



City of PARKSVILLE

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COMMITTEE OF THE WHOLE AGENDA

MONDAY, APRIL 28, 2008 – 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the April 14, 2008 minutes of the Committee of the Whole meeting – Pages 1 to 4

2. PUBLIC PRESENTATIONS

3. CORRESPONDENCE

4. STAFF PRESENTATIONS

- a) Manager of Budgets & Special Projects – 2008-2012 Final Financial Plan – Pages 5 to 11

In January Council adopted the Provisional Financial Plan for 2008-2012. In order to incorporate the incomplete Capital projects from 2007 that need to be carried forward to 2008 and adjust our tax revenues once the final 2008 assessments are received, a Final Financial Plan for 2008-2012 was completed. The Final plan also picks up other miscellaneous changes that are required to the 2008-12 budgets that have arisen since the completion of the Provisional Budget.

Mayor to ask for comments on the final 2008 budget from the public in attendance

Recommendation: THAT Council direct staff to prepare for, Council's consideration, all relevant budget, property tax and other required bylaws for the 2008-2012 Financial Plan.

- b) Director of Finance – New Requirements for Revenue Policy Disclosure – Pages 12 to 16

The provincial government has made changes to the Community Charter with respect to revenue policies and disclosure. The new requirements are in affect for the Final 2008-2012 Financial Plan and require explicit statements in that Financial Plan about the budgeted proportion of revenue to come from various revenue sources, the distribution of our property tax revenue among the property classes, and the City's policies around the use of permissive tax exemptions

Recommendation: THAT the information in Appendix A attached to the report from the Director of Finance dated April 22, 2008 entitled "New Requirements for Revenue Policy Disclosure" be incorporated into the 2008-2012 Final Financial Plan document.

- c) Director of Finance – 2008 Quarterly Budget Update (verbal) – Pages 17 to 20
For the three months ended March 31, 2008
- d) Fire Chief – Quarterly Report (verbal)
For April, May and June 2008
- e) Director of Administrative Services – Burning Bylaw-Shelly Enterprises – Pages 21 to 31
While it is not possible under Provincial legislation for a municipality to put an entire ban on burning on land within the agricultural land reserve, it is possible to set restrictions on the burning. The current Outdoor Burning Bylaw is silent on the issue and should be amended to provide restrictions on this type of burning

**Recommendation: THAT the letter from Shelly Enterprises Ltd. Received February 26, 2008 regarding the Burning Ban Bylaw be received;
AND THAT the report dated April 23, 2008 from the Director of Administrative Services entitled "Burning Bylaw – Shelly Enterprises" be received for information;
AND THAT staff be directed to prepare an amendment to the City of Parksville Outdoor Burning Bylaw, 2007, No. 1428 to set restrictions of the burning of agricultural waste on agricultural land, for Council's consideration.**

- f) Planner – Development Permit to Update Appearance of the Exterior of the McDonald's Restaurant in Parksville – Pages 32 to 42
On January 19, 2008, the City received a Development Permit application from McDonald's Restaurants of Canada for a permit to update the appearance of the exterior of McDonald's Restaurant at 310 Island Highway West. The subject property is within Development Permit Area No. 3 - ISLAND HIGHWAY – WEST. The development permit designation is under the Form and Character of the development category. The site is situated at the southwest corner of Island Highway 19A and Lombardy Street

Recommendation: THAT a Development Permit be issued to McDonalds Restaurants of Canada Ltd, to permit an update to the appearance of the exterior of McDonald's restaurant on Lot A, District Lot 89, Nanoose District, Plan 47679 [310 Island Highway West] subject to:

- (a) **A landscaping bond in the amount of \$15,700.00 be received prior to the issuance of the permit.**
- g) Director of Community Planning – Zoning Bylaw Amendments – Pages 43 to 50
Consideration of several housekeeping amendments to the Zoning Bylaw.

Recommendation: THAT the report from the Director of Community Planning dated April 21, 2008 entitled "Zoning Bylaw Amendments" be received for information;

AND THAT Staff be requested to prepare, for Council's consideration, the necessary zoning text amendment bylaws to implement the following minor amendments to the Zoning Bylaw:

- a. **Permit residential care facilities in the C-3 (Downtown Commercial) Zone**
- b. **Amendments to the lot size in the A-1 (Agricultural) Zone**
- c. **Prohibit the storage of fireworks and explosives in residential Zones**
- d. **Permit single family residential in the C-3 (Downtown Commercial) Zone and CS-1 (Highway Commercial) Zone**

e. Amend setbacks for single family dwellings next to linear walkways.

- h) Chief Administrative Officer - Consideration of Development Process Review Proposed By the Oceanside Development and Construction Association (ODCA) – Pages 51 to 53

In a letter dated June 3, 2007 the ODCA requested the opportunity to work with Council and staff to complete and fund an independent Development Process Review. Repeated attempts by staff to progress this issue by obtaining draft terms of reference relating to "development process" versus "operational resources" for such a review has failed. This initiative was originally proposed by the ODCA and they have now apparently withdrawn their offer due to time and funding constraints.

Recommendation: THAT Council direct staff to inform the ODCA that in view of their abandonment of their request for the development process review, the City will not be pursuing the issue any further.

- i) Director of Administrative Services – Optional Changes to Election Procedures Bylaw – Pages 54 to 65

Recent changes to the election provisions in Provincial legislation include a number of optional changes including increasing the required number of nominators, website publishing of nomination documents and campaign financing disclosures, mail ballot voting and special voting opportunities. It is entirely up to each individual local government whether any, or all, of the changes are incorporated into their election bylaws.

Recommendation: THAT the issue of Optional Changes to the Election Procedures including increasing the required number of nominator, website publishing of nomination documents and campaign financing disclosure, mail ballot voting and special voting opportunities be referred to the Citizen's Advisory Committee for input and recommendations; AND THAT the Committee's Assignment Terms of Reference for consideration of Optional Changes to the Election Procedures attached to the Director of Administrative Services report dated April 21, 2008 entitled "Optional Changes to Election Procedures Bylaw", be approved.

5. **NEW BUSINESS**

6. **ADJOURNMENT**

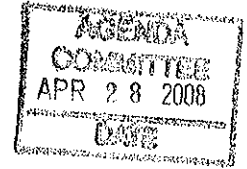
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TO BE ADOPTED

CITY OF PARKSVILLE

April 14, 2008

Minutes of the Committee of the Whole meeting held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, April 14, 2008 at 6:02 p.m.



PRESENT: Her Worship Mayor S. R. Herle

Councillors: C. R. Burger
M. Lefebvre
J. B. Johnston
T. C. Patterson
S. Powell
C. Robinson

Staff: F. Manson, Chief Administrative Officer
L. Taylor, Director of Administrative Services
G. Jackson, Director of Community Planning
G. O'Rourke, Director of Engineering & Operations
B. Russell, Manager of Current Planning
N. Gray, Planner
A. Haywood, Recording Secretary

1. **MINUTES**

Johnston - Patterson

THAT the minutes of the Committee of the Whole meeting held March 26, 2008 be adopted.

