



NOTICE OF MEETING AND AGENDA REGULAR COUNCIL MEETING

Monday, October 7, 2024, 7:00 PM
 Memorial Hall, 290 Esplanade Avenue,
 Harrison Hot Springs, BC V0M 1K0

THIS MEETING WILL BE CONDUCTED IN-PERSON AND VIA ZOOM VIDEO CONFERENCE

1. CALL TO ORDER	
<p>Meeting called to order by Deputy Mayor Vidal</p> <p>Acknowledgement of Sts'ailes traditional territory.</p> <p>Opening remarks from Deputy Mayor Vidal</p> <p>Administration of Oath – Councillor-Elect Mark Schweinbenz</p> <p>Administration of Oath – Mayor-Elect Fred Talen</p> <p>Chair turned over to Mayor Talen</p> <p>Opening remarks from Mayor Talen</p>	
2. INTRODUCTION OF LATE ITEMS	
3. APPROVAL OF AGENDA	
4. ADOPTION OF COUNCIL MINUTES	
(a) THAT the Special Pre-Closed Council Meeting Minutes of September 4, 2024 be adopted.	Page 1
(b) THAT the Regular Council Meeting Minutes dated September 9, 2024 be adopted.	Page 3
(c) THAT the Special Pre-Closed Council Meeting Minutes of September 13, 2024 be adopted.	Page 13
5. BUSINESS ARISING FROM THE MINUTES	
6. CONSENT AGENDA	
i. Bylaws	
ii. Agreements	
iii. Committee/ Commission Minutes	
iv. Correspondence	(a) Letter dated September 25, 2024 from the City of Merritt to Deputy Minister of Finance Re: Burden of Delinquent Taxes Page 15

	(b) Email dated September 25, 2024 from the Ministry of Children and Family Development Re: Foster Family Month	Page 17
7. DELEGATIONS/PETITIONS		
8. CORRESPONDENCE		
	(a) Letter dated October 1, 2024 from Mark Sippola Re: Harrison Watersports	Page 19
	(b) Public Concern Form & Email dated October 1, 2024 from Chantal Lamb Re: Harrison Watersports	Page 21
9. BUSINESS ARISING FROM CORRESPONDENCE		
10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS		
11. REPORTS FROM MAYOR		
12. REPORTS FROM STAFF		
	(a) Report of Chief Election Officer dated October 7, 2024 Re: 2024 By-Election Results Recommendation: THAT the report of the Chief Election Officer dated October 7, 2024 regarding the results of the 2024 Municipal By-Election be received.	Page 25
	(b) Report of Corporate Officer dated October 7, 2024 Re: Council Liaison and Committee Appointments Recommendation: THAT _____ be appointed as Council liaison to Agassiz-Harrison Healthy Communities. THAT _____ be appointed as Council liaison to the Agassiz-Harrison Historical Society. THAT Mayor Talen be appointed to the Age-Friendly Committee. THAT Councillor Schweinbenz be appointed to the Environmental Advisory Committee. THAT Mayor Talen be appointed as Council liaison to the Harrison Agassiz Chamber of Commerce.	Page 29

<p>THAT Mayor Talen be appointed to serve as the Council representative to the Lets'emot Community to Community Forum.</p>	<p>(c) Report of Corporate Officer dated October 7, 2024 Re: Deputy Mayor Appointments</p> <p style="text-align: right;">Page 31</p> <p>Recommendation:</p> <p>THAT the following members of Council be appointed as Deputy Mayor for 2025:</p> <table data-bbox="215 562 1006 667"> <tr> <td>January – April</td> <td>Councillor Facio</td> </tr> <tr> <td>May – August</td> <td>Councillor Vidal</td> </tr> <tr> <td>September – December</td> <td>Councillor Schweinbenz</td> </tr> </table>	January – April	Councillor Facio	May – August	Councillor Vidal	September – December	Councillor Schweinbenz
January – April	Councillor Facio						
May – August	Councillor Vidal						
September – December	Councillor Schweinbenz						
<p>(d) Report of Corporate Officer dated October 7, 2024 Re: 2025 Regular Council Meeting Schedule</p> <p style="text-align: right;">Page 33</p> <p>Recommendation:</p> <p>THAT the proposed Regular Council Meeting Schedule for 2025 be approved as submitted.</p>	<p>(e) Report of Chief Administrative Officer dated October 7, 2024 Re: Council Retreat and Strategic Planning</p> <p style="text-align: right;">Page 37</p> <p>Recommendation:</p> <p>THAT staff be authorized to engage Poole Consulting to facilitate a training session with Council and assist Council and staff in developing a strategic plan for their remaining term (2025-2026), at a cost of up to \$15,000.00 to be funded by surplus.</p>						
<p>(f) Report of Chief Administrative Officer dated October 7, 2024 Re: Responsible Conduct Framework for Local Government Elected Officials – Request for Input</p> <p style="text-align: right;">Page 41</p> <p>Recommendation:</p> <p>THAT each Village Council member provide staff with answers to the questions asked in the discussion paper <i>Potential for Change - Responsible Conduct Framework for Local Government Elected Officials</i> dated September 2024 for submission to UBCM.</p>	<p>(g) Report of Community Services Manager dated October 7, 2024 Re: RMI and RDS Presentation</p> <p style="text-align: right;">Page 75</p> <p>Recommendation:</p> <p>THAT a select Resort Development Strategy Committee be established to support the drafting of a Resort Development Strategy (RDS) that supports the goals of the</p>						

<p>Resort Municipality Initiative (RMI) by identifying events and projects to be funded by the RMI program for the years 2025 – 2027; and</p> <p>THAT Council appoint _____ as the Council representative on the Resort Development Strategy Committee.</p>	
<p>(h) Report of Community Services Manager dated October 7, 2024 Re: Spirit Trail Fuel Maintenance</p> <p>Recommendation:</p> <p>THAT the Community Services Manager’s report dated October 7, 2024, regarding Spirit Trail Fuel Management be received for information.</p>	<p>Page 81</p>
<p>(i) Report of Community Services Manager dated October 7, 2024 Re: Memorial Bench Policy</p> <p>Recommendation:</p> <p>THAT Memorial Recognition Policy No. 1.30 be updated with the attached proposed changes.</p>	<p>Page 83</p>
<p>(j) Report from Director of Operations dated October 7, 2024 Re: Contract Awards</p> <p>Recommendation:</p> <p>THAT the Director of Operations report dated October 7, 2024 regarding an update on contract awards be received for information.</p>	<p>Page 87</p>
13. BYLAWS	
14. NEW BUSINESS	
15. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)	
16. ADJOURNMENT	



Amanda Graham
Corporate Officer

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL
(PRE-CLOSED) MEETING OF COUNCIL**

DATE: Wednesday, September 4, 2024

TIME: 1:30 p.m.

PLACE: Council Chambers, Village Office
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Deputy Mayor Michie Vidal
Councillor Allan Jackson
Councillor Leo Facio

Chief Administrative Officer, Tyson Koch
Chief Financial Officer/Deputy CAO, Scott Schultz
Corporate Officer, Amanda Graham

ABSENT:

1. CALL TO ORDER

Deputy Mayor Vidal called the meeting to order at 1:30 p.m.
Deputy Mayor Vidal acknowledged the traditional territory of Sts'ailes.

2. INTRODUCTION OF LATE ITEMS

The Chief Administrative Officer requested to add sections 90(1)(a) and 90(1)(c) under the reasons for closing in 4 – Adjourn to Special Closed Council Meeting.

3. APPROVAL OF AGENDA

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT the agenda for the Special Pre-Closed Council Meeting of September 4, 2024 be approved as amended.

**CARRIED
UNANIMOUSLY**
SC-2024-09-01

4. ADJOURN TO SPECIAL CLOSED COUNCIL MEETING

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT pursuant to Sections 90 and 92 of the *Community Charter*, this Special Meeting of Council be closed to the public as the subject matter being considered relates to the following:

- Section 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

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- Section 90(1)(c) – labour relations or other employee relations; and
- Section 90(1)(k) – negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**CARRIED
UNANIMOUSLY**
SC-2024-09-02

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the Special Pre-Closed Council Meeting of September 4, 2024 be adjourned at 1:33 p.m.

**CARRIED
UNANIMOUSLY**
SC-2024-09-03

Michie Vidal
Deputy Mayor

Amanda Graham
Corporate Officer

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL**

DATE: Monday, September 9, 2024
TIME: 7:00 p.m.
PLACE: Council Chambers, Village Office
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Deputy Mayor Michie Vidal
Councillor Leo Facio
Councillor Allan Jackson

Chief Administrative Officer, Tyson Koch
Corporate Officer, Amanda Graham
Finance Manager, Scott Schultz
Community Services Manager, Christy Ovens
Director of Operations, Jace Hodgson
Planning Consultant, Ken Cossey

ABSENT:

1. CALL TO ORDER

Deputy Mayor Vidal called the meeting to order at 7:00 p.m.
Deputy Mayor Vidal acknowledged the traditional territory of Sts'ailes.

2. INTRODUCTION OF LATE ITEMS

None.

3. APPROVAL OF AGENDA

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the agenda be approved.

**CARRIED
UNANIMOUSLY**
RC-2024-09-01

4. ADOPTION OF COUNCIL MINUTES

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT the Special Pre-Closed Council Meeting Minutes of August 9, 2024 be adopted.

**CARRIED
UNANIMOUSLY**
RC-2024-09-02

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Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the Regular Council Meeting Minutes of August 12, 2024 be adopted.

CARRIED
UNANIMOUSLY
RC-2024-09-03

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT the Record of Public Hearing of August 13, 2024 be received.

CARRIED
UNANIMOUSLY
RC-2024-09-04

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the Special Pre-Closed Council Meeting Minutes of August 22, 2024 be adopted.

CARRIED
UNANIMOUSLY
RC-2024-09-05

5. BUSINESS ARISING FROM THE MINUTES

Moved by Deputy Mayor Vidal
Seconded by Councillor Facio

THAT staff be directed to not proceed with the rezoning application or public notification meeting for 435, 442 & 464 Pine Avenue as the density is too high for this area.

CARRIED
UNANIMOUSLY
RC-2024-09-06

6. CONSENT AGENDA

- iii (a) Advisory Planning Commission Meeting Minutes of December 7, 2023
- (b) Age-Friendly Committee Meeting Minutes of July 18, 2024
- iv. (a) Letter dated August 26, 2024 from the City of Campbell River
Re: Urgent Request for Provincial Support in Addressing Homelessness in
Campbell River

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- (b) Letter dated August 29, 2024 from the City of Mission
Re: Infrastructure Investment for Complete Communities
- (c) Letter dated September 4, 2024 from John Allen
Re: Oak Trees

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT the consent agenda be received.

**CARRIED
UNANIMOUSLY**
RC-2024-09-07

7. DELEGATIONS/PETITIONS

None.

8. CORRESPONDENCE

- (a) Email dated July 28, 2024 from Laura Donovan
Re: Suicide Prevention for Indigenous Children
- (b) Letter dated August 21, 2024 from City of Duncan
Re: UBCM Resolution Request for Support – Fail to Appear Charges
- (c) Letter dated August 22, 2024 from City of Pitt Meadows
Re: UBCM Resolution Request for Support – Reform Farm Property Tax System

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the email dated July 28, 2024 from Laura Donovan, the letter dated August 21, 2024 from City of Duncan and the letter dated August 22, 2024 from City of Pitt Meadows be received.

**CARRIED
UNANIMOUSLY**
RC-2024-09-08

9. BUSINESS ARISING FROM CORRESPONDENCE

None.

10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

(a) Report of Age-Friendly Committee dated August 12, 2024

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the Age-Friendly Report dated August 12, 2024 be received.

**CARRIED
UNANIMOUSLY**
RC-2024-09-09

Councillor Facio

- Fraser Valley Regional District Board (Municipal Director) – No Report
- Fraser Valley Regional Library Board (Alternate Municipal Director) – No Report
- Accessibility Committee
 - Attended a Meeting on September 4, 2024
- Attended the Three Flags Motorcycle rally on August 28, 2024

Councillor Jackson

- Fraser Valley Regional Library Board (Municipal Director) – No Report
- Tourism Harrison – No Report
- Attended a Public Hearing August 13, 2024
- Attended In-Camera Meetings on August 22 and September 4, 2024
- Attended the All-Candidates Meeting on September 5, 2024

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT Council endorse the following resolutions recommended by the Age-Friendly Committee:

THAT Council consider sending a letter to the Fraser Valley Regional District requesting that BC Transit Service add a permanent route to the Agassiz Community Recreation and Cultural Centre; and

THAT Council consider requesting a letter of support from the District of Kent.

**CARRIED
UNANIMOUSLY**
RC-2024-09-10

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11. MAYOR'S REPORT

Deputy Mayor Vidal

- Attended a Public Hearing on August 13, 2024
- Attended a Citizens Advisory Committee Meeting on September 4, 2024 at Mountain Institution. Provided a description of what the Citizens Advisory Committee is and what their role is.
- Reminder that the Terry Fox Run is September 15, 2024. It will begin at the Village Plaza. Registration starts at 9:00 am and the run starts at 10:00 am. Registration is available that day or online in advance.

12. REPORTS FROM STAFF

- (a) Report of Corporate Officer dated September 9, 2024
Re: Emergency Bylaws

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT Council request that the Kent Harrison Joint Emergency Planning Committee create an Emergency Bylaw Update Sub-Committee with District of Kent (DoK) staff to prepare draft updates to the Village's and DoK's emergency bylaws once the new Emergency and Disaster Management Act (EDMA) regulations are released by the Province.

**CARRIED
UNANIMOUSLY**
RC-2024-09-11

- (b) Report of Community Services Manager dated September 9, 2024
Re: FireSmart Program

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT staff be authorized to apply for two years of funding through the UBCM Community Resiliency Investment Program, FireSmart Community Funding and Supports program, up to a maximum of \$200,000 per year.

**CARRIED
UNANIMOUSLY**
RC-2024-09-12

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- (c) Report of Community Services Manager dated September 9, 2024
Re: Community Notice Board Update

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT staff be authorized to proceed with the purchase and installation of a custom community notice board to be located near the beach plaza.

CARRIED
UNANIMOUSLY
RC-2024-09-13

- (d) Report of Planning Consultant dated September 9, 2024
Re: Design Guidelines Policy

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT Council adopt the attached Village of Harrison Hot Springs Design Guidelines Policy 1.39.

Amendment Councillor Jackson
Seconded by Councillor Facio

THAT Design Guidelines Policy 1.39 be referred to a Council retreat to be held after the 2024 by-election.

Council voted on the motion as amended.

CARRIED
UNANIMOUSLY
RC-2024-09-14

- (e) Report of Planning Consultant dated September 9, 2024
Re: Development Permit – 260/270 Esplanade Avenue

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT Development Permit DP 01/24 be issued to KNK Holdings Ltd. for property located at 260 and 270 Esplanade Avenue, Harrison Hot Springs for land legally described as:

- a) Parcel "B" (41267E) Except Part Subdivided by Plan 63660 of Lot 2, Block 2, Section 13, Township 4, Range 29, West of the 6th Meridian, New Westminster District Plan 251 (PID 004-645-162), and
- b) Parcel "A" (118036E) Lot 3, Block 2, Section 13, Township 4, Range 29, West of the 6th Meridian, New Westminster District Plan 251 (PID 011-535-105)

Subject to the following:

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- a) The registration of a save-harmless flood covenant that is acceptable to the Village, be placed on both Titles;
- b) For the installation of or the placement of any signs on the building or structure, the applicant must follow the requirements as outlined in the Village of Harrison Hot Springs Sign Bylaw No. 1126, 2018, as amended from time to time. To start this process, a Comprehensive Sign Plan application must be submitted, and approved by the Village;
- c) The pending Zoning Bylaw No. 1115, 2017 text amendments, associated with this site, are approved;
- d) The applicant entering into a Works and Services Agreement to address the placement of street furniture;
- e) The applicant entering into a Landscaping Agreement to address the Landscaping requirements;
- f) The applicant entering into a covenant to address the placement of at least 6 EV charging outlets and the creation of a bicycle parking area for a minimum of 23 bicycles; and
- g) The Village receiving an Irrevocable Letter of Credit in the amount of \$525,125.00.

**CARRIED
UNANIMOUSLY**
RC-2024-09-15

13. BYLAWS

- (a) Report of Planning Consultant dated September 9, 2024
Re: 260/270 Esplanade Avenue

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT Zoning Amendment Bylaw No. 1209, 2024 be introduced and given first reading;
and

THAT Zoning Amendment Bylaw No. 1209, 2024 be given second reading; and

THAT Council authorize staff to set up a Public Hearing; and

THAT Zoning Amendment Bylaw No. 1209, 2024 be referred to the Ministry of Transportation and Infrastructure, the Harrison Hot Springs Fire Department and the Advisory Planning Commission.

**CARRIED
UNANIMOUSLY**
RC-2024-09-16

- (b) Report of Planning Consultant dated September 9, 2024
Re: Rezoning Application - 421 Emerald Avenue

Moved by Councillor Jackson
Seconded by Councillor Facio

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THAT Zoning Amendment Bylaw No. 1204, 2024 be given third reading and adoption.

