



AGENDA

**Agenda for the Regular Meeting of the Tahsis Village Council
to be held on December 3, 2019 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive**

A. Call to Order Mayor Davis will call the meeting to order at 7:00 p.m.

**B. Introduction of
Late Items**

**C. Approval of the
Agenda**

**D. Petitions and
Delegations**

E. Public Input # 1

**F. Adoption of the
Minutes** 1 **Minutes of the Regular Council meeting held on November 19, 2019**

G. Rise and Report None.

H. Business Arising 1 **Report to Council Re: Q3 September 30, 2019 Variance Report**
2 **Councillor Fowler's Notice of Motion (see Councillor Fowler's report from the
Council Meeting Minutes of November 19th, 2019).**

Whereas the Village of Tahsis has a history and tradition of cultural literacy and leadership

and

whereas it benefits our citizens to have pride to showcase #tahsistalent on a larger provincial level;

therefore be it resolved to adopt the inclusion and social resilient collective actions as determined at the recent Living Cities Forum in Victoria.

- J. Council Reports**
- 1 Mayor Davis
 - 2 Councillor Elder
 - 3 Councillor Fowler
 - 4 Councillor Llewellyn
- K. Bylaws**
- 1 Fire Protective Services and Regulation Bylaw No. 621, 2019
First, Second and Third Reading
- Report to Council Re: Fire Protective Services and Regulation Bylaw No. 621, 2019
- L. Correspondence**
- 1 Judy Burgess letter to Mayor and Council Re: letter from Gary Gwilt, Resource Manager, Campbell River Natural Resource District
 - 2 Email from Shawna Gagne, November 19, 2019 Re: One year later
 - 3 Chris Graham, Advertising Rep, British Columbia/ Yukon Command The Royal Canadian Legion Re: Military Service Recognition Book.
 - 4 Lisa Helps, Victoria Mayor Re: Resolutions (B171) Safer Drug Supply to Save Lives and (B172) Observed Inhalation Sites for Overdose Prevention.
 - 5 Island Health Re: Community Wellness Granting Program call for applications
- M. New Business**
- 1 Village of Tahsis Submission to the Old Growth Forest Strategic Review Panel
 - 2 Appointment of Chief Election Officer and Deputy Chief Election Officer
 - 3 Village of Tahsis -2020 Local By-election Methods to Communicate Elections Information (requirements for public notice under the Community Charter s.94(4)b)
 - a) Notice of Nomination Period
 - b) Notice of Election by Voting and Notice of Advance Voting Opportunities
 - 4 Grant-in Aid Application - Tahsis Community Spirit
 - 5 Bylaw Compliance and Enforcement Report for period May-November 2019
 - 6 AVICC 2020 Convention, April 17-19, 2020 Vancouver Island Conference Centre- Call for Submissions

Public Exclusion

N. Public Input #2

Recess

Reconvene

Rise and Report

P. Adjournment



Minutes

Meeting	Regular Council
Date	19-Nov-19
Time	7:00 PM
Place	Municipal Hall - Council Chambers

Present

Mayor Martin Davis
 Councillor Bill Elder
 Councillor Sarah Fowler
 Councillor Lynda Llewellyn

Staff

Mark Tatchell, Chief Administrative Officer
 Amanda Knibbs, Administration Assistant

Public

3 members of the public

A. Call to Order

Mayor Davis called the meeting to order at 7:00 p.m.
 Mayor Davis acknowledged and respected that Council is meeting upon Mowachaht/ Muchalaht territory

B. Introduction of Late Items and Agenda Changes

None

C. Approval of the Agenda

Fowler/Elder: VOT 480/2019

THAT the Agenda for the November 19, 2019 Regular meeting of Council be adopted as presented.

CARRIED

D. Petitions and Delegations

None.

E. Public Input # 1

A concern was raised about one of statistics in the Age Friendly Community Action Plan Report. Council responded. No changes were made to the report.

Councillor Fowler, the Tahsis Fire Department, and the Seniors Society were thanked by a member of the public for their help with Remembrance Day ceremony and lunch at the Seniors' Centre.

F. Adoption of the Minutes

1 **Minutes of the Committee of the Whole meeting held on November 1, 2019**
Llewellyn/Elder: VOT 481/2019
THAT the Committee of the Whole meeting minutes of November 1, 2019 be adopted as presented. **CARRIED**

2 **Minutes of the Committee of the Whole meeting held on November 4, 2019**
Fowler/Elder: VOT 482/2019
THAT the Committee of the Whole meeting minutes of November 4, 2019 be adopted as presented. **CARRIED**

3 **Minutes of the Committee of the Whole meeting held on November 5, 2019**
Llewellyn/Elder: VOT 483/2019
THAT the Committee of the Whole meeting minutes of November 5, 2019 be adopted as presented. **CARRIED**

4 **Minutes of the Regular Council meeting held on November 5, 2019**
Fowler/Llewellyn: VOT 484/2019
THAT the Regular Council meeting minutes of November 5, 2019 be adopted as presented. **CARRIED**

G. Rise and Report

None.

H. Business Arising

1 **Village of Tahsis Age-Friendly Community Action Plan**

Llewellyn/Elder: VOT 485/2019
THAT the Tahsis Age-Friendly Community Action Plan be received. **CARRIED**

Llewellyn/Fowler: VOT 486/2019
THAT the Tahsis Age-Friendly Community Action Plan including Recommendations and Implementation be approved in principle **CARRIED**

J. Council Reports

Mayor Davis (written report)

I have been busy with a number of out of town regional meetings since the last council session. These include the regional board, hospital board, solid waste management, Island Coastal Economic Trust and a presentation to the provincial Old Growth Strategic Review process, which is on a listening tour across BC. Of note was the decision to fund a new regional composting facility. Composting collection, if not already in place, will be phased in across most communities in the Comox and Strathcona Regional Districts, with the facility being sited near Campbell River. There is already a regional waste collection facility in place near Cumberland and there is a plan in place to use backhauling, which means trucks will be hauling garbage from Campbell River to Cumberland and then compost from the Courtenay region back to Campbell. This allows some cost saving. It may seem like a lot of driving waste around, but it is all about economies of scale when you have to go to great lengths to seal dumps and treat their effluent. In the meantime, Tahsis will be keeping its compost for use in the community. A pilot project will begin soon for 30 households but we hope to expand it in future.

The old growth strategic review process is a good first step in better managing our dwindling old growth forest in BC. I gave the only local government submission during their Campbell River stop, which was a surprise to me as I expected more engagement from local communities. I could speak more regarding input, but we have drafted a letter outlining our comments which will be sent to the review to back up our verbal submission. This letter will come forward at the next council meeting.

We have had quite a few meetings in town in the last three weeks: with the RCMP, regarding the OCP where I brought forward several map revisions; EcoLogic introduced their habitat and terrain attribute mapping for McKelvie and will be submitting their final reporting soon.

I am looking forward to our November 27 meeting with the Mowachaht-Muchalaht First Nation, only the second for this council. We have many issues to discuss!

I would like to remind everybody that we have a seat vacant up here and we invite our citizens to take the plunge and run for office.

Councillor Elder - None

Councillor Fowler (written report)

late item Notice of motion -BELOW- following Council report

In addition to the late item (Below; a motion to support literacy by showcasing Tahsis talent), about being invited to present this week at the Literacy Conference in Richmond.

I have a few other things to report to Council. I have been reading a lot of pages about different community forest models again, plus the attached report card on <http://canadianinfrastructure.ca/en/press-release.html> Canadian infrastructure as well as the Strong Fiscal Futures https://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Finance/LocalGovernmentFinance_Report_Web_Final.pdf report by the UBCM.

It was an honour to deliver a public address on Remembrance Day, as well as be involved with the community players of Ubedam theatre. I learned so much during the RCMP meeting and enjoyed meeting the VIHA social worker Kaitlyn Nohr for mental health and addiction services in Tahsis. Plus I took in two webinars the first titled Insights into the small scale licencing of cannabis production and the second called using better data for climate strategy.

Under the umbrella of governance I have been investigating the Youth tool Kit for engagement and best practices, https://www.ubcm.ca/EN/main/resources/local_government_awareness_week/youth-engagement.html in addition to the guidelines for written submissions for the Old growth strategic review <https://engage.gov.bc.ca/oldgrowth/guidelines-for-formal-submissions/>. I also expect to attend the NSW meeting on November 27 at WFP in Gold river

Outside of the canopy of municipal leadership, I must use this platform to once again highlight the upcoming deadline for Knights of Columbus Christmas Hamper application form deadline of November 28, for an expected delivery on December 19, 2019. I am actively soliciting donations to offset freight cost to bring in the hampers, and still need 3-4 neighborhood leaders to delivery them locally. Lastly a big thank to Angela and Louise with the Literacy society for putting on a soap making workshop for kids at the seniors last week, it was enjoyed.

submitted respectfully,
Sarah Fowler

late item for November 19, 2019

Notice of motion

whereas the Village of Tahsis has a history and tradition of cultural literacy and leadership.

and

whereas it benefits our citizens to have pride to showcase #tahsistalent on a larger provincial level.

therefore be it resolved to adopt the inclusion and social resilient collective actions as determined at the recent Living Cities Forum in Victoria.

for a background I have included (DIRECTLY below) an email I sent to my fellow community theatre members where I integrate the ideas of place making with anthropocentric storytelling.

further therefore be it resolved to support the contributions of artists to our community and showcase leadership by giving a scholarship to cover a portion of travel expenses I will incur in traveling to Richmond this week to present at the literacy conference. (Program link, presentation thesis and presenter Bio, FURTHER below.)

I am really proud of the work, respect and co-operation we have in the Ubedam theatre troupe.

it is such a pleasure to work with you all,

the radio was talking about community theatre and how great it is when we make something together.

how artists function in society? musicals, cabarets, chorus line move the line between individual and community

thank you.

while reading my emails, as I do for my Councillor part time gig.

I was amazed at some outcomes from the Livable Cities Forum in Victoria

it described collective action, a galvanizing around place, seizing pockets of brilliance, connecting with strangers, harness each others best energies, attend to each other mental health.

WE need more storytelling. and had these four rules.

1. be intentional
2. build neighborhood networks
3. how we build affects how we connect
4. emergency preparedness is a shared responsibility

I feel like Ubedam makes Tahsis more resilient, and am honoured to share the stage with such fantastic talent.

yours sincerely in creative liberties...

smf

https://s3.ca-central-1.amazonaws.com/ePLY-client-files/8315/AccountFiles/Documents/Decoda%20Conference%202019_Workshop%20Guide_Final.pdf

Creative Leadership and Dynamic Decision Making: Balancing Perspective with Process – with Sarah Fowler

When do we cease to be simply ourselves, and instead become a part of a larger team effort? In family or community meetings we must continually ask ourselves if anyone has a different perspective on the matter. In this session, participants will engage with the question of how to balance decorum and a safe meeting environment with a constant need to raise the bar on candid expression.

About the Presenter: Sarah Fowler is a village councillor in Tahsis, BC. Her 2003 film, titled The Memory Game, has screened throughout eastern Canada and Austria. A past recipient of the Frank Cole Documentary Film Fund, she created the unreleased short film (shot on 16 mm) called We love music, a children's garden.

Councillor Llewellyn (written report)

Since last meeting I have been busy with the Seniors Society meeting, and Literacy Society. I was nominated to the Literacy Board at their AGM and agreed to serve for another year. I am off to a meeting at the Community Health Network on Thursday in Campbell River. I then head to Nanaimo for the VIRL meeting on Saturday, where I continue to advocate for the a new Library in Tahsis.

Fowler/Elder: VOT 487/2019

THAT the Council Reports be received.

CARRIED

Council considered Councillor Fowler's notice of motion and agreed that it should be added to the December 3 meeting agenda, as Council did not grant permission for it to be introduced at this meeting as per the Procedure Bylaw No. 496.

K. Bylaws

1 Election and Assent Voting Bylaw No. 622, 2019

Fowler/Elder: VOT 488/2019

THAT the Election and Assent Voting Bylaw No. 622, 2019 be received for consideration.

CARRIED

Llewellyn/Fowler: VOT 489/2019

THAT the Election and Assent Voting Bylaw No. 622, 2019 be reconsidered, finally passed, and adopted as presented on this 19th Day of November, 2019.

CARRIED

L. Correspondence

1 AVICC RE: Call for Resolutions for 2020 Convention, Nominations for 2020/21 AVICC Executive, Proposal Submission Form

Fowler/Elder: VOT 490/2019

THAT these correspondence items received.

CARRIED

Councillor Fowler noted that she was seeking a Director at Large position on the AVICC executive and completed her nomination papers. Councillor Fowler also noted that she had prepared a session proposal for the 2020 Convention. The deadline for submission is November 27th. Council did not consider Councillor Fowler's session proposal.

M. New Business

1 Grant in Aid from CMESS PAC Re: Christmas Bazaar

Llewellyn/Elder: VOT 491/2019

THAT this Grant in Aid be received.

CARRIED

Llewellyn/Elder: VOT 492/2019

THAT this Grant in Aid be approved

CARRIED

2 Grant in Aid from Knights of Columbus: Christmas Hampers

Llewellyn/Elder: VOT 493/2019

THAT this Grant in Aid be received.

CARRIED

Llewellyn/Elder: VOT 494/2019

THAT this Grant in Aid be approved

CARRIED

3 2020 Regular Council Meeting Dates

Llewellyn/Fowler: VOT 495/2019

THAT this Schedule be received.

CARRIED

Fowler/Elder: VOT 496/2019

THAT this Schedule be approved

CARRIED

N. Public Input #2

It was noted by a member of the public that the Age Friendly Community Action Plan asset map was missing some assets which were noted. This information will be relayed to the consultant.

A member of the public questioned whether the recent road construction on Alpine View Road included storm water mains.

