



## Minutes

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<b><u>Meeting</u></b>	<b>Regular Council</b>
<b><u>Date</u></b>	<b>2021-09-21</b>
<b><u>Time</u></b>	<b>7:00 PM</b>
<b><u>Place</u></b>	<b>Municipal Hall - Council Chambers and by electronic means</b>

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<b><u>Present</u></b>	Mayor Martin Davis	
	Councillor Bill Elder	
	Councillor Sarah Fowler	by video
	Councillor Cheryl Northcott	by video
	Councillor Lynda Llewellyn	by video
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<b><u>Staff</u></b>	Mark Tatchell, Chief Administrative Officer	
	Shelley Debruyne, Administrative Coordinator	by video
	Janet St-Denis, Finance and Corporate Services Manager	by video
<b><u>Public</u></b>	2 members of the public.	by phone/video

### **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**

None

### **C. Approval of the Agenda**

**Elder/Llewellyn: VOT 0330/2021**

**THAT** the Agenda for the September 21, 2021 Regular meeting of Council be adopted as presented.

**CARRIED**

### **D. Petitions and Delegations**

None

### **E. Public Input # 1**

None

### **F. Adoption of the Minutes**

#### **1 Minutes of the Regular Council Meeting held on September 7, 2021**

**Elder/Llewellyn: VOT 0331/2021**

**THAT** the Regular Council Meeting minutes of September 7, 2021 be adopted as presented.

**CARRIED**

### **G. Rise and Report**

None

### **H. Business Arising**

#### **1 Resolution Regarding Vehicular Access to Pete's Farm and I.R. 11 Lands.**

**Elder/Llewellyn: VOT 0332/2021**

**THAT** this resolution be received.

**CARRIED**

**Northcott/Fowler: VOT 0333/2021**

**WHEREAS:** there has been inappropriate and destructive motor vehicle operations in sensitive aquatic ecosystems in and around Tahsis,

**THEREFORE BE IT RESOLVED, THAT** staff investigate options for restricting vehicular access from the Head Bay Forest Service Road and from the Leiner Campsite to Pete's Farm; and

**BE IT FURTHER RESOLVED, THAT** staff investigate options for restricting vehicular access to the Mowachaht/Muchalaht First Nation I.R. 11 foreshore; and

**BE IT FURTHER RESOLVED THAT** staff report back to Council with options and recommendations.

**CARRIED**

**1 "no" vote registered  
Councillor Elder**

### **J. Council Reports**

**Mayor Davis** (written report)

Since the last meeting, I have met with the provincial ministers of agriculture, forests, environment, municipal affairs and finance. The transportation minister sent lower level functionaries instead, which was a bit insulting considering all the issues we are having with the appalling condition of the road. Yes, we got several patches of sealcoat repaired, and yes, they did pave a couple of bridge approaches, but grading remains a serious issue. In the summer the excuse was that it was too dry. When the rains came, the excuse was that the grader was broken, after grading just from Gold River to the summit. No replacement grader came, and to date, much of the road remains unmaintained. Just last week, I helped out a couple whose camperized bus was hanging precipitously from the edge of the road after losing control. I have been talking to our MLA and she is taking the state of our road directly to the transport minister. We can only guess as to whether it will lead to some meaningful action.

I have also attended meetings of the Comox Strathcona Waste Management Board, Strathcona Regional District, the Municipal Insurance Association of BC AGM, and the board of the Island Coastal Economic Trust.

We are also working on trying to move forward the ATV trail proposal, but it remains to be seen if we can reach an agreement with Rec Sites and Trails BC over their objections to the engineering done on the steep sections of trail. If we can't, we may have to forfeit 2/3 of the money and use the rest, \$200,000, for other trail or improvement work that would benefit Tahsis.

In the last few days, two boats have sunk in Tahsis, but fortunately they have both been raised. Some diesel fuel was spilled. And the truck that was sunk in the Leiner River has been removed, fortunately before the heavy rains swept it away.

The Union of BC Municipalities annual convention was held, again online. There were a few interesting seminars and Premier Horgan gave the closing address. Also, Rick Mercer did an hourlong interview where he expounded on the state of Canada and the federal election.

Today, a film crew was in town, shooting a Tourism Vancouver Island promotional video on Tahsis. We also met with Kira Marshall, who has been contracted to promote our community through social media, apps and other forms of engagement.

At a meeting today, we voted unanimously to order the demolition of the old plaza buildings at the south end of town. They have been a decaying eyesore for years and are becoming increasingly hazardous now that one of the buildings has started to collapse. There may still be a legal challenge from the owner.

