

**Village of Queen Charlotte
AGENDA**

NOTICE IS HEREBY GIVEN THAT the regular meeting of the Village of Queen
Charlotte will be held on Monday, January 17, 2011 at 7:30 pm
at the Village of Queen Charlotte Office

- 1. Meeting called to order:**
- 2. Agenda Addition and/or Deletions:**
- 3. Approval of the Agenda:**
- 4. Adoption of the Minutes:**
 - 4.1 Village of Queen Charlotte Council Minutes January 10, 2011
- 5. Business Arising from the Minutes:**
- 6. Proclamations:**
- 7. Delegates and Petitions:**
- 8. Inquiries from the Public Regarding the Approved Agenda Items:**
- 9. Correspondence:**

For Information:

 - 9.1 Minister of State Transport - Re: Mail Delivery to Haida Gwaii
 - 9.2 Gas Tax/Public Transit Management Services – Re: Notice of Amendments to your Community Works Fund Agreement

For Action:

 - 9.3 Coastal Community Network - Re: 2011 Subscription
 - 9.4 Pitch-In British Columbia – Re: Operation Clean Sweep
- 10. Reports of Committee, COTW and Commissions:**
- 11. Bylaws:**
 - 11.1 Village of Queen Charlotte Bylaw No. 47-2010 – A Bylaw for Road Closure and Disposition for 2nd reading on January 17, 2011
- 12. Unfinished Business:**
 - 12.1 Options for responding to Noise Complaints Recommendations:**
 - 12.1.1 Council Policy 18.0 – Good Neighbourhood Bylaw – Consultation
 - 12.1.2 Council Policy 19.0 – Enforcement of Good Neighbour Bylaws

12.1.3 Draft Village of Queen Charlotte Bylaw No. 48-2010 – A Bylaw to regulate, prohibit, and impose requirements in relation to noise in the Village of Queen Charlotte

13. New Business:

13.1 Village of Queen Charlotte Safety Deposit Box with Northern Savings Credit Union – Re: Signers

14. Notice of Motion:

15. Reports of Mayor, Council Members and Staff:

16. Inquiries from the Public:

17. Adjournment

Village of Queen Charlotte

January 10, 2011

Minutes of the Council Meeting of the Village of Queen Charlotte held at 7.30 p.m. on Monday, January 10, 2011 at the Queen Charlotte Village Office, Queen Charlotte, B.C.

Prior to Adoption

PRESENT:

Council:

Deputy Mayor Olsen
Councillor L. Johnson
Councillor G. Martin
Councillor G. Noddin

Staff:

B. Beamish, Chief Administrative Officer
D. Uliana, Chief Financial Officer

Regrets:

Mayor Kulesha

Public- 1

Media -1

1. CALL TO ORDER:

Deputy Mayor Olsen called the meeting to order at 7:46 p.m.

2. Agenda Addition and/or Deletions:

3. Approval of the Agenda:

R2011/01/02 MOVED by Councillor Martin, seconded by Councillor Johnson that the agenda be adopted as circulated.

CARRIED

4. Adoption of the Minutes:

4.1 Village of Queen Charlotte Council Minutes December 20, 2010

R2011/01/03 MOVED by Councillor Martin, seconded by Councillor Noddin that the Village of Queen Charlotte Council Minutes December 20, 2010 be adopted as amended.

CARRIED

5. Business Arising from the Minutes:

6. Proclamations:

7. Delegates

8. Inquiries from the Public Regarding the Approved Agenda Items:

9. Correspondence:

For Information:

9.1 Honourable Nancy Greene Raine – Re: The Senate Standing Committee

R2011/01/04 MOVED by Councillor Johnson, seconded by Councillor Noddin that the letter from the Honourable Nancy Greene Raine - Re: The Senate Standing Committee dated Dec. 15, 2010 be received and filed.

CARRIED

9.2 Ministry of Transportation and Infrastructure – Re: BC Ferries’ Route 26

R2011/01/05 MOVED by Councillor Martin, seconded by Councillor Noddin that the letter from the Ministry of Transportation and Infrastructure- Re. BC Ferries’ Route 26 be received and filed.

CARRIED

9.3 Ministry of Environment – Re: Policy Proposal on British Columbia’s New Water Sustainability Act

R2011/01/06 MOVED by Councillor Martin, seconded by Councillor Johnson that the Ministry of Environments’ Policy Proposal on British Columbia’s New Water Sustainability Act be received and filed.

CARRIED

For Action:

9.4 Moresby Island Management Committee – Re: Request letter of support for Gwaii Trust application – Re: Sandspit Community Hall Renovation Project

R2011/01/07 MOVED by Councillor Johnson, seconded by Councillor Martin that a letter of support be sent for the Moresby Island Management Committee for their Gwaii Trust application for the Sandspit Community Hall Renovation Project.

CARRIED

9.5 Queen Charlotte Fire Department – Re: Request letter of support for Gwaii Trust application for Protective-wear

R2011/01/08 MOVED by Councillor Noddin, seconded by Councillor Johnson that a letter of support be sent to the Queen Charlotte Fire Department for their Gwaii Trust application for Protective-wear.

CARRIED

9.6 HG SPCA – Re: Community Spay/Neuter Proposal 2011

R2011/01/09 MOVED by Councillor Martin, seconded by Councillor Johnson that a letter of support be sent for the SPCA’s proposal for Community Spay/Neuter Proposal 2011.

CARRIED

R2011/01/10 MOVED by Councillor Johnson, seconded by Councillor Martin to direct staff to prepare a draft “Grant of Assistance Policy” for consideration of Council for the Feb. 7th, 2011 meeting.

CARRIED

9.7 Northern Health Mental Health and Addiction Services – Re: Imagine Grant application – letter of support requested

R2011/01/11 MOVED by Councillor Johnson, seconded by Councillor Noddin that a letter of support be sent to the Northern Health Mental Health and

Addiction Services proposal for an Imagine Grant Application
for a Life Skills Camp for Adults.

CARRIED

10. Reports of Committee, COTW and Commissions:

11. Bylaws:

12. Unfinished Business:

13. New Business:

13.1 Climate Action Revenue Incentive Program (CARIP)
R2011/01/12 MOVED by Councillor Noddin, seconded by Councillor Johnson
that the CAO's report on the Climate Action Revenue Incentive Program be
received.

CARRIED

14. Notice of Motion:

15. Reports of Mayor, Council Members and Staff:

Deputy Mayor Olson:

- took some time off

Councillor Johnson:

- attended 2 OCP review meetings with Council

Councillor Martin:

- attended 2 OCP meetings with Council

Councillor Noddin:

- attended 2 OCP meetings with Council

CAO:

- Construction in Spirit Square has commenced.
- OCP follow up completed with edits from the past two OCP meetings processed and two conversations with Mr. Rosen reviewing the changes.
- 2011 Budget planning has begun and first quarter planning discussed.
- A meeting with contractors is planned for 8:30 a.m. on Friday, Jan. 14th at the Village office to discuss general plans for 2011 and tendering procedures.
- Meeting with residents of Bay Street tomorrow to discuss traffic issues.
- Snow removal went well over the holiday season.

CFO:

- Mr. Doug Parker has been hired.
- We were successful in obtaining a Targeted Wage Subsidy for our new employee.
- Year end process in progress as well as planning for the 2011 Budget.

16. Inquiries from the Public:

- Where are we with the Official Community Plan process?
The edits will be ready for review by Council in two weeks followed by a public consultation process before going before Council for adoption by bylaw.
- Request to have an automatic face book pop up when something new is added to the Village web site.

Observer

- How do the water meters fit with the Climate Action Plan?
Water meters can encourage water conservation.
- When will the water meter information be used?
July is the target for sending out usage figures to residents. Billing is scheduled to begin in the first quarter of next year.
- What is the issue with Bay Street?
Part of the road is located on private land. Large trucks are using the road which is causing residents some concern. Possible solutions might include changing the road to a one way street or to designate for local access only. After consultation with residents a report will be presented to Council.

17. Adjournment:

R2011/01/13 MOVED by Councillor Noddin to adjourn.