Adjournment

Llewellyn/Fowler: VOT 497/2019

THAT the meeting be adjourned at 8:05 p.m.

CARRIED

Certified Correct this

20th Day of November 2019

Chief Administrative Officer

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: Director of Finance

Date: November 28, 2019

Re: **Q3 Operating Results and Capital Expenditures to September 30, 2019**

PURPOSE OF REPORT

To inform Council of the operating and capital results to September 30, 2019.

BACKGROUND

The attached reports break down the following information to September 30, 2019:

Budget	Budgeted amounts to September 30 for expenses and revenue
Actual to Date	Actual amounts paid for salaries, labour, goods and services for Village programs
Budget Variance Fav (Unfav)	A budget variance is the difference between the budgeted amount of expense or revenue, and the actual amount. The budget variance is favorable when the actual revenue is higher than the budget or when the actual expense is less than the budget.
2019 Approved Budget	Per Schedule A of Bylaw No. 619, Amended 2019-2023 Financial Plan
Projected Actuals	Anticipated revenues and expenses to December 31 based on trends to date, assumptions and best judgement
High Level Variance Explanation	Explanation of the <u>major</u> reason(s) for the budget variance

POLICY/LEGISLATIVE REQUIREMENTS

1. Community Charter (sec. 167)

FINANCIAL IMPLICATIONS

2019 Operating Results Year-to-Date September 30, 2019

Overall, the operating results to September 30, 2019 show a net operating surplus of \$1,498,230. Actual revenues from taxation, fees and other sources are higher than budget by \$1,522,152 or 83% and actual operating expenditures for all programs and projects are over budget by \$23,922 or 1.5%.

Major Budget Variance Explanation – Favorable (Unfavorable)

Revenues

- \$23,282 User fees and charges – higher concession income from Recreation Centre and higher rental income from the Wharf Street building
- \$13,973 Water – higher commercial utility billings
- (\$5,558) Environmental Health Fees – decreased number of landfill and recycling hours compared to prior year
- \$20,660 Interest and penalties on taxes – not budgeted for in financial plan
- \$179,058 Grants and Other Governments – final grant payment for Community Water Conservation grant completed March 31, Small Communities Equalization grant higher than expected, and unbudgeted grants related to the EOC and ESS projects
- \$1,258,809 Grant – Roads Project – unbudgeted grant revenue from the Roads project
- \$27,041 Investment Income – higher earnings than expected on investments with Municipal Finance Authority of BC

Expenditures

- (\$5,322) Council – higher than expected travel costs including AVICC Powell River and LGLA Parksville conferences
- (\$20,788) Administration – higher benefit premiums and legal fees, unbudgeted costs related to firewall and scanning software, and IT support for website maintenance
- (\$12,292) Protective Services – increased usage of Building Inspector and new Bylaw Officer
- \$22,352 Public Works Services – lower than expected personnel costs offset by fees for government wharf structural assessment
- (\$9,260) Recreation – higher costs related to consultant fees for bronze combo, first aid and national lifeguard certifications
- \$7,073 Water Services – lower costs for public works wages as budget based on prior years and timing of spending for training
- (\$13,230) Sewer Services - sewer repairs in the Tootouch Road area

Projections to December 31 Year End

Management is projecting a net operating surplus of \$3,274,558 to December 31, 2019 *before* year end adjustments for *actual* amortization of tangible capital assets and transfers to reserves. This surplus is expected to be achieved through higher than expected revenues and grants. The projected surplus will be available as a contingency for future unforeseen expenses or unbudgeted spending as directed by Council.

In developing the projected revenues and costs to year end, a conservative approach was taken. Assumptions were used that reflect current trends to date and expected events and conditions.

Major Budget Variance Explanation – Favorable (Unfavorable)

Revenues

- \$8,879 User fees and charges - higher concession income from Recreation Centre and higher rental income from the Wharf Street building than expected
- \$13,973 Water – higher commercial utility billings
- (\$5,558) Environmental Health - decreased number of landfill and recycling hours compared to prior year
- \$20,660 Interest and penalties on taxes - not budgeted for in financial plan

- \$133,093 Grants and Other Governments – final grant payment for Community Water Conservation grant completed March 31, Small Communities Equalization grant higher than expected, and unbudgeted grants related to the EOC and ESS projects
- \$3,119,809 Grant – Roads Project – unbudgeted grant revenue from the Roads project
- \$21,444 Investment income – higher earnings expected

Expenditures

- (\$30,842) Administration – unbudgeted costs related to firewall and scanning software, IT support for website maintenance, repairs to Village buildings, and interest related to a short-term loan for cash management of the Roads Project
- (\$22,702) Projects – costs related to the Recreation Centre Renewal grant application and appraisal of West Bay Road for the Community Unity Trail project
- (\$19,195) Protective Services – License for access to WFP Hemlock mill site for fire practice, increased use of Building Inspector and Bylaw Officer staff from Strathcona Regional District and higher satellite phone cost
- \$22,776 Public Works Services – lower than expected personnel costs due to medical leave offset by wharf structural assessment fee
- \$20,250 Water Services – lower costs for public works wages as budget based on prior years
- (\$12,986) Sewer Services – sewer repairs in the Tootouch Road area

2019 Capital Expenditures to September 30, 2019

Capital expenditures to September 30, 2019 total \$2,148,096 or 53% of the 2019 Approved Capital Plan. The Roads project was substantially completed in early November with the related costs being paid prior to year end. Please refer to page 5 for further details.

Respectfully submitted,



Deb Bodnar

Village of Tahsis
2019 Operating Results
For the Nine Months Ending September 30, 2019 with Projections to Year End

		Year-to-Date September 30, 2019			Projections to Year End			
		<u>Budget</u>	<u>Actual to Date</u>	<u>Budget Variance Fav (Unfav)</u>	<u>2019 Approved Budget</u>	<u>Projected Actuals</u>	<u>Budget Variance Fav (Unfav)</u>	<u>High Level Variance Explanation</u>
Operating Revenues								
Taxation	Property taxes	714,228	713,914	(314)	714,228	713,914	(314)	
	Grants in lieu of taxes	33,358	34,143	785	33,358	33,358	-	
Fees	User fees and charges	53,282	76,564	23,282	68,292	77,171	8,879	Higher concession and leased building revenues
	Water	125,000	138,973	13,973	125,000	138,973	13,973	Higher commercial utility billings
	Sewer	110,000	112,916	2,916	110,000	112,916	2,916	
	Environmental Health	132,000	126,442	(5,558)	162,000	156,442	(5,558)	Lower landfill/recycle fees than expected
Other	Interest and penalties on taxes	-	20,660	20,660	-	20,660	20,660	
	Grants and other governments	505,996	685,054	179,058	712,238	845,331	133,093	Community Water Conservation grant
	Grant - Roads Project	-	1,258,809	1,258,809	-	3,119,809	3,119,809	Grant revenue from Roads project
	Investment income	30,750	57,791	27,041	41,000	62,444	21,444	Higher investment earnings
	Other income	136,000	137,500	1,500	136,000	137,500	1,500	Gain on sale of used vehicle
	Prior Years' Surplus	-	-	-	252,000	252,000	-	Amortization of tangible capital assets
Total Operating Revenue		1,840,614	3,362,766	1,522,152	2,354,116	5,670,518	3,316,402	
Operating Expenditures								
	General Government - Council	34,165	39,487	(5,322)	46,100	48,451	(2,351)	Higher travel costs
	General Government - Admin	433,114	453,902	(20,788)	584,353	615,195	(30,842)	Higher costs due to new firewall and scanning software, IT support for website
	General Government - Projects	270,790	266,444	4,346	339,290	361,992	(22,702)	Recreation Centre renewal grant application; assessment of West Bay Road
	Protective Services	95,097	107,389	(12,292)	127,640	146,835	(19,195)	License for Hemlock site access; increased use of Building Inspector and new Bylaw Officer; higher satellite phone costs
	Environmental Health	14,107	10,908	3,199	110,569	104,927	5,642	
	Public Works Services	264,623	242,271	22,352	261,227	238,451	22,776	Lower personnel costs offset by wharf structural assessment fees
	Recreation, Cultural & Dev.	242,755	252,015	(9,260)	323,072	325,508	(2,436)	
	Water Services	77,369	70,296	7,073	116,581	96,331	20,250	Lower personnel costs
	Sewer Services	81,865	95,095	(13,230)	104,499	117,485	(12,986)	Tootouch sewer repairs
	Transfer to reserve funds	-	-	-	88,785	88,785	-	
	Amortization	-	-	-	252,000	252,000	-	Year end adjust. for use of tangible assets
Total Operating Expenditures		1,513,885	1,537,807	(23,922)	2,354,116	2,395,960	(41,844)	
Net Operating Surplus before Year End Adj.		326,729	1,824,959	1,498,230	-	3,274,558	3,274,558	

Village of Tahsis
2019 Capital Expenditures
For the 3rd Quarter Ending September 30, 2019

Category	Funding Source	Project	2019 Approved Capital Plan	Capital Expenditures to September 30, 2019	Variance Fav(Unfav)	Capital Project Status
Roads	Capital Grants	Rugged Mountain, Alpine View and South Maquinna Upgrades	1,989,137	1,045,298	943,839	
Watermains	Capital Grants	Rugged Mountain, Alpine View and South Maquinna Upgrades	850,893	407,857	443,036	
Sanitary Sewer	Capital Grants	Rugged Mountain, Alpine View and South Maquinna Upgrades	273,402	140,560	132,842	
Storm Sewer	Capital Grants	Rugged Mountain, Alpine View and South Maquinna Upgrades	397,548	180,729	216,819	
Sub-total		Total Roads Project	3,510,980	1,774,444	1,736,536	Construction in progress as of September 30; substantial completion early November
Drinking Water	Capital Grants	Water Meters	53,275	53,275	-	Project complete March 31; costs recovered
Drinking Water	Capital Grants	Water Main Repairs	189,376	196,411	(7,035)	Project complete March 31; eligible costs recovered
Drinking Water	Capital Works Reserve	South Pumpstation Repairs	10,000	-	10,000	
Drinking Water	Capital Works Reserve	Monitoring Wells	55,000	-	55,000	Preliminary work in progress; carryforward to 2020
Sanitary Sewer	Capital Works Reserve	Lift Station Pump Replacement Plan	17,000	5,671	11,329	Delivery of 2 replacement pumps expected by December 31, 2019
Buildings	Recreation Centre Reserve Fund	Tahsis Recreation Centre - Address Safety Issues and Renewal Cost Overruns	25,000	-	25,000	Waiting on grant announcement; grant application submitted Jan 23/19
Equipment	Capital Grants	Emergency Communications Equip	24,637	1,253	23,384	Budget does not reflect \$22,715 spent in 2018; completed March 31; eligible costs recovered
Equipment	Capital Works Reserve	Purchase Utility Truck	95,000	107,000	(12,000)	New 2019 F550 delivered August
Equipment	Capital Works Reserve	Replace Pickup	40,000	-	40,000	Project delayed; exploring options to replace pickup with utility work machine
Information Technology	General Reserve Fund	Desktop Replacement/Addition Plan	8,500	10,042	(1,542)	Replaced 4 outdated desktops
		Total Plan	4,028,768	2,148,096	1,880,672	

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VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council
From: Mark Tatchell, CAO
Date: November 25, 2019
Re: Fire Services Bylaw No. 621, 2019

PURPOSE OF REPORT:

To describe revisions to the proposed bylaw to address questions and concerns raised by Council at the November 5th, 2019 regular meeting.

OPTIONS / ALTERNATIVES

1. Move to proceed with 1st, 2nd and 3rd readings of Fire Protective Services and Regulation Bylaw No. 621, 2019;
2. Refer the Bylaw to the Committee of the Whole for further discussion;
3. Any other option that Council deems appropriate.

BACKGROUND:

At its November 5th, 2019 regular Council meeting, Council flagged concerns with some provisions in the proposed bylaw pertaining to the Fire Chief's authorities. Staff offered to review the bylaw further and revise, if necessary, to specifically address the following sections listed in the attached Table of Concordance. The Table lists the originally proposed sections in the bylaw that Council found problematic and the proposed amendment in the revised proposed bylaw.

All of the problematic sections in the original proposed bylaw have been revised or deleted. Where possible, the reference to the source of the Fire Chief's authority is cited, e.g., the relevant section of the *Fire Services Act*. The *Fire Services Act* is also included in Council's package. This Act establishes the delegation of authority from the provincial Fire Commissioner to Local Assistants to the Fire Commissioner and Commissioner's Inspector. Where there was no provincial statutory authority or other standard, e.g., NFPA, the section was deleted.

POLICY / LEGISLATIVE REQUIREMENTS:

1. *Fire Services Act*, RSBC 1996, CH. 144
2. British Columbia Fire Code, 2018
3. *Community Charter*, RSBC 2003, CH. 26
4. National Fire Protection Association codes and standards

FINANCIAL IMPLICATIONS:

N/A

STRATEGIC PRIORITY:

N/A

RECOMMENDATION:

Option 1

Respectfully submitted:



Mark Tatchell, CAO

Attached: Table of Concordance
 Fire Services Act

VILLAGE OF TAHSIS

FIRE PROTECTIVE SERVICES AND REGULATION BYLAW No. 621, 2019

BEING A BYLAW TO ESTABLISH A FIRE DEPARTMENT AND PROVIDE FIRE PROTECTION, FIRE PREVENTION,
SUPPRESSION AND RESCUE

WHEREAS Council wishes to establish a fire department and establish the regulations for fire protection, fire prevention and fire suppression; and

WHEREAS under s. 8(2) of the *Community Charter*, a municipality may provide any service that the Council considers necessary or desirable;

NOW THEREFORE, The Council of the Village of Tahsis, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. Citation

This bylaw may be cited as the “**Fire Protective Services and Regulation Bylaw No. 621, 2019**”.

