



**VILLAGE OF BELCARRA
REGULAR COUNCIL MEETING AGENDA
Village Hall
March 27, 2023
7:00 PM**



*This meeting is lived streamed and recorded by the Village of Belcarra
To view the meeting click: [Village of Belcarra - YouTube](#)*

We wish to acknowledge that this meeting is taking place on the unceded territory of the Coast Salish Peoples. Tum-Tumay-Whueton, or Belcarra, is home to an ancestral village of the Tsleil-Waututh Nation. We are thankful to conduct our work within their territory.

COUNCIL

Mayor Jamie Ross
Councillor Carolina Clark
Councillor Joe Elworthy
Councillor Janet Ruzycki
Councillor Liisa Wilder

1. CALL TO ORDER

Mayor Ross will call the meeting to order.

2. APPROVAL OF THE AGENDA

2.1 Regular Council Meeting, March 27, 2023

Recommendation:

That the agenda for the Regular Council Meeting, March 27, 2023 be approved as circulated.

3. ADOPTION OF MINUTES

3.1 Regular Council Meeting, March 6, 2023

Recommendation:

That the minutes from the Regular Council Meeting held on March 6, 2023 be adopted.

3.2 Special Council Meeting, March 9, 2023

Recommendation:

That the minutes from the Special Council Meeting held on March 9, 2023 be adopted.

4. DELEGATIONS AND PRESENTATIONS

5. REPORTS

- 5.1** Paula Richardson, Chief Administration Officer, report dated March 27, 2023 regarding the 2023 Council Code of Conduct Bylaw.

Recommendation:

That Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023 be read a first and second time.

- 5.2** Stewart Novak, Public Works and Emergency Preparedness Coordinator, report dated March 27, 2023 regarding Emergency Operating Procedures for Road Closures in the Village of Belcarra

Recommendation:

That the report dated March 27, 2023, regarding Emergency Operating Procedures for Road Closures in the Village of Belcarra, be received into the record for information.

- 5.3** Stewart Novak, Public Works and Emergency Preparedness Coordinator, report dated March 27, 2023 regarding the replacement of a 2009 Ford Flat-deck dump truck.

Recommendation:

1. That the purchase of a new 550 flatbed dump truck, or one with specifications similar to Belcarra's existing fleet truck be approved, at a cost of up to \$175,000; and
2. That three (3) written competitive quotations be approved as the means of procuring the truck rather than a formal competitive bid process; and
3. That the Village of Belcarra's 2023 – 2027 financial plan be amended to include the flat bed dump truck purchase in 2023 and the deferral of the Holland Tractor purchase from 2023 (\$195,000 budget) to 2024.

- 5.4** Stewart Novak, Public Works and Emergency Preparedness Coordinator, report dated March 27, 2023 providing an update on the Tatlow Reservoir.

Recommendation:

That the report dated March 27, 2023 on the Tatlow Reservoir be received into the record as information.

6. REPORTS FROM MAYOR AND PROJECT LEADS

6.1 Mayor's Report

- Announcement of Funding for TransLink by Premier David Eby
 - Following a call by the TransLink Mayors Council on Regional Transportation for increased funding, Premier Eby announced that the Provincial Government will provide TransLink a \$479 million grant to prevent service cuts, keep fares stable and fund the purchase of electric buses.
- Mayor Ross attended a Mayors' Council – TransLink Meeting on March 24, 2023

7. REPORT FROM CHIEF ADMINISTRATIVE OFFICER

8. BYLAWS

8.1 Village of Belcarra 5-Year (2023 – 2027 Financial Plan Bylaw No. 606, 2023

A Bylaw to establish the 5-Year Financial Plan for the years 2023 – 2027 inclusive

Recommendation:

That Village of Belcarra 5-Year (2023 – 2027) Financial Plan Bylaw No. 606, 2023 be adopted.

8.2 Village of Belcarra Fees and Charges Amendment Bylaw No. 607, 2023

A Bylaw to amend fees and charges for services

Recommendation:

That Village of Belcarra Fees and Charges Bylaw No. 517, 2018 Amendment Bylaw No. 607, 2023 be adopted.

8.3 Water Parcel Tax Amendment Bylaw No. 608, 2023

A Bylaw to amend the Village of Belcarra's Water Parcel Tax

Recommendation:

That Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452, 2012 Amendment Bylaw No. 608, 2023 be adopted.

9. CORRESPONDENCE/PROCLAMATIONS**Recommendation:**

That correspondence items 9.1 to 9.4 be received into the record as information.

ACTION ITEMS

- 9.1** Colin Richardson, Deputy Fire Chief, Sasamat Fire Department, letter dated March 12, 2023 requesting financial assistance for the Firefighter's Association to fund a catered dinner for fire department volunteers.

Recommendation:

That the Firefighter's Association be supported with financial assistance in the amount of \$400.00.

INFORMATION ITEMS

- 9.2** Oliver Gruter-Andrew, President and CEO, E-Comm 911, email dated March 1, 2023 advising on new Provincial funding to assist E-Comm and its local government partners with the cost of implementing federally mandated Next Generation 9-1-1 (NG9-1-1) technology improvements in BC.
- 9.3** Officer of the Premier, Ministry of Transportation and Infrastructure, news release dated March 15, 2023 providing details on the Provincial Government's \$479-million contribution to address TransLink's urgent financial needs.
- 9.4** Colleen MacDonald, Belcarra Resident, email dated March 20, 2023 pertaining to the Watson Road Maze Gate and requesting an upgrade of the gate to minimum cycling standards and maintenance of the trail surface.

10. NEW BUSINESS

- 10.1** The following items have been released from Closed Council status:

From the February 6, 2023 Special Closed Council Meeting

- Item 5.5 Appointment of Phil Chapman Consulting Services for the completion of the Belcarra Official Community Plan

From the March 6, 2023 Special Closed Council Meeting

- Item 5.1 Appointment of Connie Esposito as Acting Chief Administrative Officer
- Item 5.2 Resolution to provide a draft Council Code of Conduct at a regular Council meeting for readings

11. PUBLIC QUESTION PERIOD

12. ADJOURNMENT

Recommendation:

That the March 27, 2023 Regular Meeting be adjourned.



**VILLAGE OF BELCARRA
REGULAR COUNCIL MEETING MINUTES
March 6, 2023**



This meeting was held in Council Chambers and live streamed at
[Village of Belcarra - YouTube](#)

Council in Attendance

Mayor Jamie Ross
Councillor Carolina Clark
Councillor Joe Elworthy
Councillor Janet Ruzycki
Councillor Liisa Wilder

Staff in Attendance

Paula Richardson, Chief Administrative Officer
Stewart Novak, Public Works & Emergency Preparedness Coordinator
Connie Esposito, Accounting Clerk
Amanda Seibert, Corporate Officer/Recording Secretary

Others in Attendance

Ken Bjorgaard, Financial Consultant

We wish to acknowledge that this meeting took place on the unceded territory of the Coast Salish peoples. Tum-Tumay-Whueton, or Belcarra, is home to an ancestral village of the Tsleil-Waututh Nation. We are thankful to conduct our work within their territory.

1. CALL TO ORDER

Mayor Ross called the meeting to order at 7:06 pm

2. APPROVAL OF THE AGENDA

2.1 Regular Council Meeting, March 6, 2023

Moved by: Councillor Clark
Seconded by: Councillor Ruzycki

That the agenda for the Regular Council Meeting of March 6, 2023 be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

3.1 Regular Council Meeting, February 21, 2023

Moved by: Councillor Elworthy

Seconded by: Councillor Wilder

That the minutes from the Regular Council Meeting held on February 21, 2023 be adopted as circulated.

CARRIED

4. DELEGATIONS AND PRESENTATIONS

- Mayor Ross welcomed Elizabeth Noble, a Belcarra gymnast who qualified for the BC Winter Games and won a bronze medal while competing for Team BC. He congratulated her on her achievements.

5. REPORTS

No items

6. REPORTS FROM MAYOR AND PROJECT LEADS

6.1 Mayor's Report

- Premier David Eby announcement regarding the Growing Communities Fund. Belcarra will receive \$759,000 in grant funding.
- International Women's Day – March 8, 2023
- Mayor Ross attended a SHARE Family & Community Services Imagine 2023 Tri-Cities Night Out Event held at the Hard Rock Casino

6.2 Councillors' Reports

Councillor Wilder and Councillor Ruzycski attended the Coquitlam Officer in Charge Awards for the RCMP on March 2, 2023.

Councillor Clark will be attending the Coquitlam RCMP 2023 Volunteer Appreciation Dinner on March 10, 2023.

7. REPORT FROM CHIEF ADMINISTRATIVE OFFICER

The Chief Administrative Officer reported on positive feedback received for Public Works staff from Canada Post mail delivery staff who appreciated the snow clearing done at the mailbox. A Belcarra resident also expressed appreciation for the assistance received from Public Works staff in dealing with a flat tire.

8. BYLAWS

8.1 Village of Belcarra 5-Year (2023 – 2027 Financial Plan Bylaw No. 606, 2023

A bylaw to establish the 5-Year Financial Plan for the years 2023 – 2027 inclusive

Moved by: Councillor Wilder
Seconded by: Councillor Ruzycki

That Village of Belcarra 5-Year (2023 – 2027) Financial Plan Bylaw No. 606, 2023 be read a third time.

CARRIED

8.2 Village of Belcarra Fees and Charges Amendment Bylaw No. 607, 2023

A bylaw to amend fees and charges for services

Moved by: Councillor Ruzycki
Seconded by: Councillor Clark

That Village of Belcarra Fees and Charges Bylaw No. 517, 2018 Amendment Bylaw No. 607, 2023 be read a third time.

CARRIED

8.3 Water Parcel Tax Amendment Bylaw No. 608, 2023

A bylaw to amend the Village of Belcarra's Water Parcel Tax.

Moved by: Councillor Clark
Seconded by: Councillor Ruzycki

That Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452, 2012 Amendment Bylaw No. 608, 2023 be read a third time.

CARRIED

9. CORRESPONDENCE/PROCLAMATIONS

Moved by: Councillor Clark
Seconded by: Councillor Wilder

That Item 9.3 be removed from the Information Items section and be added to the Action Items section for discussion purposes.

CARRIED

Agenda Varied

The agenda was varied to consider Item 9.3 prior to Item 9.1

ACTION ITEMS

- 9.3** Brian Hirsch, Belcarra Resident, email dated February 27, 2023, regarding Belcarra Bylaws & Policies Index

Staff provided information on the request to publish an index of bylaws and policies on the Village's website.

Council discussion ensued on the timeline and staff work involved in publishing documentation pertaining to bylaws and policies to the website.

It was the consensus of Council that the topic be discussed further at strategic planning.

INFORMATION ITEMS

- 9.1** Catherine Kennedy, Program Coordinator, BC Communities in Bloom, letter dated February 16, 2023, inviting the Village of Belcarra to participate in the 2023 Provincial Edition of the British Columbia Communities in Bloom program.

- 9.2** Matt Pitcairn, BC Road Builders & Heavy Construction Association, email dated February 21, 2023 providing information on the BC Road Builders & Heavy Construction Association and the organization's 2023 Strategic Plan.

Agenda Varied

The agenda was varied to consider Item 9.3 as an Action Item.

- 9.4** Mandy Ellis, Senior Advisor, Municipal Relations, Vancouver Fraser Port Authority, email dated March 1, 2023, regarding Indian Arm Moorage Locations for Tanker Ships

Moved by: Councillor Clark
Seconded by: Councillor Wilder

That correspondence items 9.1, 9.2 and 9.4 be received into the record for information.