Meeting Adjourned at 8:30 pm

Next meeting Monday January 17, 2011

K. Olsen, Chair

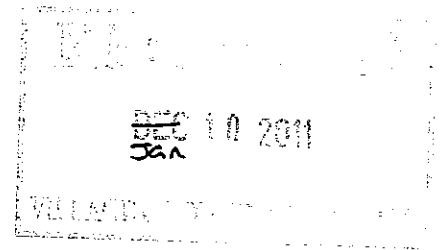
D. Uliana, Recording

Minister of State
Transport



Ministre d'État
Transports

Ottawa, Canada K1A 0N5



DEC 17 2010

Her Worship Carol Kulesha
Mayor
Village of Queen Charlotte
903A Oceanview Drive
PO Box 580
Queen Charlotte BC V06 1S0

Dear Mayor Kulesha:

Thank you for your correspondence of November 4, 2010, to the Honourable Chuck Strahl, Minister of Transport, Communities and Infrastructure regarding your continuing concerns about mail delivery to Haida Gwaii.

As you are aware, the Government announced the Canadian Postal Service Charter on September 12, 2009. The Service Charter outlines specific expectations for Canada Post, including those relating to mail delivery service.

Your comments about the definition of a remote area have been noted. Canada Post confirms that Haida Gwaii is considered a remote area for mail delivery purposes. While the Corporation strives to meet the highest standards of mail delivery service throughout Canada, its delivery standards for some less populated and remote areas are different from those for more populated communities because of varying transportation infrastructure or climatic conditions. Canada Post's published delivery standards for Lettermail items destined to Haida Gwaii are six business days from Vancouver and other areas in British Columbia and eight business days from outside the province. I am advised that the existing transportation network to support these standards is, in part, provided through BC Ferries three business days a week, with accelerated crossings during the summer.

It is appreciated that weather conditions may sometimes delay ferry crossings, especially during the winter months. Canada Post assures me that mail is transported to Haida Gwaii as soon as the ferry service resumes. I am also advised that the Corporation has established a contingency plan to respond to situations where BC Ferry services are delayed more than 24 hours and there is uncertainty as to the next crossing. In these cases, the Corporation is directing any available Lettermail and Priority Courier or Xpresspost items awaiting despatch from its mail processing plant in Vancouver to Haida Gwaii by air transport.

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Canada

AGS
JAN 17/11

9-1

Furthermore, as you mention, Canada Post has expanded its other contingency plan to ensure the air transport of government services cheques to the Islands throughout the year. I am advised that these items are segregated from regular mail at the Vancouver plant. Both these contingency plans are dependent on good weather conditions and available capacity with the air transport supplier. Canada Post continues to monitor this situation closely to ensure the monthly delivery of these items remains a practical undertaking.

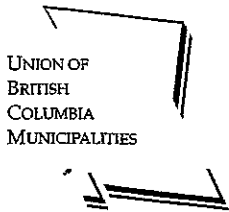
Again, thank you for writing. To ensure he is aware of your views, I have forwarded a copy of your correspondence to the attention of Mr. Stewart Bacon, President and Chief Executive Officer of Canada Post.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Merrifield". The signature is fluid and cursive, with a large loop at the end.

Hon. Rob Merrifield, P.C., M.P.

c.c. Mr. Stewart Bacon



UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Administration provided
By UBCM

Funding provided by:
Government of Canada

Canada

In partnership with:
The Province of BC



**BRITISH
COLUMBIA**

The Best Place on Earth

Gas Tax/Public Transit
Management Services
Secretariat

Local Government House
525 Government St
Victoria BC V8V 0A8

Phone: 250 356-2947
Fax: 250 356-5119

Website:

www.ubcm.ca
under
Programs & Services

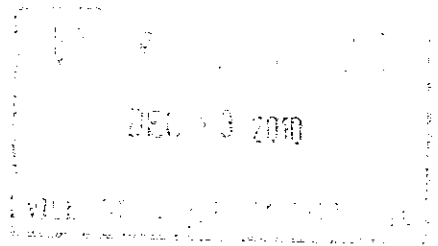
Federal Gas Tax and Public
Transit Agreements

Gas Tax/Public Transit Management Services

...delivering the federal gas tax and public transit agreement funding in British Columbia

December 3, 2010

Bill Beamish
Chief Administrative Officer
Village of Queen Charlotte
PO Box 580
Queen Charlotte, BC V0T 1S0



Dear Bill Beamish:

RE: Notice of Amendments to your Community Works Fund Agreement

Please be advised that the Canada – BC – UBCM Gas Tax Agreement was amended in March and April 2008 and September 2010, and that these amendments are now being reflected in your Community Works Fund Agreement. Enclosed is a copy to be attached to your Community Works Fund Agreement. For convenience, a complete list of these amendments can also be found on our website at www.ubcm.ca.

Section 6.3 of the Community Works Agreement provides a mechanism to amend the CWF Agreements to reflect amendments to the Canada – BC – UBCM Gas Tax Agreement and states:

Where the UBCM requires this CWF Agreement to be so amended, it will provide to the Local Government notice in writing of the amendments it requires. Such amendments shall form part of this CWF Agreement and be binding on the Local Government and the UBCM thirty (30) days after such notice, unless before then the Local Government elects in writing to give written notice of termination of this CWF Agreement to the UBCM.

Attached are amendments to the CWF Agreement which will be binding according to section 6.3, unless you provide written notice to us prior to that date that you wish to terminate your agreement.

For further information, please contact Brant Felker, Gas Tax Program Officer, by email at bfelker@ubcm.ca or by phone at 250-356-0893.

Yours truly,

Brenda Gibson
General Manager

Enclosures (3)

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Addendum # 1 amended as follows:

Local Government Estimated Future Community Works Fund Allocations

Queen Charlotte

The following anticipated Community Works Fund allocation amounts are provided for planning purposes only and are subject to change (see note 1):

Year	Base amount	Per-Capita Amount	Community Works Fund Allocation
2010/2011	\$50,000	40.32	\$88,219.97
2011/2012	\$50,000	40.31	\$88,215.51
2012/2013	\$50,000	40.31	\$88,215.51
2013/2014	\$50,000	40.31	\$88,215.51

Note 1: Boundary changes, incorporations of new municipalities, etc., will also vary the available funding in subsequent fiscal years. In addition, the amount of funding provided under individual Community Works Fund Agreements may be varied to reflect the scope of services provided by the Local Government as they relate to the scope of Eligible Projects, but such a variation will occur only in accordance with formulas established or criteria prescribed by the Partnership Committee following consultation with any affected Local Governments.

Schedule A is removed and replaced with:

SCHEDULE A - Eligible Project Categories and Project Examples

Project Categories	Project Examples
Public Transit	Develop or improve public transit system (rapid transit, buses, bus ways, sea-buses, commuter rail, ferries, street cars, cycling and pedestrian infrastructure, etc.)
	Implement innovative technologies that support environmental sustainability
Local Roads, Bridges and Tunnels	Local roads, bridges and tunnels that enhance sustainability outcomes
	Rehabilitation of roads, bridges and tunnels that enhance sustainability outcomes
	Implement innovative technologies that support environmental sustainability
Active Transportation Infrastructure	Bike lanes
	Walking paths and sidewalks
Community Energy Systems	Improving energy systems through the use of water systems to generate hydro
	Community energy systems (wind, solar, thermal, geothermal, etc.)
	Alternative energy systems
	Alternative energy systems that serve local government infrastructure
	Retrofit local government buildings and infrastructure (e.g. water pumps, street lights, etc.)
	Reduce the GHG impact of solid waste (e.g. biogas recovery and conversion of biomass to bio-oil)
	Fleet vehicle conversion
Implement innovative technologies that support environmental sustainability	

In Schedule C, section 4 (Ownership), replace the existing table with the following table:

Where Eligible Project asset is sold, leased, encumbered or disposed of:	Repayment of contribution (in current dollars)
Within 2 Years after Eligible Project completion	100%
Between 2 and 5 Years after Eligible Project completion	55%
Between 5 and 10 Years after Eligible Project completion	10%
Rolling stock up to 10 years old	At book value depreciated according to GAAP

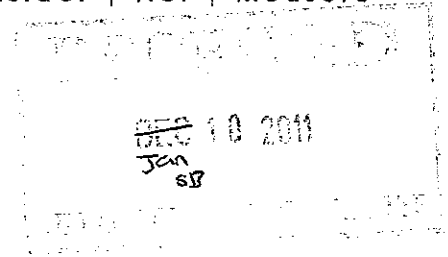


Coastal Community Network

The voice of British Columbia's coastal communities
Energize the Network in 2011 | Consider | Act | Measure

December 31st 2010

Mayor Carol Kulesha
Village of Queen Charlotte
Post Office Box 580
Queen Charlotte, BC
CANADA V0T 1S0



Dear Mayor Kulesha & Members of Council:

In the past year, the Network has made progress in adapting our structure and participation in processes to respond to diminishing financial resources and operating without full time staff.

