



# Regular Meeting of the Council of the District of Port Edward

Tuesday, November 28, 2023

7:00 PM

District of Port Edward Council Chambers

Zoom Link Join: <https://us06web.zoom.us/j/89875528532>

Meeting ID: 898 7552 8532

## AGENDA

We respectfully acknowledge we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples

1. **Adoption of Agenda**

**Recommendation:**

THAT the Agenda for the Regular Council Meeting of November 28, 2023 be adopted as presented.

2. **Adoption of Minutes**

**Recommendation:** THAT the minutes of the Special Meeting on November 11, 2023 and Regular Council on November 14, 2023 be adopted as presented.

3. **Business Arising**

4. **Petitions & Delegation**

5. **Correspondence**

6. **Reports**

a) **Prince Rupert Salmon Enhancement Society- Proposed Agreement in Principle**

**Recommendation:** That Council approves entering into the Agreement in Principle with the Prince Rupert Salmon Enhancement Society effective November 28, 2023.

b) **Development Variance Permit Application**

**Recommendation:** That Council approves the issuance of Development Permit with Variance No. 04-2023 for 336 Spruce Avenue, Port Ed Holdings, for development of a duplex.

**c) 2022 Audited Financial Statements**

**Recommendation:** THAT Council passes a motion accepting the corrected 2022 Audited Financial Statements.

**d) CAO's Report to Council (Nov 15-Nov 23, 2023)**

**e) 2024 Council Meeting Schedule**

**Recommendation:** That Council approves the 2024 Council Meeting Schedule.

**f) 2024 Council Appointments**

**Recommendation:** That Council provide direction to confirm the District Boards and Acting Mayor appointments.

**7. Bylaws**

**a) District of Port Edward Fireworks Amendment Bylaw 751, 2023**

**Recommendation:** THAT Council gives final reading and adoption to the Fireworks Amendment Bylaw # 751, 2023.

**b) District of Port Edward Sewer Rates and Regulations Amendment Bylaw # 752, 2023**

**Recommendation:** THAT Council gives final reading and adoption to the Sewer Rates and Regulation Amendment Bylaw # 752, 2023.

**c) District of Port Edward Business Licence Bylaw # 753, 2023**

**Recommendation:** THAT Council gives first, second and third reading to the Business Licence Bylaw # 753, 2023.

**8. New Business**

**9. Reports on Council Activities**

**a) RE: Update on Accessibility Committee**

**b) RE: North Coast Regional District – November 2023**

**10. Questions from Audience – *Regarding Listed Agenda Items Only***

**11. Adjournment**

**RE: Motion to move to In-Camera at the end of Regular Council meeting as per Community Charter Section 90(1):**

- (a)- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c)- labour relations or other employee relations;
- (i)- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

2a

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE DISTRICT  
OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON SATURDAY,  
NOVEMBER 11, 2023**

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**PRESENT:**

**COUNCIL:**

Mayor Knut Bjorndal, Chair  
Councillors: Christine Mackenzie; Colleen McDonald  
Dan Franzen and James Brown

**ADMINISTRATION:**

Elsie Lemke, Interim Chief Administrative Officer  
**Absent:** Polly Pereira, Director of Corporate  
Administrative Services and Strategic Projects  
**Absent:** Lorraine Page, Director of Financial Services

**OTHERS:**

**CALL TO ORDER:**

Mayor Knut Bjorndal called the Special meeting to order at 2:15 pm on Saturday November 11, 2023.

**AGENDA:**

23-173            Moved by: Councillor Franzen  
                      Seconded by: Councillor MacKenzie

**THAT** the Agenda for the Special Council Meeting of November 11, 2023 be adopted as presented.

Carried Unanimously

**1. RESOLUTION TO EXCLUDE THE PUBLIC**

23-174            Moved by: Councillor Brown  
                      Seconded by: Councillor MacKenzie

**THAT** the meeting be closed to the public under Section 90 of the Community Charter to consider items relating to one or more of the following:

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

Carried Unanimously

**ADJOURNMENT:**

23-175            Moved by: Councillor MacKenzie  
                      Seconded by: Councillor McDonald

**NOW THEREFORE BE IT RESOLVED THAT** at 2:16 pm on November 11, 2023  
Special Meeting of Council be adjourned and move to an In-camera meeting.

