

Union of BC Municipalities

Submission on the proposed  
Accessibility Legislation

November 29, 2019



## **Introduction**

The Union of BC Municipalities (UBCM) represents 100% of local governments in British Columbia, and has advocated for policy and programs that support its membership's needs since 1905. We are a policy-based organization, guided by member positions established through resolutions at our annual Convention. The UBCM membership presently consists of 189 local governments and 8 First Nations.

## **UBCM Policy Position**

UBCM has a long history of supporting improved accessibility in communities. As a collective, BC local governments have endorsed numerous resolutions that seek to reduce barriers and provide accessible places and services for individuals with disabilities (2016-B69, 2016-B62, 2015-B110, 2015-B118, 2014-B12, 2013-B55, 2013-B140, 2012-B43, 2011-A2, 2011-B62, 2011-B67, 2010-B70, 2010-B70, 2009-B145, 2009-B167, 2009-B174, 2008-B157, 2008-B158, 2008-B159, 2007-B106, 2007-B191, 2007-B199, 2006-B132, 2002-B62, 2002-B94).

These resolutions have included calls for accessible and adaptive standards in the Building Code; incentive programs for small business owners to make their premises accessible; access to transit for persons with disabilities; accessible taxis; and accessibility guidelines for local governments to include in their Official Community Plans.

Through resolution 2016-B62, BC local governments specifically supported a provincial *Disabilities Act*. The resolution reads:

*Whereas British Columbians with disabilities encounter a variety of physical, sensory and technological barriers as well as ones related to communication, education, employment, attitudes and many others on a daily basis;*

*And whereas the Government of British Columbia launched a non-mandatory, non-legislated initiative entitled "Accessibility 2024" in 2014 with the goal of making BC the most progressive province in Canada for people with disabilities by the year 2024;*

*And whereas both the Province of Ontario and the Province of Manitoba have enacted disability legislation with the Province of Nova Scotia working toward the introduction and enactment of disability legislation in 2016;*

*Therefore be it resolved that UBCM believes it is important to achieve a barrier-free province for all persons with disabilities and calls upon BC's Legislative Assembly to enact a strong and effective British Columbians with Disabilities Act.*

UBCM has also participated in the creation of documents to support accessibility, such as the local government resource guide, *Age-friendly and Disability Friendly Official Community Plans*<sup>1</sup> (2015); *Planning for the Future: Age-Friendly and Disability Friendly OCPs*<sup>2</sup> (2010); and the *Accessible Communities Bylaws Guide* (2009, with SPARC BC).

### **Proposed Accessibility Legislation**

As outlined above, BC local governments support accessibility legislation and thank the Provincial Government for taking action to identify, remove and prevent the barriers experienced by persons with disabilities. The legislation will help communities adapt, and build more inclusive and accessible places to live, work and play.

UBCM also thanks the Ministry of Social Development and Poverty Reduction for including our organization on your Accessibility Legislation Consultation Advisory Committee, and looks forward to further work with your government on the legislation and regulations. We would also request to a seat on the Standards Development Board.

With regards to the *British Columbia Framework for Accessibility Legislation* document that was released on September 16th, UBCM requests that the government focus more on working collaboratively with local governments on the implementation of the legislation, rather than through monetary penalties for non-compliance.

BC local governments may require incentive and funding support for implementation of the built environment standards. UBCM encourages the government to commit significant funds for this work in your 2020 budget, similar to the support that has been committed by the federal government.

And, given the significant impact on local government budgets, the Ministry should clarify if the legislation will apply to all existing infrastructure, or only to new or re-developed infrastructure.

We also request clarification as to whether local governments will be required to create local accessibility plans and progress reports. If they are, some communities, particularly the rural and remote ones, may not have the capacity or resources to do this work. Also, we hope to have further discussions with your Ministry regarding how these local accessibility plans will work with current policy and plans (OCPs, Age-friendly plans) that already include accessibility statements or actions.

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<sup>1</sup>[https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/age\\_and\\_disability\\_friendly\\_ocps.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/age_and_disability_friendly_ocps.pdf)

<sup>2</sup><https://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Healthy~Communities/Planning%20for%20the%20Future.pdf>

Local governments will also need to know if there is a timeline for full implementation, such as in the federal legislation.

Lastly, local governments request information on how other provincial Ministries, Crown corporations, and school boards will be involved in the accessibility legislation and implementation.

### **Conclusion**

UBCM appreciates the opportunity to provide input on the proposed accessibility legislation. Local governments can be leaders in this work, however, they require ongoing collaboration and support from the provincial government.

