

2013 RESOLUTIONS SESSION

SR1 SPECIAL RESOLUTION TO AMEND AVICC'S CONSTITUTION AND BYLAWS RESPECTING MEMBERSHIP

AVICC Executive

WHEREAS in 2006 the membership endorsed extraordinary resolution ER1 – First Nations Membership which supported the creation of a special membership category for First Nations wishing to join AVICC that would allow them membership rights immediately and voting privileges when self-government status was achieved, but did not include such provisions in the Constitution and Bylaws endorsed by the membership during the Incorporation of the Association of Vancouver Island and Coastal Communities (“AVICC”) in 2007;

AND WHEREAS the membership provisions of the five Area Associations of the Union of BC Municipalities should be aligned with the membership provisions of the Union of BC Municipalities which extends membership to other local governments that meet criteria established by the Executive, but does not allow non-voting membership with the exception of life members;

THEREFORE BE IT RESOLVED that ER1 – First Nations Membership resolution endorsed by the membership in 2006 be rescinded and that the Constitution and Bylaws of the Association of Vancouver Island and Coastal Communities be amended in general terms as follows, and in specific terms as set out in Schedule A attached to this resolution:

- The opening paragraph of section 2 of the Constitution be amended to specify the geographic region that the Association represents by replacing “of the areas defined in section 3” with “on Vancouver Island, and within the Islands Trust, the Central Coast, the Sunshine Coast and the Powell River Regional District”; the words “municipalities” and “regional districts” in Sections 2 (c) and (d) be replaced with “local governments”; the word “municipal” in section 2(e) be deleted and the word “members” at the end of section 2(e) be replaced with “local governments”;
- Sections 3, 4 (1) and 4 (2) of the Bylaws on Membership be deleted and replaced with new sections 3, 4 (1) and (2)
 - (a) to extend membership to other local governments that meet criteria established by the Executive for local government membership.
 - (b) to clarify the geographic region where membership is available to include cities, districts, townships, towns, villages and regional districts, and other local governments meeting the membership criteria established by the AVICC Executive, located within or partly within any of the following Regional Districts: Alberni-Clayoquot, Capital Regional, Central Coast, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, Powell River, Strathcona and Sunshine Coast; and
 - (c) expand the definition of persons who may become members to an official of a member by virtue of having been elected in accordance with the laws of British Columbia or Canada [‘Elected Officials’]; and
- Sections 7 (e), 23 (1), (2) and (3), 25 (3), and 28 (3) of the Bylaws be amended for clarity, consequential to the amendments to Sections 3 and 4.

The amended section now reads:

2. PURPOSES

The Association of Vancouver Island and Coastal Communities is a body formed for the purpose of representing in one organization the various municipalities, regional districts and other local governments on **Vancouver Island, and within the Islands Trust, the Central Coast, Sunshine Coast and Powell River Regional Districts.**

The purposes of the Association shall be:

- (a) To secure all possible united action in dealing with local government matters.
- (b) To co-operate with other organizations dealing with matters under Provincial and Federal jurisdiction.
- (c) To co-operate with the Union of B.C. Municipalities and other associations of **local governments** in British Columbia for the advancement of the principles of local government.
- (d) To secure united action among its member **local governments** and to promote greater autonomy within local governments.
- (e) To acquire and distribute amongst the members, information that may be deemed to be of value to **local governments**.
- (f) To hold meetings for promoting the objects aforesaid.

That Sections 3, 4 (1) and 4 (2) of the Bylaws on Membership be deleted and replaced with new sections 3, 4 (1) and 4 (2). The section would then read:

Part 2 – Membership

3. The members of the Society are
 - (1) the applicants for incorporation of the Society;
 - (2) the cities, districts, townships, towns, villages and regional districts located within or partly within the following Regional Districts: Alberni-Clayoquot, Capital Regional, Central Coast, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, Powell River, Strathcona and Sunshine Coast, that have been accepted by the directors to join the Society as local government members; and
 - (3) other local governments located within or partly within the regional districts listed in Bylaw 3(2) that meet the criteria established by the Executive for membership.
 - (4) persons who are officials of members by virtue of having been elected in accordance with the laws of British Columbia or Canada ['Elected Officials'], and who have subsequently become members in accordance with these Bylaws, for as long as they hold office.
4. (1) A city, district, township, town, village, regional district or other local government that meets the criteria in Bylaw 3(2) and (3) may apply to the directors for membership in the Society and on acceptance by the directors and having paid the membership dues is a member.
 - (2) Except for a person who is an authorized representative under Bylaw 23(1) of a member local government, any person who is an official of a member by virtue of having been elected in accordance with the laws of British Columbia or Canada ['Elected Officials'] may apply to the Directors for membership in the Society and on acceptance by the Directors is a member until they no longer hold office.

That Sections 7 (e), 23 (1), (2) and (3), 25 (3), and 28 (3) of the Bylaws then be amended for clarity, consequential to the amendments to Sections 3 and 4 and now reads:

7. (e) If he or she was accepted for membership under Bylaw 4(2), on ceasing to hold the office referred to in Bylaw 4(2); or
23. (1) A member local government may vote by its authorized representative who is entitled to speak and vote, and in all other respects exercise the rights of a member, and that representative must be considered as a member for all purposes with respect to a meeting of the Society.