CARRIED

10. NEW BUSINESS

- 10.1** Stewart Novak, Public Works and Emergency Preparedness Coordinator, report dated February 21, 2023 regarding Marine Avenue Road Rehabilitation, Engineering Quote.
- *Reconsideration of a motion according to Village of Belcarra Council Procedure Bylaw No. 593, 2021 Part 4, Section 19.*

The Chief Administrative Officer outlined the process for the reconsideration of a motion.

Moved by: Councillor Clark
Seconded by: Councillor Elworthy

That the recommendation from the staff report dated February 21, 2023 regarding Marine Avenue Road Rehabilitation, Engineering Quote, stating:

“That Council approve the quote submitted by ISL Engineering in the sum of \$19,515.00 plus applicable taxes for work relating to the 3700 block Marine Avenue Road rehabilitation.” be reconsidered.

Councillor Clark provided an explanation on her request for the reconsideration of the original motion.

Council members queried on the process of reconsideration. Staff provided clarification.

The Mayor called the question on the motion.

CARRIED

Moved by: Councillor Ruzycki
Seconded by: Councillor Elworthy

That Council approve the quote submitted by ISL Engineering in the sum of \$19,515.00 plus applicable taxes for work relating to the 3700 block Marine Avenue Road rehabilitation.

Discussion ensued on the immediate need for the proposed work, the timeline and dealing with the matter at upcoming strategic planning. Staff responded to questions from Council.

The Mayor called the question on the motion.

DEFEATED

Mayor Ross, Councillor Clark, Councillor Elworthy, Councillor Wilder voted in opposition

11. PUBLIC QUESTION PERIOD

Brian Hirsch requested clarification on action decided upon in terms of providing an index of bylaws and policies on the Village’s website.

The Chief Administration Officer clarified that the matter will be discussed at strategic planning.

Brian Hirsch requested information on the status of the Official Community Plan.

Mayor Ross declared a Conflict of Interest as follows:

“I am declaring a Conflict of Interest and am recusing myself from this Council meeting noting that I am not entitled to participate in the discussion of the matter, or to vote on the matter, because of a direct pecuniary interest in the matter. I am a director and a member of a Group Wharf Association and one that is the subject of legal action.

I am now recusing myself.”

Mayor Ross left the meeting at 8.48 pm

Deputy Mayor Elworthy assumed the Chair.

The Chief Administrative Officer provided an update on the status of the Official Community Plan.

Mayor Ross returned to the meeting at 8:51 pm and assumed the Chair.

Klaus Bever expressed concern with the safety and security of the Tatlow reservoir and queried as to where work to be done on the reservoir was scheduled on the Public Works Department’s list of projects

The Public Works and Emergency Preparedness Coordinator provided an update on current work being done in relation to the reservoir and gave details on scheduled work.

Mayor Ross requested that staff provide updates on the Tatlow reservoir at each Council meeting.

12. ADJOURNMENT

Moved by: Councillor Wilder

Seconded by: Councillor Clark

That the February 6, 2023 Regular Meeting be adjourned at 9:03 pm

CARRIED

Certified Correct:

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer



VILLAGE OF BELCARRA
SPECIAL COUNCIL MEETING MINUTES
March 9, 2023



This meeting was held in Council Chambers

Council in Attendance

Mayor Jamie Ross
 Councillor Carolina Clark
 Councillor Joe Elworthy
 Councillor Janet Ruzycki
 Councillor Liisa Wilder

Staff in Attendance

Paula Richardson, Chief Administrative Officer
 Stewart Novak, Public Works & Emergency Preparedness Coordinator
 Amanda Seibert, Corporate Officer/Recording Secretary

Others in Attendance

Ken Bjorgaard, Financial Consultant

We wish to acknowledge that this meeting took place on the unceded territory of the Coast Salish peoples. Tum-Tumay-Whueton, or Belcarra, is home to an ancestral village of the Tsleil-Waututh Nation. We are thankful to conduct our work within their territory.

1. CALL TO ORDER

Mayor Ross called the meeting to order at 4:34 pm

2. APPROVAL OF THE AGENDA

2.1 Special Council Meeting, March 9, 2023

Moved by: Councillor Clark
 Seconded by: Councillor Wilder

That the agenda for the Special Council Meeting of March 9, 2023 be amended to revise the resolution to move into a Closed Council Meeting with the addition of Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and that

The agenda be approved as amended.

CARRIED

3. RESOLUTION TO MOVE INTO CLOSED COUNCIL MEETING

Moved by: Councillor Ruzycki
Seconded by: Councillor Clark

That the March 9, 2023 special meeting of Council be closed pursuant to the Community Charter Section 90 (1) “A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (k) negotiations and related discussion s respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and that**
- (l) Discussion with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]”**

CARRIED

4. ADJOURNMENT

Moved by: Councillor Clark
Seconded by: Councillor Ruzycki

That the March 9, 2023 Special Council Meeting be adjourned at 4:37 pm.

CARRIED

Certified Correct:

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer



COUNCIL REPORT

Date: March 27, 2023
From: Paula Richardson, Chief Administrative Officer
Subject: Council Code of Conduct Bylaw

Recommendation

That the Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023 be read a first and second time.

Purpose

The purpose of the bylaw is to adhere to new Provincial legislation set on June 13, 2022 with the addition of Division 8 – Code of Conduct to the *Community Charter*. Division 8 requires the establishment or review and adoption of a code of conduct for elected officials following a general election.

The bylaw sets out to establish standards of behaviour expected of elected officials, supplement Provincial and Federal legislation such as *the Community Charter* and the *Criminal Code*, establish a process for making and investigating misconduct complaints, outline standards meant to limit misconduct and maintain public confidence, and establish a formal ethical culture of Council's leadership.

Background

A code of conduct is a written document that sets shared expectations for Council conduct or behaviour. As of June 13, 2022, the Provincial Government legislatively mandated that municipal councils consider adopting or updating a code of conduct within six months of a general local election through the *Community Charter*, as follows:

“Division 8 – Code of Conduct

Requirement to consider code of conduct

- 113.1** (1) Within 6 months after its first regular council meeting following a general local election, a council must decide
- (a) whether to establish a code of conduct for council members, or
 - (b) if a code of conduct for council members has already been established, whether it should be reviewed.

- (2) Before making a decision under subsection (1), the council must
 - (a) consider the prescribed principles for codes of conduct,
 - (b) consider the other prescribed matters, if any, and
 - (c) comply with the prescribed requirements, if any, including requirements respecting public notice or consultation.

- (3) If the council decides, under subsection (1), not to establish a code of conduct or review an existing code of conduct, it must make available to the public, on request, a statement respecting the reasons for its decision.”

On March 6, 2023, Council received a draft Council Code of Conduct bylaw, a legal review was given and Council provided feedback. This report introduces a draft bylaw for consideration at a regular Council meeting which incorporates the standards provided by external counsel and reflects Council feedback.

Summary

The proposed Council Code of Conduct Bylaw No. 609, 2023 incorporates legislative requirements of the *Community Charter*, outlines standards of behavior expected of elected members and aligns with Council’s values and culture.

Appendix A: Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023
Appendix B: Letter dated October 12, 2022, Ministry of Municipal Affairs



**VILLAGE OF BELCARRA
Council Code of Conduct Bylaw No. 609, 2023**



A bylaw to govern the conduct of members of Council

WHEREAS Council Members are keepers of the public trust and must uphold the highest standards of ethical behaviour in order to build and inspire the public's trust and confidence in local government;

AND WHEREAS Council Members are expected to:

- (a) make decisions that benefit the community;
- (b) act lawfully and within the authorities of the *Community Charter, Local Government Act* and other applicable enactments; and
- (c) be free from undue influence and not act, or appear to act, to gain financial or other benefits for themselves, family, friends or business interests;

AND WHEREAS Council wishes to conduct its business in a transparent, efficient, accountable and respectful fashion;

AND WHEREAS it is to the benefit of the community for Council to conduct its business in accordance with the Village's values of community, innovation, integrity, service and teamwork; and

AND WHEREAS Council Members intend to demonstrate their leadership in ethical behaviour and to promote the principles of transparency, accountability and civility through their decisions, actions and behaviour;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

1. This Bylaw shall be cited for all purposes as the "Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023"

Definitions

2. In this Bylaw

"Advisory Body" means a committee, task force, commission, board or other body established or appointed by Council or by the Mayor;

"Advisory Body Member" means a person sitting on an Advisory Board, and includes a Council Member appointed to the body;

Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023

“Bully and Harass” includes:

- (a) any conduct that would be contrary to the Village’s Respectful Workplace Policy;
- (b) any unwelcome or objectionable conduct or comment that would be considered discriminatory under the *Human Rights Code* if the conduct or comment was in respect of any of the following prohibited grounds:
 - (i) race,
 - (ii) conviction for an offence,
 - (iii) colour,
 - (iv) ancestry,
 - (v) physical disability,
 - (vi) place of origin,
 - (vii) mental disability,
 - (viii) political belief,
 - (ix) sex,
 - (x) religion,
 - (xi) age,
 - (xii) marital status,
 - (xiii) sexual orientation,
 - (xiv) family status.
- (c) Sexual Harassment;
- (d) any other unwelcome or objectionable conduct or comment by a Council Member toward another Council Member, an Advisory Board Member, Volunteer or Staff that causes that individual to be humiliated or intimidated, including verbal aggression or insults, making derogatory comments, including questioning the professional competence of an Advisory Board Member, Volunteer or Staff, calling someone derogatory names, hazing or initiation practices, vandalizing personal belongings or spreading malicious and untrue rumours;

“Campaign Period” means the period commencing the first of October immediately preceding a general election and ending on the day of the general election;

“Child” means a person toward whom a Responsible Adult has demonstrated a settled intention to treat as a child of his or her family and includes a child born within or outside marriage, an adopted child, step-child or grandchild;

“Chief Administrative Officer” means the Municipal Officer position of the Chief Administrative Officer;

“Commissioner” means the individual appointed by Council from time to time on retainer to participate in formal complaint process is in accordance with this bylaw;

Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023

“Confidential Information” means information or a record that is marked confidential by Council or Staff, that is personal information, that could reasonably harm the interests of individuals or organizations including the Village if disclosed to persons who are not authorized to access the information, or information or a record to which section 117 of the *Community Charter* applies, including, without limitation, any:

- (a) decisions, resolutions or report contents forming part of the agenda for or from a *Closed* meeting of Council until a Council decision has been made for the information to become public or otherwise released; and
- (b) details on Council’s *Closed* meeting deliberations or specific detail on whether an individual Council Member voted for or against a matter;

“Corporate Officer” means the Municipal Officer position of Village Clerk that has been designated the corporate officer under section 148 of the *Community Charter*;

“Council Member” means the Mayor or a Councillor;

“Family Member” means a Spouse, a Child, a Responsible Adult, and siblings;

“Lobbying” means any communication with a Council Member by an individual who is paid or who represents a business or financial interest with the goal of trying to influence any legislative action including development decisions, business licence decisions, introduction, passage, defeat, amendment or repeal of a bylaw, motion, resolution, or development approval, zoning bylaw amendment, or termination of a Village policy, program, directive, guideline, or the outcome of a decision on any matter before Council, an Advisory Body, or Staff;

“Municipal Officer” means a member of staff designated as an officer under section 146 of the *Community Charter* or a bylaw under that section;

“Personal Information” has the same meaning as in the *Freedom of Information and Protection of Privacy Act*;

“Responsible Adult” means a person who has demonstrated a settled intention to treat a Child as a member of his or her family whether or not that person is the biological parent of the Child;