I am writing to secure your organization's contribution for 2011 so that we can transition our efforts into a more effective vehicle for issues and opportunities that you and your neighbours can agree on, to move forward on a Pacific Coast wide sustainable development charter and agenda.

The focus of the Network continues to be to promote the sustainable economic and social well being of BC's coastal communities. Many of us have been excluded from participating in private industry and senior government decision making processes. We need to align our interests to better serve the people we were elected to represent.

In the coming year, the Network will:

- ✓ Create new and effective vehicles for communication across jurisdictional lines through social media and other electronic means;
- ✓ Plan face to face meetings at events such as the FCM conference in Victoria in February, the AVICC, UBCM and NCLGMA, as well as community to community forums;
- ✓ Reconnect with staff from senior governments working on files that directly and indirectly affect your community's livability;
- ✓ Locate who will lead the new Ocean & Coastal Strategy for British Columbia;
- ✓ Collaborate with the Fraser Basin Council, Ocean Initiatives BC, Ocean Renewable Energy Group, and the Pacific North Coast Integrated Management process to ensure that your interests are communicated; and;
- ✓ Inspire Coastal Parliamentarians, BC's all-party, all-partisan group of MPs, Senators and MLAs, to bring our communities to work together on your behalf.

Please find an invoice for this year's fees enclosed with this letter.

Community on-going support is essential to our ability to provide a strong, representative voice for all of BC's coastal communities. Please contact myself at 250 720-2822 for further information.

On behalf of your peers and colleagues, I look forward to your reply and working with you again in 2011.

Respectfully
Coastal Community Network

Mayor Ken McRae
Chairman of the Board of Directors

AGSUA Jan 17/11

9.3



2010 | 2011 Coastal Community Network Board of Directors

Name Term	Organization and Business Address	Officer Title	Phone	Facsimile
Ken McRae Mayor	City of Port Alberni 4850 Argyle Street Port Alberni, B.C. CANADA V9Y 1V8	Chairman of the Board of Directors davina_sparrow@portalberni.ca Davina Sparrow EA	Bus (250) 720-2822 Cell (250) Res (250)	(250) 723-1003
Al Huddleston Regional Chair	Regional District of Mt. Waddington P.O. Box 729 – 2044 McNeill Road, Port McNeill, B.C. CANADA V0N 2R0	Vice Chair of the Board of Directors info@rdmw.bc.ca	Bus (250) 956-3301 Cell (250) Res (250)	(250) 956-3232
Dario Coralazzoli Councillor	District of Ucluelet Box 999 Ucluelet, B.C. CANADA V0R 3A0	Secretary Treasurer, Board of Directors pacificrim@ukeecable.net	Bus (250) 726-7728 Cell (250) 726-7806 Res (250) 726-2291	(250) 726-7335
Dianne St. Jacques Business Person	Fletchers Cove B&B P.O. Box 999 200 Main Street, Ucluelet, B.C. CANADA V0R 3A0	Past Chair, Board of Directors saints@alberni.net	Bus (250) 286-6102 Cell (250) 735-8683 Res (250) 286-4711	(250) 286-6103
Tony Bennett Electoral Area C Director Long Beach	Alberni Clayoquot Regional District 1420 Port Alberni Box 595 Ucluelet, BC CANADA V0R 3A0	Director tonben1@telus.net	Bus (250) 726-2727 Cell (250) Res (250) 726-1224	(250) 726-1225
Patricia Edwards Electoral Area E Director Beaver Creek	Alberni Clayoquot Regional District 7701 Beaver Creek Road Port Alberni, BC CANADA V9Y 8M9	Director pledwards@shaw.ca	Bus (250) 250 720-4515 Free (866) 870-4190 Cell (250) 720-1518 Res (250)	(250) 479-7104
Mickey Flanagan Chief Executive Officer	Keltic Seafoods Limited 8625 Glenview Road, Port Hardy, BC CANADA V0N 2P0	Director mickey@kelticseafoods.com	Bus (250) 949-8088 Cell (250) Res (250)	(250) 949-8625
Les Sam Chief Councillor	Tseshah First Nation 5091 Mission Road Port Alberni, B.C. CANADA V9Y 8X9	Director les.sam@tsesah.com Tanya Lucas	Bus (250) 724-1225 Cell (250) 720-7334 Res (250)	(250) 723-1327

For more information, presentations and updates please contact the Network's Consulting Economic Developer and Volunteer Administrator Patrick Nelson Marshall toll free at +1 877 595-85676 or at patrick.marshall@capitaledc.com



Coastal Community Network

The voice of British Columbia's coastal communities
Energize the Network in 2011 | Consider | Act | Measure

TO:

Village of Queen Charlotte
Post Office Box 580
Queen Charlotte, BC
CANADA V0T 1S0



DESCRIPTION		RATE	AMOUNT
Valid January 1 st , 2011 through December 31 st , 2011		\$250	\$250
Subscription Type: Associate			
Population Used for Principle Type:			
Contact: Mayor Carol Kulesha			
		HST	\$30
Make all checks payable to:		TOTAL	\$280

Coastal Community Network
4341 Shelbourne Street
Canada's Remembrance Road
Victoria, British Columbia
CANADA V8N3G4

Office: 250 595-8676
Facsimile: 866 827-1524
Toll Free: 877 595-8676
Mailto: patrick.marshall@capitaledc.com
Url: www.coastalcommunitynetwork.ca



Dear Head and Members of Council

Thanks to all of our PITCH-IN BRITISH COLUMBIA MUNICIPAL Participants for 2010!

100 Mile House, Abbotsford, Agassiz, Ahousat, Anmore, Armstrong, Barriere, Brentwood Bay, Burnaby, Burns Lake, Campbell River Canoe, Castlegar, Chase, Chetwynd, Chilliwack, Christina Lake, Clearwater, Clinton, Cobble Hill, Coldstream, Comox, Coquitlam, Courtenay, Cranbrook, Crofton, Dawson Creek, Delta, Duncan, Elkford, Enderby, Erickson, Fort Nelson, Fort St. James, Fort St. John, Fruitvale, Gabriola, Garibaldi Highlands, Gold River, Golden, Grand Forks, Heriot Bay, Hope, Houston, Hudsons Hope, Invermere, Kamloops, Kelowna, Keremeos, Kimberley, Kitimat, Ladysmith Lake Country, Lake Cowichan, Langley, Logan Lake, Lower Post, Lytton, MacKenzie, Madeira Park, Maple Ridge, Merritt, Mill Bay, Mission, Nanaimo, Nelson, New Westminster, North Saanich, North Vancouver, Okanagan Falls, Osoyoos, Parksville, Peachland, Pemberton, Penticton, Pitt Meadows, Port Alberni, Port Alice, Port Coquitlam, Port Hardy, Port McNeill, Port Moody, Port Renfrew, Pouce Coupe, Powell River, Prince George, Prince Rupert, Qualicum Beach, Quathiaski Cove, Quesnel, Richmond, Robson, Rosedale, Rossland, Salmon Arm, Salt Spring Island, Savona, Sayward, Shalath, Sicamous, Skidegate, Sooke, Sparwood, Squamish, Surrey, Terrace, Topley, Trail, Tumbler Ridge, Ucluelet, Valemount, Vancouver, Vanderhoof, Vernon, Victoria, West Vancouver, Westbank, Whistler, White Rock, Williams Lake

Join in PITCH-IN Week 2011 and get your community on the list of clean and green communities in Canada!

Graffiti? Overflowing dumpsters? Littered paths and sidewalks? Illegal dump sites?