2. Definitions

“**Apparatus**” means any vehicle provided with machinery, devices, equipment or materials for fire protection and assistance to respond, as well as, vehicles used to transport fire fighters or supplies;

“**Chief Administrative Officer**” means a person appointed to that position by the Council of the Village of Tahsis pursuant to s. 147 of the *Community Charter* and with the authority as per Municipal Officers and Delegation of Authority Bylaw No. 611, 2019;

“**Council**” means the Council of the Village of Tahsis;

“**False alarm**” mean the activation of a fire alarm system resulting in the direct or indirect notification of the Fire Department to attend at a property where the Fire Department find no evidence or indication of any fire condition, unlawful activity, or unauthorized entry;

“Fire alarm system” means a device or devices installed on property and intended to warn of a fire condition by activating an audible alarm signal or alerting a monitoring facility but does not include a fire alarm system on property that is intended to alert only the occupants of the dwelling unit in which it is installed;

“Fire Chief” means a person appointed by the Chief Administrative Officer to be in charge of the department and authorized by Council pursuant to section 66 of the *Community Charter*, and includes the Deputy Fire Chief and any other person authorized to act on behalf of the Fire Chief, by the Fire Chief;

“Fire Department” means the “Tahsis Fire Rescue Department”, including all officers, employees and volunteers engaged by the Fire Department;

“Incident” means a fire or situation which requires the service of the Fire Department;

“Member” means any person appointed by the Fire Chief as a member of the Fire Department;

“Officer” means a member who is appointed by the Fire Chief as an officer to assist the Fire Chief in his or her duties;

“Vacant Building” means a building that is not lawfully occupied or that is not lawfully used for its approved purpose for a continuous period of 60 consecutive days.

3. Application

- a) The Bylaw applies to all land and buildings within the Village.
- b) Every Owner of land or a building is responsible for complying with this Bylaw, and for carrying out or causing to be carried out any work required under this Bylaw to bring the land or building into compliance with this Bylaw.
- c) Every Occupier of land or a building must ensure the land or building, as applicable, is maintained in compliance with this Bylaw, and the Occupier may, in addition to the Owner of the land or building, be held responsible to bring such land or building into compliance with this Bylaw.

4. Severability

- a) If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion may be severed and such invalidity will not affect the validity of the remaining portions of this bylaw.

5. Interpretation

- a) Where there is a reference in this Bylaw to an enactment of the Province of British Columbia that reference will include a reference to any prior or subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this Bylaw are enactments of the Province of British Columbia.

6. Repeal

- a) The following bylaw is hereby repealed: Village of Tahsis Bylaw No. 439, 1998 "Being a bylaw to provide for the establishment and operation of a Fire Department. "

7. Adoption of the British Columbia Fire Code

- a) The substantive requirements and regulations (but not the procedural or remedial provisions) of the *British Columbia Fire Code*, as amended or re-enacted from time to time, are hereby adopted and made part of this bylaw, such that every provision of the Fire Code shall be considered a provision of the bylaw.

**PART 1 – Fire Department and
Authority of the Fire Chief**

8. The Fire Department of the Village of Tahsis, as established and also known as Tahsis Volunteer Fire Department, is hereby continued as the "Tahsis Fire Rescue Department".
9. The Fire Chief is authorized to administer this bylaw.
10. The Fire Chief may appoint a Deputy Fire Chief to act on his or her behalf.

- 11.** The Fire Chief is authorized as the Local Assistant to the Fire Commissioner and a Commissioner's Inspector to exercise the authorities under sections 10, 21, 22, 24, 30 and 33 of the *Fire Services Act* (RSBC 1996, Ch. 144).
- 12. Immediate Removal of Hazard or Risk**
- a) Pursuant to section 25 of the *Fire Services Act*, if an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, the Fire Chief may immediately take the steps he or she determines is advisable to remove the hazard or risk.
 - b) Pursuant to section 25 of the *Fire Services Act*, for the purpose of subsection (a), the Fire Chief may evacuate a building or area, and may call on the police of local jurisdiction and fire prevention authorities who have authority to provide assistance.
- 13. Hotel and Public Building**
- a) Pursuant to section 25 of the *Fire Services Act*, if the Fire Chief believes that condition(s) exists in or near a hotel or public building, that in the event of a fire, might seriously endanger life or property, the Fire Chief may immediately take the action he or she believes is advisable to remedy the conditions, to eliminate the danger, and may evacuate and close the hotel or public building.
 - b) Pursuant to section 25 of the *Fire Services Act*, the Fire Chief may call on the assistance of peace officers and fire prevention authorities for the purposes of subsection a).

14. Wildfire Hazard

- a) Where, in the opinion of the Fire Chief, the safety of forest, woodland, timber or other property, is endangered by debris caused by logging, land clearing or industrial operations, the Fire Chief may require a person carrying on logging, land clearing or industrial operations, or person who has carried on the operation, or the owner or occupier of the land on which the debris exists:
- i. to dispose of the debris by removal or other methods acceptable to the Fire Chief;
 - ii. to cut down all dead standing trees and stumps within the area affected; and
 - iii. to take precautions to prevent the occurrence or escape of fire or damage to property.

15. The Fire Chief may, for the purpose of preventing wildfires, order the temporary closure of public use of outdoor trails, camping areas, and other facilities located in or near forested areas, on public and private land.

PART 2 - Fire Protection Services and Regulations

16. Fire Inspections

- a) The Fire Chief is authorized to inspect premises in accordance with section 21 of the *Fire Services Act*.
- b) After conducting an inspection, the Fire Chief may issue an order pursuant to section 22 of the *Fire Services Act*.

17. General Fire Regulations

- a) No person shall damage or destroy, or obstruct, impede or hinder the operation of any equipment of the Fire Department.
- b) No person shall falsely represent themselves as a member of the Fire Department.
- c) No person shall obstruct or otherwise interfere with, access roads or streets, or other approaches to any incident, fire hydrant, cistern or body of water, designated for firefighting purposes.

- d) No person shall tamper, obstruct, disengage, fail to maintain or interfere with an emergency exit, fire extinguisher, fire alarm, sprinkler, standpipe or other safeguard installed in a building.
- e) No person shall willfully make or cause to be made a false request for the Fire Department to respond to an incident.
- f) Every owner or occupant of a building shall provide all information and shall render all assistance required by the Fire Chief in connection with the inspection of the building.
- g) No person may remove, deface or destroy a notice or sign, where a notice or sign has been posted under this bylaw.

18. Fire Safety Plans

- a) Where the *British Columbia Fire Code* requires the owner of land and/or building to establish fire emergency procedures and prepare and maintain a building fire safety plan, the property owner must submit to the Fire Department a detailed fire safety plan and record of emergency systems installed within the building for review and approval prior to implementation of such plan.

19. Vacant Buildings

- a) The owner of a vacant building must at all time ensure that the building and surrounding land are free from debris and flammable substances and must keep all openings in such a building securely closed and fastened so as to prevent the entry of unauthorized persons as per section 21 (1) of the Property Maintenance Regulation Bylaw No. 614, 2019.

20. Fire Damaged Buildings

- a) The owner of a fire damaged building must ensure that the building is guarded or that all openings in the building are kept securely closed and fastened so as to prevent the entry of unauthorized persons.

21. Access Routes

Every owner of land and/or building must ensure access routes are constructed in accordance with applicable Village bylaws, policies and standards; and

- a) if an access route is provided by means of a private roadway or yard, the design and location of the roadway or yard for Fire Department use must be constructed in accordance with National Fire Protection Association specifications for access roads and Part 5 of the BC Fire Code 2018:
 - i. have a clear width of 6 meters, unless it can be shown that lesser widths are satisfactory;
 - ii. have a centerline radius of not less than 12 metres;
 - ii. have an overhead clearance of at least 5 metres;
 - iii. have a change of gradient of not more than 1 in 12.5 over a minimum distance of 15 metres;
 - iv. be designed to support the expected loads imposed by firefighting equipment and be surface with material designed to permit accessibility under all weather conditions and have bridge load limit conspicuously;
 - v. be sufficiently cleared of snow and other debris to permit accessibility;
 - vi. have turnaround facilities for any dead-end portion of the access route exceeding 90 metres;
 - vii. be connected with a public thoroughfare; and
 - viii. have key or code access provided to the Fire Department if; a gate, bollard, or other similar means of security is utilized, so that the department can respond to a fire emergency.

22. Private Fire Hydrants and Standpipes

Every owner of land and/or building, with respect to fire hydrants and standpipe located on their land and/or building, must:

- a) Service and maintain all hydrants and standpipe so as to be capable of providing the flow and pressure of water for which they were designed;
- b) Cause all hydrants and standpipes to be inspected and maintained in accordance with NFPA 25 and by a qualified fire protection technician certified by the Applied Science Technologies and Technicians of BC;
- c) Retain and make available to the Fire Chief upon request, records on inspection and maintenance requirements for at least 3 years;

- d) Notify the Fire Department immediately of any condition of any fire hydrants and standpipes that affects fire safety, and of any repairs to hydrants and standpipe;
- e) Wrap all hydrants and standpipe which are out of service for repair, or not yet in service, sufficiently to indicate that is not in service;
- f) Keep hydrants clear of ice, snow, shrubs, trees, structures and other obstructions and clearly identify their locations;
- g) Paint hydrants the same colour scheme as Village hydrants; and
- h) Ensure that no person places or leaves any vehicle, article, thing or matter in such manner as to interfere with free access or approach to any hydrants or other Fire Department connections.

23. Fire Suppression Cost Due to Fire Hazard

- a) If firefighting and suppression services are provided to a property, the applicable fees under Schedule A to this Bylaw are imposed upon and payable by the owner of the property, if any of the following occurs on the property:
 - i. The storage or use of dangerous goods in a building in quantities greater than permitted, or in a manner prohibited under the *British Columbia Fire Code* as amended from time to time;
 - ii. The cultivation or production of controlled substances as regulated under the *Controlled Drugs and Substances Act* and the unauthorized alterations or repairs to structural, electrical, water or gas systems, equipment, appliances or other accessories of any kind for any of those purposes; and
 - iii. Chemical or biological materials used in or produced by the trade or manufacture of a controlled substance as defined by the *Controlled Drug and Substance Act*, as amended or re-enacted from time to time.

Part 3 – Miscellaneous Fees

24. False Alarm Fees

- a) If the Fire Department responds to more than two false alarms in a building in any calendar year but less than 6 months apart the applicable fee set out in Schedule A is imposed upon and payable by the property owners in that calendar year.

25. File Search Fees

- a) Every person seeking documentation or file search for *British Columbia Fire Code* violations or infractions, must pay the fee in Schedule A.

Part 5 – Enforcement

26. Offence and Penalties

- a) Any person who contravenes any provision of this bylaw is liable, upon summary conviction, to a minimum fine of \$500 and a maximum fine of \$10 000 and the cost of prosecution.
- b) Every day during which an infraction of this bylaw continues shall constitute a separate offence.
- c) The penalties hereunder shall be in addition to and not in substitution for any other penalty or remedy available under the bylaw, Provincial legislation or at law.

27. Effective Date

This Bylaw comes into effect upon adoption.

Reconsidered, Finally Passed and Adopted this 7th day of January, 2020

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No.621, 2019 duly passed by the Council of the Village of Tahsis on this 7th day of January, 2020.

CORPORATE OFFICER

Schedule A

1. Fire Protection Service Fees

a)	Apparatus with a minimum of 4 firefighters	\$ 537 per hour or portion thereof
b)	Rescue Apparatus with a minimum of 3 firefighters	\$ 537 per hours or portion thereof
c)	Duty Officer and Vehicle	\$180 per hour
d)	Firefighter	\$40/hour
e)	Fire Retardant foam	\$200 per 10 liters
f)	Village of Tahsis Public Works Equipment and Personnel	As per Fees and Charges Bylaw No. 594

2. Inspection Fees

a) Non –routine inspection fee: \$75

b) Fee for subsequent inspection to regular inspection of hotel and public building: \$ 75

3. False Alarms Response Fee: \$75 per incident

4. File search Fee: \$25 per civic address

Fire Protective Services and Regulation Bylaw No. 621, 2019

Table of Concordance

Bylaw Sections (Version 1)

“Fire Chief” means a person appointed by the Chief Administrative Officer to be in charge of the department, and includes the Deputy Fire Chief and any other person authorized to act on behalf of the Fire Chief, by the Fire Chief;

11. The Fire Chief is authorized to:

- a) enter property and inspect premises for conditions that may cause a fire, increase the hazard of a fire or increase the hazard to persons or property from a fire;
- b) take measures to prevent and suppress fires, including the demolition of the building and other structures, to prevent the spreading of fire; and
- c) require an owner or occupier of real property to undertake action, directed by the Fire Chief, for the purpose of removing or reducing any thing or condition the Fire Chief considers a fire hazard or increases the risk of fire.

12. **Immediate Removal of Hazard or Risk**

- a) If an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, the Fire Chief may immediately take the steps he or she determines is advisable to remove the hazard or risk.
- b) For the purpose of subsection (a), the Fire Chief may evacuate a building or area, and may call on the police of local jurisdiction and fire prevention authorities who have authority to provide assistance.

13. **Hotel and Public Building**

Bylaw Sections (Version 2 - resolved)

“Fire Chief” means a person appointed by the Chief Administrative Officer to be in charge of the department and authorized by Council pursuant to section 66 of the *Community Charter*, and includes the Deputy Fire Chief and any other person authorized to act on behalf of the Fire Chief, by the Fire Chief;

11. The Fire Chief is authorized as the Local Assistant to the Fire Commissioner and a Commissioner’s Inspector to exercise the authorities under sections 10, 21, 22, 24, 30 and 33 of the *Fire Services Act* (RSBC 1996, Ch. 144).