- (2) Only a member accepted under Bylaw 4(2) may be an authorized representative under Bylaw 23(1) for either a member municipality, a member regional district, the Islands Trust or other local government, in which he or she holds office, but not for more than one of them.
 - (3) When a member accepted under Bylaw 4(2), has been made an authorized representative under Bylaw 23(1), that person then ceases to be a member of the Society in accordance with Bylaw 7(f).
25. (3) A person is eligible to be a director only when they are and while they remain eligible for membership under Bylaw 4(2).
28. (3) If a director ceases to hold the elected office required by Bylaw 4(2) for membership in the Society, the director ceases to hold office as a director of the Society.

On motion, duly moved and seconded, that the resolution be amended to include repealing the Constitution and Bylaws in its entirety and re-enact with the amendments. The motion, as amended, then read:

THEREFORE BE IT RESOLVED that ER1 – First Nations Membership resolution endorsed by the membership in 2006 be rescinded and that the Constitution and Bylaws of the Association of Vancouver Island and Coast Communities be amended in general terms as follows, and in specific terms as set out in Schedule A attached to this resolution:

- The opening paragraph of section 2 of the Constitution be amended to specify the geographic region that the Association represents by replacing “of the areas defined in section 3” with “on Vancouver Island, and within the Islands Trust, the Central Coast, the Sunshine Coast and the Powell River Regional District”; the words “municipalities” and “regional districts” in Sections 2 (c) and (d) be replaced with “local governments”; the word “municipal” in section 2(e) be deleted and the word “members” at the end of section 2(e) be replaced with “local governments”;
- Sections 3, 4 (1) and 4 (2) of the Bylaws on Membership be deleted and replaced with new sections 3, 4 (1) and (2)
 - (d) to extend membership to other local governments that meet criteria established by the Executive for local government membership.
 - (e) to clarify the geographic region where membership is available to include cities, districts, townships, towns, villages and regional districts, and other local governments meeting the membership criteria established by the AVICC Executive, located within or partly within any of the following Regional Districts: Alberni-Clayoquot, Capital Regional, Central Coast, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, Powell River, Strathcona and Sunshine Coast; and
 - (f) expand the definition of persons who may become members to an official of a member by virtue of having been elected in accordance with the laws of British Columbia or Canada [‘Elected Officials’]; and
- Sections 7 (e), 23 (1), (2) and (3), 25 (3), and 28 (3) of the Bylaws be amended for clarity, consequential to the amendments to Sections 3 and 4.
- That the Constitution and Bylaws be repealed in its entirety and re-enacted with the amendments.

ON MOTION, as amended, was ENDORSED UNANIMOUSLY

RR1 REGULATIONS FOR MOTORIZED SCOOTERS

Sidney

WHEREAS motorized scooters are unclearly defined under provincial legislation and there are no licencing requirements for scooters and scooter operators;

AND WHEREAS without regulations to control when and where scooters are used and appropriate training and testing of scooter operators, the safety of all motorists, businesses and pedestrians are at risk:

THEREFORE BE IT RESOLVED that the Town of Sidney supports regulating the use of motorized scooters and the licencing of scooters and scooter operators and that UBCM encourage the provincial government to implement these provisions under the *Motor Vehicle Act*.

On motion, duly moved and seconded, that the resolution be amended to read “AVICC” was endorsed. The motion then read:

THEREFORE BE IT RESOLVED that AVICC supports regulating the use of motorized scooters and the licencing of scooters and scooter operators and that UBCM encourage the provincial government to implement these provisions under the Motor Vehicle Act.

ON MOTION, as amended, was ENDORSED

RR2 FISH HABITAT PROTECTION

Strathcona RD

WHEREAS the federal government, by passage of Bill C-38 has removed the rule against “Harmfully Altering, Disrupting or Destroying” (HADD) fish habitat with a general requirement not to cause “serious harm” to fisheries;

AND WHEREAS the new, generalized and simple language of “serious harm” does not adequately define or provide enough protection for natural, aquatic habitat;

AND WHEREAS allowing developers to simply substitute the natural, aquatic habitat with alternative locations will not replace the need for an intact ecosystem with adequate levels of biodiversity to support aquatic survival:

THEREFORE BE IT RESOLVED that the provisions of C-38 respecting fish habitat protection be removed and replaced by the pre-existing HADD rules so that better protection of aquatic habitat is contained in Canadian law.

ON MOTION, was ENDORSED

RR3 SCOTCH BROOM

Parksville

WHEREAS the Province of British Columbia has enacted the BC *Weed Control Act* to protect farmland and farmers’ livelihood against the spread of noxious weeds that are extremely competitive with crops and are difficult and costly to control;

AND WHEREAS Scotch Broom is invasive, spreads rapidly, can render farm land unusable for growing food crops, destroys pasture lands, is toxic to grazing animals, inhibits re-growth of forests, eliminates native vegetation, contains toxic chemicals or substances that can affect the nervous system and the heart and is highly flammable;

AND WHEREAS the Ministry of Forests & Range states that it is “important that broom is recognized as a threat to our biodiversity and preventative means be taken to arrest its spread”:

THEREFORE BE IT RESOLVED that UBCM request the Ministry of Agriculture to designate Scotch Broom as a noxious weed under the BC *Weed Control Act*.

ON MOTION, was ENDORSED

Part 2 – Section “A” – This section contains resolutions that feature new issues of interest to all members.

