

DISTRICT OF PORT HARDY

AGENDA COUNCIL MEETING 7:00 PM, TUESDAY, AUGUST 8, 2017 MUNICIPAL HALL COUNCIL CHAMBERS 7360 COLUMBIA STREET

Mayor: Hank Bood

Councillors: Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson,

John Tidbury, Leightan 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, AUGUST 8, 2017 - Council Chambers - Municipal Hall

PAGE	A.	CALL TO ORDER	Time:					
	В.	APPROVAL OF AGENDA AS PRESENTED (or amended	d)					
	Mo	tion required.	1.	2.				
	C.	ADOPTION OF MINUTES						
1-3	1.	Minutes of the Regular Council meeting held July 11, 2017	7.					
	Mo	tion required.	1.	2.				
	D.	DELEGATIONS AND REQUESTS TO ADDRESS COUN	CIL					
	No	delegations.						
	E.	BUSINESS ARISING FROM THE MINUTES AND UNFIN	ISHED BUSIN	ESS				
4	1.	Council Action items. For information.						
	F.	. CORRESPONDENCE						
5	1.	. N. I. Community Forest LP (July 14/17) re: Sale of Block CF2. For information.						
6	2.	Councillor Murry Krause, UBCM President (July 18/17) re: Gas Tax Agreement Community Works Fund Payment \$111,962.91. For information.						
7	3.	Elizabeth Aman-Hume, Executive Director, Port Hardy & District Chamber of Commerce (July 27/17) re: Canada Day 2018. For information.						
8	4.	 Mayor Jan Allen, Village of Port Alice (July 28/17) re: Donation of \$1.00 per resident to Wild Fire Relief. For information. 						
	G.	NEW BUSINESS						
		No New Business in agenda package.						
	Н.	COUNCIL REPORTS						
	1.	Verbal Reports from Council members.						
	I.	COMMITTEE REPORTS						
9-10	1.	 Draft minutes of the Tourism Advisory Committee meeting held July 10, 2017. For information. 						
11-15	2. Draft minutes of the Operational Services Committee meeting held July 17, 201 For information. Recommendation: The Operational Services Committee recommends that Council approve the Para Permit Application as presented.							
	Mo	tion / direction	1.	2.				

DISTRICT OF PORT HARDY AGENDA FOR THE REGULAR COUNCIL MEETING 7:00 PM TUESDAY, AUGUST 8, 2017 - Council Chambers - Municipal Hall

16-18	3. Draft minutes of the Parks and Recreation Committee meeting held July 19, 2017. For information.							
	J.	STAFF	REPORTS					
19-21	1.	Accour	nts Payable 、	July 2017. For	information.			
22	2. Abbas Farahbakhsh, Director of Operational Services (July 20/17) re: Purchase o a New ½ Ton Truck.							urchase of
	Мо	otion / dir	ection				1.	2.
23	3. Sean Mercer, Manager of Operations and Community Services (July 31/2017 Club and Dog Pound Roof Replacements.							/2017 re:
	Мо	otion / dir	ection				1.	2.
	K.	CURRI	ENT BYLAV	S AND RESC	LUTIONS			
24	1.	Council	l Remunerati	on Amendmer	nt Bylaw 1067-20	017. For	Adoption.	
	Мо	otion requ	uired.				1.	2.
25-27	2.	Smokin	ng Regulation	n Bylaw 1068-2	2017. For Secon	d and Th	ird Reading.	
	Мо	otion requ	uired.				1.	2.
	L.	PENDI	ING BYLAW	S				
	No	ne						
	М.	INFOR	RMATION AN	ID ANNOUNC	EMENTS			
	Aug Aug Aug	gust 14 gust 21 gust 23	Committee: Committee: Committee:	Tourism Advis Operational S Parks & Recre Marijuana Adv	m, Council Chamsory 2:00 pm, Coervices 3:00 pm eation Review 3:visory 4:00 pm, Canning Noon, C	ouncil Ch , Council :00 pm, C Council C	Chambers Council Cham Chambers	bers
	N.	NOTIC	E OF IN CA	MERA MEETI	NG			
	In (Camera	meeting to ir	nmediately foll	ow Regular Cou	ıncil Mee	ting.	
		ADJO lotion requ	URNMENT uired				1. Time:	2.



MINUTES OF THE DISTRICT OF PORT HARDY REGULAR COUNCIL MEETING **JULY 11, 2017** COUNCIL CHAMBERS, MUNICIPAL HALL 7360 COLUMBIA STREET

PRESENT: Deputy Mayor Dennis Dugas, Councillors Pat Corbett-Labatt, 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

REGRETS: Mayor Hank Bood

MEDIA: None MEMBERS OF THE PUBLIC: One

A. CALL TO ORDER

Deputy Mayor Dugas called the meeting to order at 7:00 pm and acknowledged that the meeting is being held on the traditional territory of the Kwakiutl People.

B. APPROVAL OF AGENDA

2017-107 AGENDA JULY 27/17 **ACCEPTED AS** PRESENTED

Moved/Seconded/Carried

THAT the agenda for the Regular Council meeting of July 11, 2017 be accepted as presented.

C. ADOPTION OF MINUTES

1. Minutes of the Special Meeting of Council held June 27, 2017.

2017-108 SPECIAL MEETING MINUTES JUNE 27/17 ACCEPTED

REGULAR COUNCIL

MEETING MINUTES JUNE 27/17

2017-109

ACCEPTED

Moved/Seconded/Carried

THAT the Minutes of the Special Council meeting held June 27, 2017 be accepted as presented.

2. Minutes of the Regular Council meeting held June 27, 2017.

Moved/Seconded/Carried

THAT the Minutes of the Regular Council meeting held June 27, 2017 be accepted as presented.

