation (ie. property taxes and user fees) and the need for greater efficiency in the delivery of local government services will help create widespread support for RPA initiatives and public policy recommendations. Thus, the RPA should concern itself with municipal spending and taxation issues.

Scope:

The RPA could represent the interests of all categories of taxpayer, residential, business and industrial.

Participation:

Modern North American life, with its seemingly incessant demands on people's time, coupled with the relatively tedious and complex nature of local governance matters, not to mention the cunning and guile of empire-building bureaucrats, means that a RPA based solely upon the anticipated mass participation of local taxpayers is unlikely to succeed and is, in fact, unnecessary.

Today, the trend is for people to not even vote in elections, municipal or otherwise, let alone become active members of a civic or service organization.

A RPA that involves a small number of members can be highly effective. The key to success is the composition of this membership.

To be successful in re-directing municipal governments, the RPA will need, first and foremost, to be seen as being credible. The persuasive force of its ideas and persistence, together with its choice of spokesperson, are central to credibility. Also, the collective educational accomplishments, occupational experience or service to the community of the RPA's members will be important to the organization's reputation.

Strategic Considerations:

Don't expect overnight results. A reasonable period of time (ie. one electoral cycle) should be chosen to seek influence over the public policy agenda. Remember, the key to political success means a politician must see which way the parade is going then jump to the front of the line. It takes time to create that parade.

Arguments for change must be well-crafted and accurate. Shoddy research or inept presentation will instantly undermine any influence that a RPA might hope to exert.

Principal sources of relevant information include:

- StatsCan and StatsBC (ie. population data)
- BC Ministry of Community Development web-site – Local Government section (ie. annual capital and operating expenditures listed by municipalities)
- Municipality's annual budget documents, "Schedules of Remuneration" (ie. filed each year pursuant to the Financial Information Act) and staffing reports.

A RPA should steer clear of any direct involvement in local politics. It should remain a non-partisan advocacy group, willing to work with whoever is elected to council.

Getting Started:

Once a core group is organized, the preliminary tasks should be:

- Assign responsibilities (chair, secretary, spokesperson, etc.);
- A spokesperson must be chosen to ensure the RPA “speaks with one voice.” He or she must not only be articulate, media savvy and presentable, they must be prepared to work diligently at establishing and maintaining contact with media representatives, elected officials, other community opinion leaders and, yes, selected senior bureaucrats at “City Hall.” The latter can, and often will, be helpful in providing advice and information;
- Decide on a name for the organization;
- Record all decisions, tasks to be done and by whom.

To create stability and reinforce the members’ commitment, the RPA should be incorporated pursuant to the provisions of the *BC Society Act*. This is a relatively straight-forward and inexpensive procedure. Annual reporting requirements are minimal. The key is the “purposes clause” of the constitution, which sets out the RPA’s objectives.

RPA members are volunteers and their time must be respected. Accordingly:

- Meetings should be infrequent (ie. no more than three or four per year) and relatively brief (ie. no more than ninety minutes in duration);
- An agenda should be distributed in advance of each meeting and minutes or, at least, an “action plan” ought to be produced following each meeting and relied upon to both provide institutional memory and encourage individual accountability;

A RPA should maintain an account in a financial institution.

- Members ought to each contribute a small amount per year (ie. \$100) so as to cover ongoing administrative expenses (ie. website hosting and domain name registration, post office box, photocopying, room rentals, etc.)
- Funds should be raised from members’ respective personal connections with family, friends and acquaintances resident in the municipality when required for specific purposes (ie. a newspaper advertising campaign or “town hall” meetings).
- The most effective and efficient way to raise money is via e-mail, with follow-up telephone calls if necessary. A RPA can and should be influential without the need to raise and spend much money.