COMMUNITY SAFETY

R1 EMERGENCY MANAGEMENT BRITISH COLUMBIA

Parksville

WHEREAS on October 27, 2012, Emergency Management British Columbia did not notify local governments in a timely manner of the tsunami warning;

AND WHEREAS, after consultation between local governments and Emergency Management BC, there was no improvement in notification timing during subsequent earthquake and tsunami warnings;

AND WHEREAS the safety of citizens in coastal communities is dependent upon early warning of impending tsunamis and their potential destructive forces:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities urge the provincial government to demonstrate its commitment to the safety of BC coastal communities by providing the necessary resources to Emergency Management BC, to replace the outdated Provincial Emergency Notification System (PENS) with the latest technological advances in notification systems and ensure information from the West Coast and Alaska Tsunami Warning Centre (WCATSC) is provided immediately upon receipt of a tsunami warning, with follow up notifications as necessary.

ON MOTION, was ENDORSED

R2 TSUNAMI WARNINGS

Nanaimo RD

WHEREAS the coastal communities of British Columbia are at risk of significant loss of life in the event of a tsunami;

AND WHEREAS early and accurate information is the key to ensuring that appropriate steps are taken by the effected communities:

THEREFORE BE IT RESOLVED that UBCM urge the Province of British Columbia to take immediate action to resolve all issues with tsunami warning so as to ensure that warnings are broadcast within 2 minutes of a National Oceanic and Atmospheric Administration (NOAA) assessment of a warning, watch or advisory for any British Columbia coastal area.

ON MOTION, was ENDORSED

R3 FLOOD MANAGEMENT RESPONSIBILITY

Central Coast RD

WHEREAS within the Province of British Columbia there are a large number of waterways subject to periodic, sudden and extensive flooding, including overland flooding which has potentially profound adverse consequences in terms of life safety, private and public property interests, economic prosperity and public infrastructure;

AND WHEREAS the Province of British Columbia is the steward of the water resources within the province where local authorities lack the mandate, statutory jurisdiction, financial and technical resources, equipment and staff necessary to provide emergency site response, mitigation and flood remediation works:

THEREFORE BE IT RESOLVED that the Province of British Columbia take immediate and direct responsibility for flood management including but not limited to:

- Provision of emergency response resources for the use of local governments
- Identification of flood related hazards;
- Remediation of stream channels so as to mitigate future flooding;
- Monitor stream flows and levels in waterways posing a risk to life, safety or property;
- Respond to sudden cessation of stream flows or reports of debris dams, executing tactical evacuations when warranted and communicate with the Emergency Operations Centre.

ON MOTION, to Refer To Resolution R1, was ENDORSED

TRANSPORTATION

R4 REDUCING DEFAULT SPEED LIMITS FOR MUNICIPAL ROADS

Victoria

WHEREAS local governments are concerned about resident safety on municipal streets, and lower vehicle speeds reduce the severity of injuries to pedestrians in vehicle/pedestrian collisions;

AND WHEREAS consistent province-wide speed limits promote driver awareness and ease enforcement between municipalities:

THEREFORE BE IT RESOLVED that UBCM lobby the Province of British Columbia to amend the *Motor Vehicle Act* to limit the default speed limit on a highway in a municipality to 40 km/h.

On motion, duly moved and seconded, that the resolution be amended to add “***and allocate implementation funds to assist municipalities in installing signage for higher speeds where appropriate.***” to the end of the resolution was endorsed.

On motion, duly moved and seconded, that the resolution be amended to strike the word “municipality” replacing it with “**residential areas of a local government community**” was not endorsed.

The motion, as amended, then read:

THEREFORE BE IT RESOLVED that UBCM lobby the Province of British Columbia to amend the Motor Vehicle Act to limit the default speed limit on a highway in a municipality to 40 km/h and allocate implementation funds to assist municipalities in installing signage for higher speeds where appropriate.”

ON MOTION, as amended, was ENDORSED

R5 BIKE LANES ON PROVINCIAL ROAD RIGHTS-OF-WAY

Sunshine Coast RD

WHEREAS the Ministry of Transportation and Infrastructure has requested local governments building paths on provincial road rights-of-way to provide invasive species management plans, have work overseen by an environmental monitor and assume responsibility for invasive plant management in the permitted area in perpetuity, in addition to providing for maintenance, including any sweeping which exceeds standards outlined in road maintenance contracts;

AND WHEREAS local governments are building paths to encourage people to use environmentally friendly alternatives to vehicles and should not be burdened with the costs of tasks within the jurisdiction of the Ministry, such as sweeping or ongoing invasive plant management:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities urge the Ministry of Transportation and Infrastructure to ensure permit conditions for construction and maintenance do not provide a deterrent to local governments wishing to expand active transportation networks.

On motion, duly moved and seconded, that the resolution be amended to add “***by the Ministry of Transportation and Infrastructure (MOTI) assuming full responsibility for the control of invasive plants on MOTI road rights of way and for maintaining adequate sweeping standards on bike lanes***” to the end of the resolution was endorsed. The motion, as amended, then read:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities urge the Ministry of Transportation and Infrastructure to ensure permit conditions for construction and maintenance do not provide a deterrent to local governments wishing to expand active transportation networks by the Ministry of Transportation and Infrastructure assuming full responsibility for the control of invasive plants on MOTI road rights of way and for maintaining adequate sweeping standards on bike lanes.

ON MOTION, as amended, was ENDORSED

ENVIRONMENT

R6 STREAMKEEPERS – WORKS IN STREAMS

Nanaimo RD

WHEREAS Streamkeepers and other such non-profit societies provide a valuable service in protecting and enhancing fish habitat;

AND WHEREAS, under the current federal Department of Fisheries and Oceans and provincial regulations, non-profit societies are not able to receive the appropriate approvals to undertake certain projects that would greatly improve fish habitat:

THEREFORE BE IT RESOLVED that UBCM urge the Department of Fisheries and Oceans and the Province of British Columbia to permit non-profit societies to do works in streams for the purpose of improving fish habitat.