“Sexual Harassment” is any verbal, written or physical conduct, comment, gesture or contact of a sexual nature that may cause offence or humiliation to a Council Member, Staff, Advisory Body Member, Volunteer or a member of the public or that might reasonably be perceived by Staff, an Advisory Body Member or Volunteer as placing a condition of a sexual nature on employment or on any opportunity for training or promotion, and examples of sexual harassment may include but are not limited to:

- (a) unwelcome remarks, questions, jokes, innuendo or taunting, about a person’s body or sex, including sexist comments or sexual invitations;
- (b) verbal abuse and threats of a sexual nature;
- (c) leering, staring or making sexual gestures;

Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023

- (d) display of pornographic or other sexual materials in the form of degrading pictures, graffiti, cartoons or sayings;
- (e) unwanted physical contact such as touching, patting, pinching, hugging;
- (f) intimidation, threat or actual physical assault of a sexual nature;
- (g) sexual advances with actual or implied work-related consequences;

“Spouse” means a person to whom the person is married or with whom the person is living in a marriage-like relationship, and includes a former spouse;

“Staff” means a Municipal Officer or employee, a contractor, consultant or other service provider;

“Village” means the Village of Belcarra;

“Village Business” means any Village program, activity, policy, process, project or undertaking;

“Village Solicitor” means the Municipal Officer position of the Village solicitor;

“Village Record” includes anything on which information is recorded or stored by graphic, electronic, mechanical or other means in any format, but does not include a computer program or any other mechanism that produces records;

“Village Record System” means a system used by the Village of Belcarra to manage Village Records from creation through to disposal or long-term preservation;

“Volunteer” means a person serving the Village who is not a Council Member, member of Staff or an Advisory Board Member;

“Workplace” includes, but is not limited to, work sites owned, operated or controlled by the Village, including the municipal hall, operations centres, fire hall, parks locations and buildings, construction or maintenance sites, business related social functions, work locations away from the foregoing venues, work related conferences and training sessions, work related travel, telephone conversations, voice mail or electronic messaging.

Interpretation

3. In this Bylaw, a reference to the Mayor, a Chair, or Staff includes, in the absence of the Mayor, Chair or Staff member, a reference to the person appointed as deputy or appointed to act in the place of that person from time to time.
4. Without limitation, this Bylaw applies in respect of the Workplace and elsewhere, and without limitation applies to the use of social media by a Council Member.

PART 1 – CONDUCT OF ELECTED OFFICIALS

General Conduct

5. A Council Member shall not:
 - (a) contravene this Bylaw, as amended or replaced;
 - (b) contravene any other Village bylaw or policy, as amended or replaced;
 - (c) breach their oath sworn upon taking office as a Council Member;
 - (d) contravene a law of British Columbia or Canada, including the *British Columbia Human Rights Code* or the *Freedom of Information and Protection of Privacy Act*;
 - (e) Bully or harass another person;
 - (f) defame another person;
 - (g) abuse their office.
6. A Council Member shall treat other Council Members, Staff, Advisory Body Members, Volunteers, and the public with respect and dignity.
7. A Council Member shall align their conduct with the Village's values of integrity, innovation, service, teamwork and community.

Interactions of Council Members with Staff, Volunteers and Advisory Body Members

8. A Council Member shall not issue instructions or directions to Staff regarding Village Business except through the Chief Administrative Officer or the appropriate department manager.
9. Before, during or after a procurement process, a Council Member shall not issue instructions or directions to a contractor, tenderer, proponent, consultant or other service provider. Outside of a Council or committee meeting, a Council Member shall not communicate with a tenderer or proponent regarding the subject matter of the procurement.
10. A Council Member shall not interfere with, hinder or obstruct Staff, a Volunteer or an Advisory Board Member in the exercise or performance of their roles, responsibilities, powers, duties or functions.
11. If a Council Member has information about Staff, a Volunteer or an Advisory Board Member that the Council Member wishes to bring to the attention of the Village for the purposes of a review or investigation into the conduct or an omission of the individual, the Council Member may only do so by delivering the information in writing to the Chief Administrative Officer. On receipt of such information, the Chief Administrative Officer shall conduct a review or investigation and address the matter in accordance with the Village's employment agreements, bylaws and policies and with the applicable employment law or professional responsibility enactments.

Conduct at Council and Advisory Board Meetings

12. A Council Member must act with decorum at Council and Advisory Body meetings in accordance with the *Village of Belcarra Council Procedure Bylaw No. 593, 2021*, as amended or replaced from time to time.
13. Council Members shall make every effort to participate diligently in the activities of Council and Advisory Bodies or other bodies to which they are appointed by the Village or by virtue of being an elected official, including intergovernmental meetings. To “participate diligently” means that a Council Member shall not be absent from meetings of Council or Advisory Body meetings, or from those of other bodies to which they are appointed by virtue of their status as a Council Member, without reasonable justification (such as illness of the Council Member, family circumstance, regional government business) for more than four consecutive scheduled meetings, for a period of 60 consecutive days, or on a regular basis.

Improper Use of Influence

14. A Council Member shall only use the influence of their office in the good faith exercise of their official duties.

Election Activities

15. A Council Member shall not participate in any civic events requiring them to perform official ceremonial duties between the last day of the nomination period and the voting day, as defined in the *Local Government Act*, unless authorized by a resolution of Council.
16. A Council Member shall comply with the *Local Government Act* and the *Local Elections Campaign Financing Act* when undertaking election campaign activities and fundraising.
17. A Council Member shall not use the Village’s employees, property or resources for election campaign or fundraising activities at any point during a term of office, unless those resources are similarly available to all candidates and the fees associated with the use of the employees, property or resources has been paid for with election campaign funds. Without limiting the generality of the foregoing, this prohibition applies to:
 - (a) data sets and Personal Information collected and maintained by the Village;
 - (b) office space; and
 - (c) Village websites or external websites paid for by the Village.
18. A Council Member may include a link on his or her campaign website to the Village’s website or an external website paid for by the Village.

19. During the Campaign Period, a Council Member shall not:
 - (a) deliver Village funded newsletters or conduct open houses funded by the Village;
 - (b) distribute mass e-mails from the Council Member's Village e-mail address, unless the communication arises from an emergency and the communication is authorized by the Chief Administrative Officer;
 - (c) update websites that are either Village hosted or paid for by the Village;
 - (d) use social media and internet resources such as Twitter, Facebook or Instagram in the Council Member's personal name, unless those accounts include a disclaimer that they are not Village-funded and do not reflect Village policy; nor
 - (e) request that Village employees work on an election campaign during hours in which the employee receives compensation from the Village, unless the work both unavoidably overlaps with the regular duties of the employee and is minor and infrequent, such as coordinating campaign schedules with the Council Member's calendar or redirecting citizens with campaign questions to campaign staff.

20. Council Members and their staff may take unpaid leave from the Council Member's office to work on an election campaign.

Conflicts of Interest

21. A Council Member shall rigorously avoid situations which may result in claims of pecuniary interest, conflict of interest or bias.

22. A Council Member must disclose any conflict of interest in accordance with section 100 of the *Community Charter* and, if conflicted, must refrain from participating in a meeting in accordance with section 101 of the *Community Charter*.

23. In respect of each matter before Council, a Council Member shall:
 - (a) assess whether they have a conflict of interest, if necessary, with the advice of one or more Municipal Officers; and

 - (b) determine whether it is necessary to seek independent legal advice, at their own cost except where the Chief Administrative Officer approves the cost if concerned about the validity of an affected bylaw or resolution, with respect to any situation which may result in a conflict of interest.

24. If a Council Member believes they may have or may reasonably be perceived to have a conflict of interest in respect of a matter in a Council or committee meeting, the Council Member shall:
- (a) notify the Mayor or the Chair of the meeting that the Council Member has a conflict of interest prior to the matter being considered, and the Council Member shall restate the conflict of interest each time the matter arises before Council;
 - (b) refrain from discussing the matter with any other Council Member publicly or privately; and
 - (c) leave the meeting room if the matter is discussed and not return until discussion has ended or voting on the matter has been concluded.

Outside Activities and Business Relations

25. A Council Member who engages in another profession, business or occupation concurrently with holding office shall not allow such outside employment to affect the Council Member's integrity, independence or competence. Without restricting the scope of this duty, the following shall be a contravention of this part of the Code of Conduct:
- (a) acting as an officer or director for a business that receives municipal funds in the form of grants or payments for goods or services;
 - (b) acting as an officer or director for a business that lobbies the Village;
 - (c) allowing the prospect of future employment by a person other than the Village to affect the Council Member's performance of his or her duties to the Village;
 - (d) borrowing money from any person who regularly does business with the Village, unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union;
 - (e) acting as a paid agent before Council or an Advisory Body;
 - (f) receiving compensation for referrals to a specific business;
 - (g) receiving compensation that is dependent on the business being awarded a contract with the Village;
 - (h) subject to sections 38 through 41, providing advice for remuneration to any person who is involved in litigation or lobbying against the Village, unless the Council Member first gives written notice of the relationship to the Corporate Officer who shall keep a record of the notice.
26. A Council Member may obtain advice from one or more Municipal Officers on whether a new profession, business or occupation is compatible with their obligations under section 27 of this Bylaw. The Corporate Officer shall keep a record of the advice and the subsequent conduct of the Council Member. The advice is not binding on the Council Member but is intended to provide independent objective assistance to the Council Member.

Council Members' Use of Municipal Assets and Services

27. A Council Member shall not use, or permit the use of, Village land, facilities, equipment, supplies, services, property, employees or other resources for activities other than Village Business unless the use or the permission is on the same terms and conditions that the land, facilities, equipment, supplies, services, property, employees or other resources are available to the general public. Accordingly, a Council Member shall not obtain personal gain from the use or sale of Village-developed intellectual property, including all discoveries, inventions, know-how, improvements, developments, processes, technology, compositions, designs, techniques, methods, industrial designs, compositions, prototypes, models, literary work, research, drawings, software and trade secrets whether or not capable of patent, industrial design, copyright or trademark protection, or any other type of protection. Council Members acknowledge and do not dispute that all such property that a Council Member may prepare, use or encounter while holding office will be and remains the Village's exclusive property.
28. A Council Member shall not request Staff to undertake personal or private work on behalf of the Council Member, nor shall a Council Member accept such work from Staff.

Employment of Council Family Members

29. A Council Member shall not attempt to influence personnel decisions regarding the decision to hire, transfer, promote, demote, discipline, or terminate an Advisory Board Member, a Volunteer or Staff. This prohibition includes giving references to any person applying for a position at the Village and forwarding copies of an applicant's resume to any person hiring for any position at the Village.
30. A Council Member shall not attempt to obtain a benefit from the Village for a Family Member.

Gifts

31. For the purpose of sections 31 through 37 of this Bylaw, a gift or benefit is an item or service of value that is received by a Council Member for their personal use, including, but is not limited to money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, participation in sport and recreation activities, and invitations to social functions.
32. A Council Member must comply with the restrictions on accepting gifts in section 105 of the *Community Charter* and must disclose any permitted gifts over \$250 in accordance with section 106 of the *Community Charter*.
33. A gift or benefit provided to a Council Member's Family Member or staff in relation to Village Business is deemed to be a gift or benefit to that Council Member.

