



**VILLAGE OF SAYWARD
COUNCIL MEETING AGENDA
May 7, 2019 – 7:00 PM
KELSEY CENTRE GYMNASIUM**

1. Called to Order

2. Public Input (maximum 30 minutes)

Mayor: "Public Input is for the purpose of permitting people in the gallery to provide input and shall be no longer than 30 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the Agenda of the meeting; the public input opportunity is meant for input and questions and answers. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record please state your name and address."

3. Approval of Agenda.

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for May 7, 2019 be approved.

4. Minutes of Previous Meetings

Recommended Resolution,

THAT the minutes from the Regular Meeting of Council held on April 16, 2019 be adopted.

5. Petitions and Delegations - None

6. Correspondence

Recommended Resolution:

THAT the following correspondence be received,

- a) Cheryl Gallant MP – Bill C-68
- b) City of Abbotsford – Resolution: Criminal Justice Reform
- c) City of Abbotsford – Resolution: Continued widening of TransCanada Highway #1

7. Council Reports – None

8. Committee Member Reports – None

9. Mayor's Report

- a) Village of Gold River – Municipal Ticketing Bylaw

Recommended Resolution,

THAT the Mayor's verbal report regarding the Village of Gold River's municipal ticketing bylaw be received.

10. Staff Reports - None

11. Old Business – None

12. Bylaws

a) Business Licence Bylaw No. 452, 2019 - CAO

Recommended Resolution,

THAT amended Business Licence Bylaw No. 452, 2019 be received; and

THAT Business Licence Bylaw No. 452, 2019 be given fourth and final adoption.

This Bylaw was amended at second reading to include the following statement:

“Prior to the issuance of a Business Licence for any Business, a Person applying for the Business Licence shall, where applicable, provide to the Licence Inspector proof that the Applicant has obtained all required permits and certifications from Federal and/or Provincial regulating bodies respecting their Business”.

b) Fees and Charges Bylaw No. 451, 2019 - CAO

Recommended Resolution,

THAT Fees and Charges Bylaw No. 451, 2019 be given fourth and final reading.

a) Tax Rates Bylaw No. 454, 2019 – CFO

Recommended Resolution,

THAT Tax Rates Bylaw No. 454, 2019 be given fourth and final reading.

d) Revenue Anticipation Bylaw No. 453, 2019 – CFO

Recommended Resolution,

THAT Revenue Anticipation Bylaw No. 453, 2019 be given fourth and final reading.

The attached report, which was originally provided at the April 23, 2019 special Council meeting, has been updated to provide additional information.

e) Water Rate Bylaw No. 448, 2019 - CFO

Recommended Resolution,

THAT Water Rate Bylaw No. 448, 2019 be given fourth and final reading.

f) Sewer Rate Bylaw No. 449, 2019 - CFO

Recommended Resolution,

THAT Sewer Rate Bylaw No. 449, 2019 be given fourth and final reading.

g) Solid Waste Collections Rates Bylaw No. 450, 2019 - CFO

Recommended Resolution,

THAT Solid Waste Collection Rates Bylaw No. 450, 2019 be given fourth and final reading.

h) Cannabis Control Bylaw No. 455, 2019 -CAO

Recommended Resolution,

THAT Cannabis Control Bylaw No. 455, 2019 be received; and

THAT Cannabis Control Bylaw No. 455, 2019 be given first and second reading.

i) Fireworks Regulation Bylaw No. 456, 2019 - CAO

Recommended Resolution,

THAT Fireworks Regulation Bylaw No. 456, 2019 be received; and

THAT Fireworks Regulation Bylaw No. 456, 2019 be given first and second reading.

13. Financial – None

14. New Business

a) Off-Road Vehicle Regulation Bylaw No. 446, 2019 - CAO

Recommended Resolution,

THAT a Public hearing for “Off-Road Vehicle Regulation Bylaw No. 446, 2019” be scheduled for _____, 2019 at _____ in the Kelsey Centre gymnasium.

b) Cannabis Control Bylaw No. 455, 2019 - CAO

Recommended Resolution,

THAT a Public hearing for “Cannabis Control Bylaw No. 455, 2019” be scheduled for _____, 2019 at _____ in the Kelsey Centre gymnasium.

15. Public Question Period (maximum 15 minutes)

Mayor: “The purpose of the public question period is to permit people in the gallery to ask questions about the issues discussed by Council during the meeting. Speakers will be allowed to ask one question each. If time permits, after everyone has had an opportunity to ask questions, speakers will be allowed to ask a second question. For the record, please state your name and address.”

16. In-Camera

Prepare to go In-Camera

That in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(k) of the *Community Charter* to discuss 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;

17. Rise and Report – In-Camera Meeting held on April 16, 2019

MOTION IC 19/38

MOVED AND SECONDED

THAT the Mayor prepare a letter to Darryl and Jackie Lyons (291 Ambleside Drive) stating that there will be no apology from the Village.

CARRIED

18. Adjournment

Recommended Resolution,

THAT the Regular Meeting of Council for May 7, 2019 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
April 16, 2019 – 7:00 PM
KELSEY CENTRE GYMNASIUM**

Present: Mayor John MacDonald
Councillor Joyce Ellis
Councillor Bill Ives
Councillor Wes Cragg

Absent: Councillor Norm Kirschner (authorized)

In Attendance: Paul Carver, Chief Administrative Officer
Lisa Clark, Chief Financial Officer

1. Call to Order

Meeting was called to order at 7:00 PM

2. Public Input (maximum 30 minutes)

Debra Coates	a) Do we have 2 gardeners or not? I see in the last meeting that we don't. b) Shouldn't the job be posted?	CAO – a) The second person was only there to get the garden beds ready for the season, and only for a few days. b) We'll look into it.
Jean Francois Morin	a) 6.11 of the new Noise Bylaw doesn't appear to have changed from the fall. There is no time frame for industrial hours, so they could run for 24 hours? b) Who will pay for the consultant? c) Why not put the hours of the day in the bylaw? d) Are you working for WFP or for us (the community)?	CAO – a) Correct, it has not changed, and does not indicate the hours of the day, but it does have limits on the duration of noise. b) The property owner. c) It will put a hardship on the operations, and it was explained in the meeting with WFP that there is an evening shift at times due to volume of product flowing through log sort. Also, there are labour issues with changing shifts or having split shifts. d) Of course, I am working for the community. I hear your concerns and WFP is going to try and reduce the noise. Mayor – Perhaps we need to bring WFP back to talk to us?

Mark Baker	Sayward News, Rec centre report by G. Whalley sounds like the Rec Centre will stay open whether the Valley supports it or not.	Mayor – We have meetings scheduled with the SRD coming up and we are in discussions. As far as I’m concerned, we’re not closing the Rec Centre.
Irene Callaghan	Noise bylaw indicates 10 pm. Can that not be reduced? I have a neighbor that is very noisy at night.	CAO - If you have a specific bylaw complaint come and see me. Mayor – Lots of people work and the evening is the only time they can mow the lawn, etc.
Lee Ettinger	Noise bylaw – neighbor has a generator in a metal box, and it makes too much noise.	Mayor – Lots of community members use CPAP machines and generators are necessary.
Deb Rossouw	Everyone needs are unique and we need to have some compassion for our neighbours.	
Janett Hoare	Bylaw 417, Public Nuisance Bylaw/Noise Bylaw – noise studies were supposed to occur. What is the status of that?	Mayor – We have done some studies and we will go through our files and see what we can find. We will also do another decibel study soon.
Debra Coates	Campground – are we allowing people to camp for more than a month? Or is it still two weeks?	CAO – Its one month. We need to keep the spots open for tourists.
Mark Baker	Trail project – are we putting in guardrails? The Barefoot report mentions them.	No, there are no plans to put in guard rails. That was only a conceptual plan prepared by Barefoot. They are planners not engineers. The design for the project was approved by both our engineer and the Ministry of Transportation (and neither had any issue with the lack of guardrails), as the trail is located on Ministry lands and not the Villages. Before any construction can occur on Ministry property, a construction permit is required, and that was obtained.
Irene Callaghan	You (mayor) said you were going to set up a meeting with WFP to discuss issues mentioned?	
Jean Francois Morin	Have alternatives been looked at as opposed to closing the Rec Centre for an extra month? For example, half days?	Mayor – Council is presented with a schedule and it was approved during budget/financial plan discussions.

Karen McClinton	Camping – isn't it law that you can only camp for two weeks?	Mayor – A privately owned campsite (which the Village campsite is) can set any time limit they want via bylaw or policy.
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3. Approval of Agenda

MOTION R19/85

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for April 16, 2019 be approved as amended.

CARRIED

4. Minutes of Previous Meetings

MOTION R19/86

MOVED AND SECONDED

THAT the minutes from the Regular Meeting of Council held on April 3, 2019 be adopted as amended.

CARRIED

MOTION R19/87

MOVED AND SECONDED

THAT the minutes from the Regular Meeting of Council held on January 22, 2019 be adopted as amended.

CARRIED

These minutes were first presented to Council at the February 5, 2019 regular meeting for adoption however an omission was identified by the Mayor in relation to the motion following the presentation made by Alex Turner of the Tourism Committee. A correction has been made to that motion and is so noted on the amended minutes from the January 22, 2019 meeting.

5. Petitions and Delegations – None

MOTION R19/88

MOVED AND SECONDED

THAT the following correspondence be received.

CARRIED

- a) City of Maple Ridge - The Erosion of Democratic Elected Government
- b) Medical Health Officer - Letter to Council regarding Wood Smoke

MOTION R19/89

MOVED AND SECONDED

THAT staff revamp and revise the Village's backyard burning bylaw and bring back before Council for consideration.

CARRIED

- c) Coastal Fire Centre - Staying Informed 2019
- d) Vancouver Island Library – Report on BC Construction Market

6. Council Reports - None

7. Committee Member Reports – None

8. Mayor’s Report – None

9. Staff Reports

- a) Cannabis Dispensaries in Sayward – Report by CAO

MOTION R19/90
MOVED AND SECONDED

THAT the report titled “Cannabis Dispensaries in Sayward” be received for information and discussion.

CARRIED

MOTION R19/91
MOVED AND SECONDED

THAT staff prepare a bylaw banning the sale of cannabis in the Village.

CARRIED

- b) Policy Update Report – Report by CFO

MOTION R19/92
MOVED AND SECONDED

THAT Council receive the CFO’s report on the Policy Update Project; and
THAT Council approves Permissive Property Tax Exemption Policy 300-01.

CARRIED

10. Old Business

- a) Spar Street Parking and Property Appearance Concerns – Letter from concerned resident

MOTION R19/92
MOVED AND SECONDED

THAT the report titled “Spar Street Parking and Property Appearance Concerns” be received for information and discussion.

CARRIED

11. Bylaws

- a) Public Nuisance Bylaw No. 417, 2018 - CAO

MOTION R19/93
MOVED AND SECONDED

THAT Public Nuisance Bylaw No. 417, 2018 be received.

CARRIED

MOTION R19/94
MOVED AND SECONDED

THAT third reading of Public Nuisance Bylaw No. 417, 2019 be rescinded to permit an amendment to the Bylaw to allow the running of backup generators (24 hours a day) in the event of power interruptions to the Village; and

THAT Public Nuisance Bylaw No. 417, 2018 be amended at second reading; and

THAT Public Nuisance Bylaw No. 417, 2018 remain at second reading to allow the gallery to send comments to the CAO.

CARRIED

- b) Business Licence Bylaw No. 452, 2019 - CAO

MOTION R19/95
MOVED AND SECONDED

THAT Business Licence Bylaw No. 452, 2019 be received.

CARRIED

MOTION R19/96
MOVED AND SECONDED

THAT Business Licence Bylaw No. 452, 2019 be amended at second reading.

CARRIED

MOTION R19/97
MOVED AND SECONDED

THAT Business Licence Bylaw No. 452, 2019 be amended to require businesses to obtain the required permits and certifications from outside agencies prior to the issuance of a business licence by the Village.

CARRIED

- c) Fees and Charges Bylaw No. 451, 2019 - CAO

MOTION R19/98
MOVED AND SECONDED

THAT Fees and Charges Bylaw No. 451, 2019 be received.

CARRIED

MOTION R19/99
MOVED AND SECONDED

THAT Fees and Charges Bylaw No. 451, 2019 be given first and second reading.

CARRIED

MOTION R19/100
MOVED AND SECONDED

THAT the 65-year age limit remain in the bylaw.

CARRIED Opposed: Councillor Ellis

MOTION R19/101
MOVED AND SECONDED

THAT Fees and Charges Bylaw No. 451, 2019 be given third reading.

CARRIED

- d) Off-Road Vehicle Regulation Bylaw No. 446, 2019 - CAO

MOTION R19/102
MOVED AND SECONDED

THAT Off-Road Vehicle Regulation Bylaw No. 446, 2019 be received.

CARRIED

MOTION R19/103
MOVED AND SECONDED

THAT Off-Road Vehicle Regulation Bylaw No. 446, 2019 be given first reading and second;
and

THAT a public hearing be scheduled for Off-Road Vehicle Regulation Bylaw No. 446, 2019.