On motion, duly moved and seconded, that the resolution be amended to ***“under the supervision of an environmental professional”*** to the end of the resolution was not endorsed.

The original resolution was then considered and

ON MOTION, was ENDORSED

R7 COASTAL DOUGLAS FIR PARTNERSHIP

Sunshine Coast RD

WHEREAS the Ministry of Forests, Lands and Natural Resource Operations has established the multi-agency Coastal Douglas Fir and Associated Ecosystems Partnership (CDFCP) to provide a strategic and collaborative approach to conservation of these ecosystems and which is intended to be funded by the participants;

AND WHEREAS local governments have limited means to raise revenues outside of property taxes to fund initiatives such as the Coastal Douglas Fir and Associated Ecosystems Partnership:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities urge the Ministry of Forests, Lands and Natural Resource Operations to ensure the Province adequately resources the CDFCP, including the implementation of recommendations made.

ON MOTION, was ENDORSED

R8 WATERSHED PROTECTION

Port Alberni

WHEREAS the majority of Vancouver Island communities draw drinking water from an active working forested watershed;

AND WHEREAS logging companies are not required to submit a long range forestry plan:

THEREFORE BE IT RESOLVED that the Province of British Columbia enact legislation that requires all land and tenure holders logging in a municipal watershed to have in place a one hundred year cut rotation plan;

AND BE IT FURTHER RESOLVED that all logging companies have environmental policies in place that protect the integrity of municipalities' drinking water.

On motion, duly moved and seconded, that the resolution be amended to add “electoral area” to municipalities.

On further motion, duly moved and seconded, that the resolution be further amended to replace “municipalities' and electoral area's drinking water” with “regional district drinking water sheds.”

The sponsor then put forward the following friendly amendment to substitute “local government” for the word “municipal” and “municipalities” resulting in the sponsors of the two prior amendments agreeing to withdraw their proposed amendments. The motion then read:

THEREFORE BE IT RESOLVED that the Province of British Columbia enact legislation that requires all land and tenure holders logging in a local government watershed to have in place a one hundred year cut rotation plan;

AND BE IT FURTHER RESOLVED that all logging companies have environmental policies in place that protect the integrity of local governments’ drinking water.

ON MOTION, as amended was ENDORSED

R9 UNDERGROUND AQUIFER MAPPING FOR PROPOSED MINING PROJECTS Cumberland

WHEREAS there are concerns that mining projects can negatively affect surrounding aquifers;

AND WHEREAS many people rely on these aquifers for drinking water:

THEREFORE BE IT RESOLVED that the provincial government conduct comprehensive mapping and modeling of aquifers that may be affected by proposed mines before approving mine projects.

ON MOTION, was ENDORSED

R10 GENETICALLY ENGINEERED PLANTS & ANIMALS Metchosin

WHEREAS some Genetically Engineered (GE) crops, through pollination, can disperse their pollen and genes indiscriminately and potentially contaminate non-GE crops, resulting in lawsuits, loss of organic certification, and marketability;

AND WHEREAS there is particular concern with the transfer of DNA between species and the potential unintended consequences, especially with animal species;

AND WHEREAS Vancouver Island and associated coastal communities are isolated from other agricultural areas in British Columbia, which can provide practical approaches to avoiding contamination by GE organisms and these locations suggest that there is an opportunity for local farmers to provide organic production, to help maintain long-term sustainability, to foster a living seed bank, and to be a refuge from genetically engineered contamination:

THEREFORE BE IT RESOLVED that AVICC ask the British Columbia government to legislate the prohibition of importing, exporting and growing plants and seeds containing genetically engineered DNA, and raising GE animals, on Vancouver Island and in associated coastal communities and in the marine waters nearby, and to declare, through legislation, that the area encompassed by AVICC is a GE Free area in respect to all plant and animal species.

ON MOTION, was ENDORSED

R11 REMOVAL OF CARBON TAX FROM BIO FUELS Highlands

WHEREAS the *Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act* has mandated the reduction of fossil carbon emissions and the use of renewable fuels;

AND WHEREAS the removal of Motor Fuel Tax exemptions and the additional application of the Carbon Tax to the production and sale of pure (100%) biofuels since 2010 has had a negative impact on biofuel producers and suppliers within BC, and has resulted in a decrease in the availability of pure renewable fuels that have the greatest potential to reduce fossil carbon emissions:

THEREFORE BE IT RESOLVED that the Province of BC amend the *Green House Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act* to remove the Carbon Tax from the entire biofuel portion of all fuel production and sales and restore the Motor Fuel Tax exemptions for the biofuel producers and suppliers of British Columbia, and provide further incentives to ensure that the renewable fuel sector continues as a viable industry for BC consumers and supports provincial greenhouse gas reduction objectives.

On motion, duly moved and seconded, that the resolution be amended to remove the clause **“and restore the Motor Fuel Tax exemptions for the biofuel producers and suppliers of British Columbia”** was endorsed.

On motion, duly moved and seconded, to add clarity, “sustainable” was added to the second Whereas statement to describe biofuels was accepted by the sponsor. The clause then read:

AND WHEREAS the removal of Motor Fuel Tax exemptions and the additional application of the Carbon Tax to the production and sale of pure (100%) sustainable biofuels since 2010 has had a negative impact on biofuel producers and suppliers within BC, and has resulted in a decrease in the availability of pure renewable fuels that have the greatest potential to reduce fossil carbon emissions:”

On motion, duly moved and seconded, that the resolution be further amended to add **“derived from reused oil sources only”** and reinstate the clause **“and restore the Motor Fuel Tax exemptions for the biofuel producers and suppliers of British Columbia,”** that was deleted by the prior amendment was endorsed.