**Councillor Elder**

No report

**Councillor Fowler**

No report

**Councillor Lynda Llewellyn**

Voting for the Federal Election held on September 20, 2021, at the Rec Centre was well attended. Out of 316 on voters list, 163 voted, making it well over a 50% turn out. This is not including the mail-in votes.

**Councillor Northcott**

No report.

**Elder/Fowler: VOT 0334/2021**

**THAT** the Council Reports be received.

**CARRIED**

**K. Bylaws**

None

**L. Correspondence**

- 1 **Ambulance Paramedics of British Columbia RE: Emergence Paramedics and Dispatchers: Who we are and what we do!**

**Elder/Fowler: VOT 0335/2021**

**THAT** these correspondence items be received.

**CARRIED**

**M. New Business**

- 1 **National Truth and Reconciliation Day**

**Elder/Llewellyn: VOT 0336/2021**

**THAT** this Resolution to Council be received.

**CARRIED**

**Fowler/Llewellyn: VOT 0337/2021**

**WHEREAS** the federal government announced in June that September 30th is a new annual statutory day to commemorate the history and ongoing trauma caused by residential schools and to honour those who were lost and the survivors, families and communities who continue to grieve; **AND**

**WHEREAS** Tahsis Council is committed to recognizing this important day in response to one of the 94 Truth and Reconciliation Commission's Calls for Action; **AND**

**WHEREAS** it is essential that the Village of Tahsis honour residential school survivors and their communities in doing our part to come to terms with the truths about residential schools and advance reconciliation;

**THEREFORE BE IT RESOLVED THAT:** Village of Tahsis municipal hall, Tahsis Recreation Centre and Puddle Ducks Daycare be closed on September 30th each year and public works and other municipal services will be closed on that day; **AND**

**BE IT FURTHER RESOLVED THAT:** Village of Tahsis flags be lowered to half mast on September 30th to commemorate National Truth and Reconciliation Day.

**CARRIED**

1 "no" vote registered  
Councillor Elder

## **2 Municipal Regulation of Single Use Plastics**

**Elder/Fowler: VOT 0338/2021**

**THAT** this report be received for discussion.

**CARRIED**

A discussion of options followed.

**Northcott/Fowler: VOT 0339/2021**

**THAT** option # 3 be approved.

**THAT** the Village of Tahsis re-visit this issue in 2022 after other CSWM municipalities have adopted single use plastic bylaws.

**CARRIED**

1 "no" vote registered  
Councillor Elder

### **N. Public Input #2**

A member of the public spoke to the benefits of bringing business licenses back.

A member of the public inquired how to order a plaque for the Memorial Wall to which Staff responded.

A member of the public thanked Council for its decision regarding the Maquinna Hotel but also commented on the appearance of the Spartree Motel.

### **Adjournment**

**Elder/Llewellyn: VOT 0340/2021**

THAT the meeting be adjourned at 7:56 p.m.

CARRIED

Certified Correct this

the 8th day of October, 2021

Chief Administrative Officer





## Minutes

<b><u>Meeting</u></b>	<b>Regular Council</b>
<b><u>Date</u></b>	<b>07-Sep-21</b>
<b><u>Time</u></b>	<b>7:00 PM</b>
<b><u>Place</u></b>	<b>Municipal Hall - Council Chambers and by electronic means</b>

<b><u>Present</u></b>	Mayor Martin Davis	
	Councillor Bill Elder	
	Councillor Sarah Fowler	by video
	Councillor Cheryl Northcott	
	Councillor Lynda Llewellyn	by video

<b><u>Staff</u></b>	Mark Tatchell, Chief Administrative Officer	
	Ian Poole, Director of Finance	by video
	Shelley Debruyne, Administrative Coordinator	by video
	Janet St-Denis, Finance and Corporate Services Manager	by video

<b><u>Public</u></b>	5 public members	by phone/video
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### **A. Call to Order**

Mayor Davis called the meeting to order at 7:02 p.m.

Mayor Davis acknowledged and respected that Council is meeting upon Mowachaht/Muchalaht territory

### **B. Introduction of Late Items and Agenda Changes**

Email from Councillor Northcott regarding cutting off vehicular access to the Leiner riverbed and Leiner Campground as well ATV's access to the foreshore under New Business as "M2".