**CARRIED
UNANIMOUSLY**
RC-2024-09-17

- (c) Report of Planning Consultant dated September 9, 2024
Re: Zoning Amendment Bylaw No. 1194, 2023 – 259 Hot Springs Road

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT Zoning Amendment Bylaw No. 1194, 2023 be given third reading; and

THAT Zoning Amendment Bylaw No. 1194, 2023 not be adopted until the following reports and/or information is provided to the satisfaction of Council:

1. A report outlining how the developer of this project will be reducing the overall carbon footprint of the proposed Building;
2. The developer entering into a covenant with the Village to address the following:
 - i. The 4.5 M setback along Hot Springs Road and Lillooet Avenue, as required by the Ministry of Transportation and Infrastructure;
 - ii. A flood covenant; and
 - iii. The development of a bicycle parking space, based upon 20% of the required off street parking and to provide EV chargers based upon the ratio of 1 EV charger per every 20 parking stalls provided;
3. A report prepared by a component professional with at least 10 years of professional experience, and accepted by the Village, that addresses:
 - i. An estimate on the demand to be generated by the proposed development for water, and sewer services and in the case of any phased development, by each phase of the development;
 - ii. An analysis of the existing community water system and the existing community sewer system and outlining the options available for the supply and delivery of water and the provision of sewer services to the proposed development;
 - iii. An estimate on the amount of additional surface drainage that could be generated by the proposed development and the options available for on-site retention/absorption, collection, storage, and dispersal of such drainage;
 - iv. Identification of, if applicable, the new capital works required for the proposed development for water, sewer, and the drainage systems and their cost and the potential funding sources for these expenditures; and
 - v. Performing an environmental site assessment;
4. A Comprehensive Sign permit being issued by the Village;
5. A View Impact Report that specifically looks at the view issues towards the lake and the mountains;
6. The development of a Local Traffic Impact report that must:
 - i. Estimate the number of additional vehicle trips per day to be generated by the proposed Development and, in the case of phased Development, by each phase of the Development;

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- ii. Provide an analysis of the impact of the traffic to be generated by the proposed Development on the adjacent uses of the land;
 - iii. Provide an analysis of the impact of the traffic to be generated by the proposed Development on areas where there may be conflict with vehicles, including, without limitation, paths or walking trails and other intersection points;
 - iv. Identify any roadway upgrading, reconstruction, reconfiguration or expansion to the roads that may be necessary in order to accommodate any additional vehicle trips per day to be generated by the proposed Development,. This includes the construction of or alterations to intersections, turning lanes, merge lanes, traffic lights and pullout area and a cost estimate to perform the required works and services; and
7. The development of a sun/shade report.

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT Zoning Amendment Bylaw No.1194, 2024 be postponed until the development permit application is brought before Council.

**CARRIED
UNANIMOUSLY**
RC-2024-09-18

- (d) Report of Planning Consultant dated September 9, 2024
Re: Development Approval Information Bylaw No. 1210, 2024

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT Council introduce and give first reading to Village of Harrison Hot Springs Development Approval Bylaw No. 1210, 2024; and

THAT Council give second and third reading to Village of Harrison Hot Springs Development Approval Bylaw No. 1210, 2024.

**CARRIED
UNANIMOUSLY**
RC-2024-09-19

14. NEW BUSINESS

None.

15. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

Questions from the public were entertained.

Moved by Councillor Jackson
Seconded by Councillor Facio

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THAT the meeting be adjourned at 8:43 p.m.

**CARRIED
UNANIMOUSLY**
RC-2024-09-20

Michie Vidal
Deputy Mayor

Amanda Graham
Corporate Officer

DRAFT

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL
(PRE-CLOSED) MEETING OF COUNCIL**

DATE: Friday, September 13, 2024

TIME: 1:00 p.m.

PLACE: Council Chambers, Village Office
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Deputy Mayor Michie Vidal
Councillor Allan Jackson
Councillor Leo Facio

Chief Administrative Officer, Tyson Koch
Corporate Officer, Amanda Graham

ABSENT:

1. CALL TO ORDER

Deputy Mayor Vidal called the meeting to order at 1:00 p.m.
Deputy Mayor Vidal acknowledged the traditional territory of Sts'ailes.

2. INTRODUCTION OF LATE ITEMS

3. APPROVAL OF AGENDA

Moved by Councillor Facio
Seconded by Councillor Jackson

THAT the agenda for the Special Pre-Closed Council Meeting of September 13, 2024 be approved.

**CARRIED
UNANIMOUSLY**
SC-2024-09-04

4. ADJOURN TO SPECIAL CLOSED COUNCIL MEETING

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT pursuant to Sections 90 and 92 of the *Community Charter*, this Special Meeting of Council be closed to the public as the subject matter being considered relates to the following:

- Section 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- Section 90(1)(c) – labour relations or other employee relations; and
- Section 90(1)(k) – negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages

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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.

**CARRIED
UNANIMOUSLY**
SC-2024-09-05

Moved by Councillor Jackson
Seconded by Councillor Facio

THAT the Special Pre-Closed Council Meeting of September 13, 2024 be adjourned at 1:02 p.m.

**CARRIED
UNANIMOUSLY**
SC-2024-09-06

Michie Vidal
Deputy Mayor

Amanda Graham
Corporate Officer

September 25, 2024

Heather Wood
Deputy Minister of Finance
Secretary to Treasury Board
PO Box 9417 Stn. Prov. Govt
Victoria, BC V8W 9V1

Dear Deputy Minister Wood,

RE: Burden of Delinquent Taxes

On behalf of the City of Merritt Council I am writing to highlight the impact of the *Community Charter* allowance for taxpayers to become delinquent on their property taxes over a period of three years.

Property tax arrears significantly impact the operating capability of small municipalities, which are then forced to significantly increase taxes or limit essential services.

During our meeting with the Minister and staff at UBCM, it was expressed that the ministry was unaware that property owners use the strategy of paying off one year of arrears to remove the property from the tax sale and that they do this year after year to avoid paying the total outstanding amount. To help broaden the ministries understanding of this issue and the impact it has on communities, we have polled other communities and heard from over 20 municipalities across the province including, Burnaby, Prince Rupert, Township of Langley, Hope, Metchosin, Comox, Mission, Golden and Rossland. These communities all report a similar systemic issue of repeat offenders who carry balances owing on their property taxes to the detriment of the greater community. Small municipalities like the City of Merritt cannot continue to subsidize non-payment of property taxes. At year end 2023, the City of Merritt was owed \$893,711 in outstanding taxes and penalties, this equates to 8% on our tax levy. The cost to a community is compounded when you factor in the 100's of hours of staff time required to contact property owners, conduct follow up calls and serve notice of the tax sale by small Finance departments that are often operating with minimal staff and limited resources. This impact will increase significantly with the upcoming implementation of enhanced requirements for notice of tax sales that will require municipalities to bare the cost of bailiff services without the ability to recover full costs.

We request that the Provincial government review and revise the *Community Charter* to relieve this unfair burden. Following are three potential tactics:

1. Reduce the number of years a property can be in arrears on their property tax or allow municipalities to run a deficit.

2. Assign a dedicated contact for municipalities to assist in dealing with properties that have escheated to the Crown and help remove them from property tax rolls expeditiously. Currently they linger on the rolls, accumulating tax levies that will ultimately have to be written off by the Ministry.
3. Implement a province-wide, cost-effective solution for municipalities to recover taxes owed by mobile homes. While we place liens through the registry, the property still needs to be sold or moved legally. Uncertain timing and the costs of legal action make future net recovery uncertain and challenging

Kind regards,

Michael Goetz
Mayor

From: MCF Info MCF:EX <MCF.Info@gov.bc.ca>
Sent: September 25, 2024 12:20 PM
To: Vivian Li <info@harrisonhotsprings.ca>
Subject: E-mail from Cory Heavener, Provincial Director of Child Welfare

Mayor and Council
Village of Harrison Hot Springs
E-mail: info@harrisonhotsprings.ca

Dear Mayor and Council:

As the Provincial Director of Child Welfare, it is my honour to proclaim October as Foster Family Month in British Columbia. I am delighted to take this opportunity to express my gratitude and sincere appreciation for the important role foster caregivers undertake throughout the province. Since 1990, the Government of British Columbia has declared foster family month as a time to celebrate these caregivers, who have committed to protecting and caring for some of our most vulnerable children and youth.

Fostering is a journey etched in love, hope and memories that last a lifetime. Each year, my respect and admiration for the work of foster families deepens, and I wish to express my sincere gratitude for the daily support, comfort, and guidance that they and their families offer to these children in the most difficult times in their lives.

There is no substitute for a caring, trusting relationship in the life of a child. While every child's reason for entering foster care is unique, it is the compassion, patience and understanding provided by foster parents that helps ensure they are able to thrive. The warmth and generosity that they provide, and the resulting benefits for the child's future, are the greatest gifts one can offer.

Please join me in celebrating foster families in your community for the selfless work they do for the children, youth, and families of British Columbia.

Sincerely,

Cory Heavener
Provincial Director

Sent on behalf of the Provincial Director by:



This communication and any accompanying document is confidential and is intended solely for the addressed recipient(s). If you received this e-mail message in error, please delete the e-mail and any attachments and contact the Client Relations Branch, Ministry of Children and Family Development at: MCF.Info@gov.bc.ca.

October 1, 2024

To: The Mayor and Council of The Village of Harrison Hot Springs

Regarding: The proposed new private dock/marina for Harrison Watersports

To whom it may concern:

I am deeply concerned about Council's decision on August 12th to greenlight the approval of the new private dock/marina proposed by Harrison Watersports.

Harrison Hot Springs has precious little, lake accessible beach located in the Village. We are limited to 2 small beach areas to the West of the lagoon, and now there is a proposal on the table to bisect one of those beach areas, and the adjacent swimming area, in half.

Although the proposal from Harrison Watersports states that "the existing public swimming area and beach usage will remain largely unaffected by the dock's orientation", and that this dock will "minimize sightline concerns", neither of these statements is true.

How is it possible to install a structure that blocks the beach, the public walkway, and the swimming area and not impact sightlines or disrupt the public's use of these areas?

This proposal is not for some small public dock that is moored to the shore. It is for a private dock that is substantially equivalent to the existing dock that Harrison Watersports uses. It will contain a gate, a ticket booth, storage for all jet skis and bumper boats, as well as life jackets wet suits and other equipment. It will contain several structures to keep these assets safe from weather and theft, likely including a large quonset hut.

This dock will have several additional sections that jut out at 90 degree angles to accommodate these structures and water craft. How is it possible that this private marina will not impact sight lines?

This structure will likely be constructed in a similar manner to the two existing structures with large rocks brought in to support the entrance to it. All patrons of this business will have to access this dock a minimum of two times, which will create additional traffic on grassy berm walkway. The entrance to the dock will need to be fenced and gated to ensure that the public cannot access it outside of business hours.

The beaches and lake access in the Village are shared assets that are enjoyed by both the residents of Harrison Hot Springs and the thousands of visitors that we host every year. This proposed dock/marina will only benefit one entity and that is Harrison Watersports.

On August 12th, Council had a brief (very brief) discussion about this issue, and then gave the Village's stamp of approval. There was no public consultation. I only found out about this issue in the afternoon of August 12th and then had to digest the information. I have spoken to multiple people in the Village and none of them were aware of this new proposed location. Many have offered to add their names to a petition opposing this proposal which I will be submitted to council at a later date.

I realize that the Province of BC is the ultimate arbiter of whether or not this tenure application is granted. However, it is we, the residents of Harrison Hot Springs and our visitors who will be forever impacted by this decision. This beach and swimming area are public assets that need to be protected for all to use. For the Village Council to state that they have no issues with this proposal clears a crucial hurdle for this to proceed.

This brings up several questions in my mind:

How does this fit in with our OCP?

What is the current zoning of this area?

Does council really have no concern that our beach will be bisected by this structure and that our small swimming area will be split in two?

Why was public input not sought on this proposal?

Has the Advisory Planning Commission been consulted on this proposal?

If a new private marina, similar in scope to the existing one in front of the Hot Springs Resort is going to be added, shouldn't it be to the West of the existing marina, or perhaps near the Harrison Hot Springs Marina on Rockwell Drive where it will not impact this public beach and swimming area?

The approval of this marina should not be taken lightly. Taking away this precious public amenity will negatively impact our community forever.

I urge our Council and new Mayor to take a second look at their approval of this application and to move slowly, seek public input, and make sure that any decision made is in the best interest of the residents, taxpayers and visitors to our community.

Sincerely,

Mark Sippola

[REDACTED]

Harrison Hot Springs

[REDACTED]

Concerns/Requests/Information Form: Submission #244

View



HTML

Table

Plain text

The **View** page displays a submission's general information and data. [- Watch video](#)

[< Previous submission](#)

Submission information

name

Chantal Lamb

address

Harrison Hot Springs, British Columbia

Email

Phone Number

Date

2024-10-01

Location of Concern

Esplanade Avenue new watersport moorage.

Details of Concern/Request

I am writing to express my concern regarding a recent proposed change and I believe passed change to the water and beach access area for Harrison Watersports to construct new moorage at the end of Esplanade Avenue. It has come to my attention that this decision was made without notifying or consulting the residents of the affected area, which I find deeply troubling.

As a member of this community, I believe it is crucial for the municipality to ensure transparency and open communication, especially when such changes can have significant impacts on the residents' quality and enjoyment of the area, the beach and water access for swimmers. Unfortunately, in this instance, it appears that the standard processes of notification and community involvement have not been followed, leaving many of us unaware of the full scope of the changes or their potential effects.

This change would affect the limited beach and water access for swimmers, increase noise and night light pollution, increase boat traffic to the beach and swimming area which is dangerous, as well as effect the beautiful views of the lake which so many residents enjoy. One of the greatest attractions to owners of property, residents and visitors in the area is the natural environment surrounding us. I understand that tourism and local business is important to this community but at what cost.

I oppose such a change but do hope that this matter will be re-addressed in the correct format that it should have been from the start.

{Empty}

From: Paula C

Date: 2024-10-01 8:29 p.m. (GMT-08:00)

To: Leo Facio <LFacio@harrisonhotsprings.ca>, Allan Jackson <ajackson@harrisonhotsprings.ca>, Michie Vidal <MVidal@harrisonhotsprings.ca>

Subject: New Moorage Esplanade Avenue

Good day Councillors,

I am writing to express my concern regarding a recently proposed—and I believe passed—change to the water and beach access area for Harrison Water Sports to construct new moorage at the end of Esplanade Avenue and in the middle of the beach area. It has come to my attention that this decision was made without notifying or consulting the residents of the affected area, or Harrison Hot Springs which I find deeply troubling.

As a member of this community, I believe it is crucial for the municipality to ensure transparency and open communication, especially when such changes can significantly impact the residents' quality and enjoyment of the area, as well as beach and water access for swimmers. Unfortunately, in this instance, it appears that the standard processes of notification and community involvement have not been followed, leaving many of us unaware of the full scope of the changes or their potential effects.

This change would affect the limited beach and water access for swimmers, increase noise and light pollution at night, and raise boat traffic in the beach and swimming area, which poses dangers. Additionally, it would impact the beautiful views of the lake that many residents and visitors cherish. One of the greatest attractions for property owners, residents, and visitors in the area is the natural environment surrounding us. I understand that tourism and local business are important to this community, but at what cost?

I oppose such a change and hope that this matter will be readdressed in the proper format that it should have been from the start.

Thank you for your consideration at this time and I look forward to hearing your response.

Chantal Lamb

Harrison Hot Springs

" see what all the fuss is about"

 [Whole Food Supplementation/ Juice Plus](#)

 [Family healthy start program](#)

File No: 4200-01
Date: October 7, 2024

To: Mayor and Council
From: Kelly Ridley, Chief Election Officer
Subject: 2024 By-Election

RECOMMENDATION

THAT the report of the Chief Election Officer dated October 7, 2024 regarding the results of the 2024 Municipal By-Election be received.

SUMMARY

To provide a report regarding the recent 2024 Municipal By-Election for the positions of Mayor and Councillor.

BACKGROUND

The nomination period for the 2024 General Local By-Election began at 9:00 am, Tuesday, August 6, 2024 and ended on Friday, August 16, 2024 at 4:00 pm. At the end of the nomination period there were three (3) candidates nominated for the Mayor position and four (4) candidates nominated for the office of Councillor.

On Monday, August 26, 2024, the Chief Election Officer (CEO) declared, pursuant to Section 98 of the *Local Government Act*, that an election by voting was to be held on Saturday, September 21, 2024.

Voting Opportunities:

Voting Days

The Village provided for one (1) Advance Voting Opportunity on Wednesday, September 11, 2024 from 8:00 am to 8:00 pm in the Memorial Hall. This is a requirement under Section 107 (2) of the *Local Government Act*. Four hundred and two (402) electors registered and voted on this day.

On September 21, 2024, after the poll closed at 8:00 pm, election staff added the nineteen (19) Mail-in ballots into the Advance Voting Ballot box. This is done as a best practice to ensure the Mail-in ballots are not identifiable. With this addition, the final total was four hundred and twenty-one (421) ballots that went into the tabulator.

General Voting Day took place on Saturday, September 21, 2024 from 8:00 am to 8:00 pm in the Memorial Hall. Five hundred and eight (508) electors registered and voted on this day.

Mail-In Ballots

In addition to the above-mentioned voting opportunities, the Village's electors were able to request Mail-In ballot packages, by completing an application to vote by mail ballot. Mail ballot packages were available for pick up until Friday, September 13, 2024 at 4:00 pm and had to be received back by the CEO before 8:00 pm on Saturday, September 21, 2024 to be counted.

The Village issued twenty-five (25) mail ballot packages. Twenty-one (21) were returned. One package was not picked up, as the person voted at the Advance poll and one was returned as they also chose to vote at the Advance.

Two (2) packages were not returned in time and two (2) had certification envelopes that were completed incorrectly and were rejected. In all, nineteen (19) mail ballots were accepted.

DISCUSSION

Election Results:

As soon as possible after the close of voting on General Voting Day, September 21 2024, the two electronic voting machines were put into report mode to print out the election results. As noted previously, we added the mail ballots into the Advance Voting tabulator prior to printing out the results. The candidates or representatives that were at the voting place watched the process.

The results were printed off and tabulated to determine the final vote total which the CEO read aloud to the people attending. The compulsory paperwork for final ballot accounting was completed and prepared for results reporting.

The Preliminary By-Election Results and the final Determination of By-Election Results were the same numbers and are as follows:

For the Office of Mayor

Candidate Name	Advance/Mail in	General	Total
John Allen	65	116	181
Greg Dykstra	91	113	204
Fred Talen	263	278	541

For the Office of Councillor:

Candidate Name	Advance/Mail in	General	Total
Teresa Omelus	56	91	147
Mark Schweinbenz	267	281	548
Gary Webster	49	82	131
Ed Wood	48	52	100

The Preliminary By-Election Results for Mayor and Councillor were posted online and on the front door of the Village office on the evening of Saturday, September 21, 2024, and later on the Village's public notice posting boards.