D. DELEGATIONS

Fire Chief Brent Borg- Interim Fire Chief Appointment. Deputy Mayor Dugas announced the appointment of acting Fire Chief Brent Borg with the following remarks:

Thank you for allowing Council the opportunity to formally appoint you, Brent Borg, as The Acting Fire Chief.

With your 21 plus years of service to the Department, and 4 years as Deputy Fire Chief we know that you will find your new position both challenging and rewarding. Volunteer Firefighters give more than just time to their department, they also put the lives of others before their own and put their community first.

We appreciate the dedication to Port Hardy and the North Island.

We look forward to working with you in the coming months, and wish you much success as we move forward.

1

Fire Chief Brent Borg updated Council on the status of the new ladder truck, training, upcoming events and the role of the new position.

2. Seaway Ventures-Final Report of Harbour Management to June 2017. The delegation by Seaway Ventures was cancelled prior to the meeting.

E. ACTION ITEMS

ACTION ITEMS

1. Council action items were received for information.

F. CORRESPONDENCE

No Correspondence

G. NEW BUSINESS

No New Business.

H. COUNCIL REPORTS

COUNCIL REPORTS

Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leightan 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 Parks and Recreation Committee meeting held June 22, 2017 were received for information.

J. STAFF REPORTS

- 1. Accounts Payable Listing July 6/17 was received for information.
- 2. Heather Nelson-Smith, Director of Corporate Services (June 28/17) re: Development Variance Permit Application 01-2017 8655/8665 Gibraltar Street.

2017-110 DVP 01-2017 8655/8665 GIBRALTAR STREET

Moved/Seconded/Carried

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.

3. Heather Nelson-Smith, Director of Corporate Services (June 28/17) re: Council Remuneration Bylaw No. 17-2011.

2017-111 STAFF REPORT COUNCIL REMUNERATION BYLAW

Moved/Seconded/Carried

THAT Council review Council Remuneration Bylaw Amendment No. 1067-2017 subsection 3.4 with the following amendment:

"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."

2017-112 STAFF REPORT SMOKING BYLAW 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.

Moved/Seconded/Carried

THAT Council move forward with reading Bylaw No. 1068-2017, Smoking Regulation Bylaw.

Discussion included:

- The definition of public spaces.
- An opportunity for consultation prior to adoption.
- An opportunity for notice to businesses and residents.
- Setting an implementation date of January 1, 2018.
- Posting notices in the paper of upcoming bylaw readings.
- 5. Terms of Reference Marijuana Advisory Committee.

2017-113 MARIJUANA ADVISORY PLANNING COMMISSION

2017-114 1ST, 2ND, 3RD

Moved/Seconded/Carried

THAT Council appoint Councillor Wishart to the Marijuana Advisory Planning Commission AND THAT the Terms of Reference for the Advisory Planning Commission be accepted.

K. CURRENT BYLAWS AND RESOLUTIONS

1. Council Remuneration Amendment Bylaw 1067-2017.

Moved/Seconded/Carried

THAT Bylaw No. 1067-2017, Council Remuneration Amendment Bylaw be read a first, second and third time.

2. Smoking Regulation Bylaw 1068-2017.

2017-115 1ST READING BYLAW 1068-2017

READING BYLAW 1067-2017

Moved/Seconded/Carried

THAT Bylaw No. 1068-2017, Smoking Regulation Bylaw be read a first time with an amendment to allow for an effective date to be January 1, 2018.

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

2017-116 ADJOURNMENT

V	oved
w	Oveu

THAT the meeting be adjourned. Time: 8:03 pm

CORRECT APPROVED

DIDECTOR OF DEDUTY MAYOR

DIRECTOR OF DEPUTY MAYOR CORPORATE SERVICES

File: 0550-06

ITEM	ACTION REGULAR MEETING JULY 11, 2017	WHO	STATUS /COMMENTS
Development Variance Permit Application 01-2017 8655/8665 Gibraltar Street.	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.	HNS	Done
Terms of Reference Marijuana Advisory Committee.	THAT Council appoint Councillor Wishart to the Marijuana Advisory Planning Commission AND THAT the Terms of Reference for the Advisory Planning Commission be accepted.	HNS	Done: First Meeting held July 13, 2017
Smoking Regulation Bylaw 1068-2017.	THAT Bylaw No. 1068-2017, Smoking Regulation Bylaw be read a first time with an amendment to allow for an effective date to be January 1, 2018.	HNS	Agenda Item (Advertised July 19 & 26 for Aug 8 Bylaw readings
Council Remuneration Amendment Bylaw 1067-2017.	THAT Bylaw No. 1067-2017, Council Remuneration Amendment Bylaw be read a first, second and third time.		Agenda item, for Adoption
ITEM	ACTION REGULAR MEETING JUNE 27, 2017	WHO	STATUS /COMMENTS
Parks & Recreation Review Committee Recommendation to Council from the meeting held June 22, 2017: Curling Club Roof	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	AF AMc	Agenda item
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	Done: August 8 Committee of the Whole Agenda item



NORTH ISLAND COMMUNITY FOREST LP

July 14, 2017

Village of Port Alice P.O. Box 130 Port Alice, BC VON 2NO

District of Port Hardy P.O. Box 68 Port Hardy, BC VON 2P0

Town of Port McNeill P.O. Box 728 Port McNeill, BC VON 2R0

Attention:

Shareholders of the North Island Community Forest Limited Partnership

Dear Shareholders:

Re: North Island Community Forest Limited Partnership Sale of Block CF2

On behalf of the Board of Directors, please find enclosed your portion of the sale of Block CF2. The North Island Community Forest LP has now received \$2,319,917.85, which has been divided and each shareholder has been issued a cheque in the amount of \$773,305.95.