CARRIED.

2. **PUBLIC PRESENTATIONS**

- a) Neil Malbon & Doug Backhouse from Alberni Pacific Railway/Island Corridor Foundation gave an update on the Arrowsmith Explorer which included current funding status and economic impact.

Lefebvre - Patterson

THAT the City of Parksville send a letter of support to the Alberni Pacific Railway.

CARRIED.

- b) Bud Shelly & Murray LePlante from Shelly Enterprises Ltd presented a petition to Council that had been circulated throughout the City regarding the removal of their lands from the ALR.

- c) Michele Deakin from the Mid-Vancouver Island Habitat Enhancement Society gave a presentation opposing the Shelly Farm being removed from the ALR.

Lefebvre - Powell

THAT the City of Parksville is not prepared to have agricultural land used for anything other than agricultural purposes and that the February 29, 2008 petition presented to Parksville City Council at the April 14, 2008 Committee of the Whole meeting by Bud Shelly of Shelly Enterprises Ltd., requesting that the City affect the necessary changes and studies required for the removal of agricultural land at 450 Stanford Avenue / 270 A Shelly Road from the agricultural land reserve be denied.

CARRIED.

3. CORRESPONDENCE

- a) **Oceanside Development & Construction Association – Consideration of Implementation of Mandatory Provision of Affordable Housing Units**

Burger - Powell

THAT the correspondence from the Oceanside Development & Construction Association, dated February 28, 2008 regarding consideration of implementation of mandatory provision of affordable housing units, be received for information.

CARRIED.

4. STAFF PRESENTATIONS

Mayor Herle noted that all recommendations adopted by the Committee at this meeting will be forwarded to Council for consideration at their April 21, 2008 meeting.

RECOMMENDATIONS:

- a) **Director of Community Planning – Consideration of Amendments to Secondary Suite Zoning Regulations**

Johnston - Burger

THAT the report from the Director of Community Planning dated March 6, 2008 entitled "Consideration of Amendments to Secondary Suite Zoning Regulations" be received;

AND THAT Staff be directed to advertise the current regulations so as to make it known that secondary suites are currently permitted on a wide spread basis and re-evaluate the impact of this in 12 months time.

CARRIED.

Burger - Lefebvre

THAT Staff be directed to prepare an amendment to the zoning bylaw to increase the maximum permissible size of a secondary suite from 60 square metres to 90 square metres.

CARRIED.

- b) **Director of Community Planning – Status of Affordable Housing Policy Strategy Initiatives**

Powell - Lefebvre

THAT the report from the Director of Community Planning dated March 6, 2008 regarding the status of affordable housing policy strategy be received for information.

CARRIED.

- c) **Manager of Current Planning – Implementation of Watercourse Protection Development Permit Areas Consistent with the Riparian Areas Regulation**

Johnston - Patterson

THAT the report from the Manager of Current Planning dated April 3, 2008 entitled "Implementation of Watercourse Protection Development Permit Areas Consistent with the Riparian Areas Regulation" be received;

AND THAT Council direct Staff to commence the statutory process to amend the Official Community Plan for the inclusion of a watercourse protection

development permit areas consistent with the provincial Riparian Areas Regulation.

CARRIED.

d) **Planner – Taking Downtown Revitalization Plan Details from Concept to Specification**

Johnston - Powell

THAT the report from the Planner dated April 8, 2008 regarding design development of downtown revitalization details be received for information.

CARRIED.

e) **Director of Community Planning – Consideration of Options to Reduce or Eliminate New Single Family Subdivisions**

Johnston - Powell

THAT the report from the Director of Community Planning dated July 25, 2007 entitled "Consideration of Options to Reduce or Eliminate New Single Family Subdivisions", be referred to the Committee of the Whole on April 28, 2008.

CARRIED.

Lefebvre - Patterson

THAT consideration of items (f) Director of Community Planning – Quarterly Report (verbal report); (h) Chief Administrative Officer – Consideration of Development Cost Charges (DCC) Waiver for Non Profit Rental and Supportive Living Housing; and (i) Director of Administration gave the Quarterly Report (verbal report) be deferred until the April 28, 2008 Committee of the Whole meeting.

CARRIED.

f) **Director of Community Planning – Quarterly Report (verbal report)**

Moved to April 28, 2008 Committee of the Whole Meeting

g) **Chief Administrative Officer – Consideration of Development Cost Charges (DCC) Waiver for Non Profit Rental and Supportive Living Housing**

Lefebvre - Powell

THAT the report from the Chief Administrative Officer dated March 6, 2008 entitled "Consideration of Development Cost Charge (DCC) Waiver for Non Profit Rental and Supportive Living Housing" be received;

AND THAT Staff be directed to prepare a bylaw, for Council's consideration, which, pursuant to Section 933 (12) of the Local Government Act, implements a reduction or waiver of development cost charges at a rate to be determined by Council for not for profit rental housing including supportive housing projects.

DEFEATED.

Lefebvre - Powell

THAT Staff be directed to prepare a bylaw for Council's consideration, pursuant to Section 933 (12) of the Local Government Act, to reduce the development cost charges by 50% for the Parkville Lions Housing Society development proposal at 205 Jensen Avenue.

MOTION WITHDRAWN.

- h) **Chief Administrative Officer - Consideration of Development Process Review Proposed By the Oceanside Development and Construction Association (ODCA)**

Moved to April 28, 2008 Committee of the Whole Meeting

- i) **Director of Administration gave the Quarterly Report (verbal report)**

Moved to April 28, 2008 Committee of the Whole Meeting

5. **NEW BUSINESS**

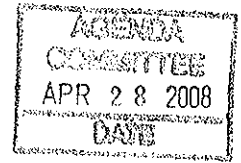
6. **ADJOURNMENT**

Lefebvre - Robinson
Rise and Report to Council at their April 21, 2008 meeting.

The meeting ended at 9:25 p.m.



Mayor



April 25, 2006

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: PAMELA LOVEGROVE, MGR, BUDGETS & SPECIAL PROJECTS

SUBJECT: 2008 - 2012 FINAL FINANCIAL PLAN

Issue

Amending the 2008 – 2012 Provisional Financial Plan.

Executive summary

In January Council adopted the Provisional Financial Plan for 2008-2012. In order to incorporate the incomplete Capital projects from 2007 that need to be carried forward to 2008 and adjust our tax revenues once the final 2008 assessments are received, a Final Financial Plan for 2008-2012 was completed. The Final plan also picks up other miscellaneous changes that are required to the 2008-12 budgets that have arisen since the completion of the Provisional Budget.

References

Section 165 of the Community Charter requires a municipality to adopt a 5 year financial plan by May 15 of the first year of the plan.

Background

In January 2008 Council adopted the 2008-2012 Provisional Financial Plan.

