



DISTRICT OF PORT HARDY

AGENDA COUNCIL MEETING 7:00 PM, TUESDAY, JULY 11, 2017 MUNICIPAL HALL COUNCIL CHAMBERS 7360 COLUMBIA STREET

Mayor: Hank Bood
Councillors: Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson,
John Tidbury, Leighton Wishart

Staff: Allison McCarrick, Chief Administrative Officer
Heather Nelson-Smith, Director Corporate Services
Abbas Farahbakhsh, Director Operational Services
Adrian Maas, Director of Finance
Leslie Driemel, Recording Secretary

**DISTRICT OF PORT HARDY
 AGENDA FOR THE REGULAR COUNCIL MEETING
 7:00 PM TUESDAY, JULY 11, 2017 - Council Chambers - Municipal Hall**

PAGE	A. CALL TO ORDER	Time:
	B. APPROVAL OF AGENDA AS PRESENTED (or amended)	
	Motion required.	1. 2.
	C. ADOPTION OF MINUTES	
1	1. Minutes of the Special Meeting of Council held June 27, 2017.	
	Motion required.	1. 2.
2-5	2. Minutes of the Regular Council meeting held June 27, 2017.	
	Motion required.	1. 2.
	D. DELEGATIONS AND REQUESTS TO ADDRESS COUNCIL	
	1. Fire Chief Brent Borg- Interim Fire Chief Appointment.	
	2. Seaway Ventures- Final Report of Harbour Management to June 2017.	
	E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS	
6	1. Council Action items. For information.	
	F. CORRESPONDENCE	
	No New Business in agenda package.	
	G. NEW BUSINESS	
	No New Business in agenda package.	
	H. COUNCIL REPORTS	
	1. Verbal Reports from Council members.	
	I. COMMITTEE REPORTS	
7-9	1. Draft minutes of the Parks and Recreation Committee meeting held June 22, 2017. For information. Recommendation addressed June 27, 2017.	
	J. STAFF REPORTS	
10-12	1. Cheque Listing July 6/17.	
13-16	2. Heather Nelson-Smith, Director of Corporate Services (June 28/17) re: Development Variance Permit Application 01-2017 8655/8665 Gibraltar Street.	
	Motion required.	1. 2.
17	3. Heather Nelson-Smith, Director of Corporate Services (June 28/17) re: Council Remuneration Bylaw No. 17-2011. Bylaw contained under bylaw section of Agenda.	
18-19	4. Heather Nelson-Smith, Director of Corporate Services (June 28/17) re: Smoking Regulation Bylaw No. 1068-2017. Bylaw contained under bylaw section of Agenda.	

- 20** 5. Terms of Reference Marijuana Advisory Committee
Appointment of Councillor Wishart to Committee
Acceptance of Terms of Reference for Committee

Motion required. 1. 2.

K. CURRENT BYLAWS AND RESOLUTIONS

- 21** 1. Council Remuneration Amendment Bylaw 1067-2017.

Motion required. 1. 2.

- 22-24** 2. Smoking Regulation Bylaw 1068-2017.

Motion required. 1. 2.

L. PENDING BYLAWS

None

M. INFORMATION AND ANNOUNCEMENTS

July 12 Heritage Society 7:00pm
July 17 Committee Operations Services 3:00pm
July 19 Committee Parks and Recreation 3:00pm
August 8 Regular Council Meeting

N. NOTICE OF IN CAMERA MEETING

No In Camera meeting scheduled at this time.

O. ADJOURNMENT

Motion required 1. 2. Time:



**MINUTES OF THE DISTRICT OF PORT HARDY
SPECIAL COUNCIL MEETING
TUESDAY JUNE 27, 2017
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

PRESENT: Mayor Hank Bood, Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leightan Wishart

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer, Abbas Farahbakhsh, Director of Operational Services; Adrian Maas, Director of Financial Services; Heather Nelson-Smith, Director of Corporate Services

MEDIA: None **MEMBERS OF THE PUBLIC:** None

A. CALL TO ORDER

Mayor Bood called the meeting to order at 6:30pm.

B. APPROVAL OF AGENDA AS PRESENTED

Moved/Seconded/Carried

THAT the minutes for the Special Meeting of Council June 13, 2017 be accepted as presented.

SC2017-036
AGENDA
ACCEPTED AS
PRESENTED

C. MOTION TO CLOSE MEETING TO THE PUBLIC (IN CAMERA)

Motion required as per section 92 of the *Community Charter* that the meeting be closed to the public for the purposes of discussing:

1. Subject matter related to *Community Charter*:

SECTION 90 (1)

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

Moved/Seconded/Carried

THAT in accordance with section 92 of the *Community Charter*, that the meeting be closed to the public as per *Community Charter* section 90(1)

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

SC2017-037
CLOSE
MEETING TO
PUBLIC
COMMUNITY
CHARTER
SEC90(1) (a)

D. ADJOURNMENT

AGENDA

Moved

THAT the Special Meeting of Council adjourn. Time: 6:43 pm

SC2017-038
ADJOURNMENT

CORRECT

APPROVED

DIRECTOR OF
CORPORATE SERVICES

MAYOR



**MINUTES OF THE DISTRICT OF PORT HARDY
REGULAR COUNCIL MEETING
JUNE 27, 2017
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

PRESENT: Mayor Hank Bood, Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leightan Wishart

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer; Heather Nelson-Smith, Director of Corporate Services; Abbas Farahbakhsh, Director of Operational Services; Adrian Maas, Director of Financial Services Leslie Driemel, Recording Secretary

MEDIA: N.I. Gazette

MEMBERS OF THE PUBLIC: One

A. CALL TO ORDER

Mayor Bood called the meeting to order at 6:58pm.

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda for the Regular Council meeting of June 27, 2017 be accepted as presented.

C. ADOPTION OF MINUTES

1. Minutes of the Special Council meeting held June 13, 2017.

Moved/Seconded/Carried

THAT the Minutes of the Special Council meeting held June 13, 2017 be accepted.

2. Minutes of the Regular Council meeting held June 13, 2017.

Councillor Corbett-Labatt requested an amendment to the minutes:

From: concerns regarding a member of Council appointed to the board and to also have the Mayor attend the Chamber of Commerce meetings.

To: concerns regarding a member of Council appointed to the board and to also have the Deputy Mayor attend the Chamber of Commerce meetings.

Moved/Seconded/Carried

THAT the Minutes of the Regular Council meeting held June 13, 2017 be accepted as amendment.

D. DELEGATIONS

1. Kevin McGhee, Port Hardy Rangers re: Request for District support for October training exercise – helicopter landing in Tzulquate Park, 3 times on Oct 13, 2017 9:00 to 11:00am and returning October 15, 2017 3:00-5:00pm.

Mr. McGhee reviewed with Council the previous helicopter exercise to Lawn Point and advised the October 2017 exercise has tentative approval to helicopter to Blunden Harbour to learn how to build a helicopter landing pad. That location was chosen to support the Gwa'sala-'Nakwaxda'xw First Nation as there is currently no emergency landing facility there.