CARRIED

- e) Water Rate Bylaw No. 448, 2019 - CFO

MOTION R19/104
MOVED AND SECONDED

THAT Water Rate Bylaw No. 448, 2019 be received.

CARRIED

MOTION R19/105
MOVED AND SECONDED

THAT Water Rate Bylaw No. 448, 2019 be given first and second reading.

CARRIED

MOTION R19/106
MOVED AND SECONDED

THAT Water Rate Bylaw No. 448, 2019 be given third reading.

CARRIED

- f) Sewer Rate Bylaw No. 449, 2019 - CFO

MOTION R19/107
MOVED AND SECONDED

THAT Sewer Rate Bylaw No. 449, 2019 be received.

CARRIED

MOTION R19/108
MOVED AND SECONDED

THAT Sewer Rate Bylaw No. 449, 2019 be given first and second reading.

CARRIED

MOTION R19/109
MOVED AND SECONDED

THAT Sewer Rate Bylaw No. 449, 2019 be given third reading.

CARRIED

- g) Solid Waste Collections Rates Bylaw No. 450, 2019 - CFO

MOTION R19/110
MOVED AND SECONDED

THAT Solid Waste Collection Rates Bylaw No. 450, 2019 be received.

CARRIED

MOTION R19/111
MOVED AND SECONDED

THAT Solid Waste Collection Rates Bylaw No. 450, 2019 be given first and second reading.

CARRIED

MOTION R19/112
MOVED AND SECONDED

THAT Solid Waste Collection Rates Bylaw No. 450, 2019 be given third reading.

CARRIED

12. Financial

- a) Statement of Revenue and Expenditures Report - Month ending March 31, 2019

MOTION R19/113
MOVED AND SECONDED

THAT the Statement of Revenue and Expenditures for the month ending March 31, 2019 be received for information.

CARRIED

- b) Accounts Payable Cheque Register Report - Month ending March 31, 2019

MOTION R19/114
MOVED AND SECONDED

THAT the Accounts Payable Cheque Register Reports for the month ending March 31, 2019 be received for information.

CARRIED

13. New Business

- a) Oscar Daze Event (August 2, 3, 4 & 5th) – Request for fees and charges to be waived

MOTION R19/115
MOVED AND SECONDED

THAT the request to have all fees and charges waived for the Oscar Daze Event scheduled for August 2, 3, 4 & 5th be received for discussion.

MOTION R19/116
MOVED AND SECONDED

THAT all fees for the ballfield and campsites be waived for the Oscar Daze event scheduled for August 2, 3, 4 & 5th.

CARRIED

- b) Vancouver Island Regional Library – Media Release for new Sayward Library

MOTION R19/117
MOVED AND SECONDED

THAT the media release by Vancouver Island Regional Library relating to the contract award for the new Sayward Library be received.

CARRIED

- c) Local Government Management Association – Commemorative Tree Planting

MOTION R19/118
MOVED AND SECONDED

THAT Council receive the Commemorative Tree Planting Information Package for Local Governments; and

THAT Council provide staff with some options on where to plant the tree.

CARRIED

MOTION R19/119
MOVED AND SECONDED

THAT a Dogwood Tree be planted near the new gazebo.

CARRIED

- d) Special Regular Meeting of Council – April 23, 2019 at 2:30 pm

MOTION R19/120
MOVED AND SECONDED

THAT a special regular meeting of Council be scheduled for Tuesday, April 23, 2019 at 2:30 pm to give consideration to providing first, second and third reading on the 2019 Tax Rates Bylaw.

CARRIED

14. Public Question Period (maximum of 15 minutes)

Karen McClinton	I am speaking on behalf of the community members who do not use the internet, and can't access Village information.	
Lee Ettinger	Why can the Village not receive services from other communication companies?	Mayor – You can, there are other options, a lot of them.

Irene Callaghan	Why would the Village want ATV's here? There is nothing here.	Councillor Ives – It is to create more tourism traffic that will provide opportunities for our local businesses and potentially increase economic development.
Debra Coates	Oscar Daze – Village staff do not clean up after Oscar Daze, the participants and volunteers clean up.	
Irene Callaghan	I don't want to listen to them coming to my place (ATV's).	Councillor Ellis – They won't be driving on any roads besides what is on the ATV bylaw map.
Lee Ettinger	Dirt bikes included in the ATV bylaw?	No.
Irene Callaghan	It was very unfair that Council used the multi-purpose room for the second Tuesday of the month.	Mayor – I am sorry about that, but Council required the room.
Karen McClinton	Fireworks. What's the status?	Mayor – A bylaw is going to be brought to Council in the next couple of months.
Irene Callaghan	Are the sewer lines going to be blown out again this year?	CAO – Yes, there is some money in the budget for sewer issues.
Deb Rossouw	Thank you to the Mayor, Council, the CAO and CFO for all the hard work you are doing. I truly believe you are doing the best for our community and your efforts are appreciated. Kudo's to all of you!	

15. In-Camera - 9:07 PM

MOTION R19/121

MOVED AND SECONDED

That in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (2)(c) of the *Community Charter* to discuss a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under section 14 [*Ombudsperson to notify authority*] of that Act.

CARRIED

16. Rise

17. Adjournment

MOTION R19/121

MOVED AND SECONDED

That the Regular Council Meeting of April 16, 2019 be adjourned.

CARRIED

The meeting was adjourned at 9:37 PM.

Mayor John MacDonald

Chief Administrative Officer



Cheryl Gallant

Member of Parliament
Renfrew-Nipissing-Pembroke
Member of Standing Committee on National Defence
Member of Standing Committee on Industry, Science and Technology



April 5th, 2019

Sayward Township
Po Box 29 601 Kelsey Way
Sayward, British Columbia
V0P 1R0

Dear Sayward Township,

This letter is to alert you to Bill C-68, another piece of interventionist federal legislation that will have a negative impact on your municipality, and on the property rights of your ratepayers.

Bill C-68, which is currently before the Senate, reverses changes to the Fisheries Act – changes which municipalities similar to yours requested our previous Conservative government to make.

Specifically, we amended the "HADD" provisions of the Act, (Harmful Alteration Disruption or Destruction of fish habitat).

One of the most significant problems identified by municipalities about the HADD provision was its broad application and restrictive nature, which ended up costing property taxpayers thousands of dollars, with no real or apparent benefit to the environment.

Municipalities which needed to install culverts or other flood mitigation work were in too many cases faced with negative enforcement after work was completed, with inconsistent guidance when they sought direction for compliance.

In addition to repealing our amendments, the current Federal Government has expanded the definition of "habitat," and added a new concept to the Act, "water flow."

By explicitly adding in the concept of water flow, which was not in the old legislation, the scope of offences municipalities can be charged with, have been greatly expanded.

Worst of all, rather than specifically listing what is and is not an offence under this legislation, including fines or jail, this power has been handed over to the unelected technocrats, to determine by regulation, what the penalties for non-compliance will be, after they have determined what is non-compliance.

As the longest consecutive serving Conservative MP in Ontario, representing a predominantly rural riding, I am very aware of the challenges rural and small-town municipalities have faced dealing with the Federal government.

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Toll Free: 1-866-295-7165
Website: www.cherylgallant.com

All municipalities should be demanding the Federal Government provide regulatory certainty before this legislation is passed into law.

Clear regulatory certainty is necessary to prevent the return of conflicted interpretations, and inconsistencies in enforcement of the Fisheries Act which happened in the past.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Gallant". The signature is written in black ink and is positioned below the word "Sincerely,".

Cheryl Gallant, M.P.
Renfrew—Nipissing—Pembroke
CG:mm

Councillors

R. Bruce Banman
Les Barkman
Sandy Blue
Kelly Chahal



CITY OF ABBOTSFORD

Mayor, Henry Braun

Councillors

Brenda Falk
Dave Loewen
Patricia Ross
Ross Siemens

April 18, 2019

File: 0530-03

Via Post and Email: premier@gov.bc.ca

Honourable John Horgan,
Premier of British Columbia
PO Box 9041 STN Prov Govt
Victoria, BC V8W 9E1

Dear Premier Horgan:

Re: City of Abbotsford, Resolution: Criminal Justice Reform in British Columbia

On behalf of Abbotsford City Council, I am requesting your favourable consideration and resolutions of support for Criminal Justice Reform in BC to enhance efforts to address the Lower Mainland Gang Conflict.

At the April 15, 2019 Council Meeting, Council approved the following resolution:

Resolution: Criminal Justice Reform in British Columbia

WHEREAS British Columbia currently has the highest threshold/charge approval standard in Canada in proceeding with charges and criminal prosecution of gangsters while communities across British Columbia's lower mainland have concurrently seen a year over year rise in gang-related homicide and violence;

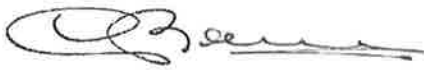
AND WHEREAS ongoing court delays favour the rights of the accused over the rights of victims and/or the community;

AND WHEREAS the Government of Canada committed \$328-million over 5 years beginning in 2018, and \$100-million annually thereafter to tackle the increase in gun related violence and gang activity in Canada as well as \$43 million annually in the National Crime Prevention Strategy to develop cost-effective ways to prevent crime among at-risk populations and vulnerable communities.

THEREFORE BE IT RESOLVED that the Mayor's Caucus/UBCM request that, in support of addressing the ongoing gang violence across the lower mainland of BC, the Province of BC and BC's Attorney General and Minister of Public Safety immediately begin working with the Government of Canada to take steps to explore initiatives to address issues within the British Columbia justice system including BC's restrictive charge approval standards, the ongoing high volume of court delays as well as measures to address community safety in support of the rights of all Canadians to live in safe communities.

We look forward to your support on this matter.

Yours truly,



Henry Braun
Mayor

- c. Hon. Mike Farnworth, Minister of Public Safety and Solicitor General
- Hon. David Eby, Attorney General
- Hon. Darryl Plecas, Speaker of the Legislative Assembly of British Columbia, MLA Abbotsford South
- Simon Gibson, MLA, Abbotsford-Mission
- Mike de Jong, MLA Abbotsford West
- Council members
- Peter Sparanese, City Manager
- Mike Serr, Chief Constable, Abbotsford Police Department
- The Union of British Columbia Municipalities (UBCM) Annual Convention
- British Columbia Municipalities and Regional Districts
- Canadian Association of Chiefs of Police
- British Columbia Association of Police Boards

Councillors

R. Bruce Banman
Les Barkman
Sandy Blue
Kelly Chahal



CITY OF ABBOTSFORD

Mayor, Henry Braun

Councillors

Brenda Falk
Dave Loewen
Patricia Ross
Ross Siemens

April 18, 2019

File: 0530-03

Via Post and Email: premier@gov.bc.ca

Honourable John Horgan,
Premier of British Columbia
PO Box 9041 STN Prov Govt
Victoria, BC V8W 9E1

Dear Premier Horgan:

Re: City of Abbotsford, Resolution: Continued Widening of TransCanada Highway # 1, through the Fraser Valley

On behalf of Abbotsford City Council, I am requesting your favourable consideration and resolutions of support for the continued widening of the TransCanada Highway #1, through the Fraser Valley.

At the April 15, 2019 Council Meeting, Council approved the following resolution:

Resolution: Continued Widening of TransCanada Highway #1, through the Fraser Valley

WHEREAS the critical congestion problems on the TransCanada Highway between the Fraser Valley and the Port Mann bridge continue to interrupt a safe, reliable and efficient multi-modal transportation network that supports employment and economic development movement of goods and services, as well as job creation for the Province of BC;

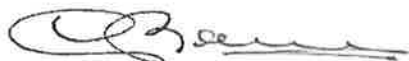
AND WHEREAS the Federal Government has already identified the continuation of the next phase of the TransCanada Highway 6-laning improvements from 216th street to the Whatcom Road interchange as a priority to expand markets for key local economic sectors, support thousands of residents in accessing employment, support the continued success of the Abbotsford International Airport, provide access to Universities, hospitals, aid in the reduction of greenhouse gas emissions, improve affordability of families, and support increased public safety through the reduction of traffic congestion:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to prioritize funding toward the expansion of the TransCanada Highway through the Fraser Valley;

AND BE IT FURTHER RESOLVED that this funding be made a high priority of the government of British Columbia.

We look forward to your support on this matter.

Yours truly,



Henry Braun
Mayor

- c. Hon. François-Philippe Champagne, Minister of Infrastructure and Communities, Canada
- Hon. Claire Trevena, Minister of Transportation and Infrastructure, BC
- Hon. Darryl Plecas, Speaker of the Legislative Assembly of British Columbia, MLA Abbotsford South
- Jati Sidhu, MP Mission-Matsqui-Fraser Canyon
- Ed Fast, MP Abbotsford
- Simon Gibson, MLA, Abbotsford-Mission
- Mike de Jong, MLA Abbotsford West
- Council members
- Peter Sparanese, City Manager
- Mike Serr, Chief Constable, Abbotsford Police Department
- The Union of British Columbia Municipalities (UBCM) Annual Convention
- British Columbia Municipalities and Regional Districts
- Greater Vancouver Board of Trade
- Vancouver Port Authority
- Surrey Board of Trade

VILLAGE OF GOLD RIVER

Bylaw No. 704, 2018

**A bylaw to authorize the use of municipal ticketing
for the enforcement of certain bylaw offences.**

WHEREAS Section 264 of the *Community Charter* authorizes the Council to, by bylaw;

- a) designate a bylaw that falls outside a category of bylaws prescribed by regulation under Section 273(b) of the *Community Charter*,
- b) designate as a bylaw enforcement officer a person who comes within a class of persons prescribed by regulation under Section 273(c) of the *Community Charter*,
- c) authorize the use of any word or expression on a ticket issued under Section 264(2) of the *Community Charter* to designate an offence against a bylaw, and
- d) for the purpose of Section 265(1)(a) of the *Community Charter*, set a fine not greater than the amount prescribed by regulation.