Further review and consideration of budget requirements was undertaken by each of the departments for compilation of the 2008-2012 Final Financial Plan. There were several significant changes necessary from the Provisional 5 year plan. Those changes involve incorporating the carry forward projects from 2007 into 2008, adjusting the Property tax revenues based on the final assessments received from BC Assessment, and adjusting the growth rate assumptions down to 1.3% per year as determined from our DCC update analysis. The impact of the changes are highlighted below:

General Revenue Fund

Changes from the provisional plan to the final plan for Operating include 2007 carry forwards, adjustments for staffing changes and revenue reductions due to a change in growth projections.

The 2007 Operating carry forwards total \$233,500 and the Capital carry forwards total \$3,212,980

Revenue reductions from the reduced growth projections range from \$63,300 in 2009 to \$357,000 in 2012.

Prior year surpluses remain healthy until 2011 at which time they fall below the recommended \$1,000,000 balance. The 2012 prior surplus is estimated at \$693,983.

Water Utility Fund

The Water fund saw changes from the provisional plan resulting from 2007 carry forwards, growth projection and consumption changes.

Capital carry forwards total \$2,072,202

Revenue reductions due to growth projection changes and consumption estimates result in a decrease of \$296,050 over the 5 year plan.

Prior year surpluses range from \$485,800 to \$302,200 over the 5 years.

Sewer Utility Fund

The Sewer fund also saw changes from the provisional plan resulting from 2007 carry forwards, growth projection and consumption estimates.

Capital carry forwards total \$709,754

Growth projections realize a revenue reduction of \$205,825 over the 5 year plan. The RDN Levy and costs for Treatment and Disposal decreased significantly by \$101,800 in 2008 to \$114,576 in 2012

Prior year surpluses remain healthy throughout the 5 year Plan

Options

1. Accept the 2008-2012 Final Financial Plan as presented.
2. Make further revisions to the 2008-2012 Financial Plan.

Analysis

It is recommended that Council maintain a minimum balance of \$1,000,000 for each year of the Plan in prior year surpluses in each of the three funds. With the Financial Plan as presented above, estimated prior year surpluses in the General Revenue Fund will fall to \$693,983 in 2012 and the Water Utility Funds will range from \$485,871 to \$302,252 over the 5 years of the Plan. For purposes of this Plan the cost of the Firehall addition has been left at \$3.2 million with an annual debt cost of \$259,000 for 20 years. The consultants report for the Firehall addition has estimated the cost of the addition to be \$5.6 million. The annual debt cost on \$5.6 million is \$414,500 if we extend the debt to 25 years. That annual increase of \$155,500 is not incorporated into this financial plan as Council has not yet (at the time of writing this) approved those additional Firehall building costs.

Accepting the 2008-2012 Final Financial Plan as presented will provide staff with the funding required to manage 2008 activities.

If further changes to the Financial Plan are necessary, we will have to be cognizant of deadlines as our Financial Plan Bylaw must be adopted prior to the Tax rate Bylaw which is due May 15.

Sustainability/Environmental Implications

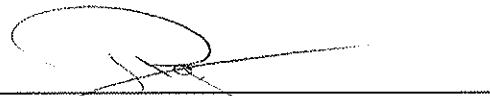
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Financial Impact

The 2008-2012 Final Financial Plan sets out the financial requirements needed for the departments to carry out the necessary projects for the remainder of the fiscal year. Without this plan the 2007 carry forward projects and other major maintenance would be delayed or halted due to insufficient funds.

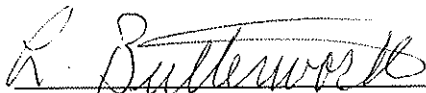
Recommendation

That Council Direct staff to prepare for Council consideration all relevant budget, property tax, and other required bylaws for the 2008 – 2012 Financial Plan.



Pamela Lovegrove, CMA
Manager of Budgets & Special Projects

Director of Finance Comments:



Lucky Butterworth, CGA
Director of Finance

Director of Administrative Services comments:



Laurie Taylor
Director of Administrative Services

Chief Administrative Officer comments:



Fred Manson, CGA
Chief Administrative Officer

City of Parksville
2008-12 Financial Plan

Proposed Changes from 2008 Provisional Budget

General Revenue Fund

2007 Carryforwards (Cfwd revenues=expenditures)

Operating Expenditures & Revenue

Economic Development	7,400				
Engineering-Special Projects	100,000				
Public Works					
Road Patching	98,000				
New Sign Installation	10,000				
Road Marking	18,000				

Capital Expenditures & Revenues

2007 Capital carryovers	3,212,980				
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Operating Adjustments

Revenues - Incr (Decr)

Property Taxes	(37,000)	(2,940)	(29,339)	(62,287)	(98,489)
Investment Income		10,278	16,372	21,090	30,512
Building Permits		(27,495)	(27,376)	(22,913)	(35,896)
Planning Fees		(18,544)	(19,561)	(20,458)	(21,512)
Engineering Fees		(16,635)	(17,548)	(18,352)	(19,297)
Garbage Fees		(3,990)	(8,337)	(13,006)	(18,097)
Miscellaneous Revenue Reductions		(3,976)	(8,685)	(12,764)	(47,445)

Total Revenue Reduction

	(37,000)	(63,302)	(94,474)	(128,690)	(210,224)
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Expenditures Incr (decr)

Legislative - Increase council remuneration		15,000	15,000	15,000	15,000
RCMP - Move new officers out 1 year		(87,000)		(87,000)	
Planning - Reduce new building inspector to 1/2 year	(32,085)				
Increase printing costs relating to new colour plans printer	3,000	3,000	3,000	3,000	3,000
Engineering-Reduce Eng. Tech to 8 months	(23,101)				
IT-Reduce new IT to part year	(9,969)				
Public Works-Utilities-Street Lighting	6,000	6,000	6,000	6,000	6,000

Capital Adjustments

Revenues - Incr (Decr)

Alberni Hwy & Despard Intersection-ICBC Grant	55,000				
Alberni Hwy & Despard Intersection-developer grant	(90,000)				
Alberni Hwy & Despard Intersection-Reduce DCC funding	(15,000)				
Jensen extension-Road DCC reduction (fix city's share)		-	-	-	(146,800)

Expenditures Incr (decr)

Alberni Hwy & Despard Intersection-Cost Increase	40,000				
Alberni Hwy & Despard Intersection-Transfer exp to Water	(90,000)				
Hwy 19a Paving: Roscow to Lombardy (Cost Incr)	10,000				
Planning - Plans Copier/scanner	(15,000)				

Provisional Budget Prior year Surplus at End of Year

	2,091,821	1,391,835	1,600,301	475,532	607,396
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Final Budget Prior year Surplus at End of Year

	2,338,970	1,655,453	1,926,988	824,858	693,983
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Increase (Decrease)

	247,149	263,618	326,687	349,326	86,587
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City of Parksville
2008-12 Financial Plan