Discussion with Council included:

- Current roster levels of the Rangers at eleven and Junior Rangers with the 2nd highest patrol enrollment in Canada.

2017-099
AGENDA JUNE
27/17 ACCEPTED
AS PRESENTED

2017-100
SPECIAL MEETING
MINUTES JUNE
13/17 ACCEPTED

2017-101
REGULAR COUNCIL
MEETING MINUTES
JUNE 13/17
ACCEPTED AS
AMENDED

- General purpose of Rangers as early response and knowledgeable ground support for search and rescue operations on the North Island.

2017-102
CDN RANGER
HELICOPTER
LANDING
APPROVED

Moved/Seconded/Carried Unanimously

THAT Council approve the request by Kevin McGhee, Port Hardy Canadian Ranger Patrol and allow an October helicopter landing training exercise in Tzulquate Park, 3 times on Oct 13, 2017 9:00 to 11:00am and on October 15, 2017 3:00-5:00pm.

E. ACTION ITEMS

ACTION ITEMS

1. Council action items were received for information.

F. CORRESPONDENCE

1. Councillor Murry Krause, President, UBCM (June 12/17) re: Resolution 2016-B101 "Non-Treaty First Nations Participation in UBCM" was received information.

Councillor Robertson requested the information on UBCM Resolution 2016-B101 be forwarded to Jessie Hemphill as she was instrumental in preparing and bringing the resolution forward.

FORWARD
UBCM RESOLUTION
2016-B101 TO
JESSIE HEMPHILL.

Council directed staff to forward the information on UBCM Resolution 2016-B101 to Jessie Hemphill.

2. Peter Ronald, Programs Officer, UBCM (June 13/17) re: 2017//18 (Spring) Regional Community to Community Forum Funding Approval was received information.

Mayor Bood advised that the date for a Community to Community Forum has been set for a dinner meeting with local First Nations Chief and Councillors for Wednesday July 5, 2017.

G. NEW BUSINESS

No New Business.

H. COUNCIL REPORTS

COUNCIL REPORTS

Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leighton Wishart reported on their recent meetings and other activities they attended and/or undertook on behalf of the District.

I. COMMITTEE REPORTS

1. Draft minutes of the First Nations Relations Committee meeting held June 13, 2017 were received for information.
2. Draft minutes of the Operational Services Committee meeting held June 19, 2017 were received for information.

Councillor Corbett-Labatt commented that the sign at Highland and Trustee for Cedar Park also needs repair.

3. Recommendation to Council from the Parks & Recreation Review Committee meeting held June 22, 2017:
THAT Council direct staff to proceed with the replacement of the Curling Club roof after quotes have been obtained;
AND THAT Council amends the District of Port Hardy 2017-2021 Financial Plan to bring forward from 2018 to 2017 the cost of the Curling Rink roof replacement with funds allocated from General Capital Reserve Fund;

AND THAT Council approve direct award based upon “Emergency or Time Sensitive Situations” in Council Policy 2.10(10) Sole Source Purchases. Sole source purchases occur in circumstances where one supplier is considered. Sole source purchases can be rationalized under the following circumstances:

- *Monopoly – In cases where the market is controlled by a statutory or natural monopoly.*
- *Technical Compatibility – To ensure compatibility with existing technology.*
- *Specialized Services – If the expertise or product exists with one supplier only.*
- *Emergency or Time Sensitive Situations – In cases when the need for a service is under a tight timeline or otherwise necessary immediately.*

Allison McCarrick, CAO advised a quote from Nelson Roofing has been received.

Council discussion included:

- The need for timely roof repair to maintain the facility and prevent further damage.
- Opportunity window for roof replacement in the summer.
- Up to 6 week timeline to prepare a tender, review proposals and award tender.
- The need for due diligence with taxpayers money.
- The number of contractors with experience, equipment, manpower and reputation for good work to do the type of torch on roofing required at the facility.
- Obtaining quotes from other sources without going to full tender process.
- Obtaining Council consensus by email.
- Clarification on funding sources for the work.

Moved/Seconded/Defeated

THAT Council direct staff to proceed with the replacement of the Curling Club roof after quotes have been obtained;

AND THAT Council amends the District of Port Hardy 2017-2021 Financial Plan to bring forward from 2018 to 2017 the cost of the Curling Rink roof replacement with funds allocated from General Capital Reserve Fund;

AND THAT Council approve direct award based upon “Emergency or Time Sensitive Situations” in Council Policy 2.10(10) Sole Source Purchases. Sole source purchases occur in circumstances where one supplier is considered. Sole source purchases can be rationalized under the following circumstances:

- Monopoly – In cases where the market is controlled by a statutory or natural monopoly.
- Technical Compatibility – To ensure compatibility with existing technology.
- Specialized Services – If the expertise or product exists with one supplier only.
- Emergency or Time Sensitive Situations – In cases when the need for a service is under a tight timeline or otherwise necessary immediately.

Council directed staff to:

- Obtain quotes by phone and/or email.
- Advise Council of the quotes.
- Obtain council approval.
- Bring forward formal approval at the next Regular Council meeting of August 8, 2017.

J. STAFF REPORTS

1. Adrian Maas, Director of Financial Services (June 4/17) re: Investment Policy.

Council discussion included:

- Investing outside of the Municipal Finance Authority.
- Diversifying risk and getting higher interest.
- Investigating investing in Socially Responsible Investments (SRI).
- Return vs risk on SRI.
- Protection of capital as priority.

2017-103
PROCEED WITH
CURLING CLUB
ROOF REPAIR IN
2017 - DEFEATED

STAFF TO OBTAIN
QUOTES FOR
CURLING CLUB
ROOF REPAIR

2017-104
ADOPT
INVESTMENT
POLICY CP2.22

Moved/Seconded/Carried

THAT Council adopt Investment Policy CP2.22 as presented by staff.

2. Adrian Maas, Director of Financial Services (June 20/17) re: Late Grants in Aid – Competing at Provincial Level for Kristen and Kayley Clair and Madyson Harris.

Council discussed the work and commitment of young athletes and their families to achieve the provincial level of competition and reviewed the four options presented:

1. Direct funds (\$500) to Riptide Soccer in Aid of the three participants. (unknown how Riptide would deal with receipt).
2. Provide funds to each family in equal amounts (\$250).
3. Provide funds for each participant in equal amounts (\$175 x 3 = \$525).
4. Provide funds in a lesser amount of \$100 to each participant as was done in 2016 to allow for a future need (example would be last year's Rotary Auction in the fall).

2017-105
LATE GIA FUNDING
\$100 TO KRISTEN
CLAIR, KAYLEY
CLAIR AND
MADYSON HARRIS

Moved/Seconded/Carried

THAT Council approve Option 4; Late Grand in Aid funding of \$100 to each participant – Kristen Clair, Kayley Clair and Madyson Harris - as was done in 2016 to allow for a future need.

3. Heather Nelson Smith – Release of In Camera Information Report (May 31, 2017) was received for information.

K. CURRENT BYLAWS AND RESOLUTIONS

No bylaws.