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12. **Immediate Removal of Hazard or Risk**

- a) Pursuant to section 25 of the *Fire Services Act*, if an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, the Fire Chief may immediately take the
- b) Pursuant to section 25 of the *Fire Services Act*, for the purpose of subsection (a), the Fire Chief may evacuate a building or area, and may call on the police of local jurisdiction and fire prevention authorities who have authority to provide assistance.

13. **Hotel and Public Building**

- a) If the Fire Chief believes that condition(s) exists in or near a hotel or public building, that in the event of a fire, might seriously endanger life or property, the Fire Chief may immediately take the action he or she believes is advisable to remedy the conditions, to eliminate the danger, and may evacuate and close the hotel or public building
- b) For the purposes this section, the Fire Chief may call on the assistance of peace officers and fire prevention authorities.
- a) Pursuant to section 25 of the *Fire Services Act* , if the Fire Chief believes that condition(s) exists in or near a hotel or public building, that in the event of a fire, might seriously endanger life or property, the Fire Chief may immediately take the action he or she believes is advisable to remedy the conditions, to eliminate the danger, and may evacuate and close the hotel or public building.
- b) Pursuant to section 25 of the *Fire Services Act* , the Fire Chief may call on the assistance of peace officers and fire prevention authorities for the purposes of subsection a).

16. Authority to Impose Requirements

If the Fire Chief observes that a person is required under this bylaw to do something and the person has failed to take the required action, the Fire Chief may, by notice in writing delivered to the person, order the person to take the required action and:

- a) Notify the person of the particular requirement and, indicating what is required to be done in order the meet the requirement; and
- b) State that after the 30 days the Village, by its officers, employees, contractors or agents, may fulfill the requirement the expense of the person and recover the cost from that person as a debt which is recoverable as unpaid taxes under s. 25.

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17. Fire Inspections

- a) The Fire Chief is authorized to conduct inspections as a Local Assistant to the Fire Commissioner under the *Fire Services Act* .
- b) All owners and occupiers of buildings or premises the Village are required to cooperate fully with the Fire Chief with respect to inspections.
- c) The owner of a property that is inspected by the Fire Chief must pay the applicable fee(s) set out in Schedule A.

16. Fire Inspections

- a) The Fire Chief is authorized to inspect premises in accordance with section 21 of the *Fire Services Act* .
- b) After conducting an inspection, the Fire Chief may issue an order pursuant to section 22 of the *Fire Services Act* .

18. General Fire Regulations

- a) No person shall obstruct or interfere with the Fire Chief or a member in the performance of his or her duties under this bylaw.
- i) Every owner and occupier of real property must comply with any requirement(s) made by the Fire Chief.

17. General Fire Regulations

- a) No person shall damage or destroy, or obstruct, impede or hinder the operation of any equipment of the Fire Department.

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19. Fire Safety Plans

a) Where the *British Columbia Fire Code* requires the owner of real property to establish fire emergency procedures and prepare and maintain a building fire safety plan, the property owner must submit to the Fire Department a detailed fire safety plan and record of emergency systems installed within the building for review and approval prior to implementation of such plan.

20. Vacant Buildings

a) The owner of a vacant building must at all time ensure that the building and surrounding land are free from debris and flammable substances and must keep all openings in such a building securely closed and fastened so as to prevent the entry of unauthorized persons.

22. Access Routes

In order to receive any fire protection service, every owner of real property must provide the following as a minimum standard for the Fire Department access:

a) access routes must be constructed in accordance with applicable Village bylaw, policies and standards; and

b) without limiting paragraph (a), if an access route is provided by means of a private roadway or yard, the design and location of the roadway or yard for Fire Department use must:

24. Fire Suppression Cost Due to Fire Hazard

a) If firefighting and suppression services are provided to real property, the applicable fees under Schedule A to this Bylaw are imposed upon and payable by the owner of such real property, if any of the following occurs on the real property:

i. A fire hazard for which an owner or occupier has failed to comply with in regard to any requirement imposed under this Bylaw;

18. Fire Safety Plans

a) Where the *British Columbia Fire Code* requires the owner of land and/or buildings to establish fire emergency procedures and prepare and maintain a building fire safety plan, the property owner must submit to the Fire Department a detailed fire safety plan and record of emergency systems installed within the building for review and approval prior to implementation of such plan.

19. Vacant Buildings

a) The owner of a vacant building must at all time ensure that the building and surrounding land are free from debris and flammable substances and must keep all openings in such a building securely closed and fastened so as to prevent the entry of unauthorized persons as per section 21 (1) of the Property Maintenance Regulation Bylaw No. 614, 2019.

21. Access Routes

Every owner of land and/or building must ensure access routes are constructed in accordance with applicable Village bylaws, policies and standards; and

a) if an access route is provided by means of a private roadway or yard, the design and location of the roadway or yard for Fire Department use must be constructed in accordance with National Fire Protection Association specifications for access roads and Part 5 of the BC Fire Code 2018:

deleted

23. Fire Suppression Cost Due to Fire Hazard

a) If firefighting and suppression services are provided to a property, the applicable fees under Schedule A to this Bylaw are imposed upon and payable by the owner of the property, if any of the following occurs on the property:

i. The storage or use of dangerous goods in a building in quantities greater than permitted, or in a manner prohibited under the *British Columbia Fire Code* as amended from time to time;

25. Municipal Action to Remedy

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a) If a person subject to a requirement to do something under this bylaw fails to take the required action within the time set out in the notice imposing the requirement, the Village may fulfill the requirement at the expense of the person and recover the costs incurred from that person as a debt.

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b) If an amount recoverable under the previous section was incurred for work done or services provided in relation to land or improvements, the amount;

deleted

i) May be collected in the same manner and with the same remedies as property taxes; and

deleted

ii) If is due and payable by December 31 an unpaid on that date, is deemed to be taxes in arrears.

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This Act is current to October 30, 2019

See the Tables of Legislative Changes for this Act's legislative history, including any changes not in force.

FIRE SERVICES ACT

[RSBC 1996] CHAPTER 144

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Definitions

1 In this Act:

"advisory board" means the Fire Services Advisory Board continued under section 4;

"district" means a fire district constituted under this Act;

"factory" means a building, premises, workshop, structure, room or place

- (a) where any manufacturing process or assembling in connection with the manufacturing of products is carried on,
- (b) where thermal, hydraulic, electrical or other form of energy or power is used to move or work any machinery or device in the preparing, inspecting, manufacturing or finishing, or in a process incidental to the preparing, inspecting, manufacturing or finishing, of a product or is used to aid the manufacturing carried on there,
- (c) where manual labour is performed by way of trade or for purposes of gain in or incidental to the making of a product, or the altering, repairing, ornamenting, finishing, storing, cleaning, washing or adapting for sale of a product, or
- (d) used for the maintenance of aircraft, locomotives and motor vehicles;

"fire department" includes fire brigade;

"fire services personnel" means persons regularly employed by a municipal fire department, appointed as auxiliary members of a fire department, or acting voluntarily as fire fighters;

"hotel" includes

- (a) an apartment house,
- (b) a residential building that has
 - (i) 2 or more levels of strata lots as defined in the *Strata Property Act*, and
 - (ii) one or more corridors that are common property as defined in the *Strata Property Act*, and
- (c) a boarding house, lodging house, club or any other building, except a private dwelling, where lodging is provided;

"local assistant" means a local assistant to the fire commissioner as described in section 6;

"means of exit" means a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other exit facility, or a combination of them, for the escape of persons from any point in a building, floor area, room or contained open space to a public thoroughfare or other unobstructed open space and includes exits and access to exits;

"occupier" includes

- (a) a tenant, lessee, agent and any other person who has the right of access to and control of a building or premises to which this Act applies, and
- (b) in relation to common property and common facilities in a strata plan, the strata corporation;

"Provincial building regulations" means the Provincial building regulations as defined in the *Community Charter*;

"public building" includes a factory, a warehouse, store, mill, school, hospital, theatre, public hall, office building and any building other than a private dwelling house;

"storey" means a division of a building between a floor, not below the grade level of the surrounding ground, and the floor or roof next above;

"superintendent" means the Superintendent of Financial Institutions under the *Financial Institutions Act*;

"taxable insurer" has the same meaning as in the *Insurance Premium Tax Act*.

Part 1 — Investigation, Prevention and Suppression of Fires

Fire commissioner and staff

2 (1) The Lieutenant Governor in Council may

- (a) appoint a fire commissioner after a merit-based process,

- (b) define the duties of the fire commissioner, and
 - (c) determine the remuneration and other terms and conditions of employment of the fire commissioner.
- (2) The *Public Service Act* and the *Public Service Labour Relations Act* do not apply to the fire commissioner.
- (3) The *Public Service Benefit Plan Act* and the Public Service Pension Plan, continued under the *Public Sector Pension Plans Act*, apply to the fire commissioner.
- (4) Staff required for the work of the fire commissioner must be appointed under the *Public Service Act*.

Duties of fire commissioner

- 3 (1) The fire commissioner must, for fire prevention and inspection, do the following:
- (a) collect and disseminate information about fires in British Columbia;
 - (b) investigate and inquire into a fire as the fire commissioner believes advisable;
 - (c) investigate conditions under which fires are likely to occur;
 - (d) study methods of fire prevention;
 - (e) give the advice and recommendations the fire commissioner considers necessary on matters in subsection (2).
- (2) Matters for advice and recommendation of the fire commissioner are the following:
- (a) provision of an adequate water supply;
 - (b) installation and maintenance of a fire alarm system and fire extinguishing equipment;
 - (c) enactment and enforcement of municipal bylaws for fire prevention or to protect life and property from fire;
 - (d) planning of a municipal area to protect against fire;
 - (e) lightning rods;
 - (f) any other fire prevention and inspection matter.
- (3) The fire commissioner must, for fire suppression, do the following:
- (a) consult with and give information and advice to fire chiefs and fire departments;
 - (b) establish, in consultation with the advisory board and subject to the minister's approval, minimum standards for selection and training of fire services personnel;
 - (c) give the advice and recommendations the fire commissioner considers necessary on the establishment of fire departments.

- (4) The fire commissioner must help to enforce all enactments on combustibles, explosives and other flammable matter.
- (5) The fire commissioner must perform other duties required by the minister.

Fire Services Advisory Board

- 4** (1) The Fire Services Advisory Board is continued consisting of the fire commissioner as chair and other members appointed by the Lieutenant Governor in Council.
- (2) The members of the advisory board hold office for the term determined by the Lieutenant Governor in Council.
- (3) Each member of the advisory board must be reimbursed for reasonable travelling and out of pocket expenses necessarily incurred by the member in the discharge of duties and, in addition, must be paid the remuneration for services set by the Lieutenant Governor in Council.

Duties of advisory board

- 5** The advisory board
 - (a) may advise the fire commissioner on all aspects of operational fire services,
 - (b) must, on request of the minister, investigate and prepare a report on fire suppression, and
 - (c) must perform other duties required by the minister.

Long service and bravery medals

- 5.1** (1) In recognition of the significant contribution to the protection of persons and property that is made by fire fighters and others involved in the provision of fire services, the fire commissioner may issue medals for long service.
- (2) In recognition of bravery beyond that expected of fire fighters and others involved in the provision of fire services in the normal course of their duties, the fire commissioner may issue medals for bravery.
- (3) Long service and bravery medals issued by the fire commissioner before this section comes into force are deemed to be medals issued under this section.

Local assistants

- 6** (1) The local assistants to the fire commissioner are as follows:
 - (a) in a municipality that maintains a fire department, the fire chief and persons authorized in writing by the fire chief to exercise the powers of a local assistant;
 - (b) in a municipality that does not maintain a fire department, the mayor of the municipality or another person appointed as a local assistant by the fire commissioner;

- (c) in any other part of British Columbia, a person appointed as a local assistant by the fire commissioner.
- (2) The fire commissioner may appoint local assistants for the purposes of this Act.
- (3) If no local assistant has been appointed in an area of British Columbia not in a municipality or the appointed local assistant has ceased to act, the members of the police force or police department stationed in the area are local assistants until another local assistant is appointed by the fire commissioner.

Peace officer

- 7 The fire commissioner and the commissioner's inspectors, and local assistants have the powers of a peace officer for the purposes of this Act.

Fire districts

- 8 The fire commissioner may by notice in the Gazette constitute a part of British Columbia not included in a municipality into a fire district, and extend, reduce or annul the fire district.

Investigation of fires

- 9 (1) To ascertain whether a fire was due to accident, negligence or design, a local assistant must, within 3 days after the fire, excluding holidays, investigate or have investigated in a general way the cause, origin and circumstances of each fire
- (a) occurring in the municipality, district or part of British Columbia for which he or she is a local assistant, and
 - (b) destroying or damaging property or as a result of which death has occurred.
- (2) Immediately after an investigation under subsection (1), the local assistant must submit to the fire commissioner a report containing
- (a) all facts ascertained about the cause, origin and circumstances of the fire, and
 - (b) any further information required by the fire commissioner.
- (3) The report required under subsection (2) must be submitted in a format and by the means approved by the fire commissioner.

Authority to enter

- 10 (1) The local assistant, the fire commissioner and the commissioner's inspectors have authority at all times, by day or night, to enter and to examine a building, premises, motor vehicle, vessel or railway rolling stock where a fire has occurred, and, if necessary, those adjoining or near the fire.
- (2) An investigator may exclude a person from the building, premises, motor vehicle, vessel or railway rolling stock where the fire has occurred.

Duty of persons to furnish information

- 11** (1) It is the duty of the occupier or, if none, of the owner of a building, premises, motor vehicle, vessel or railway rolling stock where a fire occurs to report the fire immediately to the local assistant, or to a Provincial or municipal police officer or constable in whose district the fire occurs.
- (2) It is the duty of every owner and occupier of, and every person residing or employed at, a building, premises, motor vehicle, vessel or railway rolling stock where a fire occurs to furnish, at the request of the local assistant, fire commissioner or the commissioner's inspectors, information he or she has relating to a fire or the property it destroyed or damaged.