34. If a Council Member is required to disclose to a Municipal Officer the nature of the gift or benefit, the Council Member shall also include a description of its source, including if the gift is from a corporation, the full names and addresses of at least two individuals who are directors of the corporation; when it was received; and the circumstances under which it was given and accepted.
35. The Corporate Officer shall keep a record of this disclosure.
36. On receiving the disclosure statement, the Mayor may deliver written notice to a Council Member requesting the Council Member to justify the receipt of the gift or benefit. The Corporate Officer shall keep a record of the notice from the Mayor and the response from the Council Member. If the Mayor is the subject of the gift disclosure, the Acting Mayor shall deliver the notice under this section.
37. On reviewing the disclosure and response, if Council considers the receipt was in contravention of this Bylaw or the *Community Charter*, Council may by resolution request the Council Member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or forfeit the gift.

Collection and Handling of Information

38. A Council Member shall not release any Confidential Information unless the Council member is specifically authorized to release it by:
 - (a) a resolution of Council to use or release the Confidential Information, and then only to the extent of the Council authorization;
 - (b) authorized discussion of the Confidential Information at a meeting that is open to the public; or
 - (c) lawful authorization under separate legal authority.
39. A Council Member must not discuss or disclose Personal Information of others to any person, except in a manner that complies with the duty to protect Personal Information under the *Freedom of Information and Protection of Privacy Act*.
40. A Council Member shall take reasonable care to prevent unauthorized access to Confidential Information or Personal Information by unauthorized persons. If a Council Member learns of unauthorized access to Confidential Information or Personal Information, the Council Member shall report this information to the Chief Administrative Officer as soon as possible.
41. A Council Member shall comply with the directions of the Corporate Officer respecting the use of the Village Record System.

Council Members' Use of Social Media

42. A Council Member shall not publish Confidential Information on social media, unless authorized in accordance with the provisions of section 40 of this Bylaw.
43. A Council Member shall not publish information or an opinion on social media about Village Business, unless the publication republishes the information that has been released by the Village without alteration or the opinion includes a statement to the effect that the "opinion expressed is my own and does not necessarily reflect the view or opinions of the Village of Belcarra or other members of Belcarra Council".
44. Without limiting any other obligation imposed by this Bylaw, a Council member shall not use or allow the use of their social media account for purposes that include content that:
 - (a) bullies and harasses another Council Member, an Advisory Board Member, a Volunteer, Staff or a member of the public;
 - (b) evidences bias or a reasonable apprehension of bias in relation to a matter that is the subject of a statutory or other public hearing;
 - (c) promotes or constitutes illegal activity;
 - (d) may compromise the safety or security of the public.
45. A Council Member shall take steps to remove from their social media account any publication by another person of content that violates this Bylaw.

Communication Protocol

46. Council may appoint the spokesperson on Village Business. Once a spokesperson has been appointed, a Council Member that is not appointed as the spokesperson shall ensure that inquiries from the public and media on the Village's position are directed to the spokesperson. A Council Member communicating their own opinion shall ensure that the communication clearly indicates that it is the Council Member's own position. Nothing in this section prevents Council from appointing multiple spokespersons or changing the appointed spokesperson. Where no spokesperson has been appointed, the Mayor shall act as the spokesperson.

Interactions with the Public and the Media

47. A Council Member shall accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council.
48. When discussing the fact that they did not support a decision, or voted against the decision, or that another Council Member did not support a decision or voted against a decision, a Council Member shall refrain from making disparaging comments about other Council Members or about Council's processes and decisions.
49. Nothing in this Bylaw is intended to affect rights under the *Charter of Rights and Freedoms*.

Orientation and Training Attendance

50. After first being elected, a Council Member shall attend all sessions of orientation training on Village Business that are organized by a Municipal Officer unless doing so is not practically possible.
51. A Council Member shall attend any sessions of training on Village Business that are identified as mandatory by Council, the Chief Administrative Officer, the Village Solicitor, the Corporate Officer or the Commissioner, unless doing so is not practically possible.

PART 2 – PROCESS FOR COMPLAINTS

Individual Steps to Resolution

52. If a Council Member, an Advisory Board Member or Staff considers that they have been subjected to a contravention of this Bylaw by a Council Member and if they are comfortable discussing the matter directly with the Council Member, they may inform the Council Member of the alleged contravention and request an apology and, if applicable, that the contravention cease immediately.
53. If the complainant is unable to discuss the matter directly with the Council Member, or if after discussion the contravention continues, the complainant may inform the Chief Administrative Officer of the allegation. The Chief Administrative Officer may then agree to act as an advisor to aid the complainant or appoint an advisor as the Chief Administrative Officer deems suitable.
54. The advisor acting under section 53 shall assist the complainant, including discussing the alleged contravention with the Council Member to resolve the complaint.
55. If the complainant is not satisfied with the outcome after the advisor has finished assisting the complainant under section 54, the complainant may proceed to Mutual Resolution by filing a written record of the allegation with the Commissioner within 10 days of being informed by the advisor of the outcome.
56. Nothing in this Bylaw precludes the complainant from making reasonable efforts in good faith to address the complaint internally and informally without resort to the Mutual Resolution or Formal Resolution procedures set out in this Bylaw.
57. Nothing in this Bylaw precludes the complainant from taking measures that the complainant is entitled to take under law, including but not limited to filing a human rights complaint, a grievance or other applicable process under a collective agreement, a complaint with WorkSafe BC, or other proceedings, as applicable.
58. Discussions regarding the complainant's concerns are confidential, advisory and informal in nature. The only exception to the Commissioner or an advisor maintaining confidentiality is if they deem the complaint to indicate a possible physical threat to any person. In that case, the advisor must immediately inform the Village Solicitor of the complaint and inform the complainant of this requirement to do so. The Village Solicitor must then promptly request the Commissioner to initiate an investigation and inform the complainant of this request and may take any additional steps deemed appropriate to deal with the possible physical threat.

Mutual Resolution

59. If the Individual Steps to Resolution process is unsuccessful in resolving the complaint, at the request of the complainant and with the agreement of the Council Member, a third party will be selected under section 60 to act as a mediator to assist the individuals in resolving the complaint through mediation. If the parties cannot agree to resolve the complaint through Mutual Resolution, then the complainant may elect to proceed to Formal Review.
60. The role of the mediator is to help the complainant and the Council Member come to an agreement, and not to advocate a position or impose a decision. The mediator will be selected by agreement of the complainant and the Council Member, with the Commissioner retaining the right to select a mediator if the complainant and the Council Member are unable to agree.
61. Both the complainant and the Council Member may be accompanied by a representative of their choice, including a lawyer or if the complainant is a member of a union, a union representative or a lawyer on behalf of the union, or both. If the complaint is resolved through Mutual Resolution, a written record of the complaint and the resolution will be given to the complainant, the Council Member and the Commissioner. If the mediator has recommendations for the Village to consider, the mediator will forward these recommendations to the Commissioner and the Village Solicitor. The resolution and recommendations must be kept in confidence by the Commissioner, Village Solicitor and the parties, unless the parties agree in writing to disclose the information.
62. If Mutual Resolution is not successful in resolving the complaint, the complainant may pursue other options by confirming in writing his or her election to the Commissioner within ten working days of receiving the mediator's report.

Other Processes

63. Failing Mutual Resolution, a breach of this Bylaw can be determined for the purposes of proceeding with a Council measure under section 72 by way of:
 - (a) an admission by the Council Member;
 - (b) an agreement with the Council Member;
 - (c) a report from a standing or select committee invested with investigation powers under section 134 of the *Community Charter*;
 - (d) a Formal Review.

Complaints

64. Any person who has witnessed or experienced conduct by a Council Member which they believe to be in contravention of this Bylaw, or another Village policy governing conduct of a Council Member may submit a complaint to the Commissioner in accordance with sections 68 and 69 of this Bylaw.

65. If a Designated Management Employee, as defined in the Village's Respectful Workplace Policy, receives a complaint under the Respectful Workplace Policy, the Designated Management Employee may elect to refer the complaint to the Commissioner for resolution pursuant to this Bylaw.

Formal Review

66. After the invocation of the procedures under sections 54 through 60 of this Bylaw, the complainant may elect to proceed with a formal complaint, which must be delivered in writing to the Commissioner in accordance with sections 62 and 67 of this Bylaw. This written complaint shall contain the particulars of the complaint, including the dates on which the conduct that is the subject of the complaint occurred.
67. The complainant must deliver the written complaint within six months of the date of the alleged contravention of this Bylaw unless the parties have agreed in writing to postpone this deadline in order to pursue another resolution process.
68. Upon receipt of the written complaint, the Commissioner shall:
- (a) take whatever steps the Commissioner considers reasonable with the complainant and the Council Member to resolve the matter informally under sections 52 through 61 within ten working days, if they have not already done so; or
 - (b) confirm in writing to the complainant and the Council Member that the Chief Administrative Officer or other advisor has terminated attempts to resolve the matter informally; and then
 - (c) begin an investigation within ten working days of the request being filed.
69. In keeping with the principles of procedural fairness, the Commissioner shall:
- (a) confirm receipt of the written complaint to the complainant;
 - (b) notify the Council Member of the allegation, provide the Council Member with a copy of this Bylaw and advise the complainant of this notification;
 - (c) receive information from any witnesses who the Commissioner believes may have information relevant to the complaint, and this information may be received through written documentation, interviews, or informal hearings;
 - (d) keep both the complainant and the Council Member aware of any allegations made against them and ensure that they are given a reasonable opportunity to respond; and
 - (e) inform the complainant and the Council Member that they may be accompanied by a representative, including a lawyer, of their choice during the Formal Review process, including the closed meeting described in sections 82 and 83 of this Bylaw.

70. If the Council Member fails to respond, the Mayor at the request of the Commissioner may compel witnesses under section 134 of the *Community Charter*.
71. The Commissioner shall ensure all details, dates, conversations and meetings are documented. These working records created by the Commissioner are confidential. Once the investigation has been completed, the Commissioner shall prepare a written report and provide a copy of the report to the Chief Administrative Officer and Council. The report must, at a minimum, contain a description of the allegations, a summary of the evidence of the parties and the witnesses, and a determination of whether a contravention occurred. The report may also provide recommendations with respect to the potential outcome.

Council Determination of Measures

72. Council shall decide on the appropriate measures, if any, are warranted by a contravention of this Bylaw and shall take such action as Council considers appropriate in the circumstances, after:
 - (a) reviewing the report of the Commissioner;
 - (b) considering the factors described in section 73 and the measures enumerated in section 74; and
 - (c) conducting a closed meeting in accordance with the process described in sections 82 and 83 of this Bylaw.
73. In determining the appropriate measure, Council shall consider the following factors:
 - (a) the degree and nature of the conduct;
 - (b) whether the contravention was a single or repeated act;
 - (c) whether the Council Member was told that the conduct was unwelcome or offensive, and nonetheless continued the conduct;
 - (d) the nature of the work relationship of the complainant and the respondent, and whether the Council Member was in a position of authority over the complainant, such that the degree and nature of the conduct was thereby exacerbated by an abuse of power;
 - (e) the impact of the contravention on the complainant;
 - (f) the Council Member's acknowledgment of wrongdoing; and
 - (g) the Council Member's history of other contraventions.

74. Council may impose the following measures after considering the factors described in section 73, including, but not limited to:
- (a) an apology from the Council Member in substantially the form set out in Schedule B;
 - (b) removal of the Council Member from appointments such as chairperson, committees, commissions or Advisory Boards;
 - (c) motion of censure;
 - (d) mandatory training on Village Business, the *Community Charter*, or this Bylaw;
 - (e) referral to a prosecutor or police;
 - (f) any other action recommended by the Commissioner; and
 - (g) any other measure permitted by the *Community Charter*, the *Local Government Act*, the *Local Elections Campaign Financing Act* and the *Charter of Rights and Freedoms*.
75. The Council decision under section 72 will be in writing and provided to the complainant and Council Member within ten working days of the closed meeting conducted in accordance with sections 82 and 83 of this Bylaw.

