
Summary of Local Government Legislation

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Ministry of Community, Aboriginal
and Women's Services

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BRITISH
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USING THIS SUMMARY

This is a summary of legislation passed during the 2003 Session of the Legislative Assembly of British Columbia that may be of direct interest to local governments. This Summary is presented in 3 parts.

Part A covers 8 bills that amend local government legislation which is legislation that is the responsibility of the Ministry of Community, Aboriginal and Women's Services. Four of these bills were sponsored by the Minister of Community, Aboriginal and Women's Services, and the remaining bills were sponsored by other Ministers.

Part B covers 23 bills that, do not significantly affect Ministry of Community, Aboriginal and Women's Services' legislation, but contain amendments that directly affect local governments. In some cases, a Bill in this Part may also consequentially amend local government legislation.

In the description of a bill in **Parts A** and **B**, a reference to "section #" is a reference to the section of the bill (also referred to as an Act) which is making the amendments. A reference to "s. #" or "ss. #", on the other hand, is a reference to a section or sections of an existing statute or Act that is being amended. To illustrate - **sections** of Bill 76, *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act*, 2003, make amendments to **ss.** of the existing *Local Government Act*.

The information in **Parts A** and **B** as to the "in force" dates of the bills reflects the status of those bills as of August 31, 2004.

Part C provides an index to Ministry of Community, Aboriginal and Women's Services' local government legislation according to the Act and section amended by 2003 legislation.

This Summary provides a brief description of bills passed in 2003 that directly affect local governments. For a complete listing and the full text of all bills introduced or passed in that Session, go to the Legislative Assembly of British Columbia web site at: <http://www.legis.gov.bc.ca/legislation/index.htm>.

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| <p>The information in this Summary is provided as a guide for convenience only; while best efforts have been used in its preparation, it should not be relied on for accuracy.</p> |
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PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**PART A – AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION****Bill 13 Freedom of Information and Protection of Privacy Amendment Act, 2003***Sponsored by Minister of Management Services*

This Act amends the *Freedom of Information and Protection of Privacy Act* to clarify the collection, retention and disclosure of personal information.

Clarifies "local government body" definition

Section 19 modifies the definition of "local government body" to include the Vancouver Park Board (the Park Board referred to in s. 485 of the *Vancouver Charter*).

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov13-3.htm

S.B.C. 2003, c. 5 (In force March 31, 2003)

Bill 14 Community Charter*Sponsored by Minister of State for Community Charter*

This Act establishes a new legal foundation for municipal government in British Columbia, providing the core powers and responsibilities for municipalities. The Act substantially changes the framework for municipalities in three key areas: the municipal and provincial relationship, municipal autonomy and powers, and municipal accountability to the public.

Principles, purposes and interpretation

Part 1 of the *Community Charter* sets a broad framework that recognizes municipalities and their councils as an order of government within their jurisdiction, and establishes five principles of municipal governance.

In addition, this Part articulates the principles for municipal-provincial relations, setting the context for Part 9. Part 1 explicitly notes that, within the *Community Charter*, powers are to be interpreted broadly, and general powers are not to be interpreted as being limited by specific powers (section 4).

Municipal purposes and powers

Part 2 describes the purposes of a municipality and provides the fundamental municipal powers, which include the powers of a "natural person"; powers to provide services; and powers to regulate and/or prohibit and/or impose requirements within 16 spheres of regulatory authority.

Natural person powers

Natural person powers replace the corporate powers defined in the *Local Government Act*. Municipalities have the capacity, rights, and privileges of a natural person including such things as making contracts, buying and selling property and providing assistance (section 8).

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION

Bill 14

(Continued)

| | |
|---------------------------------|--|
| Service powers | Service powers authorize a municipality to provide any service that council considers necessary or desirable, including providing that service through another person. |
| Regulatory powers | Regulatory powers provide municipalities with general powers to regulate, prohibit, and impose requirements in broadly worded general areas (section 8). In most of these areas, a municipality has all three authorities; in some areas that authority is more limited (e.g., a municipality can only regulate in relation to business). The general areas, or spheres, of municipal regulatory authority are classified as either autonomous or concurrent. |
| Autonomous spheres of authority | Autonomous spheres permit municipalities to regulate, prohibit, and impose requirements independently in broad areas such as public places, municipal services, nuisances and trees. |
| Concurrent spheres of authority | In the five areas of concurrent regulatory authority, the exercise of municipal authority must be balanced with consideration of the broader provincial interest (section 9). Provincial involvement is required before a municipal bylaw is adopted in the areas of: public health, protection of the natural environment, wildlife, building standards, and prohibition of removal and deposit of soil and other materials. |
| Scope of jurisdiction | As well, Part 2 establishes the relationship between bylaws and provincial laws. The legislation provides clarity as to the test by which local and provincial rules can co-exist, and provides that a local government bylaw has no effect if it is inconsistent with a Provincial enactment (section 10). Therefore, a local government has the authority to establish bylaws as long as there is no direct conflict with the relevant provincial legislation. |
| Ancillary powers | Part 2 also provides powers to assist municipalities in the exercise of the broad powers, including a general authority to establish variations in bylaws, provide for a licensing or permitting system, and authority to provide a service in an area outside the municipality. Part 3 sets out specific powers, in addition to or beyond the general powers of Part 2, including authority to: |
| Partnering | <ul style="list-style-type: none"> provide assistance to business under a partnering agreement (section 21); |
| Expropriation | <ul style="list-style-type: none"> expropriate property or works in accordance with the <i>Expropriation Act</i> (section 31); |
| Animal control | <ul style="list-style-type: none"> seize unlicensed, unlawful, trespassing or dangerous animals; |
| Business | <ul style="list-style-type: none"> in limited circumstances, impose specific prohibitions or requirements on business (section 59). |

PART A **AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**

Bill 14

(Continued)

Remedial action
requirements

Municipalities are provided with authority to require that a property owner takes remedial actions in relation to hazardous conditions, declared nuisances, and harm to drainage or dikes, in accordance with a specified process (section 72).

Highways

In Part 3, certain roads and parks in municipalities are vested in municipalities, giving municipalities ownership and possession of most roads within their municipality. Part 3 also provides a council with the authority to close all or part of a highway that is vested in the municipality and remove the dedication of a highway that has been closed (section 40). In addition, municipalities have regulatory authority in relation to highways as a service, and as a general authority. Certain types of roads are not included in the transfer of title to municipalities, such as arterial highways, roads through provincial parks, and federal highways.

Limits on powers

Part 3 also places restrictions on municipal authority such as:

- general prohibition on assistance to business enterprises (section 25);
- notice requirements for disposition of municipal property (section 26);
- the purpose of health, safety or protection of persons or property for exercise of regulatory authority in relation to buildings (section 53).

Part 4 balances broadened municipal authority with accountability to electors through the themes of direct citizen participation, electors involvement, reporting to electors, and ethical standards for elected officials.

Elections and
elector assent

Direct participation of citizens is possible through the election provisions, which have largely remained unchanged in the *Local Government Act*, elector approval provisions, which have replaced the counter petition opportunity with the alternative approval process (section 86); and application for a court declaration of disqualification from office in specific circumstances.

Access to
municipal
government
processes and
records

Part 4 provides for access to council meetings, municipal records, and regular reporting on council activities. Generally, the *Local Government Act* open meeting provisions are continued in this Part, although the reasons for which a meeting might be closed has been expanded slightly, and procedures around the closure of a meeting to the public have been clarified.

The Act also requires regular reporting to the public on finance, municipal objectives and performance through annual municipal reporting. Each year, a council must prepare an annual report in relation to specific requirements set out in the legislation (section 98). In addition, council must make the report available for public inspection and hold an annual public meeting to consider the report (section 99).

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 14***(Continued)*

Ethical
standards for
elected officials

Part 4 of the *Community Charter* sets out the provisions regarding ethical standards for municipal elected officials. The *Community Charter* contains new provisions related to the disclosure of gifts and contracts, use of influence, use of insider information, and disqualification from office.

Municipal
government and
procedures

Part 5 outlines the roles and responsibilities of a council as the governing body of a municipality, including the duties of individual members of council. In this Part, the Act stipulates how a council may exercise its powers; procedural rules that apply to the conduct of its business; and how council may delegate authority or tasks to other bodies or officers and employees. Among the new features of the *Community Charter* is a requirement to adopt a procedure bylaw (section 124) that addresses some matters and processes previously legislated by the *Local Government Act*.

Financial
management

Part 6 of the *Community Charter* focuses on stewardship of municipal funds. In particular, it sets the framework for financial accountability and auditing, as well as establishing parameters for expenditures, liabilities, investments, and reserve funds. It also restricts use of municipal funds in some circumstances, most notably by limiting the use of borrowed funds. Section 174 provides authority for the Lieutenant Governor in Council, by regulation, to establish limits on the aggregate liabilities of a municipality and the annual cost of servicing the aggregate liabilities, as well as the methods for determining those limits.

Municipal
revenue

Part 7 sets out the ways in which a municipality might financially support its activities: property value tax; parcel tax; local service tax; and fees. This Part sets out a new simplified process to tax in relation to local area services, and clarifies the process for updating the parcel tax roll. In addition, this Part establishes statutory and permissive tax exemptions, including broadened authority for municipalities to provide tax exemptions in relation to property owned by non-profit organizations.

Bylaw
enforcement

Part 8 draws together the judicial remedies for bylaw contravention. It includes the establishment of the authorities necessary for municipal bylaw enforcement and a menu of judicial remedies, including prosecutions under the *Offence Act*, municipal ticketing, and enforcement by civil proceedings.

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 14***(Continued)*

Specifically, Part 8 provides for:

Ticketing for
bylaw offences

- broadened council authority to designate any bylaw offence to be a ticketable offence, establish by bylaw minimum fines, and more flexibility setting fines in relation to municipal tickets, including authority to set different fine amounts depending on when the fine is paid;

Offence Act
prosecutions

- municipal authority to set a penalty scale specific to the breach of a bylaw for prosecutions by a long form information, as well as authority to establish a continuing offence fine range (section 263);

Continuing
offence

- council authority to establish ticket fines for continuing offences, and specify an additional penalty amount to be imposed for each day that an offence continues; and

Enforcement by
civil proceedings

- municipal authority to initiate civil proceedings to obtain relief from an ongoing violation of a municipal bylaw or regulation (section 274).

Governmental
relations

While Part 1 sets the context for the provincial-municipal relations by outlining principles, Part 9 provides a process for managing relationships. Specifically, Part 9 provides for:

- required consultations between the Province and Union of BC Municipalities (section 276);
- consultation agreements (section 277);
- exemptions from provincial approvals by regulation;
- authority to provide additional powers or exceptions from requirements for municipalities by regulation; and
- intergovernmental dispute resolution to resolve differences between local governments or a local government and the provincial government.

In relation to intergovernmental disputes, this Part provides for provincially appointed officers to manage the process and assist in non-binding resolution mechanisms. Part 9 also provides for voluntary binding arbitration, and limits mandatory binding arbitration (i.e., required dispute resolution) to disputes between municipalities respecting prescribed matters, intermunicipal boundary highways, bridges and watercourses, and transecting highways.

Definitions

Schedule A sets out definitions and rules of interpretation to words and expressions used throughout the *Community Charter*, such as the application of some *Local Government Act* definitions to the Act, and special rules for calculating Mountain Time Zone.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov14-3-toc.htm

S.B.C. 2003, c. 26 (In force January 1, 2004)

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 22 Community, Aboriginal and Women's Services Statutes Amendment Act, 2003**

Sponsored by Minister of Community, Aboriginal and Women's Services

This Act amends a variety of Ministry of Community, Aboriginal and Women's Services statutes, including the *Heritage Conservation Act*, *Local Government Act*, *Municipalities Enabling and Validating Act (No. 3)*, and *Vancouver Charter*.

BC Heritage
Trust

Section 13 of the Act amends the *Heritage Conservation Act* by repealing Part 3 that established the BC Heritage Trust. Sections 11, 12 and 14 make consequential amendments to the *Heritage Conservation Act*, as a result of the repeal of Part 3 of that Act.

Section 21 dissolves the Heritage Trust, rescinds the appointment of its members and transfers the Heritage Trust's rights, property, assets, and obligations to the government of BC. Section 22 authorizes the government to pay liabilities assumed from the Heritage Trust out of the consolidated revenue fund.

Boards of
variance

Under the *Local Government Act* and *Vancouver Charter*, local governments that adopt a zoning bylaw must also establish a board of variance to consider individual applications for variation or exemption from provisions of the zoning bylaw. Sections 15 and 20 amend the *Local Government Act* (s. 899) and the *Vancouver Charter* (s. 527) to remove the statutory requirement that the Province appoint members to locally-established boards of variance. Section 15 further amends section 899 of the *Local Government Act* to allow two or more local governments to jointly establish a board of variance.

Assisted living
development
cost charge
exemption

Section 16 amends the *Local Government Act* (s. 933) to provide local government authority to reduce or waive development cost charges for not for profit supportive living housing. The amendment specifically states that "not for profit rental housing" may include "supportive living housing".

Section 17 adds a new Part 3 – 2003 to the *Municipalities Enabling and Validating Act (No. 3)*, comprised of:

Sunshine Coast
Regional District
Hillside Industrial
Park
development

- s. 8, which permits the Sunshine Coast Regional District to adopt a service bylaw for the Hillside Industrial Park without assent or approval of the electors, and validates the continuation of the existing Hillside Industrial Park as an ongoing service of the regional district;

Skeena
Cellulose -
NWBC Timber
and Pulp Limited
restructure plan

- s. 9, which permits the municipalities affected by the court approved Skeena Cellulose – NWBC Timber and Pulp Ltd. restructuring plan to comply with the plan by deferring collection of property taxes, forgiving interest and penalties on those taxes, and not having to offer the delinquent Skeena Cellulose properties for tax sale; and

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION

Bill 22

(Continued)

Northern
Rockies
Regional District
governance

- ss. 10 and 11, which provide authority for variation from the regional district governance structure established in the *Local Government Act*, to provide for joint elections to the Board of Northern Rockies Regional District and Council of the Town of Fort Nelson by all electors in the regional district.