Remuneration of local assistant

- 12** For each fire investigated and reported by a local assistant to the satisfaction of the fire commissioner, the local assistant must be paid out of the consolidated revenue fund the sum prescribed by the Lieutenant Governor in Council and his or her necessary expenses in obtaining required information.

Preliminary report of suspicious fire

- 13** (1) If a fire appears to be of suspicious origin, the local assistant and each insurer interested in the property destroyed or damaged by it must immediately make a preliminary report to the fire commissioner, stating
- (a) the name of the owner and occupier of the property,
 - (b) the location, use and occupancy of the property,
 - (c) the date of the fire, and
 - (d) the facts that tend to establish the cause or origin of the fire.
- (2) A preliminary report must be in addition to the report under section 9 or 19.

Inquiry by fire commissioner or other person

- 14** (1) On receipt of a preliminary report, or in a case where he or she thinks it advisable, the fire commissioner may
- (a) hold an inquiry into the cause, origin, and circumstances of the fire, or
 - (b) direct a judge of the Provincial Court, Justice of the Peace or a competent person to hold the inquiry.
- (2) A person directed by the fire commissioner to hold an inquiry must without delay, on completion of the inquiry, send a report of the inquiry to the fire commissioner.
- (3) The report under subsection (2) must give the person's opinion on the cause and origin of the fire and whether it appears to be of incendiary origin.
- (4) The evidence taken at the inquiry must also be sent to the fire commissioner.

Retention of insurance money

- 15** (1) Pending an inquiry under section 14, the fire commissioner may permit the withholding of payment under a policy of insurance on property destroyed or damaged by the fire for a period of not longer than 90 days after completion of the proof of loss, despite a statutory provision or a condition in the policy to the contrary.
- (2) The insurer and the insured must be notified by registered letter of action under this section.

Powers and procedure at inquiry

- 16** (1) If the fire commissioner or a person holds an inquiry under this Part, sections 43 to 53, 55, 65 (2) and (3) and 67 (1) of the *Offence Act* apply, with the necessary changes except that in applying section 67 (1), the limitation on adjournment is 30 days.
- (2) The fire commissioner or a person holding an inquiry has the following powers:
- (a) to enter, as set out in section 10;
 - (b) to hold the inquiry in private, to exclude persons not required or permitted by this Act to be present, and to keep witnesses apart from each other so that they may not communicate with each other until they have been examined;
 - (c) to employ the technical, scientific, clerical or other assistance he or she considers necessary;
 - (d) to require the assistance of peace officers.
- (3) For an inquiry in a municipality, other than the Cities of Vancouver and Victoria, the municipality must, if no suitable place in a Provincial building is available, at the request of the fire commissioner provide a suitable place to hold the inquiry.
- (4) If no suitable place is provided, one may be procured at the expense of the municipality.
- (5) The fees payable to justices and to witnesses under the *Offence Act* are payable, with the necessary changes, for an inquiry under this Part, but no fees are payable to a judge of the Provincial Court.
- (6) Fees and necessary expenses for an inquiry under this Part must be paid out of the consolidated revenue fund.

Right of interested person to be present

- 17** A person interested may appear at an inquiry and be heard in person or by counsel.

Report to Attorney General of evidence of arson

- 18** If there is evidence sufficient to charge a person with the crime of arson or an attempt to commit arson, the fire commissioner must at once report to the

Attorney General, and provide the Attorney General with the evidence the fire commissioner possesses and the names of witnesses.

Report by insurer

- 19** (1) A taxable insurer must furnish to the fire commissioner at the end of each calendar month a report, in the form provided, of every fire in which it is interested as insurer occurring in British Columbia during the month.
- (2) In the case of any insurance claim made against any insurer other than a taxable insurer, in respect of a fire occurring in British Columbia, the person making or adjusting the claim must furnish to the fire commissioner a report in the form provided.

Record of reported fires

- 20** (1) The fire commissioner must keep a statistical record of all fires reported to the fire commissioner.
- (2) The record referred to in subsection (1) must be available at the office of the fire commissioner for inspection by the public.
- (3) The fire commissioner may allow a person to inspect a document in the office of the fire commissioner relating to a reported fire and may supply a person with a copy of a document on payment of the prescribed fee.
- (4) The Lieutenant Governor in Council may prescribe fees for the purposes of subsection (3).

Inspection of fire hazards

- 21** On complaint of a person interested or, if believed advisable, without complaint, the fire commissioner and the commissioner's inspectors may at all reasonable hours enter any premises anywhere in British Columbia to inspect them and ascertain whether or not any of the following conditions exist:
- (a) the premises are in a state of disrepair that a fire starting in them might spread rapidly to endanger life or other property;
 - (b) the premises are so used or occupied that fire would endanger life or property;
 - (c) combustible or explosive material is kept or other flammable conditions exist on the premises so as to endanger life or property;
 - (d) a fire hazard exists on the premises.

Order to remedy conditions

- 22** (1) After an inspection the fire commissioner, or an inspector with the fire commissioner's authority, may in writing order that within a reasonable time, to be set by the order,
- (a) if section 21 (a) applies, the owner remove or destroy the premises, or the owner or occupier repair the premises,

- (b) if section 21 (b) applies, the owner or occupier alter the use or occupancy of the premises,
 - (c) if section 21 (c) applies, the occupier remove or keep securely the combustible or explosive material or remedy the flammable conditions, and
 - (d) if section 21 (d) applies, the owner or occupier remove or take proper precautions against the fire hazard.
- (2) After the receipt of an order, the owner, occupier or person in charge must comply with it.
- (3) Subject to an agreement to the contrary,
- (a) the cost of complying with an order must be borne by the owner, and
 - (b) if the occupier pays the cost, the occupier has a right of action or set off against the owner for the cost actually and necessarily paid in complying with the order.
- (4) [Repealed 1997-25-6.]

Order where owner absent

- 23** (1) If there is no occupier of premises about which an order is made, and the owner is absent from British Columbia or the owner's whereabouts are unknown, the fire commissioner may carry out an order involving an expenditure of not more than \$100 and, with the approval of the Attorney General, any other order.
- (2) If the land on which the premises are located is in a municipality, the fire commissioner must certify to the municipal financial officer the costs actually and necessarily incurred in carrying out the order.
- (3) The municipal officer referred to in subsection (2) must pay the amount to the fire commissioner from the ordinary revenue of the municipality.
- (4) The amount paid under subsection (3) forms a special charge, within the meaning of section 250 [*taxes are a special charge on the land*] of the *Community Charter*, on the land and the improvements in favour of the municipality, and is for all purposes deemed to be delinquent taxes on the land under that Act from the date of the payment.
- (5) The *Community Charter* applies to the collection and recovery of amounts deemed to be delinquent taxes under subsection (4).
- (6) If the land on which the premises are located is a rural area, the fire commissioner must certify the cost to the surveyor of taxes.
- (7) Costs certified under subsection (6) form a lien and charge on the land in favour of the government and are for all purposes delinquent taxes from the date of the certificate.
- (8) The *Taxation (Rural Area) Act* applies to the collection and recovery of delinquent taxes under subsection (7).

- (9) Money recovered under a certificate under subsection (6) must be accounted for as part of the consolidated revenue fund.

Power of local assistants

- 24** A local assistant may, in the municipality or part of British Columbia for which he or she is a local assistant, exercise the powers conferred by sections 21 and 22 and, with the written approval of the fire commissioner, the powers conferred by section 23.

Emergencies

- 25** (1) If an emergency arising from a fire hazard or from a risk of explosion causes the fire commissioner to be apprehensive of imminent and serious danger to life or property, or of a panic, the fire commissioner may immediately take the steps he or she thinks advisable to remove the hazard or risk.
- (2) For the purposes of subsection (1), the fire commissioner may evacuate a building or area, and may call on the police and fire prevention authorities who have jurisdiction to provide assistance.
- (3) If the fire commissioner believes that conditions exist in or near a hotel or public building, that, in the event of a fire, might seriously endanger life or property, the fire commissioner may immediately take the action he or she believes advisable to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public building.
- (4) For the purposes of subsection (3), the fire commissioner may call on the assistance of peace officers and fire prevention authorities.
- (5) An appeal by petition to the Supreme Court may be taken by a person injuriously affected by the closure of a hotel or public building under subsection (3).
- (6) The petition must be filed in the court registry within 5 days after the order of closure and the fire commissioner must be given notice in writing of the petition.
- (7) The court may make any order it considers just.
- (8) An appeal from an order under subsection (7) lies to the Court of Appeal with leave of a justice of the Court of Appeal.

Municipal duty to inspect hotels and public buildings

- 26** (1) A municipal council must provide for a regular system of inspection of hotels and public buildings in the municipality.
- (2) A municipal council may authorize persons, in addition to the local assistant, to exercise within the municipality some or all of the powers under sections 21 to 23.

Appeal to fire commissioner

- 27** (1) If a local assistant makes an order under sections 21 to 24 to remove or to keep secure combustible or explosive material or to remedy a flammable condition, the occupier may appeal to the fire commissioner by registered letter mailed within 48 hours after receipt of the order.
- (2) If a local assistant makes an order under sections 21 to 24 to repair, remove or destroy premises, or to alter the use or occupancy of premises, or to remove or to take proper precautions against a fire hazard, the owner or occupier may appeal to the fire commissioner by registered letter mailed within 10 days after receipt of the order.
- (3) The fire commissioner must promptly investigate each appeal, affirm, modify or revoke the order appealed from, and in writing communicate the decision and the reasons to the owner or occupier and to the maker of the order.

Other appeals

- 28** (1) If an order under section 21, 22, 23, 24, 27 or 30 involves the loss or expenditure of more than \$500, the owner or occupier, if dissatisfied with the order or decision, may, within 5 days of its receipt apply for review of it by petition to the Supreme Court.
- (2) An application under subsection (1) must be commenced at a registry of the Supreme Court located in the judicial district where the property lies.
- (3) The owner or occupier must file the petition with the registrar of the court and give notice of it in writing to the fire commissioner.
- (4) The court must hear and determine the appeal and make the order it believes proper.
- (5) The decision under subsection (4) is final, except that on a point of law an appeal lies to the Court of Appeal.

Delegation of appeal powers

- 29** (1) The fire commissioner may delegate in writing any of the fire commissioner's powers, duties or functions respecting an appeal under this Act.
- (2) The decision of a delegate is a decision of the fire commissioner for the purposes of section 28.

Part 2 — Escape From Fire

Escape from fire

- 30** (1) An owner or occupier of a hotel or public building must provide means of exit from the hotel or public building in accordance with the Provincial building regulations.
- (2) The owner or occupier must keep the means of exit unobstructed and in good repair.

- (3) The fire commissioner may order an owner or occupier of a hotel or public building to provide or make alterations to
- (a) fire and smoke detection, fire alarm, fire extinguishing and emergency lighting systems, and
 - (b) means of exit, regardless of subsection (1).
- (4) A local assistant may order an owner or occupier of a hotel or public building to provide or make alterations to systems of fire and smoke detection, fire alarm, fire extinguishing and emergency lighting and means of exit, to the extent that the order does not set requirements which exceed those established by the Provincial building regulations.

Means of exit, etc.

- 31** (1) In this section, "**approved**" means approved by the fire commissioner.
- (2) An owner or occupier of a hotel or public building which is required under this Part to have a means of exit must do the following:
- (a) keep posted in all main halls and at the intersections of all cross halls of the hotel or public building conspicuous signs indicating the means of exit;
 - (b) keep posted in each apartment or room a conspicuous notice describing the means of exit, with instructions to be followed in the event of fire;
 - (c) if the building is occupied, ensure that the means of exit has approved illumination, and if the illumination is artificial, has an approved emergency lighting system;
 - (d) provide an alarm gong or similar equipment required by regulation;
 - (e) if the fire commissioner orders, provide and keep in good repair a sprinkler system of an approved type;
 - (f) ensure that smoke and fire doors or closures are kept closed when not in use for access, unless they are automatically controlled by an approved fire or smoke detection system;
 - (g) for a hotel, hospital, community care facility or other building with sleeping accommodation and used for the care of persons, adopt, and have the employees in the building practise, an approved fire drill system;
 - (h) for a school, child care facility, children's home or other institution for children's education or care, adopt, and have all persons in the premises practise, an approved fire drill system.

Doors to open outward

- 32** (1) The outside doors and the main inside doors of a building used as a church, school, theatre, hall or place of public resort

- (a) must open freely outward, and
 - (b) while the building is so used, must not be bolted, locked or otherwise secured shut or obstructed in a manner that, in the opinion of the fire commissioner, prevents the rapid exit of persons inside the building.
- (2) The gates in a fence enclosing a building used as a church, school, theatre, hall or place of public resort must, if not hung to open outward, be kept open by proper fastenings when the building is so used.

Orders to comply with this Part

- 33** (1) If the owner or occupier of a hotel or public building fails to provide, keep in good repair, alter or improve a means of exit, alarm gong or other equipment required by this Part, the local assistant authorized by this Part to inspect the hotel or public building may in writing order the owner or occupier to comply with the requirement within a reasonable time stated in the order.
- (2) The local assistant must deliver the order to the owner or occupier, who must comply with it.

Appeal

- 34** (1) The owner or occupier may, within 10 days after the receipt of the order, appeal to the fire commissioner.
- (2) Section 27 applies to an appeal and, if the order involves the expenditure of a sum exceeding \$500, section 28 also applies.

Cost of complying with this Part

- 35** The cost of providing, keeping in good repair, altering and improving a means of exit, alarm gong or other similar equipment under this Part is governed by the rules in section 22 (3).