We are also pleased to advise that the Strategic Plan is now in final draft form.

The Directors would be happy to meet with councilors to present our Strategic Plan and to discuss any other matters.

Thank you

Jonathan Lok, RFT Chair, NICFLP Board

Pc:

Ms. Ione Brown, RPF

Mr. Gord Glover, RPF

Mr. Larry Pepper

Mr. David Nelson

Mr. Don Orr

Mr. Rick Davidge

Ms. Nadine Weldon - Records



July 18, 2017

Mayor Hank Bood District of Port Hardy Box 68 Port Hardy, BC V0N 2P0



Dear Mayor Hank Bood:

RE: GAS TAX AGREEMENT COMMUNITY WORKS FUND PAYMENT

I am pleased to advise that UBCM is in the process of distributing the first of two Community Works Fund (CWF) payments for fiscal 2017/2018. An electronic transfer of \$111,962.91 is expected to occur within the next 30 days. These payments are made in accordance with the payment schedule set out in your CWF Agreement with UBCM (see section 4 of your Agreement).

CWF is made available to eligible local governments by the Government of Canada pursuant to the Administrative Agreement on the Federal Gas Tax Fund in British Columbia. Funding under the program may be directed to local priorities that fall within one of the eligible project categories.

Also included with the 2017/18 funding payment is a one-time federal legacy infrastructure funding payment, which was committed by the Government of Canada in *Budget 2016*.

Further details regarding use of CWF and project eligibility are outlined in your CWF Agreement and details on the Renewed Gas Tax Agreement can be found on our website at www.ubcm.ca.

For further information, please contact Gas Tax Program Services by e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Sincerely,

Councillor Murry Krause UBCM President

AR Marie

Pc: Adrian Maas, Director of Financial Services



July 27, 2017

Allison McCarrick Chief Administrative Officer District of Port Hardy Box 68 Port Hardy, B.C. VON 2P0

RE: Canada Day

Dear Allison,

As discussed at our recent meeting I am writing to inform you that the Port Hardy Chamber of Commerce & Visitor Centre will not be managing the Canada Day event in 2018.

We have some exciting plans in 2018 to expand our Visitor Services and to bring greater awareness of what the Visitor Centre and our community has to offer. We appreciate the opportunity to work with you and to be involved in the celebrations; but it would challenging to deliver the event during our busiest time of the year while at the same time planning and executing new initiatives.

We are happy to share information with the event planners in 2018 in order to assist with a smooth transition.

Thank you again for the opportunity to work with you on this event.

Sincerely,

Elizabeth Aman-Hume

Eljaher artune

Executive Director

Port Alice Coast Gateway to the Wild West Coast

Village of Port Alice PO Box 130, Port Alice, BC V0N 2N0 1061 Marine Drive 250-284-3391 info@portalice.ca www.portalice.ca

July 28, 2017

Canadian Red Cross BC Wildfire Relief DISTRICT OF PORT HARDY

AUG - 3 2017

The Village of Port Alice has donated \$1.00 per resident to help aid in the Wild Fire Relief. We appreciate the efforts of the fire fighters, RCMP officers, and first line responders that have been working tirelessly around our Province. As well we appreciate that the Red Cross is always supporting these responders and the families affected by this crisis.

Our thoughts are with everyone involved.

Mayor Jan Allen Village of Port Alice

Mayor@portalice.ca

Cc: Regional District of Mount Waddington
District of Port Hardy
Town of Port McNeill
Village of Alert Bay



MINUTES OF THE DISTRICT OF PORT HARDY TOURISM ADVISORY COMMITTEE MEETING July 10, 2017



MUNICIPAL HALL, 7360 COLUMBIA STREET

PRESENT: Councillor Dennis Dugas, District of Port Hardy; Louisa Bates, Visitor Information

Center; Donna Gault (Chair); Joli White, Tourism Coordinator, Vancouver Island

North Tourism; Elizabeth Aman-Hume Manager, Chamber of Commerce;

STAFF: Allison McCarrick, CAO; Adrian Maas, Director of Finance;

REGRETS: Councillors Rick Marcotte, District of Port Hardy; Mike Kelly, Codfather Charters,

Tourism Stakeholder Rep, Leslie Driemel, Recording Secretary

A. CALL TO ORDER

Chair Donna Gault called the meeting to order. Time: 2:05pm

B. APPROVAL OF AGENDA

TAC-2017-009 APPROVAL OF AGENDA AS PRESENTED

Moved/Seconded/Carried

THAT the agenda of the Tourism Advisory Committee meeting July 10, 2017 be accepted.

C. ADOPTION OF MINUTES

1. Minutes of the Tourism Advisory Committee meeting held May 3, 2017

TAC-2017-010 MINUTES MAY 3 /17 APPROVED AS PRESENTED

Moved/Seconded/Carried

THAT the Minutes of the Tourism Advisory Committee meeting held May 3, 2017 be accepted as presented.

D. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

1. Review of Action items.

The Committee reviewed and updated the Action Item listing.

- D Gault provided copies of promotional material samples from Whistler.
- Fishing BC Community Buy In program first round of filming done. Second round being planned for August. Website Info to be distributed to committee members.
- District Logo variations completed vector format to be provided.
- North Vancouver Island Signage has been discussed by VINTAC and referred to Regional District.
- Tourism Survey comment boxes distributed with new site at museum. Initial responses seem strong.
- BC Ferries camping noted that at last meeting BC Ferries acknowledged that staying at terminal was a concern to service providers in Port Hardy. BC ferries agreed to monitor and provide more data next BC Ferry meeting in November.
- Discussion about Tourist Advisors on Ferries and Destination BC needing to be involved with BC ferries to promote North Island as issue is bigger than just Port Hardy and includes Central and Mainland Coast. As it is larger scale Destination BC could be involved in management, cost, training and hiring of tourist advisors on ferries.