Vancouver alarm
system permits

Section 18 amends s. 279B (3) (c) of the *Vancouver Charter* to permit one or more members of the Vancouver Police Board to hear appeals from decisions granting, refusing, suspending, or alarm system permits.

Graffiti removal
in Vancouver's
business
improvement
areas

Section 19 amends s. 455 of the *Vancouver Charter* to include the removal of graffiti from private property in the definition of a “business promotion scheme”, permitting Business Improvement Areas to be established for graffiti removal programs.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov22-3.htm

S.B.C. 2003, c. 15 (Sections 1-3, 10-14, 21 and 22 in force April 1, 2003; sections 15 to 20 effective March 27, 2003; sections 4-9 in force April 11, 2003)

Bill 48 Agriculture, Food and Fisheries Statutes Amendment Act, 2003

Sponsored by Minister of Agriculture, Food and Fisheries

This Act amends the right-to-farm provisions in the *Farm Practices Protection (Right to Farm) Act* and the *Local Government Act*.

“Crown land”
definition

Section 1 amends the definition of “Crown land” in the *Farm Practices Protection (Right to Farm) Act* (s. 1) to include “land covered by water”.

Cabinet given
authority to
designate Crown
land as a
farming area

Section 3 amends the *Farm Practices Protection (Right to Farm) Act* (s. 2) to provide that Crown land can be designated as a farming area in advance of possible use for agriculture or aquaculture purposes. This designation is linked to the *Local Government Act* (s. 872) amendment which defines “farming area”.

Local
government
powers in
relation to
farming areas
require minister
approval

Section 6 amends the *Local Government Act* (s. 917) to prohibit local governments from exercising any other powers under the *Local Government Act* to deal with matters that are specifically authorized to be dealt with through s. 917 farm bylaws with the approval of the Minister of Agriculture, Food and Fisheries.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov48-3.htm

S.B.C. 2003, c. 49 (In force October 23, 2003)

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 55 Water, Land & Air Protection Statutes Amendment Act, 2003***Sponsored by Minister of Water, Land and Air Protection*

The Act amends 14 separate acts, including substantive changes to the *Park Act*, *Local Government Act* and the *Parks (Regional) Act*.

The most significant feature of this Act for local governments is its repeal of the *Parks (Regional) Act* (section 20) as more current authorities are now available under the *Local Government Act*. As a result, the Act provides the following amendments to the *Local Government Act*:

| | |
|---|--|
| Park acquisition reserve fund | Section 6 amends the <i>Local Government Act</i> to require that all proceeds of the disposition of a regional park or regional trail be placed to the credit of a park acquisition reserve fund under Part 13. |
| | Reserve funds established under the <i>Parks (Regional) Act</i> must be continued as park acquisition funds under Part 13 of the <i>Local Government Act</i> . |
| Regional Park Bylaws | Section 7 adds a new subsection to 797.1 of the <i>Local Government Act</i> to provide for the continuance of all regional park district bylaws as bylaws of the regional district in which the regional park or trail is located. |
| Continuation of regional parks and trails | Section 8 adds section 799.1 the <i>Local Government Act</i> to provide that title and rights to regional parks and trails continue to be held by regional districts. |
| Rules for regional park disposition | Section 11 adds section 941.1 to the <i>Local Government Act</i> which permits regional districts to sell or exchange regional parks and trails; provides that the proceeds of disposition are to be placed in a special fund; and requires counter petition opportunities be provided before the adoption of bylaws authorizing sale or transfer. |

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov55-3.htm

S.B.C. 2003, c. 90 (Sections 6-11 effective November 20, 2003)

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 65 Local Government Bylaw Notice Enforcement Act***Sponsored by Minister of Attorney General*

This Act establishes a new framework for local government bylaw enforcement, which allows local governments to have bylaw disputes heard and resolved outside the provincial court system through an administrative dispute adjudication system.

The legislation allows the minister to phase in the application of the new dispute adjudication system on a local government by local government basis (section 29).

Enforcement by
bylaw notice

Part 2 of the Act establishes a process for initiating enforcement of bylaws through a bylaw notice system. If a local government elects to use the new bylaw notice system, they are required to adopt a bylaw that establishes which contraventions may be enforced by this method, the associated penalties, the period for paying or disputing a bylaw notice, and how to dispute the allegation in the notice (section 2).

The Act allows enforcement officers to use a variety of issue and service methods, and creates a flexible system to hear and resolve bylaw disputes. Highlights of the Act include:

Delivery of bylaw
notice

Section 7 establishes that the bylaw notice may be delivered in person, by mail or by leaving it on a motor vehicle if it is a parking contravention.

Screening
officers and
compliance
agreements

Section 10 allows local governments to appoint or designate individuals (i.e., screening officers) to screen disputed allegations, cancel the notice under specified circumstances, confirm the notice as alleged, or offer to enter into a “compliance agreement”.

A compliance agreement allows the screening officer and the bylaw notice recipient who enters into the agreement to negotiate the terms and conditions for payment of the bylaw notice. Section 11 provides that a person who enters into a compliance agreement with a screening officer is deemed to have accepted liability for the contravention as alleged in the bylaw notice. Although compliance agreements are optional and flexible, they must set out the amount of any reduction in penalty.

Effect of
compliance
agreement

Section 12 provides that if a person enters into a compliance agreement with a screening officer in respect of the contravention alleged in the notice, and observes or performs all the terms of the compliance agreement, the amount of the penalty set out in the bylaw notice is deemed to have been paid.

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 65***(Continued)*Dispute
adjudication

Part 3 of the Act establishes the framework for an adjudication system for disputed bylaw notices and alleged failure to perform terms and conditions of a compliance agreement. In an adjudication under this part, the decision is limited to whether the contravention happened as alleged, with no discretion on the amount of the penalty (section 21). Both the bylaw notice recipient and the local government must receive an opportunity to be heard, although this does not require personal appearance (e.g., evidence may be accepted orally, in writing, or electronically) (section 20), and no further substantive appeal is possible (section 22).

The dispute adjudication is handled by an adjudicator selected on a rotating basis from a roster appointed by the Deputy Attorney General (section 15). Adjudicators are prohibited from exhibiting bias or the appearance of bias, which precludes local government involvement in their selection or appointment (section 17).

Cost and
administration of
dispute
adjudication
system

Local governments that establish a dispute adjudication system are responsible for the administration and costs associated with the dispute adjudication system, such as the provision of facilities and provision of records management. Some costs may be recovered through a fee (not more than \$25.00) imposed on failed disputes.

Collection of
bylaw notice
penalties

Part 4 of the Act provides a simple process to collect “due and payable” amounts as a Provincial Court judgement within two years of the amount becoming “due and payable” under the Act.

Additional
Offence Act
sentencing
powers

The Act also makes some amendments to existing bylaw enforcement provisions in the *Community Charter*, *Local Government Act* and *Vancouver Charter* to provide additional sentencing powers to Provincial Court justices hearing *Offence Act* prosecutions. The new sentencing powers include authority to make injunctive orders and remedial orders in conjunction with other penalties established in the local government bylaw.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov65-3.htm

S.B.C. 2003, c. 60 (In force by regulation)

(Act in force May 3, 2004, for City of North Vancouver, District of North Vancouver, and District of West Vancouver)

PART A AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION**Bill 76 Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act, 2003***Sponsored by Minister of State for Community Charter*

This Act supplements Bill 14, the *Community Charter*, 2003, providing the rules governing the transition from the *Local Government Act* to the *Community Charter* and its links to other Acts. Transitional provisions and consequential amendments are usually located at the end of a Bill, but were separated from the *Community Charter* due to their volume.

Specifically, this Act includes four types of provisions:

- transitional provisions;
- consequential amendments to local government statutes;
- consequential amendments to other statutes; and
- housekeeping amendments to the *Community Charter*.

Transitional provisions

Part 1 sets out the special rules governing the shift from one set of legislated rules to another. Key transitional provisions for the shift from the *Local Government Act* to the *Community Charter* include:

- interim regulation making power (section 3);
- continuing existing municipal bylaws (section 4);
- establishing an additional 120-day period for compliance with the new procedure bylaw content requirements (section 16); and
- phasing in requirements for content for the first municipal annual reports (section 14).

Consequential amendments

Part 2 contains amendments to over 100 statutes, most of which relate to the *Local Government Act*, which is affected by more than half of the 508 sections that make up this Part of the Act. Changes to the *Local Government Act* fall into three broad categories:

Amendments to the Local Government Act

- amendments that remove municipal authorities now covered by provisions in the *Community Charter*, such as corporate powers or reserve funds;
- amendments that adapt municipal authorities remaining in the *Local Government Act* to accommodate the *Community Charter* framework, such as disposition of land set aside as a municipal forest reserve; and
- amendments that apply some *Community Charter* requirements to regional districts, such as rules on ethical conduct and open meetings (section 343), requirements for passing bylaws and financial planning.

Amendments to other Acts

The majority of the remaining consequential amendments to other legislation are technical updates required by the relocation of municipal authorities from the *Local Government Act* to the *Community Charter* - for example, cross reference changes to the name of the Act or section numbers.

PART A**AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION****Bill 76***(Continued)*Amendments to
other Acts

A small number of statutes are more significantly adapted to accommodate new concepts in the *Community Charter*, such as:

- ethical standards of conduct of elected officials, and disqualification provisions which are applied to the Islands Trust under the *Islands Trust Act*; regional hospital districts under the *Hospital District Act*, and the City of Vancouver under the *Vancouver Charter*;
- excluding revitalization, partnering, golf course and cemetery tax exemptions from application to the provincial school tax base, unless a regulation is passed providing that an exemption for property that is exempted under the *Community Charter* or the *Local Government Act*, is also exempt from taxation under the *School Act* (section 490); and
- public access to local government records, which are clarified for the greater boards of the Vancouver area, regional hospital districts and the Islands Trust.

Amendments to
the Community
Charter

Part 3 makes a small handful of housekeeping amendments to the *Community Charter*. Some of these changes include clarifying the language used to describe the power to regulate and to make technical corrections.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov76-3-pt01.htm

S.B.C. 2003, .52 (In force January 1, 2004)

Bill 97 Municipalities Enabling and Validating (No. 3) Amendment Act, 2003

Sponsored by Minister of Community, Aboriginal and Women's Services

Municipalities Enabling and Validating Acts are compilations of special amendments providing specified local governments with additional authority or validating their procedural errors. The first provisions of the *Municipalities Enabling and Validating Act* date from 1958. In 1990, the first Act was retired and the *Municipalities Enabling and Validating Act (No. 2)* was introduced. That Act continued to compile amendments until 1999. *Municipalities Enabling and Validating Act (No. 3)* was introduced in 2001.

District of North
Vancouver ice
rink facility

This Act adds s. 12, which retroactively validates the agreement between the District of North Vancouver and CanLan Investment Corporation regarding the construction and operation of an ice rink facility. The legislation validates this public private partnership agreement despite the failure to meet a procedural requirement of the then *Municipal Act* (i.e., agreement did not receive the assent of the electors).

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov97-3.htm

S.B.C. 2003, c.15 (In force March 27, 2003)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**PART B – OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS****Bill 6 Budget Measures Implementation Act, 2003***Sponsored by Minister of Finance*

This Act makes amendments to a variety of statutes affected by the BC Budget. Of direct interest to local government are the changes to the *Local Government Act*, *Motor Fuel Act*, the *Taxation (Rural Area) Act*, and the *Vancouver Charter*.

Dust and
particulate
matter
eliminating
equipment
exemption

Section 17 of the Act amends s. 339 of the *Local Government Act* to clarify that the municipal taxation exemption for dust and particulate applies only to equipment that removes dust and particulate and not to buildings and tanks used for such purposes. Sections 45 and 51 make similar amendments to s. 15 of the *Taxation (Rural Area) Act* and s. 396 of the *Vancouver Charter*.

Recovery of rural
taxation costs for
local government
bodies

Section 46 adds s. 21.1 to the *Taxation (Rural Area) Act*, which authorizes the Surveyor of Taxes to recover the costs associated with the collection of and recovery of taxes on behalf of specified local government bodies, including the Municipal Finance Authority, the Islands Trust, regional hospital districts, improvement districts and regional districts, through the retention of an aggregate fee.

Consequential to authorizing the addition of an aggregate fee under the *Taxation (Rural Area) Act*, a number of similar amendments were made to the following Acts:

- Section 12 repeals s. 25 (8) and s. 26 (3) of the *Greater Vancouver Transportation Authority Act*;
- Section 13 adds s. 26 (2.1) to the *Hospital District Act*;
- Section 16 amends s. 48 (1) of the *Islands Trust Act*;
- Sections 18 and 19 amends ss. 756 and 806.1 of the *Local Government Act*;
- Section 20 amends s. 8 (1) of the *Local Services Act*; and
- Section 50 repeals s. 4 (3) of the *University Endowment Land Act*.