Inspection of buildings

- 36** (1) In this section:

"building" includes a hotel, public building, church, theatre, hall or other building used as a place of public resort;

"officer" means a local assistant and, in a municipality, the chief police officer and any other person authorized by the municipal council to exercise some or all of a local assistant's powers under this Part.

- (2) An officer has power at any time to enter a building to inspect it and ascertain whether this Part is being complied with.
- (3) A municipal council must provide for a regular system of inspection by an officer of buildings in the municipality.
- (4) The fire commissioner and the commissioner's inspectors may exercise the powers of an officer anywhere in British Columbia.

- (5) An officer under Part 3 of the *Workers Compensation Act* or the regulations made under it has the powers of an officer for a factory in the area for which the officer under the *Workers Compensation Act* is appointed.

Part 3 — General Provisions

Repealed

37-39 [Repealed 1998-5-11.]

Accounting for money received

- 40** All licence and other fees, money and fines collected or recovered under this Act must be accounted for as part of the consolidated revenue fund.

Badges for local assistants

- 41** (1) The fire commissioner must issue a metal badge, with a serial number, to each local assistant and to each person authorized by a municipal council under section 26.
- (2) The person to whom a badge is issued must wear and on request exhibit the badge when engaged in the performance of duties under this Act.
- (3) The badge must be returned when the authority of the holder under this Act ceases.

Orders affecting strata lots

41.1 (1) An order under section 22, 30 or 33 that applies to a strata lot may be delivered to the strata corporation by service in accordance with section 63 of the *Strata Property Act* if any of the following circumstances apply:

- (a) the order cannot be delivered to the owner or occupier of the strata lot after reasonable efforts at delivery;
 - (b) the order has been delivered to the owner or occupier, but the owner or occupier does not appeal the order and does not comply with the order;
 - (c) the order has been upheld on appeal under section 27, 28 or 34, but the owner or occupier does not comply with the order.
- (2) An order under section 22, 30 or 33 that applies to 6 or more strata lots
- (a) is not required to be delivered to the owners or occupiers of the strata lots, and
 - (b) may instead be delivered to the strata corporation by service in accordance with section 63 of the *Strata Property Act*.
- (3) If an order is delivered to a strata corporation under subsection (1) or (2), the strata corporation is deemed to be an occupier of the strata lots to which the order applies and must comply with the order.

Annual report

- 42 By April 1 in each year, the fire commissioner must submit to the minister a detailed report of the commissioner's administration made up to the preceding December 31.

Actions against officers

- 43 Without the leave of the Attorney General, an action or proceeding must not be brought or taken against the fire commissioner or a local assistant to the fire commissioner or an officer on the fire commissioner's staff for anything done or omitted in the performance or intended performance of duties under this Act.

Offences

- 44 A person who does any of the following commits an offence:
- (a) obstructs the fire commissioner or a local assistant or other person in the execution of his or her duties under this Act;
 - (b) refuses or neglects to admit to any building or premises for any purpose of this Act the fire commissioner or a local assistant or other person who under this Act is entitled to enter;
 - (c) contravenes a provision of this Act or regulations where no separate offence is provided.

Offence by owner or occupier

- 45 (1) An owner or occupier of a building or premises who fails to comply with an order made under this Act commits an offence.
- (2) A person who commits an offence under subsection (1) is liable on conviction to the penalties provided in the *Offence Act*.
- (3) In the case of a continuing offence, a person who commits the offence is liable to a further penalty of not more than \$50 for each day during which the offence continues.

Offence by local assistant

- 46 (1) A local assistant who refuses or neglects to comply with a requirement of this Act or the regulations commits an offence.
- (2) A person who commits an offence under subsection (1) is liable, on conviction, to a fine of not more than \$100.

Power to make regulations

- 47 (1) The minister may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the minister may make regulations as follows:
- (a) regulating manufacturing or trades dangerous in causing or promoting fire;

- (b) regulating the manufacture, storage, carriage, sale and disposal of a combustible, explosive or flammable matter;
 - (c) regulating or prohibiting the dealing in, keeping for sale or disposing of a fireball, firecracker, squib, cannon cracker, basket bomb, giant cracker, sky rocket, Roman candle, mine, torpedo or other firework;
 - (d) governing the location, construction, occupancy, ventilation and safety of community halls, hospitals, nurses' residences, nursing homes, children's homes, apartment houses, public garages, churches, theatres, office buildings, public halls and other public buildings and places of a public or semi-public nature designated for this paragraph by regulation;
 - (e) regulating or prohibiting the sale, maintenance, installation or use in any building or premises, of an appliance, fixture or thing likely to cause or promote fire;
 - (f) standardizing hose couplings and connections;
 - (g) adopting all or part of the National Fire Code of Canada and any other code or standard on fire standards and fire safety, and amending a code or standard adopted under this paragraph;
 - (h) for the purpose of adopting a code or standard under paragraph (g)
 - (i) designating one or more persons to be responsible for the administration and enforcement of the code or standard, and prescribing the powers and duties of that person, and
 - (ii) establishing a system of appeal from a decision made by a person under the codes or standards adopted.
- (3) For the purposes of subsection (2) (d), the regulations may be similar or different for different classes of buildings or different conditions.
- (4) The *Regulations Act* does not apply to a regulation under subsection (2) (g).
- (5) Notice of the enactment, amendment, repeal or replacement of a regulation under subsection (2) (g) must be published in the Gazette.

Municipal bylaws

- 48** (1) Nothing in this Act prevents a municipality from making bylaws relating to a matter within the scope of this Act, but only so far as they are not repugnant to this Act or the regulations.
- (2) Nothing in this Act absolves a municipality from its duty to enforce a law or regulation relating to a matter under this Act.

751 North Maquinna Drive
P.O. Box 174
Tahsis, B.C. V0P 1X0

November 25th, 2019

Mayor and Council,
Village of Tahsis,
977 South Maquinna Drive.

Dear Mayor and Council

I am feeling cautiously optimistic after receiving a reply from Gary Gwilt in response to my letter of September 20th to Minister Donaldson. As you know, my letter explained to Minister Donaldson why I was so concerned about Western Forests Product's plans to log in our McKelvie Creek old-growth temperate rainforest.

I was, of course, very happy to receive confirmation, in Gary Gwilt's letter, that the ministry would "be working with stakeholder representatives and the Mowachaht/Muchalaht First Nation to explore management options in the McKelvie watershed in the next few months." No doubt Council are already well aware of these plans, and I think I have maybe heard this mentioned before, but it felt good to see this in writing for myself.

Hopefully, the Mowachaht/Muchalaht will be listened to properly and not dictated to by Forestry Company or other Provincial Government expectations, which does seem to have been a problem, in the past, with another First Nation. I do hope it will be properly recognised that the Mowachaht/Muchalaht have been living in this area, and using the forests in a sustainable manner, long before any Europeans arrived here. Unfortunately, I have not noticed Western Forests (for instance) being all that receptive to the thoughts of others during Council's dealing with them! I will be most interested to hear how the Mowachaht/Muchalaht themselves feel about this process.

I was also interested to read in Gary Gwilt's letter that, "Beginning this fall 2019, an independent two-person panel will engage with First Nations, industry, stakeholders and communities to help inform recommendations to government on a new old-growth management plan." I believe Mayor Davis reported at the last council meeting that he has already made representation to this panel and plans to follow this up with a letter. Gary Gwilt suggested that I might like to "share thoughts on old-growth management with the panel." Mr. Gwilt also gave me an internet link as a way for me to do this. I will, of course be very happy to do this, although I would really prefer to write a letter. I already have ideas about what I might like to emphasize. However, I would also welcome any suggestions, in regard to this plan, that others might like to make.

I would finally like to say how very impressed I was by the report given to Council by the "Ecologic" company. For the first time, after hearing what that very knowledgeable

young man had to say, I feel real hope that we will be successful in protecting our village from the harm that threatens us. This harm will happen if Western Forest Products are allowed to continue with their current plans to log in our, very special, temperate old-growth rain forest.

Sincerely,

Judy Burgess



Reference: 251366

November 18, 2019

Judy Burgess
751 North Maquinna Drive
Box 174
Tahsis, British Columbia
V0P 1X0

Dear Judy Burgess:

Thank you for your letter of September 20, 2019, regarding proposed forest operations in the McKelvie watershed. I have been asked to respond on behalf of Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development. I would like to address your concern with the proposed harvest and the potential impact on tourism and environmental values in the Tahsis area.

There is no doubt that Tahsis has experienced a significant transition due to mill closures. As you point out, retraining workers is an important part of an adjustment strategy along with creating new economic opportunities like tourism. Forestry remains an important economic driver in the area. The key is striking a balance between the various interests on public land. A sustainable balance requires collaboration between government, industry, communities and First Nations.

The Village of Tahsis and local residents have previously expressed similar concern with the impact that harvesting may have on hydrology, drinking water and wildlife. The ministry will be working with stakeholder representatives and the Mowachaht/Muchalaht First Nation to explore management options in the McKelvie watershed in the next few months. Old-growth forests are valued for their ecological importance, their social, spiritual and cultural significance, and are an important source of high quality timber, supporting rural resource economies. Timber harvesting has to co-exist with the multitude of values that are part of our forests, including tourism, watersheds and recreational values.

Recently the government protected some of the province's largest trees as the first step in a new approach to old-growth management. Beginning this fall 2019, an independent two-person panel will engage with First Nations, industry, stakeholders and communities to help

Judy Burgess

inform recommendations to government on a new old-growth management plan. Here is a link where you can share thoughts on old-growth management with the panel.

<https://engage.gov.bc.ca/oldgrowth/>

Thank you for taking the time to write and express your views.

Yours truly,



Gary Gwilt
Resource Manager
Campbell River Natural Resource District

pc: Mayor and Council, Village of Tahsis
Claire Trevena, M.L.A North Island, Minister of Transportation and Infrastructure
Honourable John Horgan, Premier
Honourable Dr. Andrew Weaver, M.L.A. and Green Party Leader
Rachel Blaney, MP for North Island-Powell River

Janet St. Denis

Subject: FW: one year later

From: shawna gagne <shawna.gagne@gmail.com>
Sent: Tuesday, November 19, 2019 10:32 AM
To: Mayor Davis <Mayor@villageoftahsis.com>; Sarah Fowler <SFowler@villageoftahsis.com>; Lynda Llewellyn <Lynda@villageoftahsis.com>; Bill Elder <BElder@villageoftahsis.com>; Mark Tatchell <MTatchell@villageoftahsis.com>; Josh Lambert <JLambert@villageoftahsis.com>; Reception Account <Reception@villageoftahsis.com>
Subject: one year later

Dear Mayor and Council,

Now that one year has passed since you all have been elected, and I participated in that vote, I would like to ask what new initiatives and projects are coming for Tahsis?

Other than the unity trail and the compost project has anything new been proposed by council or village staff?

Have any committees been formed yet to take on issues?

Are any council members being a leader in town to encourage and empower the residents? ...in arts & culture, business development/economic dev, recreation...

And what goals or vision do you see for the future of Tahsis?

I attended the presentation of the Tahsis OCP Official Community Plan and would like to know if you have yet selected any projects or initiatives coming from the results of that plan?

I look forward to your announcements of upcoming projects and initiatives and would gladly volunteer on any committee to assist in the realisation of them.

Sincerely,

Shawna Gagné
parent and Tahsis resident



Legion

www.legionbcyukon.ca

British Columbia / Yukon Command The Royal Canadian Legion

“Military Service Recognition Book”

Dear Sir/Madam:

Thank you for your interest in the **BC/Yukon Command / The Royal Canadian Legion**, representing **British Columbia** and the **Yukon’s Veterans**. Please accept this written request for your support, as per our recent telephone conversation.

Our **BC/Yukon Command Legion** is very proud to be printing another **5,000 copies** of our Annual **“Military Service Recognition Book”**, scheduled for release by Remembrance Day 2020, to help identify and recognize many of the brave **Veterans** of British Columbia and the Yukon who served our Country so well during times of great conflict. This annual publication goes a long way to help the Legion in our job as the **“Keepers of Remembrance”**, so that none of us forget the selfless contributions made by our **Veterans**.

We would like to have your organization’s support for this Remembrance project by sponsoring an advertisement space in our **“Military Service Recognition Book.”** Proceeds raised from this important project will allow us to fund the printing of this unique publication and will also help our Command to improve our services to **Veterans** and the more than 150 communities that we serve throughout British Columbia and the Yukon. The Legion is recognized as one of Canada’s largest **“Community Service”** organizations, and we are an integral part of the communities we serve. This project ensures the Legion’s continued success in providing these very worthwhile services.

Please find enclosed a rate sheet for your review, along with a detailed list of some of the many community activities in our **149 Branches** and **80 Ladies Auxiliaries** in the **BC/Yukon Command**. Whatever you are able to contribute to this worthwhile endeavor would be greatly appreciated. For further information please contact **BC/Yukon Command Office** toll free at **1-866-354-6277**.

Thank you for your consideration and/or support.

Sincerely,

Valerie MacGregor
President of BC/Yukon Command of The Royal Canadian Legion



Legion

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British Columbia / Yukon Command The Royal Canadian Legion

“Military Service Recognition Book”

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A complimentary copy of this year's publication will be received by all advertisers purchasing space of 1/10 page and up, along with a Certificate of Appreciation from the BC/Yukon Command.



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BC/Yukon Command
The Royal Canadian Legion
(BC/Y RCL)
(Campaign Office)
P O Box 5555
Vancouver, BC V6B 4B5





November 12, 2019

Dear UBCM Member Local Governments,

I am writing on behalf of Victoria City Council, requesting favourable consideration of these resolutions and that you share this support with the Provincial Government for the following resolutions. Unfortunately, despite the fact that we have an opioid crisis across the Province, these resolutions did not make it onto the floor of the UBCM at this year's convention as the resolutions session ran out of time.