Proposed Changes from 2008 Provisional Budget
Key Assumptions Used

	2008	2009	2010	2011	2012
New Development Assessments					
Residential	132,000,000	20,625,000	21,050,000	21,050,000	21,300,000
Commercial	-23,682,500	14,883,000	14,901,250	14,919,500	14,936,000
Taxation Assumptions:					
Tax Rate % Increase Used	5.00%	5.00%	5.00%	5.00%	3.00%
1% Tax Increase (Decrease) Represents	80,000	88,000	95,000	103,000	111,000
Property Taxation Increases (annual amount)	400,000	440,000	475,000	515,000	333,000
Property Taxation Increases (Cumulative amount)	400,000	840,000	1,315,000	1,830,000	2,163,000
Total Property Taxes Collected for City purposes	8,540,716	9,246,870	9,955,399	10,709,386	11,293,377
Total Capital Expenditures	10,748,558	2,810,520	2,297,152	3,791,496	4,235,408
Total Capital Exp. Funded by Property Taxes	2,526,728	2,636,770	1,824,502	3,325,641	2,353,968
Estimated Annual Infrastructure Replacement Deficit	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Current Year Net Surplus (Loss)	(574,176)	(683,517)	271,535	(1,102,130)	(130,876)
General Fund Debt - Existing	2,103,202	1,993,910	1,879,977	1,761,192	1,637,334
New Debt-Firehall	3,100,000	2,995,897	2,887,629	2,775,031	2,657,929
Total General Fund Debt	5,203,202	4,989,807	4,767,606	4,536,223	4,295,263
Note: The Current 5 year plan defers significant capital projects until 2013-15. Those deferrals leaves 2013-15 with ending Deficits as shown:		2013	-2,907,493		
		2014	-7,279,526		
		2015	-11,659,686		
This will mean additional derferrals of Capital projects or borrowing to complete projects					

City of Parksville
2008-12 Financial Plan

Proposed Changes from 2008 Provisional Budget

Water Utility Fund

Revenues - Incr (Decr)

	2008	2009	2010	2011	2012
Water Rate % Increase Used	10.50%	10.50%	10.50%	3.00%	3.00%
Revenue Reductions	0	(5,343)	(41,803)	(79,401)	(120,729)
Interest Income		(3,496)	(2,985)	(4,251)	(10,460)
Parcel Taxes		(4,211)	(5,423)	(6,413)	(7,505)
Revenue Hydrants		(364)	(768)	(1,206)	(1,692)

Expenditures Incr (decr)

Administration		11,330	11,670	12,020	12,381
Billing & collections		(1,675)	(3,784)	(5,958)	(8,347)

Capital Expenditures & Revenues

Additional 2007 Capital carryovers	2,072,202				
Capital Projects		(22,757)	(23,895)	(25,089)	(26,344)

Provisional Budget Prior year Surplus at End of Year

	581,803	659,380	872,728	793,795	623,786
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Final Budget Prior year Surplus at End of Year

	485,871	563,136	741,514	590,337	302,252
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Increase (Decrease)

	(95,932)	(96,244)	(131,214)	(203,458)	(321,534)
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Sewer Utility fund

Revenues - Incr (Decr)

Sewer Rate % Increase Used	0.00%	0.00%	0.00%	3.00%	3.00%
Revenue Reductions		(10,704)	(21,884)	(34,465)	(48,285)
Interest Income		(21,341)	(20,599)	(24,617)	(23,930)
RDN Levy	(101,800)	(104,854)	(108,000)	(111,237)	(114,576)

Expenditures Incr (decr)

Administration		(405)	(852)	(1,343)	(1,881)
Collection System		(2,815)	(5,951)	(9,350)	(13,111)
Treatment & Disposal	(101,800)	(104,854)	(108,000)	(111,237)	(114,576)
Water Conservation Program	15,000	11,000	11,000	11,000	11,000

Capital Expenditures & Revenues

Additional 2007 Capital carryovers	709,754				
River Pump Station #2	(25,000)				
Hwy 41 to Reservoir # 4	(990)				

Provisional Budget Prior year Surplus at End of Year

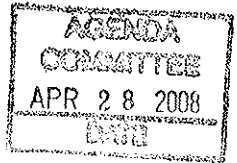
	2,108,535	1,984,567	2,058,246	2,001,606	1,837,070
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Final Budget Prior year Surplus at End of Year

	2,363,666	2,211,762	2,251,633	2,151,134	1,933,512
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Increase (Decrease)

	255,131	227,195	193,387	149,528	96,442
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April 22, 2008

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: G. LUCKY BUTTERWORTH, DIRECTOR OF FINANCE
SUBJECT: NEW REQUIREMENTS FOR REVENUE POLICY DISCLOSURE

Issue

New reporting requirements required for attachment to the 2008-2012 Financial Plan

Executive Summary

The provincial government has made changes to the Community Charter with respect to revenue policies and disclosure. The new requirements are in affect for the Final 2008-2012 Financial Plan and require explicit statements in that Financial Plan about the budgeted proportion of revenue to come from various revenue sources, the distribution of our property tax revenue among the property classes, and the City's policies around the use of permissive tax exemptions.

References

Ministry of Community Services Circular 08:10 and Sections 165(3.1) and 197(3.1) of the Community Charter.

Background

Bill 35 added new sections to the Community Charter, requiring more disclosure in our Financial Plans.

New Section 165(3.1) says the financial plan must set out the objectives and policies of the municipality for the planning period in relation to the following:

- (a) for each funding source, the proportion of total revenue that is proposed to come from that funding source;
- (b) the distribution of property value taxes among the property classes that may be subject to the taxes;
- (c) the use of permissive tax exemptions.

Appendix A entitled "New Reporting Requirements for Municipal Financial Plans for 2008" is attached and includes a set of stated objectives and or policies that the City has been using when establishing funding sources, tax revenues, and permissive tax exemptions.

The policies relating to the distribution of property value taxes must be considered before adopting the annual tax rate bylaw which is due on May 15. The Financial Plan bylaw must be adopted on or before May 15 of each year.

Options

1. Accept the explicit statements about the City's objectives and policies surrounding revenue sources, tax distribution, and the use of permissive tax exemptions and approve inclusion in the 2008 Financial Plan.
2. Make revisions to the stated objectives and or policies and approve inclusion in the 2008 Financial Plan.

Analysis

Option 1: Council has no specific policy surrounding the proportion of total revenue to come from each funding source, but there are individual policies or objectives within each funding source. Establishing a specific proportion of revenues to come from any particular source is problematic as revenues will change at different rates. For example, if we had no borrowing in a year, the % of revenues from all other sources would increase and maintaining the proportions would not be possible. Other sources could also vary significantly depending on what grants are awarded to the City or how many DCC projects are done in a particular year.

Maintaining the proportion of tax revenues from each tax class is also problematic when new development happens at different rates. For example, if all the development is in residential, the only way to maintain the business class at a certain percentage of total revenues would be a proportionately larger tax increase to the business class. Council's policy of increasing the tax revenues of each class (before new construction for the year) by the same percentage ensures one class is not subject to large tax swings because of significant changes to the assessments of another class.

Council's policy relating to permissive tax exemptions is stated in Appendix A.

Option 2: Council could establish policies regarding how much revenues will be collected from a particular source, or how much tax is collected from a particular class, but that could mean large swings in the revenues from year to year or large swings in taxes for individual taxpayers.