As required under Section 145 of the *Local Government Act*, the Chief Election Officer notified all candidates via email that the determination of official election results would be presented on Tuesday, September 24, 2024 at 9:00 am in the Village Office Council Chambers. The Chief Election Officer reviewed the election results prior to reading aloud the ballot account. The results remained the same as was determined on Saturday evening, September 21, 2024. The determination of official election results was signed by the Chief Election Officer and posted to the Village's website and bulletin boards on September 24, 2024.

The estimated number of eligible voters for the Village of Harrison Hot Springs was 1,581 (2024 Provincial Voters List data). The total number of ballots cast in the 2024 Municipal By-Election was nine hundred and twenty-nine (929) resulting in a 58.76% voter turnout.

Memorial Hall worked well as an election voting place. There is enough room to have four (4) voter registration tables on one side and five (5) voting booths on the other. At the Advance Voting opportunity (September 11, 2024) the Village cordoned off the side parking area to allow the voters free parking.

During the 2022 General Local Election, twelve (12) mail ballot packages were requested. During the 2023 General Local By-Election, twenty-three (23) mail ballot packages were requested; and in 2024 twenty-five (25) packages were requested. Given this increase, staff is recommending that the Village continue to provide for mail ballot voting.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

POLICY CONSIDERATIONS

There are no policy considerations associated with this report.

Respectfully submitted:



Kelly Ridley
Chief Election Officer

Reviewed by:



Tyson Koch
Chief Administrative Officer

File No: 0530-01
Date: October 7, 2024

To: Mayor and Council
From: Amanda Graham, Corporate Officer
Subject: Council Appointments

RECOMMENDATIONS

THAT _____ be appointed as Council liaison to Agassiz-Harrison Healthy Communities.

THAT _____ be appointed as Council liaison to the Agassiz-Harrison Historical Society.

THAT Mayor Talen be appointed to the Age-Friendly Committee.

THAT Councillor Schweinbenz be appointed to the Environmental Advisory Committee.

THAT Mayor Talen be appointed as Council liaison to the Harrison Agassiz Chamber of Commerce.

THAT Mayor Talen be appointed to serve as the Council representative to the Lets'emot Community to Community Forum.


SUMMARY

To provide a current list of Council liaison, municipal director, board, and committee member appointments and to fill vacancies created by the 2024 By-Election.

BACKGROUND

As a result of the recent by-election, six (6) Council appointment positions are vacant and require a member of Council to be appointed to them. Staff have discussed committee appointments with Mayor-elect Talen who has made recommendations shown on the attached spreadsheet.

Respectfully submitted:



Amanda Graham
Corporate Officer

Reviewed by:



Tyson Koch
Chief Administrative Officer

Attachment: Council Liaison, Municipal Director, Board and Committee Appointments dated October 7, 2024

Committee	Council Appointee	Mayor Talen's Recommendation
Accessibility Committee	Councillor Facio	
Agassiz-Harrison Healthy Communities	Vacant	
Agassiz-Harrison Historical Society <i>non-voting</i>	Vacant	
Age-Friendly Committee	Vacant	Mayor Talen
Communities in Bloom Committee	Councillor Jackson	
Community Futures North Fraser Board of Directors	Councillor Vidal	
Mountain Institution Citizen's Advisory	Councillor Vidal	
Environmental Advisory Committee	Vacant	Councillor Schweinbenz
Fraser Valley Regional District Board	Councillor Facio (Alternate: Councillor Jackson)	
Fraser Valley Regional Hospital District Board	Councillor Facio (Alternate: Councillor Jackson)	
Fraser Valley Regional Library Board	Councillor Jackson (Alternate: Councillor Facio)	
Harrison-Agassiz Chamber of Commerce	Vacant	Mayor Talen
Kent Harrison Joint Emergency Program	Councillor Vidal	
Lets'emot Community to Community Forum	Vacant (Alternate: Councillor Vidal)	Mayor Talen
Municipal Insurance Association Voting	Councillor Jackson (Alternate: Councillor Vidal)	
Tourism Harrison River Valley Liaison <i>non-voting</i>	Councillor Jackson	

File No: 0550-01
Date: October 7, 2024

To: Mayor and Council
From: Amanda Graham, Corporate Officer
Subject: Deputy Mayor Appointments - 2025

RECOMMENDATION

THAT the following members of Council be appointed as Deputy Mayor for 2025:

January – April	Councillor Facio
May – August	Councillor Vidal
September – December	Councillor Schweinbenz

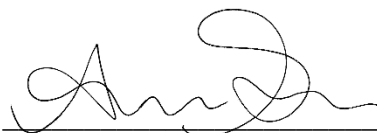
SUMMARY

To appoint Councillors as Deputy Mayor on a rotational basis for 2025.

BACKGROUND

Pursuant to Section 130(1) of the Community Charter, Council must, in accordance with the Village's Council Procedure Bylaw No. 1164, 2021, designate a Councillor to act in the role of the Mayor when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant. Historically, Council has split this appointment up so that the responsibility is shared amongst Councillors throughout the year. Pursuant to the bylaw, Deputy Mayor nominations are made by the Mayor and the appointments are made by Council. The recommendation in this report is based on nominations from Mayor-elect Talen.

Respectfully submitted:



Amanda Graham
Corporate Officer

Reviewed by:



Tyson Koch
Chief Administrative Officer

File No: 0550-01
Date: October 7, 2024

To: Mayor and Council
From: Amanda Graham, Corporate Officer
Subject: 2025 Regular Council Meeting Schedule

RECOMMENDATION

THAT the proposed Regular Council Meeting Schedule for 2025 be approved as submitted.

SUMMARY

To present a 2025 meeting schedule for Council's consideration.

BACKGROUND

Section 127(1) of the *Community Charter* requires that Council prepare a schedule of dates, times and places of Regular Council Meetings for the next full calendar year.

DISCUSSION

Section 3(b) of the Village's Council Procedure Bylaw No. 1164, 2021 states that Regular Council Meetings shall be held on the first and third Mondays of each month, except for July, August and September. For January 2025, the Regular Council Meetings would fall on January 6 and 20. January 6 immediately follows an office closure between Christmas Day and New Year's Day in accordance with the Village's Municipal Facilities Hours of Operation and Closures Policy No. 1.34. Additionally, New Year's Day falls on the Wednesday preceding the meeting, which is the deadline to submit agenda items. Accordingly, staff is recommending that the process from 2024 be followed, and that Council approve one meeting that month to be held on January 13, 2025. A tentative 2025 Regular Council Meeting schedule has been prepared and is attached to this report.

At the November 7, 2023 Committee of the Whole Meeting, Council resolved to hold Regular Meetings at Memorial Hall most of the year, with the July, August and September meetings to be held at the Village Office.

FINANCIAL CONSIDERATIONS

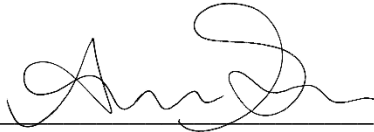
There are no financial considerations associated with this report.

POLICY CONSIDERATIONS

There are no policy considerations associated with this report.

Respectfully submitted:

Reviewed by:



Amanda Graham
Corporate Officer



Tyson Koch
Chief Administrative Officer

Attachment: Proposed 2025 Regular Council Meeting Schedule

VILLAGE OF HARRISON HOT SPRINGS - REGULAR COUNCIL MEETING

2025

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August

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					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October

S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Regular Council Meetings
 Statutory Holidays Observed

LMLGA Conference – May 7 - 9, 2025 (Harrison Hot Springs)
 FCM Conference – May 29 - June 1, 2025 (Ottawa)
 LGMA Conference & AGM – June 10 - 12, 2025 (Kelowna)
 UBCM Convention – September 22 - 26, 2025 (Victoria)

File No: 0530-01
Date: October 7, 2024

To: Mayor and Council
From: Tyson Koch, Chief Administrative Officer
Subject: Council Retreat and Strategic Plan

RECOMMENDATION

THAT staff be authorized to engage Poole Consulting to facilitate a training session with Council and assist Council and staff in developing a strategic plan for their remaining term (2025-2026), at a cost of up to \$15,000.00 to be funded by surplus.

SUMMARY

To engage Ron Poole of Poole Consulting to provide a Council training session to educate the newly formed Village Mayor and Council and host a strategic planning session to determine common goals, initiatives, and actions to move the community forward.

DISCUSSION

After a new Council is sworn in following a General Local Election, they are provided an opportunity to attend a regional training session that provides a high-level understanding of what to expect for the duration of their term of office. This training provides a framework to set new and experienced elected officials up for a successful term. As the Village's newly formed Council is the result of a By-Election, the option to attend a regional training session is not available. In addition, new councils often have a multiday strategic planning session/retreat to discuss budgets, capital projects and the various components that make up the budget for the next five years.

A Council's Strategic Plan is an important road map for both Council and the community that defines and guides a community into the future. It defines the municipality's key priorities, processes and short and long term plans. It guides work priorities through departmental plans and prioritizes budget and resource allocations over multiple years.

In 2023, the Ministry of Municipal Affairs provided the Village of Harrison Hot Springs with a Municipal Advisor, Mr. Ron Poole of Poole Consulting. Mr. Poole has 38 years of local government experience whose has supported, mentored and liaised with Council and senior staff with a focus on building professional relations, effective council practices and preparing strategic plans. In the role of the Municipal Advisor for the Village, Mr. Poole gained recent and extensive knowledge about the challenges, successes, and opportunities unique to Harrison Hot Springs. Staff have had preliminary discussions with Mr. Poole to gauge his interest and determine his availability due to his experience in working with this community. He is looking forward to having the opportunity to provide this newly formed Council with the tools to build a collaborative and positive environment.

Staff recommends that Council authorize staff to engage Ron Poole of Poole Consulting to provide the following training:

- Legislation
- Role of Elected Officials
- Role of Appointed Officials
- The Elected and Appointed relationship
- Respectful Conduct
- Code of Conduct
- Conflict of Interest
- Regional Districts
- Meetings
- Avoiding the problems
- Procedure Bylaw – review current plan and suggestions for change
- Code of Conduct - staff presentation on current Code of Conduct for the Village

Staff also recommends engaging Mr. Poole to facilitate a strategic planning session with Mayor, Council and Staff to:

- Review the current strategic plan
- Identifying strengths, weaknesses, opportunities and threats
- Review current Vision, Mission and Value statements (are they still valid?)
- Review current priorities and identify new ones
- Consider actions and goals for each priority

Mayor and Council will need to determine whether they would like to review/amend the existing 2023 Strategic Plan or create a whole new 2025-2026 Strategic Plan.

Mr. Poole suggested November 27th and 28th would be appropriate for a training and strategic planning session because Mayor and Council will have been through their fourth Council meeting. Mr. Poole asked that Mayor and Council make notes of the challenges they may be experiencing during the first few council meetings so he can help by answering any questions and/or mitigate any procedural challenges.

Mayor and Council will need to determine where they would like to host the training and strategic planning sessions, in the Village or at an alternate location. If council wishes to host the sessions offsite, additional funds for a meeting location rental, lunches and accommodations will need to be considered.

FINANCIAL CONSIDERATIONS

Staff suggests allocating up to \$15,000.00 from surplus to engage Poole Consulting for two days of training and strategic planning sessions, lunches and meeting space rental (if required).

POLICY CONSIDERATIONS

There are no policy considerations associated with this report.

Respectfully submitted by:



Tyson Koch
Chief Administrative Officer

Financial Considerations Reviewed by:



Scott Schultz
Chief Financial Officer, Deputy CAO

File No: 0530-01
Date: October 7, 2024

To: Mayor and Council
From: Tyson Koch, Chief Administrative Officer
Subject: Responsible Conduct Framework for Local Government Elected Officials – Request for Input

RECOMMENDATION

THAT each Village Council member provide staff with answers to the questions asked in the discussion paper *Potential for Change - Responsible Conduct Framework for Local Government Elected Officials* dated September 2024 for submission to UBCM.

SUMMARY

To discuss the paper *Potential for Change - Responsible Conduct Framework for Local Government Elected Officials* as prepared by the Union of Brith Columbia Municipalities (UBCM) and the Local Government Management Association (LGMA) dated September 2024.

BACKGROUND

British Columbia's responsible conduct framework for local government elected officials is designed to help municipalities, regional district boards and their elected members learn about, promote, and ensure adherence to standards of appropriate conduct. Concerns raised by elected officials and staff with shortcomings in the existing framework prompted UBCM and the LGMA to produce the attached joint Discussion Paper.

DISCUSSION

The Discussion Paper explores the potential for mandatory codes of conduct in all local governments in British Columbia and presents three models to address issues related to the administration and enforcement of codes. It does not offer prescriptions or recommend a specific path forward. However, it identifies a new option for code of conduct administration and enforcement that exists between the status quo and a centralized province-wide service.

The authors of this paper are currently inviting local government feedback to inform further action on these considerations by the Working Group on Responsible Conduct, and ultimately, by the Province.

Local government councils and boards and individual elected officials are encouraged to provide comment on the following questions:

- Should the province be requested to develop legislation mandating codes of conduct modelled on established best practices for all local governments in BC?
- Are legislated changes needed to support code of conduct administration and enforcement?
 - And, if so, what factors do you think are most important to the success of a new approach to code administration and enforcement?

Councils and boards are invited to respond to these questions in writing to UBCM by **November 1, 2024**.

All feedback will be shared with the Working Group on Responsible Conduct as all parties work together to identify a process the next phase of changes to strengthen BC's responsible conduct framework.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

POLICY CONSIDERATIONS

There are no policy considerations associated with this report.

Respectfully submitted:



Tyson Koch
Chief Administrative Officer

Attachment: September 2024 Discussion Paper *Potential for Change - Responsible Conduct Framework for Local Government Elected Officials*

DISCUSSION PAPER

POTENTIAL FOR CHANGE

Responsible Conduct Framework for Local Government Elected Officials

SEPTEMBER 2024



A joint Initiative of the Union of British Columbia Municipalities
and the Local Government Management Association of British Columbia

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INTRODUCTION

This *Discussion Paper* is a joint initiative of the Union of British Columbia Municipalities (UBCM) and the Local Government Management Association of British Columbia (LGMA).

The *Paper* explores two specific, inter-related topics in recent discussions on potential changes to British Columbia's responsible conduct framework for local government elected officials:

- The idea of mandatory codes of conduct, in place of voluntary codes, for local governments, and
- The models that exist, or that could be developed, to support the administration and enforcement of responsible conduct standards set out in local government codes of conduct.

Resolutions to UBCM over the past seven years have consistently called for additional tools to promote responsible conduct and enforce responsible conduct standards. Included in the resolutions has been a request for a province-wide integrity or ethics commissioner office for local government. This paper explores the underlying issues that have prompted these calls for action, and identifies key considerations for determining how to best address the issues. The paper aims to broaden and inform discussion; it does not recommend policy.

Consultation for the *Paper* included separate discussions with two focus groups, one of which featured local elected officials, the other a mix of chief administrative officers, corporate officers and other senior staff. Interviews with past and present Integrity Commissioners, local government staff, a Municipal Advisor appointed by the Ministry of Municipal Affairs, and others were also conducted. Research was undertaken to understand responsible conduct frameworks in other provinces, and to assess the range of approaches taken to promote responsible conduct, investigate alleged breaches of codes of conduct, resolve conduct issues, and enforce codes through the application of sanctions.

WORKING GROUP ON RESPONSIBLE CONDUCT

The *Discussion Paper* builds on the efforts to date of the staff-level Working Group on Responsible Conduct for

Local Government Officials in British Columbia. The Group, which includes representatives of the Ministry of Municipal Affairs, UBCM and LGMA, was established in 2016 in response to a UBCM resolution that called on the provincial government to enable local governments to appoint integrity commissioners. In 2017, the Group delivered a policy paper at the UBCM Convention on the key components of an effective framework to support responsible conduct. In subsequent years, resources and tools to strengthen the framework were developed, including a set of foundational principles, a model code of conduct for local government elected officials, a scenario-based online training course, and guidance for local governments on how to prevent conduct issues from arising, and deal with issues that do arise.

DISCUSSION PAPER FORMAT

The *Discussion Paper* is divided into three sections. Section one provides an overview of British Columbia's current responsible conduct framework. Section two outlines a set of resolutions endorsed by the UBCM membership in recent years. This section includes a discussion on the desire for further change to address perceived gaps in the framework that remain. Section three explores the case for mandatory codes of conduct, and considers three different models for code of conduct administration and enforcement. Each of the models is designed to enable the provision of advice and education on responsible conduct, to assist in resolving responsible conduct concerns, to investigate alleged breaches of responsible conduct, and to support the enforcement of codes of conduct in cases of actual breaches.

The full text of the UBCM resolutions noted in section two are provided in *Appendix I*. A preliminary discussion of mandatory education is provided in *Appendix II*. The resources created in recent years by the Working Group are presented in *Appendix III*.

CURRENT FRAMEWORK

This section profiles British Columbia's current responsible conduct framework for local government elected officials. In general, the framework recognizes the autonomy of local governments in British Columbia to select and design tools that local governments themselves feel are important to have in place.

The Province provides the legislative authority that municipalities and regional districts need to take action, and encourages local governing bodies to embrace certain tools, such as codes of conduct. Guidance is also provided (including through the Working Group on Responsible Conduct) to assist local government officials in their efforts to learn about the framework and the expectations inherent in it. This table provides an overview of the existing framework. Individual elements identified in the box are outlined separately in this section.