Interest
calculations

Section 59 validates interest calculations and provides for retroactive regulations respecting the manner in which interest is calculated under several tax statutes, including the *Local Government Act* and the *Vancouver Charter*.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov06-3.htm

S.B.C. 2003, c.3 (Sections 59 (1), (2) & (4) effective March 12, 2003;
sections 12, 13, 16, 18-20, & 50, except the part of section 46 en. section 21.1 (2) (a), (c) & (g) of Taxation (Rural Area) Act, deemed effective January 1, 2003;
section 59 (3) deemed effective February 19, 2003;
section 17 effective December 31, 2003;
sections 21-23, effective April 1, 2003;

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 11 Miscellaneous Statutes Amendment Act, 2003***Sponsored by Minister of Attorney General*

This Act repeals or makes amendments to a variety of statutes on behalf of several ministers. Changes of particular interest to local governments include those to the *Emergency Program Act*, *Holiday Shopping Regulation Act*, *Local Government Act*, *Motor Vehicle Act* and the *Vancouver Charter*.

Disaster
Financial
Assistance
Appeal Board

Sections 11 and 12 amend the *Emergency Program Act* (ss. 17 and 21) to eliminate the Disaster Financial Assistance Appeal Board, making the Director solely responsible for disaster financial assistance dedications and giving municipalities the ability to recover emergency response costs if the emergency was caused by the acts or omissions of a person.

Holiday
Shopping
Regulation Act

Section 26 repeals the *Holiday Shopping Regulation Act*, which prohibited businesses from operating on holidays, unless permitted by a municipality.

Sections 33 and 63 eliminate references to the *Holiday Shopping Regulation Act* in s. 654 of the *Local Government Act* and s. 279A. of the *Vancouver Charter*.

Livestock
Protection Act

Section 32 repeals the *Livestock Protection Act*, which provided for the control of dogs in rural areas and the authority to control dogs that attack people. Since 2000, local government legislation has included provisions for controlling dogs in municipalities and regional districts.

Sections 34 to 37, 64 and 65 amend ss. 706, 707, 707.1 and 797.1 of the *Local Government Act* and s. 324.1 of the *Vancouver Charter* to eliminate references to the *Livestock Protection Act*, and to consolidate definitions of companion and domestic animals.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov11-3.htm

S.B.C. 2003, c. 7 (In force by regulation)
sections 10-16 effective June 20, 2003
section 23 effective March 12, 2003;
sections 26, 33 & 63 effective December 5, 2003;
sections 32 & 34-37 effective April 1, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 12 Police Amendment Act, 2003***Sponsored by Minister of Public Safety and Solicitor General*

This Act makes amendments to the *Police Act* respecting the required use of information management systems for a law enforcement service.

Requirement to
use information
management
system

Section 2 adds a new s. 68.1 establishing a new requirement that the provincial police force, a municipal police department, and any designated policing unit or designated law enforcement unit, use and pay for a computerized information management system. The information system must be approved by the minister, and the minister may set standards which the law enforcement services must meet respecting the manner, form, exchange and transfer of information and data, and for the maintenance of security and information and data integrity of an information management system.

Functions of the
Director of Police
Services

Section 1 provides additional authority to the Director of Police Services to evaluate compliance respecting information management systems.

Standards for
information
management
system

Section 3 amends s. 74 by authorizing the Lieutenant Governor in Council to make regulations respecting an information management system approved by the minister as follows:

- for the implementation, use, maintenance, repair and upgrading of an information management system;
- prescribing fees that must be paid to the government or persons specified by the minister who provide hardware, software, or other services in relation to an information management system; and
- for the phasing in of an information management system, or the phasing in of new or changed technology for a system. Phasing in may be in relation to specified law enforcement services, specified geographical areas of British Columbia, or specified law enforcement services in specified geographical areas of British Columbia.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov12-3.htm

S.B.C. 2003, c. 21 (In force April 10, 2003)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 15 Unclaimed Property Amendment Act, 2003***Sponsored by Minister of Finance*

This Act amends the *Unclaimed Property Act*, and allows for the transfer of the unclaimed property program to a non-profit entity.

Non-profit
administration of
the *Unclaimed
Property Act*

Section 2 amends the *Unclaimed Property Act* to allow for the minister to enter into administration agreements to permit non-profit organizations to run the unclaimed property schemes.

Local
Government Act
amendment

Section 21 provides for payments of unclaimed property under the *Local Government Act* (s. 416 (6)) to be made to the administrator under the *Unclaimed Property Act* rather than to the minister. The practical impact on municipalities is that they will be required to remit surplus tax sale proceeds directly to the British Columbia Unclaimed Property Society ("the administrator") rather than to the Ministry of Finance.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov15-3.htm

S.B.C. 2003, c. 9 (In force March 31, 2003)

Bill 18 Coastal Ferry Act*Sponsored by Minister of Transportation*

This Act establishes a new regulatory framework for coastal ferry services and a long-term contract between the province and BC Ferry Services for the delivery of services.

BC Ferry
Authority
established

Section 2 establishes the BC Ferry Authority. The purposes of the Authority are to hold, administer and/or sell a voting share in BC Ferry Corporation after BC Ferry Corporation is converted into a company.

Appointment of
BC Ferry
Authority
Directors

Section 5 provides that the Lieutenant Governor in Council may appoint directors to the BC Ferry Authority from designated appointment areas, consisting of those coastal regional districts that the Lieutenant Governor in Council may prescribe.

Coastal Ferry
Service
Contracts

Section 27 authorizes the minister, with the approval of the Lieutenant Governor in Council, to enter into Coastal Ferry Service Contracts with ferry service operators that identify the core ferry services that must be provided, designated ferry routes, and the service fees that are to be paid.

Municipal roads

Section 30 provides an exception to the *Community Charter* provision (s. 35) respecting municipal ownership of roads. In addition, the Lieutenant Governor in Council is given the ability to designate roads as part of ferry terminal property.

PART B**OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS****Bill 18**

(Continued)

Designation of
ferry terminal
property

Section 30 also permits the Lieutenant Governor in Council, by regulation, to designate as ferry terminal property any property that is owned by the government or the British Columbia Ferry Corporation, designate any ferry terminal property as a highway, and any highway property as a surplus highway property.

Deemed
compliance with
zoning bylaw

In addition, section 30 provides that on and after the transfer of any highway property that is vested in a municipality, all uses to which any or all of the transferred ferry terminal properties were being used immediately before the transfer are deemed to be consistent with the local government zoning bylaws that would otherwise apply to the ferry terminal properties.

Municipal Aid
Act

Section 85 consequentially amends the definition of “Provincial land” in the *Municipal Aid Act*, by removing references to the British Columbia Ferry Corporation.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov18-3.htm

S.B.C. 2003, c. 14 (In force April 1, 2003)

Bill 19**Safety Standards Act**

Sponsored by Minister of Community, Aboriginal and Women's Services

The *Safety Standards Act* establishes the framework for a new safety system in British Columbia to foster safety in the design, manufacture, disposal, operations and maintenance and use of technical products, equipment and systems. The Act consolidates provisions from the *Electrical Safety Act*, *Elevating Devices Safety Act*, *Gas Safety Act* and the *Power Engineers and Boiler Pressure Vessel Safety Act* and associated regulations using consistent terminology.

The Act applies to the regulation of work and products related to amusement devices, boiler systems, electrical equipment, elevating devices and passenger conveyers, gas systems, pressure vessels, pressure piping, refrigeration systems, and ski lifts.

Safety standards
administration
and
administrative
agreements

Part 2 of the Act confers administrative responsibility for the *Safety Standards Act* on the minister, which may in turn be delegated, all or in part, to a local government or another authority (section 5). To delegate administration of one or more safety disciplines in an area to a local government, the minister must first enter into an administrative agreement with the local government which outlines:

- the safety performance objectives that the local government must meet;
- the reporting of incidents that come to the attention of the local government; and
- the process by which the agreement may be amended.

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 19***(Continued)*

Once the agreement has been made, the Lieutenant Governor in Council may delegate administrative and enforcement authorities to that local government. A local government that provides safety services is entitled to retain any fees or penalties that it imposes in the course of its administration and enforcement of the Act (section 7).

Powers of local
governments to
adopt bylaws

Section 6 establishes a requirement that safety standards bylaws concerning a standard that is or could be dealt with under the *Safety Standards Act* may only be enacted if it is in accordance with:

- a regulation;
- an agreement with the minister; or
- approval of the minister.

By regulation, the minister may establish those matters in which local government may exercise authority, applying restrictions or conditions to local authority, or specifying those matters which are subject to provincial approval.

Safety officers
and safety
managers

Part 4 of the *Safety Standards Act* provides for the appointment of safety managers to oversee qualifications, certification, equivalent standards and licensing under the Act (section 12), and safety officers to oversee permits and inspections (section 13). Safety managers and safety officers may be appointed by the minister or, under an administrative agreement, by one or more local governments.

Administrators to
record
information in
the registry

Part 5 establishes a public registry of licensed contractors and former licensed contractors for the disciplines regulated under the Act. The minister, and local governments providing safety services, are authorized to collect information necessary for the issuance of any document required under the Act, which must be submitted to the registrar.

Licensing, safety
administration
and enforcement

Parts 6 and 7 provide for the issuance of licenses and certificates of qualifications to contractors, and the administration and enforcement of safety standards.

Equivalent
standards
agreements

Section 35 provides special rules for when a local safety manager may enter into an equivalent standards agreement, in which an alternative approach to regulated work or the use of a regulated product is substituted for a requirement in an existing code or standard.

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 19***(Continued)*

Discipline orders

Section 42 provides that a provincial safety manager may issue a discipline order to any person performing regulated work who:

- is in breach of a condition of, or restriction on, any licence or permission, whether stated in the licence or permission or stated in the regulations;
- practises in a discipline under this Act for which the contractor is not licensed, or undertakes regulated work that the individual or contractor is not qualified to undertake;
- fails to comply with a compliance order;
- fails to comply with a safety order;
- fails to comply with the terms of an equivalent standards agreement; or
- is convicted of an offence under this Act.

In addition, a provincial safety manager may suspend or revoke the licence of a licensed contractor, change the terms or conditions of the certificate of qualification or licence of an individual, or require the supervision of any persons performing regulated work.

Safety standards
appeal process

Parts 8 and 9 provide an avenue of appeal from decisions of safety officers and safety managers, while Part 10 prohibits the undertaking of work in the disciplines governed by the Act unless it is done in accordance with the Act, and establishes related offences and penalties.

Consequential
amendments to
the Vancouver
Charter

Section 98 amends *Vancouver Charter* s. 306 to establish that City bylaws that regulate the installation of gas or oil appliances, or set out requirements for the maintenance and operation of elevators used for residential purposes are subject to the Act. Similarly, section 101 of the Act amends *Vancouver Charter* s. 323 to establish that City bylaws that regulate the use of noxious materials employed in bringing about changes in temperature are subject to the *Safety Standards Act*.

Section 99 adds a new subsection to s. 312 of the *Vancouver Charter*, establishing that if the City of Vancouver enters into an agreement under s. 5 of the *Safety Standards Act*, the City Electrician is a local safety manager for the purposes of the *Safety Standards Act*. Section 100 makes a minor amendment to s. 314 of the *Vancouver Charter* to update a cross reference to the *Safety Standards Act*.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov19-3.htm

S.B.C. 2003, c. 39 (Section 6 in force May 29, 2003;
sections 1 -5, 7, Parts 2-13 and 15, and 92 -102 in force April 1, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 20 Safety Authority Act***Sponsored by Minister of Community, Aboriginal and Women's Services*

This Act is a companion statute to Bill 19, and establishes the British Columbia Safety Authority as a non-profit entity responsible for fostering safety in the design, manufacture, disposal, construction, installation, operation, maintenance and use of technical products, equipment and systems in British Columbia (sections 3 and 5).

The Safety Authority may be designated as a standard making body, authorized to publish standards for the purposes of the *Safety Standards Act* (section 6). Under that Act, the Safety Authority may be delegated responsibility for provision of safety inspections, certification of products and individuals, licensing of contractors and administration of inspector training programs.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov20-3.htm

S.B.C. 2003, c. 38 (In force June 30, 2003)

Bill 23 Procurement Services Act*Sponsored by Minister of Management Services*

This Act replaces the *Purchasing Commission Act*. The Act enables the province's newly formed shared service provider agency, Solutions BC, to provide best practices procurement services to ministries and other participating public sector agencies.

Ministerial
procurement
authority

Section 3 permits the minister to make recommendations to government organizations and local public bodies (including local governments) regarding procurement practices, the form and content of procurement agreements, and arrangements that promote fair and open procurement, competition, and demand aggregation, value for money, transparency, and accountability.

Agreements with
local public
bodies

Section 2 permits the minister to assist local public bodies in contracting for services, including services respecting the construction of buildings and other works. Section 4 provides that the minister may make agreements and arrangements with local public bodies for any services provided under the Act, and may also set fees or charges to be paid by local bodies for those services.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov23-3.htm

S.B.C. 2003, c. 22 (In force April 10, 2003)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 25 Hospital District Amendment Act, 2003***Sponsored by Minister of Health Services*

The Act amends the *Hospital District Act*, which is the governing statute for Regional Hospital Districts. Regional hospital districts are governed by regional district board members. The Act reduces the level of provincial oversight of the boards of regional hospital districts.

Regional
Hospital Districts

Section 1 amends the *Hospital District Act* (s. 8(3)) to transfer capacity from the provincial government to the boards of the regional hospital districts, to appoint directors or alternative directors.

Hospital district
board powers
and
responsibilities

Sections 3 to 9 of the Act make various amendments to the *Hospital District Act* to provide broader powers to regional hospital district boards. The key changes these sections make is to remove requirements for the Minister of Health Services to approve a regional hospital district board's annual budget, capital expenditures, bylaws and tax requisitions, or the establishment of an executive committee of a board.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov25-3.htm

S.B.C. 2003, c. 20 (In force May 29, 2003)

Bill 30 Provincial Revenue Statutes Amendment Act, 2003*Sponsored by Minister of Provincial Revenue*

This Act amends a number of statutes administered by the Ministry of Provincial Revenue, including the *Land Tax Deferment Act* and *School Act*.