Carried Unanimously

**CERTIFIED CORRECT**

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Knut Bjorndal, Mayor

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Polly Pereira, Director Corporate  
Administrative Services and Strategic  
Projects

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE DISTRICT OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON TUESDAY NOVEMBER 14, 2023**

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**PRESENT:**

**COUNCIL**

Acting Mayor Colleen McDonald, Chair  
Councillors: Christine MacKenzie, James Brown and Dan Franzen

**Absent:** Mayor Knut Bjorndal

**ADMINISTRATION:**

Elsie Lemke, Interim Chief Administrative Officer  
Polly Pereira, Director of Corporate Administrative Services and Strategic Projects  
Lorraine Page, Director of Financial Services

**CALL TO ORDER:**

Acting Mayor Colleen McDonald called the meeting to order at 7:00 pm on Tuesday November 14, 2023.

The Acting Mayor opened the meeting by respectfully acknowledging we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples.

**AGENDA:**

23-176        Moved by: Councillor Brown  
                  Seconded by: Councillor Franzen

**THAT** the Agenda for the Regular Council Meeting of November 14, 2023 be adopted as presented.

Carried Unanimously

**MINUTES:**

23-177        Moved by: Councillor MacKenzie  
                  Seconded by: Councillor Franzen

**THAT** the minutes of the Regular Meeting of Council dated October 24, 2023 be adopted as presented.

Carried Unanimously

**BUSINESS ARISING:**

**PETITIONS AND/OR DELEGATION:**

**CORRESPONDENCE:****REPORTS:****a) Fire Service Mutual Aid Agreement**

Council was provided a report dated November 14, 2023 from Elsie Lemke, Interim Chief Administrative Officer, regarding the Mutual Aid Agreement for fire and other emergency incident related services with the City of Prince Rupert that expired earlier this year, and is now being renewed. No material changes were made to the Agreement, which has been in place previously for a number of years. The new Agreement provides for an extension of three or more years, by mutual agreement of the parties.

23-178            Moved by: Councillor Franzen  
                      Seconded by: Councillor Brown

**THAT Council approves entering into the Fire Service Mutual Aid Agreement with the City of Prince Rupert for a term of 3 years effective May 18, 2023.**

Carried Unanimously

**b) Watson Island Water Supply Agreement**

Council was provided a report dated November 14, 2023 from Elsie Lemke, Interim Chief Administrative Officer, regarding the Watson Island Water Supply Agreement with the City of Prince Rupert that expired earlier this year, and needs to be renewed. The only material changes relate to the requirement in the previous Agreement for the installation of a backflow preventer and compound meter and that was addressed in the previous agreement and is now removed from the current agreement. The new Agreement provides for a three-year term (as opposed to a 12 month term in the previous Agreement) and an extension by mutual agreement of the parties.

23-179            Moved by: Councillor Brown  
                      Seconded by: Councillor Franzen

**THAT Council approves entering into the Watson Island Water Supply Agreement with the City of Prince Rupert for a term of three years effective the date of execution.**

Carried Unanimously

**c) Lease Agreement with School District No. 52**

Council was provided a report dated November 14, 2023 from Elsie Lemke, Interim Chief Administrative Officer, regarding the lease agreement for the Port Edward Community School with School District # 52. The main lease is a twenty year lease and the agreement provides for an opportunity to review the terms of the Agreement and the rent to be paid every 5 years. In 2017 Council agreed to reduce the monthly lease from \$5,000 to \$3,500 for the period ending August 31, 2022. The school is struggling with student enrolment numbers. An updated amendment is attached for the term September 1, 2022 to August 31, 2027 and proposes to continue with the same lease payment of \$ 35,000 per year plus GST.

23-180 Moved by: Councillor Franzen  
Seconded by: Councillor MacKenzie

**THAT Council approves entering into the Amendment to Lease Agreement with the Board of Education of School District No. 52 for the term September 1, 2022 to August 31, 2027.**

Carried Unanimously

**d) CAO's Report (October 19-November 8, 2023)**

Council was provided a report from the Interim Chief Administrative Officer dated November 14, 2023 that outlined all the activities that she has been working on.