Staff Responsibilities in the Complaint Process

76. If the Commissioner concludes that a contravention has occurred, the Chief Administrative Officer shall consider reasonable action to protect the complainant from any subsequent action or reprisal. The Chief Administrative Officer shall also consider reasonable action to protect the rights of the subject Council Member and to see that no reprisal takes place beyond the measure determined by Council.
77. If the Commissioner finds that the original complaint was initiated in bad faith, with willful misconduct or intent to harm, where the complainant is a Council Member, Council may consider appropriate measures in respect of the complainant and where the complainant is Staff, the Chief Administrative Officer may consider appropriate measures in respect of the complainant.
78. A copy of the Commissioner's report and the Council decision will be retained in a confidential file maintained by the Chief Administrative Officer, except when all or part of the decision is disclosed to the public in accordance with the *Freedom of Information and Protection of Privacy Act*.
79. The Commissioner may proceed with a Formal Review even if the complainant withdraws the complaint.

80. If approved by Council, the Chief Administrative Officer shall consider implementing administrative changes to Village policies or procedures recommended by the Commissioner's report.

Fairness Procedures Applicable to Council Determination of Measures

81. Sections 82 and 83 only apply if the complaint is not resolved under sections 52 through 61 of this Bylaw and if Council is considering measures under section 72.
82. The Mayor, or the Corporate Officer if the Mayor is alleged to have contravened this Bylaw, will notify the affected Council Member in writing that Council will be considering their conduct at a closed meeting. The notice and form of resolution where a breach is believed to have been proved are set out in Schedule A. The notice must be delivered at least seven business days in advance of the closed meeting at which Council will consider the measure, if any, that it will impose in accordance with section 72 of this Bylaw. The Corporate Officer will ensure that the matter is placed on the agenda of the closed meeting. At the closed meeting, the affected Council Member may be represented by legal counsel, which may be reimbursed in accordance with section 89 of this Bylaw.
83. The process at the closed meeting may vary depending on the situation, but the following elements will be incorporated:
 - (a) Council will read the Commissioner's determination of whether a contravention of this Bylaw occurred;
 - (b) the affected Council Member will be provided with reasonable notice in accordance with section 69(b) and given the opportunity to make submissions to Council, with legal counsel if the Council Member desires, which submissions, without limitation, may include explanations for the impugned behavior or suggestions on the measures that Council might impose as a result of the conduct;
 - (c) after the affected Council Member has made the submissions to Council, the Council Member will leave the meeting room and those Council Members without a conflict of interest will consider the measures, if any, to impose in accordance with section 74 of this Bylaw; and
 - (d) written notice of the decision will be given in accordance with section 75 of this Bylaw.

Mandatory Training

84. If the Commissioner recommends mandatory training for a Council Member, and if Council resolves to accept the recommendation pursuant to section 74(d) of this Bylaw, then the Council Member shall attend the training.

Obstruction

85. It is a contravention of this Bylaw to obstruct the Commissioner in the carrying out of their responsibilities, as for example, by the destruction of documents or the erasing of electronic communications relevant to a complaint.

Legal Fees

86. If a member of Staff is a complainant under this Bylaw, the Chief Administrative Officer may authorize the member of Staff to be reimbursed for legal fees reasonably incurred if the complaint was meritorious and a written request for reimbursement is filed with the Chief Administrative Officer within three months of any final disposition of a complaint under this Bylaw.
87. Council may reimburse a Council Member for legal fees reasonably incurred if a Council Member is subjected to the procedures set out in this Bylaw, provided that:
- (a) The Commissioner ultimately does not determine that the Council member acted with dishonesty, gross negligence, or malicious or willful conduct; or
 - (b) in any event, if Council so resolves after considering all the circumstances,
- if the Council Member files a written request for reimbursement with the Chief Administrative Officer within three months of any final disposition of a complaint under this Bylaw.

General

88. The Corporate Officer will cause
- (a) this Bylaw to be visible and accessible on the Village's website, and
 - (b) electronic copies of this Bylaw to be made available to all Staff and Council Members in easily accessible locations, including the Village's intranet.
89. If any portion of this Bylaw is inconsistent with a binding collective agreement with the Village or federal or provincial legislation, that portion and only that portion of this Bylaw will have no application to the extent of that inconsistency and all other portions of the Bylaw will continue in full force and effect.

Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023

90. This bylaw shall take force and come into effect as of the date of adoption.

READ A FIRST TIME on

READ A SECOND TIME

READ A THIRD TIME on

ADOPTED by the Council on

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer

This is a certified a true copy of
Village of Belcarra Council Code of Conduct Bylaw No. 609, 2023

Chief Administrative Officer

SCHEDULE A

**NOTICE TO COUNCIL MEMBER OF COUNCIL CONSIDERATION OF
BREACH OF THE COUNCIL MEMBER CONDUCT BYLAW**

CONFIDENTIAL

Date

Dear *[Insert Name of Subject Council Member]*,

Please be advised that the Village of Belcarra Ethics Commissioner (the "Commissioner") believes that you may have breached **COUNCIL CODE OF CONDUCT BYLAW XXXX**. I am placing this matter on the agenda of the Council closed meeting to be held on *[Insert date - must be at least seven business days from date this is delivered to member]*.

The reason for the meeting is to consider the Commissioner's report and recommendations, and to consider a resolution in relation to this breach.

Enclosed is a copy of the Resolution that will be considered at the meeting for discussion, debate and a vote. Note that one of the possible ultimate outcomes of the process described in the Resolution is that Council may be considering imposing sanctions flowing from the breach, including removing you from your appointment to committees or other appointments, censuring you, requiring an apology, requiring training, referral to a prosecutor or police, seeking damages, releasing a public statement, or following any other recommendation of the Ethics Commissioner.

I wish to expressly notify you that you may retain legal counsel to represent your interests in this matter. Prior to Council voting at the in-camera meeting to determine which sanction they wish to invoke, if any, you will be provided with the opportunity to address Council regarding the contents of the draft form of resolution and any other documents that Council may have before it.

Following any submissions, you (or your legal counsel) make at the in camera meeting, Council will retreat and consider this matter. We will attempt to decide what measure or measures (if any) are appropriate under the bylaw.

Regarding any Council decisions, we will provide you with written reasons for our decision(s).

Sincerely,

(Mayor)

Encls

SCHEDULE A (Continued)
RESOLUTION (CLOSED MEETING)

CONFIDENTIAL

Whereas Council has concluded that *[Insert name]* has breached **COUNCIL CODE CONDUCT BYLAW XXXX**. by [INSERT];

And Whereas *[Insert name]* has been afforded procedural fairness with respect to Council's consideration of this matter, and in particular *[Insert name]* was notified at least seven business days in advance:

- (a) that Council would be considering the matter of the breach of and was given a copy of this draft Resolution and any documents that may be considered by Council, including the report and recommendations of the Village of Belcarra Ethics Commissioner;
- (b) that Council may consider, subject to continuing procedural fairness, sanctions including an in-camera motion of censure, removal from any appointment to committee or external entity, referral to law enforcement or a prosecutor, seeking damages, reduction or elimination of remuneration, or public notification of any sanctions;

Whereas *[Insert name]* was expressly informed of their right to retain legal counsel and for their legal counsel to be present at the Council meeting in which this Resolution would be discussed and voted on;

Whereas *[Insert Name]* was given the opportunity to personally, or via their legal counsel, make submissions to the rest of Council regarding their conduct in this matter;

Whereas Council has considered the submissions made by *[Insert Name]* and/or their legal counsel;

Whereas Council has attempted to reach a consensus as to the appropriate measures;

Whereas Council has provided united or separate written reasons so that *[Insert name]* understands the basis for the decision to address the concern that *[Insert name]* is alleged to have breached the bylaw;

Be it Resolved as follows:

1. That Council shall address what it has concluded to be a breach of **COUNCIL CODE OF CONDUCT BYLAW XXXX**, by way of (as applicable):
 - (a) A motion of censure;
 - (b) Removal from [insert name] committee or [Insert outside appointment];
 - (c) Revocation of appointment to [insert external agency or entity];
 - (d) Referral to a crown prosecutor;
 - (e) Public notification of sanctions;
 - (f) Seeking damages;
 - (g) Referral to police for an investigation under the Criminal Code or *[Insert provincial statute]*;
 - (h) Mandatory training;
 - (i) Requirement for apology.
2. That Council will consider pursuing all legal options available with respect to any potential future breaches of the bylaw on the part of *[Insert name]*;
3. That the Corporate Officer be directed to publish a media release containing the information concerning this matter that may be released in keeping with the Village's obligations pursuant to the *Freedom of Information and Protection of Privacy Act*, substantially with the content of the following: *[Insert wording]*.

SCHEDULE B

[DATE]

PERSONAL AND CONFIDENTIAL

[Name of Recipient]

[Title]

Village of Belcarra

[Address]

[City, Province Postal Code]

Dear [title] [last name]:

Re: Apology [subject]

As you know, on [date], I ***[Briefly set out the nature of the offending conduct. It is recommended you provide dates, times and a description of the conduct at issue as you understand it].***

On [date], you confronted me about my behaviour/conduct and expressed ***[describe briefly the conduct complained of and how it affected the offended person].***

I acknowledge that my conduct / actions made you feel ***[describe how it affected the offended person]*** and I admit that my ***[actions / conduct]*** were ***[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.].***

Having reflected on ***[your complaint / our conversation/ the decision of Council]***, I take full responsibility for my ***[actions / conduct]*** and wish to apologize for the harm that I have caused you. My behaviour was not in keeping with the key principles of our Council's Code of Conduct. In particular, I acknowledge that my conduct was in violation of ***[identify the section(s) of the Code of Conduct breached].***

(ALTERNATIVELY, IF HELD BY COUNCIL TO HAVE BEEN A VIOLATION OF THE CODE OF CONDUCT REPLACE WITH THE BELOW:

In light of Council having concluded that my conduct constituted a violation of the Village's Council Code of Conduct, I acknowledge that my conduct / actions made you feel ***[describe how it affected the offended person]*** and I admit that my ***[actions / conduct]*** were ***[reformulate why your actions were wrong in your own words – ex: offensive, derogatory, belittling, in poor taste, defamatory, wrong, discriminatory, callous, harmful to your reputation etc.]***)

Going forward, I commit to being more careful in my [**words / actions**] and to making better efforts to respect and abide by my obligations set out in the Code of Conduct.

Please accept my heartfelt apology.

Sincerely,

[name]

[title]

For Your Information: British Columbia's **Apology Act** provides that an "apology" made by or on behalf of a person in connection with any matter does not constitute an express or implied admission or acknowledgement of fault or liability.

"Apology" is defined as "an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault."

The Act further provides that an apology does not void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be available to the person in connection with the matter.

Evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any court as evidence of the fault or liability of the person in connection with that matter and must not be taken into account in any determination of fault or liability.

**SCHEDULE C
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October 12, 2022

Ref: 271278

Dear Chief Administrative Officers and Corporate Officers,

I am pleased to update you about additional tools that have been developed for local governments to help strengthen the responsible conduct of elected officials. These tools include:

- A new legislative requirement to consider establishing or reviewing a code of conduct,
- A new regulation for the prescribed oath of office, and
- A new education module on the foundational principles of responsible conduct.