The amended resolution then read:

THEREFORE BE IT RESOLVED that the Province of BC amend the *Green House Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act* to remove the Carbon Tax from the entire biofuel portion of all fuel production and sales derived from reused oil sources only, and restore the Motor Fuel Tax exemptions for the biofuel producers and suppliers of British Columbia, and provide further incentives to ensure that the renewable fuel sector continues as a viable industry for BC consumers and supports provincial greenhouse gas reduction objectives.

ON MOTION, as amended, was ENDORSED

TAXATION & ASSESSMENT

R12 NEW PROPERTY CLASS FOR LARGE COMMERCIAL ENTITIES

Courtenay

WHEREAS the current property assessment class 06 business/other is a broad class that captures any property use not defined elsewhere;

AND WHEREAS local governments are restricted in managing local taxation policy by the broad nature of the class:

THEREFORE BE IT RESOLVED that the provincial government examine the possibility that an additional property assessment class be added to capture the concept of commercial entity size as a property class for the purposes of property taxation.

ON MOTION, was ENDORSED

LAND USE

R13 LICENCES ISSUED BY THE PROVINCIAL GOVERNMENT

Nanaimo RD

WHEREAS the Provincial Ministry of Agriculture recently issued harvesting licences that allow for the removal of thousands of tonnes of beach-cast seaweed from the Vancouver Island shoreline;

AND WHEREAS local governments were not aware of the issuance of these licences and are not made aware of other licences issued by the Province that may impact local government:

THEREFORE BE IT RESOLVED that the provincial government be required to inform local governments when they are issuing licences for activity to take place on lands within or adjacent to any local government.

On motion, duly moved and seconded, that the resolution be amended to add the clause “**and allow them the opportunity to comment**” after “inform local governments” was endorsed.

On motion, duly moved and seconded, that the amended resolution be further amended to include the clause “**and ensure local government zoning is in place**” following the previously added clauses and in front of “prior to issuing licences” was endorsed.

The amended resolution then read:

THEREFORE BE IT RESOLVED that the provincial government be required to inform local governments and allow them the opportunity to comment and ensure local government zoning is in place prior to issuing licences for activity to take place on lands within or adjacent to any local government.

ON MOTION, as amended, was ENDORSED

R14 REGULATION OF FOREIGN OWNERSHIP OF FARMLAND

North Saanich

WHEREAS the financial viability of BC farms is threatened by the rising cost of farmland due in part to speculative acquisition of BC farmland, possibly by foreign investors and investment companies, as recognized in the 2010 publication by Canada’s National Farmers Union, *Losing Our Grip*;

AND WHEREAS BC’s food sovereignty is threatened by foreign control of BC food production, and that foreign owners and investment companies could profit from Canadian taxpayer-funded farm subsidies without providing an income for BC farmers nor food for consumption by BC residents:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities petition the Province to:

1. Assemble data on current foreign ownership of farm land inside and outside the Agricultural Land Reserve in BC and maintain a registry;
2. Support and strengthen the powers of the Agricultural Land Commission and take measures to protect the agricultural land base from price speculation; and
3. Take measures to limit foreign and investment company ownership of BC farmland, similar to measures taken in Alberta, Manitoba and Prince Edward Island.

ON MOTION, was ENDORSED

R15 PRIVATE MANAGED FOREST LAND ASSESSMENT & CONSULTATION

Cumberland

WHEREAS many owners of private managed forest land are planning for its sale for residential and commercial development rather than committing to long-term forest production;

AND WHEREAS the land is under valued by BC Assessment:

THEREFORE BE IT RESOLVED that the provincial government be called upon to review the method of land valuation of private managed forest land intended for development and to impose a duty on owners of private managed forest land to consult with the local government in which the land is located.

ON MOTION, was ENDORSED

COMMUNITY ECONOMIC DEVELOPMENT

R16 SPORT HALIBUT FISHING

Mount Waddington RD

WHEREAS the recreational and sport halibut fishery is an essential economic driver for many communities along the coast of British Columbia;

AND WHEREAS the recreational and sport halibut fishery depends on an assurance of quota during a specific season to ensure that appropriate arrangements can be made for accommodations;

AND WHEREAS the Ministry of Fisheries and Oceans has created considerable uncertainty by delaying announcements or announcing unanticipated closures in recreational and sport halibut:

THEREFORE BE IT RESOLVED that the AVICC request that the Ministry of Fisheries and Oceans ensure that the open season for the recreational and sport halibut fishery is set prior to the end of February and that the closing date to be no earlier than mid-September, subject to not exceeding the recreational fishing quota, to enable maximum benefit to be derived from this fishery.

ON MOTION, was ENDORSED

HEALTH

R17 THIRD PARTY MONITORING OF SEWERAGE INSTALLATIONS ABUTTING FARMLAND

North Cowichan

WHEREAS human health and the production of safe and healthy food products for human consumption can be compromised by sewerage system malfunctions or poor design;

AND WHEREAS complaints to BC Health Authorities and the self-regulating professional associations have had poor results due to 1) a lack of regulated third party oversight; and 2) the limited ability to provide oversight with respect to agricultural products:

THEREFORE BE IT RESOLVED that the Province require British Columbia Health Authorities to implement third party monitoring of sewerage installations on and abutting farmland or, at minimum, on a random basis.