NOW THEREFORE, the Council of the Village of Gold River, in open meeting assembled, enacts as follows:

1. The bylaws as amended from time to time listed in Column 2, "Designated Bylaws" of Schedule 1 to this Bylaw, may be enforced by means of a ticket in the form prescribed for the purpose of Section 264 of the *Community Charter*.
2. The persons who act in the job position or titles listed in Column 3, "Designated Bylaw Enforcement Officers" of Schedule 1 to this Bylaw are designated as Bylaw Enforcement Officers pursuant to Section 264(1)(b) of the *Community Charter* for the purpose of enforcing the bylaws listed in Column 2 of Schedule 1.
3. The words or expressions set forth in Column 1, "Designated Offence" of Schedules 2 through 11 to this Bylaw, may be used to designate an offence against the section of the bylaw appearing opposite thereto in Column 2 of Schedules 2 through 11 to this Bylaw.
4. The amounts appearing in Column 3 of Schedules 2 through 11 to this Bylaw are the penalties established for municipal ticket information relating to an offence against the section of the bylaw appearing opposite thereto in Column 2 of Schedules 2 through 11 to this Bylaw.
 - i) The amounts appearing in Column 4 of Schedules 2 through 11 to this Bylaw are the penalties established for municipal ticket information relating to an offence against the section of the bylaw appearing opposite thereto in Column 2 of Schedules 2 through 11 to this Bylaw, if paid within 30 days of the date of issuance of a ticket in the form prescribed for the purpose of Section 263 of the *Community Charter*.
5. In the case of a continuing offence, each day that the offence continues constitutes a new offence.

6. If notice of dispute is given in accordance with Section 267(1)(b) of the *Community Charter*, the Chief Administrative Officer or the solicitor for the Village shall refer the disputed ticket to the Provincial Court for a hearing.
7. Schedules 1 through 11 attached hereto shall form part of this Bylaw.
8. Upon adoption of this Bylaw, the Village of Gold River Municipal Ticketing Bylaw No. 668, 2008 and all amendments thereto, are hereby repealed in its entirety.
9. If any section, subsection, sentence, clause, phrase or lesser portion of this bylaw is, for any reason, held to be invalid by a decision of any court of competent jurisdiction the invalid portion of the bylaw shall be severed and the remaining provision of this bylaw shall not be affected.
10. This Bylaw may be cited for all purposes as "Municipal Ticket Information Bylaw No. 704, 2018".

READ A FIRST AND SECOND TIME THIS	26 TH	DAY OF	JULY	2018.
READ A THIRD TIME THIS	26 TH	DAY OF	JULY	2018.
ADOPTED THIS	7 TH	DAY OF	AUGUST	2018.

B. Unger

MAYOR

L. Plourde CORPORATE ADMINISTRATOR

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 1

Column 1 Schedule	Column 2 Designated Bylaws	Column 3 Designated Bylaw Enforcement Officers
2.	Animal Control Bylaw No. 646, 2005 and Amendment Bylaw No. 646.1, 2008	Chief Administrative Officer Bylaw Enforcement Officer RCMP Officer
3.	Business Licence Bylaw No. 589, 1998	Chief Administrative Officer Bylaw Enforcement Officer RCMP Officer
4.	Street & Traffic Bylaw No. 667, 2008	Chief Administrative Officer Bylaw Enforcement Officer RCMP Officer
5.	Zoning Bylaw No. 706, 2018	Chief Administrative Officer Bylaw Enforcement Officer Building Inspector RCMP Officer
6.	Trade Waste and Garbage Bylaw No. 612, 2001	Chief Administrative Officer Bylaw Enforcement Officer Public Works Supervisor/Supt. RCMP Officer
7.	Water Rates and Regulations Bylaw No. 613, 2001	Chief Administrative Officer Bylaw Enforcement Officer Public Works Supervisor/Supt. RCMP Officer
8.	Park Use Bylaw No. 654, 2006	Chief Administrative Officer Bylaw Enforcement Officer Parks & Recreation Manager RCMP Officer

9.	Crossing Control Bylaw No. 656, 2006	Chief Administrative Officer Bylaw Enforcement Officer Public Works Supervisor/Supt. RCMP Officer
10.	Noise Control Bylaw No. 665, 2008	Chief Administrative Officer Bylaw Enforcement Officer RCMP Officer
11.	Unsightly Premise Bylaw No. 666, 2008	Chief Administrative Officer Bylaw Enforcement Officer RCMP Officer

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 2

ANIMAL CONTROL BYLAW NO. 646.1, 2008

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Failure to display a valid licence	2 (3)	\$50.00	\$30.00
Dog at large – First offence	3 (1)	\$50.00	\$30.00
Second offence		\$100.00	\$60.00
Third and subsequent offence		\$200.00	\$120.00
Failure to muzzle/leash Dangerous or Restricted Dog	3 (2)	\$200.00	\$120.00
Failure to enclose Dangerous or Restricted Dog	3 (3)	\$200.00	\$120.00
Failure to keep a female dog, in season, effectively confined on private premises	3 (4)	\$100.00	\$60.00
Resisting, interfering with, or obstructing the pound keeper or designate in performance of duties	3 (5)	\$100.00	\$60.00
Keeping a dangerous or noisy dog	3 (6)	\$100.00	\$60.00
Dog creating a nuisance, disturbance or health hazard	3 (7)	\$100.00	\$60.00
Failure to remove animal faeces	3 (8)	\$100.00	\$60.00
Unlawful keeping of animals	3 (9)	\$100.00	\$60.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 3

BUSINESS LICENCE BYLAW NO. 589, 1998

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Operate without a valid business licence	3 (i)	\$100.00	\$60.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 4

STREET & TRAFFIC BYLAW NO. 667, 2008

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Stopping or Parking of Vehicles	5.1 (a) to (x)	\$50.00	\$30.00
Violation of Parallel Parking	5.2 (a) (b) (c) (d) (e)	\$50.00	\$30.00
Park commercial vehicle or trailer over 2 hours	5.3 (a)	\$50.00	\$30.00
Park or place unattached commercial trailer on street without permit	5.3 (b)	\$50.00	\$30.00
Park derelict vehicle on public property	5.6(a)	\$100.00	\$60.00
Park derelict vehicle on private property	5.6(b)	\$100.00	\$60.00
Person(s) obstructing street or sidewalk	7.1	\$50.00	\$30.00
Interference with pedestrians or traffic	7.2 (b)	\$100.00	\$60.00
Overloaded passenger vehicle	7.9 (a)	\$100.00	\$60.00
Operating vehicle with tracks, cleats, ribs, clamps, flanges etc. on street	7.9 (b)	\$250.00	\$150.00
Vehicle dropping, leaking, shifting load	7.9 (c)	\$250.00	\$150.00
Insecurely fastened cover on load	7.9 (d)	\$100.00	\$60.00
Vehicle overweight/dimension/coupled	7.9 (e)	\$250.00	\$150.00
Removal of posted notice on vehicle	7.10	\$100.00	\$60.00
Illegal overnight parking or camping	7.11	\$100.00	\$60.00
Remove, alter, deface, cover up or damage traffic control device	7.12	\$100.00	\$60.00
Display imitation traffic control device	7.13	\$200.00	\$120.00
Conduct business from a vehicle or place merchandise on street	7.14	\$200.00	\$120.00
Refuse from vehicle	7.16	\$50.00	\$30.00
Works on street, sidewalk, curbing without permit	7.17 7.18	\$100.00	\$60.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 5

ZONING BYLAW NO. 706, 2018

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Parking or storage of trucks, commercial vehicles or equipment in residential zone not for the construction, repair, servicing or maintenance of the residential property	4.3 (1) (a)	\$100.00	\$60.00
Parking or storage of more than one licensed commercial vehicle or commercial vehicle that exceeds 5000 kg rated capacity in a residential zone	4.3 (1) (b)	\$100.00	\$60.00
Parking or storage of derelict vehicle for longer than 90 days or more than one derelict vehicle – Failure to store derelict vehicle in a garage or enclosed carport	4.3 (1) (c)	\$100.00	\$60.00
Parking or storage of automobiles, vehicles, recreational boats and trailers for other than the personal use of the occupants of the residential property	4.3 (1) (d)	\$100.00	\$60.00
Parking or storage of vehicles for a single family dwelling exceeds 3 vehicles	4.3 (2)	\$100.00	\$60.00
Parking or storage of vehicles, equipment, boats, trailers, recreational vehicles or any similar vehicle, craft or equipment on vacant lot in residential zone	4.3 (3)	\$100.00	\$60.00
Parking, storage or repair of commercial vehicles, contractor or industrial equipment or commercial boats on residential lot	4.3 (4)	\$150.00	\$90.00
Exceeding permitted number of livestock	4.5 (1) (b)	\$100.00	\$60.00
Keeping of non-permitted livestock	4.5 (1) (b)	\$100.00	\$60.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 6

TRADE WASTE AND GARBAGE BYLAW NO. 612, 2001

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> Penalty if paid within 30 days
Dispose of Recyclables, Solid Waste, Yard Waste or Controlled Waste contrary to bylaw.	3 (a)	\$100.00	\$60.00
Dispose of Recyclables, Solid Waste, Yard Waste or Controlled Waste in any public or other open place.	3 (b)	\$100.00	\$60.00
Receptacles placed at curb other than on the day set for collection	10	\$100.00	\$60.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 7

WATER RATES AND REGULATIONS BYLAW NO. 613, 2001

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Illegal Connections	9	\$200.00	\$120.00
Illegal Use	10 (a) (b) (c)	\$200.00	\$120.00
Tampering with System – without permit or authorization	11 (a)	\$200.00	\$120.00
Tampering with System – willful damage, destruction, uncover etc.	11 (b)	\$200.00	\$120.00
Use of Fire Hydrant or Standpipe without permission	12	\$200.00	\$120.00
Water Waste	13	\$100.00	\$60.00
Obstruction of Access	14	\$200.00	\$120.00
Restriction of Water Use – watering outside of water use restriction	17	\$100.00	\$60.00
Turn on and turn off	26 (c)	\$200.00	\$120.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 8

PARK USE BYLAW NO. 654, 2006

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Camp or sleep overnight on Public Lands without permit	7.2	\$100.00	\$60.00
Unauthorized building or placement of a temporary structure or facility on Public Use Lands	7.3	\$100.00	\$60.00
Start or permit to be started any fire on Public Use Lands	8.1	\$200.00	\$120.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 9

CROSSING CONTROL BYLAW NO. 656, 2006

<u>Column 1</u> Designated Offence	<u>Column 2</u> Section	<u>Column 3</u> Penalty	<u>Column 4</u> Penalty if paid within 30 days
Construct, repair, improve or pave a Crossing without being the holder of a Crossing Permit	3.1	\$150.00	\$90.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 10

NOISE CONTROL BYLAW NO. 665, 2008

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> <i>Penalty if paid within 30 days</i>
Noise causing disturbance	3.1	\$150.00	\$90.00
Objectionable noise causing disturbance <ul style="list-style-type: none"> - Amplified music or speech between 11:00 p.m. and 9:00 a.m. - Animal or bird which persistently cries, barks, or howls, - Idling or continuously running of a diesel engine, truck or bus for more than 15 minutes at the same location, - Erecting, demolishing, constructing, reconstructing, altering or repairing of any building or other structure before 7:00 a.m. or after 9:00 p.m. Monday to Saturday, and before 9:00 a.m. or after 6:00 p.m. on Sundays and Statutory Holidays, - Using lawn or yard maintenance equipment, drills, compressors or other equipment before 7:00 a.m. or after 9:00 p.m. daily, - Loading, unloading, delivering, collection, packing, unpacking or otherwise handling any containers, products, materials or refuse whatsoever before 7:00 a.m. or after 9:00 p.m. daily in any Residential area, - Creating noise or sounds by blasting or the operation of drills, compressors or other equipment used to prepare land for blasting before 7:00 a.m. or after 5:00 p.m. Monday to Saturday and at all times on Sundays and Statutory Holidays. 	3.3	\$150.00	\$90.00

MUNICIPAL TICKET INFORMATION BYLAW NO. 704, 2018

SCHEDULE 11

UNSIGHTLY PREMISE BYLAW NO. 666, 2008

<u>Column 1</u> <i>Designated Offence</i>	<u>Column 2</u> <i>Section</i>	<u>Column 3</u> <i>Penalty</i>	<u>Column 4</u> Penalty if paid within 30 days
Accumulation of rubbish or litter	3.1	\$150.00	\$90.00
Unsightly premise (includes accumulation of filth, discarded materials, uncut grass, excessive weeds or other noxious weeds, accumulation of mechanical or heavy construction equipment on a site not zoned for such use)	4.1	\$150.00	\$90.00



**VILLAGE OF SAYWARD
BYLAW NO. 452**

**A BYLAW TO PROVIDE FOR THE LICENSING AND REGULATING OF BUSINESSES WITHIN
THE VILLAGE OF SAYWARD**

WHEREAS the Council for the Village of Sayward deems it necessary and expedient to provide for the regulation and licensing of businesses.