ELEMENTS OF THE CURRENT FRAMEWORK	
Foundational Principles	Four principles to guide behaviour
Oath or Affirmation of Office	Required under Community Charter, Local Government Act, Vancouver Charter Elected officials who do not take the oath are disqualified from taking office
Codes of Conduct	Cornerstone of framework, but optional Guidance provided by Working Group on best practice codes
Independent Investigators	Ability to retain independent investigators, and to appoint autonomous integrity commissioners
Education	Widely recognized as essential to promotion of responsible conduct Identified in many existing codes as sanctions to correct poor conduct
Broader Legislative Context	Responsible conduct part of a broader legislative framework to address related concerns
Resources on Responsible Conduct	Various resources exist to guide local governments in efforts to promote responsible conduct, and to resolve instances of poor conduct

Foundational Principles

The foundational principles are intended to guide the conduct of individual elected officials and the collective behaviour of the governing body (i.e., the municipal council or regional district board). Four principles underlie the current framework in British Columbia:

- **Integrity** — Elected officials with integrity conduct themselves honestly and ethically. They are open and truthful in their dealings, protective of confidentiality, and work to avoid conflicts of interest and perceived conflicts.
- **Accountability** — Accountable officials accept responsibility for their own behaviour and for decisions they make as individuals. They accept the collective

responsibility of the governing body for decisions made.

- **Respect** — Respect means valuing the perspectives, wishes and rights of others, including other elected officials, staff members and the public.
- **Leadership and Collaboration** — Elected officials need to demonstrate an ability to lead, listen to, and positively influence others. They need to come together to create or achieve collective goals.

These principles are integrated with and reflected in other parts of the framework, including the oath of office, the legislated requirement to consider the adoption or updating of a code of conduct, and the model code of conduct.

Oath of Office

The *Community Charter* (s. 120), *Local Government Act* (s. 210) and *Vancouver Charter* (s. 140), require that every local government elected official in British Columbia take an oath or make an affirmation of office within 45 days following election. Each local government may, by bylaw, establish its own oath. Where no bylaw has been created, officials must use the oath prescribed in BC Reg. 137/2022 (*Local Government Oath of Office Regulation*). The prescribed oath — adjusted in response to a 2021 UBCM resolution

— requires officials to swear that they are qualified to hold office, will abide by the rules set out in legislation on conflicts of interest, will act in accordance with the four foundational principles, and will perform the duties of their office in accordance with the law.

Any elected official who does not take the oath within the prescribed time is disqualified from holding office.

Codes of Conduct

Codes of conduct are documents that set out shared expectations for elected official behaviour. The *Community Charter* (s. 113.1 and 113.2)¹ and *Vancouver Charter* (s. 145.93 and 145.94) require each local governing body to decide, within six months after its first council or board meeting post-election, whether to establish a code of conduct for elected officials, or review an existing code. In making its decision, the council or board must consider the prescribed principles for codes of conduct that are set out in BC Reg. 136/2022 (*Principles for Codes of Conduct Regulation*).²

If a council or board chooses to not establish a code of

conduct, the council or board must make available to the public the reasons for its decision. The council or board must also reconsider its decision before January 1 of the year of the next general election. If the governing body, upon reconsideration, affirms that it will not establish a code of conduct, the body must again make its reasons available to the public.

The Working Group on Responsible Conduct created a Model Code of Conduct and a Companion Guide, along with advice to support informal and formal resolutions on matters of conduct.

Investigators and Commissioners

Local governments have the ability in the current framework to retain independent investigators, and to appoint autonomous integrity commissioners, to receive and investigate complaints, facilitate the informal resolution of conflicts, manage formal resolution processes, and make recommendations to governing bodies on sanctions to apply. In British Columbia, integrity commissioners have been created by the Cities of Surrey (2020), Vancouver (2022), Maple Ridge (2024) and New Westminster (2024).³ Many municipal councils and regional district boards, however, provide for the hiring of independent third-party investigators.

The Working Group has developed guidance materials for local governments on best-practice approaches to the enforcement of codes. These materials identify the hallmarks of sound enforcement, which include the development of a thorough process for vetting and handling complaints on conduct, the identification of a range of sanctions to consider applying in the event of a breach, safeguards to ensure procedural fairness for all parties, and the use of independent third parties to conduct investigations, make determinations and recommend sanctions.

Education

Education is widely recognized as essential to the promotion of responsible conduct, and as a key part of the responsible conduct framework. The Working Group provides an online scenario-based course of the principles that guide responsible conduct. The Local Government

Leadership Academy provides training to elected officials on the factors, including responsible conduct, that enhance a local government's ability to provide good governance to its community. UBCM and LGMA also provide training, for elected officials and staff respectively, on topics related to

¹ These sections of the Community Charter apply to regional district boards.

² The requirements for consideration and reconsideration were introduced by the province in 2022 in response to a 2021 UBCM resolution.

³ In late July 2024, during the writing of this Discussion Paper, Vancouver City Council entertained a motion to suspend the work of the Integrity Commissioner pending an independent review of the Commissioner's scope of duties. On August 6, 2024, however, Council resolved to postpone a vote on the motion until September.

responsible conduct.

Most local governments provide orientation to their governing bodies in the months following the inaugural meeting. Governance principles and responsible conduct are typically included in orientation programs. Some local governments go further and provide regular or periodic

refresher sessions. Education is also identified in many existing codes of conduct as a form of sanction that governing bodies may impose to remedy instances of less-than-responsible conduct. A recommendation that the council or board member attend a specified training course, for example, is a feature of some codes.

Broader Legislative Context

British Columbia's current responsible conduct framework is situated within a broader legislative context that includes provincial and federal statutes designed, among other purposes, to govern elements of elected official conduct. The context includes the *Local Government Act*, *Community Charter* and *Vancouver Charter*, each of which speaks to conflict of interest matters. The context also includes the:

- *Criminal Code of Canada*
- *Ombudsperson Act*

- *Workers Compensation Act*
- *British Columbia Human Rights Code*
- *Freedom of Information and Protection of Privacy Act*

Independent parties with authority under these statutes — the Office of the Ombudsperson and WorkSafe BC are examples — have spheres of jurisdiction that may compel them to act in response to issues that arise, either in place of or in advance of locally-appointed third-party investigators and integrity commissioners.

Resources on Responsible Conduct

Experienced third-party consultants and municipal lawyers are available to assist local governments with drafting codes of conduct bylaws or policies, with orientation and education efforts aimed at explaining the codes and their implications for behaviour, with investigations into complaints, and with enforcement measures. In exceptional circumstances, supported by a request (resolution) from the council or

board, the Ministry of Municipal Affairs has assisted local governments by contracting Municipal Advisors to examine and provide advice address the most egregious incidences of questionable conduct. The Local Government Management Association also maintains an online database of consultants that is available to local governments.

Additional Comments

It is useful to remember that the Framework for Responsible Conduct applies specifically to local government elected officials, not to local government staff. Unlike staff who are accountable to the organizations that employ them, elected officials are accountable to the electors in the communities they serve. The Framework provides tools and resources to promote proper conduct by elected officials, and to

address incidents of poor conduct by officials, between elections. The ability of electors to judge elected officials and remove them from office at the time of election, however, will in some cases be the most effective tool for managing elected official conduct.

DESIRE FOR CHANGE

From 2016 to 2023 the UBCM membership voted on six resolutions related to British Columbia's responsible conduct framework for elected officials. All of the resolutions underscored the growing sense on the part of local governments across the province that incidents of less than responsible conduct among elected officials were becoming more prevalent and intractable. All of the resolutions spoke to a desire for change in the existing framework, and put forward specific ideas to either introduce new tools or strengthen existing ones.

This section summarizes the proposed UBCM resolutions⁴ between 2016 and 2023, along with a proposed 2024 resolution that at the time of writing has not yet been presented to or voted on by the membership. The section ends with commentary on the potential need for further change.

UBCM Resolutions

As noted, the UBCM membership voted on six responsible conduct resolutions between 2016 and 2023. The first resolution, presented in 2016, sought authority for local governments to appoint local integrity commissioners who would provide advice and education to local elected officials on conduct and codes of conduct, investigate alleged breaches to codes of conduct, and enforce codes in cases of actual breaches. This resolution, which was referred to the UBCM Executive, resulted in the creation of the Working Group on Responsible Conduct.

Three resolutions in 2021, 2022 and 2023 called on the Province to establish through legislation one or more integrity commissioner offices to advise local governments and enforce codes of conduct. All three resolutions were endorsed by the membership. A separate resolution in 2022 sought the development of a standard code of conduct that would apply to all local governments in the province. This resolution was not endorsed.

A 2021 special resolution (*SR3: Strengthening Responsible Conduct*) sponsored by the UBCM Executive asked the provincial government to:

- Require all local governments to consider the adoption or updating of a code of conduct at least once in each new term of office,
- Work with UBCM and others to develop a mandatory education model that would support responsible conduct by local elected officials,
- Update the oath of office that is prescribed by provincial regulation to embed the foundational principles of the responsible conduct framework, and
- Provide guidance to assist local governments with their own oath of office bylaws in incorporating the foundational principles into the bylaws.

An additional resolution has been endorsed by UBCM's Resolutions Committee for presentation to the membership in 2024. The resolution calls on the provincial government to establish an Office of the Municipal Government Ethics Commissioner to provide "fair and unbiased guidance" to local governments on responsible conduct matters, code of conduct violations, conflict of interest and bullying. The resolution also calls on the Province to require all new local elected officials to participate in mandatory ethics training.

⁴ The resolutions are presented in full in Appendix I.

Desire for Further Change

Local governments recognize that most elected officials endorse and seek to demonstrate appropriate behaviour. The continuing calls for additional responsible conduct tools, however, underscore the general belief that resources in the current framework are not sufficient for dealing with individuals who show little interest in understanding roles and expectations, who demonstrate little respect for their peers or for local government staff, and who appear to reject the very local government institutions that enable good governance and that they, as elected officials, are responsible for protecting.

There is a concern with the trend towards problematic elected official conduct and its impact on the ability councils and boards to function. Local governments that become mired in internal conflict may experience a loss of legitimacy in their own communities, and may see a related decline at elections in voter turnout, and in the number and diversity of candidates for election. The same local governments may also experience a decline in morale among staff and may observe a reluctance on the part of current managers to seek higher positions in their organizations. Departures of top-performing employees, and significant recruitment challenges, are additional consequences.

Local governments dealing with cases of poor conduct are increasingly calling on the provincial government to introduce new legislative requirements, and/or to provide additional tools to manage conduct matters, including tools that can be applied province-wide by a centralized body. This appeal reflects:

- A sense of frustration with the perceived lack of tools, and the resulting inability of local governing bodies to effectively address egregious examples of poor conduct;
- An awareness that the current reliance on local governments to determine their own approaches to managing conduct issues leads to significant inconsistencies among councils and boards in both the design and administration of codes of conduct;
- The concern that existing approaches to managing elected official conduct too often involve a role for local government staff, and that a reliance on staff to intervene or resolve conflict is both unfair and inappropriate;
- A concern expressed by elected officials and staff — particularly officials and staff from smaller jurisdictions — that local governments lack the resources to properly administer and enforce a responsible conduct framework; and

- A fear that codes of conduct, complete with sanctions that publicly censure elected officials for issues of conduct, can be easily weaponized when administered locally against individuals with minority perspectives.

Not all local governments, it should be emphasized, share these concerns, or believe that there is a strong case for provincial government intervention, either in the form of stronger legislation or additional tools. Some local governments take the view that the existing legislation and tools are sufficient to address matters of conduct, that local governments themselves are responsible for managing conduct issues in their governing bodies, and that cost-sharing

CALL FOR LEGISLATION

Local governments dealing with cases of poor conduct are increasingly calling on the provincial government to introduce new legislative requirements, and/or to provide additional tools to manage conduct matters, including tools that can be applied province-wide by a centralized body.

and other collaborative approaches exist to enable local governments to effectively meet their responsibilities.

The UBCM resolutions and the input provided to this *Discussion Paper* by elected officials and senior staff, however, speak to the growing perception that the current responsible conduct framework has shortcomings that prevent local governments from being able to effectively address cases of poor conduct. These shortcomings constitute gaps that UBCM and LGMA seek to understand through the exploration of mandatory codes of conduct and the consideration of different models that may be used for code administration and enforcement.

Across British Columbia and beyond, local governments are seeking effective tools to support responsible conduct. Ideas that are being advanced by some, including ideas that feature a province-wide integrity commissioner, need to be assessed carefully.

CHANGES TO CONSIDER

This section responds to concerns raised by local government elected officials and staff on the existing responsible conduct framework for local government elected officials. The text explores two specific, inter-related topics:

- The idea of mandatory codes of conduct in place of voluntary codes for local governments, and
- The models that exist, or that could be developed, to support the administration and enforcement of responsible conduct standards set out in local government codes of conduct.

The two topics are addressed separately in the section but are dependent on one another. The models for administration and enforcement focus on the standards in the codes of conduct, and therefore require codes of conduct to be in place.

An additional topic concerns responsible conduct education for elected officials. Education on principles and standards of conduct is encouraged in the current responsible conduct framework, but is not required. A change in favour of mandatory education is a point of discussion among elected officials and staff, and is a topic in need of further study. Appendix II introduces and provides an overview of the topic.

Mandatory Codes of Conduct

Codes of conduct are tools created by local governments to help local government officials understand the standards of behaviour and conduct that are expected of them. Codes also exist to set out fair processes for receiving complaints about elected official conduct, investigating alleged breaches of code standards, and reporting on findings. Finally, codes are developed to hold elected officials accountable who, based on investigations, are found guilty of code breaches.

It should be emphasized that codes are not intended to prevent or impede in any way the robust exchange of views that is critical to good local governance. Codes are also not created to eliminate or stifle minority perspectives that need to be heard and taken into consideration in decision making.

When designed and administered properly, codes of

conduct help to promote a positive working environment for local elected officials to collaborate, through their collective governing bodies, in setting priorities and making decisions that benefit their communities. Council and board discussions on the creation of codes allow elected officials to explore values and relationships, roles and responsibilities, and the principles of good governance. Such discussions also help elected officials understand the potential impacts of their actions on the communities they serve. In clearly laying out standards of acceptable behaviour and conduct, codes protect councils and boards from unnecessary conflict and stress. In so doing, codes help to build public confidence in local governments and the broader local government system.

Current Approach

Codes of conduct are a cornerstone of the responsible conduct framework for elected officials in British Columbia. They are widely recognized to be both important and necessary as tools to guide the behaviour of decision-makers and, where required, hold decision-makers accountable between elections for problematic conduct that occurs.

Local governments in British Columbia are strongly encouraged to create codes, and are required to consider creating

them. The requirement for consideration takes the form of legislative amendments (2022) introduced by the Province in response to the UBCM's 2021 special resolution (*Strengthening Responsible Conduct*). These amendments require all councils and boards to consider establishing a code of conduct, or reviewing an existing code, within the first six months after their inaugural meetings. Most local governments in the province have codes of conduct in

place today.⁵

Strong encouragement and the requirement for consideration notwithstanding, codes of conduct are not mandatory for local governments in British Columbia. This approach reflects the long-standing legislative framework for local government in British Columbia which is based, to a

Approaches Elsewhere

Responsible conduct frameworks for local government elected officials in all provinces include and emphasize the importance of codes of conduct. British Columbia's framework is no different in this respect. British Columbia's framework is entirely unique in its treatment of codes as voluntary and at the discretion of individual local governments. In all other provinces, codes of conduct for local government elected officials are mandatory.

Requirements for codes of conduct in other provinces differ in their degree of prescriptiveness. In Alberta, the rules concerning codes of conduct are outlined in the province's *Code of Conduct for Elected Officials Regulation*, created in 2017 pursuant to section 146.1 of the *Municipal Government Act*. The regulation prescribes topics that must

significant degree, on principles of local government autonomy, empowerment and accountability. Ultimately, it is the decision of each municipal council and regional district board to determine whether or not to put a code in place to guide the conduct of its members.

The regulation also requires each council to review and update its code of conduct, along with any bylaws that have been incorporated by reference into the code, at least once every four years.

Saskatchewan's legislation prescribes a set of standards for codes that includes honesty, respect and confidentiality. A complaints process that must be based on principles of fairness, accessibility, responsiveness and efficiency is required. Manitoba is quite prescriptive in its approach to codes. The province prescribes, through its *Council Members' Codes of Conduct Regulation* (2020), the values on which codes must be based, the requirement to review codes every year, the list of specific sanctions to include in codes, and the specific factors that councils must consider when imposing a sanction.

Ontario's local government legislation requires every council to establish a code of conduct for its members, but does not list to any significant degree the topics to include or procedures to follow in administering the codes.⁶ Under section 223.4 (5) of Ontario's *Municipal Act*, however, the Province does prescribe and limit the range of sanctions that may be imposed. This section states that a council may impose one of two sanctions, based on a report by the integrity commissioner that the member has contravened the code of conduct:

- A reprimand, or
- A suspension of remuneration for up to 90 days.

New Brunswick and Nova Scotia have introduced requirements for local governments to implement codes of conduct with some standardized elements. By contrast, the highly prescriptive approach taken by Quebec sets out contents for local government codes, including complaint procedures and sanctions.⁷

VOLUNTARY CODES

British Columbia's framework is entirely unique in its treatment of codes as voluntary and at the discretion of individual local governments. In all other provinces, codes of conduct for local government elected officials are mandatory.

be included — others may be included at the discretion of council — along with a set of sanctions from which councils may choose to impose in cases where a council member fails to adhere to the code. The regulation requires the inclusion of a complaint system to identify who may make a complaint, and how complaints are to be investigated.

⁵ At the time of writing, 70% of local governments have codes of conducts in place. Most of these codes have been established and/or reviewed under the 2022 legislative amendments.

⁶ Ontario does have in place a short regulation titled Codes of Conduct: Prescribed Subject Matters. The regulation identifies four prescribed subject matters that local governments must include in their codes of conduct for local elected officials — gifts, benefits and hospitality; respectful conduct; confidential information; use of local government property.

⁷ Quebec's approach has its origins in the findings of the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry (Charbonneau Commission). This Commission, which ran from 2011 to 2015, exposed significant corruption in municipal government.