(B171) Safer Drug Supply to Save Lives

Whereas It has been two years since BC declared a public-health emergency due to increased overdoses, yet the death toll for those consuming substances continues to rise due to an unpredictable and highly-toxic drug supply;

And whereas people with opioid use disorder, a chronic relapsing medical condition, are at high risk of overdose- related harms including death and an estimated 42,200 people inject toxic substances in British Columbia, it is not possible for the treatment system to rapidly increase services fast enough to manage this number of people as "patients" within a medical treatment model given the many challenges in achieving and retaining the people on opioid use disorder treatment, people at risk of overdose in British Columbia do not have access to a safer alternative to the unpredictable, highly-toxic drug supply:

Therefore be it resolved that in an effort to save lives and reduce harm due to an unpredictable and highly-toxic drug supply, and as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery, that the Province of British Columbia work with local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions, and the Ministry of Health ensure that people at risk of overdose harm have access to safer alternatives.

(B172) Observed Inhalation Sites for Overdose Prevention

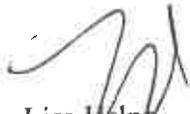
Whereas British Columbia is currently experiencing an unprecedented public health emergency due to an unpredictable and highly-toxic drug supply, and smoking or inhalation is the second most common mode of consumption among all people who have died from a suspected illicit drug overdose and the most common mode of consumption among men and those between the ages of 15 and 29;

And whereas observed consumption services (i.e. supervised consumption services and overdose prevention services) are evidence-based harm reduction approaches shown to reduce overdose-related harm, and there is not adequate access to observed consumption services that provide space for inhalation where communities are facing crisis:

Therefore be it resolved that to ensure that people at risk of overdose across BC have access to observed consumption services that provide space for inhalation, that the Province of British Columbia fund and work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

We eagerly look forward to your support on this matter.

Sincerely,



Lisa Helps
Victoria Mayor

Janet St. Denis

Subject:

FW: Island Health News: Community Wellness Granting Program call for applications



FOR IMMEDIATE RELEASE

NOVEMBER 26, 2019

Community Wellness Granting Program call for applications

Vancouver Island – People on Vancouver Island will benefit from up to \$800,000 in community wellness grants that are once again being provided by Island Health to improve the health and well-being of Island residents.

Now in its fourth year, Island Health’s Community Wellness Granting Program provides the opportunity for not-for-profit organizations, local government organizations and Indigenous Nations, organizations and communities to apply for one-time funding for the development of new initiatives and programs. Criteria for community wellness grants includes healthy aging, positive mental health, social and family connectedness, healthy eating and physical activity.

“Island Health is very proud to support community based non-profit organizations through the Community Wellness Granting Program,” says Kathy MacNeil, Island Health’s President and CEO. “Together we are making lasting changes to improve the health and wellness of the people, families and communities we proudly serve.”

A total of up to \$600,000 is available for individual/small grant funding. Individual grants will be awarded up to \$12,000 each.

To encourage partnerships and collaboration, the remaining \$200,000 is allocated for projects that are multi-jurisdictional/multi-agency and involve a minimum of three partner organizations. Partnership grant applications will be awarded up to \$50,000 each.

In the third year of Island Health's Community Wellness Granting Program 56 grants were awarded to different organizations totalling nearly \$765,000. This included 8 partnership grants ranging from \$13,000 to \$50,000 and 48 individual grants ranging from \$900 to \$12,000.

"These community grants have served, and will continue to serve, promoting and fostering ideas to advance health and wellness at the grassroots level. By providing these funds, Island Health recognizes the importance of the role that the community plays in highlighting and at times contributing to improving the social determinants of health," says Dr. Richard Stanwick, Island Health's Chief Medical Health Officer.

For more information on how to apply for a community wellness grant and for updates on some of our previous year's recipients, please visit Island Health's website at: <http://communitygrants.islandhealth.ca/>.

About Island Health:

Island Health provides health care and support services to more than 800,000 people on Vancouver Island, the islands in the Salish Sea and the Johnstone Strait, and mainland communities north of Powell River. With more than 22,000 staff and over 2,000 physician partners, 6,000 volunteers, and the dedicated support of foundations and auxiliaries, Island Health delivers a broad range of health services, including: public health services, primary health care, home and community care, mental health and addictions services, acute care in hospitals, and much more across a huge, geographically diverse region.

Central/North Island media inquiries

Dominic Abassi

Cowichan/South Island media inquiries:

Cheryl Bloxham

250.755-7966

250.370.8878

Dominic.Abassi@viha.ca

Cheryl.Bloxham@viha.ca

This Island Health notice has been sent to media, MPs, MLAs, mayors, Island Health leaders, foundations and regional hospital district chairs on Vancouver Island. View online at www.islandhealth.ca/news.

If you no longer wish to receive Island Health news, please [click here](#) to request you be removed from the distribution list.



Village of Tahsis

November 25, 2019

VILLAGE OF TAHISIS SUBMISSION TO THE OLD GROWTH FOREST STRATEGIC REVIEW PANEL

Thank you for the opportunity to make this written submission as a supplement to our oral submission made on November 8, 2019 in Campbell River.

The Village of Tahsis is opposed to logging in the McKelvie Creek Community Watershed (“the watershed”). Attached to this submission is a June 27, 2018 letter to Minister Donaldson expressing Council’s June 19, 2018 resolution calling for the complete preservation of the watershed and asking that it be removed from TFL 19.

On December 4, 2018, the newly elected Council passed the same resolution. In addition, Council has also expressed its opposition to timber harvesting on the north east ridge above the community which contains old growth Douglas Fir.

In 2018 the Village retained EcoLogic Consultants Ltd. to conduct a watershed assessment. The purpose of the assessment was to:

- spatially identify values within the watershed, including ecological, economic and cultural, using a risk assessment protocol;
- ♦ identify data gaps in existing assessments of watershed values;
- ♦ propose programs to address any data gaps identified;
- ♦ carry out a risk assessment once sufficient data is available; and
- ♦ present the results of the assessment in a Watershed Assessment Report, including maps that identify the scope of risk present in the watershed.

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 TEL: (250) 934-6344 FAX: (250) 934-6622
www.villageoftahsis.com

As the watershed is a source of drinking water and other values, the Village sees the importance of developing and implementing a Watershed Protection Plan, similar to watershed protection plans established by other local governments. The watershed assessment is a key component of the Watershed Protection Plan as it identifies the risks of timber harvesting, along with other human based activity. The Terrain and Wildlife Habitat maps from the watershed assessment have been shared with the panel to underscore the types, likelihood and severity of risks related to logging the watershed. These include, but are not limited to, landslides, safety threats, contamination of drinking water, increases in flood pulses that could damage infrastructure, e.g., bridges, and further damage to anadromous fish streams, which are in dire need of rehabilitation.

Western Forest Products Inc. (“WFP”) is the tenure holder in Tree Farm Licence 19 (“TFL 19”) which encompasses Crown forested lands within the municipal boundary and in the area surrounding Tahsis. WFP planning maps show 38 cutblocks within the Tahsis vicinity to be harvested within 15 years. This would remove much of the remaining old growth within the Tahsis area.

Opposition to logging old growth in the Tahsis area under the current forestry practices model is grounded in the following:

- Forestry practices in TFL 19 continue to harm fish bearing streams, shrink biodiversity, cause erosion and landslides, leave valuable timber behind and disrupt and destroy important wildlife habitat, including that of endangered and protected species like the marbled murrelet;
- Forestry contributes only marginally to the local Tahsis economy. WFP has not encouraged or required its contractors to establish a business and social presence in Tahsis, despite previously committing to do so;
- Old growth forest is an extremely valuable natural amenity essential for eco-tourism development and promoting Tahsis as a desirable location for entrepreneurs, retirees, recreational property owners and those seeking to move from urban centres. Old growth forests are worth more to Tahsis standing than logged;
- Old growth forest serves as a buffer against wildfires to protect the community and Village infrastructure;
- WFP has not established social licence or garnered community support for its plans to log old growth forests in the Tahsis area. There is a groundswell of community opposition to logging in the watershed as evidenced by the creation of the local advocacy group, McKelvie Matters; and
- Old growth forests resist climate change by capturing and holding more carbon than younger forests.

Tahsis Council is not opposed to timber harvesting which is conducted with the benefit of good data, modern planning, protection of wildlife and sustainable forestry practices. As a start, the annual allowable cut in TFL 19 should be reduced to begin to re-balance the forest ecosystem and protect old growth. Our long term goal is to establish a partnership with the Mowachaht/Muchalaht First Nation for the purpose of obtaining a community forest agreement with the provincial government. A community forest could be a model of sustainable forestry while generating income for the partners.

The Village is participating in the Chief Forester's Timber Supply Review of TFL 19 which will set the AAC for the next 10 years. Our submission in response to WFP's information package is also attached to this submission.

On behalf of Tahsis Council, I wish to thank the panel for its consideration of this submission. We look forward to future communication from the panel including the final report and recommendations.

Respectfully,

A handwritten signature in cursive script that reads "Martin Davis".

Mayor Martin Davis on behalf of Tahsis Council



Village of Tahsis

June 27, 2018

Our File No.

Honourable Doug Donaldson
Minister of Forests, Lands, Natural Resource Operations and
Rural Development
Parliament Buildings
PO Box 9049 STN PROV GOVT
Victoria, BC
V8W 9E2

Dear Minister Donaldson,

I am writing on behalf of Tahsis Council to share with you a resolution passed at Council's June 19th regular meeting. The resolution expresses Council's unanimous view about the importance of protecting our community watershed which is slated to be logged by Western Forest Products, Inc.

The resolution is as follows:

WHEREAS less than 10% of productive old growth forests remain on Vancouver Island; and
WHEREAS intact and contiguous old growth forests are necessary to sustain the diversity of species for the preservation of these ecosystems; and
WHEREAS there is overwhelming evidence that accessible old growth forests are a significant natural asset for the eco-tourism economy; and
WHEREAS the McKelvie Creek watershed is one of the few remaining valley bottom virgin forest watersheds on Vancouver Island; and
WHEREAS the McKelvie Creek watershed is the community watershed for the Village of Tahsis since McKelvie Creek is the source of drinking water; and
WHEREAS neither Western Forest Products, Inc. nor the Ministry of Forests, Lands, Natural Resource Operations and Rural Development have expressed a willingness to preserve this entire watershed; and
WHEREAS Tahsis Council and the Mowachaht/Muchalaht Council of Chiefs have engaged in dialogue on the value of this watershed;

THEREFORE, BE IT RESOLVED:

THAT Tahsis Council support the complete preservation of the McKelvie Creek watershed by opposing all forms of resource extraction and development including all logging activity; and
THAT Tahsis Council call on the Minister of Forests, Lands, Natural Resource Operations and Rural Development to remove the McKelvie Creek watershed from TFL 19.

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This community understands and accepts forestry activity generally and logging in particular are important contributors to the provincial and regional economy. However, we firmly believe that logging the old growth in this watershed is environmentally short-sighted, threatens our drinking water supply and directly undermines our community's economic recovery.

We urge you to come to Tahsis to meet with local residents and the Mowachaht/Muchalaht First Nation to hear from those who will be most affected by logging in this watershed.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Taylor', is written over a faint, illegible printed name.

Acting Mayor Randy Taylor on behalf of Tahsis Council

cc: Don Demens, CEO, Western Forest Products, Inc.
Diane Nicholls, Chief Forester, Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Mowachaht/Muchalaht Council of Chiefs



Village of Tahsis

July 31, 2019

Mike Davis, RPF
Tenures Forester
Western Forest Products, Inc.
#118-1334 Island Highway,
Campbell River, British Columbia
V9W 8C9, Canada

by email: mdavis@westernforest.com

Re: Tree Farm Licence (TFL) 19 Draft Information Package – Village of Tahsis Submission

On behalf of Council I am writing to thank you for your July 4th presentation of Western Forest Products, Inc.'s draft Information Package prepared for the Chief Forester's timber supply review ("TSR") of TFL 19. During the two and one half hour meeting Council posed multiple questions about the assumptions, methodology, data sources, scope, and science as set out in the information package. We consider our questions and views expressed at the meeting to form part of the record of our feedback on the information package. What follows below is additional information we are submitting in response to the draft Information Package.

McKelvie Creek Community Watershed

Foremost among Council's priorities for the TSR is the protection and preservation of the McKelvie Creek Community watershed. Council is also concerned about the impacts of logging along the ridge due east of the community. Council's advocacy is well documented in resolutions and letters to provincial and federal officials, including Minister Donaldson. The Village has retained the environmental consulting firm EcoLogic Consultants Ltd. to conduct a watershed assessment as an initial step in completing a watershed protection plan. Once received, EcoLogic's report will be shared with the Chief Forester with the aim of providing a comprehensive data set describing this particular watershed. It is noteworthy that through its fieldwork in early July, EcoLogic has the most detailed and accurate information about the terrain, flora and fauna of this watershed. The EcoLogic representatives in attendance at the July 4th meeting noted the extremely irregular terrain in the watershed; information which WFP concedes it has not obtained, having not undertaken any recce work in this location.

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1

The slide 10 map and graph indicate that WFP has reduced the area of merchandisable timber (ECA) in the McKelvie Creek watershed from previous presentations to Council. You confirmed this reduction was due to Glynnis Horel's 2017 study of the McKelvie watershed which concluded that landslides and erosion are both more impactful and more likely than WFP had previously concluded. The EcoLogic study will offer more robust data to further inform decisions about this watershed.

Climate Change

From page 15 of the Information Package:

There is significant scientific agreement that climate changes will affect forest ecosystems and that forest management practices will need to adapt. However, the rate and amount of change is uncertain. Given the uncertainty no modelling of climate change impacts is planned. As better information becomes available it can be incorporated into future timber supply analyses.