We have attached the resolutions referenced in this submission as Appendix A.

We welcome further opportunities for engagement with the provincial government on the development of the accessibility legislation and regulations.

Inquiries regarding this submission may be directed to UBCM at [ubcm@ubcm.ca](mailto:ubcm@ubcm.ca) or by phone at (604) 270-8226.

**2002 B94 Programs & Services to People With Disabilities**

**Coquitlam**

WHEREAS individuals and families who are impacted by an intellectual, physical, sensory, emotional or behavioural disability or a learning impairment deserve the support of the Province of British Columbia through the core service review and beyond;

AND WHEREAS any waiting lists and service cuts resulting from program or funding cuts will create a tremendous hardship to people with disabilities and their families:

THEREFORE BE IT RESOLVED that the provincial government retain the existing program responsibilities that existed prior to April 2, 2002 for people with disabilities and that any transition in program funding or delivery be completed in a manner that is not disruptive to people with disabilities, their families and program providers.

**CONVENTION DECISION:                      ENDORSED**

**2002 B62 Audio Book Services**

**Nelson**

WHEREAS the provincial government announced that it would no longer fund \$380,000 for audio book services program and audio book services assists person with visual disabilities to enjoy audio versions of print materials;

AND WHEREAS the users of this service are generally disadvantaged and on low income with limited accessibility to other privately funded audio resources:

THEREFORE BE IT RESOLVED that the provincial government reinstate full funding for audio book services and not download this service to municipal and regional libraries to fund from local property taxation.

**CONVENTION DECISION:**

**ENDORSED AS AMENDED**

**2006 B73 Mail Ballots**

**Fraser Valley RD**

WHEREAS non-resident property electors may not have the means to attend a voting opportunity within the jurisdiction as resident electors do;

AND WHEREAS Section 100 of the *Local Government Act* allows mail ballots to those electors who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity:

THEREFORE BE IT RESOLVED that the *Local Government Act* be amended to allow local governments the flexibility to provide local options for:

- additional opportunities to vote by mail ballot in elections or other voting opportunities; and/or
- alternative forms of voting.

**CONVENTION DECISION:                      REFERRED TO UBCM EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED AS AMENDED**

## **2006 B132 Measuring Up**

**Vancouver**

WHEREAS accessibility and inclusion are fundamental factors in empowering people with disabilities to fully participate in and contribute to society and the City of Vancouver strives to take a leadership role in increasing accessibility and inclusion both within and outside its own city limits;

AND WHEREAS the City has partnered with 2010 Legacies Now and the provincial and federal governments to produce “Measuring Up”, a comprehensive, step-by-step guide that enables communities to assess and remedy their accessibility and inclusion barriers:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities endorse “Measuring Up” as a resource for communities throughout British Columbia as they work to improve accessibility and inclusion;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities request that every BC local government adopt “Measuring Up” as its guide to accessibility and inclusion;

AND BE IT FURTHER RESOLVED that the Union of BC Municipalities formally request that the provincial and federal governments allocate infrastructure funding to support accessibility and inclusion initiatives in communities throughout BC.

**CONVENTION DECISION:                      ENDORSED**



**2007 B106 Motorized Scooters**

**Ladysmith**

WHEREAS motorized scooters are becoming a more commonly used mode of transportation to enable elderly and/or physically disabled persons to continue to be active members of society;

AND WHEREAS motorized scooters can present a danger to the general public if they are operated in an unsafe manner or by people who may have limiting disabilities:

THEREFORE BE IT RESOLVED that the provincial government be requested to establish province-wide guidelines for the safe operation of motorized scooters.

**CONVENTION DECISION:**

**ENDORSED**

**2007 B199 Redistribute Disability Funding**

**Burns Lake**

WHEREAS individuals who have lifelong disabilities but have an IQ over 70 are exempt from support services that would enhance their quality of life and decrease overall spending;

AND WHEREAS the BC Court of Appeal has rejected the Province of British Columbia's attempts to use the IQ 70 criteria and has advised the Province to create a new eligibility process:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the provincial and federal governments to redistribute funding to focus on providing support services to children and adults with lifelong disabilities.

**CONVENTION DECISION:**

**ENDORSED**

## **2007 B191 Home Support**

**Fort St. John**

WHEREAS home support is a vital part of our health care system that allows seniors, people with disabilities or people with chronic health conditions to live independently and with dignity;

AND WHEREAS significant cuts to hospital and residential care beds, combined with reduced access to home support have resulted in a larger burden for home support to address acute needs for fewer patients:

THEREFORE BE IT RESOLVED that the UBCM request that the Province of British Columbia:

- halt further cutbacks to home support services, ensure that home support is a universal program including full and part time positions,
- overcome staff shortages by improving and standardizing training, implementing competitive wage scales for workers and developing an active recruitment program for home support workers, including new workers from aboriginal and ethno-cultural communities, and
- create an appeal board for people to dispute their home support assessment that is both impartial and representative of seniors and people with disabilities.