### **C. Approval of the Agenda**

**Elder/Northcott: VOT 0303/2021**

**THAT** the Agenda for the September 7, 2021 Regular meeting of Council be adopted as presented.

**CARRIED**

### **D. Petitions and Delegations**

None

### **E. Public Input # 1**

None

### **F. Adoption of the Minutes**

#### **1 Minutes of the Regular Council Meeting held on August 3, 2021**

**Elder/Llewellyn: VOT 0304/2021**

**THAT** the Regular Council Meeting minutes of August 3, 2021 be adopted as presented.

**CARRIED**

**J. Council Reports**

**Mayor Davis** (written report)

This spring, our property assessments came back with changes of assessment ranging from 62% increases to a 12% decline, with no clear rationale as to the huge discrepancy in such a small community. We raised this issue and are awaiting a response. The BC Assessment Authority staff inspected 28 properties that were sold over the last year or so or are listed for sale. They also inspected properties that Village staff and Council had identified as having questionable assessed values. Staff findings will be reported to the Deputy Assessor responsible for the North Island. We will be following up on this.

Since our last meeting, two major water leaks have occurred and both have been repaired. We are already seeing a noticeable drop in consumption.

The first phase of the flood control project has been completed with the construction of the water catchment pond off Alpine View. When there are extreme flood events, this will catch water behind the dike and it will then be pumped back into the river. The next phase will involve strengthening and levelling the dikes around the lower part of town.

I have been involved in ministerial meetings starting today, along with Deputy Mayor Fowler and our CAO, Mark Tatchell. These are useful in advocating for the community and clarifying issues that arise. Today we met with the Ministers of Agriculture, Food and Fisheries, Environment and Climate Change Strategy, Forests, Lands and Natural Resource Operations and Rural Development, as well as staff from BC Emergency Health Services. One of the good news items is that we will have four regularized paramedic positions, that is, .75 full time equivalent. This includes a unit chief, another primary care paramedic and two community paramedics, all scheduled on-call positions.

As you might have heard, the campfire bans have been lifted in our region. We are so lucky to have avoided the apocalyptic situations that so many of our communities in the interior have suffered through. Indeed, I can only recall one or two days this summer where smoke from distant fires were noticeable.

The proof of vaccination requirements announced by the Provincial Health Officer on August 23rd come into effect on Monday September 13th. Public communication will be issued next week so Tahsis Recreation Centre users will know that proof of vaccination is required to access the facility, except for those participating in youth recreational sports. The information to date does not address whether the proof of vaccination rule applies to meetings of elected officials (e.g., municipal councils). The July 7, 2021 Public Health Order on Gatherings and Events specifically exempts these meetings. People visiting from outside of B.C. are also required to show proof of vaccination. Look at the BC government homepage for more specific information and instructions for obtaining the proof a vaccination card, which is also available as an app on your phone.

I am sure many of you have heard of the truck that sank in the Leiner River. Two individuals were involved. They drove across the river at Pete's Farm and were driving around the gravel flats on the far side. When they tried to return, the river, which was up a bit with recent rains, pushed them over into a deep pool which currently has salmon in it. They were lucky to get out with their lives and were quite shaken up. This was an almost terminally stupid maneuver and the loss of fuel and other oils to the river can be damaging to the fish and the environment in general. It has become obvious that we can not expect all people to use common sense and we will have to be blocking access to the river at least, if not the farmsite. I have also seen this happen at the Leiner campsite and there are also ATV's driving along the flats at low tide out beyond the Leiner estuary trail. This is particularly bad as it crushes the shellfish along the beach and drives away wildlife who depend on the estuary for food. I have notified the Mowachaht Muchalaht First Nation as people are using their reserve for access and they will be taking steps to block it.

In the last few days I have been working with Shorebird Expeditions on beach cleanups out at the west coast. This effort, funded by the federal government and non-profits, generated a massive amount of trash that has washed up on beaches. Items removed included styrofoam floats, buoys, water bottles, ropes, tires and boat fragments. These cleanups have been going on for several years along the outer coast. Most of this garbage is locally generated although in the past we have seen huge influxes of debris from Asia, mostly from tsunamis.

Lastly, I would like to note the passing of Jackie Baker, a long time resident of Tahsis. She would often come to my place for visits and tea, but when her health declined, I would go down there to visit and to help her purchase things at the store. Condolences to her family.

**Councillor Elder**

No report

**Councillor Fowler (written report)**

In addition to the letter below which was published (with the help of a Climate Caucus contact) on my website in August, I have had many cabinet minister meetings today (regarding issues surrounding correspondence items L3 & 5 of tonight's agenda) and have three more scheduled as part of the UBCM 2021 virtual forum. It pleases me to report I have the opportunity to continue in my role as Small Community Representative on that executive board. I would also like to pass on my deep condolences to the family and friends of long time Tahsis resident, Jackie Baker.