All of these are signs of a community in need of a 20 Minute Makeover! Just one of the many activities of PITCH-IN Week! Get involved and support the volunteers in your community who participate each year by becoming a Municipal Patron and utilizing all of PITCH-IN BRITISH COLUMBIA's resources.

How can your community become involved?

- One way is by becoming a **Patron*** of PITCH-IN BRITISH COLUMBIA.
- **Register** your community in PITCH-IN Week at www.pitch-in.ca after January 15, 2011
- Hold a **20 Minute Makeover**
- Kickoff your activities with a **Fastest Broom Contest**
- Hold a **Litter Audit** – see how your municipality can become more carbon neutral.

With continued financial support and involvement by B.C. municipalities we will truly make our province the THE CLEAN AND GREEN B.C. that we are so proud of!

Help us continue to help your PITCH-IN volunteers!
Become a Patron* of PITCH-IN BRITISH COLUMBIA today!

"The City's involvement in PITCH-IN CANADA Week, Operation: Clean Sweep, is a benefit to the community as it provides assistance in city-wide clean-ups, builds upon Communities In Bloom initiatives and promotes environmental awareness. This enhances both the urban and natural environment and develops a strong sense of community pride and responsibility. The estimated value.. of our PITCH-IN volunteers' hours in \$340,000 to \$612,000."

Sandra Kranc, City of Oshawa, PITCH-IN Volunteer Coordinator

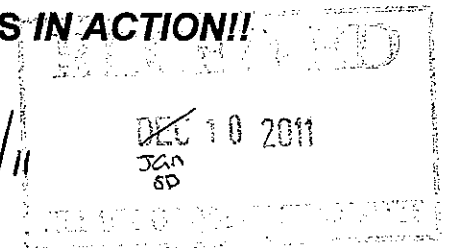
*Patron fees are population based – see over!

PITCH-IN BRITISH COLUMBIA.... VOLUNTEERS IN ACTION!!



www.pitch-in.ca

*J. AGERA
17/11*



9-4



CivicPride



THE COST OF BECOMING A PATRON OF PITCH-IN

The cost is dependent on your community's population.
That makes it fair for all and enables even the smallest villages or hamlets to become a patron. .

Population of your Community	Patron's Fee
1 – 500	\$125
501 – 1000	\$175
1001 – 2500	\$225
2501 - 5,000	\$ 350.
5,001 - 10,000	\$ 425.
10,001 - 25,000	\$ 550.
25,001 - 50,000	\$ 675.
50,001 - 100,000	\$ 750.
100,001 - 250,000	\$ 1250.
250,001 - 500,000	\$ 1500.
500,000+	\$ 2000.

November 09

PATRON APPLICATION

Name of Community.....

Mailing Address.....

City/Town/VillageProvince/Territory

Postal CodeTelephone () Fax ()

Contact Person Title

Email Community's Website www.

Population taken from (year)census

Amount of Fee Enclosed (see chart for applicable rate) \$.....

We need an invoice. Our Purchase Order Number is (please attach PO)

Send this Form to:

**PITCH-IN CANADA National Office,
Box 45011, Ocean Park PO, WHITE ROCK, BC, V4A 9L1**



CivicPride



THE BENEFITS OF BEING A PATRON OF PITCH-IN

***You are helping the PITCH-IN volunteers in your community who use our free year-round programs and materials to:**

- *clean up and beautify your neighbourhoods*
- *educate about the importance of individual responsibility for taking care of their environment*
- *undertake projects and campaigns encourage pre-cycling, and living by the 4 R's lifestyle- refuse, reduce, reuse, and recycle*
- *participate all year round in projects that save your Council money and invests in your community's future*

***These EXCLUSIVE Benefits for your Council, PITCH-IN Coordinator and Staff:**

- ✓ access to Patron Secure Section of the PITCH-IN website to download free materials including
 - detailed Action + Communications Plan for PITCH-IN CANADA Week
 - Communications and Action Plan for *The 20-Minute Makeover*
 - The Civic Pride Program, a comprehensive, year-round, litter control and waste management program (manual, workshop materials, DVD, use of logo, etc...)
- ✓ right to use the PITCH-IN trademarks including the PITCH-IN, CIVIC PRIDE and *The 20-Minute Makeover* logos
- ✓ purchase the official SEMAINE PITCH-IN WEEK flag at a reduced price of \$75
- ✓ free registration in the *The National Civic Pride Recognition Program*
- ✓ your community listed and linked on the PITCH-IN CANADA Website as a
- ✓ access to PITCH-IN CANADA staff as you design local litter control + beautification programs

***For Your Local Volunteers:**

- ★ **Guaranteed + Priority access to free PITCH-IN Week garbage/recycling bags for volunteers (must apply by March 15)**
- ★ **Ensure that PITCH-IN Week can continue as a resource for your community groups, so they receive clear recycling bags and the yellow waste-removal bags!**

You might also want to check out these other **PITCH-IN CANADA** materials and programs for your staff, your Council and the volunteers in your community, all available as FREE downloads from pitch-in.ca

- **ecoActive Schools**
- **Green Shopper**
- **Shoreline Clean-up**
- **Fastest Broom Contest (a great kick-off for PITCH-IN Week!)**
- **Tra\$h-A-Thons**
- **Pollution Counts**
- **Re-THINK Educational Unit**
- **Posters, Colouring Books, Action Projects for the Environment**

THANK YOU !!!

TO PARTICIPATE IN PITCH-IN WEEK AND RECEIVE FREE BAGS PLEASE SEND THE REGISTRATION FORM IN WITH YOUR PATRON APPLICATION TO BE PROCESSED.

1. Email (print CLEARLY please!) _____

Name (Mr/Mrs/Ms) _____ Title _____

Organization Name _____

STREET DELIVERY ADDRESS:

Delivery Address _____

Village/Town/City _____ Province _____ Postal Code _____

Tel: (_____) _____ Fax: (_____) _____

2. Information about YOUR Organization:

Number of people who will participate in your campaign

(this information is very important as it assists us in deciding how many free materials to send you)

3. Are you organizing any environmental education activities?(please tick yes or no) Q1 Yes No

If yes, please tick off below: (check off as many as apply)

- | | | |
|---|---|--|
| 01 <input type="checkbox"/> Litterless Lunch Program | 06 <input type="checkbox"/> Planting – trees/flowers | 10 <input type="checkbox"/> Green Shopper Program |
| 02 <input type="checkbox"/> Recycling Project | 07 <input type="checkbox"/> Poster Contest | 11 <input type="checkbox"/> Pollution Count |
| 03 <input type="checkbox"/> Composting Project | 08 <input type="checkbox"/> Stream Restoration Project | 12 <input type="checkbox"/> Cell Phone Recycling Program |
| 04 <input type="checkbox"/> Habitat Restoration Project | 09 <input type="checkbox"/> Display(s) | 13 <input type="checkbox"/> Energy Conservation Prog. |
| 05 <input type="checkbox"/> Speaker/Video/Presentation | 14 <input type="checkbox"/> Other (pls describe in box below) | |

Please provide brief description of the educational project(s) above, including DATES: (use separate sheet if required – we like to learn about your activities so that we can pass along ideas onto others! We love pictures, but they cannot be returned).

Date(s):

Details: (use separate sheet if reqd)

4. Will you be organizing a clean-up event? (please tick yes or no) Q2 Yes No

If yes, please tick off area(s) you plan to clean-up: (check off as many as apply)

- | | | |
|---|---|--|
| 01 <input type="checkbox"/> Schoolyard | 05 <input type="checkbox"/> Shoreline/Waterway | 09 <input type="checkbox"/> Wildlife/Conservation Area |
| 02 <input type="checkbox"/> Neighbourhood | 06 <input type="checkbox"/> Highway/Road | 10 <input type="checkbox"/> Trail |
| 03 <input type="checkbox"/> Park/Playground | 07 <input type="checkbox"/> Business | 11 <input type="checkbox"/> Sports Fields |
| 04 <input type="checkbox"/> Ravine | 08 <input type="checkbox"/> Cemetery/Churchyard | 12 <input type="checkbox"/> Other (please specify) _____ |

Date(s) of your Clean-Up Project(s)?