Land Deferment
Act

Section 58 and 59 amend the *Land Deferment Act* (ss. 4 and 18) to provide that an agreement to defer property taxes is not terminated if the eligible property is transferred to the surviving spouse on the death of the owner or disposed of in accordance with the prescribed regulations.

School Act

Section 78 amends the *School Act* (s. 118) to require a municipality to apply to the following for the school tax portion of a grant in place of taxes:

- an owner who is identified by the British Columbia Assessment Authority as exempt from paying school taxes levied under this Act, and authorized to pay a grant in place of taxes; and
- an owner who is exempt from paying school taxes levied under this Act and has paid a grant in place of taxes to the municipality in the previous taxation year.

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 30***(Continued)*

In addition, s. 118 of the *School Act* is amended to provide that on or before February 1 in each year, a municipality must pay to the Minister of Finance any amount that has been received by the municipality in the preceding calendar year as the school tax portion of a grant in place of taxes, and authorizes the Surveyor of Taxes to disallow all or part of the administration fee if the municipality fails to make the required applications.

Consequential
amendments to
the School Act

Section 79 makes a few minor amendments to s. 119 of the *School Act*. These changes include changing a ministerial reference and removing a requirement for the minister to send a notice to the Surveyor of Taxes respecting the taxation of rural areas.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov30-3.htm

S.B.C. 2003, c. 23 (Sections 57-87 effective April 10, 2003)

Bill 36 Business Number Act

Sponsored by Minister of Competition, Science and Enterprise

This Act enables federal, provincial and municipal partners, through an agreement, to implement a single business number system for BC business. It provides businesses with a single identifying number based on their Federal Business Number and a single point of access for business registration with all three levels of government

Municipal
participation in
public body
agreements

Section 4 authorizes the minister to enter into an agreement with a municipality (including the City of Vancouver), regional district, or a board or commission designated by regulation, to establish or adopt a common numbering system and an Internet-based service channel.

Fees

Section 9 enables the minister to require a public body to pay the minister a prescribed fee.

In addition, section 12 provides authority for the Lieutenant Governor in Council to make regulations designating boards, commissions, associations or other bodies as public bodies and prescribing fees payable to the minister.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov36-3.htm

S.B.C. 2003, c. 50 (Sections 1-15 effective October 24, 2003;
sections 16-17 in force by regulation)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 49 Pension Statutes Amendment Act, 2003***Sponsored by Minister of Management Services*

This Act makes amendments to a variety of statutes, including the *Public Sector Pension Plans Act* (PSPPA), *Election Act*, *Freedom of Information and Protection of Privacy Act*, *Ombudsman Act*, and the *Trade Development Corporation Act*.

Of particular interest to local government are the following changes to the PSPPA:

| | |
|--------------------------------|--|
| Pension management board | Section 5 amends s. 8 of the PSPPA and establishes new rules regarding the composition of the pension management board. The provincial government, Union of British Columbia Municipalities and the Health Employees Association each still appoint one of the eight directors of the Municipal Pension Plan. |
| Definitions | Section 6 revises a variety of definitions in Schedule A of the PSPPA, including definitions for pension board and pension plan, and clarifies that the pension corporation is the plan administrative agent and not the plan administrator. |
| Post-retirement group benefits | Section 18 adds a new Part 2.1 to Schedule B of the Act, providing for the administration of post-retirement group benefits. It transfers responsibility for post-retirement benefit contracts from the provincial government to the municipal Board of Trustees, and clarifies that post-retirement benefits are not pension benefits for the purposes of the <i>Pension Benefits Standards Act</i> . |

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov49-3.htm

S.B.C. 2003, c. 62 (Sections 5 (d) and 18 effective October 23, 2003; section 6 in force by regulation)

Bill 53 Integrated Pest Management Act, 2003*Sponsored by Minister of Water, Land and Air Protection*

This Act replaces the *Pesticide Control Act* as the framework for provincial regulation of pesticide use on all public land and on private land used for forestry, public utilities, transportation and pipelines. This Act eliminates the requirement for ministry approval of pest management plans, but enables government to monitor pesticide use through professional monitoring services.

| | |
|-------------|---|
| Penalties | Section 26 enacts penalties which increase the level of fines to individuals up to \$200,000 and to corporations to \$400,000 for major violations. |
| Inspections | Section 11 provides that the minister or the appointed administrator of the Act may designate, for a specific purpose, a person employed by a local government as an inspector under the Act. |

PART B**OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS****Bill 53***(Continued)*

Restrictions on
local government
bylaws

Section 37 provides authority for the Lieutenant Governor in Council to make regulations restricting the authority of municipalities and regional districts from making bylaws in relation to prescribed pesticide uses in three areas:

- in the management of pests for purposes of protecting human health and the environment;
- in the management of non-indigenous pests; and
- on land used for agriculture, forest, transportation, public utilities and pipelines.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov53-3.htm

S.B.C. 2003, c. 58 (In force by regulation)

Bill 56**Flood Hazard Statutes Amendment Act, 2003**

Sponsored by Minister of Water, Land and Air Protection

This Act amends the *Dike Maintenance Act*, *Drainage, Ditch and Dike Act*, *Land Title Act* and the *Local Government Act*.

Of particular interest to local government are the following changes:

Transfer of
authority to local
governments
under the
*Drainage Ditch
and Dike Act*

Section 8 amends the *Drainage, Ditch and Dike Act* (s. 166) to permit the minister to make an order to transfer the powers and duties of the commissioners of a drainage or diking district, from the inspector of dikes to a local government, if the Lieutenant Governor in Council has first ordered a transfer of those powers from the commissioners of the district to the inspector.

Sections 9 amends s. 167 of the *Drainage, Ditch and Dike Act*, to provide that if an order is made by the minister to transfer powers to a local government, the municipality or regional district named in the order holds separate corporate status under the name of the district, and that corporation has the power to:

- acquire, hold and dispose of property; and
- is vested with all the powers and subject to all the duties of the commissioners.

Transfer of
development
district assets

Section 13 adds s. 170.1 to the *Drainage, Ditch and Dike Act* to expand the power of the minister responsible for the administration of the *Local Government Act* to distribute the assets and liabilities of a dissolved development district to a regional district.

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 56***(Continued)*

Section 15 adds s. 172 to the *Drainage, Ditch and Dike Act* to provide that a development district transferred to a regional district is deemed to be a service area of that regional district under the *Local Government Act*. Section 172 makes the same powers available to regional districts as are available to municipalities under the *Drainage, Ditch and Dike Act* (s. 171). In addition, a sunset provision is added under s. 173, which establishes that the Act is repealed on December 31, 2010, or on a later date prescribed by regulation by the Lieutenant Governor in Council.

Regulation of
flood plain areas

The Act makes the following amendments regarding the role of the minister in regulating flood plain areas, and the powers and duties of approving officers:

- section 16 repeals s. 82 of the *Land Title Act* which provided authority to the minister to designate flood plain areas, and to establish conditions of subdivision approval for designated flood plain areas;
- section 17 amends the *Land Title Act* (s. 86) to provide authority for approving officers to require a geotechnical report where the land being subdivided may be subject to flooding;
- section 18 amends the *Land Title Act* (s. 219) to provide that an approving officer may modify or discharge a covenant previously provided under section 82 of the Act; and
- section 19 amends the *Local Government Act* (s. 910) to remove the authority of the minister to designate flood plain areas and to provide that local government must consider any provincial policies or standards when adopting a bylaw that designates a flood plain area.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov56-3.htm

S.B.C. 2003, c. 72 (Sections 1-15, 17-22 in force October 23, 2003;
section 16 effective January 1, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 57 Environmental Management Act***Sponsored by Minister of Water, Land and Air Protection*

This Act establishes the framework for environmental protection and management. This Act combines provisions from the *Environment Management Act* and the *Waste Management Act*, and provides an integrated approach to managing environmental conservation. The Act regulates industrial and municipal waste discharge, pollution, air quality, and contaminated sites, and is the first stage of a three stage process to reduce the regulatory burden on certain activities.

This Act is the new home of municipal waste management provisions. While many of the provisions are substantively unchanged from the *Waste Management Act*, the Act differs from the previous waste management system in the following key ways:

| | |
|---------------------------------------|--|
| Director responsibilities | Responsibilities under the <i>Environmental Management Act</i> are assigned only to the Director (s. 2). The position of manager under the <i>Waste Management Act</i> is eliminated – all of the duties and responsibilities of a manager are now exercised by the Director. |
| Hazardous Waste | “Special Waste” is redefined as “hazardous waste”, the term more commonly used in other jurisdictions. Section 7 eliminates the need for a permit for the storage of hazardous waste and requires that it be stored in accordance with the regulations. |
| Codes of Practice | Section 22 authorizes the minister to enact codes of practice for industry sectors. This would eliminate the need for certain industries (e.g., with a moderate risk of causing pollution) to obtain waste permits on a facility-by-facility basis. |
| Certificates of compliance eliminated | Conditional certificates of compliance are eliminated. However, section 53 would allow the director of waste management to place conditions on certificates of compliance similar to those currently attached to conditional certificates of compliance (e.g., monitoring). |
| Area based management plans | Section 89 authorizes the minister to require area based management plans for the purposes of environmental management. By order, the minister may designate the area for the purpose of developing an area based management plan. In addition, the minister may establish who is responsible for preparing the plan, and establish the terms of reference for the plan. |
| Administrative monetary penalty | Section 115 authorizes the director with the discretion to issue administrative determinations and fines (as prescribed by regulation) for minor violations rather than pursue charges under current offence provisions. |

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 57**

(Continued)

Other parts of the Act of particular interest to local government include:

Municipal waste
management

Part 3 of the Act contains a variety of provisions regarding municipal waste management.

Delegation of
responsibility to
municipalities

Section 57 permits the minister and a municipality to enter into an agreement enabling the municipality to exercise powers and perform functions regarding site profiles and investigations, remediation orders and agreements, public consultations and review, except in relation to a contaminated site that is owned by a municipality or for which a municipality is a responsible person.

Abatement of
municipal
pollution

Section 84 authorizes the minister to exercise the powers that a director may exercise under section 83 of the Act regarding pollution abatement orders for municipal pollution.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov57-3-toc.htm

S.B.C. 2003, c. 53 (In force July 8, 2004)

Bill 64 Transportation Statutes Amendment Act, 2003

Sponsored by Minister of Transportation

This Act repeals or amends several statutes that are under the stewardship of the Ministry of Transportation. Of interest to local government are those changes under the *Greater Vancouver Transportation Authority Act*, the *Highway Act*, and the *Riverbank Protection Act*.

Highway Act

Section 2 of the Act amends the *Highway Act* (s. 4) to specify that snowmobile trails established and maintained by a recreational organization are not public highways.

Greater
Vancouver
Transportation
Authority Act

Section 3 of this Act adds a definition of the "Richmond-Airport-Vancouver rapid transit project" to s. 1 of the *Greater Vancouver Transportation Authority Act*. Section 4 authorizes the Greater Vancouver Transportation Authority, by resolution of the board, to amend the strategic transportation plan to incorporate the Richmond- Airport-Vancouver rapid transit project.

Riverbank
Protection Act

Section 32 repeals the *Riverbank Protection Act*, which provided a process for securing the construction and maintenance of riverbank protection works. The *Dike Maintenance Act*, the *Drainage Ditch and Dike Act*, and the *Local Government Act* provide local government authority to construct, or maintain riverbank protection works.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov64-3.htm

S.B.C. 2003, c. 45 (Sections 3 & 4 deemed effective May 23, 2003;
section 32 effective May 29, 2003;
section 2 effective June 20, 2003)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 68 Administrative Tribunals Appointment and Administration Act***Sponsored by Minister of Attorney General*

This Act provides for greater uniformity in the appointment and reappointment of individuals to administrative tribunals. The Act makes amendments to a variety of statutes, including the *Local Government Act*, the *Safety Standards Act*, and the *Assessment Act*, to provide for a merit based process leading to appointments of members under those Acts.

Amends the BC
Building Code
Appeal Board

Section 38 amends the *Local Government Act* to apply the Act's provisions to the BC Building Code Appeal Board, which concern:

- the absence or incapacitation of the chair and other members;
- temporary, non-renewable appointments;
- powers of members after resignation or expiry of appointment;
- termination for cause;
- responsibilities of the chair for management and operation of the tribunals; and
- remuneration and benefits for members under general directives of the Treasury Board.

Property
assessment
review panels

Section 13 amends the *Assessment Act* to apply the Act's provisions to the property assessment review panels, which concern remuneration and benefits for members of a review panel and the resignation of a member of a review panel.

Property
assessment
appeal board

Section 14 amends the *Assessment Act* to apply the Act's provisions to the property assessment appeal board.

Safety
Standards
Appeal Board

Section 58 amends the *Safety Standards Act* to apply the Act's provisions to the Safety Standards Appeal Board, and remove provisions regarding the absence of the chair, remuneration and benefits for members, and powers of members after resignation or expiry of appointment now covered by the *Administrative Tribunals Appointment and Administration Act*.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov68-3.htm

S.B.C. 2003, c. 47 (Sections 1-30, 32-42, 49-58 effective February 13, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 73 Sustainable Resource Management Amendment Act, 2003***Sponsored by Minister of Sustainable Resource Management*

This Act amends a variety of statutes, including the *Assessment Act* and the *Community Charter*.

Preparation of
annual
assessment roll

Section 4 adds the definition of “revised assessment roll” to the *Assessment Act*, to replace the concept of authenticated assessment roll, and as a result amends the definition of “assessment roll”. Section 26 consequentially amends the *Community Charter* to update terms as a result of this change in definition.

