

Subject: Charter (Second Try!)  
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Highlights of a Forum on the New Community Charter. University of Victoria, June 14.

The Department of Public Administration hosted this forum. Eight speakers covered the whole Charter. They included 3 professors of political science and public administration from Alberta and UVic, the municipal lawyer, Don Lidstrom, a representative from the MFA, a representative from Burnaby municipality, a member of the Charter Council Frank Leonard, the mayor of Saanich, who represented the UBCM component of this forum. The assist. deputy-minister in charge of Charter reform, Dale Wall also addressed the Forum. At least two more forums will occur in the next 6 months. I will receive a summary of the proceedings which I will forward to FONVCA. One paper by a UVic professor was critical of parts of the Charter and I think this paper must be read. (See more information)

How will the Charter Affect Local Government? (Dale Hall)

#### 1. New Powers.

Local governments will have many new powers such as new opportunities to enter into agreements and contracts with other municipalities to sell services or offer new services ( transportation, recreation, energy etc)  
Ability to enter into partnerships including ones with the private sector.  
P3's. (More ticketing powers, too!) Many examples of this "new capacity."  
Will LG's use this new power? Mayor Frank Leonard and a professor from U.of A. both said that many LG's will not have the "imagination" to see the possibilities. One problem that was noted was the lack of research on LG in Canada. "What works? What doesn't? How can we know?"

2. New Level Accountability. There will still be oversight by the Inspector of Mun., the Provincial Auditor and the Ombudsman, and capital referenda will continue. However, local government will be more responsible for most of its actions. Note responsible, not necessarily responsive. \*See below.

#### 3. Performance Reporting.

After the budget has been finalized the Mayor must give, before June 30 of each year, an annual report at a public meeting indicating council's objectives for the previous year and the following year and the "measures that will be used to determine whether these objectives are being met...."  
It is interesting that at a recent UBCM meeting in Kamloops a number of votes were taken on aspects of the NCCharter. 66% of delegates thought annual reporting was not a good idea. Mayor Leonard said he makes a report every year. (My comment: "the delegates didn't approve of this new level of accountability.")

Other Issues raised by Speakers

1. This Charter is "permissive" with respect to new services and arrangements municipalities may embark upon. Mayor Leonard mentioned the opportunity for more intermunicipal agreements in which services are shared and offered.

He said he is absolutely opposed to the suggestion in the Charter that municipalities should have the ability to "exempt businesses from the property tax under certain conditions." There is considerable opposition in the Charter Council to tax exemptions. The draft says "there isn't consensus." I think this issue arose because B.C. has comparatively higher business taxes than Alberta and neighbouring states. Another speaker mentioned this problem in the context of what conditions attract businesses. But he said higher taxes came after these factors:

"a good transportation system, a high level of public safety, and the level of education and training of workers."

2. \*One speaker criticized the Charter for being more undemocratic than what exists under the current LGA. He was very critical of raising the percentage of the population that must sign a petition to have a referendum from 5 to 10%. He said throughout North America the figure is closer to 5% of the "voters in the previous election." He said the Charter is the creation of elected officials and past presidents of the UBCM. "Why weren't there citizens on the Charter council?" he asked. "Because citizens cause problems for politicians. They demand accountability and accessibility. They can be a nuisance." He said citizens should be the ones to provide the language of referendums in conjunction with local government. My observation was that there were very few "citizens" in the audience. Lots of government people, some students, various officials, a few councillors and...me.

3. The M.F.A. speaker said that LG's have the highest credit rating of any governments in Canada. The Charter Council is recommending that LG's have the power, in certain cases, to borrow without going to the public. The amount would be much less "than their maximum borrowing power" on a particular capital borrowing. He believes that it is essential that LG's have the opportunity to move quickly at times to take advantage of current interest rates. (See Sec. 157: the 20% rule) He said LG's need greater flexibility to take advantage of changing markets.

4. Other speakers said it was beneficial for LG's to be "an order of government" and have more autonomy. However, they pointed out "LG's also need new financial resources" which they currently do not have. This issue is under study. Here is a list of possible new sources of revenue. The issue for some of these is that there are currently restrictions on how the LG use the revenue.\* (road tolls, \*hotel taxes, fuel tax, local entertainment tax, resort tax, parking stall tax, other fees). See pages 18-20 of the "Key Elements of the Draft Legislation."

These are just a few of the questions dealt with, which I found interesting. You may be more concerned about other aspects of the proposed Charter. After the period of consultation (not with the public of course) legislation will be introduced and the Charter will become law in January, 2003. Incredible. As Corrie noted, we had a referendum involving a new order of government for 3% of the B.C. population. For the rest, no referendum.

More Information:

\*[http:// web.uvic.ca/lgi](http://web.uvic.ca/lgi) This paper will be available in about two weeks.

Don Lidstrom: historical aspects of municipal power: [civicinfo.bc.ca](http://civicinfo.bc.ca)

That's it for now. As you know the draft is 141 pages in addition to the "Key Elements section."