E. NEW BUSINESS

- 1. 2018 Tactical Plan and budget.
 - There was general discussion on the 2017 budget to date and the service delivery model and how the relationships between District of Port Hardy, Tourism Port Hardy (now defunct), Visitor information Center, Chamber of Commerce, and Vancouver Island North Tourism were evolving.
 - There was also discussion over the history of the funding of Tourism and management of the Visitor Information Center via a fee for service to the Chamber of Commerce and what that entailed.
 - Discussion followed on the 2017 Tactical plan by budget category it was noted that visitor information services consume approximately 2/3 of LB's time and clarification by way of a breakdown of hours spent in relation to product being produced by Visitor information Center and Tourism Vancouver Island be sought.
 - It was noted that streamlining of services (media print and online) is becoming common in similar organizations elsewhere.
 - There was clarification that the fee for service to the Chamber was for management of the Visitor information center which has also been involved in the process of MRDT funds.
 - Noted that it was the committee role to recommend to Council a 2018 tactical plan and budget and how best to deliver this in a cost effective manner.
 - Information on minor budget updates/reclassifications were provided to the Committee.
- 2. Booking.com It was noted that Booking.Com would like to make a presentation to stakeholders at the Stakeholder Engagement Session Louisa Bates to arrange.
- 3. Upcoming Marketing Projects to complete. Louisa Bates provided the committee with an update.
- 4. Updates on Visitor Website Social Media Management was provided by Louisa Bates.

F. CORRESPONDENCE

None

G. COMMITTEE MEMBER REPORTS

- Visitor Information Center Louisa Bates.
 Noted that May visitor information center numbers appear to be up.
- Regional District VINTAC Jolie White
 Noted that Ballot Boxes are out and numbers are strong.
 Updating Trail App, have met with Strategic TVI, Exploring Guide space is being sold.
- H. NOTICE OF MEETING Next Meeting August 14, 2017 Agenda to include discussions on 2018 Tactical Plan and Budget, Stakeholder meeting in October.

Time: 3:50 pm

I. ADJOURNMENT

TAC-2017-011 ADJOURNMENT

Moved

THAT we adjourn



MINUTES OF THE DISTRICT OF PORT HARDY OPERATIONAL SERVICES COMMITTEE MEETING HELD JULY 17, 2017 COUNCIL CHAMBERS, MUNICIPAL HALL 7360 COLUMBIA STREET

Committee

OP SCVS

2017-020

OP SCVS

2017-021

ACCEPTED

AGENDA JULY 17/17 ACCEPTED

MINUTES JUNE 19/17

Members: Councillors Dennis Dugas, Rick Marcotte and John Tidbury (Chair)

Staff: Allison McCarrick, CAO; Abbas Farahbakhsh, Director Operational Services

A. CALL TO ORDER

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

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda for the Operational Services Committee meeting of July 17, 2017 be accepted as presented.

C. MINUTES

1. Minutes of the Operational Services Committee meeting held June 19, 2017.

Moved/Seconded/Carried

THAT the minutes of the Operational Services Committee meeting held June 19, 2017 be accepted as presented.

D. DELEGATIONS

No delegations.

E. BUSINESS ARISING / UNFINISHED BUSINESS

ACTION ITEMS

 Review and Update of Action Items Reviewed for information.

PARADE ROUTE ISSUES /POLICY & APPLICATIONS

2. Parade Permit Application

The Committee reviewed the updated draft Parade Permit and approved the draft permit with a recommendation to Council for acceptance.

OP SCVS 2017-022 RECOMMENDATION TO COUNCIL RE: PARADE PERMIT APPLICATION

Moved/Seconded/Carried

THAT the Operational Services Committee recommends that Council approve the Parade Permit Application as presented.

CAPITAL ITEMS

3. Capital Items List / Operations Updates

Abbas Farahbakhsh updated the Committee on the progress of the capital projects.

4. Water Modeling Discussion

Councillor Dugas and Abbas Farahbakhsh discussed the water connection at Peel Street and Byng Road and the effects the new reservoir may have on the water pressure for the Storey's Beach area residents. A date will be set for committee members interested to go on a field trip to see where the Peel Street and Byng Road water connection is located.

WATER MODEL UPDATE

Time: 3:58 pm

F. CORRESPONDENCE

No correspondence.

G. NEW BUSINESS

No new business.

H. STAFF REPORTS

1. Port Hardy Water Operations Report – June 2017 was received for information.

I. COMMITTEE MEMBER REPORTS

No reports.

J. NOTICE OF MEETING:

Next scheduled meeting: August 21, 2017. Upcoming meeting dates: September 18, October 16, November 20, December 18.

K. ADJOURNMENT

Moved

THAT the meeting be adjourned.

OP SCVS 2017-023 ADJOURNMENT



DISTRICT OF PORT HARDY PARADE PERMIT APPLICATION

File 4520-20 Parade

APPLICANT INFORMATION	APPLICATION D	UE 30 DAYS PRIOR TO EVENT
Name:	Organization:	
Mailing Address:	City: Postal	Code:
Phone No.:	Email:	
Personal information you provide on this form is collected pursuant to Section 26 of t for the purpose of processing this application. Your personal information will not be r <i>Privacy Act</i> . Questions about the collection of your personal information may be refer phone: 250-949-6665.	eleased except in accordance with the F	reedom of Information and Protection of
PARADE INFORMATION		
Parade / Event Name:		
Date of Parade:	Start Time:	End Time:
Location of Formation	Location of End:	
Road Closure: 1 hour prior to parade start and 1 hour after parade e	nds.	
Participants Will Use: Roadways	Sidewalks	Both
Approximate No. of Participants:	Non-Profit Society:	Yes No
Name of Person Responsible for Parade:	Phone No.:	
Traffic Control Company:	Phone No.:	
PLEASE INCLUDE THE FOLLOWING WITH YOUR APPLICATION:		
Map / Sketch of Parade Route:	ATTACHED (Mandatory)	Yes
Liability Insurance with District as added insured (\$2,000,000):	ATTACHED (Mandatory)	Yes
\$300 Damage Deposit (Refundable) ATTACHED (M	landatory)	Yes
\$50 Permit Fee (to be added to Rates bylaw) ATTACHED (U	nless Non-Profit Society)	Yes

RULES GOVERNING THE USE OF DISTRICT STREETS

As the applicant for this parade permit, I hereby make application in accordance with the District of Port Hardy Streets and Parking Regulation Bylaw and amendments thereto for a permit for a parade, march, or procession.