L. PENDING BYLAWS

No pending bylaws.

M. INFORMATION AND ANNOUNCEMENTS

Information and announcements in the agenda package were received for information.

N. NOTICE OF IN CAMERA MEETING

No In Camera meeting scheduled at this time.

O. ADJOURNMENT

AGENDA

2017-106
ADJOURNMENT

Moved

THAT the meeting be adjourned.

Time: 7:45pm

CORRECT

APPROVED

DIRECTOR OF
CORPORATE SERVICES

MAYOR

ITEM	ACTION REGULAR MEETING JUNE 27, 2017	WHO	STATUS /COMMENTS
K. McGhee Port Hardy Rangers re: Request for District support for October training exercise – helicopter landing in Tsulquate Park	Approved as requested Advise Mr. McGhee and get copy of insurance for event.	HN-S	Done
UBCM (June 12/17) re: Resolution 2016-B101 “Non-Treaty First Nations Participation in UBCM”	Staff to forward the information on UBCM Resolution 2016-B101 to Jessie Hemphill.	AMc	Done
Parks & Recreation Review Committee Recommendation to Council from the meeting held June 22, 2017: Curling Club Roof	Council directed staff to: <ul style="list-style-type: none"> • Obtain quotes by phone and/or email. • Advise Council of the quotes • Obtain council approval • Bring forward formal approval at the next Regular Council meeting of August 8, 2017. 	AF AMc	Request for quote issued
Adrian Maas, Director of Financial Services (June 4/17) re: Investment Policy.	Approved as presented -Circulate Policy as required	LD	Done
Adrian Maas, Director of Financial Services (June 20/17) re: Late Grants in Aid – Competing at Provincial Level for Kristen and Kayley Clair and Madyson Harris.	Approved Option 4; Late Grand in Aid funding of \$100 to each participant – Kristen Clair, Kayley Clair and Madyson Harris - as was done in 2016 to allow for a future need - Advise and issue cheques	AM	Done
Heather Nelson Smith – Release of In Camera Information Report (May 31, 2017) was received for information.	Received for information. - Release information to public	HN-S	Done
ITEM	ACTION REGULAR MEETING JUNE 13, 2017	WHO	STATUS /COMMENTS
Filomi Days Committee re: Requests for District support for Filomi Days.	Approved as amended - arrange with PW	SM	
ITEM	ACTION REGULAR MEETING MAY 23, 2017	WHO	STATUS /COMMENTS
Draft minutes of the Operational Services Committee meeting held May 15, 2017 Recommendation to Council: THAT Council invite Mr. Mike Coulter of the Campbell River ATV Club to an upcoming COW meeting to discuss inter-community, off road vehicle tourism.	Approved: Recommendation to invite Mr. Mike Coulter of C/River ATV Club to future COW meeting -contact Mr. Coulter as directed.	HN-S	August 8 COW
ITEM	ACTION REGULAR MEETING JANUARY 24, 2017	WHO	STATUS /COMMENTS
Island Health (Jan 12/17) re: Smoke –Free Bylaws.	Staff to review the recommendations and District's current bylaw and revise the bylaw for Council review	HN-S	On July 11, 2017 Agenda

AGENDA



MINUTES
DISTRICT OF PORT HARDY
PARKS & RECREATION REVIEW COMMITTEE MEETING
HELD WEDNESDAY JUNE 22, 2017
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET

Committee Members:

Councillors: Fred Robertson, (Chair) John Tidbury, Leighton Wishart

Also Present:

Councillor Pat Corbett-Labatt

Staff:

Allison McCarrick, CAO; Abbas Farahbakhsh, Director of Operational Services; Sean Mercer, Manager of Operations and Community Services; Leslie Driemel, Recording Secretary; Heather Nelson-Smith, Director of Corporate Services (3:20 pm)

A. CALL TO ORDER

Councillor Robertson called the meeting to order at 3:06pm.

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the Parks and Recreation Review Committee agenda for June 22, 2017 be accepted.

P&RRC
2017-017
AGENDA JUNE
22/17 ACCEPTED

C. ADOPTION OF MINUTES

1. Minutes of the Parks & Recreation Review Committee meeting held May 17, 2017.

Moved/Seconded/Carried

THAT the minutes of the Parks & Recreation Review Committee meeting held May 17, 2017 be accepted.

P&RRC
2017-018
MINUTES
MAY 17/17
ACCEPTED

D. DELEGATIONS

No delegations.

E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

ACTION ITEMS

1. Review of Action Items.

Staff Report: A. McCarrick, CAO – Recreation Manager (May 24/17) was received for information.

The Committee discussed:

- Director vs manager position and salary ranges.
- The need to determine the balance and focus of duties and responsibilities between facility/mechanical and event/programming skills.
- Editing and reviewing the list of preferred/skills and qualifications.
- Timeline for the position – possible budget consideration for ¼, ½ and ¾ year position for 2018.
- Postpone moving forward with job position until grant announcement is

made.

The Committee requested the report be brought back to the September 2017 Committee meeting.

Brownfield Site as Dog Park

Sean Mercer advised he has been in contact with Clinton BC and obtained information regarding the process they followed to develop a brownfield site as a dog park. The next step is to contact and advise the property owner of the proposal and determine if they have any interest in such a project.

Trail Signs

Councillor Pat Corbett-Labatt advised that the Regional District is moving forward with trail signage.

Pickle Ball Survey

Heather Nelson-Smith reviewed the survey results with the Committee.

Discussion included:

- Indoor (arena/civic center) vs outdoor (tennis courts) facilities and equipment.
- Giving a workshop on how to play and free trial period to try it out.
- Adjusting net heights at tennis court.

Staff was directed to:

- Order 8-12 sets of equipment, depending on cost and/or packaging,
- Investigate rules.
- Set up a demonstration workshop.
- Line the tennis court for pickle ball use.

The Committee discussed the survey results regarding other programming suggestions and agreed that an in depth survey to determine future programming is needed. The Committee will discuss a possible survey more at the July meeting.

Fort Rupert Trail

The Committee was advised student work on the trail will begin mid July.

CAPITAL
REVIEW LIST

2. Capital Review List.

Councillor Robertson advised there is a need to review and prioritize recreation needs and wants as well as maintain a balance of maintaining what we have and trying to add new items. The recent Storey's Beach Ball Fields Condition Review gave good examples of what can be done. Ideas and recommendations can be brought forward in the future.

Sean Mercer advised the Committee he has recently reviewed the status of the roof on various District facilities with a Nelson Roofing representative. The Committee reviewed the immediate repair work necessary on the Curling Club roof.

P&RRC
2017-019
RECOMMEND:
CURLING CLUB
ROOF REPAIR

Moved/Seconded/Carried

The Parks and Recreation Review Committee recommends:

THAT Council direct staff to proceed with the replacement of the Curling Club roof after quotes have been obtained;

AND THAT Council amends the District of Port Hardy 2017-2021 Financial Plan to bring forward from 2018 to 2017 the cost of the Curling Rink roof replacement with funds allocated from General Capital Reserve Fund;

AND THAT Council approve direct award based upon "Emergency or Time Sensitive Situations" in Council Policy 2.10(10) Sole Source Purchases

Sole source purchases occur in circumstances where one supplier is considered. Sole source purchases can be rationalized under the following circumstances:

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F. CORRESPONDENCE

No Correspondence.