Section 7 amends the *Assessment Act* to allow the assessor, with consent of the owner, to make changes to the property assessment roll without having those agreements reviewed and approved by the Property Assessment Review Panel.

Classification of
land as a farm

Section 11 amends the *Assessment Act* to authorize the Lieutenant Governor in Council to prescribe standards for classification of land as a farm.

Final
determination
under the
Assessment Act

Sections 27 and 51 amend the definition “final determination under the *Assessment Act*” in the *Community Charter*, the *Local Government Act*, and the *Taxation (Rural Area) Act*, consequential to the definition changes made by section 4 of the Act.

Improvement,
disposal and
administration of
land

Section 57 amends the *University Endowment Land Act* by removing the requirement that the Lieutenant Governor in Council give approval for the minister performing an activity under s. 2 (1) (a) and (d).

Implementing a
water
management
plan

Section 78 adds section 65.1 to the *Water Act*, to allow the Lieutenant Governor in Council to make regulations to require that any strategic or operational planning process of the Provincial government or a “local authority” under the *Drinking Water Protection Act*, either consider, or be consistent with the water management plan. In addition, section 65.1 of the *Water Act* makes the water management plan prevail over other planning processes, except a drinking water protection plan under the *Drinking Water Protection Act*.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov73-3.htm

S.B.C. 2003, c. 66 (Sections 11, 57, and 63 as it enacts section 78 effective October 23, 2003;
sections 4-10 effective December 12, 2003;
sections 26, 27, effective March 12, 2004;
section 51 repealed March 12, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 75 Significant Projects Streamlining Act***Sponsored by Minister of State for Deregulation*

This Act authorizes the Lieutenant Governor in Council to designate a project as provincially significant (s. 2). Designated projects may be fast-tracked by requiring that decisions relating to these projects be expedited (s. 3).

The Act applies to local governments by including them in the definition of an “approval authority”. Highlights from the Act include:

Designation
recommendation

Section 3 permits the Lieutenant Governor in Council, with the minister’s recommendation, to designate a project as provincially significant. Upon designation, the minister and approving authorities must take reasonable actions to ensure that decisions made in relation to the project are done expeditiously, and facilitate the expeditious completion of the project.

In the designation of a project, the Lieutenant Governor in Council may create measures to replace constraints that may affect the project. A constraint is a measure that may impede or interfere with the completion or operations of the project (section 3).

Removal of
constraints

Section 4 directs the proponent of a designated project who considers that the project may be impeded by a constraint to consult with an approving authority to determine a way to complete the project consistent with the reasonable requirements of the authority.

A facilitator may be appointed to lead the consultation process on how a measure that is perceived to be a constraint on a designated project can be changed.

Implementation
Agreement

In addition, section 4 provides that if the proponent and the approving authority reach agreement on how a constraint can be overcome, they must enter into an Implementation Agreement that identifies:

- the constraint;
- the replacement measure(s); and
- an agreement that the approving authority accepts the replacement and that the proponent will perform the replacement measure(s).

PART B**OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS****Bill 75***(Continued)*

Effect of local
government
implementation
agreement

If a local government enters into an implementation agreement, the following rules apply to the project (s. 4) whether or not the project loses its designation as a provincially significant project:

- compliance with the replacement measures is deemed to be full compliance with the constraints they replace;
- the approval authority must issue, or facilitate the provision of permits, approvals and consents that would normally be provided had the replaced constraints actually been complied with; and
- the approval authority must take, or cause to be taken, any actions that are specified in the implementation agreement, or would normally apply had the replaced constraints been complied with.

Removal of
constraints by
Minister

Section 6 authorizes the minister to make a “replacement order” if the proponent and the approving authority are not able to reach an implementation agreement. The minister may:

- develop detailed measures to replace the measure that is perceived to be a constraint; and
- set out those replacement measures in an order.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov75-3.htm

S.B.C. 2003, c. 100 (Assented to December 2, 2003)

Bill 79**Columbia Basin Trust Amendment Act, 2003**

Sponsored by Minister of Energy and Mines

This Act amends the *Columbia Basin Trust Act* to restructure how Columbia Basin Trust Board members are appointed.

Definitions

Section 1 of the Act adds new definitions of “nominating bodies” and “qualified individual” to the *Columbia Basin Trust Act*, and also adds the Village of Valemount to the region to which the Act applies.

Directors

Section 2 of the Act restructures the board of directors for the trust, so that each nominating body can nominate candidates for directors of the trust. Each regional district that is a nominating body will provide up to four nominees to the Lieutenant Governor in Council, which will make the board appointments (one director from each of those groups of candidates) (s. 6).

In addition, this section establishes the procedure by which the nominating bodies are to nominate candidates for directors, provides for the removal and replacement of directors, and authorizes the Lieutenant Governor in Council to establish the terms of office of the directors.

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 79***(Continued)*Advisory
committees
eliminated

Section 4 repeals s. 13, removing the obligation for directors to appoint one or more advisory committees to provide advice and make recommendations to the directors about the application of the regional allocation, anticipate and identify regional economic, environmental and social needs, and assist the directors to develop short and long term plans for the operations of the corporation.

Board of
Directors

As a transitional measure, section 10 of the Act empowers the Lieutenant Governor in Council to designate six of the existing twelve Columbia Basin Trust board members appointed by local governments, and the KtunaxaKinBasket Tribal Council, to continue as directors under the new structure.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov79-3.htm

S.B.C. 2003, c. 87 (In force January 15, 2004)

Bill 83 Pacific National Exhibition Enabling and Validating Act

Sponsored by Minister of Competition, Science and Enterprise

The *Pacific National Exhibition Enabling and Validating Act* transfers responsibility for the Pacific National Exhibition (PNE) from the provincial government to the City of Vancouver.

Governance of
the PNE

The Act makes a variety of consequential amendments to the *Pacific National Exhibition Incorporation Act* that relate to the governance of the PNE. Of particular interest to local government, section 9 of the Act transfers responsibility for the PNE from the government to the City of Vancouver, by providing that the Board is to consist of directors appointed by the City of Vancouver.

Terms of trust
condition

Section 2 of the Act establishes that the trust condition on Hastings Park includes authorization to the City of Vancouver to hold or conduct fairs, displays, sporting events and other specified activities. In addition, the Act gives the City of Vancouver authority to charge admission fees, and undertake various other activities in accordance with the trust condition. Section 3 validates actions undertaken at Hastings Park as having been in accordance with the trust condition.

In addition, section 4 authorizes the Lieutenant Governor in Council to make regulations allowing uses of, and activities at Hastings Park.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov83-3.htm

S.B.C. 2003, c. 76 (Sections 1 & 2 deemed effective October 10, 2003; sections 6, 7 (a) & (b) & 8-11 effective January 1, 2004)

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 88 Private Managed Forest Land Act***Sponsored by Minister of Sustainable Resource Management*

This Act replaces the *Forest Land Reserve Act*, and governs the approval of, and forest practices on, private managed forest land. The Act establishes the Private Managed Forest Land Council to make regulations about forest practice standards that apply on privately owned forest land, if the owner of the land has submitted a management commitment in respect of the land. This Act does not apply to Crown (public) land.

| | |
|-------------------------------------|--|
| Private Managed Forest Land Council | Part 2 of the Act establishes a new governing council to oversee practices on private managed forest land. The new council replaces what was formerly a government-appointed body, and is to be appointed by both provincial government and private forest land owners (s. 6). |
| Council duties and responsibilities | Sections 4 through 11 of the Act establish the authority, duties and responsibilities of the council. The council is responsible for approving and administering the requirements for managed forest classification. To maintain public accountability, the council must publish an annual report and financial statements regarding its management of administration fees, levies and surpluses in relation to management of private forest lands. |
| Forest management | Part 3 provides provisions regarding forest management, including environmental objectives in relation to the management of private managed forest land. Landowners who enter managed forest class must commit to enhanced protection of soil, water quality, fish and wildlife habitats, and to the reforestation of harvested areas (ss. 12-16). This Part also establishes the application process for having land classified as private forest land (s. 17). |
| Compliance and enforcement | Part 4 provides authority for the council, or authorized persons, to require records relating to the activities regulated under this Act, and to enter on private managed forest land in order to ensure compliance with this Act. This Part also provides for administrative remedies against owners who may have contravened provisions of this Act. Administrative remedies may include penalties or a remediation order. |
| Exit fee recovery | Section 19 provides that an owner must pay an exit fee in accordance with applicable regulations if the assessor declassifies the land under the <i>Assessment Act</i> . In addition, section 19 provides that if an owner from whom an exit fee is recoverable is an owner of property that is subject to property taxation under the <i>Local Government Act</i> , <i>Taxation (Rural Area) Act</i> or <i>Vancouver Charter</i> , the exit fee may be recovered by the applicable authority as set out in the Act. |

PART B OTHER LEGISLATION AFFECTING LOCAL GOVERNMENTS**Bill 88***(Continued)*

Restriction on
local government
authority
regarding uses
of private
managed forest
land

Section 21 of the Act provides that a local government must not adopt a bylaw under any enactment, or issue a permit under Part 21 or 26 of the *Local Government Act* in respect of land that is private managed forest land that would have the effect of restricting, directly or indirectly, a forest management activity.

Existing
managed forest
land
classification

Section 45 is a transitional provision that provides that any land that was classified as managed forest land under the *Assessment Act* prior to its movement to this Act is deemed to be private managed forest land under this Act without the owner having to submit a management commitment under this Act.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov88-3.htm

S.B.C. 2003, c. 80 (Sections 1-16, 43, 44 & 46 effective February 2, 2004; sections 17-42, 45, effective August 3, 2004)

Bill 90**Miscellaneous Statutes Amendment Act (No.3), 2003**

Sponsored by Attorney General and Minister Responsible for Treaty Negotiations

This Act repeals or makes amendments to a variety of statutes, including a transitional provision relating to the *Coastal Ferry Act*, which provides a tax exemption for British Columbia Ferry Services Inc. for the calendar year 2003.

Specified tax
exemptions for
2003

Section 64 establishes that British Columbia Ferry Services Inc. remains exempt from specified taxes for the duration of 2003 and that no assessment is required in 2003 for any land and improvements owned or occupied by that company in that year.

Assessment Act

Section 1 amends the *Assessment Act* definition of “assessment” to provide a broader definition of this term.

Section 2 adds section 18.1 to the *Assessment Act* to establish a general rule that all land and improvements in British Columbia are subject to property assessment, unless they are exempted.

http://www.legis.gov.bc.ca/37th4th/3rd_read/gov90-3.htm

S.B.C. 2003, c. 96 (Sections 1, 2, 64 effective December 2, 2003)