- 1. The applicant may not sublet any portion of the space contracted for without the written permission of the District of Port Hardy.
- 2. The applicant will be responsible for all lost or damaged articles.
- 3. The applicant will notify the District of Port Hardy of cancellation at least seventy-two (72) hours prior to the event. Otherwise, the applicant will be required to pay the full amount of the applicable permit fee, if any.
- 4. The District of Port Hardy reserves the right to cancel or alter street usage should conditions arise that necessitate scheduling changes.
- 5. The applicant agrees that in the event of any strike or lockout, the District of Port Hardy will not be held responsible or liable for providing said streets.
- 6. The applicant is responsible for pick-up of litter and debris during and after the event. If the applicant does not clean the parade route to a standard acceptable to District staff, the applicant will be charged the costs incurred by the District to clean the streets.
- 7. The applicant (including friends and spectators) using the streets is expected to act in a considerate and sportsmanlike manner. Abusive language or inconsiderate behaviour, which is found to be objectionable, may result in the cancellation of your parade permit.
- 8. Throwing of candy from the center of the roadway is not allowed. Parade participants may walk along roadway edge and hand out candy to spectators.
- 9. It is the responsibility of the applicant to ensure the streets are in good condition (free from glass, obstructions, etc.). If a hazard does exist please notify Public Works at 250-746-5321.
- 10. The applicant will ensure parade participants with street legal motorized vehicles shall be licensed and insured.
- 11. The applicant will ensure parade participants with non street legal motorized vehicles shall have liability insurance.



DISTRICT OF PORT HARDY - PARADE PERMIT APPLICATION

WAIVER & INDEMNITY CLAUSE

The applicant accepts and will use the premises at its own risk and agrees that the District of Port Hardy has made no warranties or representations respecting the suitability or condition of the premises. The applicant further agrees that it will indemnify and save harmless the District of Port Hardy and its officers, employees, servants, agents, heirs, successors and assigns from and against any and all claims whatsoever, including all damages, liabilities, expenses, costs, including legal or other fees, incurred in respect of any such claim(s) or any action(s) or proceeding(s) brought thereon arising directly or indirectly from or in connection with the granting of this Parade Permit.

The applicant agrees to conform to all Bylaws and Policies of the District of Port Hardy presently in force and to such special conditions, restrictions and regulations as contained in the attached schedule and to such further special conditions as may be imposed by the Director Operational Services, in the conduct of the parade. The applicant must provide proof of liability insurance naming the District of Port Hardy as an additional insured party in the amount of \$2 million per occurrence. The applicant further agrees to save the District of Port Hardy harmless against all manner of actions, claims, debts, judgements, costs, and expenses of any kind whatsoever which may be made against the said District in consequence of and incidental to the granting of a Parade Permit.

APPLICANT SIGNATURE		DATE							
OFFICE USE ONLY	OFFICE USE ONLY File: 4520-20 Parade								
When this section is complete in its entirety, by all officials, the attached application is approved subject to the event being carried out in conformity with all Statutes, Bylaws, and Council Policies in force in the District of Port Hardy, British Columbia and the following special conditions:									
Arrange with a local re									
Arrange to obtain from	n District Public Works barricades and signs for the	street closur	e.						
Arrange for sufficient	personnel to keep order in the parade.								
Obtain approval from the Ministry of Transportation if the parade route is on or across the Trans Canada Hwy. Road Closure: 1 hour prior to parade start and 1 hour after parade ends.									
ADDITIONAL SPECIAL COND	ITIONS								
DIRECTOR OF OPERATIONA	L SERVICES APPROVAL	DATE							
DIRECTOR OF CORPORATE S	SERVICES APPROVAL	DATE							
AGENCY NOTIFICATIONS - DEPLEASE BE ADVISED OF ROAD RCMP Port Hardy Fire Dept BC Ambulance Service Ministry of Highways Mount Waddington Transit Operations Manager	Fax: 250-949-6938 Fax: 250-949-6572 & District Mail Fax: 250-949-8132 Fax: c/o Courtenay Office 250-334-1291		per attached parade route map.						