Codes of Conduct

As you may be aware, new legislative requirements for codes of conduct came into force on June 13, 2022, with the [Municipal Affairs Statutes Amendment Act \(No. 2\), 2021](#). Within six months after the first regular council or board meeting following the general local elections, a council or board must decide whether to adopt or review a code of conduct for the council or board members. Before making a decision, the council or board must consider the principles for codes of conduct prescribed by [regulation](#). If the council or board decides not to adopt or review a code of conduct, they must make the reasoning behind their decision publicly available. If the council or board decided not to establish or review a code of conduct, they must reconsider that decision before January 1 of the year of the next general local election.

Oath of Office

A person elected or appointed to office must make an oath or solemn affirmation of office or the person will be disqualified from holding office. A council or board may, by bylaw, establish the oath for the purposes of this requirement, or they may use the oath that is prescribed by [regulation](#). The prescribed oath of office has been amended to be more accessible to local governments (i.e., through the creation of a distinct regulation and the use of modern and clear language) and include the foundational principles of responsible conduct.

For clarity, the *Local Government Act* (or *Vancouver Charter*) and the *Local Elections Campaign Financing Act* are the applicable Acts for council and board members to confirm that they have complied with the provision in relation to their [election to office](#). The *Community Charter* (or the *Vancouver Charter*) is the applicable Act for council and board members to indicate that they will abide by the rules related to [conflict of interest](#).

Education Module

The Ministry of Municipal Affairs, in collaboration with our partners at the Union of B.C. Municipalities (UBCM) and the Local Government Management Association (LGMA), have developed an on-demand

CAOs and Corporate Officers

Page 2

eLearning course for elected officials which introduces the foundational principles for responsible conduct. The course entitled *Responsible Conduct Everyday* is based on real life scenarios that require the learner to make choices and reflect on behaviour. Like the Model Code of Conduct and the Forging the Path to Responsible Conduct guide, we hope the new course provides an additional tool to strengthen the practice of responsible conduct.

If you have any questions about these responsible conduct tools, I encourage you to contact our Governance and Structure Branch. You can reach the Governance and Structure Branch by phone or email at: 250-387-4020 or LGGovernance@gov.bc.ca.

Kind Regards,

A handwritten signature in black ink, appearing to read 'T. Faganello', with a large, decorative flourish at the end.

Tara Faganello
Assistant Deputy Minister

pc: Gary MacIsaac, Executive Director, UBCM
Candace Witkowskyj, Executive Director, LGMA
Todd Pugh, Executive Director, CivicInfo BC
Michelle Dann, Executive Director, Local Government Division, Municipal Affairs



COUNCIL REPORT

File:

Date: March 27, 2023

From: Stewart Novak, Public Works & Emergency Preparedness Coordinator

Subject: **Emergency Operating Procedures for Road Closures in the Village of Belcarra**

Recommendation

That the report dated March 27, 2023, regarding Emergency Operating Procedures for Road Closures in the Village of Belcarra, be received into the record for information.

Purpose

To provide Emergency Operating Procedures for Road Closures in the Village.

Background

After an event in November 2022, where the road was closed to traffic for an extended period due to a tree blocking Bedwell Bay Road, operating procedures were reviewed.

Staff have worked with Metro Vancouver to develop an Emergency Park Road Use Standard Operating Procedure for opening and closing the Metro Parks gate for emergency access. Residents may use Tum-Tumay-Whueton Drive as a bypass route to Midden Road via Thermal Plant Road through the picnic area park entrance gate and exit from the Picnic Area parking lot gate. The operating procedure notes the following:

- During business hours – Public Works staff will contact Metro Parks staff to request opening of the Picnic Area parking lot gate which is normally locked 24 hours;
- After hours – Village staff will contact the Metro Vancouver 24 Hour Regional Parks Duty Officer to request opening both the Tum-Tumay-Whueton Drive Picnic Area entrance gate and Picnic Area parking lot gate for emergency access;
- Parks staff and/or Regional Parks Duty Officer will be responsible for informing any security services scheduled from time to time if any gates are to be kept open after hours to avoid any accidental locking of open gates during emergencies;
- Village staff have been issued gate keys and will be responsible to open and secure gates after hours and ensure the park road is safe for public use. Safety measures will include assessing weather conditions, inspecting the road for hazards such as downed trees, and removing snow and ice to the same standard as roads maintained by Public Works staff in the Village. Any issues should be reported to the Regional Parks Duty Officer;
- The end of the need for emergency use of the road will be reported to Parks staff or the Regional Parks Duty Officer. Prior to re-locking the gates after hours, Village staff must drive the road to ensure no vehicles could be locked in. Any additional needs or requests can be authorized by the Regional Parks Duty Officer.

In the event that a road blockage is discovered by a resident and wires have been brought down, 911 should be contacted immediately. The Public Works Emergency number of 604-917-0113 can be called for any other issues related to roads, water or the WARD facility. The Village website and resident email notifications will be updated as required in the event of any emergencies.

Staff have had discussions with Sasamat Volunteer Fire Department (SVFD) with regard to scene management and will work together to provide service to residents in the event of a road blockage requiring emergency access.

Summary

Emergency Operating Procedures for any future road closures impacting the residents of the Village of Belcarra have been outlined in the staff report provided. Metro Vancouver Parks and the Sasamat Volunteer Fire Department have been involved in discussions and procedures have been brought forward based on those discussions. Procedures will be reviewed and updated in conjunction with Metro Vancouver Parks and the SVFD.

In closing, Public Works staff strive to provide safe and prompt service to residents. In an emergency, please obey traffic control staff and watch the website and resident email for up-to-date messaging with regard to access.



COUNCIL REPORT

Date: March 27, 2023
From: Stewart Novak, Public Works and Emergency Preparedness Coordinator
Subject: 2009 Ford Flat-Deck Dump Truck

Recommendations

1. That the purchase of a new 550 flatbed dump truck, or one with specifications similar to Belcarra's existing fleet truck be approved, at a cost of up to \$175,000; and
2. That three (3) written competitive quotations be approved as the means of procuring the truck rather than a formal competitive bid process; and
3. That the Village of Belcarra's 2023 – 2027 financial plan be amended to include the flat bed dump truck purchase in 2023 and the deferral of the Holland Tractor purchase from 2023 (\$195,000 budget) to 2024.

Background

The Village of Belcarra Public Works staff currently use two Ford F-550 flat-deck dump trucks. One truck is a 2009 Ford F-550 and the second is a 2018 Ford F-550. Both trucks are designed to the same specifications to allow the use of existing attachments such as plows and salt spreaders on either truck.

On February 26, 2023, at approximately 2:00 am, the 2009 Ford F-550 broke down while plowing snow. The truck was towed to Metro Ford, and upon assessment, we were advised that the truck blew a cylinder and will require extensive repairs. Cost of repairs are quoted as being in excess of \$34,000.

Belcarra staff actively use both trucks during regular working hours. In addition, in order to maintain the level of service residents are accustomed to, it is critical to have two available trucks in service.

Purpose

Options and recommendation to purchase of a new flatbed dump truck:

Option A) Repair of the existing 2009 Ford F-550 flatbed dump truck

A quote of a minimum cost of \$33,852 plus tax to fix the 2009 Ford truck was received from Metro Ford. Staff also reached out to JKR Automotive for an opinion of the quote provided by Metro Ford, and it was confirmed that the quote provided was reasonable.

JKR Automotive advised that this type of cylinder issue is common in the 2009 Ford truck model. Both automotive shops recommended that funds not be invested in the repair of the vehicle.

Option B) Purchase of a new truck of similar specification (recommended by staff)

The purchase of a new 550 4x4 flatbed dump truck is expected to be in the range of \$140,000 to \$175,000.

Belcarra's 2009 Ford F-550 was budgeted for, and is scheduled to be replaced in 2024, according to the 5-year capital plan. The 2024 budget for replacement is \$135,000.

In addition to the cylinder needing repair, the truck has had considerable exposure to salt which impacts not only the frame of the vehicle but also impacts the electronics over time. The truck also requires yearly commercial certification where the overall running and driving condition of the truck is considered and an assessment of rust exposure is carried out.

The Village's 2023 capital budget provides for the purchase of a Holland Tractor/front end loader backhoe for \$195,000. It is recommended that the 2023 capital budget be amended to purchase the flat bed dump truck in 2023, with the Holland Tractor/front end loader backhoe purchase being deferred to 2024 in the Village's financial plan.

Recommendation to allow staff to purchase a truck by obtaining 3 written competitive quotations.

Belcarra's purchasing policy states:

Village of Belcarra Corporate Policy No. 203

1. ***Requirement for Competitive Process:*** Purchases expected to exceed \$10,000 shall be decided based on a competitive process. The practice with regard to the competitive process shall be:
 - a. *Purchases expected to exceed \$10,000, but not 25,000, shall be decided by obtaining written or verbal competitive quotations.*
 - b. *Purchases expected to exceed \$25,000, but not \$75,000, shall be decided by obtaining written competitive quotations.*
 - c. *Purchases expected to exceed \$75,000 shall be decided by a formal competitive bid process.*

Staff requests approval to purchase a new 550 flatbed dump truck using provision b. above even though the purchase will exceed \$75,000.

Rationale:

A formal competitive bid requires the vehicle package of preference to include full specifications and to be advertised which can take months to complete. In addition, a truck ordered to specifications may take more than a year to deliver once ordered due to backlogs (as advised by Metro Ford).

Staff anticipates purchasing a ready built vehicle from existing stock, or purchasing a cab and chassis from a lot, then installing a deck and light package from a second company.

Time is the critical factor in requesting a streamlined approach to purchasing a new 550 work truck.

Comments from Financial Consultant

Subsection 165 (2) of the Charter states: "For certainty, the financial plan may be amended by bylaw at any time."

Should Council approve the purchase of the flat bed dump truck in 2023 and the deferral of Holland Tractor purchase to 2024, a financial plan amendment bylaw would be brought forward to Council.

Both of these purchases are budgeted with funding from the General Capital Reserve Fund, which had an approximate \$1 million dollar balance at the end of 2022.



COUNCIL REPORT

Date: March 27, 2023
From: Stewart Novak, Public Works, and Emergency Preparedness Coordinator
Subject: **Tatlow Reservoir Update**

Recommendation

That the report dated March 27, 2023 regarding the Tatlow Reservoir Update be received into the record for information.

Purpose

To provide an update on the ongoing work at the Tatlow Reservoir.

Update

- On March 1, 2023, WSP Engineering structural engineers carried out a visit at the Tatlow Reservoir to determine whether an assessment can be conducted at the site without the excavation of a path around the reservoir and a written response is expected shortly.
- Staff is currently in discussion with Inland Divers to have them enter the reservoir and conduct a vacuum sweep of the tank and provide a video recording of the interior condition. The dive work will be scheduled for approximately the end of April and recorded information will be forwarded to WSP Engineering for review.

Summary

Staff are currently working and coordinating with Inland Divers to conduct interior cleaning and inspection, and with WSP to conduct exterior inspection and overall condition assessment. Excavating to level off the surrounding area, and construction of chain-link fencing for the Tatlow reservoir will be conducted in late Spring.



**VILLAGE OF BELCARRA
5-Year (2023 – 2027) Financial Plan
Bylaw No. 606, 2023**



A bylaw to establish the 5-Year Financial Plan for the years 2023 – 2027 inclusive.