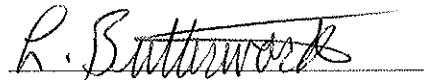
Financial Implications:

There are no financial implications if we maintain our current objectives, policies, and procedures for funding sources, tax splitting, and permissive tax exemptions.

If Council wishes to set specific policies for sources of revenue or the split of revenue from various tax classes, there will be a financial impact. The impact cannot be measured until the specific policies are determined.

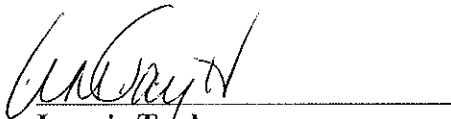
Recommendation:

That the information in Appendix A entitled "New Reporting Requirements for Municipal Financial Plans for 2008" attached to the report from the Director of Finance dated April 22, 2008 and entitled "New Requirements for Revenue Policy Disclosure" be incorporated into the 2008-2012 Final Financial Plan document.



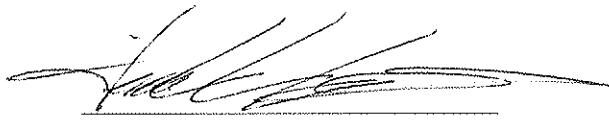
G. Lucky Butterworth, CGA.
Director of Finance

Director of Administrative Services comments:



Laurie Taylor
Director of Administrative Services

Chief Administrative Officer comments:



Fred Manson, CGA
Chief Administrative Officer

New Reporting Requirements for Municipal Financial Plans for 2008

Bill 35 has made amendments to the Community Charter Section 165 (3.1). The changes require more disclosure of Revenue sources and property tax policy.

The following are now required to be disclosed in City's 5 year Financial plans:

- 1) The proportion of total revenue that comes from the following funding sources as well as the objectives and policies relating to those proportions.

	<u>Total Revenue</u>	<u>Proportion of Total Revenue</u>
Property Value Taxes	8,832,585	37.49%
Parcel Taxes	114,708	0.49%
User fees and charges	3,662,565	15.55%
Other sources	7,847,170	33.31%
Proceeds from Borrowing	3,100,000	13.16%
	<u>\$ 23,557,028</u>	<u>100%</u>
	This column not req'd-info only	Req'd reporting

Council has no specific policy surrounding the proportion of total revenue to come from each funding source, but there are individual policies or objectives relating to each funding source. Council has adopted in its past Financial Plans specific tax increase percentages for each of the 5 years of the plan. This dictates the level of Property taxes the City will collect. Another policy is that a Parcel tax will be collected from all properties that have the ability to connect to the City's water or sewer system, but are not connected. Another objective is that the Water and Sewer Utility funds will be fully funded by User fees, parcel taxes, grants, and debt. The user fees are maintained such that the two utility funds do not need to be funded from property taxes. Borrowing is minimized when possible and only used where an essential capital project will not go ahead unless debt funds are acquired. Other sources of funding (grants, dcc withdrawals, reserve withdrawals, and other miscellaneous funding) are not predictable and are used whenever they are available.

continued...

New Reporting Requirements for Municipal Financial Plans for 2008

2) The distribution of property taxes among the property classes

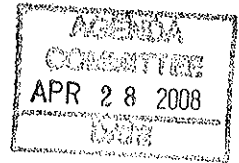
PROPERTY CLASS	% of Property Value Tax
01 RESIDENTIAL	75.66%
02 UTILITY	0.18%
04 MAJOR INDUSTRY	0.00%
05 LIGHT INDUSTRY	0.45%
06 BUSINESS/OTHER	23.48%
08 RECREATION/ NON PROFIT	0.22%
09 FARM	0.01%
TOTAL	100.00%

The table above shows the distribution of Municipal property tax revenue among the different property classes. The City only has two significant classes of assessments (residential and business) and no policy is set as to what percentage of revenues will come from each class. Council's policy has been to apply tax increases (on a percentage basis) so that the total revenue of each tax class grows from the prior year by the approved tax increase (before the affects of new construction are added in). The proportionate relationships among the classes will vary from year to year depending on how much new construction has occurred within a particular class, so maintaining the relative percentages between classes has not been considered a priority.

3) The municipalities policies and objectives for the use of permissive tax exemptions.

The 2007 annual report will contain a list of permissive tax exemptions granted for the 2008 taxation year and the amount of revenue forgone. Council allows permissive tax exemptions to support organizations within the community which further Council's objectives of enhancing quality of life and delivering services economically. The nature of the organization must be either non-profit, charitable/philanthropic, athletic, service club, care facility, or licenced private hospital.

City of Parkville
 2008 Budget Report (Based on Proposed Final Budget)
 For the 3 months ended March 31, 2008



SUMMARY

<u>General Revenue Fund</u>	<u>2008 Total Budget</u>	<u>2008 Actual to Date</u>	<u>Budget Remaining</u>	<u>% of Budget Remaining</u>
<u>Operating Expenditures</u>				
Council & Administration	\$ 1,296,154	\$ 247,611	\$ 1,048,543	81%
Finance & Common Services	825,683	269,535	556,148	67%
Long Term Debt	225,230	51,560	173,670	77%
RCMP	1,805,097	63,872	1,741,225	96%
Fire Department	785,458	166,320	619,138	79%
Community Development	1,040,313	269,051	771,262	74%
Parks	1,226,651	290,190	936,461	76%
Engineering	989,490	185,997	803,493	81%
Public Works	1,778,475	333,968	1,444,507	81%
	\$ 9,972,551	\$ 1,878,104	\$ 8,094,447	81%

	<u>2008 Total Budget</u>	<u>2008 Actual to Date</u>	<u>Budget Remaining</u>	<u>% of Budget Remaining</u>
<u>Capital Expenditures</u>				
Administration	\$ 110,000	\$ -	\$ 110,000	100%
Fire Department	3,389,644	10,000	3,379,644	98%
Community Development	25,000	22,042	2,958	12%
Parks	1,356,011	27,573	1,328,438	98%
Engineering	175,000	9,456	165,544	95%
Public Works	5,692,903	931,971	4,760,932	84%
	\$ 10,748,558	\$ 1,001,042	\$ 9,747,516	91%

<u>Water Utility Fund</u>	<u>2008 Total Budget</u>	<u>2008 Actual to Date</u>	<u>Budget Remaining</u>	<u>% of Budget Remaining</u>
<u>Operating</u>				
Water User Billings (revenue)	\$ 2,199,800	\$ 878,219	\$ 1,321,581	60%
Water Operating Expenditures	\$ 2,079,212	\$ 387,356	1,691,856	81%
<u>Capital Expenditures</u>				
Water Capital	\$ 3,932,587	\$ 810,623	\$ 3,121,964	79%