PART C INDEX OF AMENDMENTS TO MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES LEGISLATION

PART C – INDEX OF AMENDMENTS TO MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES' LEGISLATION

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| s. 5 [reference update; <i>Park (Regional) Act to Local Government Act</i>] | 55 (s. 1) |
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| s. 23 | [consistency of wording of municipal powers] | 76 | (s. 532) |
| s. 24 | [publication of intention to provide certain kinds of assistance] | 14 | (s. 24) |
| s. 25 | [general prohibition against assistance to business and exceptions] | 14 | (s. 25) |
| s. 26 | [notice of proposed property disposition] | 14 | (s. 26) |
| s. 27 | [exchange or other disposal of park land] | 14 | (s. 27) |
| s. 28 | [disposal of water systems, sewage systems and other utilities] | 14 | (s. 28) |
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| s. 30 | [reservation and dedication of municipal property] | 14 | (s. 30) |
| s. 31 | [general expropriation power] | 14 | (s. 31) |
| s. 32 | [authority to enter on and use property] | 14 | (s. 32) |
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| s. 43 | [agreements respecting municipal equipment on utility poles] | 14 | (s. 43) |
| s. 44 | [agreements to reserve land for highway purposes] | 14 | (s. 44) |
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| s. 53 | [general authority in relation to buildings and other structures] | 14 | (s. 53) |
| s. 54 | [building permits and occupancy permits] | 14 | (s. 54) |
| s. 54 | [typographical error] | 76 | (s. 536) |
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| s. 56 | [requirement for geotechnical report] | 14 | (s. 56) |
| s. 56 | [consistency of wording of municipal powers] | 76 | (s. 537) |
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| s. 60 | [business licence authority] | 14 | (s. 60) |
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| s. 66 | [fire chief powers] | 14 | (s. 66) |
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| s. 68 | [restriction on authority to fluoridate] | 14 | (s. 68) |
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| s. 181 | [temporary borrowing under loan authorization bylaw] | 14 | (s. 181) |
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| s. 190 | [purposes for which borrowed money may be used] | 14 | (s. 190) |
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| s. 251 | [liability of assessed owner] | 14 (s. 251) |
| s. 252 | [recovery of taxes by the legal remedy of distress] | 14 (s. 252) |
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| s. 23 [recovery of enforcement costs; reference update; <i>Community Charter</i>] | 76 (s. 66) |
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| s. 84 [reference update; <i>Community Charter</i>] | 76 (s. 83) |
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| s. 7 [elector assent; <i>Community Charter</i>] | 76 (s. 84) |
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| s. 18 [reference update; regional district corporate officer] | 76 (s. 89) |
| s. 20 [reference update; regional district financial officer] | 76 (s. 89) |
| s. 34.1 [reference update; reserve fund provisions; <i>Community Charter</i>] | 76 (s. 90) |
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| s. 23 [reference update; regional district financial officer] | 76 (s. 106) |
| s. 57.1 [reference update; reserve fund provisions; <i>Community Charter</i>] | 76 (s. 107) |
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| s. 4 [repeal reference; Part 3 of <i>Heritage Conservation Act</i>] | 22 (s. 12) |
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| s. 6 | [reference update; <i>Auditor General Act</i>] | 9 | (s. 35) |
| s. 13 | [language update; local government representation] | 76 | (s. 123) |
| s. 16 | [consequential to repeal of <i>Commercial Appeals Commission</i>] | 70 | (s. 33) |
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| s. 17 | [reference update; <i>Municipal Act</i>] | 76 | (s. 135) |
| s. 18 | [cross-reference update; <i>Community Charter; Local Government Act</i>] | 76 | (s. 136) |
| s. 26 | [cross-reference update; <i>Community Charter; Local Government Act</i>] | 76 | (s. 137) |
| s. 28 | [cross-reference update; <i>Local Government Act</i>] | 76 | (s. 138) |
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| s. 45 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 139) |
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| s. 49.7 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 141) |
| s. 53 | [reference update; <i>Community Charter</i>] | 76 | (s. 142) |
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| s. 3 | [requirement repeal; notification of minister when municipal library established] | 76 | (s. 157) |
| s. 13 | [language update; assent of electors; reference repeal; <i>Local Government Act</i>] | 76 | (s. 158) |
| s. 24 | [reference update; <i>Community Charter</i>] | 76 | (s. 159) |
| s. 29 | [language update; assent of electors; reference repeal; <i>Local Government Act</i>] | 76 | (s. 160) |
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| <i>Parts 1 and 1.1 are repealed and replaced with a new Part 1 – Purposes, Principles and Interpretation (sections 1 to 6.6)</i> | | 76 | (s. 162) |
| s. 1 | [purposes of this Act] | 76 | (s. 162) |
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| s. 6.4 | [how notices must be published in a newspaper] | 76 | (s. 163) |
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| s. 8 | [cross-reference update; vote required for the incorporation of a new municipality; <i>Community Charter</i>] | 76 | (s. 165) |
| s. 13 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 166) |
| s. 14 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 167) |
| s. 17 | [language update; classification of municipalities] | 76 | (s. 168) |
| s. 18 | [reference update; assent of electors] | 76 | (s. 169) |
| s. 19 | [repeal; redundant provision] | 76 | (s. 170) |
| s. 22 | [update reference; <i>Community Charter</i>] | 76 | (s. 171) |
| s. 25 | [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 172) |
| s. 26 | [language update; corporate officer; financial officer] | 76 | (s. 173) |
| s. 37 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 174) |
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| s. 66 | [cross-reference update; disqualification from election; <i>Community Charter</i> ; <i>Vancouver Charter</i>] | 76 | (s. 176) |
| s. 67 | [cross-reference update; <i>Community Charter</i>] | 76 | (s. 177) |
| s. 68 | [cross-reference repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 178) |
| s. 137 | [cross-reference repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 179) |
| <i>The heading to Part 4 is repealed and replaced with Part 4 – Other Voting</i> | | 76 | (s. 180) |
| s. 158 | [cross-reference update; regional district services; <i>Local Government Act</i>] | 76 | (s. 181) |
| s. 159 | [ministerial authority to waive assent repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 182) |
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| <i>Division 5 – Counter Petition Opportunities – of Part 4 (sections 172.1 to 172.91) is repealed</i> | 76 (s. 185) |
| <i>The heading to Part 5 is repealed and replaced with Part 5 – Regional District Corporate Powers and Their Use</i> | 76 (s. 186) |
| <i>Division 1 of Part 5 is repealed and replaced with a new Division 1 – Regional District Corporate Status (sections 173 to 175)</i> | 76 (s. 187) |
| s. 173 [regional district corporations] | 76 (s. 187) |
| s. 174 [board is governing body] | 76 (s. 187) |
| s. 175 [area of jurisdiction] | 76 (s. 187) |
| s. 176 [reference update; application to regional districts] | 76 (s. 188) |
| s. 177 [reference update; application to regional districts] | 76 (s. 189) |
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| s. 179 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 190) |
| s. 180 [reference update; application to regional districts] | 76 (s. 191) |
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| s. 185 [reference update; application to regional districts] | 76 (s. 194) |
| s. 186 [reference update; application to regional districts] | 76 (s. 195) |
| s. 187 [reference update; application to regional districts] | 76 (s. 195) |
| s. 188 [reference update; application to regional districts] | 76 (s. 196) |
| s. 189 [repeal] | 76 (s. 197) |
| s. 190 [reference update; application to regional districts] | 76 (s. 198) |
| <i>Division 6 of Part 5 is repealed and replaced with a new Division 6 – Delegation of Board Authority (sections 191 to 194)</i> | 76 (s. 199) |
| s. 191 [reference update; application to regional districts; limitations on delegation] | 76 (s. 199) |
| s. 192 [reference update; application to regional districts; how delegation must occur] | 76 (s. 199) |
| s. 193 [reference update; application to regional districts; delegation of hearings] | 76 (s. 199) |
| s. 194 [reference update; application to regional districts; reconsideration] | 76 (s. 199) |
| s. 195 [reference update; application to regional district; incorporation of corporations] | 76 (s. 200) |
| <i>The heading to Part 5.1 is repealed and replaced with Part 5.1 – Regional District Officers and Employees</i> | 76 (s. 201) |

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| s. 196 [reference update; application to regional districts; officer positions] | 76 | (s. 202) |
| s. 197 [reference update; application to regional districts; chief administrative officer] | 76 | (s. 202) |
| s. 198 [reference update; application to regional districts; corporate administration] | 76 | (s. 202) |
| s. 199 [reference update; application to regional districts; financial administration] | 76 | (s. 202) |
| <i>The heading to Division 2 of Part 5.1 is repealed and replaced with Division 2 – Regional District Officers and Employees Generally</i> | 76 | (s. 203) |
| s. 200 [reference update; application to regional districts; appointment of officers and employees] | 76 | (s. 204) |
| s. 201 [reference update; application to regional districts; oath of office for officers] | 76 | (s. 205) |
| s. 202 [reference update; application to regional districts; termination of officer] | 76 | (s. 205) |
| s. 203 [reference update; application to regional districts; employers' organization] | 76 | (s. 205) |
| s. 204 [reference update; Local Government Management Association] | 76 | (s. 206) |
| <i>The headings to Part 5.2 and Division 1 of Part 5.2 are repealed and replaced with Part 5.2 – Regional District Boards and their Proceedings; Division 1 – Board Members</i> | 76 | (s. 207) |
| s. 207 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 208) |
| s. 208 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 208) |
| s. 209 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 208) |
| s. 210 [reference update; application to regional districts] | 76 | (s. 209) |
| s. 211 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 210) |
| s. 212 [reference update; application to regional districts] | 76 | (s. 211) |
| s. 213 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 212) |
| s. 214 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 212) |
| <i>The heading of Division 2 of Part 5.2 is repealed and replaced with Division 2 – Chair</i> | 76 | (s. 213) |
| s. 218 [reference update; application to regional districts] | 76 | (s. 214) |
| s. 219 [reference update; application to regional districts] | 76 | (s. 214) |
| s. 220 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 215) |
| s. 221 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 215) |
| <i>The heading to Division 3 of Part 5.2 is repealed and replaced with Division 3 – Board Meetings</i> | 76 | (s. 216) |
| s. 222 [repeal; redundant provision; <i>Community Charter</i>] | 76 | (s. 217) |
| s. 222.1 [reference update; application to regional districts] | 76 | (s. 218) |

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| Local Government (cont'd) | |
| s. 223 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 219) |
| s. 224 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 219) |
| s. 227 [reference update; application to regional districts] [cross-reference update; <i>Community Charter</i>] | 76 (s. 220) |
| s. 228 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 221) |
| s. 229 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 221) |
| s. 230 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 221) |
| s. 231 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 221) |
| <i>The heading of Division 4 of Part 5.2 is repealed and replaced with Division 4 – Board Proceedings</i> | 76 (s. 222) |
| s. 232 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 223) |
| s. 233 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 223) |
| s. 234 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 223) |
| s. 235 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 223) |
| s. 236 [reference update; application to regional districts] | 76 (s. 224) |
| s. 237 [reference update; application to regional districts] | 76 (s. 224) |
| s. 238 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 225) |
| s. 239 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 225) |
| s. 240 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 225) |
| s. 241 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 225) |
| <i>Division 4.1 – Public Access to Municipal Meetings (sections 242.1 to 242.8) and Division 5 – Additional Powers (sections 243 to 251) are repealed</i> | 76 (s. 226) |
| <i>The heading to Part 6 is repealed and replaced with Part 6 – Challenge and Enforcement of Bylaws</i> | 76 (s. 227) |
| <i>Division 1 – General (sections 257 to 259.3) is repealed</i> | 76 (s. 228) |
| s. 262 [reference update; application to regional districts] | 76 (s. 229) |
| <i>Divisions 3 to 5 of Part 6 are repealed and replaced with a new Division 3 – Enforcement of Regional District Bylaws (sections 266 to 269)</i> | 76 (s. 230) |
| s. 266 [reference update; application to regional districts; fines and penalties] | 76 (s. 230) |
| s. 266.1 [reference update; application to regional districts; ticketing for bylaw offences] | 76 (s. 230) |
| s. 266.2 [Application of the <i>Local Government Bylaw Notice Enforcement Act</i>] | 56 (s. 32) |
| s. 266.2 [reference update; regional district bylaw] | 56 (s. 33) |
| s. 267 [reference update; application to regional districts; bylaw contraventions – offences and penalties] | 76 (s. 230) |

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| Local Government (cont'd) | |
| s.267.1 [Additional sentencing powers in relation to <i>Offence Act</i> prosecutions] | 76 (s. 32) |
| s. 267.1 [reference update] | 56 (s.34) |
| s. 268 [reference update; application to regional districts; inspections to determine whether bylaws are being followed] | 76 (s. 230) |
| s. 269 [reference update; application to regional districts; action at defaulter's expense] | 76 (s. 230) |
| <i>The heading to Division 1 of Part 7 is repealed and replaced with Division 1 – Proceedings by Regional Districts</i> | 76 (s. 231) |
| s. 281 [cross-reference; <i>Community Charter</i>] | 76 (s. 232) |
| s. 282 [repeal; redundant provision; <i>Community Charter</i>] | 76 (s. 232) |
| s. 283 [reference update; application to regional districts] | 76 (s. 233) |
| s. 284 [reference update; application to regional districts] | 76 (s. 234) |
| s. 287 [cross-reference update; <i>Community Charter</i>] | 76 (s. 235) |
| s. 287.1 [defence for financial officer; <i>Community Charter</i> consequential] | 76 (s. 236) |
| s. 287.2 [indemnification against proceedings; <i>Community Charter</i> consequential] | 76 (s. 237) |
| s. 289 [immunity in relation to failure to enforce building bylaws; <i>Community Charter</i> consequential] | 76 (s. 238) |
| s. 294 [copy of writ to be left with municipal officer; <i>Community Charter</i> consequential] | 76 (s. 239) |
| s. 295 [tax to be imposed if amount not paid; <i>Community Charter</i> consequential] | 76 (s. 240) |
| s. 296 [payment of amount levied; <i>Community Charter</i> consequential] | 76 (s. 241) |
| s. 297 [officers of municipality as officers of court; <i>Community Charter</i> consequential] | 76 (s. 242) |
| s. 299 [repeal] | 76 (s. 243) |
| s. 300 [self insurance by local authorities; <i>Community Charter</i> consequential] | 76 (s. 244) |
| s. 301 [repeal] | 76 (s. 245) |
| s. 301.1 [Nisga'a Final Agreement; <i>Community Charter</i> consequential] | 76 (s. 246) |
| s. 301.11 [repeal] | 76 (s. 247) |
| <i>The heading to Part 8 is repealed and replaced with Part 8 – Special Powers relating to Property</i> | 76 (s. 248) |
| <i>Division 1 of Part 8 is repealed and replaced with a new Division 1 – Reservation and Dedication of Regional District Property – with the following provisions.</i> | 76 (s. 249) |
| s. 302 [power to reserve and dedicate regional district land for public purpose] | 76 (s. 249) |
| s. 303 [control of Crown land parks dedicated by subdivision] | 76 (s. 249) |
| s. 304 [exchange of park land] | 76 (s. 249) |
| s. 307 [sale or lease of municipal forest reserve; <i>Community Charter</i> consequential] | 76 (s. 250) |