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. REPEAL

That “**Business Licence Bylaw No. 444, 2019**” is hereby repealed in its entirety.

2. CITATION

This bylaw may be cited as “**Business Licence Bylaw No. 452, 2019**”.

3. DEFINITIONS

APPLICANT means any person who makes application for a Business Licence under the provisions of this bylaw.

BUILDING INSPECTOR means the building inspector for the Village.

BUSINESS means the carrying on of a commercial or industrial undertaking of any kind or nature or providing a professional, personal or other service for the purpose of gain or profit.

BYLAW means this bylaw.

COMMERCIAL BUSINESS means a Business that is permitted in the zones designated in the Zoning Bylaw.

COUNCIL means the Council of the Village of Sayward.

EMPLOYEE means a full-time employee, permanent part-time or full time equivalent.

HOME OCCUPATION means any Business permitted in residential areas designated in the Zoning Bylaw which is clearly incidental to the use of the dwelling unit for residential purposes.

HOME OCCUPATION - ARTISAN means any Business permitted in residential areas designated in the Zoning Bylaw which is clearly incidental to the use of the dwelling unit for residential purposes and includes arts, crafts and home baking, where that property clearly has an identifiable Sayward mailing address.

INDUSTRIAL BUSINESS means a Business that is permitted in the zones designated in the Zoning Bylaw.

LICENCE INSPECTOR means the the Person appointed from time to time as the Village

Inspector.

MOBILE VENDER means a business utilizing a motor vehicle or manually powered cart for the purpose of vending food and non-alcoholic beverages.

MISCELLANEOUS BUSINESS means any Business not based in the Village of Sayward and includes a Non-Resident Business.

NON-RESIDENT BUSINESS means a Business, other than a Resident Business, carried on in the Village or with respect to which any work or service is performed in the Village;

PERSON means an individual and shall include a firm or partnership, association, company, society, body corporate, and the singular shall mean and include the plural, masculine, feminine and converse.

RENTAL UNITS/SPACES means any building containing dwelling units or other types of rental units that is permitted in the zones designated in the zoning bylaw.

RESIDENT BUSINESS means a Business carried on, in or from premises within the Village.

RESIDENTIAL BUSINESS means the carrying on of a Business within the primary dwelling unit in a residential zone.

VILLAGE means the Village of Sayward.

4. LICENSING

(a) Council shall:

- (i) require an owner or operator of a Business to hold a valid and subsisting licence for carrying on a Business;
- (ii) fix and impose licence fees for licences; and
- (iii) provide for the collection of licence fees and the granting and issuing of licences.

(b) Council may establish areas within the Village of Sayward in which licensed Mobile Venders may operate and may make such regulations for mobile vending as it deems appropriate and necessary.

5. COMPLIANCE WITH BYLAWS AND ENACTMENTS

Where any Federal or Provincial Act or Regulation or any other Village bylaw applies to any matter covered by this Bylaw, the issuance of a Business Licence under the provisions of this Bylaw shall not relieve the licensee from complying with the provisions of such enactments. The Licence Inspector may refuse to grant a licence for a Business where the premises upon which the Applicant wishes to conduct the Business does not comply with the requirements of the Village's bylaws regulating building, zoning, health, sanitation and this Bylaw.

6. APPLICATION

Every Person applying for a Business Licence shall complete a Business Licence Application, which is attached to this bylaw as Schedule "A". The completion and submission of an application is not a Business Licence and does not grant any right to carry on the intended Business. The application will be reviewed by the Licence Inspector for completeness and conformity of the proposed Business with Village bylaws.

When the use of the Business location changes, prior to issuing a Business Licence, the Building Inspector must be notified of the change. Once the Building Inspector provides the Licence Inspector with written assurances that all aspects of the BC Building Code and the Village's Building Bylaw are complied with, a Business Licence may be issued if compliance with any and all other Bylaws, rules and regulations is achieved, and payment of the required fee is received.

7. BUSINESS LICENCE FEES

Fees under this Bylaw shall be payable as set out in Village of Sayward Fees and Charges Bylaw.

8. SEPARATE LICENCE PREMISES

For the purposes of this Bylaw, where a Business is carried on, in or from more than one premises, the Business carried, in or from each premises shall be deemed a separate and distinct Business, except for a Building Rental Business, which may rent or lease suites from more than one premises under a single Business Licence.

9. TRANSFER

No Business Licence shall be transferred from one Person in respect of certain premises to that same Person in respect to another premise, without prior approval of the Licence Inspector. Such transfer shall be refused by the Licence Inspector where the premises to which the Applicant wishes to transfer the licence do not comply with the requirements of the Village's bylaws regulating building, zoning, health, sanitation and business, or any other rules and regulations.

10. DISPLAY LICENCE

The Business Licence holder or Person in charge or control of the premises where the Business is carried on or practiced, shall at all times keep the Business Licence prominently displayed in the sales or reception area of the premises to which the public has access, or an area designated by the Licence Inspector.

11. NOTIFY OF CHANGES

Every holder of a Business Licence shall notify the Licence Inspector of any changes in the mailing and/or Business location, the classification of the Business, or any alteration to the premises in which the Business is carried out, and upon the termination of the carrying on of the Business by the Business Licence holder. The Business Licence holder shall notify the Licence Inspector that the Business Licence is no longer required and shall surrender the Business Licence to the Licence Inspector.

12. PERMITS AND CERTIFICATION

Prior to the issuance of a Business Licence for any Business, a Person applying for the Business Licence shall, where applicable, provide to the Licence Inspector proof that the Applicant has obtained all required permits and certifications from Federal and/or Provincial regulating bodies respecting their Business.

13. LICENCE PERIOD

(a) Except as provided for in Schedule "A", Business Licenses shall be granted for a period of one-year, commencing on the first day of January and terminating on the last day of December each calendar year.

- (b) Business Licence holders are required to renew their Business Licence by submitting the required fee prior to April 1st each year.

14. ASSIGNMENT OF BUSINESS LICENCE

In the event of sale of a Business for which a Business Licence is issued, the Licence Inspector may permit an assignment of the Business Licence to the purchaser of a Business on an application for assignment upon receipt of the fee outlined in the Village of Sayward Fees and Charges Bylaw. Such transfer shall not, however, be approved if the proposed assignee is not a Person qualified under the terms of this, or any other bylaw to carry on the Business for which the Business Licence was issued, or if the premises do not comply with the requirements of the bylaws of the Village regulating building, zoning, health, sanitation and businesses or any other rules and regulations.

15. GRANTING AND SUSPENSION

- (a) The Licence Inspector may grant a Business Licence where the Licence Inspector is satisfied that the Applicant has complied with all the requirements of the bylaws of the Village, and may suspend, for such a period as the Licence Inspector may determine, any Business Licence if the holder of the Business Licence:
 - (i) is convicted of an indictable offence in Canada where that offence is related to the nature of the Business for which the Business Licence has been issued;
 - (ii) is convicted of an offence under any Village bylaw or statute of the Province in respect of the Business for when the Business Licence holder is licensed or with respect to the premises named in the Business Licence;
 - (iii) has, in the opinion of the Licence Inspector, been guilty of gross misconduct in respect to the premises named on the Business Licence as to warrant the suspension of the Business Licence;
 - (iv) has ceased to meet the lawful requirements to carry on the Business for which the Business Licence holder is licensed or with respect to the premises named in the Business Licence;
 - (v) has failed to comply with the terms and conditions of this Bylaw or the Business Licence.
- (b) Any Person whose Business Licence has been suspended under this section may appeal to Council, and upon appeal, the Council may confirm or set aside the suspension on such terms Council may determine.
- (c) Council may revoke a Business Licence for reasonable cause after giving notice to the Business Licence holder and after giving the Business Licence holder an opportunity to be heard.
- (d) The Licence Inspector may, upon receiving an application for a Business Licence, refer the decision of granting or refusing to grant a Business Licence to Council, who, for that purposes, may decide to conduct a hearing.

- (e) The suspension of a Business Licence by the Licence Inspector shall be made by notice in writing signed by the Licence Inspector and served on that Person holding such Licence or delivered to the holder of such Business Licence by registered mail to the address given by the licensee on the Business Licence Application. A notice of such suspension of a Business Licence may be posted by the Licence Inspector upon the premises for which the Business Licence is issued and such notice shall not be removed until the Business Licence is reinstated, the former licensee ceases to occupy the premises, or a new Business other than the one carried on by the former licensee is started in the premises, whichever first occurs.

16. FAMILY, GROUP DAYCARE AND COMMUNITY CARE FACILITIES

Applicants under this category must provide verification that they are licensed pursuant to all relevant Provincial and Federal statutes.

17. USE OF HIGHWAYS, PARKS AND PUBLIC SPACES

No Person shall offer for sale any goods or merchandise on Highways, Parks or Public Open Spaces within the boundaries of the Village unless they have first complied with all applicable Village bylaws and/or permission by resolution of Council is granted.

18. SPECIAL EVENTS

Council may, by resolution, allow multiple vendors to do business in a Park or Public Open Space for special events such as Canada Day without a Business Licence. Individual vendors at a farmer's market or similar event may operate without a Business Licence at the discretion of the Inspector.

19. REFUND OF FEES

If a Business Licence application is refused by the village or if a Business Licence application is cancelled by the Applicant prior to the issuance of a Business Licence, the Village will reimburse the cost of the Business Licence. Where a Business Licence has been applied for and a Business Licence issued, the Licence Inspector may refund fifty percent (50%) of the Business Licence fee if the Business has clearly not been in operation. Where a Business has been in operation, there will be no refund of the Business Licence fee.

20. ENFORCEMENT

A Peace Officer, Bylaw Enforcement Officer or designate and any other person duly authorized by the Village may enter onto any property at any reasonable time to ascertain whether provisions of this Bylaw are being observed and is authorized and may apply a penalty in accordance with section 19 of this Bylaw, if deemed necessary.

21. OFFENCES AND PENALTIES

- (a) If any Person contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
 - (i) a fine in accordance with the Village of Sayward "Ticketing Offence Bylaw", if the information respecting the infraction is laid by means of a ticket; or

- (ii) upon summary conviction, a fine not exceeding \$2,000.00 and the costs of prosecution.

22. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Amended at second reading on the 16th day of April 2019.

Read a third time on the 16th day of April 2019.

Adopted on the ____ day of _____ 2019.

Mayor

Chief Administrative Officer

SCHEDULE "A"
Village of Sayward
Business Licence Application

Name of Business: _____

Business Street Address: _____

Business Mailing Address: _____

_____ Postal Code: _____

Business Phone Number: _____ Business Fax Number: _____

Type of Business _____

Home Based Business: Y N Number of Employees: _____

Name of Business Owner: _____ Postal Code: _____

Name of Operator (if different from Owner): _____

Address of Operator: _____ Postal Code: _____

Operator's Home Number : _____ Is the property _____ leased Owned _____

Name of Property Owner (if leased): _____

Address of Property Owner: _____

_____ Postal Code: _____

Number of Units (campsites, rooms): _____ Number of Seats (restaurant/pub): _____

Other Permits or Licences Required: Ministry of Environment Permit: _____ Liquor Licence: _____

Health Permit: _____ Fire Inspector: _____ Other: _____

I understand that a Business Licence is an annual requirement and must be renewed each year; that my Business Licence may require permits and licences from other government agencies; that satisfactory proof of their approval must be provided prior to the issuance of a Business Licence; that my Business abide by the bylaws of the Village which include water, sewer and waste disposal, which may establish annual or other rates to be paid for certain services; that these rates also apply to home based businesses; that any fees for services payable are effective the date of issuance of this permit; and that this Business Licence is issued on the condition that any changes to the information provided will be provided immediately to the Licence Inspector. I hereby submit my application for Business Licence and fully understand the conditions contained herein.

 Signature of Applicant

 Date of Application

For Office Use Only

Property Zoned: _____ Is Proposed Use Permitted: __ Yes __ No

Other Agency Approval required: __ Yes __ No (specify) _____

Other Agency Permits or Licence required: __ Yes __ No (specify) _____

Building Inspector Approval Required: __ Yes No __ (specify) _____

Council Approval Required: __ Yes No __ _____

Copy of approval provided: __ Yes No __ _____
(when change in use occurs)

Fee: _____

Approved: _____ Denied: _____

Licence Inspector

Date

Special comments:



VILLAGE OF SAYWARD
BYLAW NO. 451

A BYLAW TO ESTABLISH SPECIFIED FEES AND CHARGES FOR MUNICIPAL SERVICES

WHEREAS the Council for the Village of Sayward is authorized pursuant to section 194 of the Community Charter to impose fees and charges with respect to services provided by the Village of Sayward.