<u>Sewer Utility Fund</u>	<u>2008 Total Budget</u>	<u>2008 Actual to Date</u>	<u>Budget Remaining</u>	<u>% of Budget Remaining</u>
<u>Operating</u>				
Sewer User Billings (revenue)	\$ 895,440	\$ 404,381	\$ 491,059	55%
Sewer Operating Expenditures	\$ 2,886,139	\$ 54,879	2,831,260	98%
<u>Capital Expenditures</u>				
Sewer Capital	\$ 904,754	\$ 75,631	\$ 829,123	92%

City of Parksville
 2008 Budget Report (Based on Proposed Final Budget)
 For the 3 months ended March 31, 2008

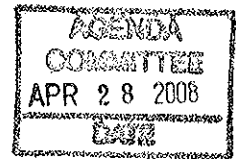
Description	2008			Explanations/Details
	2008 Actual to Date	Proposed Final Budget	Budget Remaining	
<u>GENERAL REVENUE FUND</u>				
<u>Legislative & Administration</u>				
Total Operating Expenditures	247,611	1,296,154	\$ 1,048,543	19% of total budget spent in 1st Quarter
Total Capital Expenditures	-	110,000	110,000	Most of this relates to PCTC renovation. Consulting work commenced.
<u>Finance and Common Services</u>				
<u>Operating Expenditures</u>				
- Finance	125,858	557,623	431,765	23% of total budget spent in 1st Quarter
- Common Services	143,677	268,060	124,383	54% of total budget spent in 1st Quarter. Property and Liability Insurance for entire year is paid already so most of budget is spent.
- Long Term Debt	51,560	225,230	173,670	23% of total budget spent in 1st Quarter
Total Capital Expenditures	-	-	-	No Capital Expenditures budgeted for 2008
<u>RCMP</u>				
Total Operating Expenditures	63,872	1,805,097	1,741,225	4% of total budget spent in 1st Quarter. 1st quarter invoice not received yet for RCMP officers.
Total Capital Expenditures	-	-	-	No Capital Expenditures budgeted for 2008
<u>Fire Department</u>				
Total Operating Expenditures	166,320	785,458	619,138	21% of total budget spent in 1st Quarter.
Total Capital Expenditures	10,000	3,389,644	3,379,644	2% of total budget spent in 1st Quarter. Most of capital is for Firehall addition.

City of Parksville
 2008 Budget Report (Based on Proposed Final Budget)
 For the 3 months ended March 31, 2008

Description	2008		Proposed Final Budget	Budget Remaining	Explanations/Details
	2008 Actual to Date	Budget			
<u>Community Development</u>					
Planning & Building Permit Reven	38,707	309,200	270,493		13% of total revenues received in 1st Quarter.
Total Operating Expenditures	269,051	1,040,313	771,262		26% of total budget spent in 1st Quarter. 100% of Chamber of Commerce is paid in Quarter 1.
Total Capital Expenditures	22,042	25,000	2,958		88% of total budget spent in 1st Quarter. Document copier has been purchased.
<u>Parks</u>					
Total Operating Expenditures	290,190	1,226,651	936,461		24% of total budget spent in 1st Quarter. Significant work done at Springwood Park in 1st Quarter.
Total Capital Expenditures	27,573	1,356,011	1,328,438		2% of total budget spent in 1st Quarter. Most of budget is Waterfront walkway and beach erosion control
<u>Engineering</u>					
Operating Expenditures - Engineering & IT	185,997	889,490	703,493		21% of total budget spent in 1st Quarter.
- Special Projects	-	100,000	100,000		Transportation and Parking Study.
Total Capital Expenditures	9,456	175,000	165,544		5% of total budget spent in 1st Quarter.
<u>Public Works</u>					
Snow Removal and de-ice supplie	56,728	98,630	41,902		58% of total budget spent in 1st Quarter.
Total Operating Expenditures	333,968	1,778,475	1,444,507		19% of total budget spent in 1st Quarter.
Total Capital Expenditures	931,971	5,692,903	4,760,932		16% of total budget spent (or committed) in 1st Quarter.
<u>Total General fund</u>					
Total Operating Expenditures	1,878,104	9,972,551	8,094,447		19% of total budget spent in 1st Quarter.
Total Capital Expenditures	1,001,042	10,748,558	9,747,516		9% of total budget spent in 1st Quarter.

City of Parksville
 2008 Budget Report (Based on Proposed Final Budget)
 For the 3 months ended March 31, 2008

Description	2008		Explanations/Details
	2008 Actual to Date	Proposed Final Budget Remaining	
<u>WATER UTILITY FUND</u>			
<u>Revenues</u>			
Water User Billings	878,219	2,199,800	1,321,581
40% of total revenues billed in 1st Quarter (winter billing). 10% higher than 2007 winter billing. Expected 4% increase due to new construction, but it did not materialize.			
<u>Operating Expenditures</u>			
Total expenditures (except LTD)	201,349	1,647,399	1,446,050
12% of total budget spent in 1st Quarter. Allocations from General Revenue fund not done until year end (\$350,000) Major projects including well rehabilitation and Cross connection control not done yet.			
<u>Logn Term Debt</u>			
	186,007	431,813	245,806
43% of total budget spent in 1st Quarter. (as budgeted)			
<u>Total Capital Expenditures</u>			
	810,623	3,932,587	3,121,964
21% of total budget spent (or committed) in 1st Quarter.			
<u>SEWER UTILITY FUND</u>			
<u>Revenues</u>			
Sewer User Billings	404,381	895,440	491,059
45% of total revenues billed in 1st Quarter (winter billing). \$2,000 lower than 2007. Expected 4% increase due to new construction, but it did not materialize.			
<u>Operating Expenditures</u>			
Total expenditures	54,879	2,886,139	2,831,260
2% of total budget spent in 1st Quarter. RDN Sewer Levy (\$2,004,000) is paid in July. Allocations from General Revenue fund not done until year end (\$350,000) Condition assessment program not yet started (\$100,000)			
<u>Total Capital Expenditures</u>			
	75,631	904,754	829,123
8% of total budget spent (or committed) in 1st Quarter.			



April 23, 2008

Report to COTW

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: LAURIE TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES
SUBJECT: Burning Bylaw – Shelly Enterprises

ISSUE:

Consideration of request from Shelly Enterprises to burn farm waste, fallen trees and debris.

EXECUTIVE SUMMARY

While it is not possible under Provincial legislation for a municipality to put an entire ban on burning on land within the agricultural land reserve, it is possible to set restrictions on the burning. The current Outdoor Burning Bylaw is silent on the issue and should be amended to provide restrictions on this type of burning.

REFERENCES:

Letter dated February 26, 2007 from Shelly Enterprises
Order 870.218-28 BC Ministry of Agriculture, Food and Fishers – Burning
City of Parksville Outdoor Burning Bylaw, 2007, No. 1428

BACKGROUND:

Prior to the adoption of the current Outdoor Burning Bylaw in July 2007, "agricultural clearing waste fires" were permitted from March 15 to April 15 and from October 15 to November 15 in each year. When the current bylaw was drafted it was Council's instruction that there be a ban placed on *all* outdoor burning.