EVOLVING FRAMEWORKS

One takeaway from the research conducted for this Discussion Paper is that responsible conduct frameworks in all provinces are evolving. Reviews are underway in many jurisdictions to clarify objectives and incorporate new or amended tools.

Factors to Consider

Over 70% of local governments in British Columbia have established codes of conduct despite the lack of any statutory requirement on the matter. The UBCM's 2021 special resolution (*Strengthening Responsible Conduct*) addressed the need for codes of conduct, and requested the Province to amend local government legislation to require the consideration of codes. UBCM stopped short of calling for change to make codes mandatory.

Focus group participants and individuals interviewed for this *Discussion Paper* expressed support for a change in favour of mandatory codes. The introduction of such a requirement, it was suggested, would send a strong and positive message throughout the local government community and the broader public on the importance of responsible conduct.

When determining how to proceed on the matter of required codes of conduct, implications for local government autonomy, empowerment and accountability may be important to consider. It may be argued that a change in favour of mandatory codes would conflict with the principles of autonomy, empowerment and accountability that underpin British Columbia's local government legislative framework. These principles hold that each local government, irrespective of size, should have the ability to determine for itself whether a code of conduct is needed, and if so, how it should be structured and administered.

In a spirit of collaboration, local governments routinely collaborate with one another directly and through their associations (e.g., UBCM and Area Associations) to share ideas and develop similar approaches to address key matters. Local governments also seek advice and guidance from central bodies, including UBCM, LGMA and the Ministry of Municipal Affairs. Collaboration and guidance aside, however, local governments retain the autonomy to determine whether and how to act in several key areas, including responsible conduct.

A ceding of autonomy over codes of conduct may be perceived as beneficial to some local governments, particularly those in which elected officials may demonstrate less than full support for codes, or even strong resistance to codes. Some local governments may feel the authority to mandate codes of conduct should rest with the Province given the Province's ultimate responsibility for the structure, integrity and proper functioning of the local government system. Decision-makers who take this position may point to the Province's requirement for elected officials to take an oath of office as a parallel situation. Finally, some local governments may highlight the mandatory nature of codes in all

provinces other than British Columbia as suggestive, if not compelling, of the need for change.

If codes were made mandatory, either in response to calls from local governments or at the initiative of the Province, factors related to the structure, content, process for developing, and use of codes would be important to explore.

CONTENT OF CODES

The Working Group has developed a model code of conduct and an accompanying guide to assist local governments in establishing a code.⁸ Several municipalities and regional districts in British Columbia have made use of this resource. Others have relied on municipal lawyers, consultants and senior staff with strong experience in responsible conduct matters to design bespoke codes that speak to local circumstances and needs.

It is possible to identify a set of contents that may be considered "best practice", and that should be considered for inclusion in all codes of conduct whether mandatory or not. The text box on the following page presents these contents. They were identified based on a review of the Working Group materials; well-crafted codes created by local governments that have been forced to combat less than responsible conduct head on; and the requirements in place in other provinces.

STANDARDIZATION OF CODES

In 2021 a municipal council in the Metro Vancouver area sponsored a resolution to UBCM in support of a "Provincial Code of Conduct for Local Government Officials". The resolution advocated the development and application of one single code for all local governments in British Columbia. The resolution was not endorsed by the UBCM membership, but did serve to highlight the attractiveness among some in local government for a common set of rules and processes to deal with responsible conduct matters.

The preference for standardization is shared by some provincial governments in other parts of Canada — and, possibly by some of the local governments in these provinces — that have adopted prescriptive approaches to codes.

There are certain topics that may be considered important for all codes of conduct as best practices. Some of these topics address expectations of behaviour and highlight specific values to guide interactions; others concern the administration of codes, stress the importance of fair process, and identify reasonable sanctions. These best practice contents suggest that there may be topics that should be included in all codes.⁹ There will be other topics, however,

⁸ Companion Guide: Getting Started on a Code of Conduct for Your Council/Board, October 2022.

⁹ The inclusion of key, best practice contents could address the current inconsistency in the quality and completeness of local government codes of conduct in British Columbia. The result of this inconsistency is a patchwork of standards of conduct — a patchwork that makes it difficult to create and enforce a common set of behavioural expectations.

that may hold special importance in only some communities, or that will speak to specific local circumstances or needs.

The process of developing a code provides the opportunity for councils and boards to consider what is most important to their own situations. The process provides the forum in which elected officials can reflect on the value of responsible conduct as an enabler of good governance, the collective responsibility of governing bodies to promote responsible conduct, and the need for governing bodies to both prevent and, where necessary, take action against instances of less than responsible conduct. The process of developing a code is important for local governing bodies to experience. A requirement in favour of mandatory codes of conduct would compel all councils and boards to experience the process and reflect on their own environments and needs. A move towards total standardization of codes, however, would impose prescribed codes on local governments that may be less reflective of local conditions.

IMPLEMENTATION TOOL

Some local governments in British Columbia that present and apply codes of conduct in the form of a policy. Most councils and boards, however, use bylaws. Bylaws, as a type of legislation, give codes of conduct and their contents greater significance and authority.

It may be argued that policies, as non-legislative tools, may be best suited to promote and enable efforts to resolve responsible conduct situations using informal, restorative means. In some local governments with strong cultures of responsible conduct, and with a strong sense within local governing bodies of collective responsibility, policies may indeed promote informal resolution as the answer and make bylaws unnecessary. Best practice codes that are created and applied as bylaws, however, also stress the importance of informal resolution as the first course of action. These bylaws recognize that informal resolution, as important as it is, may not always be enough.

APPLICABILITY

All codes of conduct are designed to apply to the local elected officials who sit on the governing body. Some codes, both in British Columbia and in other parts of Canada, go further to apply to non-elected persons who are appointed to local boards, committees, task forces, commissions and other bodies established by the local government. The value of this broader application is that it spreads the local government's expectations for proper conduct beyond the council or board table to all advisory and delegated decision-making bodies that represent and reflect on the local government. The broader application may also suggest that the standards of conduct expected of elected officials should be the same as, and no higher than, those expected of

non-elected individuals appointed by governing bodies to assist in decision-making.

The roles, powers and sources of legitimacy for elected officials are different from those which apply to non-elected committee and task force members. Non-elected officials are appointed by and serve at the pleasure of the governing body. Elected officials are elected and cannot, except under the most serious of circumstances, be removed from office. Codes of conduct that are exclusive to elected officials help to impress upon such officials and their communities the importance and power of elected officials, and the heightened obligation of individuals who hold office

CODES OF CONDUCT: CONTENTS TO CONSIDER

A review of Working Group resources, existing codes of conduct, and requirements in place in other provinces points to a list of contents that should be considered for inclusion in all codes of conduct. Best practice codes include sections on:

- The foundational principles of responsible conduct
- General conduct, including the need to treat others with respect and dignity
- Interactions with staff and the public
- The collection and handling of information, including information considered confidential
- The use of social media
- Conflict of interest matters
- Gifts and benefits
- Complaint procedures, including the appointment of an independent investigator to receive and/or review complaints
- The informal resolution of complaints
- Formal resolution procedures, including those related to investigation and adjudication
- Reporting on findings and recommendations
- The application of sanctions

to act responsibly in their interactions with others, handling of information, use of resources, and performance of all of their duties.

ACCESSIBILITY

Some codes of conduct in British Columbia are designed to allow complaints concerning elected official conduct to be submitted only by other local elected officials. Other codes allow complaints from staff and volunteers, as well. A few go further to allow complaints from any person, which in practice includes members of the public.

Making the codes broadly accessible may help to emphasize the importance of responsible conduct on the part of elected officials not only in their interactions with other elected officials, but also in their treatment of local government staff and in their dealings with members of the public. Allowing complaints from all of these sources, however, may risk making the process of administering codes unwieldy, or even expose the process to misuse. It should be acknowledged, as well, that the public is served by codes of conduct, even in the absence of an ability to directly submit complaints, that establish and enforce expected standards of conduct.

SCOPE OF SANCTIONS

Best practice codes of conduct emphasize the importance of informal resolution methods, such as discussions, facilitated exchanges and mediation in addressing concerns related to responsible conduct. Informal resolution efforts have the potential to help elected officials understand the impacts of certain behaviours, strengthen relationships, and foster a culture of responsible conduct that can build confidence in the governing body and, by extension, the local government system. Best practice codes also, however, contain sanctions that governing bodies may need to apply to address cases of poor conduct.

In British Columbia and some other provinces, local governments have the ability to select their own sanctions within the limits of their authority as set out in legislation.¹⁰ Most governments select a variety of measures, ranging from less severe penalties — reprimands, and requests or requirements to make apologies, are examples — to more serious remedies. Examples of more serious sanctions include removal from committees, withdrawal of access to civic offices and facilities, and reductions to remuneration. None of the current sanctions available to local governments in British Columbia are established through legislation. As a result, the range of sanctions varies considerably from one local government to the next. In many cases,

councils and boards have struggled with applying the full range of sanctions available.

Sanctions that target elected official remuneration are becoming increasingly popular in local governments across Canada, including in British Columbia. In some cases, the remuneration for elected officials who have been found by an independent investigator to have breached the code of conduct is automatically reduced for a specified period of time. Subsequent breaches trigger further reductions which may be cumulative. Such reductions may also be applied automatically to elected officials who have attempted to “weaponize” the code of conduct by submitting vexatious, frivolous, or bad faith complaints.¹¹ In other cases, suspensions of pay are not automatically triggered but may be applied as separate penalties.

The growing interest in remuneration as a target of sanctions is based on the assumption that elected officials’ pay is meaningful enough to influence behaviour. This assumption may be valid in some cases; it will not, however, be valid in all cases. CAOs and COs who participated in the staff-level focus group commented that in most local governments elected official remuneration levels are simply not high enough to serve as effective levers in establishing deterrents.

All sanctions, including ones that target remuneration, represent a form of public censure. The choice of sanction in any particular case will be based on a variety of factors, such as:¹²

- The nature of the code breach,
- Whether the elected official knowingly breached the code,
- Steps taken by the official to mitigate or remedy the contravention, and
- Whether the breach was the official’s first contravention or a repeat event.

The threat of public censure, irrespective of the exact sanction chosen, will at times serve as an effective disincentive to less than responsible conduct. In cases involving officials who have no interest in protecting local government institutions or the broader system, however, the threat of public censure may not hold great weight in and of itself. Indeed, in some of these cases, officials may use public censure as a weapon to rally supporters who feel unrepresented by the sitting governing body, or shut out of the broader system of democratic government. These same officials may, however, be impacted by sanctions that limited their ability to participate on committees, access local government offices,

¹⁰ The legislation in British Columbia and in other provinces does not give local governments the ability to eject an elected official from office, or disqualify the individual from holding office.

¹¹ The District of Squamish’s responsible conduct framework provides a useful example. The District’s Code of Conduct Bylaw references the Remuneration and Expenses Bylaw, which sets out automatic, successive and cumulative reductions in remuneration of 10%, 15% and 25% for breaches to the Code of Conduct. Each reduction applies for 12 months.

¹² In some responsible conduct frameworks, such as that in place in Manitoba, local governing bodies are required to consider specific factors when determining the appropriate sanctions to impose.

APPROACHES TO SANCTIONS IN SELECT JURISDICTIONS ACROSS CANADA

The range of permitted sanctions that may be imposed by a governing body against one of its members varies by province. British Columbia and Alberta have the broadest ranges — in both provinces, local governments have broad scope to create their own sanctions (other than removal from office). Ontario and Manitoba are examples of provinces with prescribed lists of sanctions, beyond which local governments may not venture.

British Columbia

- Request letter of apology
- Mandatory education, training, coaching, counselling
- Suspension or removal from some or all committees or other bodies
- Letter of reprimand or warning
- Publication (public censure) of reprimand or request for apology, and member’s response
- Suspension or removal as deputy/acting mayor or chair
- Restrictions on representing the local government or attending events and conferences
- Limiting travel or expenses
- Limiting access to local government facilities
- Restrictions on provision of information to the member
- Reductions in remuneration (in accordance with bylaw)
- Other sanctions determined by the local government

Alberta

- Letter of reprimand
- Request letter of apology
- Publication of letter and member’s response
- Mandatory training
- Suspension or removal as deputy/acting mayor or chair
- Suspension or removal from some or all committees
- Reduction or suspension of remuneration
- Other sanctions determined by the local government

Ontario

- A reprimand
- Suspension of remuneration for up to 90 days

Manitoba

- Censuring the member
- Reprimanding the member
- Requiring a letter of apology
- Mandatory training
- Suspension or removal from specific duties
- Suspension or removal from deputy mayor
- Suspension or removal from committees
- Suspension from carrying out a power, duty or function for 90 days
- Reductions in remuneration
- Imposing a fine of up to \$1,000

connect with staff, and attend events as a local government representative. These types of sanctions, which place limits on officials' ability to act, may serve as more effective deterrents to poor behaviour than the threat of public censure.

The courts have recognized the authority of local governing bodies to impose the range of sanctions featured in most codes, including sanctions that affect remuneration, on elected officials who have been found in violation of the codes. Courts do not support sanctions that aim to disqualify elected officials from office for code of conduct violations. Therefore, codes of conduct and the responsible conduct frameworks in which they rest do not include disqualification from office as a possible sanction. Even Quebec, with its highly prescriptive approach born out of concerns of corruption at the local government level, violators of codes of conduct can be suspended from holding office for a small period of time, but not disqualified. Disqualification across Canada is reserved primarily for criminal matters.¹³

THE COURTS ON SANCTIONS

The courts have recognized the authority of local governing bodies to impose the range of sanctions featured in most codes, including sanctions that affect remuneration, on elected officials who have been found in violation of the codes. Courts do not support sanctions that aim to disqualify elected officials from office for code of conduct violations.

MISUSE OF CODES

Codes are explicitly not intended to prevent or impede the robust exchange of views that is critical for good local governance. Codes are also not created to eliminate or stifle minority perspectives that need to be heard and taken into consideration in decision making. However, codes may be misused or weaponized by individuals who seek to harass or intimidate elected officials with whom they disagree.

The forums in which local governing bodies operate are inherently political. Local governments need to anticipate that attempts will be made in some situations to weaponize codes. Such attempts can be thwarted, or at least frustrated, through the use of independent third parties or integrity commissioners to carefully scrutinize complaints, and to prevent vexatious or frivolous complaints from proceeding to investigations. Provisions in codes that allow appointed third parties or commissioners to recommend sanctions against complainants, and/or to exclude such individuals from the complaints process, are important.

¹³ Conflicts of interest and other concerns are reasons for disqualification in some provinces.

Code Administration and Enforcement

Codes of conduct are a cornerstone of British Columbia's responsible conduct framework for local government elected officials. They are tools created by local governments to help local government officials understand the standards of behaviour and conduct that are expected of them. Their structure and contents are important. So too are the processes outlined within them for receiving complaints about elected official conduct, investigating alleged breaches of code standards, and reporting on findings. Sanctions, applied in cases of actual code contraventions, are in place to hold elected officials accountable between elections for less than responsible conduct.

The approaches taken to administer codes and enforce their provisions are as important to the success of codes as their content and structure.

CURRENT APPROACH

British Columbia's current system of responsible conduct empowers local governments themselves to determine how to administer and enforce their elected official codes of conduct. Across the province, local governments have chosen to use one of three approaches; in some cases, elements of different approaches are combined.

Internal Administration and Enforcement

Some local governments view the oversight of elected official conduct, and the administration of the local government's code of conduct, as responsibilities of the governing body. The council or board in these places is responsible for ensuring that elected officials receive education on and understand the standards of behaviour set out in codes, receive advice as needed on matters of conduct and code interpretation, receive and deal with complaints that may be brought against elected officials through codes, and take corrective action authorized in codes to address more serious cases. The governing body in these places may delegate these responsibilities to a committee of council or the board, and/or may rely on the CAO or CO to assist with administration.

Third-Party Investigators

Many local governments in British Columbia make use of independent, third parties to investigate allegations of code breaches, to assist in resolving conduct concerns through informal, restorative process, and to recommend the application of sanctions to deal with more serious code breaches. Most third parties are lawyers with experience in responsible conduct cases, a strong understanding of the need for fair process in conducting and reporting on investigations and in recommending sanctions for governing bodies to consider. Several local governments require the

use of third-party investigators; others determine the need for investigators on a case-by-case basis, often in response to requests by elected officials or staff.

In some cases, the same third parties who investigate complaints will provide advice to the local governments on the development or amendment of codes. The parties may also provide education or advice to elected officials on conduct matters through orientation programs or in other forums. However, investigators are primarily involved in addressing complaints that are made pursuant to the complaints process set out in codes.

Integrity Commissioners

Integrity commissioners are independent officers appointed by local governing bodies for a fixed period of time. They report and make recommendations to the governing bodies, but are empowered with a considerable degree of autonomy during their time in office. An important part of the integrity commissioner role involves the provision of regular education and ongoing advice to the local government's elected officials on responsible conduct matters and broader principles of good governance. This reliance on commissioners for education and advice is one of the factors that distinguishes integrity commissioners from third-party investigators. Similar to third-party investigators, however, commissioners also receive and investigate complaints of alleged code violations, and work to resolve code breaches through informal processes (preferred) or the recommendation of sanctions to address more serious code breaches.

All local governments in British Columbia have the ability to appoint integrity commissioners. To date, only three municipalities in the province — the City of Surrey, the City of Vancouver and the City of Maple Ridge — have endorsed the model.¹⁴ As noted earlier in the *Paper*, there have been several calls for a province-wide integrity commissioner to deliver the services that are provided today by the locally-appointed commissioners.

APPROACHES ELSEWHERE

There is considerable alignment among provinces in the options permitted and used to administer and enforce codes of conduct. In most provinces, local governments are encouraged or required to make use of independent, third-party resources to receive and investigate complaints and alleged code violations, and to recommend to governing bodies sanctions they may wish to apply in cases of code breaches. Local governments in these provinces are encouraged or required to have specific procedures in place to ensure that complaints are received and investigated with strong regard for fair process. The degree to

¹⁴ As noted earlier, Vancouver City Council entertained in late July 2024 a motion to suspend the work of the Integrity Commissioner pending an independent review of the Commissioner's scope of duties. On August 6, 2024, Council resolved to postpone a vote on the motion until September.

which such procedures are prescribed by provinces varies by jurisdiction.