**CONVENTION DECISION:**

**REFERRED TO UBCM EXECUTIVE**

**EXECUTIVE DECISION:**

**ENDORSED**

**2008 B157 Accessible Transportation**

**NCMA Executive**

WHEREAS the Measuring Up The North project has identified that a lack of adequate transportation for people with disabilities and seniors is an issue throughout the NCMA region, and it has been identified through research that this issue is province wide;

AND WHEREAS accessible transportation is key to quality of life, inclusion, participation, and community engagement of people with disabilities and seniors:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to increase the level of funding for accessible transportation.

**CONVENTION DECISION: NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION: ENDORSED**

**2008 B158 Accessible Housing**

**NCMA Executive**

WHEREAS the Measuring Up The North project has identified that a lack of accessible housing for people with disabilities and seniors is an issue throughout the NCMA region, and it has been identified through research that this issue is province wide;

AND WHEREAS our aging demographic will increase the pressure on existing housing stock:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to develop an incentive program to encourage private sector developers to build accessible, universally designed\* housing.

\* The definition of Universal Design is “the design of environments, products, and services that are useable by all people regardless of age, ability or size.” - The Center of Universal Design, Raleigh, North Carolina

**CONVENTION DECISION:                      NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED**

**2008 B159 Incentive Program for Accessibility**

**NCMA Executive**

WHEREAS the Measuring Up The North project has identified that many small businesses are located in leased or owned buildings that are not accessible to persons with disabilities or seniors, and many small businesses do not have the financial means to renovate their premises to become accessible;

AND WHEREAS making small businesses accessible will benefit customers, clients, and employers, and also result in increased revenue to business owners:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to develop an incentive program to encourage owners of small businesses to make their premises accessible.

**CONVENTION DECISION:                    NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                    ENDORSED**

**2009 B145 Measuring Up the North Funding**

**NCLGA Executive**

WHEREAS the Measuring Up initiatives have been successful in helping BC communities assess and improve how livable, age-friendly, disability-friendly, universally designed, and inclusive they are for all citizens and visitors;

AND WHEREAS the Measuring Up The North Initiative, through its unique principles and process, has come to serve as a model for all of British Columbia:

AND WHEREAS the funding for the Measuring Up initiatives will be ending in August of 2009:

THEREFORE BE IT RESOLVED that UBCM work with the provincial government to ensure that the Measuring Up initiatives are extended and continue their vital work;

AND BE IT FURTHER RESOLVED that the provincial government provide adequate funding to local governments to implement Measuring Up initiatives.

**CONVENTION DECISION:                      NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED**

**2009 B167 Measuring Up the North - Accessibility Standards**

**NCLGA Executive**

WHEREAS the Measuring Up The North initiative has been successful in helping northern BC communities assess and improve how livable, age-friendly, disability-friendly, universally designed, and inclusive they are for all citizens and visitors;

AND WHEREAS the BC *Building Code* provides only minimal accessibility requirements:

AND WHEREAS the CAN CSA-B651 Accessibility for the Built Environment standard is recognized as a model standard by many Canadian jurisdictions including all federally owned and leased properties:

THEREFORE BE IT RESOLVED that members of the UBCM be encouraged to utilize the CAN CSA-B651 Accessibility for the Built Environment standard (current edition) in any planning, new construction and renovations.

**CONVENTION DECISION:                      NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED**



**2009 B174 Access for People with Developmental Disabilities**

**Cariboo RD**

WHEREAS developmental disabilities affect many British Columbians;

AND WHEREAS adults affected by a developmental disability are in need of educational services to allow an opportunity for entry-level employment;

AND WHEREAS access to employment for adults on a disability pension can create a positive impact by the ability to contribute to their independence:

THEREFORE BE IT RESOLVED that the UBCM lobby the federal and provincial governments to provide greater resources to provide job entry training opportunities as well as employer incentives to hire adults with developmental and other disabilities.