The following are the relevant facts and legal requirements pertaining to this issue:

- The property that Mr. Shelly is referring to is located within the agricultural land reserve
- The *Farm Practices Protection (Right to Farm) Act* permits, as part of the operation of a farm, the clearing of land.
- Under the provisions of the *Act* land within the ALR is exempt from municipal bylaws pertaining to "nuisances, disturbances and other situations" (s. 8(3)(h) and 64 of the *Community Charter*).
- Order No. 870.218-28 issued by the Ministry of Agriculture, Food and Fisheries under the *Farm Practices Protection (Right to Farm) Act* states that where local government bylaws on open burning are more stringent they apply over provincial regulations.
- The *Farm Practices Protection (Right to Farm) Act* requires that farm operations must not be conducted in contravention of the *Environmental Management Act* and its regulations.
- Under the provisions of the *Open Burning Smoke Control Regulation 145/93* open burning is permitted under strict provisions including

- Smoke release period not greater than 72 consecutive hours
- No closer than 100 meters from neighbouring residences and businesses and 500 meters from schools, hospitals and continuing care facilities
- Prohibited during times of an inversion, when local winds are inadequate to disperse the smoke or the ventilation index is poor.

While on the face of it, lands located within the ALR are exempt from local government burning bylaws, a City can place restrictions on the burning itself.

Staff suggests that the restrictions for burning of agricultural activities land waste including brush and tree clearing and stump removal on agricultural land be as set out in the *Open Burning Smoke Control Regulation 145/93* but be further restricted to specific times of year and upon approval of the Fire Chief.

OPTIONS:

1. Amend the current Outdoor Burning Bylaw to set restrictions on the burning of agricultural waste on agriculture land.
2. Maintain the status quo.

Staff recommends Option 1.

ANAYLSIS

Amending the Outdoor Burning Bylaw to set restrictions on the burning of agriculture waste will give the City control over the length and time of burning.

FINANCIAL IMPLICATIONS

Nil

ENVIRONMENTAL/SUSTAINABILITY IMPACT

Limiting the length of burning and the times of the year when burning can be done, will reduce the impact on air quality.

STAFF RECOMMENDATION:

THAT the letter from Shelly Enterprises Ltd. Received February 26, 2008 regarding the Burning Ban Bylaw be received;

AND THAT the report dated April 23, 2008 from the Director of Administrative Services entitled "Burning Bylaw – Shelly Enterprises" be received for information;

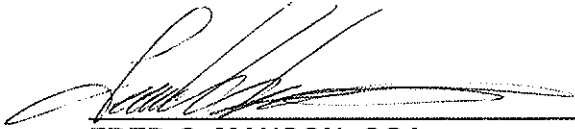
AND THAT the staff be directed to prepare an amendment to the City of Parksville Outdoor Burning Bylaw, 2007, No. 1428 to set restrictions of the burning of agricultural waste on agricultural land, for Council's consideration.

Respectfully submitted,



LAURIE TAYLOR
Director of Administrative Services

**CHIEF ADMINISTRATIVE OFFICER'S
COMMENTS:**



FRED C. MANSON, CGA
Chief Administrative Officer

FIRE CHIEF'S COMMENTS:



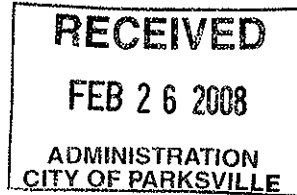
DOUG BANKS
Fire Chief

SHELLY ENTERPRISES LTD

450 STANFORD AVENUE EAST PARKSVILLE, BC V9P 1V8 PHONE (250) 248-2048

February 26, 2007

City of Parksville
P.O. Box 1390,
100 East Jensen Ave
PARKSVILLE, BC
V9P 2H3



DISTRIBUTED TO:	
<input type="checkbox"/>	Mayor
<input type="checkbox"/>	Mayor & Council
<input checked="" type="checkbox"/>	CAO
<input checked="" type="checkbox"/>	Corp. Admin.
<input type="checkbox"/>	Dir. Planning
<input type="checkbox"/>	Dir. Eng. & Ops
<input type="checkbox"/>	Dir. Finance
<input checked="" type="checkbox"/>	Fire Chief
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HAND DELIVERED

Attn: Mrs. Lynn Kitchen,
Deputy Corporate Administrator

Re: The City of Parksville – **Burning Ban Bylaw**

Dear Mrs. Kitchen:

The Burning Ban Bylaw is unjust and puts costly burden on farm land within the City.

Our property is totally fenced and cross fenced. Approximately 50 acres of the property is forested and the fence lines have to be kept clear and free of fallen trees and debris plus, general burnable farm waste.

If we were to clear only ten (10) acres of forested land, the cost of hauling or of bringing a grinder in is prohibative.

In speaking with the Staff at the Agricultural Land Commission office, the consensus was that the bylaw is inconsistent with the Right-To-Farm Act. Therefore, I request that our farm land be exempt from the Burning Ban Bylaw.

I await your reply.

Sincerely,

A handwritten signature in cursive script that reads "F A Shelly".

Fredrick A. Shelly

FAS/js

FARM PRACTICES

BURNING

Description

This practice includes burning that is done with a stack or chimney as well as open burning.

'Stack' Burning

This is burning with control of combustion air and a stack or chimney to vent the emitted products of combustion into the atmosphere. Examples are burning fuel in greenhouses, burning mortalities, etc.

'Open' Burning

Open burning is defined as the combustion of material with or without control of combustion air, and without a stack or chimney to vent the emitted products of combustion into the atmosphere. Farmers may use open burning to control crop residues, as a management tool in grass seed production and to control weeds, residue and brush on pasture, range and non-crop areas such as right-of-ways, ditches and dyke banks. They may also burn to dispose of orchard and vineyard prunings and tree stumps, to dispose of brush piles from land, which has been cleared, to dispose of spoiled hay and straw, and to dispose of diseased crop material.

Regulation of Smoke Pollution - *Waste Management Act*

A waste discharge permit under the *Waste Management Act* is not required for

- agricultural burning of crops, weeds, foliage or stubble
- residential (i.e., "backyard") burning of foliage, weeds, crops or stubble
- burns that satisfy all the terms and conditions set out in the *Open Burning Smoke Control Regulation* and its *Code of Practice*
- burns conducted to comply with the *Weed Control Act*

Regulation of Fire Safety - *Forest Practices Code of B.C. Act*

The *Forest Fire Prevention and Suppression Regulation* regulates open fires within one kilometer of a forest. Eight categories of fires have specific requirements that must be met prior to igniting any fire.

Local Government Bylaws



Local fire departments, municipalities, improvement districts or regional districts may have specific bylaws on open burning. Where these are more stringent, they apply over provincial regulations.

Nuisance Concerns

The three main disturbances mentioned in the *Farm Practices Protection (Right to Farm) Act* are odour, noise and dust. Of particular concern to open burning practices is dust (smoke).

Dust

Dust (smoke) in the air is defined as fine grained suspended particulate. How people perceive dust (nuisance or not) will depend on the frequency, intensity and duration of the dust generating event.