07-Sep-21

Dear Federal Candidates;

Simultaneous unprecedented emergencies across the country make an interesting backdrop for a federal election. Meanwhile elected officials in our local government are struggling to keep residents safe and alive.



Without the federal government carrying their weight on climate action, it is becoming increasingly difficult for locally elected officials to deliver on their mandate to foster social, environmental, and economic wellbeing for all residents. This is exemplified by the western Canada heat wave, which killed 500 people and led into an early wildfire season and unprecedented water shortages.

Specifically the Village of Tahsis, like many small communities, extend their fire protection services to highway rescues, remote resorts or other wildland interface zones. Yet, our ability to recruit and finance equipment, including firehalls themselves are limited by property taxation mechanism, dwindling populations and lack of service capacity.

Our next MP will have a say on policy decisions on climate. This will have real impacts in our community. Climate change is an immense and complex problem, so federal collaboration is vital—vote for the climate candidate in your riding.

Sincere respect,  
Sarah Fowler

Respectfully Submitted

**Councillor Lynda Llewellyn**

No report.

**Councillor Northcott**

No report.

**Elder/Northcott: VOT 0305/2021**

**THAT the Council Reports be received.**

**CARRIED**

**L. Correspondence**

- 1 August 23rd letter from Rita Aedan to Mayor and Council Re: Second Request- Removal of both no parking signs.**
- 2 Letter and Report to Mayor Davis from Colleen Mayor Karen Elliott and Councillor Colleen Evans Co-chairs of the British Columbia Social Procurement Initiative (BCSPI) Re: Updates from the BCSPI and the opportunity for the Village of Tahsis to join.**
- 3 Email from Council of Canadians Re: Request for support for the "Fish Farms out of Coastal Waters" Campaign.**
- Email from Rebecca Bishop, Program Officer, UBCM to Mayor Davis and Council Re:**
  - 4 2020 CEPF: Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning – Flood Mitigation Preliminary Design Project.**
  - 5 Letter from Minister Adrian Dix in response to Tahsis Council's letter of June 7th, 2021 Re: Ambulance Services in small communities.**

- 6 Letter from Les Hagen, Executive Director of Action on Smoking and Health (ASH Canada) Re: Protecting youth from flavoured vaping products.
- 7 Email from Jessie Christophersen, Information and Member Services Co-ordinator Re: Declaration of Waste Reduction Week in Canada.
- 8 Letter from Langley City Council to Hon. Premier John Horgan and Hon. Adrian Dix Resolution Re: Improvement to Pre-hospital Care System.
- 9 Email from Sheila Pither, President of Council of Senior Citizens' Organizations of BC (COSCO BC) Re: Invitation to COSCO Conference ~Living in the 21st Century: A Seniors' Strategy~ September 27 & 28
- 10 Letter from Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs, Re:Proof of Vaccination and Mandatory Mask Announcement

**Elder/Fowler: VOT 0306/2021**

**THAT** these correspondence items be received.

**CARRIED**

**Elder/Llewellyn: VOT 0307/2021**

**THAT** correspondence item # 1, 3, 4, 7, 9 & 10 be pulled for discussion.

**CARRIED**

- 1 August 23rd letter from Rita Aedan to Mayor and Council Re: Second Request- Removal of both no parking signs.

**Fowler/Llewellyn: VOT 0308/2021**

**That** the Village remove the two "No Parking" signs located between 907 and 922 Princess Victoria View.

**CARRIED**

- 3 Email from Council of Canadians Re: Request for support for the "Fish Farms out of Coastal Waters" Campaign.

**Northcott/Fowler: VOT 0309/2021**

**THAT** an email be sent from the Village referencing Council's resolutions opposing open net fish farms in support of "Fish Farms Out of Coastal Waters" campaign by Council of Canadians.

**CARRIED**

- 4 Email from Rebecca Bishop, UBCM Program Officer, to Mayor Davis and Council Re: 2020 CEPF: Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning – Flood Mitigation Preliminary Design Project.

Councillor Fowler spoke to this item. A brief discussion followed.

- 7 Email from Jessie Christophersen, Information and Member Services Co-ordinator Re: Declaration of Waste Reduction Week in Canada.

**Fowler/Elder: VOT 0310/2021**

**THAT** the Village of Tahsis recognizes Waste Reduction Week in Canada, October 18 - 24, 2021. As a municipality, we are committed to conserving resources, protecting the environment and educating the community.