If you have any questions or concerns please contact the Director of Corporate Services (Tel: 250-949-6665)

Operational Services Committee	% of completion	Budget	DPH share if grant approved
<u>General</u>			•
Fire Truck		1,100,000	
Parking Lot Hall 2		15,000	
Hall 1 Storage (2016)		2,000	
Paving program incl. crack sealing	0%	145,000	
Sidewalk extensions	0%	35,000	
Seagate Pier - Rural Dividend Fund	50%	125,000	12,500
Seagate Pier - Structural	5%	88,000	
Lost at sea monument	5%	10,000	
Bear Cove Anchor system	100%	8,620	
Fisherman's Launch Facility	75%	35,000	
Catch Basins	10%	7,500	
Little Tsulquate Culvert	0%	30,000	
Museum (2016)	100%	10,000	
Pw Yard (2016)	0%	25,000	
<u>Water</u>			
Fort Rupert Reservoir and Distribution Station		5,000,000	850,000
- Engineering, Detail Design	5%	130,000	22,100
- Engineering, Construction Services		125,000	21,250
- Construction		4,745,000	806,650
Distribution System Design work, priority list from water model	10%	60,000	
WTP Treated Water Flow Meter Replacement	50%	6,000	
Holmgren Flats PRV	25%	60,000	
WTP Security Upgrade	80%	10,000	
WTP Fire protection	25%	6,000	
Kains Lake Dam	25%	30,000	
WTP Interior Lighting Upgrade	100%	2,000	
PLC WTP Replacements	25%	70,000	
WTP computer upgrades (2016)	100%	15,000	
WTP current meter (2016)	25%	9,000	
Kains Lake Dam (2016)	50%	52,000	
Water model (2016)	100%	35,000	
Ring Road PRV (2016)	25%	35,000	
<u>Sewer</u>			
Collection System Rehabilitation Program.	10%	50,000	
Holmgren flats lift station upgrade	25%	50,000	
Pioneer Inn Lift Station Upgrade	25%	20,000	
TWWTP External Lighting Upgrade	100%	7,000	
AWWTP External Lighting Upgrade	100%	7,000	
Reinstate 100 m AWWTP Outfall	100%	75,000	
Swap Loader (to replace 2 vehicles)	50%	220,000	23,500
Fort Rupert Lift Station cover (2016)	90%	15,300	
Hardy Bay Lift Station (2016)	25%	127,000	
TWWTP Polymer make-up unit (2016)	50%	15,000	
TWWTP centrifuge upgrade (2016)	70%	12,700	



MINUTES

DISTRICT OF PORT HARDY PARKS & RECREATION REVIEW COMMITTEE MEETING HELD WEDNESDAY JULY 19, 2017 COUNCIL CHAMBERS, MUNICIPAL HALL 7360 COLUMBIA STREET

Committee

Members: Councillors: Leightan Wishart (Chair) Fred Robertson (By Phone), John Tidbury

(3:10pm)

Staff: Allison McCarrick, CAO; Abbas Farahbakhsh, Director of Operational Services;

Susan Bjarnason, Recording Secretary;

Regrets: Sean Mercer, Manager of Operations and Community Services; Leslie Driemel,

Recording Secretary, Heather Nelson-Smith, Director of Corporate Services

A. CALL TO ORDER

Councillor Wishart, Acting Chair called the meeting to order at 3:05pm.

B. APPROVAL OF AGENDA

P&RRC 2017-020 AGENDA JULY 19/17 ACCEPTED

Moved/Seconded/Carried

THAT the Parks and Recreation Review Committee agenda for July 19, 2017 be accepted.

C. ADOPTION OF MINUTES

1. Minutes of the Parks & Recreation Review Committee meeting held June 22, 2017.

P&RRC 2017-021 MINUTES JUNE 22/17 ACCEPTED

Moved/Seconded/Carried

THAT the minutes of the Parks & Recreation Review Committee meeting held June 22, 2017 be accepted.

D. DELEGATIONS

No delegations.

E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

1. Review of Action Items.

ACTION ITEMS

Staff Report: Pickle Ball

Councillor Robertson asked if the Pickle Ball items were in. No update available.

Trail Signs

Allison McCarrick, CAO advised that she is in touch with Pat English of the Regional District but no further information available.

2. Capital Review List

No discussion

3. Recreation Need/Want Survey

Heather Nelson-Smith away – To be brought forward to the September meeting.

4. Curling Club Roof

Abbas Farahbakhsh advised that one official bid has been received and we are waiting on another one and that there is discussion regarding if a third bid will be accepted as the company did not attend the mandatory site visit.

CURLING CLUB ROOF

Councillor Robertson advised that there is a company that does solar panels on arena roofs etcetera and that they will be at the RDMW. He will see about setting up a meeting with them in Port Hardy next week.

Allison McCarrick, CAO advised that she has been in touch with Doug McCorquodale of the Fort Rupert Curling Club and that there is a gaming grant available for roof repairs running August 1 to September 30 to be awarded by December 31, 2017. The District of Port Hardy can help them with the grant application but the Society will need to fill it out.

5. Camping at Storey's Beach

CAMPING AT STOREY'S BEACH Ball tournament camping was discussed and agreed this was fine as the groups are utilizing the fields for their games. It was noted that we don't ask the one time users to move on, but would for multi night use. The idea of a municipal campground at Storey's Beach was discussed as a source of revenue for the town. This will be brought to a Council meeting for further discussion.

F. CORRESPONDENCE

No Correspondence.

G. NEW BUSINESS

CEMETERY

 Councillor Robertson advised that he received a compliment regarding the cleanup of the cemetery and how nice it is looking.

Time: 3:30 pm

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

I. ADJOURNMENT

P&RRC 2017-022 ADJOURN

Moved

THAT the meeting be adjourned.