G. NEW BUSINESS

1. A. McCarrick, CAO re: Multiplex: Donation Wall Samples.

Allison McCarrick, CAO reviewed the samples of donation walls from other facilities. It was noted the dollar value for range of donation acknowledgement varies greatly and recognition could also vary depending on the type of recognition chosen and location on the building. It was commented that when the multiplex goes ahead the Committee and HDR/CEI can also bring donation wall ideas forward .

H. NOTICE OF MEETING: 3:00 pm Wednesday, July 19, 2017
Upcoming meeting dates: August 23, September 20, October 18,
November 15, December 20.

I. ADJOURNMENT

Moved

THAT the meeting be adjourned.

Time: 3:58 pm

2017-02
ADJOURNMENT

AGENDA

Cheque #	Pay Date	Vendor #	Vendor Name	Paid Amount	Void
009245	31/05/2017	01884	Ace Hardware	96.27	
009246	31/05/2017	00437	ACME SUPPLIES LTD.	401.90	
009247	31/05/2017	02514	AlSCO	173.79	
009248	31/05/2017	02271	BAILEY WESTERN STAR TRUC	3,536.18	
009249	31/05/2017	01145	BLACK CAT REPAIRS	190.71	
009250	31/05/2017	00018	CANADIAN RED CROSS	110.60	
009251	31/05/2017	02882	Catalys Lubricants Inc.	848.79	
009252	31/05/2017	02670	Enercon Water Treatment	290.06	
009253	31/05/2017	00099	FOX'S DISPOSAL SERVICES	73.33	
009254	31/05/2017	00052	HARDY BUILDERS' SUPPLY	614.08	
009255	31/05/2017	02043	HARNISH SALES AGENCY	229.95	
009256	31/05/2017	01980	HETHERINGTON INDUSTRIES	126.00	
009257	31/05/2017	00063	HOME HARDWARE BUILDING C	237.04	
009258	31/05/2017	00273	JM'S MOBILE WELDING INC	591.36	
009259	31/05/2017	00065	K & K ELECTRIC LTD.	4,229.24	
009260	31/05/2017	03167	Maas, Adrian	128.68	
009261	31/05/2017	00069	MACANDALE'S	150.62	
009262	31/05/2017	02007	MARSHALL WELDING AND FAB	193.88	
009263	31/05/2017	00033	NAPA AUTO PARTS/N.I. IND	7.59	
009264	31/05/2017	00217	ORKIN CANADA CORPORATION	76.65	
009265	31/05/2017	00013	PACIFIC BLUE CROSS	11,030.67	
009266	31/05/2017	00769	Praxair Distribution	12,757.66	
009267	31/05/2017	00080	PUROLATOR INC.	384.60	
009268	31/05/2017	00107	RECEIVER GENERAL FOR CAN	31,920.24	
009269	31/05/2017	03407	Retire West Communities	200.00	
009270	31/05/2017	00113	STRYKER ELECTRONICS LTD.	1,166.59	
009271	31/05/2017	02853	Tanaka, Kathy	200.00	
009272	31/05/2017	00160	TELUS	4,912.27	
009273	31/05/2017	02850	VWR International Co.	4,012.85	
009274	31/05/2017	03291	Western Traffic Ltd.	457.01	
009275	31/05/2017	01934	WIGGINS ADJUSTMENTS LTD.	42.05	
009276	31/05/2017	00164	Xerox Canada Ltd.	2,065.50	
009277	08/06/2017	03410	0819357 B.C. Ltd.	4,339.03	Yes
009278	08/06/2017	00044	ACKLANDS - GRAINGER INC.	110.25	
009279	08/06/2017	02514	AlSCO	77.64	
009280	08/06/2017	00829	ANA'S HARDY CLEAN	2,353.49	
009281	08/06/2017	03411	Archer Separation	8,873.60	
009282	08/06/2017	01836	ARIES SECURITY LTD.	5,140.80	
009283	08/06/2017	02551	Associated Fire Safety E	1,151,351.63	
009284	08/06/2017	00047	B.C. HYDRO (Minister of	49,572.60	
009285	08/06/2017	00073	BLACK PRESS GROUP LTD.	1,853.16	
009286	08/06/2017	01919	BRANDT TRACTOR LTD.	2,092.95	
009287	08/06/2017	00302	BUILDING OFFICIALS ASSOC	50.00	
009288	08/06/2017	01805	BUSY B'S DISTRIBUTING	222.34	
009289	08/06/2017	02399	CaseWare International I	902.18	
009290	08/06/2017	00281	CHEVRON CANADA LTD.	2,910.54	
009291	08/06/2017	01433	COMOX PACIFIC EXPRESS LT	74.58	
009292	08/06/2017	02915	Corix Control Solutions	22,075.20	
009293	08/06/2017	00054	DAVE LANDON MOTORS LTD.	124.83	
009294	08/06/2017	01901	DENNISON, MELINDA	35.00	
009295	08/06/2017	01982	DIGITAL POSTAGE ON CALL	1,575.00	
009296	08/06/2017	01476	DOR-TEC SECURITY LTD.	138.30	
009297	08/06/2017	00098	DUNCAN ELECTRIC MOTOR LT	95.76	
009298	08/06/2017	00099	FOX'S DISPOSAL SERVICES	12,731.44	
009299	08/06/2017	01860	GREYHOUND COURIER EXPRES	79.01	
009300	08/06/2017	00052	HARDY BUILDERS' SUPPLY	282.87	
009301	08/06/2017	01980	HETHERINGTON INDUSTRIES	173.25	
009302	08/06/2017	00063	HOME HARDWARE BUILDING C	326.04	
009303	08/06/2017	00194	INT'L UNION OPERATING EN	500.00	
009304	08/06/2017	01875	ISLAND ADVANTAGE DISTRIB	220.34	
009305	08/06/2017	03408	JLM SEA PLANE BASE	4,200.00	
009306	08/06/2017	00273	JM'S MOBILE WELDING INC	128.80	
009307	08/06/2017	00065	K & K ELECTRIC LTD.	11,065.56	
009308	08/06/2017	00069	MACANDALE'S	1,113.05	
009309	08/06/2017	03059	Maxxam Analytics	850.50	
009310	08/06/2017	01777	MCCARRICK,ALLISON	35.00	
009311	08/06/2017	01187	MCELHANNEY CONSULTING SE	1,323.00	
009312	08/06/2017	00328	MERCER, SEAN	35.00	
009313	08/06/2017	00014	MINISTER OF FINANCE	3,525.00	
009314	08/06/2017	00304	MONK OFFICE	128.31	
009315	08/06/2017	01014	NICKERSON, SCHELL	156.00	