All local governments outside of Quebec have the ability to appoint their own independent integrity commissioners.¹⁵ In Ontario, this ability was replaced in 2018 by the requirement to appoint. All local governments in Ontario today, therefore, are served by an integrity commissioner who is appointed for a set term (e.g., two years) by the governing body. Most large municipalities in Ontario have their own appointed commissioner. Smaller municipalities take advantage of a provision in the *Ontario Municipal Act* (s. 223.3(1.1)) which allows them to share the services of an integrity commissioner with one or more other municipality.

In Western Canada, integrity commissioners are in place in most large cities and in a number of mid-size local governments, including the Cities of Edmonton, Calgary, Red Deer, Wood Buffalo, Saskatoon, Regina and Winnipeg. Other cities make use of third-party resources, as needed, to assist with the administration and enforcement of codes.

Manitoba's approach, compared to that of several other provinces, is highly prescriptive.¹⁶ Values on which to base codes are spelled out in full. Required processes for receiving complaints, examining complaints, referring complaints to mediation, investigating complaints, and reporting on

investigations are identified. Steps that local governing bodies must take in receiving investigation reports from third-party investigators are listed. Sanctions from which governing bodies must choose are also listed, as are the specific factors that must be considered when imposing a sanction. The Province appoints a Code of Conduct Intake Reviewer for the province as a whole to receive and determine the validity of complaints. If the Province deems that a complaint is valid, local governments must appoint independent third-party investigators to investigate the complaint and take responsibility for the remainder of the investigative process.

It is useful to note that only Quebec has in place a provincial body — the Commission municipale du Québec — to oversee the administration and to undertake the enforcement of local government codes of conduct. Following the conclusion of the *Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry* (Charbonneau Commission) in 2015, and based on the Commission's findings related to corruption and unethical behaviour in local government, the Commission municipale was given strong powers over code administration and enforcement.

¹⁵ In some provinces this ability is provided as an explicit authority granted to local government. In other places, the choice to appoint an integrity commissioner is implied under permissive legislation and is not prohibited.

¹⁶ Manitoba's approach applies to municipalities outside of the City of Winnipeg. Winnipeg has its own Integrity Commissioner with processes and authorities outlined in City bylaws.

MODELS TO CONSIDER IN BRITISH COLUMBIA

The remainder of the *Paper* sets out three models for discussion purposes to allow local governments and stakeholders to compare and contrast core concepts. Within each model, there is a range of potential policy choices, the full assessment of which is beyond the scope of this *Paper*. Frameworks that support responsible conduct are in a state of evolution throughout Canada. Further consultation and policy work would be required to enact changes contemplated under any of the models.

The Working Group on Responsible Conduct supports approaches to the administration of codes of conduct that make use of independent bodies to investigate complaints and recommend sanctions. The Working Group does not support an internal administration and enforcement approach, which relies on local elected officials and — in several cases — local government staff to perform these functions.¹⁷

The internal approach is problematic for a number of reasons, the most important of which concerns administrative fairness. Fair process and the perception of fairness are difficult to achieve when individuals who are not independent of the governing body or the local government are receiving and adjudicating complaints against individual members of the governing body. The internal administration and enforcement approach is not put forward as a model for further consideration.

The *Paper* focuses instead on models that feature bodies which are independent of the local government to investigate complaints and recommend sanctions. One such model can be developed and implemented at the local level by local governments themselves, using the tools and the natural person power authority in the current responsible conduct framework. This model is similar to that which is used today by councils and boards in British Columbia that make use of third-party investigators or local integrity commissioners.

A second model features a province-wide office, established by provincial legislation, to receive and adjudicate complaints, investigate alleged code violations, and deliver

findings and recommendations to local governments for implementation. This model, or a version of it, has been advanced by some in local government as the preferred solution to address shortcomings in the current framework.

INDEPENDENT BODIES

The Working Group on Responsible Conduct supports approaches to the administration of codes of conduct that make use of independent bodies to investigate complaints and recommend sanctions. The Working Group does not support the internal administration and enforcement approach, which relies on local elected officials and — in several cases — local government staff to perform these functions.

A third model represents a new way for administering and enforcing codes of conduct in British Columbia. This model departs from the permissive approach under Model I, while at the same time placing responsibility for administration and enforcement with local governments at a local level. The model relies on the Province to introduce new legislation that would require local governments to adopt codes of conduct, and to appoint independent third parties at a local level to handle code of conduct complaints.

¹⁷ The Working Group on Responsible Conduct, in *Forging the Path to Responsible Conduct*, advises against relying on internal resources to receive and adjudicate complaints, and to enforce codes of conduct. The approach does not allow for the necessary high degree of fair process.

Model I: Local Determination

This model relies on local governments to determine for themselves whether to create and implement a code of conduct to help local government officials understand the standards of behaviour and conduct that are expected of them. Local governments take this decision in accordance with the current legislative provisions which both enable councils and boards to establish codes, and require councils and boards to consider establishing a code of conduct, or reviewing an existing code, within the first six months after their inaugural meetings.

A council or board that establishes a code under this model is responsible for determining the content and the code. The Working Group's model code of conduct and an accompanying guide are available to guide the local governments in this effort; municipal lawyers and consultants with experience in code development are also available. Codes developed under this model reflect best practices brought forward in the reference materials or by experienced advisors. The codes also, however, respond to needs and circumstances that may be specific to the local government and the environment in which it operates.

In keeping with the Working Group's recommended approach outlined in *Forging the Path to Responsible Conduct*, a local government under this model appoints an independent body to:

- Vet all complaints of alleged code violations that are submitted to the local government, pursuant to the complaints process outlined in the code,
- Investigate complaints as deemed necessary,
- Attempt, whenever possible, to resolve complaints through informal, restorative means (e.g., facilitated or mediated discussion involving the parties), and
- Present findings from investigations to the council or board, along with recommendations on sanctions the council or board may consider imposing in an effort to correct behaviour, and/or deter elected officials from demonstrating future similar behaviour.

The independent body may be an integrity commissioner, appointed by the local government to serve a specified period of time. Alternatively, the body may be a third party, experienced municipal lawyer or consultant.

Education and advice to elected officials under the model may be provided through a combination of local government associations (e.g., UBCM), independent consultants, and local government elected official peers. Where appointed, integrity commissioners would play a significant role as a resource for ongoing advice and education.

An additional important point to address with the model — indeed, with all models — concerns cost. All costs required to establish a code of conduct under the model, to administer and enforce the code using an independent third party, and to give local elected officials access to education and advice on matters of conduct, would be the responsibility of the local government. Local governments could collaborate with one another, including through their regional districts, to implement the model at a sub-regional or regional

HIGH LEVEL OF VARIABILITY

Model I aligns most closely with the current context in British Columbia. The model features tools that are available to local governments, and that, if utilized to their full extent, are powerful. It is clear in practice, however, that there is a high level of variability in applying these tools across the sector.

level, in an effort to reduce an individual government's cost. *Model I aligns most closely with the current context in British Columbia. The model features tools that are available to local governments, and that, if utilized to their full extent, are powerful. It is clear in practice, however, that there is a high level of variability in applying these tools across the sector. This variability has resulted in some cases in some local governments choosing to not adopt a code of conduct. In other cases, codes that are created vary considerably in their extent of thoroughness, the effectiveness of the sanctions adopted, and the degree to which their implementation is resourced and supported. Based on current application, it is not clear that this model would address the existing framework's shortcomings.*

Model II: Provincial Requirements for Centralized Administration and Enforcement

Model II responds to call for a province-wide office, created by provincial legislation, to centrally administer and enforce local government codes of conduct for elected officials. Currently in Canada there is no model for such an office.

Such a province-wide office would:

- Receive and vet all complaints submitted to local governments through processes set out in their mandatory, standardized codes of conduct,
- Appoint experienced investigators to investigate alleged code violations as necessary,
- Offer advice aimed at resolving conduct concerns through informal means, and
- Deliver findings from investigations to councils and boards, along with recommendations on sanctions to impose

UNINTENDED CONSEQUENCES

Model II, with its province-wide centralized office, represents an unprecedented approach to the administration and enforcement of codes of conduct, relative to those in place in British Columbia and across Canada today. Given the novelty of such an office, there is a significant potential for unintended consequences, including those related to scope creep in mandate, challenges of cost containment, and the ability to address concerns in a timely matter.

Such an office would also provide advice and resources to local governments on the development of codes, and offer education and advice on responsible conduct and code matters.

Codes of conduct under the model would be mandatory, constructed with a high degree of standardized content to allow for centralized administration and enforcement. Each council and board would be required by provincial legislation to establish a code, and to incorporate into the

code a series of prescribed provisions on standards of behaviour, interactions with staff and the public, fair processes to govern the submission and review of complaints, fair processes for the investigation and adjudication of alleged code violations, a robust set of sanctions, and other elements.

Municipal councils and regional district boards, as under all models, would receive and determine whether to act on findings from investigations and recommended sanctions. Local governments themselves would fund the model entirely. Costs incurred by the province-wide body would be allocated across local governments through an equitable cost-recovery model that took into account factors such as population and assessment base, but also number of complaints and number of investigations (i.e., usage).

One consideration under *Model II* that is not applicable to the other models is that of governance. A province-wide office, established by provincial legislation but operated by and for local governments, would require a governing body to set policy and oversee operations. It is assumed for the purpose of this *Discussion Paper* that the office would be governed by a board of directors, comprised primarily (if not entirely) by local elected officials. The most appropriate method of election or appointment to the Board would be a matter for further consideration.

Model II, with its province-wide centralized office, represents an unprecedented approach to the administration and enforcement of codes of conduct, relative to those in place in British Columbia and across Canada today.¹⁸ Given the novelty of such an office, there is a significant potential for unintended consequences, including those related to scope creep in mandate, challenges of cost containment, and the ability to address concerns in a timely matter. Consideration needs to be given to the scale of this approach relative to that of the current challenge facing local governments. It should also be acknowledged that a decision to establish a province-wide office would not introduce powers that are not already available under *Model I*.

¹⁸ The closest comparison is the current approach in Quebec, which features the Commission municipale du Québec. The Quebec approach, however, removes local governments from code administration and enforcement entirely. Model II, profiled here, assumes that local councils and regional district boards would continue to make final decisions on the application of sanctions. Responsibility for the application of sanctions is standard in all jurisdictions except Quebec.

Model III: Provincial Requirements for Local Administration and Enforcement

This model relies on the Province to introduce prescriptive legislation to address matters of responsible conduct.

Specifically, under this model the Province would introduce legislation to:

- Require all councils and boards to establish and adopt codes of conduct.
- Prescribe elements to embed in all codes, including: principles of conduct, expected standards of behaviour, interactions with staff and the public, fair processes to govern the submission and review of complaints, fair processes for the investigation and adjudication of complaints deemed serious, and a robust set of sanctions local governments may consider to address code violations.
- Require each council and board to appoint an independent third party to vet complaints submitted under the code, investigate alleged code violations as necessary, and submit findings and recommended sanctions (where necessary) to the governing body.

Mandatory codes of conduct, standardized to include key elements, would be a central feature of this model. A reliance on independent third parties with a significant role in code administration and enforcement would be another key feature. Local governments under the model would be responsible for providing access to advice and education, including through the appointed third party. Local governments would also be expected to fund the model. As with *Model I: Local Determination*, local governments could collaborate with one another, including through their regional districts, to manage overall costs.

Model III is similar in many respects to the approaches taken in Manitoba, and to a lesser extent the Province of Ontario. Provincial legislation in these provinces has evolved over time to become more prescriptive in response to shortcomings in, and concerns with the efficacy of, earlier less-prescriptive responsible conduct frameworks. Local governments in these provinces, however, remain responsible for administration and enforcement, as would local governments in British Columbia under *Model III*.

CONSISTENCY AND RIGOUR

Model III would help to overcome the variability that exists in the current system. Greater consistency and rigour in the administration and enforcement of codes across the sector would be the expected result.

Model III presents an approach that highlights the role of local governments in the development and application of codes, and that remains accountable to local government. *Model III* may, however, improve on the approach set out in *Model I* by overcoming the variability that exists in the current system. Greater consistency and rigour in the administration and enforcement of codes across the sector would be the expected result.

Assessment of Models

This table assesses the models against specific factors to consider. The assessment is presented to spark further discussion among local governments and responsible conduct stakeholders, not to identify a single, recommended approach.

MODEL I LOCAL DETERMINATION	MODEL II PROVINCIAL REQUIREMENTS; CENTRAL ACTION	MODEL III PROVINCIAL REQUIREMENTS; LOCAL ACTION
Source of Authority		
Local governments under the model choose to create, administer and enforce codes of conduct using the natural person powers (section 8(1) of the <i>Community Charter</i>).	The province-wide body is established by provincial legislation. Requirements for local governments to establish standardized codes of conduct are also imposed by provincial legislation.	Requirements for mandatory codes of conduct, specific code contents and the use of independent third parties are established through provincial legislation.
Scope of Sanctions		
The scope of sanctions is at the discretion of the local government but may be broad, as at present in British Columbia. Sanctions may not include removal or disqualification from office. Sanctions are recommended by the third-party investigator, as deemed necessary, for the consideration of the council or board. Only the council or board may apply the sanctions; councils and boards are responsible for holding their members to account between elections on matters of responsible conduct.	The scope of sanctions is set out by provincial legislation. It is expected that the scope would be broad, as at present in British Columbia. Sanctions may not include removal of disqualification from office. The province-wide body recommends sanctions based on the outcomes of investigations to council and boards for their consideration. Only councils and boards may apply the sanctions against their members. This authority and responsibility may not be delegated, even to a province-wide office established to administer and enforce codes of conduct.	The scope of sanctions is set out by provincial legislation. It is expected that the scope would be broad, as at present in British Columbia. Sanctions may not include removal of disqualification from office. Sanctions are recommended by the third-party investigator for the consideration of the council or board. Only the council or board may apply the sanctions; councils and boards are responsible for holding their members to account between elections on matters of responsible conduct.
Precedent		
The model is closest to the <i>status quo</i> approach for several local governments in British Columbia that have established and adopted codes of conduct, and that rely on independent third parties to vet complaints, investigate alleged code violations, and present findings and recommendations to governing bodies for consideration.	The model has no precedent in Canada outside of Quebec, which adopted a form of this model in response to corruption exposed by the Charbonneau Commission. Quebec's approach, however, differs from the model in many respects and does not provide a useful precedent.	The model has no precedent in British Columbia but is similar to approaches taken in some other provinces. The reliance on provincial legislation to require codes of conduct, prescribe (to some degree) the contents of codes, and require the use of independent third parties make the model similar, in particular, to models in force in Ontario and Manitoba.

MODEL I LOCAL DETERMINATION	MODEL II PROVINCIAL REQUIREMENTS; CENTRAL ACTION	MODEL III PROVINCIAL REQUIREMENTS; LOCAL ACTION
Local Government Choice		
<p>Local government choice is strong under this model. Provincial involvement is limited to the requirement for councils and boards to consider establishing a code of conduct, or reviewing an existing code, within the first six months after their inaugural meetings.</p> <p>Local governments choose whether to establish a code of conduct. Local governments choose to use independent third parties for code administration and enforcement. Local governments are guided in this choice by best practices.</p> <p>Local governments also determine whether to accept recommendations on what sanctions to apply.</p>	<p>Local government choice is lowest under this model. Provincial requirements limit local government choices related to code establishment and customization. Code administration and enforcement is assigned to a province-wide body, established by provincial legislation.</p> <p>The model does not enable local governments to collaborate on a sub-regional or regional level. Administration and enforcement is undertaken by the province-wide body.</p> <p>Local governments remain responsible for determining whether to accept and impose recommendations on sanctions.</p>	<p>Local government choice is less strong under this model, relative to that in Model I. Provincial requirements limit local government choices related to code establishment and customization, and code administration and enforcement.</p> <p>Local governments may choose to collaborate with one another in use of third parties and to share costs. Local governments appoint their own independent third parties for the purposes of investigation.</p> <p>Local governments remain responsible for determining whether to accept and impose recommendations on sanctions.</p>
Oversight and Accountability		
<p>Local councils and boards provide oversight for the model and its application. Local councils and boards are accountable for the structure, content and effectiveness of their codes of conduct, and for the mandate assigned to third-party investigators.</p> <p>Local councils and boards remain accountable for decisions taken with respect to sanctions, and for creating a culture of governance that encourages responsible conduct.</p>	<p>Oversight is provided by the province-wide agency established to administer and enforce codes of conduct. Local governments are accountable for establishing codes of conduct with prescribed contents. The province-wide body's board of directors is accountable for code administration and enforcement efforts.</p> <p>Local councils and boards are accountable for decisions on sanctions, and for creating a culture of governance that encourages, or discourages, responsible conduct.</p>	<p>Local councils and boards, along with the provincial government, provide oversight for the model and its application. Local governments are accountable to the Province for establishing codes of conduct with prescribed contents, and for engaging independent third parties in code administration and enforcement. Independent third parties are accountable to the local councils and boards that use them.</p> <p>Local councils and boards are accountable for decisions on sanctions, and for creating a culture of governance that encourages, or discourages, responsible conduct.</p>