WHEREAS the Council for the Village of Sayward deems it necessary to provide for such fees and services.

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. REPEAL

That “**Fees and Charges Bylaw No. 445, 2019**” is repealed in its entirety.

2. CITATION

This bylaw may be cited as “**Fees and Charges Bylaw No. 451, 2019**”.

3. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

4. CONSEQUENTIAL AMENDMENTS

The following Bylaws are hereby amended:

- (a) Solid Waste Collection Regulations and Rates Bylaw No. 440, 2018 is hereby amended by deleting Schedule A in its entirety and adding the following as Section 5: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.
- (b) Water Rate Bylaw No. 438, 2018 is hereby amended by deleting Schedule A in its entirety and adding the following as Section 10: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.
- (c) Sewer Rate Bylaw No. 439, 2018 is hereby amended by deleting Schedule A in its entirety and adding the following as Section 10: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.
- (d) Building Bylaw No. 334, 2005 is hereby amended by deleting Appendix A, Appendix B, Appendix C and Appendix D in their entirety and adding the following as Section 14.6: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.

- (e) Animal Control Bylaw No. 418, 2015 is hereby amended by deleting Schedule A and adding the following as Section 4.10 and Section 6.13: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.
- (f) Business License Bylaw No. 242, 1992 is hereby amended by deleting Schedule A and adding the following as Section 3(9): “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.
- (g) Fire Protective Services Bylaw No. 383, 2010 is hereby amended by deleting Schedule A Schedule B and Schedule D in their entirety and adding the following as Section 82: “Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw”.

5. SCHEDULES

Schedule A – General Administration
Schedule B – Sayward News
Schedule C – Kelsey Centre
Schedule D – Solid Waste Collection
Schedule E – Water Rates (2019)
Schedule F – Sewer Rates (2019)
Schedule G – Building Fees and Charges
Schedule H – Animal Control
Schedule I – Business Licenses
Schedule J – Fire Protective Services
Schedule K – Municipal Campground

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Read a third time on the 16th day of April 2019.

Adopted on the ____ day of _____ 2019.

Mayor

Chief Administrative Officer

SCHEDULE A
GENERAL ADMINISTRATION

DESCRIPTION	FEE
Cheque returned as Not-Sufficient Funds	\$40.00
Property tax certificate	\$25.00
Photocopies – Colour	\$1.00/page
Photocopies – Black and White	\$0.50/page
Faxes	\$1.25 first page \$0.50 each additional page
Scan and email	\$0.25/page

SCHEDULE B
SAYWARD NEWS

DESCRIPTION	FEE
Copy Ready Ads and Articles per Issue	
Full page	\$45.00
½ page	\$30.00
¼ page	\$20.00
1/8 page	\$10.00
Business card (3.75" x 2.5")	\$8.00
Ads and Articles placed in multiple issues	
2x – 15% discount on total	
3x to 5x – 25% discount on total	
More than 5x – 35% discount	
Set-up Charges (if applicable)	
Full page	\$45.00
½ page and ¼ page	\$30.00
1/8 page and business card	\$20.00
Business Directory	
Business listing which includes name, logo, contact information and a brief description of business. Published 12 times a year plus feature business ad once a year (1/4 page)	\$60.00/year
Classified Ads	
25 words or less	\$5.00
Additional words	\$0.05/each
Community/Family announcements, Memorials, Thank You's or non-Profit Groups	
1. Individual – 1/8 page free	
2. Non-profit – ¼ page free	
For larger pages sizes rates above apply	
*Rates include PST and GST	
** Set-up charges include any non-copy ready work the Village is asked to create or modify to fit the newsletter.	

SCHEDULE C
KELSEY CENTRE

EQUIPMENT RENTAL	PRICE	SECURITY DEPOSIT
Party tent(s)	\$125.00 for 2 days Late fee \$125.00/day	\$125.00 each
Tables	\$7.50 each	\$25.00
Chairs (folding)	\$2.00 each	\$10.00 each
Set of 5 tables and 20 chairs	\$55.00	\$100.00
Table and chair sets, 1 table and 6 chairs	\$15.00	\$35.00
BBQ	\$125.00/day	\$250.00
Popcorn machine	\$50.00/day	\$75.00
Dish rental	\$30.00/day	\$30.00
Coffee urn rental	\$20.00/day	\$20.00
Mats (for first aid, etc.)	\$2.50	\$5.00

ROOM RENTAL	PRICE	CLEANING DEPOSIT
Bar rental if alcohol is being served (renter responsible for own supplies and permit)	\$100.00 flat rate	\$75.00
Bar if no alcohol being served (renter responsible for own supplies and permit)	\$50.00 flat rate	\$75.00
Gym-Adult Activities Table and chairs included	\$50.00/hour \$350.00/day	\$200.00 \$250.00
Gym-Child/Youth/Senior Activities Table and chairs included	\$40.00/hour \$300.00/day	\$200.00 \$250.00
Gym-Private/Commercial Use	\$50.00/hour \$350.00/day	\$200.00 \$250.00
Gym, kitchen and bar rate	\$150.00/hour \$425.00/day	\$250.00 \$300.00
Kitchen-use of all existing equipment (paper plates/cups and napkins excluded)	\$75.00 flat rate	\$75.00
Multipurpose room	\$25.00/hour \$100.00/day	\$75.00

MEETING ROOM RENTALS	PRICE
Daily	\$100.00
Hourly	\$30.00
Weekly (once a week event)	\$25.00/hour
Monthly (once a week event)	\$25.00/hour
One-night event	\$100.00

KELSEY CENTRE

POOL USE	SINGLE	10-PACK	MONTHLY
After School Program	\$7.50	\$75.00	N/A
Child/Youth	\$3.00	\$27.00	\$36.00
Adult	\$5.00	\$45.00	\$60.00
Senior	\$4.00	\$36.00	\$48.00
Family (immediate)	\$15.00	\$135.00	\$180.00

POOL RENTAL	PRICE
Pool rental with one lifeguard	\$150.00 first hour then \$75.00 each additional hour
Pool rental with two lifeguards	\$175.00 first hour then \$105.00 each additional hour
Pool rental without lifeguard (must provide own certified life guard)	\$150.00 first hours then \$60.00 for each additional hour
School Board	Price negotiable
Special school rate (ex: swim lessons)	Price negotiable

OVERNIGHT CAMP-IN RENTALS	
DESCRIPTION	PRICE
Gym, kitchen and one hour in pool with lifeguard	\$400.00
Gym, kitchen, multi-purpose room and one hour in pool with lifeguard	\$500.00

KELSEY CENTRE

SWIMMING LESSON	PRICE
Parent and Tot Swim Kids (Sunday 10:00 am) Ages 6 months to 3 years	\$30.00
Sea Otter (Sundays 10:35 am) Ages 3-6 years	\$35.00
Salamander & Sunfish (Sundays 11:00 am) Ages 3-6 years	\$35.00
Crocodile & Whale (Sundays 11:35 am)	\$35.00
Level 1 & 2 (Sundays 12:15 pm) Ages 6 +	\$40.00
Private Lessons Level 1-10 (1 pm -1:30 pm)	\$40.00
Level 1 & 2 (Mondays & Wednesday 4:30 pm) Ages 6 +.	\$40.00
Level 3 & 4 (Mondays & Wednesday 5:05 pm) Ages 6 +	\$40.00
Level 1 & 2 (Saturdays 10:00 am) Ages 6 +	\$40.00
Level 3 & 4 (Saturdays 10:35 am)	\$40.00
Level 5 & 6 (Saturdays 11:15 am)	\$50.00
Level 7 & 8 (Saturdays 12:00 pm)	\$50.00
Level 9 & 10 (Saturdays 12:30 pm)	\$50.00
Private lessons Level 1-10 (1:30-3:00 pm)	\$40.00
Swim Sports & Swim Strokes Adults & Teens (Friday nights 7:30 pm – 8:15 pm)	\$50.00
Private Lessons (scheduled with instructor)	\$40.00
Classes will only be run if there is enough enrolment	
See brochure for details	

GYMNASIUM RENTAL		
PRIVATE/COMMUNITY FUNCTION	PRICE	SECURITY DEPOSIT
Child/Youth orientated activities - under 18 yrs.	\$40.00/hour	\$200.00
Adult orientated activities – 19 to 64 yrs.	\$50.00/hour	\$200.00
Senior orientated events – 65+ yrs.	\$40.00/hour	\$200.00

GYMNASIUM RENTAL		
COMMERCIAL USE	PRICE	SECURITY DEPOSIT
All events	\$75.00/hour	\$250.00

GYMNASIUM RENTAL		
DAILY EVENT (up to 16 hours same day)	PRICE	SECURITY DEPOSIT
Child/Youth orientated activities – under 18 yrs.	\$300.00	\$250.00
Adult orientated activities – 19 to 64 yrs.	\$350.00	\$250.00
Senior orientated events – 65+ yrs.	\$300.00	\$250.00
Commercial use	\$400.00	\$250.00
Community fair rental	\$150.00	\$250.00

SCHEDULE D
SOLID WASTE COLLECTION

Fees for collection of solid waste from approved receptacles and excess receptacles

DESCRIPTION	FEE
Up to two approved receptacles	\$212.62 per year
Each additional receptacle	\$2.00 for each additional

SCHEDULE E
WATER RATES (2019)

DESCRIPTION		RATE
Private Residence	per dwelling unit (equivalent to one dwelling unit)	\$320.99
Hotel, Motels	per unit	\$160.50
Apartments or Strata Units	per dwelling unit (equivalent to one dwelling unit)	\$320.99
Trailer Park	per pad	\$320.99
Cafes & Restaurants	(equivalent to 10 dwelling units)	\$3,209.90
Stores	(equivalent to one dwelling unit)	\$320.99
- Plus for living quarters attached	(equivalent to one dwelling unit)	\$320.99
- Plus for Grocery	(equivalent to one dwelling unit)	\$320.99
- Plus for Butcher Shop	(equivalent to one dwelling unit)	\$320.99
Garage & Service Stations	(equivalent to one dwelling unit)	\$320.99
Seafood Plant	(equivalent to 7 dwelling units)	\$2,246.93
Bowling Alley	(equivalent to 2 dwelling units)	\$641.98
Laundromat	per washing machine (equivalent to one dwelling unit)	\$320.99
Bank	(equivalent to one dwelling unit)	\$320.99
Schools	(equivalent to 26 dwelling units)	\$8,345.74
Small Craft Harbour	(equivalent to 2 dwelling units)	\$641.98
Harbour Lease	(equivalent to 10 dwelling units)	\$3,209.90
Industrial	shop, office, sort yard office (equivalent to 7 dwelling units)	\$2,246.93
Industrial	dryland sort and water tower (equivalent to 94 dwelling units)	\$30,173.06
Bunk House and Cookhouse	per active sleeping unit (equivalent to ½ dwelling unit)	\$160.50
Campground	serviced stalls times months in operation divided by 12 – times Motel rate	\$160.50
Others not specified	each	\$320.99

SCHEDULE F
SEWER RATES (2019)

DESCRIPTION		RATE
Private Residence	per dwelling unit (equivalent to one dwelling unit)	\$265.45
Hotel, Motels	per unit	\$132.73
Apartments or Strata Units	per dwelling unit (equivalent to one dwelling unit)	\$265.45
Trailer Park	per pad	\$265.45
Cafes & Restaurants	(equivalent to 10 dwelling units)	\$2,654.50
Stores	(equivalent to one dwelling unit)	\$265.45
- Plus for living quarters attached	(equivalent to one dwelling unit)	\$265.45
- Plus for Grocery	(equivalent to one dwelling unit)	\$265.45
- Plus for Butcher Shop	(equivalent to one dwelling unit)	\$265.45
Garage & Service Stations	(equivalent to one dwelling unit)	\$265.45
Seafood Plant	(equivalent to 7 dwelling units)	\$1,858.15
Bowling Alley	(equivalent to 2 dwelling units)	\$530.90
Laundromat	per washing machine (equivalent to one dwelling unit)	\$265.45
Bank	(equivalent to one dwelling unit)	\$265.45
Schools	(equivalent to 26 dwelling units)	\$6,901.70
Small Craft Harbour	(equivalent to 2 dwelling units)	\$530.90
Harbour Lease	(equivalent to 10 dwelling units)	\$2,654.50
Industrial	shop, office, sort yard office (equivalent to 7 dwelling units)	\$1,858.15
Industrial	dryland sort and water tower (equivalent to 94 dwelling units)	\$24,952.30
Bunk House and Cookhouse	per active sleeping unit (equivalent to ½ dwelling unit)	\$132.73
Campground	serviced stalls times months in operation divided by 12 – times Motel rate	\$132.73
Others not specified	each	\$265.45

SCHEDULE G
BUILDING FEES AND CHARGES

PROCESSING FEES	
DESCRIPTION	FEE AMOUNT
Building Permits	
Not exceeding \$50,000 value	\$50.00
value greater than \$50,000 but not exceeding \$200,000	\$100.00
value greater than \$200,000 but not exceeding \$500,000	\$250.00
value greater than \$500,000	\$500.00
Plumbing, Sprinkler and Demolition Permits	
Complex buildings and structures	\$100.00
Standard buildings and other buildings	\$50.00
Fireplaces and chimneys	\$50.00