We recognize the generation of solid waste and the needless waste of water and energy resources as global environmental problems and endeavour to take the lead in our community toward environmental sustainability.

**CARRIED**

- 9 Email from Sheila Pither, President of Council of Senior Citizens' Organizations of BC (COSCO BC) Re: Invitation to COSCO Conference "Living in the 21st Century: A Seniors' Strategy" September 27 & 28, 2021**

**Northcott/Fowler: VOT 0311/2021**

**THAT** Councillor Llewellyn attend the COSCO Conference "Living in the 21st Century: A Seniors' Strategy" being held virtually on Monday, September 27th and Tuesday, September 28th, 2021 at a cost of \$25.00.

**CARRIED**

- 10 Letter from Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs, Re:Proof of Vaccination and Mandatory Mask Announcement**

A discussion followed regarding public awareness of how to obtain proof of vaccination.

**M. New Business**

- 1 Report to Council Re: Electronic Meetings and Public Hearings**

**Elder/Fowler: VOT 0311/2021**

**THAT** this Report to Council be received.

**CARRIED**

**Fowler/Elder: VOT 0312/2021**

**THAT** option #2 be approved.

Draft the necessary bylaw amendments to implement Council resolution 0286/2021 and to meet the statutory requirements allowing all participants to hear, but not all to watch and hear, proceedings.

**CARRIED**

- 2 Email from Councillor Northcott regarding cutting off vehicular access to the riverbed and Leiner Campground as well ATV's access to the foreshore.**

**Elder/Northcott: VOT 0313/2021**

**THAT** this email be received for discussion.

**CARRIED**

A discussion of options followed.

**N. Public Input #2**

None

**Public Exclusion**

**Elder/Fowler: VOT 0314/2021**

**THAT** the meeting is closed to the public in accordance with section 90(1)(c) labour relations or other employee relations.

**CARRIED**

**Fowler/Elder: VOT 0315/2021**

**THAT** the Regular Council meeting recess to go into the In camera meeting.

**CARRIED**

**Elder/Fowler: VOT 0322/2021**

**THAT** the Regular Council meeting reconvene at 8:57 p.m.

**Rise and Report**

At the September 7, 2021 In Camera meeting Council approved the proposed amendment #1 to the Extended Benefits and Pension Plan Policy 2012.

**CARRIED**

**Adjournment**

**Elder/Fowler: VOT 0323/2021**

**THAT** the meeting be adjourned at 8:58 p.m.

**CARRIED**

**Certified Correct this**

the 21st day of September, 2021

**Chief Administrative Officer**

# Ambulance Paramedics

of British Columbia - CUPE 873



Tel: 604-273-5722 | Fax: 604-273-5762 | Toll Free: 1-866-273-5766 | Toll Free Fax: 1-866-273-5762  
105 - 21900 Westminster Hwy., Richmond, BC V6V 0A8  
info@apbc.ca | www.apbc.ca

September 3, 2021

**To: BC Mayors and Councillors**

**RECEIVED**

**Re: Emergency Paramedics and Dispatchers: Who we are and what we do!**

**SEP 13 2021**

Dear Mayor & City Councillors;

In BC, over 4500 Paramedics and 270 Medical Dispatchers work 24 hours a day, 365 days a year to keep our communities healthy and safe. As leaders in emergency pre-hospital care and public safety, allies in healthcare and professionals in our communities, Paramedics and Medical Dispatchers are a quintessential resource for municipalities in BC.

The field of Paramedicine has evolved from a traditional response of unscheduled emergencies to a robust and multi-disciplined practice encompassing public safety, emergency first response, scheduled and acute transport, and community-based health innovation. As experts in emergency management, Paramedics are uniquely qualified to assist in emergency preparedness, prevention and response culminating in a dynamic and versatile skillset that transcends conventional public sectors. Engaged as a mutual stakeholder in both public safety and healthcare, Paramedics are able to provide relief to healthcare systems and infrastructures operating at or above capacity within BC communities as specialists in emergency response and preventative healthcare.

As the world evolves and continues to adapt to the universal consequences and reality of Covid-19, our leaders continue to manage an ongoing opioid epidemic amidst a global pandemic with the constant threat of seasonal natural disasters (such as heatwaves, wildfires and flooding). A unique set of circumstances requires a unique response and BC Paramedics and Medical Dispatchers are always ready to respond.



## What can Paramedics do in YOUR community?

Paramedics in BC provide a variety of services to support community health and safety. Through a multitude of specialties and license levels BC Paramedics are there for you.