Cheque #	Pay Date	Vendor #	Vendor Name	Paid Amount	Void
009316	08/06/2017	01645	NORTH ISLAND COMMUNICATI	6,233.57	
009317	08/06/2017	02006	NORTH ISLAND TRACTOR	4,760.00	
009318	08/06/2017	00027	NORTH ISLAND VETERINARY	104.83	
009319	08/06/2017	00742	NURNDY-FORFIRE EMERGENCY	883.68	
009320	08/06/2017	03390	O'Reilly, Kathy	892.50	
009321	08/06/2017	02749	Orach Enterprises Ltd.	2,877.55	
009322	08/06/2017	00080	PURULATOR INC.	34.80	
009323	08/06/2017	00187	REGIONAL DISTRICT OF MT	3,025.78	
009324	08/06/2017	01990	ROAD RANGER FREIGHT/0702	68.15	
009325	08/06/2017	03174	Schantz, Robert	478.30	
009326	08/06/2017	03092	Seaway Ventures Ltd.	11,891.35	
009327	08/06/2017	00253	Shaw Cable	134.74	
009328	08/06/2017	00088	Swiftsure Petroleum Dist	35.00	
009329	08/06/2017	00089	THE HOBBY NOOK	16.80	
009330	08/06/2017	02067	Vancouver Island Economi	525.00	
009331	08/06/2017	03329	Wesco Distribution Canad	106.83	
009332	08/06/2017	02199	WFR WHOLESALE FIRE AND R	4,531.21	
009333	08/06/2017	01833	WOLSELEY CANADA INC.	1,282.40	
009334	08/06/2017	00164	Xerox Canada Ltd.	636.70	
009335	08/06/2017	03409	Your Garden Angel	799.12	
009336	14/06/2017	00107	RECEIVER GENERAL FOR CAN	25,466.34	
009337	14/06/2017	00194	INT'L UNION OPERATING EN	1,720.80	
009338	15/06/2017	02271	BAILEY WESTERN STAR TRUC	73.85	
009339	15/06/2017	01433	COMOX PACIFIC EXPRESS LT	109.25	
009340	15/06/2017	00218	DB PERKS AND ASSOCIATES	211.35	
009341	15/06/2017	01761	Dell Canada Inc.	70.55	
009342	15/06/2017	00063	HOME HARDWARE BUILDING C	114.89	
009343	15/06/2017	00065	K & K ELECTRIC LTD.	456.13	
009344	15/06/2017	01032	K PEARSON CONTRACTING LT	700.00	
009345	15/06/2017	03413	Labour Relations Board	525.00	Yes
009346	15/06/2017	02197	LANDON COLLISION AND TOW	135.35	
009347	15/06/2017	00271	LIFESAVING SOCIETY	20.00	
009348	15/06/2017	03350	LTE Lethbridge Truck Equ	186.05	
009349	15/06/2017	02749	Orach Enterprises Ltd.	1,819.13	
009350	15/06/2017	03242	Patterson's Plumbing	98.28	
009351	15/06/2017	02170	SPIKETOP CEDAR LTD.	383.04	
009352	15/06/2017	02203	Stantec Consulting Ltd.	8,457.36	
009353	15/06/2017	02522	Strathcon Industries	354.35	
009354	15/06/2017	02837	Waterhouse Environmental	6,115.20	
009355	15/06/2017	03148	Westport Welding & Fabri	641.18	
009356	15/06/2017	03417	Wamiss, Nancy	3,000.00	
009357	22/06/2017	01884	Ace Hardware	69.39	
009358	22/06/2017	00044	ACKLANDS - GRAINGER INC.	176.15	
009359	22/06/2017	00437	ACME SUPPLIES LTD.	2,847.83	
009360	22/06/2017	02514	AlSCO	77.64	
009361	22/06/2017	02135	BORG, BRENT	887.70	
009362	22/06/2017	02468	Canwest Propane	1,745.44	
009363	22/06/2017	00281	CHEVRON CANADA LTD.	4,416.19	
009364	22/06/2017	02762	Cleartech Industries Inc	2,017.62	
009365	22/06/2017	01433	COMOX PACIFIC EXPRESS LT	210.86	
009366	22/06/2017	02822	Corix Water Products LP	1,702.58	
009367	22/06/2017	00054	DAVE LANDON MOTORS LTD.	205.10	
009368	22/06/2017	00218	DB PERKS AND ASSOCIATES	387.12	
009369	22/06/2017	02140	DOUG LLOYD CONTRACTING	244.65	
009370	22/06/2017	00098	DUNCAN ELECTRIC MOTOR LT	9,329.16	
009371	22/06/2017	02675	Envirosmart Biodegradabl	1,185.20	
009372	22/06/2017	03414	Gibson, Cindy E.	4,339.03	
009373	22/06/2017	00058	GUILLEVIN INTERNATIONAL	556.78	
009374	22/06/2017	00052	HARDY BUILDERS' SUPPLY	955.78	
009375	22/06/2017	03418	Hemphill, Ritchie	100.00	
009376	22/06/2017	00063	HOME HARDWARE BUILDING C	828.86	
009377	22/06/2017	01875	ISLAND ADVANTAGE DISTRIB	682.23	
009378	22/06/2017	03420	Jensen, Helen	10.90	
009379	22/06/2017	01927	JET ICE LTD	1,774.52	
009380	22/06/2017	00065	K & K ELECTRIC LTD.	8,789.63	
009381	22/06/2017	03413	Labour Relations Board	525.00	
009382	22/06/2017	00271	LIFESAVING SOCIETY	117.08	
009383	22/06/2017	03350	LTE Lethbridge Truck Equ	342.91	
009384	22/06/2017	00069	MACANDALE'S	970.85	
009385	22/06/2017	01419	MURDY & MCALLISTER	736.60	
009386	22/06/2017	01014	NICKERSON, SCHELL	1,833.15	