Lastly, modern communications technology (ie. blogs, websites, broadcast e-mail, podcasts and “social media”), if employed with consistent skill, can be effective in overcoming obstacles the seeming unwillingness of people to participate in public policy development or the electoral process. While increasing numbers of taxpayers may not have the inclination or time to attend a council meeting or other public forum to show their support for a RPA initiative or proposal, once persuaded as to its efficacy or utility, they are likely to communicate their views to mayor and council via email or a website. The important thing is that the RPA message gets through to local government decision-makers.

Conclusion:

The three key weapons in a RPA's arsenal are 1) the quality of its analysis and ideas, 2) its focus and persistence and 3) its effective use of the internet.

The West Vancouver's *Interested Taxpayers' Action Committee* (ITAC) is an example of a successful RPA. It was, established by two individuals in January 2006. A copy of its constitution, filed in May 2008, is attached.

ITAC consists of 14 members, all residents of the municipality, including individuals with backgrounds in accounting, finance and community service, having held elected office on local council or school board.

It maintains an informational blog, www.thepluckedgoose.wordpress.com (which currently requires updating) and, on the basis of a single appeal via broadcast e-mail, made in March, 2007, raised over \$6,500 for a series of community newspaper advertisements encouraging West Vancouver residents to demand the District restrain its spending and end or curtail tax increases.

Arguably, ITAC's efforts over the past four years contributed significantly to the District of West Vancouver (DWV) imposing the lowest property tax increase for 2009 among the 22 municipalities in the Metro Vancouver region, as well as to making local government expenditures and related taxation rates the central issue of the November 2008 municipal election campaign. Sixty per cent or so of those who voted for DWV mayor in that election cast a ballot for a candidate who espoused a reduction in local government expenditures and the restraining of tax increases. In addition, an ITAC member was elected to council. In February 2010, again due in large part to ITAC's pressure, the DWV brought in a budget that involved a zero percent tax increase, believed to be unique in Metro Vancouver.

Sound arguments, some media savvy and persistence are the keys to successfully influencing public policy development at the local level, not to mention elsewhere. A RPA that follows this approach does not require a large membership in order to become a "player" on the local government scene.

June 15, 2010

FORM 1
SOCIETY ACT
Constitution

1. The name of the society is "INTERESTED TAXPAYERS' ACTION COMMITTEE"
2. The purposes of the society are as follows:
 - a) To foster and facilitate by all methods public awareness of the source, quantum, manner, efficiency of use, wisdom of use or other issues associated with the receipt or projected receipt of funds by local government organization and/or associated with the expenditure of local government funds, whether characterized as capital or operating expenditures or otherwise;
 - b) To foster and facilitate by all methods the analysis, debate and discussion of the source, quantum, manner, efficiency of use, wisdom of use or other issues associated with the receipt or projected receipt of funds by local government organization and/or associated with the expenditure of local governmental funds, whether characterized as capital or operating expenditures or otherwise;
 - c) To foster, encourage and facilitate by all methods the involvement of people in local self-government in all manners;
 - d) To solicit, receive and accept funds by gift, bequest or otherwise and apply these funds to the functions of the society; and
 - e) To address and attend to issues and matters arising from the purposes of the society referred to in paragraphs 2(a) through (d) and any other purposes of the society from time to time lawfully adopted by the Society.
3. The Society shall have perpetual succession and has power to acquire by purchase, gift, devise, bequest, trust agreement, contract or otherwise, real and personal property, and may hold, sell, dispose of, exchange, mortgage, lease, let, improve, and develop any such property, and without restricting the generality of the foregoing, may acquire in any way or ways real and personal property as is empowered by the Section.
4. The activities of the Society shall be carried on with out purpose of gain for its members and any income, profits or other accretions to the Society shall be used in promoting the purposes of the Society.
5. Upon the dissolution of the Society and after the payment of all its debts and liabilities, any remaining property shall be turned over, transferred and assigned to one or more recognized charitable organizations operating within the Province of British Columbia as directed by the members.
6. Paragraphs 3, 4, 5 and this Paragraph are unalterable.

Bylaws

The bylaws of the society are those set out in Schedule B to the *Society Act*.