**REPORTS FROM  
IN-CAMERA:****BYLAWS:****a) Fireworks Amendment Bylaw # 751**

Council received a report dated November 14, 2023 from the Director of Corporate Administrative Services. The Fireworks bylaw # 723 needs to be amended to include the issuance of a permit for discharge of fireworks on private property. We are now requesting that Council gives first, second and third reading to this bylaw.

23-181 Moved by: Councillor Franzen  
Seconded by: Councillor Brown

**THAT Council gives first, second and third reading to the Fireworks Amendment Bylaw # 751, 2023.**

Carried Unanimously

**b) Sewer Rates & Regulation Amendment Bylaw # 752, 2023**

Council received a report dated November 14, 2023 from the Director of Corporate Administrative Services. The attached Sewer Rates & Regulation Bylaw # 397 needs to be corrected. Section 9(1) indicates that a minimum diameter of each sewer connection shall be 150 mm and that is not correct, as it should say 100 mm. The BC Building Code states that the size of the building drain and building sewer shall not be less than 4 inches (100 mm). We are now requesting that Council gives first, second and third reading to this bylaw.

23-182            Moved by: Councillor Franzen  
                      Seconded by: Councillor MacKenzie

**THAT Council gives first, second and third reading to the Sewer Rates & Regulations Amendment Bylaw # 752, 2023.**

Carried Unanimously

**NEW BUSINESS:**

**Councillor Brown**

AltaGas (Socioeconomic Engagement Report) – he had a list of items that he would like to be included in the report (noise, lights, hours of work, impact on wildlife(wolves) and Truth and Reconciliation.

**REPORTS ON COUNCIL ACTIVITIES:**

**RE: North Coast Regional District – October 2023**

**Councillor MacDonald**

Provided Council an update on the AltaGas- Socioeconomic Engagement Report – she will be forwarding the list above to the Committee.

**ADJOURNMENT:**

23-183            Moved by: Councillor MacKenzie  
                      Seconded by: Councillor Franzen

**NOW THEREFORE BE IT RESOLVED THAT** at 7:21 pm the November 14, 2023 Regular Meeting of Council be adjourned.

Carried Unanimously



**CERTIFIED CORRECT**

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Knut Bjorndal, Mayor

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Polly Pereira, Director Corporate  
Administrative Services and  
Strategic Projects



# DISTRICT OF PORT EDWARD

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## REGULAR COUNCIL REPORT FOR DECISION

**Date:** November 28, 2023  
**To:** Mayor and Council  
**From:** Elsie Lemke, Interim Chief Administrative Officer  
**Subject:** **Prince Rupert Salmon Enhancement Society  
Proposed Agreement in Principle**

**Recommendation:** That Council approves entering into the Agreement in Principle with the Prince Rupert Salmon Enhancement Society effective November 28, 2023.

**Background:**

The Prince Rupert Salmon Enhancement Society (PRSES) is proposing an Agreement in Principle with the District of Port Edward, to commit to a supportive and collaborative relationship to enable the development of a salmon enhancement hatchery within the municipality.

The PRSES made a presentation to Council in 2023, proposing to review locations within the District along Wolf Creek to relocate their hatchery operations from its Wantage Road location in Prince Rupert adjacent to Oldfield Creek. The Wantage Road operations have been damaged by a landslide, and it is not considered safe or viable to continue to use that location.

Council supported the Society's plans in principle, to consider a location in Port Edward for their new facility, by way of a resolution when the Society presented to Council in January.

**Approved for Submission to Council:**

  
\_\_\_\_\_  
**Elsie Lemke, Interim CAO**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- Agreement in Principle



Prince Rupert Salmonid Enhancement Society  
PO Box 1098  
Prince Rupert, B.C.  
V8J 4H6  
OldfieldHatchery@gmail.com

## **Agreement in Principle between:**

### **Prince Rupert Salmon Enhancement Society (PRSES) and the District of Port Edward (DPE)**

This agreement establishes a commitment between the parties to a supportive and collaborative relationship to enable the development of a salmon enhancement hatchery within the vicinity of Port Edward.