Cheque #	Pay Date	Vendor #	Vendor Name	Paid Amount	Void
009387	22/06/2017	02006	NORTH ISLAND TRACTOR	193.51	
009388	22/06/2017	02071	PACIFICUS BIOLOGICAL SER	2,678.55	
009389	22/06/2017	03242	Patterson's Plumbing	2,939.28	
009390	22/06/2017	02202	Planet Clean	155.04	
009391	22/06/2017	00080	PUROLATOR INC.	39.03	
009392	22/06/2017	01886	Q.N.P.C. Ltd.	30,561.30	
009393	22/06/2017	00187	REGIONAL DISTRICT OF MT	7,730.50	
009394	22/06/2017	01990	ROAD RANGER FREIGHT/0702	40.66	
009395	22/06/2017	01134	Shanahans Limited Partne	8,149.12	
009396	22/06/2017	02522	Strathcon Industries	395.14	
009397	22/06/2017	00113	STRYKER ELECTRONICS LTD.	579.71	
009398	22/06/2017	00161	TELUS MOBILITY (BC)	760.31	
009399	22/06/2017	03313	Tex Electric Ltd.	118.13	
009400	22/06/2017	00892	UPS Canada Ltd.	75.14	
009401	22/06/2017	03421	Wainbee Limited	40,948.10	
009402	22/06/2017	02272	WAJAX EQUIPMENT	81.74	
009403	29/06/2017	00735	A.C.E. COURIER SERVICES	24.68	
009404	29/06/2017	02514	AlSCO	825.84	
009405	29/06/2017	03423	BC Fishing Tourism Secto	2,625.00	
009406	29/06/2017	01145	BLACK CAT REPAIRS	188.50	
009407	29/06/2017	01805	BUSY B'S DISTRIBUTING	337.50	
009408	29/06/2017	00018	CANADIAN RED CROSS	309.68	
009409	29/06/2017	00281	CHEVRON CANADA LTD.	1,817.82	
009410	29/06/2017	03233	Clair, Jim	200.00	
009411	29/06/2017	02762	Cleartech Industries Inc	2,605.95	
009412	29/06/2017	01433	COMOX PACIFIC EXPRESS LT	211.59	
009413	29/06/2017	02730	CUPE Local 401	822.44	
009414	29/06/2017	01761	Dell Canada Inc.	1,765.01	
009415	29/06/2017	00099	FOX'S DISPOSAL SERVICES	14,937.29	
009416	29/06/2017	03234	Harris, Scott	100.00	
009417	29/06/2017	00063	HOME HARDWARE BUILDING C	74.91	
009418	29/06/2017	02807	Johnson Security Solutio	511.73	
009419	29/06/2017	00065	K & K ELECTRIC LTD.	469.65	
009420	29/06/2017	00069	MACANDALE'S	142.91	
009421	29/06/2017	00014	MINISTER OF FINANCE	3,375.00	
009422	29/06/2017	02891	Motion Canada	255.48	
009423	29/06/2017	02002	Neopost	221.71	
009424	29/06/2017	01367	NORTH ISLAND GAZETTE	49.99	
009425	29/06/2017	02006	NORTH ISLAND TRACTOR	480.29	
009426	29/06/2017	00217	ORKIN CANADA CORPORATION	76.65	
009427	29/06/2017	00013	PACIFIC BLUE CROSS	12,041.80	
009428	29/06/2017	00107	RECEIVER GENERAL FOR CAN	23,715.83	
009429	29/06/2017	03092	Seaway Ventures Ltd.	4,756.53	
009430	29/06/2017	02522	Strathcon Industries	257.21	
009431	29/06/2017	00088	Swiftsure Petroleum Dist	25.00	
009432	29/06/2017	00160	TELUS	4,784.26	
Total:				1,678,932.05	

*** End of Report ***




AGENDA

“THAT Council approves Development Variance Permit DVP-01-2017 to vary the provisions of section 3.9 (g) of Port Hardy Zoning Bylaw No. 1010-2013, to: allow for the increase of the maximum height for an accessory structure from 6 metres (19.69 feet) to 7.84 metres (25.69 feet).

With respect to the property legally described as Lot 1, Section 36, Township 9 Rupert District, Plan 15229 PID 000-176-931

AND FURTHER THAT the Director of Corporate Services be authorized to execute the permit accordingly.”

Respectfully submitted,

I agree with the recommendation,

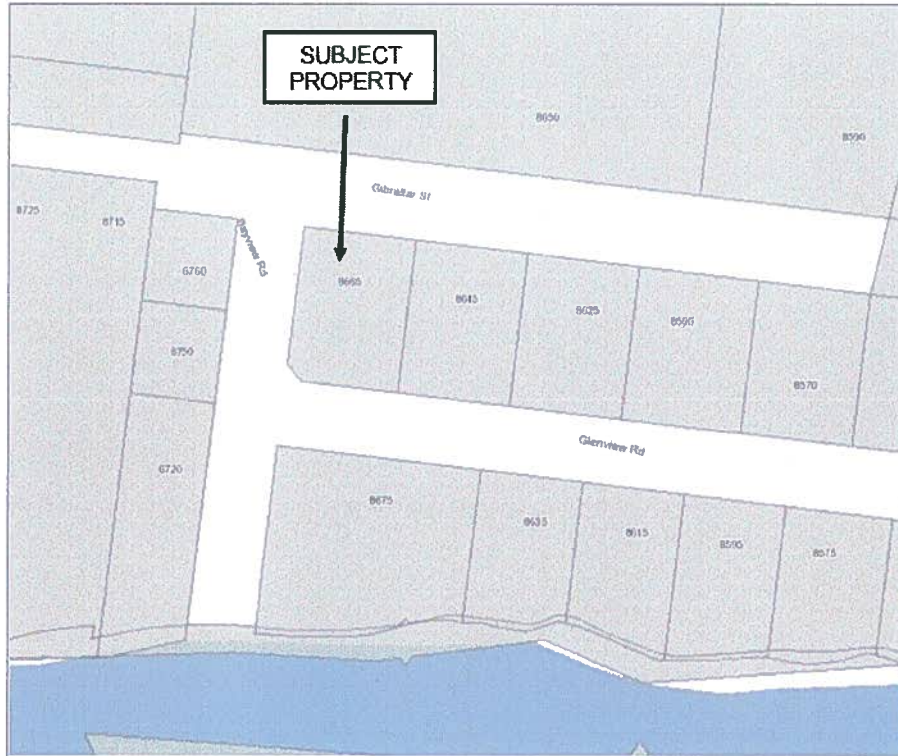


Heather Nelson-Smith,
Director of Corporate Services



Allison McCarrick, CAO

LOCATION MAP





**DISTRICT OF PORT HARDY
DEVELOPMENT VARIANCE PERMIT
DVP-01-2017**

□

ISSUED TO: Nadia Wilson, Agent for Ferruccio and Maria Zaro

OF: PO Box 2375 Port Hardy, BC V0N2P0

1) This Development Variance Permit (DVP-01-2017) is issued subject to compliance with all of the bylaws of the District of Port Hardy applicable thereto, except as specifically varied or supplemented by this Permit.

2) This Development Variance Permit applies to that land within the District of Port Hardy as described below:

Legal Description: Lot 1, Section 36, Township 9 Rupert District, Plan 15229
Parcel Identifier (PID): 000-176-931

3) The land described herein shall be developed strictly in accordance with the following terms and provisions of this Permit:

a) The development upon the land shall be carried out according to the specifications attached hereto as Schedule 'A' which forms part of this Permit;

b) This Development Variance Permit shall lapse if construction is not substantially commenced within two (2) years of the issue date of this Permit (see below). A lapsed permit cannot be renewed, therefore an application for a new development variance permit be must made and permit granted by Council in order to proceed.