ON MOTION, was ENDORSED

SELECTED ISSUES

R18 CONFLICT OF INTEREST

AVICC Executive

WHEREAS the recent Court of Appeal decision in *Schlenker v. Torgrimson, 2013 BCCA 9* broadened the interpretation of the conflict of interest provisions under sections 100 and 101 of the *Community Charter*, determining that a local government elected official who also serves on the board of directors of a non-profit organization is deemed to have an indirect pecuniary conflict of interest when voting on grants offered by the local government to non-profit organizations;

AND WHEREAS this broadened interpretation of the conflict of interest provisions has significant implications for those local government elected officials who also serve on the board of a non-profit organization, since contravention of the conflict of interest provisions could result in disqualification from local government elected office:

THEREFORE BE IT RESOLVED that the Province work with UBCM to identify a remedy that clarifies the responsibilities and suggested conduct of local government elected officials who serve on the boards of non-profit organizations, so that they may continue to serve in both positions concurrently, without fear of disqualification from local government elected office due to conflict of interest.

On motion, duly moved and seconded, that the clause "**as appointed elected officials,**" be added after "on the boards of non-profit organizations" was endorsed.

The resolution then read:

THEREFORE BE IT RESOLVED that the Province work with UBCM to identify a remedy that clarifies the responsibilities and suggested conduct of local government elected officials who serve on the boards of non-profit organizations as appointed elected officials, so that they may continue to serve in both positions concurrently, without fear of disqualification from local government elected office due to conflict of interest.

ON MOTION, as amended, was ENDORSED

Part 2 - Section "B" - This section contains resolutions that support existing UBCM policy including:

- Previously considered and endorsed resolutions; or
- Resolutions in keeping with the UBCM policy, including previously approved policy papers or other documents.

A motion, duly moved and seconded, that all the recommendations of the Resolutions Committee for Part 2, Section "B" Resolutions with the exception of Resolution R28 be adopted, was endorsed.

COMMUNITY SAFETY

R19 EMERGENCY PREPAREDNESS

Port McNeill

WHEREAS there is a need for well-trained experienced personnel to deal with catastrophic emergency events that may occur in their communities:

THEREFORE BE IT RESOLVED that the Province of British Columbia through Emergency Management BC be asked to continue to provide funding for training programs for existing and future emergency personnel, by 2014.

ON MOTION, was ENDORSED

R20 SEARCH & RESCUE SQUAD FUNDING

Alberni-Clayoquot RD

WHEREAS Search and Rescue Squads in British Columbia are not directly funded through the Province, each year they are required to apply for gaming grants which are not guaranteed and amounts vary;

AND WHEREAS Search and Rescue Squads provide an extremely valuable service in our vast province and consistent annual core funding, including equipment costs should be provided by the Province:

THEREFORE BE IT RESOLVED that Association of Vancouver Island and Coastal Communities request the provincial government to directly fund 100% of the costs for Search and Rescue Squad services.

ON MOTION, was ENDORSED

R21 BEAR AWARE FUNDING

Sunshine Coast RD

WHEREAS the evolving criteria and competitive process for securing Bear Aware/Wild Safe BC funding is counterproductive to local governments requiring funding certainty to ensure continuity of a service provided in partnership with other organizations;

AND WHEREAS small rural local governments are less able to respond to evolving program criteria and funding requirements:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities urge the Ministry of Environment to provide financial support and work with the BC Conservation Foundation to revise the

funding criteria for the Bear Aware/Wild Safe program to ensure interested communities can participate without having to compete against other jurisdictions for funding.

ON MOTION, was ENDORSED

R22 RCMP SMALL MUNICIPALITY DETACHMENTS

Sayward

WHEREAS RCMP detachments in small municipalities through their presence, liaison and regular patrols deter criminal activity in these communities and surrounding areas, supplying a sense of security to our citizens;

AND WHEREAS RCMP are presently investigating the cost cutting measures of closing small municipality detachments in favour of centralizing their staff into larger urban detachments, some over an hour's travel time from the current detachment location in the small municipality;

AND WHEREAS this would leave small municipalities vulnerable to increased criminal activity, slow response times and lack of security:

THEREFORE BE IT RESOLVED that Association of Vancouver Island Coastal Communities call upon UBCM and the provincial government to liaise with RCMP and affected small municipalities to maintain the status quo and retain all small municipality detachments.

ON MOTION, was ENDORSED

TRANSPORTATION

R23 BC FERRY FARES

Powell River RD

WHEREAS coastal communities consider that ferry services are an integral part of the provincial highway system;

AND WHEREAS increasing ferry fares are crippling coastal community economies:

THEREFORE BE IT RESOLVED that the AVICC and the UBCM lobby the provincial government to recognize the coastal ferry services as essential extensions of our provincial public highway system and to ensure that ferry fares are reduced and core service levels are maintained at current service levels until such time as the provincial government implements legislation that recognizes our coastal ferry services as essential extensions of our provincial public highway system and creates equity between BC's terrestrial and marine, interior and coast highway systems.

ON MOTION, was ENDORSED

ENVIRONMENT

R24 CARBON SEQUESTRATION OFFSETS – LOCAL GOVERNMENT OWNED TREES

Port Alberni

WHEREAS most local governments in B.C. have signed on to the Province's Climate Action Charter committing to be carbon neutral in their operations by 2012;

AND WHEREAS the provincial Climate Action Secretariat has advised that carbon sequestered by trees in a local government's urban forest and park lands is not eligible to be counted as offsetting carbon output under the Climate Action Charter:

THEREFORE BE IT RESOLVED that the Province of BC instruct the provincial Climate Action Secretariat to change their position regarding acceptance of carbon sequestered by trees owned by a local government as an accepted offset of carbon produced.