Parks and Recreation Committee	% of completion	Budget	DPH share if grant approved
Civic Centre Lighting (Centre only not lobby)		37,800	
Skateboard Park	100%	5,000	
Multiplex	25%	12,000,000	4,000,000
Arena roof repairs	10%	48,000	
Arena exterior doors		7,000	
Curling club roof repairs	10%	15,000	
Aerator	100%	16,000	
Top dressing attachment	100%	15,000	
Condensor Pad (2016)		5,000	
Ring road ball field (2016)	100%	1,500	
Storey's Beach washroom	50%	60,000	

Grant dependant			
Canada 150	100%	9,200	
Chiller		145,000	
Pool Health and Safety		190,000	
Downtown revite (seawall handrails & market st. l	0%	50,000	
Rotary Park washroom	0%	120,000	
Other			
Website (2016)	100%	7,500	
To be updated by staff at meeting			

Report: M:\Live\ap\apchklsx.p Version: 010003-L58.70.01 User ID: Lisa

DISTRICT OF PORT HARDY AP CHEQUE LISTING Cheque # From 009433 To 009578(Cheques only)

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DISTRICT OF PORT HARDY AP CHEQUE LISTING Cheque # From 009433 To 009578(Cheques only)

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Cheque # Pay Date Vendor # Vendor Name Paid Amount Void Tides and Tales Sport Fi 009504 12/07/2017 02316 897.75 009505 12/07/2017 00957 TOURISM VANCOUVER ISLAND 1,155.00 009506 12/07/2017 03196 Tremain Media Inc. 94.50 009507 12/07/2017 03148 Westport Welding & Fabri 879.96 009508 12/07/2017 00164 Xerox Canada Ltd. 674.78 009509 14/07/2017 03429 Jump Camp 750.00 009510 20/07/2017 00735 A.C.E. COURIER SERVICES 130.68 009511 20/07/2017 00046 ANDREW SHERET LTD 3,260.18 009512 20/07/2017 01836 009513 20/07/2017 03425 ARIES SECURITY LTD. 11,900.70 Aussie Signs, Decal & De 201.58 009514 20/07/2017 03431 Baraceros, Marcelino 340.00 009515 20/07/2017 00184 **BC** Assessment 20,757.57 009516 20/07/2017 02207 Blanchard Security 1.125.60 009517 20/07/2017 00018 CANADIAN RED CROSS 95.60 009518 20/07/2017 02468 Canwest Propane 1,730.22 009519 20/07/2017 03426 CIBC 760.00 009520 20/07/2017 03426 CIBC 265.00 009521 20/07/2017 01433 COMOX PACIFIC EXPRESS LT 137.00 009522 20/07/2017 02822 Corix Water Products LP 2,500.04 009523 20/07/2017 00218 **DB PERKS AND ASSOCIATES** 3,611.84 009524 20/07/2017 01901 DENNISON, MELINDA 138.11 009525 20/07/2017 02831 Exova Canada Inc. 718.31 Gravelle, Gregory 009526 20/07/2017 02987 760.03 009527 20/07/2017 00063 HOME HARDWARE BUILDING C 35.83 009528 20/07/2017 01875 ISLAND ADVANTAGE DISTRIB 838.23 009529 20/07/2017 03430 009530 20/07/2017 00065 Island Onsite 1.360.20 K & K ELECTRIC LTD. 2,100.00 009531 20/07/2017 02712 Klatt, Ron 200.00 009532 20/07/2017 00069 MACANDALE'S 71.39 009533 20/07/2017 03434 Marra, Roseanne 200.00 009534 20/07/2017 00185 MUNICIPAL FINANCE AUTHOR 84.45 009535 20/07/2017 00033 NAPA AUTO PARTS/N.I. IND 1,710.89 PACIFICUS BIOLOGICAL SER 009536 20/07/2017 02071 546.00 009537 20/07/2017 02975 Paul's Plumbing & Gas 554.40 009538 20/07/2017 03432 Pearson, Edward 1.035.00 009539 20/07/2017 00203 009540 20/07/2017 00080 4,473.70 Port Hardy & Dist. Chamb PUROLATOR INC. 96.07 009541 20/07/2017 00187 REGIONAL DISTRICT OF MT 135,873.00 009542 20/07/2017 00187 009543 20/07/2017 02935 REGIONAL DISTRICT OF MT 374,346.00 Roper Grevell LLP 925.12 009544 20/07/2017 00161 TELUS MÓBILITY (BC) 750.60 009545 20/07/2017 02272 **WAJAX EQUIPMENT** 1,679.19 009546 27/07/2017 01884 Ace Hardware 268.76 009547 27/07/2017 00044 ACKLANDS - GRAINGER INC. 176.15 009548 27/07/2017 00046 ANDREW SHERET LTD 2,093.33 009549 27/07/2017 01145 009550 27/07/2017 02468 **BLACK CAT REPAIRS** 323.99 Canwest Propane 14.05 CHEVRON CANADA LTD. 009551 27/07/2017 00281 2,637.59 009552 27/07/2017 03435 Cloverdale Paint Inc. 4,712.35 009553 27/07/2017 02730 **CUPE Local 401** 302.40 009554 27/07/2017 00020 E.J. KLASSEN MOTORCADE L 972.16 009555 27/07/2017 00052 HARDY BUILDERS' SUPPLY 231.43 009556 27/07/2017 00063 009557 27/07/2017 00194 HOME HARDWARE BUILDING C 131.21 INT'L UNION OPERATING EN 1,115.80 009558 27/07/2017 03430 Island Onsite 175.00 JM'S MOBILE WELDING INC 009559 27/07/2017 00273 260.96 009560 27/07/2017 00065 K & K ELECTRIC LTD. 636.95 009561 27/07/2017 03437 3,286.66 KLEANZA CONSULTING LTD. 009562 27/07/2017 00069 MACANDALE'S 182.12 009563 27/07/2017 02007 MARSHALL WELDING & GLASS 283.93 009564 27/07/2017 01419 MURDY & MCALLISTER 576.44 009565 27/07/2017 00033 NAPA AUTO PARTS/N.I. IND 239.04 009566 27/07/2017 02002 Neopost 624.41 009567 27/07/2017 03390 O'Reilly, Kathy 471.45 009568 27/07/2017 01989 PLASTICS PLUS FABRICATIN 1.993.60 009569 27/07/2017 00107 RECEIVER GENERAL FOR CAN 21,892.15 009570 27/07/2017 00187 REGIONAL DISTRICT OF MT 6.305.73 009571 27/07/2017 02522 Strathcon Industries 576.85 009572 27/07/2017 03436 Stromstedt, Bertil 200.00 009573 27/07/2017 00160 **TELUS** 4,571.54 009574 27/07/2017 00160 **TELUS** 72.42