- Primary Care Paramedic
- Advanced Care Paramedic
- Critical Care Paramedic
- Paramedic Specialists
- Community Paramedics
- Emergency Medical Dispatch and Call-taking

Our resources are available by land, sea or sky.

# Ambulance Paramedics

of British Columbia - CUPE 873



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105 - 21900 Westminster Hwy., Richmond, BC V6V 0A8  
info@apbc.ca | www.apbc.ca

- Ambulances
- Paramedic Response Units
- Fixed-wing Aircraft
- Helicopters
- Boats

Services Paramedics can provide:

- Emergency medical first response
- Scheduled and acute transport of ill and injured patients
- Province-wide service ensuring access to healthcare in hard to reach communities
- Provision of primary healthcare in communities experiencing service delivery gaps
- Community based care for elderly, indigenous, at-risk or vulnerable populations
- Immunization clinics, Covid-19 testing and contact tracing for Covid-19
- Emergency management including planning, preparedness and response
- Emergency Medical Dispatch and Call-taking, providing over the phone medical assistance until resources arrive at the patient's side

## How can you ensure YOUR community's needs are met?

As municipal and community leaders, you have a critical role in the decisions being made about healthcare services and public safety within your community. You know the needs of your community better than anyone else. We want to work with you!

Visit [www.apbc.ca](http://www.apbc.ca) and check out what resources are currently available in your community. Our comprehensive resource list includes every Ambulance Station in British Columbia along with the current resources available in each of those communities.

We welcome the opportunity to discuss your community specific Public Safety, Ambulance Service and healthcare needs, challenges, gaps and paramedic services. Please visit our virtual booth at UBCM, we will be available to live chat.

We ask that you write both the Health Minister and Health Critic to advocate for enhanced paramedic services and healthcare in your community.

Again, we encourage you to come visit us virtually if you have any questions about Paramedic Services in your community. Alternatively, feel free to contact myself at (250) 250-319-4713 or [troy.clifford@apbc.ca](mailto:troy.clifford@apbc.ca) or [info@apbc.ca](mailto:info@apbc.ca) either leading up to, during or post UBCM.

Thank you for your time, see you virtually at UBCM!

Sincerely,

Troy Clifford  
Provincial President  
Ambulance Paramedics and Emergency Dispatchers of BC  
CUPE Local 873  
TC/sb/MoveUp

# VILLAGE OF TAHSIS

## Report to Council

**To:** Mayor and Council

**From:** Chief Administrative Officer

**Date:** September 14, 2021

**Re:** Municipal Regulation of Single Use Plastics

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### **PURPOSE OF REPORT:**

To inform Council of *Community Charter* amendments enabling local governments to implement bylaws that ban certain single use plastic items and to gauge Council's interest in developing a bylaw.

### **OPTIONS / ALTERNATIVES**

1. That the Village of Tahsis develop a bylaw to ban single use plastic items in coordination with other Comox Strathcona Waste Management municipalities.
2. That the Village of Tahsis staff conduct research on single use plastic bylaws in other B.C. municipalities and prepare a follow up staff report.
3. That the Village of Tahsis re-visit this issue in 2022 after other CSWM municipalities have adopted single use plastic bylaws.
4. That the Village of Tahsis not take action on this issue at this time.
5. Any other option that Council deems appropriate.

### **BACKGROUND:**

Over the past few years, municipalities have sought to limit the use and amount of single use plastics within their jurisdictions. A number of municipalities (e.g., Nanaimo, Richmond, and Victoria) brought in regulations under their business licence regulations. These regulations were struck down by the courts as exceeding municipal government authority.

In response to the court decisions, municipalities sought and received approvals from the Province to impose single use plastic bans. As the number of municipalities seeking special permission from the Province increased, the Province introduced legislation that allowed municipalities to regulate single use plastics without seeking special approval. For example, Cumberland and Courtenay adopted single use plastic bylaws, but directed to not have the bylaws enforced.

On July 26<sup>th</sup> the Province announced new rules local governments can use to institute bans on plastic bags and certain single use plastics without approval. The following statement was issued by the Ministry of Environment and Climate Change Strategy:

“As of July 26, 2021, under s. 8(3)(j) of the Community Charter, the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation (the Regulation) has been amended, to include a new part (Part 3) that enables local governments in B.C. to take action on plastics by authorizing municipalities to implement bylaws that ban certain single-use items.”