ON MOTION, was ENDORSED

R25 DERELICT & ABANDONED VESSELS

Islands Trust

WHEREAS the UBCM previously endorsed resolutions in 2005, 2010, and 2012 proposing constructive solutions and encouraging the federal and provincial governments to take action on the issue of derelict and abandoned vessels;

AND WHEREAS the issue continues to be of significant concern to coastal communities for economic, aesthetic, environmental and safety reasons:

THEREFORE BE IT RESOLVED that the UBCM again petition the provincial and federal governments to increase their efforts to work together to create a permanent solution to the issue of abandoned and derelict vessels that includes sustainable funding sources.

ON MOTION, was ENDORSED

FINANCE

R26 ADEQUATE FUNDING FOR RESPONSIBILITIES

Victoria

WHEREAS additional responsibilities assumed by local governments through double devolution should include authority to access the existing tax revenues;

AND WHEREAS funding for additional responsibilities should be equal to the cost of those responsibilities in recognition that there is a single taxpayer who should not feel an additional burden when a different level of government offers the service:

THEREFORE BE IT RESOLVED that the UBCM work with the Province of British Columbia to ensure that current and future responsibilities devolved to local government from the Province include revenue commensurate with those responsibilities.

ON MOTION, was Referred to the UBCM Select Committee on Local Government Finance

R27 INFRASTRUCTURE GRANTS FOR SMALL MUNICIPALITIES

Sayward

WHEREAS small local governments throughout British Columbia are experiencing significant challenges providing its citizens with adequate municipal infrastructure and facilities;

AND WHEREAS due to the small tax base of these local governments, they are unable to fund the cost of significant infrastructure projects and upgrades and as a result are falling behind their larger counterparts in providing its citizens with adequate infrastructure and facilities;

AND WHEREAS due to the small tax base of these local governments they often cannot fund the annual financing payments required to undertake the majority of these significant infrastructure and facility projects:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island Coastal Communities call upon the Union of British Columbia Municipalities to lobby the Provincial and the Federal governments to implement an infrastructure grants program directed towards small local governments to assist them with the cost of infrastructure and facilities upgrades.

The Resolutions Committee proposed the following amendment:

THEREFORE BE IT RESOLVED that the provincial and federal governments implement infrastructure grant programs that recognize the limited capacity of small and rural local governments, and that facilitate efficient and fair access to infrastructure funding for all BC local governments.

ON MOTION, as amended, was ENDORSED

COMMUNITY ECONOMIC DEVELOPMENT

R29 CANADA-EUROPEAN COMPREHENSIVE ECONOMIC & TRADE AGREEMENT Cumberland

WHEREAS Canadian municipalities have expressed growing concerns with trade agreements and their potential impacts on municipal procurement policies which favour local suppliers:

THEREFORE BE IT RESOLVED that the provincial government negotiate a clear, permanent exemption for local governments from CETA.

ON MOTION, was ENDORSED

SELECTED ISSUES

R30 ACCESS TO LEGAL SERVICES Lantzville

WHEREAS:

- A. Funding for legal aid was cut back by over 40% in 2002 and the small increases since then have not kept up with inflation and as a result there is a very low level of legal aid coverage (almost none in family cases, none in poverty law cases, and limited criminal defence and refugee case coverage);
- B. The funding of legal aid in British Columbia is 10th out of 13 provinces and territories;
- C. Self-represented litigants who have legal problems that are not effectively resolved have escalating problems of poverty, homelessness, mental illness, lack of employability and deteriorating health;
- D. Such persons live in our community and their unresolved, or badly resolved, legal problems mushroom and become the problems of our community;
- E. Self-represented persons cause slow-downs and backlogs in our courts which have negative repercussions for individuals and businesses who use the courts to resolve disputes; and
- F. Slow-downs and backlogs in the courts also give rise to public safety concerns because persons accused of crime are not tried in a timely way, sometimes are not tried at all because of the delays, and public safety officials, such as the police, spend undue amounts of time on such cases instead of making our communities safe:

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and the Union of BC Municipalities calls on the provincial government to:

1. Commit to increased, long term, stable funding for the Legal Services Society;
2. Recognize legal aid as an essential service fundamental to a just society; and
3. Engage in a constructive dialogue to affect change to improve access to legal services for all British Columbians which will positively affect BC communities.

ON MOTION, was ENDORSED

The following resolution as pulled from the block was then considered.

LAND USE

R28 LANDSCAPE SECURITY Cowichan Valley RD

WHEREAS Section 925 of the *Local Government Act* permits the collection of security for the performance of specified development permit conditions;

AND WHEREAS it is administratively costly for local governments to pursue compliance and impractical to use security to undertake required works or construction on private land:

THEREFORE BE IT RESOLVED that the provincial government amend Section 925 of the *Local Government Act* to allow local governments to collect a 5 percent per month administrative fee on conditions of a development permit that are deemed to be in default in order to provide further incentive for the developer to satisfy the conditions of a development permit.