There are a number of problems with the above stated position:

- WFP has developed and implemented Forest Stewardship Plans which address other emerging issues where there are high levels of uncertainty, e.g., species at risk. As a company, WFP has the resources to fully address the impact of climate change in the draft Information Package. In our view, this is a glaring omission from the package.
- There are evidence-based planning tools publicly available that engineers, local, regional and provincial planners and scientists are using to make predictions about the impact of climate change on ecosystems around the world. We believe it is disingenuous for WFP maintain that uncertainty augurs for ignoring climate change in the context of this TSR.
- For example, the Pacific Climate Impacts Consortium at the University of Victoria provides practical information on the physical impacts of climate variability and change in the Pacific and Yukon Region of Canada. They collaborate with climate researchers and regional stakeholders to produce knowledge and tools in support of long-term planning. For example, this consortium has produced weather anomaly maps based on climate change for locations within TFL 19.
- If WFP is to continue to maintain, as per the above statement in the draft Information Package, that climate change cannot be modelled it should be required to demonstrate the research it has conducted to reach this conclusion and to publicly share its research for public scrutiny.
- WFP should also be required to articulate what standard of information it requires in order to incorporate climate change into its draft Information Package, if it objects to addressing climate change impacts at this juncture in the TSR.

We would expect the Chief Forester to require WFP to take full account of the impact of climate change in TFL 19 in its information package as the data and research are readily available and WFP has the resources and obligation to do so.

Tahsis Flood Risk Assessment

A Flood Risk Assessment report was completed this month updating floodplain maps, including the hazards and risks of flooding along the Tahsis and Leiner Rivers and incorporating sea level rise predictive data.

Some of the key objectives of the study included:

- Integration of detailed topographical survey (river bathymetry and LIDAR imaging)
- Regional hydrological analysis based on historic recorded data collected in comparable watersheds in the region
- Technical modeling of rivers and sea interactions with various storm events
- Flood hazard map showing the inundated areas, the estimated water depth and velocity and the resultant combined hazard rating
- Flood risk map showing the potential for risk to life, property and/or infrastructure due to the identified flood hazard
- Development of a long-term strategy to reduce impacts of flooding on the community while protecting the ecological, economic and cultural values of the rivers and floodplain.

As timber harvesting in the Tahsis, Leiner and McKelvie Creek watersheds will influence the discharge volumes in the Tahsis and Leiner Rivers and McKelvie Creek, this information is being shared so WFP can further refine its ECA in the Tahsis and Leiner watersheds.

The Flood Risk Assessment is available on the Village website:

https://dl.mcelhanney.com/2019/07/23_uRzB/23_G5JetG1/49140TahsisFloodRiskAssessmentFinalReportComplete.pdf

Tahsis Wellhead Protection Plan

The Village completed a Wellhead Protection Plan for its community production well in April 2019 which is a requirement under the *Water Sustainability Act*. The plan establishes the source water protection and contaminant source inventory. The hydrogeological review determined that the Capture Zone for the production well connects it to McKelvie Creek through well-sorted alluvial sediments deposited from the Tahsis River interlayered with poorly sorted fan deposits from McKelvie Creek. This is important as it confirms that McKelvie Creek feeds the aquifer which is the primary source for Tahsis' drinking water. WFP maintains that since the Village does not use McKelvie Creek surface water as its primary drinking water source, having switched to a groundwater well in 2016, that McKelvie Creek no longer serves as the primary drinking water source for Tahsis residents. This study proves otherwise.

While recognizing that in setting the annual allowable cut volume for TFL 19 for the next ten year period the Chief Forester cannot establish forest practices that vary from the statutory and regulatory regime, it bears noting that there is a direct correlation between volume of timber harvested and the magnitude of environmental impacts. In the July 30, 2019 BC Auditor General's report titled "The Protection of Drinking Water" the audit found that "risks to drinking water are increasing". And that "drinking water sources are at risk from a number of factors, including industrial practices, such as forestry, oil and gas, and mining."

Having established that McKelvie Creek is the primary source of the Village of Tahsis groundwater well and recognizing that forest practices put drinking water at risk, this information ought to be considered in the TSR.

In light of the Auditor General's findings and recommendations, we will also be raising our concerns about the implications of timber harvesting activity in the McKelvie Creek watershed with the Vancouver Island Health Authority and the Ministry of Health.

The Tahsis Wellhead Protection Plan is also available on the Village website:

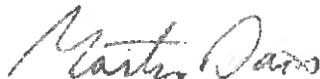
<http://villageoftahsis.com/wp-content/uploads/2019/06/2221-49140-WPP-Final.MDstamp.2019-04-04.pdf>

In conclusion:

- The Village is undertaking a study to more fully understand the terrain, hydrogeology, and ecology and the risks associated with timber harvesting in the McKelvie Creek watershed – this study should be considered in the TSR;
- We expect WFP to take full account of the impact of climate change in its timber supply analysis; and
- Timber harvesting impacts on McKelvie Creek will directly affect the Village of Tahsis drinking water and could exacerbate flood events. These facts should also be considered in the TSR.

Thank you again for your presentation to Council. We look forward to receiving the next iteration of the Information Package.

Respectfully,



Mayor Martin Davis on behalf of Tahsis Council

cc: Diane Nicholls, Chief Forester, Ministry of Forests, Lands, Natural Resource Operations and Rural Development



Grant in Aid Application Policy #2007

Name of Group or Organization: Tahsis Community Spirit Date: Wednesday, December 25, 2019

I hereby request a Grant in Aid from the Village of Tahsis. The details of this request are below.

1. State the exact amount of monies or in-kind assistance (eg. free use of facilities) requested.

We are requesting use of Recreation Centre kitchen and gym facilities, including table and chairs free of charge, from approximately 8:00 am to 10:00 pm Wednesday, December 25, 2019. Village management staff Deb Bodnar will be participating so it won't be necessary to bring in Recreation Centre staff on overtime.

2. Briefly outline the purpose of this assistance.

To provide a community celebration for the holiday season with food and family activities on Christmas Day free of charge to anyone who attends. We want to create and strengthen community connections and Tahsis Spirit. We will not be serving alcohol.

3. Who will benefit from this activity? How many people will benefit?

The event is open to all residents and friends of Tahsis and surrounding communities. We are planning to provide a hearty meal to about 100-150 people, including shut-ins where we will deliver boxed meals as requested.

4. What steps have you taken to raise funds?

We are planning to use personal funds but will be seeking donations and contributions once our application is approved.

5. What other local groups have been approached for assistance? Please indicate what was requested from these groups and whether they have agreed to assist.



Grant in Aid Application Policy #2007

We plan to approach local groups as needed to create awareness and provide voluntary support as required. We have 5 people on the organizing team.

6. Have you approached the Federal or Provincial governments for assistance? Please indicate what was requested from these Senior Governments and whether they have agreed to assist.

No.

7. Will this project proceed if funds or in-kind assistance are not provided by the Village?

No, it will not proceed as personal funds will be used to provide a healthy meal to the community.

Signature of Authorized representative

Please attach a budget for your project. Please be as complete as you can. You may be asked for further financial information.

If a Grant in Aid for funding is approved, the cheque should be made payable to:

Sue Simcox_____

and be mailed to: _____

Contact person: Sue Simcox

Phone number: 250-934-5577

Tahsis Community Spirit
Financial Commitment
Christmas Dinner for 150 People

	<u>Quantity</u>	<u>Cost</u>	<u>Amount</u>
<u>Food</u>			
Turkey 18-20 lb	4	31	124.00
Ham 10 lb	3	20	60.00
Potatoes	50	0.6	30.00
Carrots	50	0.6	30.00
Bussel Sprouts	50	0.99	49.50
Green Beans	50	0.99	49.50
Stuffing			50.00
Gravy			30.00
Desserts	18.75	9	168.75
Rolls	5	6.99	34.95
Contingency 20%			150.00
	Subtotal		<u>776.70</u>
	GST	5%	<u>38.84</u>
Total Food			<u>815.54</u>
			190.00
<u>Activities</u>			
Carmel popcorn balls			
Candy canes			
Christmas pinata			
Insurance			
Total Food and Activities Budget			<u>1,005.54</u>

STREET	NATURE OF COMPLAINT	APPLICABLE BYLAW	ACTIONS TAKEN	STATUS
Princess Victoria View	Off leash dogs	Animal Control Bylaw No. 420	Letter sent to owner, complainants advised they have complied since letter	Closed
Brabant Crescent	Excessive noise	Noise Control Bylaw No. 421	Letter sent to owner, complainants advised they have complied since letter	Closed
Tipperary Park	Encroaching brush from park	Property Maintenance No. 614	Inspected encroachment from Village branches, Public Works trimmed	Closed
South Maquinna	Unsafely and unsafe stairway	Property Maintenance No. 614	Inspected, notice to comply sent, owner complied by set deadline	Closed
Public Area	Dog attack	Animal Control Bylaw No. 420	Investigated, determined no further action as attack was provoked by off-leash dog	Closed
Boston Road	Unsafely premises	Property Maintenance No. 614	Inspected, notice to comply sent, owner complied by set deadline	Closed
Discovery Road	Barking dog	Noise Control Bylaw No. 421	Spoke with police and owner, owner complied with request to remedy the barking	Closed
Edith Road	Unsafely premises	Property Maintenance No. 614	Inspected, notice to comply sent, owner complied by set deadline	Closed
Edith Road	Unsafely/Derelict vehicle	Property Maintenance No. 614	Inspected, notice to comply sent, owner complied by set deadline	Closed
Tipperary Park	Unsafely premises	Property Maintenance No. 614	Inspected, spoke with owner, complied	Closed
Commercial Property	Vehicle parked too long	Streets and Traffic Bylaw	Owner of vehicle moved before letter sent, no further action	Closed
North Maquinna	Unsafely/Hazardous tree	Property Maintenance No. 614	Inspected, notice to comply sent, awaiting deadline to ensure compliance	Open
McKelvie	Unsafely/Derelict boat	Property Maintenance No. 614	Inspected, notice to comply sent, awaiting deadline to ensure compliance	Open
Alpine View	Unsafely premises	Property Maintenance No. 614	Inspected, in contact with owner, will continue to monitor progress	Open
Jewitt	Unsafely/ Derelict vehicles	Property Maintenance No. 614	Inspected, notice to comply sent, awaiting deadline to ensure compliance	Open
Jewitt	Unsafely/Derelict vehicle	Property Maintenance No. 614	Inspected, notice to comply sent, in contact with owner to arrange removal	Open
Head Bay Road	Unsafely/Derelict vehicles	Property Maintenance No. 614	Inspected, notice to comply sent, awaiting deadline to ensure compliance	Open
Alpine View	Excessive noise	Noise Control Bylaw No. 421	Asked complainant to send noise log, not received yet	Open
Freda Road	Unsafely premises	Property Maintenance No. 614	Inspected, notice to comply sent, awaiting deadline to ensure compliance	Open
South Maquinna	Unsafely premises	Property Maintenance No. 614	Inspection to be conducted	Open
Churchill Drive	Unsafely/ Hazardous tree	Property Maintenance No. 614	Inspection to be conducted	Open
May-November 2019				

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MS



AVICC 2020 Convention
April 17-19, 2020
Vancouver Island Conference Centre

CALL FOR SUBMISSIONS

Thank you for your interest in participating in the 2020 AVICC Convention. It will be held Friday through Sunday, April 17-19, 2020 at the Vancouver Island Conference Centre in Nanaimo.

To submit a proposal fill in the information requested below and email this document back as a **word document** to avicc@ubcm.ca

The deadline for submissions is November 27, 2019.

There are limited spots on the program including 45-60 minute plenary presentations, 60 minute concurrent workshops on Saturday afternoon, and two to three hour pre-convention workshops and study tours on Friday morning.

Delegates prefer sessions that involve multi-party perspectives and ones that are interactive rather than "talking heads".

Title of Session:	Run, Win, & Lead with Love.
Name of Organization:	village of talsis . municipal deputy mayor alderman
Contact Person Name:	Sarah Fowler
Phone:	250-934-7713 (home)
Address:	1162 Discovery crescent } UOPIXO } POST BOX 122
Email:	sfowler@villageoftalsis.com

Session Description (for review of AVICC Executive Committee in choosing sessions. This information will also be used in program materials):	Towards Parity Initiatives and slogan from the (FCM) Encourages women and other power minorities to Run, Win & Lead. My thesis explores the skills needed to successfully navigate barriers to get to that point. In examining historical influence we can pin point key cornerstones of identity. The acronym L.O.V.E. stands for Listen, observe, Validate and Empathize. which is good for everyone.
Proposed Session Length:	60 minutes
Preferred Time and Day:	afternoon
Audio Visual Requirements:	projector, powerpoint hookups
Travel or other expenses if any:	\$100 gas Nanaimo to Tahsis.
# of Proposed Presenters:	2-3
Name - Presenter #1:	Sarah Fowler
Bio and Organization - Presenter #1:	Deputy-mayor for the Village of Tahsis has lived there since 2010. Before that she was a mt. Washington ski-bum. But now she's a mom.
Name - Presenter #2:	Nathalie Chambers
Bio and Organization - Presenter #2:	Nathalie Chambers works at Farmland Protection Coalition and is a Councillor in the district of Saanich.
Name - Presenter #3:	
Bio and Organization - Presenter #3:	
Name - Presenter #4:	
Bio and Organization - Presenter #4:	

Any other information or requirements:	
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Successful applicants must confirm their session description, session title, and final list of presenters with AVICC by February 21 for inclusion in the program. Changes to presenters or failure to meet this deadline may result in the session being cancelled.

Presenters must agree to submit all PowerPoint presentations by April 10th

I agree to the above conditions and deadlines:

Signature: Sarah Fowler

Name: Sarah Fowler

Date: Nov 18, 2019