PERMIT FEES	
DESCRIPTION	FEE AMOUNT
Building Permits	
All	\$50.00 + 0.65% of the estimated value of construction
Demolition Permits	
Complex buildings and structures	\$100.00
Standard buildings and other buildings	\$50.00
Plumbing Permits	
Complex buildings and structures	\$100.00 + \$10.00 for each fixture
Standard buildings and other buildings	\$50.00 + \$5.00 for each fixture
Sprinkler Permits	
All buildings and structures	First head \$50.00 Additional heads \$0.75 each

REVISION FEES	
DESCRIPTION	FEE AMOUNT
Complex buildings and structures	\$250.00
Standard buildings	\$100.00
Other permits	\$50.00

TRANSFER FEES	
DESCRIPTION	FEE AMOUNT
Complex buildings and structures	\$250.00
Standard buildings	\$100.00
Other permits	\$50.00

BUILDING FEES AND CHARGES

EXTENSION FEES	
DESCRIPTION	FEE AMOUNT
<u>Complex buildings and structures</u>	
Where the estimated value or remaining construction is \$20,000 or less	\$100.00
For each subsequent \$1,000 of value or fraction thereof	\$3.50
<u>Standard buildings</u>	
Where estimated value of remaining construction is \$20,000 or less	\$50.00
For each subsequent \$1,000 of value or fraction thereof	\$3.50
Other permits	\$50.00

OTHER FEES	
DESCRIPTION	FEE AMOUNT
To rescind a Stop Work or Do Not Occupy Order	\$250.00
Site inspection, section 56 of the Community Charter	\$100.00
Title Search	\$10.00
To obtain copy of Restrictive Covenant	\$50.00
To process a covenant in favour of the Village of Sayward	\$100.00
To remove a Notice on Title, section 57 of Community Charter	\$500.00
To photo copy plans	\$10.00 + GST per sheet
ARCHIVE RESEARCH (per site)	
Complex buildings and structures	\$250.00
Standard buildings	\$100.00
Buildings containing 1 or more dwelling units and other buildings	\$50.00

**SCHEDULE H
ANIMAL CONTROL**

FEES AND CHARGES	
IMPOUNDMENT	FEES/CHARGES
Seizing and impounding any animal, for the first impoundment in a calendar year	\$50.00
For the second seizure and impoundment of same Animal in calendar year	\$100.00
For the third and subsequent seizure and impoundment of the same Animal in a calendar year	\$150.00
KENNELING	FEES/CHARGES
Provision for food, water, shelter and attendance for any animal for every day or part of every day of care	\$20.00
The full amount of any cost incurred by the Village for examination and treatment by a licensed veterinarian if animal is sick or injured	Full cost
ANIMAL LICENSING	FEES/CHARGES
For every unneutered male dog	\$30.00
For every neutered male dog, proven to be such by the production of a certificate from a qualified veterinarian	\$15.00
For every unsprayed female dog	\$30.00
For every spayed female dog, proven to be as such by the production of a certificate from a qualified veterinarian	\$15.00
For replacement license tags	\$10.00
MISCELLANEOUS	
In addition to the fees for seizure and impoundment, the actual costs incurred in capturing, and in capturing and transporting animal to secure area	Actual Cost
The fees for the adoption of an animal shall be as prescribed by the pound-keeper, in consultation with the Village	Actual Cost

SCHEDULE I
BUSINESS LICENSES

DEFINITION	DESCRIPTION	FEE <small>(per annum unless otherwise stated)</small>
<u>Commercial/Industrial</u> Any business permitted in the zones designated in the Zoning Bylaw	Employing up to 3 persons Employing up to 8 persons Employing over 8 persons	\$100.00 \$150.00 \$200.00
<u>Rental units/spaces</u> Any building containing dwelling units or other types of rental units in any zone	Up to 20 units 20 – 40 units Over 40 units	\$100.00 \$125.00 \$165.00
<u>Home Occupation</u> Any business permitted in residential areas under the Zoning Bylaw	Per business	\$65.00
<u>Home Occupation - Artisan</u> Any business permitted in residential areas under the Zoning Bylaw Senior citizen's 65 years and older	Per business Per Business	\$30.00 Free
<u>Mobile Vending</u> Any business permitted and regulated by Council	Per business	\$300.00
<u>Miscellaneous Business</u> Any business not based in the Village of Sayward (other than Mobile Vending)	Per business	\$125.00
Any blanket yearly license for craft sales, trade shows, etc. held in the Village of Sayward (in lieu of individual license)		\$110.00
Seasonal based business	Per business	\$50.00
Any business not listed	Per business	\$100.00

SCHEDULE J
FIRE PROTECTIVE SERVICES

DEFINITION	FEE
Application for fireworks display Low hazard fireworks event	\$50.00
Application for fireworks display High hazard fireworks event	\$100.00
Application for a burning permit Non-refundable	\$50.00

**SCHEDULE K
MUNICIPAL CAMPGROUND**

CAMPGROUND FEES	
DESCRIPTION	FEE AMOUNT
In-Season Unserviced sites Daily	\$18.00
In-Season Serviced sites Daily Weekly Monthly	\$25.00 \$140.00 \$525.00
Off-Season Serviced sites Daily Weekly Monthly	\$20.00 \$100.00 \$350.00
Off-Season is deemed October 1 st to April 30 th	



VILLAGE OF SAYWARD

BYLAW NO. 454

A BYLAW TO FIX RATES UPON REAL PROPERTY IN THE VILLAGE OF SAYWARD AND TO PROVIDE FOR THE PAYMENT OF TAXES IN 2019

WHEREAS pursuant to Section 197 of the Community Charter, a Municipal Council must annually, by bylaw, impose property value taxes for the year by establishing tax rates for the municipal revenue proposed to be raised for the year from property value taxes, as provided in the financial plan, and the amounts to be collected for the year by means of rates established by the municipality to meet its taxing obligations in relation to another local government or other public body;

NOW THEREFORE, The Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "**Tax Rates Bylaw No. 454, 2019**".
2. The following rates are hereby imposed and levied for the year 2019:
 - (a) for all lawful general and debt purposes of the Municipality on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in Column 'A' of Schedule 'A' attached hereto and being a part hereof;
 - (b) for library requisition purposes of the Municipality on the assessed value of land and improvements taxable for general municipal purposes, rates and appearing in Column 'B' of Schedule 'A' attached hereto and being a part hereof;
 - (c) for Regional District Services: Emergency Services, General Government Administration and Broadband purposes on the assessed value of land and improvements taxable for hospital district purposes, rates appearing in Column 'C' of Schedule 'A' attached hereto and being a part hereof;
 - (d) for Regional District Services: Refuse, 911 Answering Services, Planning and Municipal Member Administration purposes on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in Column 'D' of Schedule 'A' attached hereto and being a part hereof;
 - (e) for Regional Hospital District purposes on the assessed value of land and improvements taxable for hospital district purposes, rates appearing in Column 'E' of Schedule 'A' attached hereto and being a part hereof;
 - (f) for Comox Strathcona Waste Management purposes on the assessed value of land and

improvements taxable for general municipal purposes, rates appearing in Column 'F' of Schedule 'A' attached hereto and being a part hereof;

3. The Collector of the Village of Sayward shall add to the unpaid taxes of the current year, for each parcel of land and its improvements on the property tax roll, 10% of the amount of current year taxes which remain unpaid on July 3, 2019 and the said unpaid taxes together with the amount added as aforesaid shall be taxes of the current year due on such land and its improvements.
4. Tax rates and percentage additions caused as a result of a supplementary roll prepared under the Assessment Act shall be executed in accordance to Section 241 of the Community Charter.
5. The tax rates and percentage additions shall be payable at the offices of the said Collector at the Village Office, 652 H'Kusam Way, Sayward, British Columbia.
6. Tax payments received by mail after July 2, 2019 but mailed on or before July 2, 2019 as evidenced by the postmark date on the covering envelope, shall be treated as having been paid before July 2, 2019 provided, however, that if a postmark date has been made with a private postage machine and the Collector has reason to believe that the payment was not mailed on or before July 2, 2019, the Collector may treat the tax payment as being unpaid on July 3, 2019.
7. Bylaw No. 441 cited as "Tax Rates Bylaw No. 441, 2018" is hereby repealed.

Read a first time on the 23rd day of April 2019.

Read a second time on the 23rd day of April 2019.

Read a third time on the 23rd day of April 2019.

Adopted on the ____ day of _____ 2019.

Certified a true copy of Bylaw
No. 454 this ____ day of
_____, 2019

Chief Administrative Officer
Village of Sayward

Mayor John MacDonald

Paul Carver, Chief Administrative Officer

Schedule 'A'

Tax Rates for 2019

Summary of Current Year Tax Rates

The following rates shall apply on each thousand dollars of the assessed value of land and improvements:

For Year:

2019

Taxation Class	Municipal Purposes		Regional Purposes			
	A	B	C	D	E	F
	General & Debt (1)	Library (1)	Reg District Admin: Emergency, Gen Gov't & Broadband	Reg District 911, Refuse & Member Admin	Regional Hospital	CSRD Waste Management
Class 1 Residential	5.95419	0.21677	0.14714	0.13666	0.57876	0.16922
Class 2 Utilities	24.47121	0.89091	0.51499	0.56166	2.02566	0.69548
Class 4 Major Industry	0.00000	0.00000	0.50028	0.00000	1.96778	0.00000
Class 5 Light Industry	39.73634	1.44665	0.50028	0.91203	1.96778	1.12932
Class 6 Business/Other	18.43348	0.67109	0.36049	0.42308	1.41796	0.52388
Class 7 Managed Forest	24.69938	0.89921	0.44142	0.56690	1.73628	0.70197
Class 8 Recreational/Non-Profit	13.24079	0.48205	0.14714	0.30390	0.57876	0.37631
Class 9 Farm	0.00000	0.00000	0.14714	0.00000	0.57876	0.00000



VILLAGE OF SAYWARD

BYLAW NO. 453

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE

WHEREAS the Village of Sayward may not have sufficient cash on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the Community Charter that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

- a.) The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year; and
- b.) The whole amount of any sums of money remaining due from other governments;

AND WHEREAS there are no liabilities outstanding under Section 177;

AND WHEREAS the total amount of liability that Council may incur is seven hundred thousand dollars (\$700,000) made up of the sum of two hundred and fifty thousand dollars (\$250,000), being 75% of the whole amount of the taxes levied for all purposes in 2018 , and four hundred and fifty thousand dollars (\$450,000), being the whole amount of the sum of money remaining due from other governments;

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “Village of Sayward Revenue Anticipation Bylaw No. 453, 2019”.
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the municipality an amount or amounts not exceeding the sum of seven hundred thousand dollars (\$700,000).
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and Financial Administrator.

4. All unpaid taxes, the taxes of the current year when levied, and sums due from other governments or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.
5. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the 23rd day of April 2019.

Read a second time on the 23rd day of April 2019.

Read a third time on the 23rd day of April 2019.

Adopted on the ___ day of _____.

Mayor

Chief Administrative Officer



STAFF REPORT

MAYOR AND COUNCIL
VILLAGE OF SAYWARD

FROM: Lisa Clark, CFO
RE: Revenue Anticipation Bylaw

BACKGROUND

Many local governments, particularly smaller sized organizations with limited reserve funds, require the use of a line of credit or short-term borrowing to fund expenses leading up to property tax collection. A revenue anticipation borrowing bylaw is to provide for an operating line of credit, if required.

The Village of Sayward has not had an overdraft for many years. However, there is always the possibility that one could be created simply due to the timing of cash receipts and subsequent cash flow. The bulk of municipal cash inflows are concentrated in June and July when annual property tax revenues are collected, so there are times when cash flow can be an issue, particularly if large scale capital projects are underway (such as the Water Treatment Facility Project) and associated grants are payable only upon completion of such projects.

DISCUSSION

Staff is seeking Council's authorization, through the adoption of Revenue Anticipation Bylaw No. 453, to obtain short term financing in the form of a line of credit with the Municipal Finance Authority (MFA) not exceeding the sum of seven hundred thousand dollars (\$700,000). The total authorized is calculated as 75% of the 2018 total tax levy plus outstanding amounts from other governments for 2019.

The line of credit, if remained unused, will not incur costs for the Village. In the event that cash flow becomes an issue, and the line of credit is drawn upon, Staff will prepare a report to Council to inform them of such activity and provide a detailed analysis of interest costs and payment terms. Multiple draws on the line of credit are permitted as needed by the Village. The current short-term borrowing rate through the MFA is 2.48% per annum. In the unlikely event that the entire line of credit is utilized the Village will incur interest costs of approximately \$1,500 per month.

Section 177 of the *Community Charter* governs the use of the funds and Council must use the funds for items approved in the 2019 Financial Plan. When property taxes and government payments are collected, funds must be used as necessary to repay money borrowed under this section.

STAFF RECOMMENDATIONS

THAT Council receives the CFO's report on a Revenue Anticipation Bylaw; and

THAT Revenue Anticipation Bylaw No. 453, 2019 be given final reading.