See Nuisance Reference: Dust

Activities and Operations

Grass Seed Residues

Grass seed producers may find it necessary to burn seed crop residue. Farmers in smoke sensitive areas should take steps to minimize smoke production and burn duration.

Crop Residues

In order to replenish nutrients and improve soil fertility and tilth, crop residues should be returned to the soil whenever possible. If, however, crop residues cannot be baled or plowed down, they may be burned. Burn duration and smoke production should be minimized.

It is common practice in many areas to burn plant residues on roadside right-of-ways, along dyke banks, in ditches and pastures. Burning inhibits weeds and plant diseases, reduces insect and rodent habitat, reduces the risk of fire, and makes it easier for new plants to grow.

Fuel Storage

'Stack' burning may require fuel. Solid fuel (wood, coal, etc) or liquid fuel (petroleum) may be stored. See Farm Practice: Storage of Hazardous Material

Prunings

Orchard, berry and vineyard prunings are not considered to be agricultural crop residues for burning purposes. Many orchardists use flail mowers to mulch prunings. In some circumstances, it is wiser to burn prunings than to mulch them in order to get rid of diseased plant material.

Spoiled Hay and Straw

Spoiled hay and straw may be returned to the land, composted, sold, or given away.

Disposal of Refuse

The burning of refuse is not exempt from the *Waste Management Act* unless it meets the requirements of the *Open Burning Smoke Control Regulation* and its *Code of Practice*.

Related Farm Practices

Other farm practices that pertain to burning include, but are not limited to, the following:

Mortality Disposal

Mortalities of small livestock or poultry may be incinerated

Land Clearing

Brush piles produced as a result of land clearing may be burned.

Legislation

Information on federal and provincial legislation can be found in Appendices B and C. Acts, regulations and bylaws that regulate or may affect burning practices include, but are not limited to, the following:

Provincial

Fire Services Act – BC Fire Code Regulation – sets out requirements of fuel storage tanks

Forest Act - is primarily concerned with crown land issues, however, it also covers a number of private land issues.

Waste Management Act – Open Burning Smoke Control Regulation and its *Code of Practice* – regulates pollution aspects of open burning

Local Government

Local government may enact *Open Burning Bylaws*, i.e. Greater Vancouver Regional District bylaw #725

Publications

Publications that provide further information on burning include, but are not limited to, the following (refer to Appendix D for details):

British Columbia Environmental Farm Plan Reference Guide

Creston Valley Grain Growers Burn Protocol Agreement

CITY OF PARKSVILLE

BYLAW NO. 1428

OUTDOOR BURNING BYLAW

A BYLAW TO REGULATE OUTDOOR BURNING

WHEREAS the Municipal Council deems it desirable and necessary to regulate outdoor burning;

NOW THEREFORE the Council of the City of Parksville, in open meeting assembled hereby enacts as follows:

Interpretation

1. In this Bylaw:

"Animal Organic Waste" means solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, feces and feathers;

"Beach Fire" means a fire lit for the purpose of warmth, cooking, or ceremonial purposes in a non-combustible environment below the high tide line.

"Campfire" means a fire lit in a permanent approved campsite fireplace located in a provincial park or a privately owned and supervised commercial campground or resort.

"Clearing Waste" means waste originating from brush clearing, tree clearing or stump removal, to facilitate use of the land.

"Debris" means disturbed or undisturbed vegetative matter.

"Demolition Waste" means any material resulting from or produced by the complete or partial destruction or tearing down of any structure;

"Domestic Waste Materials" means household material and food waste, including paper products.

"Garbage" means all household and commercial waste or refuse whether it contains edible material or not.

"Garden Refuse" means any non-toxic garden or vegetative materials including, but not limited to, grass clippings, foliage, leaves, pruning, weeds, crops or stubble for agricultural, domestic or commercial purposes.

"Incinerator" means a combustion device specifically designed for controlled high temperature burning of materials and equipped with a stack or chimney for discharge of smoke and contaminants into the air.

"Noxious Material" includes tires, oil, tar, asphalt, shingles, batteries, household garbage, plastic and any other substance which produces heavy black smoke, noxious odors or toxic residue when burned.

"Officer" means the Fire Chief or the Deputy Fire Chief, or their designate(s), duly appointed from time to time to lawfully act in that capacity and includes the Bylaw Compliance Officer.

"Open Burning" means the combustion of material without control of the combustion air and without a stack or chimney to vent the emitted products into the atmosphere.

"Outdoor Fire" means every fire that burns in the open air whether it is contained within a non-combustible device or not..

"Outdoor Fireplace" means every fire that burns in the open air and is contained in a non-combustible device, covered by a grate and protected by a screen and includes outdoor hearths and outdoor fire rings.

General Prohibition

2. All Open Burning and Outdoor Fires are prohibited at all times, within the boundaries of the City of Parksville.
3. No person shall burn Garbage, Animal Organic Waste, Clearing Waste, Debris, Demolition Waste, Domestic Waste Materials, Garbage, Garden Refuse and/or Noxious Materials in an open fire, Incinerator or in any other similar device.

Exemptions

4. The following are excluded from the regulations, provisions and penalties provided for under this bylaw:
 - a) charcoal, wood, propane or natural gas fires contained within a barbecue, hibachi or fire pits having a surface area not greater than one (1) square meter and covered by a grate, for the purpose of cooking food;
 - b) charcoal, wood, propane, or natural gas fires contained within an Outdoor Fireplace having a maximum diameter of 1 meter, a maximum width of 1 metre, a maximum depth of 1 metre and a maximum height, including chimney, of 1.8 meters;
 - c) Beach Fires;
 - d) Campfires;

- e) fires started and maintained by the Parksville Volunteer Fire Department for training, education or other fire department purposes;
 - f) fires used or recommended by authorities having jurisdiction to manage ecosystems for purposes of silviculture, forest fuel management, fire hazard reduction, wildlife enhancement and the use of fire as a means of fire control;
5. Every person who starts, maintains or permits or supervises fire under this section shall ensure that the fire is completely extinguished and that any residue from the fire is broken up and disposed of in a manner that eliminates any fire hazard.

Inspections and Orders

6. An Officer may:
- a) enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the regulations in this bylaw or directions made under this bylaw are being observed;
 - b) make orders directing the owners or occupiers of property to bring their premises or a fire into compliance with this bylaw;
7. No person shall obstruct or prevent an Officer from carrying out an inspection under this bylaw.
8. The Fire Chief at his sole discretion may implement a complete ban on beachfires, campfires, and any other type of burning that is normally exempted under this bylaw, if weather conditions or a high risk of fire hazard warrants it.

Offence

9. Any person who contravenes any provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty imposed by this bylaw shall:
- a) be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00);
 - b) be subject to fines contained within the City Parksville Municipal Ticket Information Utilization Bylaw.

Repeal

10. "City of Parksville Outdoor Burning Bylaw, 1992, No. 1091", and all amendments thereto, are hereby repealed.

Title

11. This bylaw may be cited as "Outdoor Burning Bylaw, 2007, No. 1428".

READ A FIRST TIME this 18th of June 2007