Please provide more details about your clean-up project(s): (use separate sheet if required - we like to learn about your activities so that we can pass project ideas onto others! We love pictures, but they cannot be returned).

5. Are other schools/sections/units/organizations/clubs involved in your campaign? Yes No

If "YES": LIST ALL SCHOOLS/SECTIONS/UNITS/ORGANIZATIONS/CLUBS, OTHER THAN YOUR OWN, who are participating. We want to recognize everyone for their contribution! Please attach separate sheet if necessary. Please do not include recalled groups. If you wish to discuss coordinating groups please contact Lisa Davis, Program Manager at lisa@pitch-in.ca

**VILLAGE OF QUEEN CHARLOTTE
ROAD CLOSURE BYLAW NO. 47 2010
Road Closure and Disposition Bylaw**

WHEREAS, pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Council of the Village of Queen Charlotte deems it expedient to close to traffic, remove the dedication of highway, and dispose of that portion of highway comprising approximately 26.1 square metres known as Balsam Street dedicated as highway by Plan 934A, which is shown outlined in bold black on the reference plan prepared by David Hardwicke, B.C.L.S. on the 7th day of September, 2010, a reduced copy of which is attached hereto (the "Road Closure Plan");

AND WHEREAS the disposition of that portion of highway will be to Wo Chin Kao and Chao Yu Chen for the purpose of consolidation with the adjacent property owned by them legally described as PID: 011-719-222, Lot B DL 15 Queen Charlotte District Plan 3912 (the "Adjacent Parcel") in exchange for the dedication of a portion of highway shown outlined in bold black on the reference plan prepared by David Hardwicke, B.C.L.S. on the 7th day of September, 2010, a reduced copy of which is attached hereto (the "New Road Plan");

AND WHEREAS notices of Council's intention to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representations to Council;

AND WHEREAS the Council does not consider that the closure of the Closed Road will affect the transmission or distribution facilities or works of utility operators;

NOW THEREFORE the Council of the Village of Queen Charlotte, in open meeting assembled, enacts as follows:

1. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the reference plan of highway closure (the "Road Closure Plan"), and attached to this Bylaw as Schedule "B" and forming part of this Bylaw is a reduced copy of the reference plan of consolidation and highway dedication (the "New Road Plan").
2. The Village hereby authorizes the closure to traffic and removal of highway dedication of the 26.1 square metre portion of highway (which was dedicated as highway at the Prince Rupert Land Title Office by Plan

934A), labelled "Closed Road" on the Road Closure Plan (the "Closed Road").

3. On deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Prince Rupert Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
4. The Village of Queen Charlotte is hereby authorized to dispose of and convey the Closed Road in fee simple to Wo Chin Kao and Chao Yu Chen, the registered owners of the Adjacent Parcel, in exchange for their dedicating as highway that area shown outlined in bold black and marked "Road" on the New Road Plan, on the condition that the Closed Road is consolidated with the Adjacent Parcel.
5. The Mayor and the Chief Administrative Officer of the Village are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.
6. This Bylaw may be cited as "Village of Queen Charlotte Road Closure and Disposition Bylaw No. 47 2010.

READ A FIRST TIME this 20th day of December, 2010.

READ A SECOND TIME this ___ day of _____, 201__.

READ A THIRD TIME this ___ day of _____, 201__.

APPROVED BY THE MINISTER OF TRANSPORTATION, this ___ day of _____, 201__ (Approval No. ****) {required if within 800m of provincial highway}

ADOPTED this ___ day of _____, 201__.

SCHEDULE "A" – Closed Road Plan

PLAN

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW HAVENSTON, D.C. 2010.
THIS DAY OF _____

REGISTRAR

REFERENCE PLAN TO ACCOMPANY
VILLAGE OF QUEEN CHARLOTTE BYLAW
CLOSING A PORTION OF ROAD
DEDICATED BY PLAN 934A, DISTRICT LOT 15,
QUEEN CHARLOTTE DISTRICT,
PURSUANT TO S.40 OF THE COMMUNITY CHARTER
AND S.120 OF THE LAND TITLE ACT.

BCGS 103F.030

SCALE 1: 300



THE INTENDED PLOT SIZE OF THIS PLAN IS 659 m² IN WIDTH BY
432 m² IN HEIGHT (C SIZED) WHEN PLOTTED AT A SCALE OF 1:300.

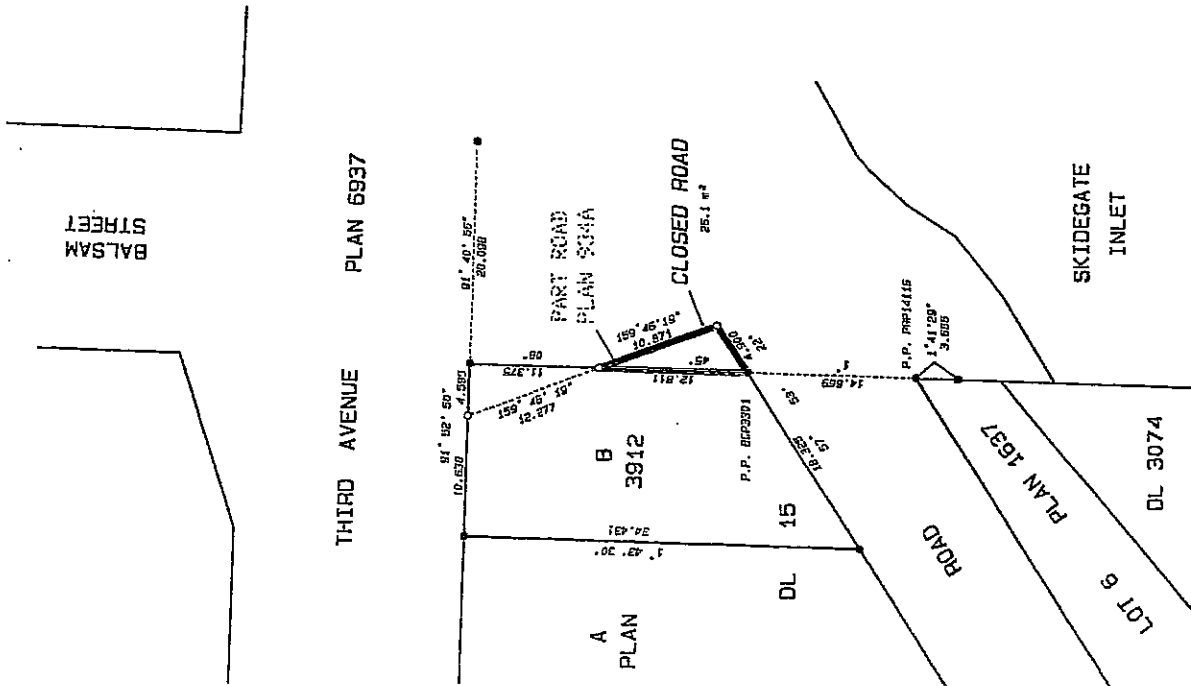
LEGEND

- BEARINGS ARE ASTROMONIC, OBTAINED FROM PLAN 6937.
- DENOTES STANDARD IRON POST SET
- DENOTES STANDARD IRON POST FOUND

I, DAVID J. HARRISON, A BRITISH COLUMBIA LAND SURVEYOR,
CERTIFY THAT I WAS PRESENT AT AND PERSONALLY
SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND
THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY
WAS COMPLETED ON THE 28TH DAY OF JUNE, 2010.
THE PLAN WAS COMPLETED AND CHECKED, AND THE
CORRECTLY FILED UNDER NO. SPT14007
ON THE 7TH DAY OF SEPTEMBER, 2010.

DAVID J. HARRISON, B.S.L.S.

DEBILKIE LAND SURVEYING INC.
TERRACE AND HANAUQU, B.C.
F 2931/10
C 2231/01



THIS PLAN LIES WITHIN THE SKIDEGATE-QUEEN CHARLOTTE REGIONAL DISTRICT.