Respectfully submitted,

Lisa Clark, CFO



VILLAGE OF SAYWARD

BYLAW NO. 448

A BYLAW TO PROVIDE FOR THE IMPOSITION OF A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE USE OF THE MUNICIPAL WATER SYSTEM

The Council of the Village of Sayward in open public meeting assembled enacts as follows:

1. This Bylaw may be cited as the "Water Rate Bylaw No. 448, 2019".
2. There shall be charged against the owner or occupier of land or real property, where a water supply connection has been installed to the property, and where plumbing is installed on the premises and is connected to the Municipal water system, a water user fee as set forth in the Village of Sayward Fees and Charges Bylaw.
3. The water user fee as set out in the Village of Sayward Fees and Charges Bylaw shall be levied annually with the general municipal taxes in each year.
4. In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the water connection was made;
5. Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrears in respect of the property in respect of which the consumer dwells and shall be forthwith entered on the real property tax roll by the Collector as taxes in arrears;
6. The Municipality shall not be liable for any interruption in or discontinuance of services provided by water facilities installed and maintained by the Municipality.
7. If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.
8. This bylaw shall come into effect with the 2019 tax year.
9. Bylaw No. 438 cited as "Water Rate Bylaw No. 438, 2018", and any amendments thereafter is hereby repealed.
10. Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw.

Village of Sayward Water Rate Bylaw No. 448, 2019

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Read a third time on the 16th day of April 2019.

Adopted on the ___ day of _____.

Mayor

Chief Administrative Officer



VILLAGE OF SAYWARD

BYLAW NO. 449

A BYLAW TO PROVIDE FOR THE IMPOSITION OF A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE USE OF THE MUNICIPAL SEWER SYSTEM

The Council of the Village of Sayward in open public meeting assembled enacts as follows:

1. This Bylaw may be cited as the "Sewer Rate Bylaw No. 449, 2019".
2. There shall be charged against the owner or occupier of land or real property, where a sewer or drain connection has been installed to the property, and where plumbing is installed on the premises and is connected to the Municipal sewer system, a sewer user fee as set forth in the Village of Sayward Fees and Charges Bylaw.
3. The sewer user fee as set out in the Village of Sayward Fees and Charges Bylaw shall be levied annually with the general municipal taxes in each year.
4. In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the sewer connection was made;
5. Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrears in respect of the property in respect of which the consumer dwells and shall be forthwith entered on the real property tax roll by the Collector as taxes in arrears;
6. The Municipality shall not be liable for any interruption in or discontinuance of services provided by sewer facilities installed and maintained by the Municipality.
7. If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.
8. This bylaw shall come into effect with the 2019 tax year.
9. Bylaw No. 439 cited as "Water Rate Bylaw No. 439, 2018", and any amendments thereafter is hereby repealed.
10. Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw.

Village of Sayward Sewer Rate Bylaw No. 449, 2019

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Read a third time on the 16th day of April 2019.

Adopted on the ___ day of _____.

Mayor

Chief Administrative Officer



VILLAGE OF SAYWARD

BYLAW NO. 450

A BYLAW TO PROVIDE FOR THE IMPOSITION OF A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE COLLECTION OF SOLID WASTE

The Council of the Village of Sayward in open public meeting assembled enacts as follows:

1. This Bylaw may be cited as the "Solid Waste Collection Rates Bylaw No. 450, 2019".
2. There shall be charged against the owner or occupier of land or real property, where a solid waste collection service has been provided to the property, solid waste collection fee as set forth in the Village of Sayward Fees and Charges Bylaw.
3. The solid waste collection user fee as set out in the Village of Sayward Fees and Charges Bylaw shall be levied annually with the general municipal taxes in each year.
4. In the case a service commences during any year, the charge imposed shall begin with the month during which solid waste collection starts;
5. Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrears in respect of the property in respect of which the consumer dwells and shall be forthwith entered on the real property tax roll by the Collector as taxes in arrears;
6. If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.
7. This bylaw shall come into effect with the 2019 tax year.
8. Bylaw cited as "Bylaw No. 440 being, Amendment No. 10, to the Village of Sayward Solid Waste Collections Regulations and Rates Bylaw No. 260, 1994" is hereby repealed.
9. All references to Schedule A in the Bylaw cited as "Village of Sayward Establishment of Solid Waste Collection Regulations and Rates Bylaw No. 260, 1994" are hereby removed from the Bylaw.
10. Fees and charges that may be or are provided under this Bylaw shall be payable as set out in the Village of Sayward Fees and Charges Bylaw.

Village of Sayward Solid Waste Collection Rates Bylaw No. 450, 2019

Read a first time on the 16th day of April 2019.

Read a second time on the 16th day of April 2019.

Read a third time on the 16th day of April 2019.

Adopted on the ___ day of _____.

Mayor

Chief Administrative Officer



**VILLAGE OF SAYWARD
BYLAW NO. 455**

**A BYLAW TO REGULATE THE SALE OF CANNABIS WITHIN
THE VILLAGE OF SAYWARD**

WHEREAS the Council for the Village of Sayward deems it necessary and expedient to provide for the regulation of retail cannabis sales in the municipality.

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited as "**Cannabis Control Bylaw No. 455, 2019**".

2. DEFINITIONS

BYLAW means this bylaw.

COUNCIL means the Council of the Village of Sayward.

VILLAGE means the Village of Sayward.

3. REGULATION

It is the decision of Council that the sale of cannabis for recreational purposes is prohibited within the municipal limits of the Village.

4. OFFENCES AND PENALTIES

(a) If any Person contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:

- (i) a fine in accordance with the Village of Sayward "Ticketing Offence Bylaw", if the information respecting the infraction is laid by means of a ticket; or
- (ii) upon summary conviction, a fine not exceeding \$2,000.00 and the costs of prosecution.

5. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the ____ day of ____ 2019.

Read a second time on the ____ day of ____ 2019.

Read a third time on the ____ day of ____ 2019.

Adopted on the ____ day of _____ 2019.

Mayor

Chief Administrative Officer



VILLAGE OF SAYWARD

BYLAW NO. 456

A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF FIREWORKS WITHIN THE VILLAGE OF SAYWARD

WHEREAS the Council for the Village of Sayward deems it necessary and expedient to provide for the regulation and control of fireworks within the municipality.

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited as "**Fireworks Regulation Bylaw 456, 2019**".

2. DEFINITIONS

"ACT" means the *Explosive Act, Revised Statutes of Canada, 1985, Chapter E-17* and its affiliated regulations as amended or replaced from time to time.

"APPLICANT" means the Person making application for a Permit.

"BUSINESS" means the carrying on of a commercial or industrial undertaking of any kind or nature or providing a professional, personal or other service for the purpose of gain or profit.

"CONSUMER FIREWORKS" means an outdoor, low hazard, recreational firework, classed as a Subdivision 1 of Division 2 of Class 7 Fireworks under the Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, roman candles and volcanoes but does not include Christmas crackers, sparklers and caps for toy guns.

"DISCHARGE" means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words "discharged", and "discharging" have a similar meaning.

"DISPLAY FIREWORKS" means an outdoor, high hazard, recreational firework classed as a Subdivision 2 of Division 2 of Class 7 Fireworks under the Act, and includes rockets, serpents, shells, bombshells, tourbillons, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, set pieces and pigeons but does not include Firecrackers.

"EXPLOSIVES REGULATORY DIVISION" means the Explosive Regulatory Division of the Explosives Branch of the Minerals and Metals Sector of Natural Resources Canada.

"FEDERAL REGULATIONS" means the Explosives Regulations enacted under the Act, as of the date of adoption of this Bylaw.

"FIRECRACKER" means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese Firecrackers.

"FIRE CHIEF" means a person appointed by the Council to be in charge of the Fire Department or authorized subordinates.

“FIRE DEPARTMENT” means the Village of Sayward Fire Department.

“FIRE SAFETY PLAN” means a plan dealing with the procedures for a permit holder to follow to protect public safety when discharging Pyrotechnic Special Effects Fireworks, which meets the requirements specified by the Fire Chief.

“FIREWORKS” means consumer fireworks, display Fireworks, and Pyrotechnic Special Effects Fireworks.

“FIREWORKS EVENT” means the observance of a special event or festival where a permit has been issued to allow the discharge of display Fireworks or Pyrotechnic Special Effects Fireworks.

“FIREWORKS EVENT PERMIT” means a current and valid permit issued under this Bylaw specifying and authorizing a person to discharge display Fireworks or Pyrotechnic Special Effects Fireworks.

“FIREWORKS SUPERVISOR” means a Person who is an approved purchaser of display Fireworks and who is qualified under the Act to supervise the discharge of display Fireworks.

“INSURANCE REQUIREMENTS” means the liability insurance requirements set out in Schedule "E" to this Bylaw.

“PEACE OFFICER” means a Person employed as Fire Chief by the Fire Department of the municipality or any Person employed by the Village as a Bylaw Enforcement Officer or any member of the Royal Canadian Mounted Police or any municipal Police Officers.

“PERMIT” means a current and valid permit in the form attached as Schedule "A" to this Bylaw specifying and authorizing a person to discharge consumer Fireworks or display Fireworks.

“PERSON” means an individual and shall include a firm or partnership, association, company, society, body corporate, and the singular shall mean and include the plural, masculine, feminine and converse.

“PROHIBITED FIREWORKS” includes but is not limited to after-market modified Fireworks, cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake Firecrackers and other trick devices or practical jokes as included on the most recent list of prohibited Fireworks as published from time to time under the Act.

“PYROTECHNICIAN” means a Person who is certified under the Act as a Theatrical User, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of Pyrotechnic Special Effect Fireworks under the Act.

“PYROTECHNIC SPECIAL EFFECTS FIREWORKS” means a high hazard firework classed as a Subdivision 5 of Division 2 of Class 7 Firework under the Act and that is used to produce a special pyrotechnic effect for indoor or outdoor performances and includes black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, gerbs, lances and wheels.

“PYROTECHNIC SPECIAL EFFECTS FIREWORKS EVENT” means an event or production, generally for the entertainment industry, where a pyrotechnics permit has been issued to allow the discharge of pyrotechnics special effects Fireworks.

"SELL" includes offer for sale, cause or permit to be sold, trade, or to otherwise dispose of; and to possess for the purpose of sale; and the words "selling" and "sold" have a similar meaning

"VILLAGE" means the Village of Sayward.

3. PROHIBITIONS

- (a) No Person may sell Fireworks.
- (b) No Person may buy, sell, hold, possess, store, discharge, or otherwise use any prohibited Fireworks.
- (c) No person may buy, sell, hold, possess, store, discharge, or otherwise use Firecrackers.
- (d) No Person may hold, possess, store, discharge or otherwise use consumer Fireworks at any time.
- (e) No Person under the age of eighteen (18) years may hold, possess, store, discharge, or otherwise use any Fireworks.
- (f) No Person being the parent or guardian of any person under the age of eighteen (18) years shall allow that Person to hold, possess, store, discharge, or otherwise use any Fireworks.
- (g) No Person may hold, possess, store, discharge, or otherwise use any Fireworks in a manner that increases the risk of physical injury to any Person or damage to any public or private property.
- (h) No Person may hold, possess, store, discharge, or otherwise use display Fireworks without a Fireworks Event Permit.
- (i) No display Fireworks Permit holder may hold, possess, store, discharge, or otherwise use display Fireworks in contravention of a Fireworks Event Permit.
- (j) No Person may hold, possess, store, discharge, or otherwise use pyrotechnic special effects fireworks without a Fireworks Event Permit.
- (k) No pyrotechnics Permit holder may hold, possess, store, discharge or otherwise use the Pyrotechnic Special Effect Fireworks in contravention of a Fireworks Event Permit.

4. EXCEPTIONS

- (a) Storage of consumer Fireworks shall be permitted only if all the following conditions are met:
 - (i) The consumer Fireworks are stored only for the purpose of wholesale sales to retailers or distributors outside of the Village;
 - (ii) The wholesale Business storing the consumer Fireworks holds a valid business license with the Village;
 - (iii) The wholesale Business storing the consumer Fireworks holds the required licenses and permits from the Federal and/or Provincial governments;
 - (iv) The Fire Chief is advised of the location where the consumer Fireworks are stored; and
 - (v) The quantity of the consumer Fireworks stored is approved by the Fire Chief.