The Ministry noted,

*“Researchers have found plastic just about everywhere they have looked, from deep sea sediment to our shorelines,” said Laura Hardman, director of plastics, Ocean Wise. “This pollution is a threat to our health, the economy and marine life – from zooplankton to beluga whales. We have seen growing support for policies banning unnecessary single-use items from B.C restaurants through our Plastic Reduction Program. By giving municipalities the ability to act swiftly to enact bans on unnecessary plastics, this amendment will support the systemic change we need to stop plastic pollution”*

These updated regulations allow B.C. municipalities to ban businesses from the provision of single use: checkout bags, polystyrene foam service ware containers, and plastic utensils.

If the Village of Tahsis decides to ban single use plastic checkout bags, the Province requires that the Village must impose a minimum rate for businesses to charge customers of \$0.25 for a recycled paper bag and \$2 for a reusable bag. An introductory period of up to a year can be established that includes a lower charge of \$.15 for a recycled paper bag and \$1 for a reusable bag.

Exemptions from these charges must be provided in the bylaw for used bags, small paper bags, and recycled paper bags when pharmaceutical drugs or devices are sold. These exemptions generally mirror what is found in the already approved bylaws. Further, exemptions for persons with disabilities, medical reasons, hospitals, and financial hardship must be contained within the bylaw as well.

Enforcement can begin no earlier than 6 months after the date the bylaw was adopted.



Local Government Coordination and Communication

The Comox Strathcona Waste Management Advisory Committee meets on September 22<sup>nd</sup> to discuss single use plastic bylaws to facilitate coordination throughout the service area. CSWM is seeking input from the member municipalities in the CVRD and SRD.

The CVRD has also offered to host all CSWM municipalities in an information session on creating these new bylaws. They have further offered communication support to local governments seeking to implement similar regulations. It is unknown at this time the timeframe for other jurisdictions to adopt new bylaws and what regulations will be put in place.

**POLICY/LEGISLATIVE REQUIREMENTS:**

1. Ministerial Order No. M309 Amendment to B.C. Reg 144/2004 (attached)

**FINANCIAL IMPLICATIONS:**

Unknown and subject to Council's direction.

**STRATEGIC PRIORITY:**

N/A

**RECOMMENDATION:**

No Recommendation

Respectfully submitted:



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Mark Tatchell, CAO

**PROVINCE OF BRITISH COLUMBIA**  
**REGULATION OF THE MINISTER OF**  
**ENVIRONMENT AND CLIMATE CHANGE STRATEGY**

*Community Charter*

Ministerial Order No. M309

I, George Heyman, Minister of Environment and Climate Change Strategy, order that the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, B.C. Reg. 144/2004, is amended as set out in the attached Schedule.

July 26, 2021

Date



Minister of Environment and Climate Change Strategy

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Community Charter*, S.B.C. 2003, c. 26, s. 9 (4)

Other: M71/2004

R10476196

## SCHEDULE

- 1 The Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, B.C. Reg. 144/2004, is amended by repealing section 1 and substituting the following:*

### PART 1 – INTERPRETATION

#### Definition

- 1 In this regulation, “**Act**” means the *Community Charter*.

### PART 2 – PEST MANAGEMENT

#### Definitions for Part 2

- 1.1 In this Part:
- “**alien invasive species**” means the species listed in sections 1 and 2 of the Schedule;
  - “**dangerous wildlife**” has the same meaning as in the *Wildlife Act*;
  - “**excluded pesticide**” has the same meaning as in the Integrated Pest Management Regulation, B.C. Reg. 604/2004.
- 2 *The following Part is added:*

### PART 3 – PLASTIC WASTE REDUCTION

#### Definitions for Part 3 and interpretation

- 3 (1) In this Part:
- “**accessible straw**” means a drinking straw made wholly of plastic that is not compostable or biodegradable, has a corrugated section that allows the straw to bend and maintain its position and is individually wrapped in paper;
  - “**checkout bag**” means a paper or plastic single-use supplementary bag;
  - “**introductory period**” means a period that may be set by a municipality during which there is a reduced minimum charge for the provision of a recycled paper bag or a reusable bag;
  - “**item**” means the applicable of the following:
    - (a) a bag;
    - (b) a service ware container;
    - (c) a utensil;
    - (d) a drinking straw;
  - “**plastic**” includes compostable and biodegradable plastic;
  - “**polystyrene foam**”, when used in reference to an item, means an item made primarily of polystyrene foam;
  - “**recycled paper bag**” means a paper checkout bag that meets the criteria described in subsection (2);

**“reusable bag”** means a bag that is designed and manufactured to be used and machine-washed at least 100 times;

**“service ware container”** means a container that is ordinarily provided for service of prepared food or beverages and includes a cup, plate, bowl, tray, carton or lidded container;