The PRSES is a registered non-profit society that has operated as a community and volunteer based group for 40 years, dedicated to enhancement and stewardship of salmonid resources in the Prince Rupert and surrounding areas and to the provision of associated public education and information. A recent flood event has forced the PRSES hatchery to relocate operations from its Wantage Road location in Prince Rupert situation adjacent to Oldfield Creek. A potentially suitable location has been identified within the Port Edward District.

The PRSES is enabled and supported by the Department of Fisheries and Oceans Salmonid Enhancement Program. This ongoing DFO commitment and support has been confirmed and is an appreciated component of the societies success over the past 40 years.

Port Edward is a District Municipality (population~600) situated on the Tsimpsean Peninsula opposite Ridley Island, approximately 15 kilometers south of Prince Rupert. The District has a rich history of fisheries and marine industries.

The parties have the following mutual interests:

- Enhancement and stewardship of local salmon populations
- Foster an awareness, appreciation, and understanding of local salmon resources and their habitats through public information and education initiatives.
- Support the connection to nature of local residents while offering enhanced opportunities for visitor experiences (complying with the "clean, neat and green" motto)
- To ensure the District access to domestic water is maintained.
- To develop and strengthen partnerships among local governing agencies and organizations with similar objectives

An opportunity to develop a public/community oriented hatchery facility adjacent to the Wolf Creek watershed, which is used for the District domestic water supply, has been identified. This potential site is within the District lands and would require an agreement to secure the site and to install and operate an acceptable water supply. A pipeline would be required to deliver water to the proposed site and following flow-through hatchery use and filtration, return via second pipeline to the source creek.

The parties have agreed to support and enable the development of this salmon enhancement facility with the following actions and commitments:

- In order to conduct water sampling, engineering and other technical assessments , access to the Wolf Creek watershed for technical staff, engineers and various professionals will be provided by the District. Timely communication with identified District staff will occur in order to confirm specific operational acceptability.
- Engineers and other technical staff, provided by Department of Fisheries and Oceans (contracted or staff) and the District , will collaborate to seek opportunities to develop a hatchery water supply system which provides mutual benefits such as to domestic/hatchery water provision, security, and long term sustainability.
- The PRSES will provide regular updates to the District (Council and staff) on the further developments and details of the evolving hatchery proposal and design, such that the final proposal will be acceptable prior to formal approval.
- The PRSES will be responsible for ensuring that all required permits (e.g. water license , Federal fish culture permits etc.) are in place.
- The District and PRSES will explore and discuss the provision and/or extension of municipal services such as but not limited to sewer, power, fire protection, site security, road clearing and maintenance for the proposed hatchery facility.
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**Signed for Prince Rupert Salmon Enhancement Society;**

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**Signed for the District of Port Edward:**

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**Date:** \_\_\_\_\_



## REGULAR COUNCIL REPORT FOR DECISION

**Date:** November 28, 2023  
**To:** Mayor and Council  
**From:** Elsie Lemke, Interim Chief Administrative Officer  
**Subject:** Development Variance Permit Application

**Recommendation:** That Council approves the issuance of Development Permit with Variance No. 04-2023 for 336 Spruce Avenue, Port Ed Holdings, for development of a duplex.

**Background:**

The application package attached from Port Ed Holdings, for 336 Spruce Avenue, proposes to use the property for the development of a duplex on the Multi-Family Residential (RM2) lot. This property was rezoned to RM2 from R1 residential a few years ago with the intention of adding it to an adjacent property. This never happened, so Lot 336 is now not a good fit for RM2 zoning due to its size. The minimum size for RM2 properties is 1,000 square meters, and sites for duplex lots should be not less than 800 square meters. This property is 366 square meters, so is substantially smaller.