**CONVENTION DECISION:                      NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED**

**2010 B70 Access to Transportation for Individuals with Disabilities**

**Parksville**

WHEREAS as a result of the 1993 federal government decision to make accessibility standards voluntary, the transportation policy in Canada remains archaic and plagued with numerous barriers for people with disabilities, lagging far behind many industrialized countries including the United States and Britain;

AND WHEREAS federal regulation and policy are required to ensure the needs of travelers with disabilities are given precedence as new transportation policies, programs and services are developed:

THEREFORE BE IT RESOLVED that the UBCM, FCM, provincial and federal governments be requested to ensure that Canadian public transportation providers be required by law, similar to the United States Americans with Disabilities Act, to provide physical access for disabled passengers travelling in Canada.

**CONVENTION DECISION:**

**ENDORSED & CONVEYED TO FCM**

**2011 A2 Local Government Elections - Online Voting**

**Fort St. John**

WHEREAS Local Government Act Division 9 – Voting Opportunities does not allow the ability to offer online voting to electors in local government elections;

AND WHEREAS this additional service provision would assist the general population especially the elderly, disabled, snowbirds, and those working in camp, to participate in the democratic process:

THEREFORE BE IT RESOLVED that UBCM request the Province of BC to initiate the policy analysis and legislative changes required to implement online voting for the 2014 local government election.

**CONVENTION DECISION:                    ENDORSED**

**2011 B62 Autism Programs & Funding**

**Sidney**

WHEREAS autism is a life-long development disability which affects brain development and has been found throughout the world in families of all ethnic and social backgrounds;

AND WHEREAS intensive early intervention for young children with autism has been demonstrated as being extremely effective in helping them learn to communicate appropriately and to be included meaningfully in community events;

AND WHEREAS the provincial government in September 2009 cut its early intensive intervention program which only covered a minority of young children with autism;

THEREFORE BE IT RESOLVED that the provincial government be encouraged to:

- Reinstate and fully fund early intensive therapy autism programs for all identified children whose parents request it;
- Increase funding for universal early screening and identification of infants and toddlers who are at risk for autism, and initiate very early intervention programs that teach parents to interact with and facilitate their child's development as soon as they are diagnosed;
- Increase educational funds that are targeted at supporting teachers to educate students with autism and other developmental disabilities, using the principles of Universal Design for Learning, positive behavior support, and other evidence based educational strategies; and
- Increase funding for post-secondary vocational supports aimed at creating customized, community-based employment opportunities for all individuals with autism and other developmental disabilities.

**CONVENTION DECISION:**

**ENDORSED**

**2011 B67 Provincial Housing Trust Funds**

**North Saanich**

WHEREAS leadership, sustained funding, and strong partnerships are required to increase the supply and diversity of affordable housing across British Columbia;

AND WHEREAS a provincial housing trust fund, similar to the Capital Regional District's Regional Housing Trust Fund model, is needed to create a stable base of financial resources for the Province to provide subsidized housing in partnership with the private sector and other orders of government:

THEREFORE BE IT RESOLVED that UBCM petition the Province to create Regional Housing Trust Funds from Property Transfer Tax revenues to provide subsidized, supportive and affordable housing for communities where affordable housing is not accessible for those with low incomes such as seniors, single parent families and people with disabilities;

AND BE IT FURTHER RESOLVED that the funds levied for this purpose be kept within the regions they are levied from and disbursement be contingent on financial or in-kind local contributions.

**CONVENTION DECISION:**

**ENDORSED**

**2012 B43 Housing for Adults with Developmental Disabilities**

**Duncan, Nanaimo City,  
Gold River**

WHEREAS:

1. The provincial government is cutting funding and supports for adults with developmental disabilities, resulting in the closure of group homes and mounting waiting lists for services;
2. These group homes form a vital and necessary part of the housing continuum that has won broad support from members of the public at large, families of adults with developmental disabilities and the communities in which they are located;
3. We support the creation of new supportive housing options to provide appropriate options for parents and their adult children with developmental disabilities; and
4. The BC Community Living Action Group, which represents more than 65 affected agencies and organizations, thousands of families, and adults with developmental disabilities, has called for an end to service cuts and closure of group homes:

THEREFORE BE IT RESOLVED that UBCM urge the provincial government to end funding cuts, implement a moratorium on the closure of group homes and provide sufficient financial resources both to maintain this vital housing resource and address growing waiting lists.

**CONVENTION DECISION:**

**ENDORSED**

**2013 B55 Increase in Social Assistance Rates**

**Prince Rupert**

WHEREAS the amount of support given to individuals on disability, welfare, and/or old age security is inadequate to support people's basic human needs in terms of adequate shelter, clothing, food, and other basic necessities, based on today's cost of living;

AND WHEREAS this forces individuals, who are obliged by circumstance to utilize these programs, to live in a manner that violates basic human rights and dignity:

THEREFORE BE IT RESOLVED that UBCM call on the provincial and federal governments to increase the basic support allowance given to **individuals on disability, welfare, and/or old age security** to a level that reflects the true cost of living in our country.