MODEL I LOCAL DETERMINATION	MODEL II PROVINCIAL REQUIREMENTS; CENTRAL ACTION	MODEL III PROVINCIAL REQUIREMENTS; LOCAL ACTION
Degree of Standardization		
<p>Codes of conduct are developed by local governments in accordance with best practices, and to reflect local needs and circumstances. Some level of standardization exists based on adherence to best practices.</p> <p>At present under this approach, 30% of local governments are without a code of conduct and the quality of codes of conduct, including their enforcement mechanisms, vary widely.</p>	<p>Standardization of codes is similar to Model III to enable centralized administration and enforcement. Centralized administration and enforcement would not be practicable in an environment with non-standardized codes.</p> <p>This approach ensures that codes of conduct and systems of administration and enforcement are in place for every local government.</p>	<p>The Province's decision to prescribe, through legislation, specific provisions and requirements to include in codes of conduct results in a high degree of standardization.</p> <p>This approach ensures that codes of conduct and systems of administration and enforcement are in place for every local government.</p>
Cost Management		
<p>Local governments may manage costs under this model through code design and application, the imposition of budget caps, and the ability to collaborate with one another on the use and funding of independent third parties.</p> <p>It is important to recognize, however, that local governments which make use of the model, and particularly smaller communities, currently cite cost as an issue.</p>	<p>Cost management is most difficult under this model. Standardized codes of conduct, coupled with centralized administration and enforcement, give little ability to local governments to contain costs.</p> <p>Costs under this scenario may also be difficult to manage due to the scope of responsibility across the local government sector.</p> <p>It is uncertain whether the Province would contribute to the operational costs for this model.</p>	<p>Prescriptive provincial legislation makes cost management more difficult under this model. Local governments have less control, relative to Model I, over code design and application. Local governments may collaborate with one another in the use and funding of independent parties.</p> <p>It is uncertain whether the Province would contribute to the operational costs for this model.</p>
Fairness		
<p>Fairness is determined in part through the design of complaint and investigation processes in codes of conduct. Fairness is also determined by the process through which local government receives, considers, applies and publicizes recommended sanctions. A process to allow for appeal to local government, and in some cases to courts, is important.</p> <p>Adherence to best practices, and the use of experienced code designers, enhances the potential for fairness. Due to the variance of approaches, though, this approach poses significant risks to ensuring fair procedures.</p>	<p>Provincially-prescribed contents for codes of conduct, including processes for complaints and investigations, determine fairness of model to a large degree. Fairness is also determined by the process through which local government receives, considers, applies and publicizes recommended sanctions.</p> <p>Process to allow for appeal to province-wide body, and ultimately to courts in some cases, would continue.</p>	<p>Provincially-prescribed contents for codes of conduct, including processes for complaints and investigations, help to establish a high degree of fairness in comparison to Model I. Fairness is also determined by the process through which local government receives, considers, applies and publicizes recommended sanctions.</p> <p>A process to allow for appeal to local government, and in some cases to courts, would continue.</p>

MODEL I LOCAL DETERMINATION	MODEL II PROVINCIAL REQUIREMENTS; CENTRAL ACTION	MODEL III PROVINCIAL REQUIREMENTS; LOCAL ACTION
Effectiveness		
<p>Effectiveness is determined in large part by the governing body's willingness to design a strong code, support the work of independent parties, and apply sanctions against its members.</p> <p>Ability to emphasize informal resolution approaches in the code of conduct may strengthen effectiveness.</p> <p>This approach currently leaves 30% of local governments without a code of conduct, and a high degree of variability in the quality of the codes of conduct that have been implemented.</p>	<p>Provincial requirement for all councils and boards to adopt codes of conduct, and to include specific provisions in codes, would improve efficacy for the local government as sector as a whole relative to Model I.</p> <p>The centralized administration and enforcement under the model may weaken the ability to resolve matters informally. (Informal resolution often relies on a strong local presence and strong relationships with the parties involved in complaints.)</p> <p>The centralized approach under this model comes with a significant risk in timely service delivery. A centralized office also poses a higher risk of scope creep in practice.</p>	<p>Provincial requirement for all councils and boards to adopt codes of conduct, and to include specific provisions in codes would improve effectiveness for local government as sector as a whole relative to Model I.</p> <p>Prescribed emphasis on informal resolution, coupled with robust set of prescribed sanctions, may further strengthen the effectiveness of this option.</p> <p>The decentralized approach to administration of and enforcement will provide more timely interventions relative to Model II.</p>

REQUEST FOR INPUT

British Columbia's responsible conduct framework for local government elected officials is designed to help municipalities, regional district boards and their elected members learn about, promote, and ensure adherence to standards of appropriate conduct. Concerns raised by elected officials and staff with shortcomings in the existing framework prompted UBCM and the LGMA to produce this joint *Discussion Paper*.

The *Paper* has explored the potential for mandatory codes of conduct in all local governments in British Columbia and presented three models to address issues related to the administration and enforcement of codes. The *Paper* does not offer prescriptions, nor does it recommend a specific path forward. It has, however, identified a new option for code of conduct administration and enforcement that exists between the status quo and a centralized province-wide service.

The authors of this paper, UBCM and LGMA, invite local government feedback to inform further action on these considerations by the Working Group on Responsible Conduct, and ultimately, by the Province.

To this end, we are inviting local government councils and boards and individual elected officials or chief administrative officers to provide comment on the following questions:

- Should the province be requested to develop legislation mandating codes of conduct modelled on established best practices for all local governments in BC?
- Are legislated changes needed to support code of conduct administration and enforcement?
- And, if so, what factors do you think are most important to the success of a new approach to code administration and enforcement?

Councils and boards are invited to respond to these questions in writing to UBCM to the attention of Paul Taylor, Director of Communications, UBCM (ptaylor@ubcm.ca).

Chief administrative officers may provide responses to Candace Witkowskyj, Executive Director, LGMA (cwitkowskyj@lgma.ca).

The deadline for providing response to the above questions is **November 1, 2024**.

All feedback will be shared with the Working Group on Responsible Conduct as all parties work together to identify a process the next phase of changes to strengthen BC's responsible conduct framework.

Acknowledgements

The Union of British Columbia Municipalities and the Local Government Management Association are thankful to Allan Neilson of Neilson Strategies Inc. for the excellent support he provided during the development of this discussion paper.

Valued research and advice were also provided by staff at the Minister of Municipal Affairs.

Oversight for this project was provided by Candace Witkowskyj, LGMA's Executive Director and Paul Taylor, UBCM's Director of Communications.

APPENDIX I

UBCM Resolutions on Responsible Conduct 2016-2024

NUMBER	RESOLUTION TEXT	OUTCOME
2016-B70	<p>Integrity Commissioner for Local Government</p> <p>Sponsor: City of Kelowna</p> <p>Whereas the current legislative tools available to local government in British Columbia regarding matters of questionable conduct and breaches of code of conduct of elected officials result in expensive quasi-judicial processes eroding public confidence, strained internal relationships, and produce limited viable outcomes;</p> <p>And whereas elected officials in local government do not have access to independent advice regarding conflict of interest or other matters related to Codes of Conduct, nor an effective process to objectively resolve contraventions, accusations or public complaints:</p> <p>Therefore be it resolved that UBCM call on the provincial government to enact enabling legislation that would empower local governments with the ability to appoint local independent Integrity Commissioners who would serve the public and elected officials in an advisory, educational and investigative role in the application and enforcement of Codes of Conduct.</p>	<p>Referred to the Working Group on Responsible Conduct</p>
2021-NR1	<p>Independent Office of Integrity for Local Government</p> <p>Sponsor: City of Maple Ridge</p> <p>Whereas the UBCM Working Group on Responsible Conduct WGRC has been working extensively to support local government initiatives to address less-than-responsible local government conduct by providing local government council and board members with a set of principles and general standards of conduct that can be used to develop their own code of conduct;</p> <p>And whereas the WGRC continues to work on potential legislative change that focuses on the importance of councils and boards turning their minds to codes of conduct in a standardized and consistent manner:</p> <p>Therefore be it resolved that UBCM request the provincial government to establish an Independent Office of Integrity to serve the public, elected officials and local government officials in an advisory, educational and investigative role in the development, application and enforcement of codes of conduct.</p>	<p>Endorsed</p>

NUMBER	RESOLUTION TEXT	OUTCOME
<p>2021-SR3</p>	<p>Strengthening Responsible Conduct</p> <p>Sponsor: UBCM Executive</p> <p>Whereas responsible conduct of elected officials, both individually and collectively as a Council or Board, is essential to sound and effective governance;</p> <p>And whereas local governments are best served by tools and resources that reflect the legislative framework for local government in British Columbia, which is based on foundational concepts of autonomy, empowerment, accountability and collaboration:</p> <p>Therefore, be it resolved that UBCM ask the provincial government to:</p> <ul style="list-style-type: none"> • Introduce a legislative requirement that all local governments in British Columbia must consider the adoption or updating of a Code of Conduct at least once early in each new term of office; • Work collaboratively with UBCM and others to consider the design of a mandatory educational module that would support responsible conduct by local elected officials; • Update the oath of office prescribed by regulation to embed the foundational principles identified by the Working Group on Responsible Conduct; and • Provide guidance for local governments that have established an oath of office by bylaw so that these oaths may be updated with the same foundational principles for responsible conduct. 	<p>Endorsed</p>
<p>2021-NEB1</p>	<p>Support for a Provincial Code of Conduct for Local Government Elected Officials</p> <p>Sponsor: City of Port Moody</p> <p>Whereas there is no current legislation to hold elected officials, across the province, to a consistent set of standards of accountability for their behavior and actions;</p> <p>And whereas elected officials should have a right to a respectful and safe workplace;</p> <p>Therefore be it resolved that UBCM ask the Province of British Columbia to develop a code of conduct, which is informed by a review of elected official experiences and with input from equity seeking groups, that is overseen by the Province, so that all elected officials have access to a consistent, formal set of standards and process for complaint against other elected officials.</p>	<p><u>NOT</u> Endorsed</p>

NUMBER	RESOLUTION TEXT	OUTCOME
2022-EB77	<p>Ethics Commissioner</p> <p>Sponsor: City of White Rock</p> <p>Whereas Bill 26 2021: Municipal Affairs Statutes Amendment Act No. 2, 2021 does not require a local government to adopt a Code of Conduct for Council members;</p> <p>And whereas many local governments in British Columbia cannot afford or do not have an independent non-partisan Ethics Commissioner to review and resolve allegations of misconduct:</p> <p>Therefore be it resolved that UBCM call upon the provincial government to immediately create an Office of the Municipal Ethics Commissioner within the Ministry of Municipal Affairs that will: 1 respond to allegations of misconduct by an elected official of a municipal government and conduct an inquiry if warranted; 2 review decisions imposed on an elected official of a municipal government and conduct an inquiry if warranted; and 3 require local governments to adopt a code of conduct for council members.</p>	Endorsed
2023-EB69	<p>Shared Ethics Commissioner Office</p> <p>Sponsor: City of Nelson</p> <p>Whereas all local governments are required to decide on the implication of code of conduct within the first 6 months of a new term, which may include the designation of a local ethics commissioner officer;</p> <p>And whereas local governments may often lack the resources or expertise to develop local ethics commissioners role:</p> <p>Therefore be it resolved that UBCM ask the Province to create a shared local government ethics commissioners offices to serve local governments in the efficient and effective implementation of Code of Conduct policies.</p>	Endorsed
Pending	<p>Office of the Municipal Government Ethics Commissioner</p> <p>Sponsor: City of Port Moody</p> <p>Whereas the City of Port Moody strongly supports fair and unbiased resources for local governments;</p> <p>And whereas in support of this principle, the City of Port Moody called upon the Province to establish an “Office of the Municipal Government Ethics Commissioner”, which would provide fair and unbiased guidance to local governments on issues such as legality, conflict, code of conduct violations, and bullying:</p> <p>Therefore be it resolved that UBCM requests the Province establish an Office of the Municipal Government Ethics Commissioner and require mandatory ethics training for all new elected officials.</p>	Pending

APPENDIX II

Mandatory Education

Many local government elected officials come into office without a deep background in or extensive knowledge of British Columbia's local government system. The make up and authority of collective decision making bodies will be new to some, as will the roles, responsibilities and limitations of individual elected officials within the bodies. Principles of responsible conduct and accepted norms of behaviour will be regarded by many elected officials as "common sense". The exercise of proper conduct in, and the importance of such conduct to, effective local government decision-making, however, is critical even for these officials to understand.

The need for a strong grounding in British Columbia's local government system, the roles and responsibilities of elected officials and other parties, and the principles of responsible conduct, must be acquired in order to practice and consistently achieve good governance. Education is the tool to provide this grounding.

Across Canada, expectations and requirements related to the participation of local government elected officials in educational programs vary. The approach taken by provinces such as Saskatchewan, Ontario, Nova Scotia and New Brunswick is similar to that which is taken by British Columbia: encourages but does not require participation. In some of these places, including British Columbia, the approach is rooted in a commitment to local government autonomy. Local governing bodies and their members in autonomous local governments should determine their own approaches to education.

In Alberta, the Province has had a requirement in place for several years for every municipality to offer orientation training to each council member within 90 days of the member having taking the oath of office. Until recently, there was no accompanying requirement for council members to actually attend the training. As a result of a 2024 legislative amendment, however, every municipality is required to offer, and each member is required to attend, orientation on specific topics to be held before or on the same day as the inaugural council meeting.

In Manitoba, section 84.2(1) of the Province's *Municipal Act* requires each municipality to arrange for training for its elected officials on the municipality's code of conduct within the first six months following election. The same section compels every elected official to attend the training, which is developed by the Ministry of Municipal and Northern Relations, and made available through the Municipal Relations Learning Portal. Members who do not

complete the training within the six month timeline cannot continue to serve as a member of council until the training is completed.

Newfoundland and Labrador (NL) takes a similar approach to Manitoba. However, the content of the mandatory training for elected officials in NL extends beyond responsible conduct to include related topics such as roles and responsibilities, meetings and procedures, access to information and protection of privacy, and conflict of interest. Officials who fail to complete the training cannot continue to sit in office until training has been completed.

In 2021, the UBCM Executive embedded in its special resolution (*Strengthening Responsible Conduct*) a call for the development of a mandatory training module for all local government officials in British Columbia. The desire for mandatory training has not subsided in the intervening years. On the contrary, in the focus group sessions and in interviews conducted for the *Discussion Paper*, the desire for mandatory education on matters of responsible conduct was emphasized. The 2024 UBCM resolutions request to the Province to require all new local elected officials to participate in mandatory ethics training adds to the call. For some, the approaches taken in other jurisdictions are considered instructive.

There are several questions to consider in determining whether education on responsible conduct for elected officials in British Columbia should be mandatory.

- Would mandatory education work to produce greater consistency in the conduct of elected officials across the province?
- What topics should be included in mandatory education?
- Should mandatory education be standardized for all local government elected officials?
- Should responsibility for development and delivery be assigned to a single, central body? Or should design and delivery be decentralized and left to individual local governments or consortia of local jurisdictions?
- When and how often should education be provided?
- What types of incentives, disincentives and penalties should be applied to ensure participation? Who should apply them?
- Who should pay the cost of mandatory education?

These questions and the broader topic of mandatory education warrant further consideration.

APPENDIX III

Resources to Support Responsible Conduct

The [Working Group on Responsible Conduct](#) has developed several resources to assist local governments as they develop, implement and administer Codes of Conduct.

FOUNDATIONAL PRINCIPLES FOR RESPONSIBLE CONDUCT

The [foundational principles](#) provide a basis for how local government elected officials fulfill their roles and responsibilities, including in their relationships with each other, with local government staff and with the public.



MODEL CODE OF CONDUCT AND COMPANION GUIDE

The [Model](#) provides local government council or board members with a set of principles and general standards that can be used to develop a Code of Conduct. The [companion guide](#) provides discussion questions, tips and resources.



FORGING THE PATH TO RESPONSIBLE CONDUCT

This [resource](#) provides guidance on ways to prevent conduct issues by local elected officials, and how best to deal with them if they do arise. Developed by the Working Group on Responsible Conduct, the guide addresses fostering responsible conduct, maintaining good governance and resolving conduct issues for those who serve on Councils and Boards. It also includes considerations for local governments that wish to establish an enforcement process within a Code of Conduct.



ON DEMAND TRAINING: RESPONSIBLE CONDUCT EVERY DAY

This [online course](#) introduces the principles that support responsible conduct through a series of scenarios that explore conduct choices. Please use the course code VV81-5TFM to access the course.

File No: 1855-05
Date: October 7, 2024

To: Mayor and Council
From: Christy Ovens, Community Services Manager
Subject: Resort Municipality Initiative & Resort Development Strategy

RECOMMENDATION

THAT a select Resort Development Strategy Committee be established to support the drafting of a Resort Development Strategy (RDS) that supports the goals of the Resort Municipality Initiative (RMI) by identifying events and projects to be funded by the RMI program for the years 2025 – 2027; and

THAT Council appoint _____ as the Council representative on the Resort Development Strategy Committee.

BACKGROUND

The Village of Harrison Hot Springs is one of fourteen municipalities participating in the Resort Municipality Initiative (RMI) program. The RMI program is intended to support small, tourism-based municipalities to build and diversify their tourism infrastructure, deliver exceptional visitor experiences and incorporate sustainable tourism practices and products.

FINANCIAL CONSIDERATIONS

The RMI program allows the Village to complete infrastructure projects and implement events that would not be possible without this funding. Over the last five years, the average amount received annually through the program was \$518,100.

POLICY CONSIDERATIONS

2023 Strategic Plan Priorities

Healthy Livable Community – To promote and enhance a healthy lifestyle for all ages.

Organizational Development – To provide for the needs of a growing community.

Respectfully submitted:



Christy Ovens
Community Services Manager

Reviewed by:



Tyson Koch
Chief Administrative Officer

Financial Considerations Reviewed by:



Scott Schultz
Chief Financial Officer, Deputy CAO

Attachment: RMI PowerPoint Slide Package

RESORT MUNICIPALITY INITIATIVE

- What is RMI?
- RMI in the Village of Harrison Hot Springs
- What is an RDS?
- Completed Projects
- Current RDS Status
- Next Steps



1

WHAT IS RMI?

RMI = Resort Municipality Initiative
 Ministry of Tourism, Arts, Culture & Sport
 14 participating municipalities



The RMI program allows the Village to complete infrastructure projects and implement events that would not be possible without it.

2

RMI in the Village of Harrison Hot Springs

Designated Resort Region (Local Government Act, Section 583)

Participating community in the Municipal and District Tax (MRDT) program, commonly known as the Additional Hotel Room Tax

RMI funds support infrastructure, events, and administration.