111

SCHEDULE "B" – New Road Plan

11-1

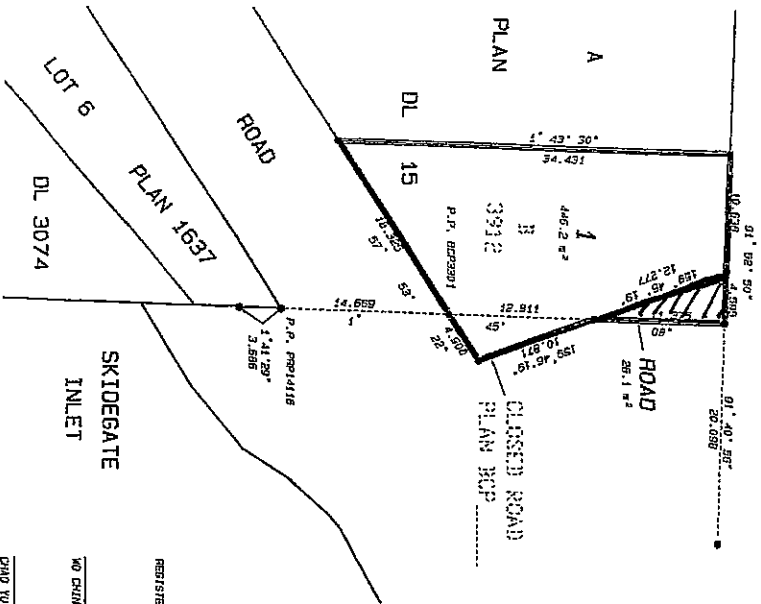
PLAN

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW WESTMINSTER, B.C.
THIS DAY OF _____ 2010.

REGISTRAR

THIRD AVENUE PLAN 6937

BALSAM STREET



APPROVED UNDER THE LAND TITLE ACT
THIS DAY OF _____ 2010.

BILL BEANISH
APPOINTED OFFICER
FIELD OF QUEEN CHARLOTTE

REGISTERED OWNERS

MO CHIN KAO

CHAO TU CHEN

WITNESS AS TO SIGNATURE(S)

NAME
OCCUPATION
ADDRESS

DAVID J. HARRISON, BCLS

REFERENCE PLAN OF CONSOLIDATION OF
ALL THAT PART OF DISTRICT LOT 15,
QUEEN CHARLOTTE DISTRICT SHOWN AS
CLOSED ROAD ON PLAN BCP _____ AND
LOT B, DISTRICT LOT 15,
QUEEN CHARLOTTE DISTRICT, PLAN 3912,
PURSUANT TO S. 100(1) (B) AND S. 107, LAND TITLE ACT.

BCGS 103F.030

SCALE 1:300



THE INTENDED PLOT SIZE OF THIS PLAN IS 599 m IN WIDTH BY
452 m IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:300.

LEGEND

- BEARINGS ARE ASTRONOMICAL, DERIVED FROM PLAN 6937.
- DENOTES STANDING IRON POST SET
- DENOTES STANDING IRON POST FOUND

I, DAVID J. HARRISON, A BRITISH COLUMBIA LAND SURVEYOR,
CERTIFY THAT I WAS PRESENT AT AND PERSONALLY
SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND
THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY
WAS COMPLETED ON THE 23RD DAY OF JUNE, 2010.
THE PLAN WAS COMPLETED AND CHECKED, AND THE
CHECKLIST FILED UNDER NO. E09114579
ON THE 7TH DAY OF SEPTEMBER, 2010.

DEONIANE LAND SURVEYING INC.
7 2581/18
C 2581A/2011

THIS PLAN LIES WITHIN THE SHERA-QUEEN CHARLOTTE REGIONAL DISTRICT.

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

DATE: November 22, 2010
FILE: Noise
AUTHOR: W. Beamish, Chief Administrative Officer
SUBJECT: Options for Responding to Noise Complaints

RECOMMENDATIONS:

1. That the Report of the CAO dated November 22, 2010, on Options for Responding to Noise Complaints be received;
2. That Council table the report on Options for Responding to Noise Complaints to January 17, 2011, in order to give the community an opportunity to consider its content and to offer comment on the options presented.

REASON FOR REPORT:

Since incorporation in 2005, the Village of Queen Charlotte has not adopted any regulatory bylaws dealing with noise, and when occasional complaints about noise are received, residents are often surprised to learn that there is no bylaw in force to deal with this issue. Before incorporation, the Skeena Queen Charlotte Regional District considered this matter and included the following provisions in the Queen Charlotte –Skidegate Landing Official Community Plan, which still applies today:

Objective 1.6: Protect community residents and wildlife from developments generating excessive noise levels;

Policy 1.6.1: consider adoption of a bylaw that would limit excessive noise in residential areas

As well, in 2009, the Queen Charlotte Advisory Planning Committee included the following recommendation on page 72 of the Draft OCP submitted to Council:

Future Studies and Plans: ***Noise Bylaw: to include but not limited to power saws, dog barking, roosters etc.***

The number of complaints received is not high and the subject matter varies from industrial noise caused by the log barge, traffic noise, music and roosters. The focus of concern when this matter was considered by Council in July 2010 was that as a community we do not want to become over regulated and in cases where regulation is needed, we want to ensure that there is an appropriate balance between the responsibility of individuals to communicate with their neighbours and enforcement. However, when this matter was considered by council on July 5, 2010, the following resolution was approved:

“that council direct staff to:

1. prepare a draft Noise Bylaw;
2. prepare a draft policy relative to enforcement of the bylaw;

3. prepare a communication plan as to how the draft bylaw and policy would be presented to the community for consultation and feedback.”

This report addresses the items listed in the June 5th resolution, and discusses the process that has been undertaken by the CAO and others subsequent to that meeting.

BACKGROUND AND DISCUSSION:

Studies have concluded that left unresolved noise complaints can result in stress, lack of sleep, anger and in many cases, serious neighbor to neighbor conflict. In addition, unresolved complaints are costly in terms of the amount of time and energy that police, municipal staff and members of Council are required to spend to respond, investigate and take effective action to resolve them.

Currently, in the absence of a noise bylaw the RCMP does not have authority to effectively deal with noise complaints like loud parties, music, etc. Lacking jurisdiction, they are reluctant to respond to noise complaints and when they do they rely on provisions of the Criminal Code of Canada to justify their presence and to take action if warranted.

Since receiving direction from Council in June, the undersigned CAO has reviewed a variety of options and model noise bylaws that have been adopted by municipalities in BC. In addition, a small working group of community volunteers and one member of Council, Leslie Johnson, have met on three occasions to consider options to enforcement and the option of developing a community mediation program. The overriding concern continues to be to encourage neighbours to resolve their disputes through conversation and if that fails to find some alternate way, like community mediation, to assist them. In the end however, when conversation and mediation fails the option of enforcing a bylaw should be available. This is similar to the justice council model where diversion is offered and if it fails, the courts are still available.

Community Charter:

In municipalities, noise complaints are dealt with by adoption and enforcement of a Noise Bylaw enacted pursuant to section 64 of the *Community Charter*. This section relates directly to the fundamental powers of a municipality established in Section 8 (3) of the *Charter* ;

A Council may, **by bylaw**, regulate, prohibit and impose requirements in relation to...

(h) the protection and enhancement of the well being of the community in relation to matters referred to in section 64.

Among other things, Section 64 includes noise, vibration, odour, dust, illumination or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.”

The *Community Charter* requires that Council, when dealing with noise complaints, adopt a bylaw that establishes general or specific offences enforceable by a bylaw enforcement officer or, where appointed, by the RCMP. However, communities will often adopt policies that provide direction with respect to the enforcement of certain bylaws and which for example could direct that: “*Bylaw enforcement will only occur when a complaint has been received from a member of the public who is prepared to be a witness in a court proceeding.*”

Considering Options:

Before adoption of a noise bylaw, council needs to consider options that may be available in existing bylaws or in other legislation to deal with specific problems. For example:

- complaints about noise from roosters could be dealt with through zoning by limiting roosters to larger parcels of land or by prohibiting roosters altogether.
- excessive dog barking could be an indication of abuse and referred to the SPCA or dealt with in an animal control bylaw.
- Industrial noise or noise emanating from a business can be dealt with by ensuring that such uses are appropriately located within the OCP and zoned; where there is a potential for conflict between residential and industrial uses, require buffering and/or soundproofing.