**“single-use”**, when used in reference to an item, means the item is provided for a single use or a short-term purpose;

**“small paper bag”** means a paper bag that is less than 15 cm by 20 cm when flat;

**“stir stick”** means an item that is designed and manufactured to stir beverages;

**“supplementary”**, when used in reference to an item, means an item that is provided to a customer by a business to facilitate the transport of a purchase from the business, or consumption of a product, including prepared food that is purchased for take-out or delivery;

**“used bag”** means a checkout bag or a reusable bag that has been previously used and is being reused;

**“utensil”** includes a spoon, fork, knife, chopstick or stir stick.

- (2) In order to be considered recycled for the purposes of this Part, a paper checkout bag must contain at least 40% recycled paper content, and have a reference printed on the outside of the bag to the applicable amount of recycled content with the word “recyclable”.

#### **Application of this Part**

- 4** The authority to make a bylaw under section 5 to regulate, prohibit and impose requirements in relation to the protection of the natural environment does not apply to the sale of single-use items that are sold as a product, ordinarily in sets of multiple items.

#### **Authority of municipality**

- 5** (1) For the purposes of section 9 (4) (a) (i) of the Act, a municipality may, by bylaw, regulate, prohibit and impose requirements in relation to the protection of the natural environment under section 8 (3) (j) of the Act as set out in this section and in accordance with this Part.
- (2) Subject to subsections (3), (4) and (5), a municipality may, by bylaw, do any of the following:
- (a) prohibit a business from providing any of the following single-use supplementary items:
    - (i) checkout bags other than
      - (A) recycled paper bags, or
      - (B) used bags;
    - (ii) polystyrene foam service ware containers;
    - (iii) plastic utensils;
    - (iv) plastic drinking straws;

- (b) if the municipality has prohibited a business from providing checkout bags under paragraph (a) (i), require that a business provide a recycled paper bag or a reusable bag to a customer only on payment of a minimum charge for each bag, as follows:
    - (i) subject to subparagraph (ii), a charge of at least
      - (A) \$0.25 for each recycled paper bag, and
      - (B) \$2 for each reusable bag;
    - (ii) if the municipality sets an introductory period, a charge during the introductory period of at least
      - (A) \$0.15 for each recycled paper bag, and
      - (B) \$1 for each reusable bag;
  - (c) if paragraph (a) (iii) or (iv) does not apply, require that a business provide the following, as applicable, to a customer only on request by the customer:
    - (i) a single-use utensil;
    - (ii) subject to the exemption under subsection (4), a drinking straw made of a material other than plastic;
  - (d) set out exemptions to the bylaw, including the exemption under subsection (4), if applicable, to the prohibitions and requirements under this subsection;
  - (e) require that a business report to the municipality the distribution of items governed by a bylaw made under this section.
- (3) If a municipality makes a bylaw prohibiting a business from providing checkout bags other than recycled paper bags under subsection (2) (a) (i),
- (a) the bylaw must provide for the payment of a minimum charge for recycled paper bags or reusable bags under subsection (2) (b), and
  - (b) the bylaw must include an exemption from the payment of the minimum charge for the following:
    - (i) used bags;
    - (ii) small paper bags;
    - (iii) in the case of prescribed pharmaceutical drugs or devices, recycled paper bags.
- (4) If a municipality makes a bylaw prohibiting plastic drinking straws under subsection (2) (a) (iv), the bylaw must have an exemption so that businesses would not be prevented from providing an accessible straw on request by a person with disabilities or due to medical reasons.
- (5) The authority of a municipality to make a bylaw under this section does not include the authority to permit businesses to collect, use or disclose personal information for considering a person's entitlement to an exemption in respect of the bylaw.

**Exemptions to be considered and  
plan for implementation and enforcement**

- 6 A municipality that intends to make a bylaw under section 5 must

- (a) consider appropriate exemptions in respect of the bylaw, including exemptions for
  - (i) persons with disabilities,
  - (ii) medical reasons,
  - (iii) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*, and
  - (iv) in the case of a charge referred to in section 5 (2) (b), reasons of financial hardship,
- (b) establish a plan for
  - (i) implementation of the bylaw, which may include setting an introductory period of not more than 12 months for the charge referred to in section 5 (2) (b) (ii), and
  - (ii) enforcement of the bylaw, and
- (c) set a date for the bylaw to come into force that is at least 6 months after the date the bylaw is adopted by council.

**Charge not a fee payable to municipality**

- 7 An amount charged in accordance with the authority referred to in section 5 (2) (b) must not be collected by the municipality as a fee payable to the municipality.