5. FIREWORKS EVENT PERMITS

- (a) Any Person before discharging Fireworks must apply for and receive a Fireworks Event Permit.
- (b) Every application for a Fireworks Event Permit must be accompanied by the Permit application fee as set out in Village of Sayward Fees and Charges Bylaw.
- (c) Fees under this Bylaw shall be payable as set out in Village of Sayward Fees and Charges Bylaw.
- (d) Every application for a Fireworks Event Permit must be submitted to the Village at least 30 days prior to the date upon which the Fireworks Event is to occur.
- (e) Every application for a Permit under this Bylaw, shall be made by the Person setting off the Fireworks.
- (f) Every application for a Permit under this Bylaw shall be writing and be in general accordance with Schedule "A" attached to this Bylaw.
- (g) Every Applicant for a Fireworks Event Permit shall hold a current and valid Fireworks Supervisor and/or Pyrotechnics Certification card as issued by Natural Resources Canada.
- (h) The Applicant shall, without limiting its obligations or liabilities under the Fireworks Event Permit, purchase and maintain at its own expense and cost, the insurance policy listed in Schedule "F" attached to this Bylaw. The insurance policy shall be maintained continuously from the date of commencement of the Fireworks Event Permit until the date of the expiry of the Fireworks Event Permit or such further period as may be specified in Schedule "F".
- (i) An Applicant shall submit a written agreement from the owner of the property on which the Fireworks Event is to take place and a written agreement from any Sponsoring Organization of the Fireworks Event, in general accordance with Scheduled "C" and "D", attached to this Bylaw. In the case of Fireworks Events that are to take place on Village owned property, permission from the Village is required.
- (j) Every Fireworks Event Permit issued under this section shall be in general accordance with the form in Schedule "E" attached to this Bylaw and shall be issued by the Fire Chief. Prior to the issuance of the Fireworks Event Permit, the applicant shall provide evidence, satisfactory to the Village, of the insurance required under subsection 6 of this section.
- (k) Fireworks Events shall end prior to 11:00 p.m. and may not start prior to 7:00 p.m. on any day and shall be started and completed within the time period specified on the Fireworks Event Permit, except as authorized by the Fire Chief.
- (l) Fireworks Events may be inspected by the Fire Department to ensure all safety aspects have been adhered to as set out in the Act and in general accordance with Schedule "A" attached to this bylaw.
- (m) The Fire Chief may revoke a Fireworks Events Permit issued under this bylaw at any time.
- (n) A Fireworks Events Permit issued under this Bylaw is not transferable.
- (o) All Fireworks and all debris from the Fireworks Event shall be removed and safely disposed of by the Permit hold as soon as practical after the Fireworks Event is completed and on or before the expiry of the Permit.

6. ENFORCEMENT

- (a) If any Person contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and each day that the violation is caused or allowed to continue constitutes a separate offence and is subject to:
 - (i) A fine in accordance with the Village of Sayward "Ticketing Offence Bylaw", if the information respecting the infraction is laid by means of a ticket; or
 - (ii) upon summary conviction, a fine of not less than \$100.00 and not more than \$10,000.00 or imprisonment not exceeding the maximum allowed by the Offence Act.
- (b) Peace Officers are designated to enforce this Bylaw.
- (c) No Person shall obstruct a Peace Officer, or any other designated person engaged in the administration or enforcement of this Bylaw.
- (d) Every Person who contravenes a provision of this Bylaw commits an offence and each day that the violation is caused or allowed to continue constitutes a separate offence.
- (e) Every Person who possesses or discharges Fireworks contrary to the provisions of this Bylaw commits an offence and shall when directed to do so, surrender all fireworks in their immediate possession to a Peace Officer who shall be authorized to search and seize and hold all such Firecrackers or Fireworks in the interest of public safety and as evidence of the commission of the offence.
- (f) Fireworks seized under this Bylaw may be disposed of without compensation.
- (g) A Peace Officer is duly authorized by the Village to enter onto any property at any reasonable time to ascertain whether provisions of this Bylaw are being observed and is authorized and may apply a penalty in accordance with this section of this Bylaw, if deemed necessary.

7. EXEMPTION

This Bylaw does not prohibit or regulate the use of torpedoes, flares, fuzzes or similar pyrotechnic devices by motorists, boat operators, railroads, police or other agencies for signaling purposes or illumination.

8. SCHEDULES

The schedules attached to this Bylaw form part of this Bylaw.

9. TRANSFER

A Permit issued under the terms of this Bylaw may not be reassigned or transferred to another Person without the express consent of the Village.

10. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Village of Sayward Fireworks Regulation Bylaw No. 456, 2019

Read a first time on the ____ day of _____ 2019.

Read a second time on the ____ day of _____ 2019.

Read a third time on the ____ day of _____ 2019.

Adopted on the ____ day of _____ 2019.

Mayor

Chief Administrative Officer

SCHEDULE 'A'

APPLICATION FOR FIREWORKS EVENT

1. Applicant must be the person setting off the Fireworks.
2. Completed application, including all the required information plus fee, must be submitted to the Fire Chief, Village of Sayward, at least 30 days prior to the event
3. A completed Checklist for Fireworks, in general accordance with page 2 of Schedule "A" must be attached to this application.
4. A signed "Applicant Save Harmless Agreement" in general accordance with Schedule "B" must be attached to this application.
5. If the Fireworks are not on property owned by the Applicant, written approval from the Owner of the property in general accordance with Schedule "C" must be attached to this application.
6. If applicable, a signed "Sponsoring Organization Save Harmless Agreement" in general accordance with Schedule "D" from the sponsoring organization must be attached to the application.

Name of Applicant: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

I hereby make application on behalf of myself (x) _____ or Sponsoring Organization to hold the following Fireworks Event: _____

Name of Event: _____

Location: _____

Date: _____ Start Time: _____ End Time: _____

Estimated number of spectators: _____

Property Owner where Event to be held: _____

I hereby certify that I have completed a course for Fireworks Supervisor, or for Pyrotechnics Certification; have read, understand and will be guided by the principles and safety rules in the Fireworks Manuals; and that I will fulfil my legal duty of care as defined therein and by the specified instructions of the manufacturer governing a particular fireworks, and further that I will comply with all requirements of the *Fireworks Regulation Bylaw No. 456, 2019*.

Signature of Applicant

Date

Fireworks Supervisor Card No. _____ Level: _____ Exp. Date: _____

Pyrotechnics Certification: Card No. _____ Level: _____ Exp. Date: _____

CHECKLIST FOR FIREWORKS EVENTS

VENUE OF THE EVENT: _____

DISPLAYER'S NAME: _____

DATE & TIME OF DISPLAY(S): _____

This checklist forms part of the Permit process for a Fireworks Event Permit. It must be fully completed by the Applicant and returned to the Village of Sayward Fire Department, before an application for a Fireworks Event Permit will be processed.

1. Written permission from the Owner of the venue where the Fireworks Event is to be held.
2. Site plan, drawn to scale, with the direction of firing, separation distances, position of ramps and mortars, any significant ground features, rights of way, buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans and location of emergency vehicles indicated.
3. A complete list and description of all products to be used including charge size, effects and manufacturer's name.
4. A description of the firing system to be used.
5. A description of the Fire Safety Plan in place
6. Where, and in what fashion, will the fireworks be stored within Village limits.
7. Upon request by the Village of Sayward Fire Department, a demonstration of the product(s) to be used may be required.
8. Upon request by the Village of Sayward Fire Department, references from previous Fireworks Events may be required.
9. For Fireworks Events that include Pyrotechnics Special Effects Fireworks, a copy of the Explosive Regulatory Division event approval.

Signature of Fireworks Applicant _____ Date _____

Company name _____

Note: Schedules "B", "C", and "D" must be completed and attached to this application. Applicant will be required to provide insurance in accordance with Schedule "F" and will be required to provide evidence of such insurance to the satisfaction of the Village prior to receiving the Permit under this Bylaw. Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of the *Fireworks Regulation Bylaw No. 456*. The information is collected under the authority of the *Freedom of Information and Privacy Act* and the *Community Charter*. If you have any questions about this collection, please contact the Chief Administrative Officer, Village of Sayward at (250) 282-5512.

SCHEDULE 'B'

APPLICANT SAVE HARMLESS AGREEMENT

I, _____ being the Applicant for the Fireworks Event Permit, agree to the following:

The Applicant shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities. The Applicant shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or non-performance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

Signature of Fireworks Applicant _____ **Date** _____

Company name _____

SCHEDULE 'C'

OWNER/OWNERS SAVE HARMLESS AGREEMENT

I/WE, _____ being the Owner/Owners of _____, consent to the holding of a Fireworks Event on the described property and to be held at, in, or near the above described property in conjunction with:

_____ on _____
Name of Special Event or Festival Date

The Owner/Owners shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities

The Owner/Owners shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or non-performance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

Signature of Owners _____ Date _____

Signature of Owners _____ Date _____

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of the *Fireworks Regulation Bylaw No. 456, 2019*. The information is collected under the authority of the *Freedom of Information and Privacy Act* and the *Community Charter*. If you have any questions about this collection, please contact the the If you have any questions about this collection, please contact the Chief Administrative Officer, Village of Sayward at (250) 282-5512.

SCHEDULE 'D'

SPONSORING ORGANIZATION SAVE HARMLESS AGREEMENT

(To be signed by the Sponsoring Organization of the Fireworks Event Permit)

_____ hereby agrees that:

1. It is the Sponsoring Organization of the Fireworks Event Permit;
2. The Sponsoring Organization shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the Village of Sayward, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof, and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this Fireworks Event Permit, excepting only where such loss, costs, damages, and expenses are as a result of the sole negligence of the Indemnities; and
3. The Sponsoring Organization shall defend, indemnify and hold harmless the Indemnities from and against all claims, demands, actions, proceedings, and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or nonperformance of this Fireworks Events Permit, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

IN CONNECTION WITH _____
Name of Special Event or Festival

HELD AT _____, Sayward, BC

ON _____, 20 ____ pursuant to the *Fireworks Regulation Bylaw No. 456, 2019*.

_____ Date _____
AUTHORIZED SIGNATURE OF SPONSORING ORGANIZATION

Print Name

SCHEDULE 'E'

FIREWORKS EVENT PERMIT

Date _____

Pursuant to *Fireworks Regulation Bylaw No. 456, 2019*, PERMISSION IS HEREBY GRANTED TO:

_____ of _____ on behalf
of _____

(Name of Sponsoring Organization)

To set off Fireworks as per Fireworks Event Permit Application No. _____ and in connection with _____ to be held at _____ on the _____ day of _____, 20 ____ between the hours of _____ and _____.

AND TO USE AND EXPLODE the aforesaid Fireworks on the date and between the hours indicated above, and under the direct supervision of: _____

This Fireworks Event Permit shall be valid from _____ to _____

This Permit shall be valid only for above noted purpose, and during or on the date(s) and during the hours herein specified, and is issued under authority of *Fireworks Regulation Bylaw No. 456, 2019* and shall be subject to the *Explosive Act, 1985*, as amended and *Explosive Regulations* made thereunder, and may be cancelled at any time by the Fire Chief of the Village of Sayward without prior notice.

Fire Chief, Village of Sayward

SCHEDULE 'F'

INSURANCE REQUIREMENTS

1. Applicant to Provide

The applicant shall procure and maintain, at its own expense and cost, the insurance policies listed in Section 2 of this Schedule, with limits no less than those shown in the respective items, unless in connection with the performance of some particular part of the Fireworks Event Permit, the Village advises, in writing, that it has determined that the exposure to liability justifies lower limits. The insurance policy or policies shall be maintained continuously from the commencement date of the Fireworks Event Permit until the expiry of the Fireworks Event Permit or such longer period as may be specified by the Village.

2. Insurance

As a minimum, the Applicant shall, without limiting its obligations or liabilities under any other contract with the Village, procure and maintain, at its own expense and cost, the following insurance policies:

Workers Compensation Insurance covering all employees of the Applicant engaged in the works and services related to the Fireworks Event, in accordance with the statutory requirement of the Province having jurisdiction over such employees.

Comprehensive General Liability Insurance:

- (a) Providing for an inclusive limit of not less than Five Million Dollars (\$5,000,000.00) for each occurrence or accident.
- (b) Providing for all sums which the Applicant shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting therefrom) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out or related to the Fireworks Event Permit or any operations carried on in connection with the Fireworks Event Permit.
- (c) Including coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability.
- (d) Including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.

3. The Village Named as Additional Insured

The policy required by section 2.2 of this schedule shall provide that the Village is named as an Additional Insured thereunder and that said policy is primary without any right of contribution from any insurance otherwise maintained by the Village.

4. Certificates of insurance

The Applicant agrees to submit a Certificate of Insurance in a form satisfactory to the Village, prior to the commencement date of the Permit.

The Certificate shall provide that 30 days written notice be given to the Village prior to any material changes or cancellation of such policy or policies.

5. Additional Insurance

The Applicant may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the Village.

6. Insurance Companies

All insurance, which the Applicant is required to obtain with respect to the Fireworks Event Permit, shall be with Insurance Companies registered in and licensed to underwrite such insurance in the Province of British Columbia.

7. Failure to Provide

If the Applicant fails to do all or anything which is required of it with regards to insurance, the Village may do all that is necessary to effect and maintain such insurance, and any monies expended by the Village shall be repayable by and recovered from the Applicant. The Applicant expressly authorizes the Village to deduct from any monies owing the Applicant, any monies owing by the Applicant to the Village.

8. Non-payment of Losses

The failure or refusal to pay losses by any insurance company providing insurance on behalf of the Applicant shall not be held to waive or release the Applicant from any of the provisions of the Insurance Requirements of the Fireworks Event Permit, with respect to the liability of the Applicant otherwise. Any insurance deductible maintained by the Applicant under any of the insurance policies is solely for its account and any such amount incurred by the Village will be recovered from the Applicant as stated in section 7 of this schedule.