WHEREAS pursuant to section 165 of the *Community Charter*, the Council shall, before the 15th of May in each year, before the annual property tax bylaw is adopted, adopt a financial plan;

AND WHEREAS the Municipal Council has caused to be prepared a 5-Year Financial Plan for the period 2023 – 2027 inclusive;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

1. This Bylaw shall be cited for all purposes as the “Village of Belcarra 5-Year (2023 – 2027) Financial Plan Bylaw No. 606, 2023”.
2. Council hereby adopts the 5-Year Financial Plan for the years 2023 – 2027 inclusive, as set out in Schedules A and B, attached to and forming part of this bylaw.
3. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

READ A FIRST TIME on February 21, 2023

READ A SECOND TIME on February 21, 2023

READ A THIRD TIME on March 6, 2023

ADOPTED by the Council on

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer

This is a certified a true copy of
Village of Belcarra 5-Year (2023 – 2027) Financial
Plan Bylaw No. 606, 2023

Chief Administrative Officer

Schedule A - Financial Plan

	2023	2024	2025	2026	2027
REVENUE					
Taxation (including grants in lieu)	(1,006,297)	(1,036,380)	(1,067,363)	(1,099,273)	(1,132,139)
Parcel taxes	(267,617)	(267,617)	(267,617)	(267,617)	(267,617)
Sale of services & regulatory fees	(685,699)	(746,355)	(813,326)	(887,294)	(969,009)
Government transfers	(529,119)	(537,677)	(502,279)	(519,477)	(776,167)
Investment income	(57,693)	(58,425)	(59,171)	(59,930)	(60,704)
Actuarial income	(44,814)	(50,547)	(56,482)	(62,623)	(68,980)
Total Revenue	(2,591,239)	(2,697,001)	(2,766,238)	(2,896,214)	(3,274,616)
EXPENSES					
General government & fiscal services	223,262	228,842	234,474	265,198	241,798
Administration & human resources	267,901	273,757	285,942	291,535	297,237
Information technology	40,636	41,478	42,347	43,243	44,166
Support services (engineering, finance & planning)	158,985	140,854	142,757	144,697	146,671
Building inspection & bylaw enforcement	87,334	89,057	90,813	92,605	94,432
Public works & transportation	255,585	250,905	255,063	268,331	272,825
Major road network (MRN)	168,196	170,403	173,628	176,923	179,683
Fire & emergency services	7,454	7,492	7,530	7,568	7,607
Waste & recycle depot (WARD)	187,873	192,246	198,155	204,252	209,690
Water system	514,922	529,209	555,788	579,713	605,853
Amortization	354,090	371,555	389,889	409,135	429,339
Total Expenses	2,266,238	2,295,798	2,376,386	2,483,200	2,529,301
ANNUAL SURPLUS	(325,001)	(401,203)	(389,852)	(413,014)	(745,315)
RESERVES, DEBT & CAPITAL					
Tangible capital assets	550,100	405,500	200,000	253,000	436,000
Amortization	(354,090)	(371,555)	(389,889)	(409,135)	(429,339)
Repayment of debt (principal & actuarial)	163,816	169,549	175,484	181,625	187,982
Transfers from reserves	(555,146)	(396,196)	(231,946)	(300,748)	(205,446)
Transfers to reserves	520,947	569,038	609,642	656,680	724,494
Transfer from appropriated surplus	(9,400)	-	-	-	-
Transfers from surplus	(17,726)	(1,663)	-	-	-
Transfers to surplus	26,500	26,530	26,561	31,592	31,624
Total Reserves, Debt & Capital	325,001	401,203	389,852	413,014	745,315
FINANCIAL PLAN BALANCE	-	-	-	-	-

Schedule B – Statement of Objectives and Policies

Financial Plan Objectives and Policies for Funding Sources, Distribution of Property Value Taxes, and Permissive Tax Exemptions

A. Funding Sources

Over the Village of Belcarra’s 5-year financial plan the funding sources, as defined in Section (165) (7) of the Community Charter, are as follows:

	<u>Funding Sources</u>				
	2023	2024	2025	2026	2027
Operating Revenue Sources					
Property value taxation	39.3%	39.0%	38.6%	38.0%	37.5%
Parcel tax	10.5%	10.1%	9.7%	9.3%	8.9%
Fees	26.9%	28.1%	29.4%	30.8%	32.2%
Other sources*	23.3%	22.8%	22.3%	21.9%	21.4%
Proceeds from borrowing	0.0%	0.0%	0.0%	0.0%	0.0%
Totals	100.0%	100.0%	100.0%	100.0%	100.0%
Capital Revenue Sources					
Other sources - Reserves	91.5%	89.8%	100.0%	95.6%	39.8%
Other sources - Grants	6.8%	10.2%	0.0%	4.4%	60.2%
Other sources - Appropriated Surplus	1.7%	0.0%	0.0%	0.0%	0.0%
Proceeds from borrowing	0.0%	0.0%	0.0%	0.0%	0.0%
Totals	100.0%	100.0%	100.0%	100.0%	100.0%

* Government transfers, investment income & actuarial on debt

Objectives:

- Ensure that the Village’s services are sustained over the long-term by providing for core operations and future asset/infrastructure replacements and renewals.

Policy:

- Build up reserves to optimal levels through property tax and utility user fee increases (for water and the waste & recycle depot).
- Minimize external borrowing and create internal reserve sources of funding and financing.

B. Distribution of Municipal Property Taxes Across Property Classes

Over the term of the financial plan the distribution of municipal property taxes across the property tax classes is expected to be similar to 2022, as follows:

Distribution of 2022 Property Taxes

Property Classes	Property Tax Dollars Raised	% of Total Property Taxation
1 Residential	\$952,370	98.6%
2 Utilities	\$1,112	0.1%
3 Supportive Housing	\$0	0.0%
4 Major Industry	\$0	0.0%
5 Light Industry	\$0	0.0%
6 Business/Other	\$170	0.0%
7 Managed Forest Land	\$0	0.0%
8 Recreation/Non-Profit	\$13,019	1.3%
9 Farm	\$0	0.0%
Totals	\$966,671	100.0%

Objective:

- Maintain a consistent, proportionate relationship in the sharing of the tax burden amongst the tax classes.

Policy:

- Set tax rates in accordance with the tax class multiples set by the Province of BC.

C. Permissive Tax Exemptions

Objective:

- Recognize the contributions of non-profit organizations and groups which provide services and activities for the Community.

Policy:

- Full or partial permissive tax exemptions will be considered to encourage activities or services that:
 - are consistent with the quality of life (economic, social, and cultural) objectives of the Village;
 - provide direct access and benefit to the community, and
 - would otherwise be provided by the Village.
- Council Policy 176 provides additional details and requirements for Permissive Tax Exemptions.



**VILLAGE OF BELCARRA
Fees and Charges Bylaw No. 517, 2018
Amendment Bylaw No. 607, 2023**



A bylaw to amend fees and charges for services

WHEREAS the Community Charter enables a local government to amend its bylaws from time to time;

AND WHEREAS the Village of Belcarra Council has deemed it necessary to amend its fees and charges bylaw;

NOW THEREFORE the Village of Belcarra Council enacts as follows:

1. This Bylaw may be cited for all purposes as the "Village of Belcarra Fees and Charges Bylaw No. 517, 2018 Amendment Bylaw No. 607, 2023"
2. That "Village of Belcarra Fees and Charges Bylaw No. 517, 2018" be amended as follows:

a) In Schedule 10 "Recycling and Garbage Collection and Removal" by

replacing:

"Authorized User (per parcel of real property improved or unimproved)	\$438.00 per annum
Authorized User (non-resident)	\$438.00 per annum
Accessory Suite (additional dwelling unit)	\$438.00 per annum"

with:

"Authorized User (per parcel of real property improved or unimproved)	\$496.00 per annum
Authorized User (non-resident)	\$496.00 per annum
Accessory Suite (additional dwelling unit)	\$496.00 per annum"

b) In "Schedule 13 – Waterworks Fees" by

replacing:

"Basic Fee – Fire Protection (not connected to water system) (prorated upon date of permit for Use Fee Domestic)	\$1,066.00
Use Fee – Domestic (connected to water system) (pro-rated as of one month after the first day of the month in which the connection permit is issued)	\$1,520.00"

with:

"Basic Fee – Fire Protection (not connected to water system) (prorated upon date of permit)	\$1,098.00
Use Fee – Domestic (connected to water system) (pro-rated as of one month after the first day of the month in which the connection permit is issued)	\$1,566.00"

3. This bylaw shall take force and come into effect as of July 1, 2023.

READ A FIRST TIME on February 21, 2023

READ A SECOND TIME on February 21, 2023

READ A THIRD TIME on March 6, 2023

ADOPTED by the Council on

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer

This is a certified a true copy of
Village of Belcarra Fees and Charges Bylaw No. 517, 2018 Amendment Bylaw No. 607, 2023"

Chief Administrative Officer



VILLAGE OF BELCARRA
Water Supply and Distribution Local Area Service No. 1
Parcel Tax Bylaw No. 452, 2012
Amendment Bylaw No. 608, 2023



A bylaw to amend the Village of Belcarra's Water Parcel Tax.

WHEREAS the Village of Belcarra levied a Water Parcel Tax pursuant to section 200 of the *Community Charter*, through "Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452, 2012";

AND WHEREAS pursuant to "Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452, 2012" a Water Parcel Tax of \$972.91 per Parcel was established to recover the annual debt servicing costs (principal and interest payments) associated with a debt incurred to provide water services to a specified area of the Village of Belcarra;

AND WHEREAS the debt incurred to provide water services to a specified area of the Village of Belcarra has been refinanced by the Municipal Finance Authority at a higher interest rate resulting in increased debt servicing costs;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

1. This Bylaw shall be cited for all purposes as the "Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452, 2012, Amendment Bylaw 608, 2023".
2. "Village of Belcarra "Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Parcel Tax Bylaw No. 452" is hereby amended to establish the annual Water Parcel Tax at \$1,110.44 per Parcel.

READ A FIRST TIME on February 21, 2023

READ A SECOND TIME on February 21, 2023

READ A THIRD TIME on March 6, 2023

ADOPTED by the Council on

Jamie Ross
Mayor

Paula Richardson
Chief Administrative Officer

This is a certified a true copy of
 Village of Belcarra Water Supply and Distribution Local Area Service No. 1
 Parcel Tax Bylaw No. 452, 2012, Amendment Bylaw 608, 2023

Chief Administrative Officer



Serving Anmore & Belcarra since 1978

Dear Mayor and Council,

March 12th, 2023

Re: Request for Funds for SVFD Volunteer Appreciation Dinner

I am writing on behalf of Chief Sharpe and the members of the SVFD to seek financial assistance from each village to partner with our Firefighter's Association to cater a dinner for the fire department volunteers.

Normally, in recognition of Volunteer Appreciation Month, it has been our practice that the fire officers prepare and cook a dinner for the firefighters, meaning that volunteers prepare food for other volunteers. The meal has always been funded by the Association. After some discussions with other volunteer departments, we were made aware that their communities typically fund a function for their volunteer fire department. In that vein, we would like to be able to host a catered meal for our members one evening this April.

We do appreciate the fact that each village hosts a volunteer appreciation evening, and this is not meant to undermine that very important event. However, many of our members believe that our volunteer role, as first responders, is significantly more time consuming, more demanding, and more critical in the nature of the service we bring to our communities.

Our Association can contribute \$500.00, but we are also asking each village for a contribution of \$400.00. This would enable us to cater a dinner for the 30 or so members who would attend.

We appreciate your consideration for this request. If Mayor and Council requires any further information, I would be happy to attend your regular meeting as a delegation.

I look forward to hearing from you.

Yours truly

Colin Richardson
Deputy Fire Chief

From: President's Office <President's.Office@ecomm911.ca>
Sent: Wednesday, March 1, 2023 1:06 PM
Subject: Provincial Funding for implementation of Next Generation 9-1-1

Dear local government partner,

I am pleased to advise that the Province of BC has today [announced](#) significant new funding to assist E-Comm and its local government partners with the cost of implementing federally-mandated Next Generation 9-1-1 (NG9-1-1) technology improvements in B.C.