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|--|----------------------------|
| Local Government (cont'd) | |
| s. 308 [cutting and removal of timber; <i>Community Charter</i> consequential] | 76 (s. 251) |
| <i>Division 3 of Part 8 is repealed and replaced with a new Division 3 – Expropriation and Compensation – with the following provisions.</i> | 76 (s. 252) |
| s. 309 [expropriation power] | 76 (s. 252) |
| s. 310 [authority in relation to services] | 76 (s. 252) |
| s. 311 [entry on land to mitigate damage] | 76 (s. 252) |
| s. 312 [compensation for expropriation and other actions] | 76 (s. 252) |
| <i>Division 4 of Part 8 is repealed and replaced with a new Division 4 – Other Regional District Powers, a new Division 4.1 – Special Municipal Powers, and a new Division 4.2 – Other Powers – with the following provisions.</i> | 76 (s. 253) |
| s. 314 [power to accept property on trust] | 76 (s. 253) |
| s. 314.1 [authority to enter on or into property] | 76 (s. 253) |
| s. 315.1 [irrigation services] | 76 (s. 253) |
| s. 315.2 [district municipality drainage works] | 76 (s. 253) |
| s. 315.3 [further powers in relation to assets] | 76 (s. 253) |
| <i>Part 9 (sections 327-338) is repealed.</i> | 76 (s. 254) |
| s. 335.1 [cross-reference update; <i>Environmental Management Act</i>] | 57 (s. 158) |
| <i>The heading to Part 10 is repealed and the following substituted: Part 10 – Municipal Taxation: Special Cases</i> | 76 (s. 255) |
| <i>Division 1 – Exemptions (sections 339 to 346) and Division 2 - Golf Course and Cemetery Valuation Agreements (sections 347 to 351) are repealed</i> | 76 (s. 256) |
| s. 339 [general exemptions from taxation; particulate matter eliminating equipment] | 6 (s. 17) |
| <i>The heading of Division 3 of Part 10 is repealed.</i> | 76 (s. 257) |
| s. 352 [forest land; <i>Community Charter</i> consequential] | 76 (s. 258) |
| s. 353 [taxation of certain utility company property; <i>Community Charter</i> consequential] | 76 (s. 259) |
| <i>Division 4 - Tax Liability of Occupiers of Land (sections 355 to 358) is repealed</i> | 76 (s. 260) |
| <i>The heading of Part 10.1 is repealed and the following substituted: Part 10.1 – Regional District Fees, Charges and Interest</i> | 76 (s. 261) |
| <i>Division 1 – Property Value Taxes (sections 359 to 359.3) and Division 2 – Parcel Taxes (sections 360 to 362) are repealed</i> | 76 (s. 262) |
| <i>The heading of Division 3 of Part 10.1 is repealed</i> | 76 (s. 263) |
| s. 363 [imposition of fees and charges <i>Community Charter</i> consequential] | 76 (s. 264) |
| s. 363.1 [interest calculation] | 76 (s. 265) |
| s. 363.2 [special fees and charges that are to be collected as taxes] | 76 (s. 265) |

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|--|----------------------------|
| Local Government (cont'd) | |
| s. 364 [special fees and charges that are liens against property; <i>Community Charter</i> consequential] | 76 (s. 266) |
| <i>The heading of Part 11 is repealed and the following substituted: Part 11 – Annual Municipal Tax Sale</i> | 76 (s. 267) |
| <i>Division 1 - Due Dates and Tax Notices (sections 365 to 370), Division 2 – Adjustment to Taxes (sections 371 to 377), Division 3 – Payment of Taxes (sections 378 to 383) and Division 7 – Recovery of Taxes (sections 396 to 402) are repealed</i> | 76 (s. 268) |
| <i>The heading of Division 8 of Part 11 is repealed</i> | 76 (s. 269) |
| s. 403 [annual tax sale; <i>Community Charter</i> consequential] | 76 (s. 270) |
| s. 415 [assessment and taxes during redemption period; <i>Community Charter</i> consequential] | 76 (s. 271) |
| s. 416 [application of surplus from tax sale; <i>Community Charter</i> consequential] | 76 (s. 272) |
| s. 416 [unclaimed property] | 15 (s. 21) |
| s. 420 [registration of purchaser; <i>Community Charter</i> consequential] | 76 (s. 273) |
| s. 428 [repeal] | 76 (s. 274) |
| <i>Part 13 – Special Funds (sections 480 to 504) is repealed</i> | 76 (s. 275) |
| <i>The heading of Part 15 is repealed and the following substituted: Part 15 – Specific Regional District Service Plans</i> | 76 (s. 276) |
| <i>Division 1 - Service Powers (sections 517 to 519) and Division 2 – Police Services (sections 520 to 521) are repealed</i> | 76 (s. 277) |
| s. 522 [special fire protection powers; <i>Community Charter</i> consequential] | 76 (s. 278) |
| s. 523 [health protection authority; <i>Community Charter</i> consequential] | 76 (s. 279) |
| <i>Division 5 - Highways (sections 524 to 539) is repealed</i> | 76 (s. 280) |
| s. 540 [special drainage and sewerage authority; <i>Community Charter</i> consequential] | 76 (s. 281) |
| s. 541 [watercourse may be included in drainage system; <i>Community Charter</i> consequential] | 76 (s. 281) |
| s. 542 [requirements respecting drainage works; <i>Community Charter</i> consequential] | 76 (s. 282) |
| s. 543 [appropriation of stream channel or bed; <i>Community Charter</i> consequential] | 76 (s. 283) |
| s. 544 [control of drainage; <i>Community Charter</i> consequential] | 76 (s. 284) |
| s. 545 [repeal] | 76 (s. 285) |
| s. 546 [remedial authority in relation to drainage and dikes; <i>Community Charter</i> consequential] | 76 (s. 286) |
| s. 547 [highway construction and dikes; <i>Community Charter</i> consequential] | 76 (s. 287) |
| s. 548 [interjurisdictional watercourses; <i>Community Charter</i> consequential] | 76 (s. 288) |
| s. 549 [repeal] | 76 (s. 289) |

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| Local Government (cont'd) | |
| s. 550 [authority in relation to waste disposal and recycling services; <i>Community Charter</i> consequential] | 76 (s. 290) |
| s. 551 [regulation of signs and advertising; <i>Community Charter</i> consequential] | 76 (s. 291) |
| s. 552 [use of rights of ways; <i>Community Charter</i> consequential] | 76 (s. 292) |
| s. 553 [irrigation services; <i>Community Charter</i> consequential] | 76 (s. 293) |
| s. 554 [repeal] | 76 (s. 294) |
| s. 555 [authority subject to <i>Water Act</i> ; <i>Community Charter</i> consequential] | 76 (s. 295) |
| <i>Part 17 - Utilities (sections 607 to 609) is repealed</i> | 76 (s. 296) |
| <i>Part 19 – Local Improvements and Specified Areas (sections 620 to 651.2) is repealed</i> | 76 (s. 296) |
| s. 646 [cross-reference update; <i>Environmental Management Act</i>] | 57 (s. 159) |
| <i>The heading to Part 20 is repealed and replaced with Part 20 – Regulation of Carriers and Commercial Vehicle Licensing</i> | 76 (s. 297) |
| <i>The heading to Division 1 of Part 20 is repealed and replaced with Division 1 – Regulation of Carriers</i> | 76 (s. 298) |
| s. 652 [repeal] | 76 (s. 299) |
| s. 653 [repeal] | 76 (s. 299) |
| s. 654 [repeal] | 76 (s. 299) |
| s. 654 [<i>Holiday Shopping Regulation Act</i> repeal consequential] | 11 (s. 33) |
| s. 655 [repeal] | 76 (s. 299) |
| s. 656 [repeal] | 76 (s. 299) |
| s. 657 [regulation of carriers; <i>Community Charter</i> consequential] | 76 (s. 300) |
| <i>Division 2 - Business Licensing (sections 658 to 663) is repealed</i> | 76 (s. 301) |
| s. 680 [repeal] | 76 (s. 302) |
| s. 692 [provincial building code and regulations; <i>Community Charter</i> consequential] | 76 (s. 303) |
| <i>The heading to Division 2 of Part 21 is repealed and replaced with Division 2 – Regional District Building Regulation</i> | 76 (s. 304) |
| s. 693.1 [restrictions on authority; section added] | 76 (s. 305) |
| s. 694 [regional district building regulations; <i>Community Charter</i> consequential] | 76 (s. 306 & s. 307) |
| s. 694.1 [requirement for security; <i>Community Charter</i> consequential] | 76 (s. 308) |
| s. 695 [application of <i>Community Charter</i> provisions; <i>Community Charter</i> consequential] | 76 (s. 309) |
| s. 696 [regulating doors and emergency exits; <i>Community Charter</i> consequential] | 76 (s. 310) |
| s. 697 [municipality may adopt national codes; <i>Community Charter</i> consequential] | 76 (s. 311) |

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| | | |
|--|-----------|----------|
| <i>Division 3 of Part 21 is repealed and replaced with a new Division 3 –Hazardous Conditions – with the following provisions</i> | 76 | (s. 312) |
| s. 698 [remedial authority in relation to hazardous conditions] | 76 | (s. 398) |
| s. 702.1 [application in relation to regional district animal control service; added to Division 1 of Part 22, <i>Community Charter</i> consequential] | 76 | (s. 313) |
| s. 703 [animal control authority; <i>Community Charter</i> consequential] | 76 | (s. 314) |
| s. 704 [repeal] | 76 | (s. 315) |
| s. 705 [repeal] | 76 | (s. 315) |
| s. 706 [animal control; <i>Livestock Protection Act</i> repeal consequential] | 11 | (s. 34) |
| s. 706 [repeal] | 76 | (s. 315) |
| s. 707 [animal pounds] | 11 | (s. 35) |
| s. 707 [animal pounds; <i>Community Charter</i> consequential] | 76 | (s. 316) |
| s. 707.1 [dangerous dogs] | 11 | (s. 36) |
| s. 707.1 [dangerous dogs] | 11 | (s. 37) |
| s. 707.1 [dangerous dogs; <i>Community Charter</i> consequential] | 76 | (s. 316) |
| <i>Division 2 - Protection of Trees (sections 708 to 715) is repealed</i> | 76 | (s. 317) |
| s. 714 [cross-reference update; <i>Private Managed Forest Land Act</i>] | 88 | (s. 56) |
| s. 716 [repeal] | 76 | (s. 318) |
| s. 718 [repeal] | 76 | (s. 318) |
| s. 720 [repeal] | 76 | (s. 318) |
| s. 721 [repeal] | 76 | (s. 318) |
| s. 722 [repeal] | 76 | (s. 318) |
| s. 722.1 [repeal] | 76 | (s. 318) |
| s. 723 [removal and deposit of sand, gravel and other soil; <i>Community Charter</i> consequential] | 76 | (s. 319) |
| s. 724 [noise control; <i>Community Charter</i> consequential] | 76 | (s. 320) |
| s. 725 [nuisances and disturbances; <i>Community Charter</i> consequential] | 76 | (s. 321) |
| s. 725.1 [repeal] | 76 | (s. 322) |
| s. 726 [fire and security alarm systems; <i>Community Charter</i> consequential] | 76 | (s. 323) |
| s. 727 [repeal] | 76 | (s. 324) |
| s. 727.1 [repeal] | 76 | (s. 324) |
| s. 728 [fireworks; <i>Community Charter</i> consequential] | 76 | (s. 325) |

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| Local Government (cont'd) | | | |
| s. 728.1 | [house numbering] | 76 | (s. 326) |
| s. 738.4 | [officers and employees; <i>Community Charter</i> consequential] | 76 | (s. 327) |
| s. 741.2 | [appointment of auditor; <i>Community Charter</i> consequential] | 76 | (s. 328) |
| s. 745 | [general powers; <i>Community Charter</i> consequential] | 76 | (s. 329) |
| s. 746 | [powers that must be exercised by bylaw; <i>Community Charter</i> consequential] | 76 | (s. 330) |
| s. 756 | [tax collection on behalf of improvement district] | 6 | (s. 18) |
| s. 756.1 | [municipal collection of improvement district taxes; <i>Community Charter</i> consequential] | 76 | (s. 331) |
| s. 757 | [levying of taxes by improvement districts; <i>Community Charter</i> consequential] | 76 | (s. 332) |
| s. 773 | [repeal] | 76 | (s. 333) |
| s. 774 | [application of other provisions; <i>Community Charter</i> consequential] | 76 | (s. 334) |
| s. 777 | [letters patent of regional districts; <i>Community Charter</i> consequential] | 76 | (s. 335) |
| s. 783 | [composition and voting rights; <i>Community Charter</i> consequential] | 76 | (s. 336) |
| s. 784 | [appointment and term of office of municipal directors; <i>Community Charter</i>] | 76 | (s. 337) |
| s. 785 | [election of term of office of electoral area directors; <i>Community Charter</i>] | 76 | (s. 337) |
| s. 786 | [alternate municipal directors; <i>Community Charter</i> consequential] | 76 | (s. 338) |
| s. 787 | [alternate electoral area directors; <i>Community Charter</i> consequential] | 76 | (s. 339) |
| s. 787.1 | [application of <i>Community Charter</i> provisions to regional district directors] | 76 | (s. 340) |
| s. 791 | [voting on resolutions and bylaws; <i>Community Charter</i> consequential] | 76 | (s. 341) |
| s. 792 | [chair and vice chair of board; <i>Community Charter</i> consequential] | 76 | (s. 342) |
| s. 793 | [calling and conduct of meetings; <i>Community Charter</i> consequential] | 76 | (s. 343) |
| s. 794 | [procedure, bylaws and enforcement; <i>Community Charter</i> consequential] | 76 | (s. 344) |
| s. 796 | [general authority for services; <i>Community Charter</i> consequential] | 76 | (s. 345) |
| s. 796.2 | [authorities in relation to services other than regulatory services; <i>Community Charter</i> consequential] | 76 | (s. 346) |
| s. 797 | [repeal] | 76 | (s. 347) |
| s. 797.1 | [amended as it relates to animal pounds] | 11 | (s. 38) |
| s. 797.1 | [cross-reference update; <i>Environmental Management Act</i>] | 57 | (s. 160) |
| s. 797.1 | [specific regulatory and other powers; <i>Community Charter</i> consequential] | 76 | (s. 348) |
| s. 797.2 | [repeal] | 76 | (s. 349) |
| s. 797.4 | [petition for electoral area services; <i>Community Charter</i> consequential] | 76 | (s. 350) |
| s. 797.5 | [approval of the electors] | 76 | (s. 351) |