ON MOTION, was ENDORSED

PART 3 – LATE RESOLUTIONS

AVICC RESOLUTIONS COMMITTEE REPORT ON RESOLUTIONS RECEIVED AFTER THE DEADLINE

A. LATE RESOLUTIONS: ADMIT FOR PLENARY DEBATE

LR3 Contaminated Soil Facility – Threat To Drinking Water Watershed In Shawnigan Lake (Cowichan Valley RD)

B. LATE RESOLUTIONS: NOT APPROPRIATE FOR DEBATE

LR1 Workplace Bullying and Harassment (Central Coast RD)
LR2 Workplace Bullying and Harassment (Duncan)
LR4 *Mineral Tenure Act* Modernization (Tofino)

On motion, duly moved and seconded, that the Late Resolutions Report be amended to include LR4 – *Mineral Tenure Act* Modernization to be admitted for plenary debate was endorsed.

The amended Resolution Committee Report on Resolution Received After the Deadline then read:

A. LATE RESOLUTIONS: ADMIT FOR PLENARY DEBATE

LR3 Contaminated Soil Facility – Threat To Drinking Water Watershed In Shawnigan Lake (Cowichan Valley RD)
LR4 *Mineral Tenure Act* Modernization (Tofino)

B. LATE RESOLUTIONS: NOT APPROPRIATE FOR DEBATE

LR1 Workplace Bullying and Harassment (Central Coast RD)
LR2 Workplace Bullying and Harassment (Duncan)

ON MOTION, was ENDORSED

LR3 CONTAMINATED SOIL FACILITY – THREAT TO DRINKING WATER Watershed In Shawnigan Lake Cowichan Valley RD

WHEREAS the Province of British Columbia appears on the verge of approving a contaminated soils facility that would permit the dumping of five million tons of highly contaminated material near the headwaters of the Shawnigan Lake drinking water watershed;

AND WHEREAS the citizens and Board of the Cowichan Valley Regional District have expressed their strong opposition to the proposed facility and the dumping of contaminated material in drinking water watersheds;

AND WHEREAS there are significant conflicting hydrogeological and technical opinions about the risk the facility would pose to the environment and people’s drinking water;

NOW THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities support the residents of Shawnigan Lake, the Cowichan communities and the Cowichan Valley Regional District in calling on the Province of British Columbia to invoke the precautionary principle and deny the Waste Discharge Permit Application for property at 460 Stebbings Road in Shawnigan Lake;

AND FURTHER that the Province of British Columbia be requested to amend contaminated site regulations to provide for thorough and appropriate consideration of local government input and land use regulations in the contaminated soils permitting process.

ON MOTION, was ENDORSED

LR4 MINERAL TENURE ACT MODERNIZATION

Tofino

WHEREAS British Columbia's *Mineral Tenure Act* has remained substantially unchanged since the 1800's and is not suited to our modern day land base and the demands of legitimate competing interests and values; the present *Mineral Tenure Act* gives no weight to other economic activities, current or future, in areas affected by mining claims including tourism, forestry and farming.

AND WHEREAS local governments and First Nations deserve greater latitude to shape their economic development paths and protect the full range of their residents' interests; a modern *Mineral Tenure Act* could ensure adequate regional planning would take place, recognizing vital water, agricultural and other resources on which all communities depend;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province of British Columbia undertake a broad-based public engagement process similar to that being used to amend BC's *Water Act* and fairly engage First Nations to determine how best to modernize the *Mineral Tenure Act* and related legislation in a way that ensures the full range of interests – including social, cultural, ecological and economic – are given fair consideration on BC's land base.

On motion, duly moved and seconded, that the resolution be amended to add "**and local governments**" after "fairly engage First Nations" was endorsed. The resolution then read:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province of British Columbia undertake a broad-based public engagement process similar to that being used to amend BC's *Water Act* and fairly engage First Nations and local governments to determine how best to modernize the *Mineral Tenure Act* and related legislation in a way that ensures the full range of interests – including social, cultural, ecological and economic – are given fair consideration on BC's land base.

ON MOTION, as amended was ENDORSED

On motion, duly moved and seconded, to reconsider LR1 and LR2 was endorsed.

LR1 WORKPLACE BULLYING AND HARRASSMENT

Central Coast RD

WHEREAS under the *BC Human Rights Code*, employees are entitled to work in an environment which is free from harassment, bullying, and discrimination;

AND WHEREAS some elected officials undertake to harass, bully, or discriminate against others within the local government workplace, and current provincial regulations lack the teeth to punish or enforce the removal from office elected officials who abuse their office by harassing, bullying or discriminating against others;

THEREFORE BE IT RESOLVED that the Provincial Government take immediate steps to put in place legislation that will enforce severe consequences, including removal from office, for persons who abuse their office as elected officials by harassing, bullying, or discriminating against others within their local government environment.

ON MOTION, was ENDORSED

LR2 WORKPLACE BULLYING AND HARRASSMENT

Duncan

WHEREAS every working person has the right to be treated with respect and dignity in their workplace;

AND WHEREAS workplace bullying/harassment has become an internationally recognized occupational health and safety issue;

AND WHEREAS it has been estimated that workplace bullying/harassment costs the Canadian economy billions of dollars a year;

AND WHEREAS workplace bullying/harassment continues to cause both mental and physical illness, loss of employment, long-term psychological trauma, and impacts both personal and professional well-being;

AND WHEREAS British Columbia can be a role model in creating and maintaining productive work environments that benefit people, business and society as a whole;

AND WHEREAS the Municipalities of British Columbia are committed to the elimination of workplace bullying/harassment of all kinds, and are further committed to increasing awareness about resources to combat workplace bullying/harassment;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities calls upon citizens, businesses and governments to take a stand against bullying/harassment in British Columbia workplaces.

ON MOTION, was ENDORSED