At present, Queen Charlotte does not have any of these bylaws so unless and until they are adopted these options, with the exception of referring to the SPCA, are not available.

With respect to noise from the loading of the log barge in Bearskin Bay, there are jurisdictional issues that need to be considered as well as finding a way to balance the needs and schedules of local industry with the community interest. Highway noise is also difficult to regulate and exceptions are usually made for public works vehicles required to perform maintenance and snow removal activities early and late in a day. However it is common to regulate the amount of noise that a vehicle engine or muffler can make.

Resolving Complaints:

Often, a noise complaint or any other neighbor to neighbor dispute can be resolved through discussion or mediation between the parties. This approach requires a willingness of both or all parties to participate and dedicated time to work on the issues. In the end if the parties fail to communicate or if discussion or mediation fails and if the problem persists, referral to the courts by civil process or enforcement of a bylaw may be the only solution. In the absence of a bylaw, the municipality and the police, unless it is a criminal matter, should not be involved.

One of the principles of enforcement is the willingness of the complainant to testify in court as to the nature of their complaint and, in the case of a noise bylaw, to provide clear evidence of the dates and times that they were disturbed by noise. If a complainant is not willing to participate in a court action then in most cases enforcement will not be initiated. Exceptions are when the evidence and the offence are clearly linked as in the case of construction noise before or after a time specified in a bylaw.

Consultation:

One of the concerns raised in discussion of a noise policy is the nature and extent of community consultation that will be held before any bylaw under section 64 is considered or adopted by Council. In recognition of this concern, a process has been developed to ensure that the public has every opportunity to be informed of any draft bylaw and to have input into its content or encourage council to consider other bylaw or policy options.

The main elements of this policy include use of the website, newsletter, newspaper, dialogue, four bylaw readings, and informal conversations with the public.

Mediation:

Some larger communities have established a community mediation programs or they refer complaints to existing not for profit community based mediation organizations. These services are free or minimal cost and confidential. They are often staffed by volunteer trained mediators under the direction of a paid coordinator. The following is an example of such a service:

COMMUNITY MEDIATION SERVICES:

We are a non-profit society through which trained mediators volunteer their services to mediate community disputes.

Generally, our services may be used for any dispute resulting from a breakdown in normal, friendly community relations, including:

- Disputes between neighbours*
- Disputes between residents and local businesses*
- Other community conflicts*

We are supported by the District of North Vancouver and the City of North Vancouver.

If a community mediation service were to be established in Queen Charlotte, it could provide service to other communities in the area.

BYLAW OR POLICY CONSIDERATIONS:

1. Good Neighbour Policy - Consultation
 - See draft Policy 18.0 attachment 1
2. Enforcement of Good Neighbour Bylaws
 - See draft policy 19.0 attachment 2

3. Draft Noise Bylaw: attachment 3

The *Community Charter* provides that a council may, **by bylaw**, regulate, prohibit and impose requirements in relation to ...noise complaints. In most BC communities noise bylaws consist of definitions, offences, specific times when noise is not permitted, and a schedule of fines. In these bylaws distinction is made with respect to the kinds of noise that is unacceptable and included construction noise, noise from vehicles, noise from animals or noise that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public. Specific exemptions to the noise bylaw are also listed.

Based on these elements the attached draft Village of Queen Charlotte Noise Bylaw has been prepared for Council's consideration.

FINANCIAL CONSIDERATIONS:

Regulatory bylaws normally include a schedule of offences and fines. Queen Charlotte is responsible for the cost of prosecutions under any bylaw where the offence is disputed. The following alternative should be considered:

“As an alternative to seeking summary convictions for very simple matters, like parking violations, local governments may implement an administrative penalty system known as “bylaw notice enforcement” Local Government Bylaw Notice Enforcement Act. Using this system requires a local government to establish a dispute process that is much less formal than a courts, presided over by a third-party adjudicator.” (Ministry of Community, Sport & Cultural Development)

ENVIRONMENTAL CONSIDERATIONS:

Excessive noise is a form of pollution.

CONCLUSION:

Recommendations and requests for a noise bylaw have been received by Council. As the basis for consultation with the community, a Draft Noise Bylaw and enforcement policy should be communicated to the residents by a variety of means (website, e-mail, Facebook, newsletter, dialogue) with a view to soliciting discussion and feedback over a 30-60 day period before proceeding with bylaw readings or making a decision not to proceed.

It is important that whatever action Council decides to take, the process be open and transparent to ensure maximum opportunity for discussion and comment as this will serve as a model for future bylaw processes pursuant to section 64 of the *Community Charter*.

W. Beamish, CAO

Attachment 1:

Village of Queen Charlotte

COUNCIL POLICY

Name of Policy: Good Neighbour Bylaw - Consultation

Reference No: 18.0

Date Adopted:

Purpose:

The purpose of this policy is to ensure that there has been full and open consultation with the community prior to consideration and adoption of any bylaw under Section 64 of the Community Charter, commonly referred to as a Good Neighbour Bylaw.

Bylaws under section 64 of the Community Charter generally relate to situations which, if unresolved, often result in disagreement or conflict between neighbours. The issues that can be addressed by bylaw include noise, odour, unsightly premises, trespass, secondhand smoke, illumination 'or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public."

Policy:

Bylaws under section 64 of the Community Charter may be considered for adoption by council in response to a specific issue that has been raised by more than one resident of the community only after there has been full and open consultation with the community and if no other appropriate options are available.

Procedure:

1. On receipt of complaints from more than one resident (having separate addresses) of the community in respect to a matter listed in section 64 of the Community Charter which cannot be resolved by other means, Council may give direction, by resolution, to the CAO to prepare a Report to Council on the issue and options for dealing with issue;

2. Prior to it being considered by council, copy of the Report to Council shall be made available to the general public by posting on the municipal website and to any member of the community who has expressed interest in the issue. Any comments received shall be considered by the CAO and appended to the Report to Council;
3. Notice shall be given in the newspaper and to any person who has expressed interested in the issue, of the date and time that the Report to Council will be considered by Council and of the opportunity to attend the meeting and to discuss the issue with Council;
4. If, after considering the Report to Council and any representations by members of the community in open meeting, council is satisfied that the most appropriate means of dealing with an issue is by bylaw, Council will direct the CAO to prepare a draft bylaw and to ensure that the following actions are taken:
 - a. Notice of the draft bylaw shall be published in the local newspaper for at least 2 weeks immediately prior to it appearing on an agenda for council to consider and shall include:
 - i. name of the bylaw;
 - ii. purpose of the bylaw;
 - iii. date and time of the Council Meeting or Committee of the Whole that it will be considered at by council;
 - iv. days and time that it is available to view at the municipal office;
 - v. Village web address for viewing the draft bylaw.
 - b. The subject matter of the bylaw shall be published in the 'Village Voice' with a background report on the issue(s) and options available for dealing with them; copy of this information shall also be added to the Village website for information;
 - c. An opportunity for Community Dialogue is held on the subject of the draft bylaw and a report of the dialogue is provided to Council.
5. In order to give additional opportunity for the public to consider and comment on the bylaw, and for Council to amend the bylaw, all readings of the bylaw shall be held at separate meetings of Council.

Chief Administrative Officer

Date

Attachment 2:

Village of Queen Charlotte

COUNCIL POLICY

Name of Policy: Enforcement of Good Neighbour Bylaws

Reference No: 19.0

Date Adopted:

Purpose:

Disputes between neighbours are some of the most difficult kinds of issues that a municipality is asked to resolve. These complaints often concern issues of noise, odour, unsightly premises, noxious weeds, and other matters referenced in section 64 of the Community Charter. The Community Charter provides that a municipality may deal with these matters by adopting bylaws which establish penalties for specific kinds of violations. Alternatively, in the absence of a bylaw, the municipality has no specific jurisdiction to act and complainants have recourse to the courts directly or, if it is a criminal matter, to the police.

Council encourages neighbours to resolve their complaints without recourse to bylaw or other enforcement action and has considered alternate means of resolution that may be available in the community.

The purposes of this Policy are:

- a. to encourage the resolution of disputes between neighbours by suggesting alternative, voluntary, processes for resolving complaints received pursuant to Section 64 of the Community Charter, and;
- b. to provide direction and guidance to employees of the Village of Queen Charlotte and to the Queen Charlotte RCMP Detachment for responding to or investigating complaints from the general public in respect to bylaws adopted pursuant to Section 64 of the Community Charter.