Over the last 5 years, the average amount received annually through the RMI program was

\$518,100



3

WHAT IS AN RDS?

RDS= Resort Development Strategy
Requirement of the RMI
Created for a 3 year term



Ministry of
Tourism, Arts,
Culture and Sport

A community's RDS must identify the long-term vision for the community and what they plan to do to achieve the RMI outcomes

The RDS should have strong support and must include consultation with community and tourism partners in its development

4

Completed Projects

- Esplanade Avenue Revitalization
- Overall Streetscape Improvements
- Village Entrance
- Electric Vehicle Charging Stations
- Playground Equipment
- Parks & Trails Development
- Memorial Hall Upgrades
- Starlight Skating Rink
- Visitor Information Electronic Sign Board
- Accessible Washrooms at Plaza
- Lagoon Fountain & Aeration
- &More!



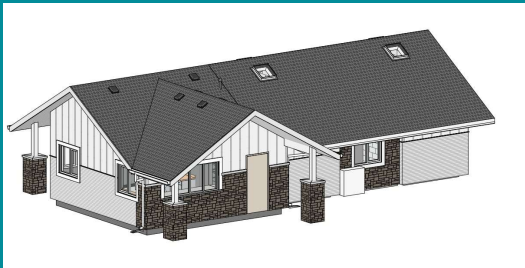
RMI funds have supported six annual events presented through community partnerships: Family Day Concert, Sasquatch Days, Canada Day, Harrison Festival of the Arts, Bands on the Beach, and Lights by the Lake.



5

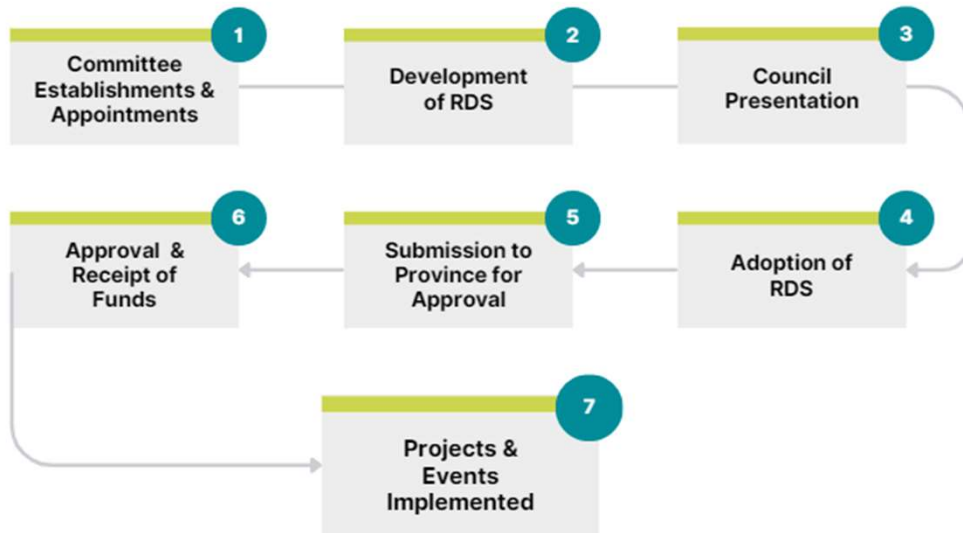
Current RDS: 2022/23 – 2024/25

- | | |
|--|------------------------------------|
| • Boat Launch Building Upgrades | Est. Completion Date Early 2025 |
| • Accessible Playground & Shade Structures | Est. Completion Date December 2024 |
| • Lagoon Beach Redevelopment | Est. Completion Date December 2024 |



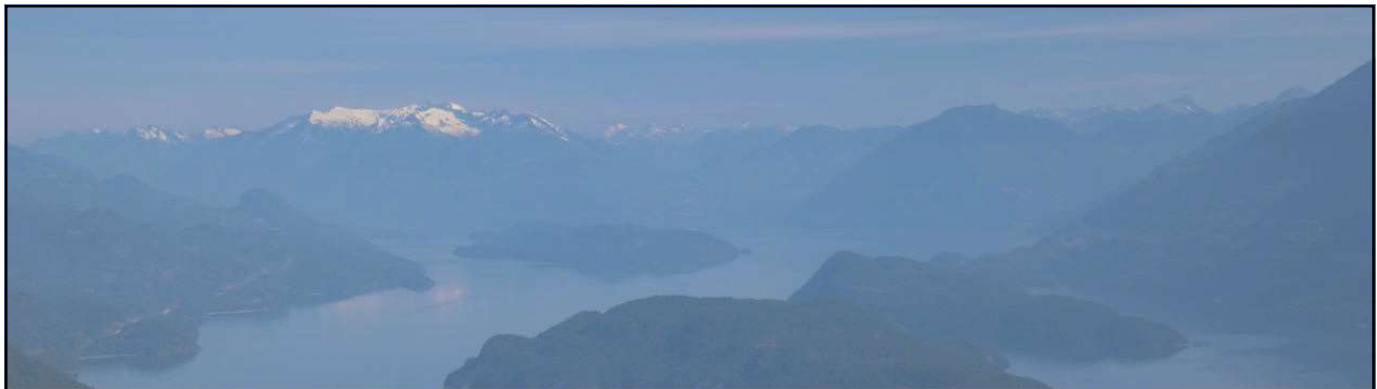
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NEXT STEPS



Dependent upon continuation of RMI Program

7



QUESTIONS?



8

File No: 2240-20-109
Date: October 7, 2024

To: Mayor and Council
From: Christy Ovens, Community Services Manager
Subject: Spirit Trail Fuel Management Update

RECOMMENDATION

THAT the Community Services Manager's report dated October 7, 2024, regarding Spirit Trail Fuel Management be received for information.

SUMMARY

To provide an update to Council on fuel management work along Spirit Trail.

BACKGROUND

At the January 15, 2024 Regular Council meeting the following resolution was passed:

THAT staff be authorized to proceed with prescription development for fuel treatment work in the Spirit Trail; and

THAT staff seek additional grant funding sources once the prescription is developed to be able to complete the fuel treatment to a fuel management standard for all costs above the originally budgeted \$30,000; and

THAT the above motion be amended by adding that the matter be referred back to staff to research option two as per the January 10, 2024 email from Blackwell and Associates to look at fuel treatment for the water tower area as a timely alternative to the Spirit Trail.

DISCUSSION

B.A. Blackwell & Associates delivered their final fuel prescription for the Spirit Trail location to staff on June 19, 2024. A Request for Proposals (RFP) for forest fuel management was posted on BC Bid on July 4, 2024 and closed on July 24, 2024.

Two submissions were received, one from Chartwell Resource Group Ltd. & Tolsons Enterprises Ltd., and one from GBF Technical Forest Inc.

The two submissions were reviewed, and a selection was made based upon proposed quotation to complete the project. In accordance with the Village's Purchasing and Procurement Policy No. 1.08, staff awarded this contract to GBF Technical Forestry Inc.

The Spirit Trail loop is located on Crown Land managed by the Fraser Valley Regional District. The site has additional requirements prior to the commencement of work due to the land ownership and values at risk in the area. Staff and the contractor are working to secure all necessary permissions and fuel management work is anticipated to begin before the end of 2024.

FINANCIAL CONSIDERATIONS

In the 2024 Financial Plan, Council budgeted \$100,000.00 to go towards the development of fuel prescriptions and fuel management work in the Village. The proposed budget for the Spirit Trail fuel mitigation is \$47,300.00 which will be covered by the amount budgeted.

POLICY CONSIDERATIONS

2023 Strategic Plan Priorities

Public Safety – To ensure and enhance public safety.

Respectfully submitted:



Christy Owens
Community Services Manager

Reviewed by:



Tyson Koch
Chief Administrative Officer

Financial Considerations Reviewed by:



Scott Schultz
Chief Financial Officer, Deputy CAO

File No: 0340-50
Date: October 7, 2024

To: Mayor and Council
From: Christy Ovens, Community Services Manager
Subject: Memorial Recognition Policy 1.30

RECOMMENDATION

THAT Memorial Recognition Policy No. 1.30 be updated with the attached proposed changes.

SUMMARY

To present proposed changes to Memorial Recognition Policy No. 1.30.

BACKGROUND

Since first establishing a policy in 2002, the Village has permitted Memorial Benches at specific locations as per Memorial Recognition Policy No. 1.30, which was last updated in 2019. Once purchased, the bench becomes property of the Village of Harrison Hot Springs. The fees are set to cover the purchase of the bench, memorial plate, and ten years of anticipated maintenance. After the ten-year period, the purchaser is to be given the first opportunity to purchase a replacement bench for the same location and renew tenure or choose to forgo their tenure. If the bench isn't renewed, the memorial plates are returned to the last address on file.

DISCUSSION

Numerous families over the years have expressed an interest in purchasing the expired bench that was installed in memory of a loved one. Currently upon removal, benches are taken apart and the metal is recycled while the wood is disposed of. According to the Village's Disposal of Surplus Items and Equipment Policy, No. 1.11, the benches must be disposed of at a public auction if not destroyed as they currently are. If the benches were to be offered by donation to the family, the representative would be required to make a nominal donation to the Village and sign a document acknowledging that they are aware that the bench has aged beyond suitability for public use.

FINANCIAL CONSIDERATIONS


There are currently no funds received through the disposal of memorial benches that have exceeded the term.

POLICY CONSIDERATIONS

1.30 Memorial Recognition Policy

1.11 Disposal of Surplus Items and Equipment Policy

Respectfully submitted:



Christy Ovens
Community Services Manager

Reviewed by:



Tyson Koch
Chief Administrative Officer

Financial Considerations Reviewed by:



Scott Schultz
Chief Financial Officer, Deputy CAO

Attachment: Draft Updated Memorial Recognition Policy 1.30



**VILLAGE OF
HARRISON HOT SPRINGS
POLICY**

COUNCIL	POLICY NO. 1.30
MEMORIAL RECOGNITION	DATE ADOPTED: April 29, 2019

PURPOSE

The purpose of this policy is to permit the placement of memorial benches on public property. The placement of flowers, markers, crosses and other memorial monuments are not permitted.

POLICY

- i. An individual, family, company, group or organization may purchase a bench for placement on Village controlled land in honour, recognition or memory of a deceased individual subject to the following:
 - a. The bench location will be determined by the Village;
 - b. The Village will accept the bench fixture on the condition that once it is installed it becomes the property of the Village of Harrison Hot Springs;
 - c. The fee for the bench installation must cover the Village’s costs and the first 10 years of anticipated maintenance which will be determined at the time of application;
 - d. In the event that a plaque is damaged an additional fee will be levied to cover the replacement costs.
 - e. After the 10 year period, the purchaser of the fixture will be given first opportunity to purchase a replacement fixture for the same location and renew their tenure. A purchaser may also choose to forgo their tenure by responding in writing or providing no response within 30 days of the renewal notice.; and
 - f. In the event that tenure is forgone, the Village Office will attempt to return the plaque to the last address on file.
 - g. Upon expiration of the 10 year period, benches will be removed from Village property and the purchaser can offer to acquire the bench by donation in order to retain it for sentimental value. If the purchaser does not wish to acquire the bench, the bench will be disposed of in accordance with the Village’s Disposal of Surplus Items and Equipment Policy 1.11.

- ii. **Maintenance**
 - a. The Village will maintain the bench, pursuant to Section 1 until it is considered unserviceable by the Village.

- b. The Village will attempt to maintain the bench in its original location but may relocate the bench if warranted by operational concerns or user needs.

File No: 1220
Date: October 7, 2024

To: Mayor and Council
From: Jace Hodgson – Director of Operations
Subject: Contract Awards

RECOMMENDATION

THAT the Director of Operation's report dated October 7, 2024 regarding an update on contract awards be received for information.

SUMMARY

To provide an update to Council regarding the recent contracts that have been evaluated and awarded following a competitive bid process. Recent contract awards include:

- Water Master Plan
- Storm Sewer Master Plan
- Sanitary Sewer Master Plan
- Parks and Trails Master Plan
- Village Lands Master Plan
- SCADA System
- Electric Pickup

BACKGROUND

For these recent projects, the Village engaged in competitive tender processes by requesting proposals or by issuing a Request for Proposals (RFP) to meet the requirements in the procurement policy.

Water, Storm, Sanitary Sewer Master Plans

In the Village's 2023 Strategic Plan, Council highlighted the need for updating outdated master plans as priority action items. Staff consulted Wedler Engineering, one of the Villages preferred engineering firms to support in the tender process and assist the Village in finding a proponent to lead in the creation of a Water, Storm Sewer and Sanitary Sewer Master Plans. Through this process a tailored scope of services was created to fit the Village's needs and Wedler could act as a third party engineer to assist in the evaluation process.

The Village issued an RFP on August 22nd, 2024 for the three separate master plans. By the closing date of September 16th, two (2) proposals were received for the Water Master Plan, one (1) proposal for the Storm Sewer Master Plan, and zero (0) proposals for the Sanitary Sewer Master Plan. The Sanitary Sewer Master Plan has been re-issued with a closing date of October

8th, 2024. As outlined in the Village's Purchasing and Procurement Policy No. 1.08, given that this project was included in the Financial Plan, staff have awarded the Water and Storm Sewer Master Plans to Water Street Engineering.

Parks and Trails Master Plan

In Council's strategic priority of a healthy livable community, the need for a Parks and Trails Master Plan was identified. The objective of this master plan is to identify the strengths and weaknesses of the Village's Parks and Trails and better plan for the next 15 years and beyond. Through community and stakeholder engagement the master plan will create a strategic direction in the management, development and enhancement of parks and trails in the Village.

The Village engaged in a competitive tender process and issued a Request for Proposals on June 27th, 2024. The Village received two (2) proposals by the closing date of August 1st, and completed an evaluation based on financial, corporate and technical criteria. Through this evaluation staff have awarded the contract to Lees + Associates, a Vancouver-based landscape architect, design and planning services firm. Data gathering is currently underway with community and stakeholder engagement set to commence mid-October.

Village Lands Master Plan

At the Regular Council Meeting of August 12th, 2024, Council approved a budget of \$50,000 to be allocated for a Village Lands Master Plan that would be funded from the Community Works Fund. This plan would create efficient use of Village owned land, balancing potential multiple uses to create a comprehensive vision for the land and provide project goals and phasing to ensure all aspects of the master plan are aligned with the overall goals and objectives.

As the allocated budget falls under the Village's procurement policy to issue an RFP, three (3) quotes were required for evaluation. Staff engaged four (4) proponents to provide proposals on how they would guide the Village on the process to engage the community and council on creating a Village Lands Master Plan. The proposals were evaluated based on corporate and technical criteria and the project was awarded to MODUS, a Vancouver-based planning, design and engagement firm.

SCADA System

A SCADA (Supervisory Control and Data Acquisition) system has been recommended for the Village to have real time monitoring and control of essential utility infrastructure. The 2024 budget included an allocation for the first phase of a SCADA system to improve efficiency and productivity by allowing remote access and control for staff. Once implemented, operators will have better control over event and alarm access and an overall better management of water and sanitary sewer infrastructure.

A request for proposals was issued on August 12th, 2024, with a closing date of September 10th 2024. The RFP outlined a maximum budget for phase one in 2024 and asked for an action plan to convert to a full SCADA system with the budget required in future years. Four (4) proposals were received on the closing date and after an evaluation, the project was awarded to MPE Engineering.

Electric Pickup

With an aging fleet, it was identified that a new pickup was required in 2024 to replace an existing pickup truck in the utilities department. Through the Local Government Climate Action Program (LGCAP) Funding, a grant was available to change fleet vehicles to electric. By

switching to an electric vehicle, the Village can benefit in terms of sustainability, environmental impacts, efficiency, and long-term cost savings.

On June 27th, 2024 an RFP was issued for the purchase of a new electric pickup truck. On July 25th, 2024 five (5) proposals were received. Based on financial evaluation, the purchase was awarded to MSA Ford Sales for a 2024 Ford Lightning. The new truck is set to arrive by the end of October.

FINANCIAL CONSIDERATIONS

Water Master Plan – Project Scope and optional costs are currently being reviewed by staff with consultation by Wedler Engineering. Funding from this project will come from Water Development Cost Charges.

Storm Sewer Master Plan - Project Scope and optional costs are currently being reviewed by staff with consultation by Wedler Engineering. Funding from this project will come from Sewer Development Cost Charges.

Sanitary Sewer Master Plan – Proposals will be evaluated after the closing date of October 8th. Funding from this project will come from Sewer Development Cost Charges.

Parks and Trails Master Plan – Lees + Associates quoted the proposal at a total cost of \$99,266.10. Funding from this project will come from Parks Development Cost Charges.

Village Lands Master Plan – MODUS quoted the proposal at a total cost of \$46,020. Funding from this project will come from the Community Works Fund Grant.

SCADA System – MPE quoted the proposal at a total cost of \$59,661. Funding from this project will come from Sewer and Water Reserves.

Electric Pickup – MSA Ford Sales quoted the proposal at a total cost of \$66,930. Funding from this project will come from the Local Government Climate Action Program (LGCAP) Funding.

POLICY CONSIDERATIONS

2023 Strategic Plan Priorities

Organizational Development – To provide for the needs of a growing community.

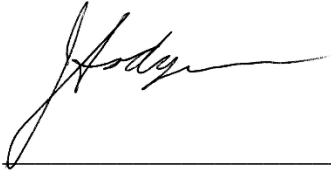
Environmental Protection – To restore and protect the environment for future generations.

Healthy Livable Community – To promote and enhance a healthy lifestyle for all ages.

Public Safety – To ensure and enhance public safety.

Sustainable Development – To maintain Harrison Hot Springs as a place we call home.

Respectfully submitted:



Jace Hodgson
Operations Manager

Reviewed by:



Tyson Koch
Chief Administrative Officer

Financial Considerations Reviewed by:



Scott Schultz
Chief Financial Officer, Deputy CAO