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DISTRICT OF PORT HARDY AP CHEQUE LISTING

Cheque # From 009433 To 009578(Cheques only)

Page: 3 of 3 Date: 03/08/17 Time: 14:27:46

Cheque #	Pay Date	Vendor #	Vendor Name		Paid Amount	Void
009575	27/07/2017	00089	THE HOBBY NOOK		501.48	_
009576	27/07/2017	02502	Tuff Marine Products Ltd		11,550.00	
009577	27/07/2017	00377	VASO'S		1,685.50	
009578	27/07/2017	02837	Waterhouse Environmental		6,115.20	
				Total:	926,872.91	

*** End of Report ***

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DISTRICT OF PORT HARDY STAFF REPORT



DATE:

July 20, 2017

TO:

Mayor and Councillors

FROM:

Abbas Farahbakhsh, Director of Operational Services

RE:

Purchase of a new ½ ton truck

PURPOSE

The purpose of this report is to request that Council authorize the purchase of a new ½ ton truck and amendment of the current financial plan to reflect the proposed purchase.

ANALYSIS

Public works/maintenance crew including the shop mechanic consists of six crew members, with four pieces of light equipment available for them to use. The available light equipment are two light duty compact Ford Ranger trucks and two mini dump trucks. The two mini dump trucks are primarily shared by the maintenance and parks crews. They are used for a variety of applications during the fair weather months and are used for sanding and brining during the winter. One of the two Ford Rangers is used as a fuel truck and by the shop mechanic, the other Ford Ranger is currently used by the maintenance supervisor. The nature of work and projects assigned to the maintenance supervisor require a full size ½ ton truck. This will allow room for tools, equipment and material for most jobs, as well as adequate load capacity. It is our intention to keep the Ford Ranger truck for light applications and as an additional vehicle for summer use while the seasonal summer students are working.

Staff investigated the possibility of a used vehicle purchase however most used trucks available with low millage and good usable life remaining are the same or more expensive than a basic model new truck, plus there would be no warranty with a used vehicle. Staff recommends the purchase of a new basic model 1/2 ton truck.

FINANCIAL IMPLICATIONS

The Equipment Replacement Reserve has adequate funds available for this purchase and foreseeable purchases.

STAFF RECOMMENDATION

That Council authorize staff to amend the 2017 financial plan to accommodate for the purchase of a new ½ ton basic model truck at a cost not exceeding \$40,000 with funding from the Equipment Replacement Reserve.

Respectfully submitted,

Abbas Farahbakhsh

Signed

Signed

Allison McCa

Director of Operational Services

Chief Administrative Officer

I agree with the recommendation



DISTRICT OF PORT HARDY STAFF REPORT



DATE:

July 31, 2017

TO:

Mayor and Councillors

FROM:

Sean Mercer, Manager of Operations and Community Services

RE:

Curling Club & Dog Pound Roof Replacements

PURPOSE

To request authorization to proceed with the Curling Club & Dog Pound roof replacements which will require a change to the 2017-2021 Financial Plan.

ANALYSIS

Curling Club

A Request For Quotation (RFQ) for the Curling Club roof replacement was issued in late June with a closing date of July 19, 2017. The roof replacement will include the removal and disposal of the existing 13,200 square feet of roof materials.

As part of the RFQ there was a stipulation set out that all bidders attend a mandatory site meeting on July 12, 2017. Of the three following bidders below only two attended the mandatory site meeting which would exclude the third proponent from allowing their bid to be accepted.

The District received 3 responses to the RFQ with the following bids (excluding taxes):

- Nelson Roofing & Sheet Metal LTD. Courtenay, BC \$142,500.00 (bid accepted).
- Erikson Roofing LTD. Nanaimo, BC \$130,600.00 (bid accepted).
- Complete Roof Solutions Campbell River, BC \$82,000.00 (bid rejected).

Dog Pound

The Dog Pound roof is in need of immediate repair. Quotes are being obtained to replace the existing roof with a metal roof. The structural integrity of the building has been assessed and has a useful life of greater than 15 years.

STAFF RECOMMENDATION

"THAT Council authorize the award for the Fort Rupert Curling Club roof replacement to Erikson Roofing LTD. at a total cost of \$130,600.00 excluding taxes. *AND FURTHER THAT* Council authorize staff to proceed with the Dog Pound roof replacement procurement process and award which is not to exceed \$18,000.00 excluding taxes. Funding for both projects to be allocated from the General Capital Reserve Fund. *AND FURTHER THAT* Council authorizes staff to amend the 2017-2021 Financial Plan accordingly."

Respectfully submitted,

Sean Mercel

Manager of Operations and Community Services

l agree with the recommendation.

Allison McCarrick

Chief Administrative Officer



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 11 th day of J	luly, 2017.
Read a second time on the 11 th day	of July, 2017.
Read a third time on the 11 th day of	July, 2017.
Adopted thisday of,2017	
DIRECTOR OF CORPORATE SERVICES	MAYOR
Certified a true copy of Bylaw No. 1067-2017 as adopted.	
Director of Corporate Services	24



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 that (\$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.

This Bylaw is in effect January 1, 2018.

PART 7 EFFECTIVE DATE

7.1

Read a first time on the 11 th day of July, 2017.
Read a second time on theday of,2017
Read a third time on theday of,2017
Adopted thisday of,2017
DIRECTOR MAYOR
OF CORPORATE SERVICES
Certified a true copy of
Bylaw No. 1068-2017 as adopted.
Director of Corporate Services