Copy of Section 64 of the Community Charter is attached for reference.

Policy:

It is the Policy of the Village of Queen Charlotte Council that:

1. Where Council has adopted a bylaw under Section 64 of the Community Charter, neighbours will be encouraged resolve their complaint by talking with their neighbour, or owner of the property giving rise to the complaint, or by participating in a voluntary mediation process, or other process, before enforcement action is taken.
2. A bylaw adopted under section 64 of the Community Charter will only be enforced on receipt of a complaint from a resident of Queen Charlotte or by resolution of Council
3. Enforcement action will not be taken in respect to anonymous complaints about matters included in Section 64 of the Community Charter.
4. Enforcement action will not be taken in cases where complainants are not prepared to document their complaint and, if necessary give evidence in court.
5. This policy is not intended to fetter the discretion of the RCMP to take enforcement action in circumstances where such action is deemed appropriate.

Procedure:

It is proposed that a voluntary community mediation program be established that would serve the needs of residents of our local communities. This program would be modeled on similar not for profit programs elsewhere and would be partially funded by local government and available grants. Success of this program will depend on the ability to find a qualified person to coordinate it and a pool of trained volunteers willing to support the program.

Mediation will be recommended, as an option to enforcement, after the parties have tried to resolve their dispute by talking together and by other means. In bylaw cases where mediation is tried and fails, or where mediation is declined, enforcement will be considered.

In the absence of a mediation program, complainants will be encouraged to resolve their disputes by talking to each other or with the assistance of a bylaw officer appointed by Council.

Where enforcement action is considered necessary, the complainant will be informed of their responsibility to have documented the specific details of their complaint including the dates and times that the actions giving rise to the complaint occurred, and to be prepared to appear in court to testify about the complaint if the need arises. If a complainant indicates that they are not prepared to provide evidence in court, then no further action will be taken.

In all cases, it is expected that enforcement will be looked upon as a last resort. However, there may be circumstances where enforcement is warranted immediately.

Chief Administrative Officer

Date

Community Charter: Nuisances, disturbances and other objectionable situations

64 The authority of a council under section 8 (3) (h) [*spheres of authority – nuisances disturbances and other objectionable situations*] may be exercised in relation to the following:

- (a) nuisances;
- (b) noise, vibration, odour, dust, illumination or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;
- (c) the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere;
- (d) refuse, garbage or other material that is noxious, offensive or unwholesome;
- (e) the use of waste disposal and recycling services;
- (f) the accumulation of water on property;
- (g) unsanitary conditions on property;
- (h) drains, cesspools, septic tanks and outhouses;
- (i) trees, weeds or other growths that council considers should be removed, cut down or trimmed;
- (j) the carrying on of a noxious or offensive business activity;
- (k) graffiti and unsightly conditions on property;
- (l) indecency and profane, blasphemous or grossly insulting language.

Attachment 3:

VILLAGE OF QUEEN CHARLOTTE
NOISE BYLAW NO. (DRAFT)

A Bylaw to regulate, prohibit, and impose requirements in relation to noise in the Village of Queen Charlotte

WHEREAS the Council of the Village of Queen Charlotte has the authority to regulate, prohibit, and impose requirements in relation to noise that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

NOW THEREFORE the Council of the Village of Queen Charlotte, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited for all purposes as the "Village of Queen Charlotte Noise Regulation Bylaw No. ___."

Interpretation

2. In this Bylaw:
 - (a) "Council" means the Council of the Village of Queen Charlotte;
 - (b) "Bylaw Enforcement Officer" means the Chief Administrative Officer, member of the R.C.M.P. , or other person who may be appointed by Council;
 - (c) "Village" means the Village of Queen Charlotte;
 - (d) "Weekdays" means Sunday night to Friday morning;
 - (e) "Weekends" means Friday night to Sunday morning.

Prohibited Noise

3. No person shall make or cause, or permit to be made or caused, in or on a highway or public place in the Village, any noise which disturbs or is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.
4. No owner or occupier of real property shall use such real property, or permit such real property to be used, so that a noise which originates from such real property disturbs or is liable to disturb the quite, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

5. Without limiting the generality of Section 3 or 4 of this Bylaw, no person shall cause or permit:
- (a) any amplified music or speech which is audible between the hours of 11:00 p.m. and 8:00 a.m. outside the premises on the real property from where the music or speech originates or is reproduced and which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (b) any calls, cries, barks, or other noises made by an animal which are audible between the hours of 8:00 p.m. and 7:00 a.m. outside the premises where the animal is kept and which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (c) any noise made by the operation of any machinery or equipment between the hours of 11:00 p.m. and 7:00 a.m. on weekdays and between the hours of 11:00 p.m. and 9:00 a.m. on weekends and which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (d) any noise made in the construction, reconstruction, alteration, repair, or demolition of any building, structure, or thing, including the excavation or filling of land, between the hours of 11:00 p.m. and 7:00 a.m. on weekdays and between the hours of 11:00 p.m. and 9:00 a.m. on weekends and which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

Exemptions

6. This Bylaw does not apply to noises produced by:
- (a) emergency response vehicles and equipment proceeding upon or engaged in an emergency;
 - (b) the excavation, filling, construction, reconstruction, alteration, or repair of streets, highways, public works, infrastructure, or lands by the Village's employees or agents;
 - (c) snow removal or highway cleaning operations on a highway or public place;
 - (d) the operation of a public address system, or alarm system, required under a building or fire code;
 - (e) special events permitted by Council;
 - (f) an animal impoundment facility or shelter;
 - (g) activities associated with commercial fisheries operations and fish guides;

- (h) commercial delivery vehicles, or their operators, or any other noise associated with the regular course of the delivery or pickup of commercial goods;
- (i) BC Ferries operations in Skidegate Landing;
- (j) the landing and takeoff of helicopters from the heli-pad or float planes;
- (k) industrial activity on property zoned industrial and including the loading of the log barge in Bearskin Bay.

Inspection

- 7. A bylaw enforcement officer may enter on any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.

No Interference

- 8. No person shall obstruct or interfere with a bylaw enforcement officer in the performance of his or her duties under this Bylaw.

Offences and Penalties

- 9. Any person who contravenes this Bylaw is liable upon summary conviction to a fine not exceeding \$10,000 and the cost of prosecution. Every day during which there is an infraction of this Bylaw shall constitute a separate offence.
- 10. This Bylaw is designated pursuant to s. 264(1)(a) of the *Community Charter*, S.B.C. 2003, c. 26 as a bylaw enforceable by means of a ticket in the form prescribed in the *Community Charter Bylaw Enforcement Ticket Regulation*, B.C. Reg. 425/2003.
- 11. All persons acting on behalf of the Village for the purpose of enforcement of the Village's bylaws and members of the R.C.M.P. are designated pursuant to s. 264(1)(b) of the *Community Charter*, as bylaw enforcement officers for the purpose of enforcing this Bylaw.
- 12. The words or expressions set forth in Column 1 of Schedule "A" of the Bylaw are authorized pursuant to s. 264(1)(c) of the *Community Charter* to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
- 13. The amounts appearing in Column 3 of Schedule "A" of this Bylaw are the fines established by Council pursuant to s. 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

Severability

14. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

READ A FIRST TIME this ____ day of _____, ____.

READ A SECOND TIME this ____ day of _____, ____.

READ A THIRD TIME this ____ day of _____, ____.

APPROVED AND ADOPTED this ____ day of _____, ____.

Carol Kulesha, Mayor

William Beamish, Chief Administrative Officer

SCHEDULE "A" OF BYLAW NO. _____

Offence Committed	Bylaw Section No.	Fine
1. Noise on highway or public place contrary to bylaw	3	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
2. Noise on premises contrary to bylaw	4	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
3. Amplified music or speech during prohibited period	5(a)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
4. Noisy animal during prohibited period	5(b)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
5. Noise from machinery or equipment during prohibited period	5(c)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
6. Noise from construction during prohibited period	5(d)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
7. Interference with bylaw enforcement officer	8	\$250.00