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| Local Government (cont'd) | | | |
| s. 798 | [incidental powers; <i>Community Charter</i> consequential] | 76 | (s. 352) |
| s. 799 | [additional powers and exceptions; <i>Community Charter</i> consequential] | 76 | (s. 353) |
| s. 800 | [establishing bylaws required for most services; <i>Community Charter</i> consequential] | 76 | (s. 354) |
| s. 800.2 | [special options for establishing bylaws; <i>Community Charter</i> consequential] | 76 | (s. 355) |
| s. 801 | [approval of establishing bylaws; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.1 | [responsibility for obtaining approval; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.2 | [approval by assent of the electors; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.3 | [approval by alternative approval process; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.4 | [consent on behalf of municipal participating area; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.5 | [consent on behalf of electoral participating area electors; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 801.6 | [other procedural rules; <i>Community Charter</i> consequential] | 76 | (s. 356) |
| s. 802 | [amendment or repeal of establishing bylaws; <i>Community Charter</i> consequential] | 76 | (s. 357) |
| s.802.2 | [amending bylaws that are needed for authority to borrow; <i>Community Charter</i> consequential] | 76 | (s. 358) |
| s. 803 | [options for cost recovery; <i>Community Charter</i> consequential] | 76 | (s. 359) |
| s. 804 | [apportionment of costs; <i>Community Charter</i> consequential] | 76 | (s. 360) |
| s. 805.1 | [collection in municipalities; <i>Community Charter</i> consequential] | 76 | (s. 361) |
| s. 806. 1 | [collection in electoral areas; <i>Community Charter</i> consequential] | 76 | (s. 362) |
| s. 806.1 | [collection in electoral areas; subsection 3 repealed] | 6 | (s. 19) |
| s. 807 | [amounts to be paid over to regional districts; <i>Community Charter</i> consequential] | 76 | (s. 363) |
| s. 809 | [property tax exemptions; <i>Community Charter</i> consequential] | 76 | (s. 364) |
| s. 810 | [exemptions for heritage properties; <i>Community Charter</i> consequential] | 76 | (s. 365) |
| s. 810.1 | [repayment requirement in relation to heritage exemptions; <i>Community Charter</i> consequential] | 76 | (s. 366) |
| s. 811 | [exemptions for riparian property; <i>Community Charter</i> consequential <i>Charter</i>] | 76 | (s. 367) |
| s. 811.1 | [repayment requirement; riparian exemptions; <i>Community Charter</i> consequential] | 76 | (s. 368) |
| s. 812 | [tax exemptions under a partnering agreement; <i>Community Charter</i> consequential] | 76 | (s. 369) |
| s. 813 | [definitions; <i>Community Charter</i> consequential] | 76 | (s. 370) |
| s. 814 | [general accounting rules; <i>Community Charter</i> consequential] | 76 | (s. 371) |
| s. 814.1 | [annual reporting on regional district finances] | 76 | (s. 371) |

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| s. 815 | [financial plan; <i>Community Charter</i> consequential] | 76 | (s. 372) |
| s. 819 | [application of <i>Community Charter</i> borrowing and liability provisions; <i>Community Charter</i> consequential] | 76 | (s. 373) |
| s. 820 | [repeal] | 76 | (s. 374) |
| s. 823 | [regional district loan authorization bylaws; <i>Community Charter</i> consequential] | 76 | (s. 375) |
| s. 823.1 | [participating area approval required for some loan authorization bylaws] | 76 | (s. 375) |
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| s. 847 | [legal proceedings and enforcement; <i>Community Charter</i> consequential] | 76 | (s. 378) |
| s. 849 | [updates definition of “agricultural and forest land reserves”]. | 88 | (s. 57) |
| s. 868 | [implementation agreements; <i>Community Charter</i> consequential] | 76 | (s. 379) |
| s. 872 | [definitions; <i>Community Charter</i> consequential] | 76 | (s. 380) |
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| s. 873.1 | [rural land use bylaws] | 76 | (s. 381) |
| s. 890 | [public hearings] | 76 | (s. 382) |
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| s. 899 | [board of variance; composition] | 22 | (s. 15) |
| s. 901 | [variance or exemption to relieve hardship] | 76 | (s. 384) |
| s. 903 | [zoning bylaws] | 76 | (s. 385) |
| s. 906 | [parking space requirements] | 76 | (s. 386) |
| s. 910 | [removes authority for minister to designate flood plains] | 56 | (19) |
| s. 911 | [non-conforming uses and sitting] | 76 | (s. 387) |
| s. 912 | [effect of expropriation; non-conforming use and subdivision] | 76 | (s. 388) |
| <i>The heading of Division 8 of Part 26 is replaced and replaced with Division 8 -- Regulation of Farm Businesses in Farming Areas</i> | | 48 | (s. 5) |
| s. 915 | [intensive agriculture] | 76 | (s. 389) |
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| s. 920 | [development permits] | 76 | (s. 390) |
| s. 922 | [development variance permits] | 76 | (s. 391) |
| s. 929 | [withholding of permits and licences that conflict with bylaws in preparation] | 76 | (s. 392) |

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| s. 933 | [development cost charges generally] | 76 | (s. 393) |
| s. 935 | [use of development cost charges] | 76 | (s. 394) |
| s. 937 | [adoption procedures for development cost charge bylaw] | 76 | (s. 395) |
| s. 937.1 | [development works agreements with private developers] | 76 | (s. 396) |
| s. 939 | [excess or extended services and latecomer payments] | 76 | (s. 397) |
| s. 941 | [provision of park land] | 76 | (s. 398) |
| s. 944 | [parcel frontage on highway] | 76 | (s. 399) |
| s. 946.1 | [assessment of site profiles] | 76 | (s. 400) |
| s. 946.1 | [cross-reference update; <i>Environmental Management Act</i>] | 57 | (s. 161) |
| s. 946.2 | [reference update; application to regional districts] | 76 | (s. 401) |
| s. 946.2 | [<i>Environmental Management Act</i> requirements] | 57 | (s. 162) |
| s. 947 | [definitions] | 76 | (s. 402) |
| s. 953 | [community heritage commissions] | 76 | (s. 403) |
| s. 966 | [heritage revitalization agreements] | 76 | (s. 404) |
| s. 966 | [repeal] | 56 | (s. 20) |
| s. 976 | [notice on land titles] | 76 | (s. 405) |
| s. 977 | [notice to minister responsible for <i>Heritage Conservation Act</i>] | 76 | (s. 406) |
| s. 978 | [regulations regarding notices] | 76 | (s. 407) |
| s. 980 | [notice of contravention may be filed in land title office] | 76 | (s. 408) |
| s. 993 | [initiation of scheme by registration of resolution] | 76 | (s. 409) |
| s. 995 | [resolution to complete or discontinue scheme] | 76 | (s. 410) |
| s. 996 | [registration of common mass] | 76 | (s. 411) |
| s. 1002 | [appointment of commissioner] | 76 | (s. 412) |
| s. 1006 | [hearing by commissioner] | 76 | (s. 413) |
| s. 1009 | [payment of compensation] | 76 | (s. 414) |
| s. 1011 | [accounts and apportionment] | 76 | (s. 415) |
| s. 1022 | [certificate of approval for money bylaws] | 76 | (s. 416) |
| s. 1024 | [appeal from inspector's decisions in relation to borrowing] | 76 | (s. 417) |
| s. 1025.1 | [appeal to minister if unable to reach agreement on construction of drains] | 76 | (s. 418) |
| s. 1027 | [appointment of administrative commissioner] | 76 | (s. 419) |

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| s. 1034 [parcel tax rolls] | 76 (s. 422) |
| s. 1035 [limits on complaints against assessment] | 76 (s. 423) |
| <i>The Supplement to the Local Government Act, R.S.B.C. 1996, c. 323, is repealed.</i> | 76 (s. 424) |
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| s. 5 [grants to other bodies] | 76 (s. 425) |
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| s. 149 [repeal] | 76 (s. 426) |
| Local Government Statutes Amendment, 2000 | |
| s. 72 [addition of s. 739.1 [<i>regulations in relation to meetings</i>] of <i>Local Government Act</i>] | 76 (s. 427) |
| s. 149 [repeal and replaced] | 76 (s. 428) |
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| s. 2 [amendment consequential to the <i>Community Charter</i>] | 76 (s. 429) |
| s. 8 [recovery of money advanced] | 6 (s. 20) |
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| s. 3 [amendment consequential to the <i>Community Charter</i>] | 76 (s. 434) |
| s. 5 [amendment consequential to the <i>Community Charter</i>] | 76 (s. 435) |
| s. 7 [repeal and replaced consequential to the <i>Community Charter</i>] | 76 (s. 436) |
| Mountain Resort Associations | |
| s. 1 [definition of municipality amended] | 76 (s. 450) |
| s. 3 [reference update, from local improvement provisions to local service area provisions in the <i>Community Charter</i>] | 76 (s. 451) |
| s. 6 [cross-reference update; <i>Business Corporations Act</i>] | 60 (s. 233) |
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| s. 8 [validation of Sunshine Coast Regional District: industrial park development] | 22 (s. 17) |
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| s. 12 | [partnership agreement; North Vancouver validation] | 97 | (s.1) |

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| s. 1 | [definitions] | 35 | (s. 21) |
| s. 11 | [cross-reference update; <i>Community Charter</i> and <i>Local Government Act</i>] | 76 | (s. 454) |
| s. 11.1 | [cross-reference update; <i>Community Charter</i> and <i>Local Government Act</i>] | 76 | (s. 455) |
| s. 14 | [repeal and replaces <i>Local Government Act</i> provision] | 76 | (s. 456) |
| s. 15 | [reference update; security issuing bylaws and financial officer] | 76 | (s. 457) |
| s. 22 | [repeal] | 76 | (s. 458) |
| s. 23 | [repeal] | 76 | (s. 458) |
| s. 25 | [notice of intention amended] | 76 | (s. 459) |
| s. 26 | [amendment consequential to the <i>Community Charter</i>] | 76 | (s. 460) |
| s. 28 | [reference update; municipal audit provisions] | 76 | (s. 461) |
| s. 28 | [reference update; <i>Business Corporations Act</i>] | 60 | (s. 224) |

Museum

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| s. 3 | [agent of the government] | 2 | (s. 3) |
| s. 4 | [purposes of the corporation] | 2 | (s. 4) |
| s. 5 | [capacity and powers] | 2 | (s. 5) |
| s. 6 | [board of directors] | 2 | (s. 6) |
| s. 7 | [term of office and reappointment] | 2 | (s. 7) |
| s. 8 | [remuneration and expenses] | 2 | (s. 8) |
| s. 9 | [meetings and quorum] | 2 | (s. 9) |
| s. 10 | [powers of the board] | 2 | (s. 10) |
| s. 11 | [chief executive officer] | 2 | (s. 11) |
| s. 12 | [officers and employees] | 2 | (s. 12) |
| s. 13 | [benefits] | 2 | (s. 13) |
| s. 14 | [financial administration] | 2 | (s. 14) |
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| s. 17 | [disclosure of interest] | 2 | (s. 17) |
| s. 17 | [cross-reference update: <i>Business Corporations Act</i>] | 86 | (s. 54) |
| s. 18 | [accounting for profit] | 2 | (s. 18) |
| s. 19 | [validity] | 2 | (s. 19) |
| s. 20 | [disclosure of conflict of office or property] | 2 | (s. 20) |
| s. 21 | [application of company legislation] | 2 | (s. 21) |
| s. 21 | [cross-reference update: <i>Business Corporations Act</i>] | 86 | (s. 55) |
| s. 22 | [application of the <i>Document Disposal Act</i>] | 2 | (s. 22) |
| s. 23 | [refusal of gifts and variation of trusts] | 2 | (s. 23) |
| s. 24 | [offence] | 2 | (s. 24) |
| s. 25 | [power to make regulations] | 2 | (s. 25) |
| s. 26 | [transfer of assets, rights and responsibilities to the corporation] | 2 | (s. 26) |
| s. 33 | [cross-reference correction] | 66 | (s. 31) |
| Power Engineers and Boiler and Pressure Vessel Safety | | | |
| | [repeal] | 19 | (s. 102) |
| Resort Municipality of Whistler | | | |
| s. 3 | [reference update; <i>Community Charter</i>] | 76 | (s. 477) |
| s. 5 | [reference update; <i>Community Charter</i>] | 76 | (s. 478) |
| s. 6 | [reference update; <i>Community Charter</i>] | 76 | (s. 478) |
| s. 8 | [reference update; <i>Community Charter</i>] | 76 | (s. 479) |
| s. 10 | [cross-reference correction] | 76 | (s. 480) |
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| s. 4(3) | [repeal; relates to taxation of land and improvements] | 6 | (s. 50) |
| s. 12 | [University Endowment Land bylaws] | 11 | (s. 62) |
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| s. 14 | [reference update; <i>Community Charter</i>] | 76 | (s. 495) |
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| s. 2.1 | [reference update; <i>Community Charter</i>] | 76 | (s. 498) |
| s. 10(1) | [reference update; <i>Community Charter</i>] | 76 | (s. 499) |
| s. 38 | [reference update; <i>Community</i>] | 76 | (s. 500) |
| s. 39 | [reference update; <i>Community Charter</i>] | 76 | (s. 501) |
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| s. 142.2 | [status of person subject to disqualification application] | 76 | (s. 503) |
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| s. 145. 3 | [restriction on participation if in conflict] | 76 | (s. 504) |
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| s. 145.91 | [restrictions on the use of insider information] | 76 | (s. 504) |
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| s. 279B | [regulation of burglar alarms, appeal process] | 22 | (s. 18) |
| s. 306 | [reference update; <i>Safety Standards Act</i>] | 19 | (s. 98) |
| s. 311 | [fire commissioners powers] | 76 | (s. 511) |
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| s. 323 | [reference update; <i>Safety Standards Act</i>] | 19 | (s. 101) |
| s. 324.1 | [definitions; “dangerous dog”; “domestic animal”; <i>Livestock Protection Act</i> repeal] | 11 | (s. 64) |
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| s. 571C | [agreements for regulating contaminated sites] | 57 | (s. 173) |
| s. 486A | [reference update; <i>Community Charter</i>] | 76 | (s. 514) |
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