CERTIFIED as DEVELOPMENT VARIANCE PERMIT DVP-01-2017 issued by resolution of the Council of the District of Port Hardy on July 11, 2017

Heather Nelson-Smith,
Director of Corporate & Development Services

Certified on _____, 2017



**SCHEDULE 'A'
TO
DEVELOPMENT VARIANCE PERMIT
DVP-01-2017**

APPLICANTS: Nadia Wilson, Agent for Ferruccio and Maria Zaro

LEGAL DESCRIPTION OF LAND: Lot 1, Section 36, Township 9 Rupert District, Plan 15229
PID 000-176-931

SPECIFICATIONS:

THAT WHEREAS pursuant to PART 3.9 Accessory Buildings and Structures, and in particular, section 3.9 (g), requirements for accessory building height, of District of Port Hardy Zoning Bylaw No. 1010-2013, height limit is 6 metres (19.69 feet)

AND WHEREAS the applicant, Nadia Wilson, has requested a variance to increase the allowable height of an accessory building from 6 metres (19.69 feet) to 7.84 metres (25.69 feet) for the property located at 8665/8665 Gibraltar Street.

THEREFORE, BY A RESOLUTION of the Council of the District of Port Hardy on July 11, 2017, the provisions of Port Hardy Zoning Bylaw No. 1010-2013, as they apply to the land are varied as follows:

"THAT Council approves Development Variance Permit DVP-01-2017 to vary the provisions of section 3.9 (g), of Port Hardy Zoning Bylaw No. 1010-2013, to:

- 1) Increasing the allowable height of the accessory building from 6 metres (19.69 feet) to 7.84 metres (25.69 feet).

With respect to the property legally described as Lot 1, Section 36, Township 9 Rupert District, Plan 15229 PID 000-176-931

AND FURTHER THAT the Director of Corporate & Development Services be authorized to execute the permit accordingly."

I HEREBY CERTIFY this copy to be true and correct copy of Schedule 'A', being the specifications of Development Variance Permit DVP-01-2017.

Heather Nelson-Smith
Director of Corporate & Development Services

Certified on _____, 2017

AGENDA



DISTRICT OF PORT HARDY STAFF REPORT

TO: Allison McCarrick, CAO
FROM: Heather Nelson-Smith, Director of Corporate Services
SUBJECT: Council Remuneration Bylaw No.17-2011 Amendment
DATE: June 28, 2017

BACKGROUND:

The District amended bylaw No. 17, 2011 Council Remuneration in 2014.

Clause 3.4

The per diem allowance is intended to cover meals, gratuities and incidental expenses and it will be calculated at the rate in effect at the time of booking in accordance with the rates established by the Treasury Board of Canada from time to time. Meals that are provided at a function will be deducted from the per diem paid. On the date of departure, travel must commence before 7:00 a.m. to claim breakfast, before 12:00 noon to claim lunch; and on the date of return, travel status must end after 6:00 p.m. to claim dinner.

Since then, the administration of this bylaw means that when Council or District staff travel, all conference meals provided in the registration are deducted automatically from the per diem, with no review of whether the traveller will utilize the provided meals.

It has been found that even though a meal is provided, Council and Staff may be spending out of pocket for meal expenses for the following reasons:

- Meals provided are not the preference of the traveller.
- Meals are provided at times when it is not convenient to the traveller.
- Meals may be taken elsewhere to conduct meetings.
- Meal times may be used to conduct business away from conference centre.

It is recommended that meals that are provided at an additional cost will be deducted from the per diem as these meals are optional and require registration.

Attached is an amendment to Bylaw 17-2011 Council Remuneration Bylaw.

RECOMMENDATION:

THAT Council review District of Port Hardy Council Remuneration Bylaw Amendment No. 1067-2017 with the following amendment:

- a) Subsection 3.4 is hereby deleted and replaced with the following new subsection 3.4:

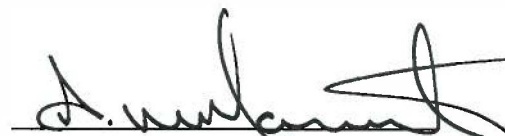
"The per diem allowance is intended to cover meals, gratuities and incidental expenses and it will be calculated at the rate in effect at the time of booking in accordance with the rates established by the Treasury Board of Canada from time to time. Meals that are provided at an additional cost to the registration will be deducted from the per diem paid. On the date of departure, travel must commence before 7:00 a.m. to claim breakfast, before 12:00 noon to claim lunch; and on the date of return, travel status must end after 6:00 p.m. to claim dinner."

Respectfully submitted,

I agree with the recommendation,

AGENDA


Heather Nelson-Smith, DCS


Allison McCarrick, CAO



DISTRICT OF PORT HARDY STAFF REPORT

TO: Allison McCarrick, CAO
FROM: Heather Nelson-Smith, Director of Corporate Services
SUBJECT: Smoking Regulation Bylaw No. 1068-2017
DATE: June 28, 2017

BACKGROUND:

District Council received a letter from Island Health dated January 12, 2017 recommending Local Governments implement Smoke-Free Bylaws. The Province has been requested to implement smoke free regulations, but that legislation has not been created (*Please see March 31, 2017 endorsement to the Canadian Cancer Society, to endorse the requirement in British Columbia for smoke free outdoor public spaces*).

Municipal Governments have the authority to regulate smoking in public areas of the Community and Council requested that staff review the draft bylaw provided by the Vancouver Island Health Authority and provide Council with a proposed Smoking Regulation Bylaw for consideration.

RECOMMENDATION:

THAT Council review the attached Smoking Regulation Bylaw, and should there be a need for further questions, Dr. Enns will be attending a Council meeting in August and time could be made available to discuss further, or, Council can endorse the Port Hardy Smoking Regulation Bylaw as drafted.

Respectfully submitted,

I agree with the recommendation,


Heather Nelson-Smith, DCS
Allison McCarrick, CAO

AGENDA



Canadian Cancer Society
Société canadienne du cancer

Endorsement of Smoke and Vape-free Outdoor Public Places in BC

Smoke and vape-free outdoor public places legislation would prohibit smoking and vaping in BC's outdoor public places, including restaurant and bar patios, playgrounds, parks and beaches, with ministry guidelines legislated for post-secondary campuses. "Smoking" would include burning a cigarette or cigar, or burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device, with some exemptions for the ceremonial use of tobacco in relation to traditional aboriginal cultural activities.

Our community endorses a requirement in British Columbia for smoke and vape-free outdoor public places, as outlined above.

Or

Our community endorses a requirement in British Columbia for smoke and vape-free outdoor public places, as outlined above, but with the following modifications (please list):

Name of Community: DISTRICT OF PORT HARDY

Name of Mayor (or representative): MAYOR HANK BOOD

Title: MAYOR

Signature: [Handwritten Signature]

Date: MARCH 31/2017

Name, phone and email for community contact: Heather Nelson Smith
250-949-6665 hnelson.smith@porthardy.ca

The names of communities that endorse this policy will be shared with the provincial government and may be used in communications with stakeholders and mass communications. Endorsement letters will be received by Jenny Byford, Advocacy Lead, Canadian Cancer Society, BC and Yukon via fax, email or mail.