**CONVENTION DECISION:**

**ENDORSED AS AMENDED**

**2014 B12 Income Exemption for Child Support Payments**

**Maple Ridge**

WHEREAS one out of seven children in BC live in poverty and the poverty rate for children headed by lone-parent families is one of the highest poverty rates of any family type;

AND WHEREAS the Ministry of Social Development and Social Innovation claws back child support payments dollar for dollar although the financial loss to families far outweighs the gains for the provincial government, and it is recognized that child support payments are the right of the child:

THEREFORE BE IT RESOLVED that the provincial government amend the Employment and Assistance Regulation and the Employment and Assistance for People with Disabilities Regulation to add an unearned income exemption for child support payments up to \$300 per family unit per month.

**CONVENTION DECISION:**

**ENDORSED**



**2013 B140 Standardization of Social Assistance Rates**

**Prince Rupert**

WHEREAS married couples receive less support on disability, welfare, and/or old age security than they would if they were single individuals, thereby decreasing their ability to live with security and dignity, as protected under the Canadian Charter of Rights and Freedoms;

AND WHEREAS this practice is discriminatory, and therefore violates the guarantee of equality set out in the Canadian Charter of Rights and Freedoms:

THEREFORE BE IT RESOLVED that UBCM request the provincial and federal governments to award equal financial support to individuals on disability, welfare and/or old age security regardless of their marital status.

**CONVENTION DECISION:                      NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION:                      ENDORSED**

## **2015 B110 Registered Disability Savings Plan**

**Kamloops**

Whereas the Federal Registered Disability Savings Plan (RDSP) requires Persons With Disabilities (PWD) to be eligible for the Federal Disability Tax Credit (DTC) in order to open a RDSP;

And whereas the Province of BC has a rigorous application and review process to grant individuals the PWD designation;

And whereas the DTC application process is extremely difficult and expensive for PWD requiring significant paperwork and often multiple physician appointments:

Therefore be it resolved that the federal and provincial governments work together to simplify the Disability Tax Credit application process or allow individuals with the Persons With Disabilities designation to apply directly for a Registered Disability Savings Plan.

**CONVENTION DECISION:**

**ENDORSED**

**2015 B118 Annualized Earnings Exemption**

**Maple Ridge**

WHEREAS income exemptions are beneficial to citizens receiving disability assistance to allow them to maintain greater independence;

AND WHEREAS individuals without the capacity to manage their finances within the current Annualized Earnings Exemption program might risk the loss of supports including income and housing:

Therefore be it resolved that UBCM request that the provincial government provide a choice based on an individual's need or capacity to manage either monthly or annual deductions to ensure that there is no disruption of income supports or housing.

**CONVENTION DECISION: NOT CONSIDERED - AUTOMATIC REFERRAL TO EXECUTIVE**

**EXECUTIVE DECISION: REFERRED TO HEALTHY COMMUNITIES COMMITTEE**

**COMMITTEE DECISION: ENDORSED**

**2016 B62 Legislation and Action for a Barrier-free BC**

**Victoria**

Whereas British Columbians with disabilities encounter a variety of physical, sensory and technological barriers as well as ones related to communication, education, employment, attitudes and many others on a daily basis;

And whereas the Government of British Columbia launched a non-mandatory, non-legislated initiative entitled “Accessibility 2024” in 2014 with the goal of making BC the most progressive province in Canada for people with disabilities by the year 2024;

And whereas both the Province of Ontario and the Province of Manitoba have enacted disability legislation with the Province of Nova Scotia working toward the introduction and enactment of disability legislation in 2016:

Therefore be it resolved that UBCM believes it is important to achieve a barrier-free province for all persons with disabilities and calls upon BC’s Legislative Assembly to enact a strong and effective British Columbians with Disabilities Act.

**CONVENTION DECISION:**

**ENDORSED**

**2016 B69 Accessible Taxi Services**

**Williams Lake**

Whereas the provincial Passenger Transportation Act does not currently specify that special authorization licensees that have passenger directed vehicles require an accessible vehicle in their fleet;

And whereas the City of Williams Lake does not currently have a bylaw related to taxi service:

Therefore be it resolved that the provincial government amend the Passenger Transportation Act through the Special Authorization Licensing section government by the Passenger Transportation Board in BC to include at minimum one accessible vehicle in their fleet of vehicles when operating a taxi service company.

**CONVENTION DECISION:**

**ENDORSED**