What it includes

The Province has announced \$90 million for E-Comm to assist with our implementation and start-up costs for NG9-1-1 technology improvements. This funding will help E-Comm, as the first answer point for 99% of the 9-1-1 calls in B.C., to complete NG9-1-1 technology upgrades on behalf of: the 25 Regional Districts for which we provide 9-1-1 call-taking services; the 33 police and 40 fire agencies across B.C. for which we also provide call-taking and dispatch services, and all RCMP detachments in the province.

In addition, \$60 million will be provided to the Union of BC Municipalities (UBCM) to defray implementation costs associated with emergency communication centres, including police and fire agencies that are not part of E-Comm's program.

Avoided costs for local governments

NG9-1-1 will enable important improvements to public safety, including better 9-1-1 caller location information, real time texting, streaming audio and video and new ways to direct calls to services other than police, fire and ambulance, such as mental health support.

This new provincial funding represents a significant avoided cost for all local governments in B.C., and E-Comm is proud to have led the way in helping enable it, by working collaboratively with the Province, UBCM, and our local government and agency partners.

What it means for you:

- For Regional Districts and municipalities for which E-Comm provides 9-1-1 call-taking, or police or fire call-taking and dispatch services, this funding will now help cover our NG9-1-1 implementation costs that would've otherwise been passed on to you, our funders.
- For the local government and agency partners which are also E-Comm shareholders, the provincial funding removes a significant financial liability for you, our owners.
- And for other municipalities whose police or fire call-taking services are not provided by E-Comm, there is now provincial funding available to you too through UBCM to help defray your agency's NG9-1-1 implementation costs.

We will be providing further information on the financial impact on your community or agency once we know more of the details of the Province's funding plan.

Implementation costs versus future operating costs

It is important to note that the Province's funding will help offset E-Comm's one-time implementation and start-up costs for NG9-1-1, incurred between 2022 to 2026 on behalf of local governments, but not the ongoing future operating costs.

That is why E-Comm supports UBCM's call for a new provincial mandate for 9-1-1 moving forward.

A new provincial mandate for 9-1-1 will take time to plan and implement. There are a number of issues the Province will need to consider with local governments, including governance, funding, operational structure, coordination and service-standards. E-Comm will continue to work with the Province, and our local government partners to advance this priority, and to plan for the funding of future operating costs which remain a local government responsibility.

The attached backgrounder provides additional information. If you have further questions, please do not hesitate to contact me anytime.

Sincerely,

Oliver Grüter-Andrew
President and CEO
604.215.5002
oliver.gruter-andrew@ecomm911.ca

Oliver Grüter-Andrew, *President & CEO*

E-Comm 9-1-1
Helping to Save Lives and Protect Property

NEWS RELEASE

For Immediate Release
2023MOTI0018-000335
March 15, 2023

Office of the Premier
Ministry of Transportation and Infrastructure

B.C. supports stable, expanded transit services in Metro Vancouver

VANCOUVER – The Province is taking action to address TransLink’s urgent financial needs to protect transit service levels and investment plans, while providing reliable, affordable public transit that connects people to jobs, schools and essential services, enabling the transportation authority to plan for the region’s future.

B.C.’s \$479-million contribution will keep fares stable, support public transit infrastructure and services, avoid service cuts, continue providing free public transit for kids 12 and younger, and enable transit expansion plans needed to respond to growing communities.

“Hundreds of thousands of people rely on TransLink’s service every day to get to work, travel to school, and access all parts of the region,” said Premier David Eby. “Failing to act now would lead to higher fares, fewer buses on the road and reduced service across the board. We won’t let that happen.”

Like other major transit systems across North America, changing travel and commuting patterns following the COVID-19 pandemic and escalating costs are factors driving TransLink’s financial situation. Finances are expected to improve over the long term. The \$479-million contribution will help stabilize the transportation authority’s finances and allow the authority to continue to advance capital projects in its 2022 investment plan, including TransLink’s battery-electric bus fleet expansion to 155 buses by 2025. The funding will increase service on TransLink’s busiest routes through strategic service reallocation, expand RapidBus lines to relieve congestion in high-growth corridors, increase active transportation investments and support transit-oriented, livable communities.

“Accessible public transit is critical for the region’s economic, social and environmental health now and into the future,” said Rob Fleming, Minister of Transportation and Infrastructure. “The Province will continue discussions with the federal government on a potential funding partnership. However, given TransLink’s significant and immediate needs, the Province is taking action with this funding stabilization to address TransLink’s short-term operating funding needs, preventing layoffs and maintaining transit services that will create jobs and reduce traffic congestion and air pollution, which benefits residents and visitors to Metro Vancouver.”

The Province is responding to TransLink’s board of directors and Mayors’ Council, call to action to manage significant financial hardship. With the investment, the B.C. government will continue to ensure Metro Vancouver has a robust and resilient transit service that strengthens communities, reduces commute times, connects people to jobs and affordable housing, and reduces carbon emissions.

“TransLink is the backbone of the transportation network in the Metro Vancouver region and

we know the authority is still under financial pressure,” said Dan Coulter, Minister of State for Infrastructure and Transit. “By investing in TransLink operations now, we can prevent service cuts and support the transportation authority as it transitions back to planning new services required to respond to a growing population. Public transit must be an accessible, affordable and convenient option for people travelling around Metro Vancouver.”

This announcement builds on the B.C. government’s consistent support for transit riders. Since the outset of the pandemic, the Province has provided significant funding to ensure the transportation authority continues to maintain service levels for users. This includes previously announced provincial funding, in combination with federal support, that has amounted to more than \$850 million. The Province has also provided unprecedented commitment and funding for transit infrastructure to improve service for people in Metro Vancouver, including \$2.4 billion for TransLink’s 2022 investment plan.

Quotes:

Brad West, mayor of Port Coquitlam, chair of Mayors’ Council –

“Every day, almost 400,000 Metro Vancouver residents use our transit system. These are regular people trying to get to work or school, or go to a hockey game or a park, all of whom expect governments to keep them moving with good, reliable transit. I welcome today’s announcement by the Government of B.C. to help TransLink stabilize its finances because it paves the way for us as governments to work together over the next year to begin expanding our transit system again to keep pace with record-setting population growth, improve affordability and reduce greenhouse gases.”

Kevin Quinn, CEO, TransLink –

“I’d like to thank the provincial government for providing certainty to nearly 400,000 people who depend on our transit system every day. This significant funding package will allow us to maintain our transit service levels for the immediate future. We will continue our important work to secure new sources of long-term revenue and investment for much-needed expansion projects outlined in the Mayors’ Council’s 10-year priorities.”

Learn More:

To learn more about the plans and projects, visit: <https://www.translink.ca/plans-and-projects?page=1&pageSize=10&sort=Date>

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Ministry of Transportation and Infrastructure
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From: Colleen MacDonald
Sent: Monday, March 20, 2023 9:26 AM
To: Connie Esposito <cesposito@belcarra.ca>
Subject: Watson Road Maze Gate

Hello Stewart Novak, Mayor Ross and Belcarra councilors,

At a recent HUB TriCities meeting, a member told me that he recently tried to get through the gate at Watson Road and was unable to do so as his recumbent trike is 32" wide.

For many years now, I have been asking for the 31" Watson Road maze gate to be widened.

Here's a photo of the 36" wide cargo bike I ride that also does not fit through the gate. When I take the grandkids to Sasamat Lake it necessitates a long detour on Bedwell Bay Road instead of taking the flat and safer Marine Avenue route.

We want people to get out of their cars and travel by active transportation. It's time to widen this gap.

Only regular bicycles fit through the gate. This is discriminatory for those who ride trikes, recumbent bikes and cargo bikes.



Perhaps 31" was regulation when the gate was installed, but now 1300mm = 51 inches is the minimum required gap. (from City of Coquitlam)

See BC Active Transportation Guidelines, specifically page G105

https://www2.gov.bc.ca/assets/gov/driving-and-transportation/funding-engagement-permits/grants-funding/cycling-infrastructure-funding/active-transportation-guide-low-res/2019-06-14_bcatdg_section_g_rfs.pdf

CUT-THROUGH PATHWAYS

Cut-through pathways run between two properties to connect two segments of a pedestrian facility, bicycle route, or off-road pathway that are separated by development or open space. They are typically paved or a hard surface. Cut-through pathways make neighbourhoods more walkable and bikeable by shortening distances and providing important connections to destinations. They are especially useful where there are long blocks or in suburban developments with non-grid layouts. Cut-through pathways can be an important tool to prioritize active transportation by making destinations more direct for people walking and cycling than they are for motorists.

Cut-through pathways are intended for active transportation use only. They have often historically been designed with access restriction devices such as maze gates and bollards. However, maze gates and bollards can make them difficult for people cycling to use, particularly for a wide range of types of bicycles. To ensure cut-through pathways are accessible for people of all ages and abilities, maze gates and bollards are not recommended unless there is a demonstrated history of motor vehicle encroachment, and/or a collision history (see **Chapter G.5**). Pedestrians are typically the primary users of cut-through pathways; however, cut-through pathways can provide valuable cycling connections as well, so bicycle access should be considered. As such, cut-through pathways should be designed consistent with design guidance for off-road pathways (see **Chapter E.3**). Appropriate wayfinding signage and pavement markings should be used to help guide users (see **Chapter H.3**).

Cut-through pathways require that adequate horizontal clearances and widths are provided for all users (see **Chapter C.2**). Cut-through pathway entrances should be well lit with adequate sightlines. Pedestrian scale lighting may be considered for longer pathway sections to ensure adequate lighting of the facility and intersections, while considering the impact to adjacent properties. Straight pathways where both entrances are visible at all times are preferred from

a Crime Prevention Through Environmental Design (CPTED) perspective and can help to discourage undesirable activities within the cut-through.

Year-round maintenance is important to ensure that cut-through pathways are functional in all seasons. They may collect debris, garbage, and snow, making them less desirable for active transportation users. Cut-through pathways should have appropriate drainage for the longitudinal grades and the cross-sectional grades. Installation of a concrete swale or gutter can help direct drainage. See **Chapter I.3** for more details regarding maintenance.

Chapter G.5 provides guidance on the end treatment considerations when intersecting a road or laneway.

RAIL CROSSINGS

Rail crossings are particularly relevant for bicycle facilities. If bicycle facilities are desired in the same corridor as rail lines, careful consideration and caution must be taken to ensure adequate separation between the rail line and the bicycle facility. Refer to Transport Canada's *Grade Crossing Regulations and Grade Crossing Standards* for detailed design guidance on rail crossings. Additional design guidance can be found in Section 8.8 of the TAC *Bikeway Traffic Control Guidelines* and the MOTI B.C. *Supplement to TAC*. A summary of important design considerations is provided below.

The crossing design should ensure that people cycling are given adequate advance warning of the rail crossing. Adequate sightlines along the tracks should be provided, and appropriate warning systems should be installed. If warning systems with gate arms are used, the gate arms should span the bicycle facility as well as the road. Where rail tracks run parallel to a bicycle lane, two-stage turn boxes should be used to facilitate left turns from the bicycle facility.

Where rail tracks run parallel to a pathway and perpendicular to the road, traffic signals can be

Please note additionally that the trail surface has eroded and needs maintenance. (Feb2023)



Please advise when this important connection will be widened to minimum cycling standards.

Colleen MacDonald

- HUB Cycling TriCities
- Long time Belcarra Resident
- author of Let's Go Biking