District of Port Hardy

7360 Columbia Street ♦ PO Box 68
Port Hardy BC V0N 2P0 Canada
Telephone: (250) 949-6665 ♦ Fax (250) 949-7433
Email: general@porthardy.ca ♦ www.porthardy.ca



Terms of Reference Advisory Planning Commission Marijuana Legalization

BACKGROUND:

The Federal Government of Canada intends to pass legislation that will legalize Marijuana across the Country. Indication from the Liberal government is that legalization is to occur by July 1, 2018.

PURPOSE:

The purpose of the District of Port Hardy Marijuana Advisory Committee is to address the issues relating to local governments and make recommendations to the Port Hardy Council on how the legalization may impact the following:

- District of Port Hardy Zoning Regulation, including but not limited to:
 - Creating a definition for Marijuana Dispensary (medical included)
 - Creating zones in which Marijuana Dispensaries may be located
 - Establishing regulations regarding distances from schools, parks, libraries, child care centres, recreation centres, playgrounds, public transit, etc...
 - Establishing minimum floor spaces for marijuana dispensaries
 - Reviewing whether marijuana dispensaries may be combined with other businesses
- District of Port Hardy Business License Bylaw, including but not limited to:
 - Process for obtaining a business license
 - Restrictions on what can be sold
 - Combination business
 - Application process
 - Signage requirements
 - Security requirements
 - Maximum number of dispensaries permitted
 - Public Input
 - Criminal record checking
- Growing opportunities – Zoning and requirements
- Air quality and odor control

AGENDA

OTHER LEGISLATION NOT IN THE DISTRICT'S CONTROL AND UNKNOWN:

- Taxation sharing with province/federal governments
- Application processes through province/federal governments
- Price setting
- Supply
- Regulation



DISTRICT OF PORT HARDY

BYLAW NO. 1067-2017

A Bylaw to Amend Council Remuneration Bylaw No. 17-2011

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Council Remuneration Bylaw No. 17-2011;

NOW THEREFORE, the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART 1 CITATION

1.1 This Bylaw shall be cited as "District of Port Hardy Council Remuneration Bylaw Amendment Bylaw No. 1067-2017".

PART 2 AMENDMENTS

2.1 District of Port Hardy Council Remuneration Bylaw No. 1067-2017 is hereby amended as follows:

a) Subsection 3.4 is hereby deleted and replaced with the following new subsection 3.4:

"The per diem allowance is intended to cover meals, gratuities and incidental expenses and it will be calculated at the rate in effect at the time of booking in accordance with the rates established by the Treasury Board of Canada from time to time. Meals that are provided at an additional cost to the registration will be deducted from the per diem paid. On the date of departure, travel must commence before 7:00 a.m. to claim breakfast, before 12:00 noon to claim lunch; and on the date of return, travel status must end after 6:00 p.m. to claim dinner."

PART 3 SEVERABILITY

3.1 If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Read a first time on the ___ day of ___, 2017

Read a second time on the ___ day of ___, 2017

Read a third time on the ___ day of ___, 2017

Adopted this ___ day of ___, 2017

DIRECTOR
OF CORPORATE SERVICES

MAYOR

AGENDA

Certified a true copy of
Bylaw No. 1067-2017 as adopted.

Director of Corporate Services



DISTRICT OF PORT HARDY

BYLAW NO. 1068-2017

Being a Bylaw to Regulate Smoking in the District of Port Hardy

WHEREAS it has been determined that Environmental Smoke whether from tobacco, marijuana, heated vapour or the burning of other substances can contain Class A carcinogens similar to benzene and asbestos, contain fine particles that can be inhaled deep into the lungs causing harm both locally and in other parts of the body, and is a health hazard to the inhabitants of the District of Port Hardy;

AND WHEREAS it is generally recognized by scientific and medical communities that there is no safe level of smoke exposure and that whether the smoking occurs indoors or outdoors exposure to significant levels of Environmental Smoke can occur;

AND WHEREAS it is desirable for the purposes of maintaining, promoting and preserving the public health of the inhabitants of the District of Port Hardy to prohibit, regulate and impose requirements in relation to smoking in the District of Port Hardy

NOW THEREFORE, the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART 1 CITATION

1. This Bylaw shall be cited as "District of Port Hardy Smoking Regulation Bylaw No. 1068-2017".

PART 2 DEFINITIONS

"burn" or "burning" means to produce smoke, vapour or other substances that can be inhaled;

"bus stop" means a place on a bus route marked by a sign at which buses stop to pick up and drop off passengers and includes a transit shelter;

"customer service area" means a partially enclosed or unenclosed area, including a balcony, patio, yard or side walk, that is part of or connected to or associated with a business or use in a building or premises that includes the service of food or alcoholic drinks to customers or other persons for consumption on site;

"designated public space" includes but is not limited to public playing fields, public playgrounds, public squares, and outdoor public places where individuals are required to queue for the receipt of any service;

"outdoor workplace" means any outdoor place used in conjunction with the workplace, including but not limited to construction and marine sites as well as sites with flag persons;

"park" means any property owned and dedicated as a park by the District of Port Hardy and including but not limited to public playgrounds, playing fields, beaches, or public trails;

“smoke” or “smoking” means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking device or electronic smoking device that burns tobacco, weed, or other substance.

PART 3 HEALTH REGULATIONS

Prohibition of smoking

- 3.1 No person shall smoke in, at, on or within 6 metres of any of the following:
- i. any part of a park within the District of Port Hardy;
 - ii. a bus stop;
 - iii. a customer service area;
 - iv. any designated public space;
 - v. any outdoor workplace.
- 3.2 No person shall smoke in any place where prohibited by the *Tobacco and Vapour Products Control Act* and Regulation.
- 3.3 Section 3.1 does not apply to a ceremonial use of tobacco in relation to a traditional aboriginal cultural activity.

PART 4 VIOLATIONS AND PENALTIES

Offences under Bylaw

- 4.1 A person who:
- i. violates or who causes, permits or allows any of the provisions of this Bylaw to be violated;
 - ii. neglects to do or refrains from doing anything required to be done by any provision of this Bylaw; or
 - iii. fails to comply or allows another person to fail to comply, with an order or direction given under any provision of this Bylaw;

is guilty of an offence against this Bylaw, and liable to the penalties imposed under this Section 4.

Fine for offence

- 4.2 Every person who commits an offence against this Bylaw is punishable on conviction by a fine of not less than (\$250) and not more than (\$2,000) for each offence. Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate offence.

PART 5 ADMINISTRATION AND ENFORCEMENT

- 5.1 The Bylaw Enforcement Officers of the District of Port Hardy shall be responsible for administration of this Bylaw.

- 5.2 The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the District of Port Hardy or its employees to enforce its provisions and;
- i. a failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
 - ii. the grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to a cause of action.

PART 6 SEVERABILITY

- 6.1 If any portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Read a first time on the ___ day of ___, 2017

Read a second time on the ___ day of ___, 2017

Read a third time on the ___ day of ___, 2017

Adopted this ___ day of ___, 2017

 DIRECTOR
 OF CORPORATE SERVICES

 MAYOR

Certified a true copy of
Bylaw No. 1068-2017 as adopted.

AGENDA

 Director of Corporate Services