The owners are proposing to use the property to construct a compact duplex, which is smaller than the minimum size established in our zoning bylaw. Two variances to our Zoning Bylaw No. 713, 2020 have been requested in order to accommodate the compact duplex on the small lot as follows:

- |                              |  |
|------------------------------|--|
| Variance to Section 5.6.2(b) | Reduce minimum floor area from 50 to 33.4 sq m.    |
| Variance to Section 6.7      | Reduce # of off-street parking spaces from 4 to 2. |

Given the challenges with housing costs and supply, the application to reduce the size of the duplex units appears to provide a reasonable opportunity to increase housing diversity and density in the community.

The boulevard in front of 336 Spruce Avenue is approximately 12 feet deep, and should physically be able to provide additional off-street parking for the property. The reduction of two parking spaces to fit completely on the property is not a material impediment to the development.

Variance applications require that we notify property owners/occupants within 30 meters of the subject property of the intention for Council to consider the request. Notices were delivered to four properties, and at the time of writing, no responses have been received.

The owners have provided site plans and information on their proposal, including a concept plan of the building, which is intended to be a modular home duplex with a similar façade to the adjacent cabin complex. All information considered necessary for the development variance permit application has been submitted, and if Council is supportive of the requests, a Development Permit will be issued. The applicants will then have to apply for a building permit before proceeding with the development.

**Approved for Submission to Council:**

  
\_\_\_\_\_  
**Elsie Lemke, Interim CAO**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

**Attachment:**

- Application package



# District of Port Edward

## SCHEDULE C DEVELOPMENT PERMIT APPLICATION FORM

Date of Application: Nov 7/23

File Number: \_\_\_\_\_

Date Complete Application Received: \_\_\_\_\_

Fee Collected: \_\_\_\_\_

Application Fee (available payment options: cash, cheque or debit)

Façade improvement only

\$250

Multi-Family Residential Development Permit

\$250 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Commercial Development Permit

\$500 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Industrial Development Permit

\$750 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Highway Development Permit

\$500 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Notification Fee (required only if there is a Variance)

\$400

Applicant Information (Owner or Agent as applicable)

Applicant's Name: Port Ed Holdings Ltd Clinton Thompson

Corporation (if applicable): Port Ed Holdings Ltd.

Address: Box 157 333 Skeena drive. Postal Code: V0V 1G0

Telephone: Business: 250 600 0680 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: portedholdingsinc@gmail.com

Property Information

Civic Address: 336 Spruce Ave.

Parcel Identifier(s): PRP 8406.

Legal Description(s): \_\_\_\_\_

Existing Zoning: RM2

Existing OCP: 66.8

Gross Floor Area of Proposed Building: 33.4 Square meters

Description of Proposed Development (attach maps, plans and documents in support of application where applicable) 3 sets of metric scale plans required: DP Application, maps, site plan attached

Current Title Search:  Site Profile: \_\_\_\_\_ Appointment of Agent (if applicable): \_\_\_\_\_



**DECLARATION**

**TO: THE DISTRICT OF PORT EDWARD**

**I/WE,** Clinton Thompson

(Applicant)

**DO HEREBY** declare that I/we have read the attached documents, information and drawings and that they are true and correct to the best of my knowledge and belief. Further, I/we do hereby agree to submit further documents, information and drawings to assist in the consideration of the application, as determined by the District of Port Edward. Further, this statement is made with the knowledge that misrepresentation or failure to disclose, or failure to submit the appropriate application fee, may be deemed sufficient cause for the rejection by the District of Port Edward of any application. Further, I am aware that later discovery of an omission or misrepresentation made in the attached statements, documents, information and drawings may be grounds for a determination of ineligibility or revocation of any future permit or approval that may be granted;

**AND I/WE HEREBY** acknowledge that if the District of Port Edward grants a permit or approval, it will be granted only to the person(s) named in the application, or to the private corporation containing the principal shareholders and executive officers named in the application, or to the public corporation or society containing the executive officers named in the application;

**AND** I/we understand that the personal information on this form is collected under the authority of the *Community Charter, Local Government Act* and the District of Port Edward's Bylaws for the purpose of processing this application and for administration and enforcement.

**AND I/WE HEREBY** acknowledge that this application and all documents, information and drawings submitted with the application become part of the District of Port Edward's records and are subject to the *Freedom of Information and Protection of Privacy Act*, and this application and associated documentation may become a public record and be published in **Council's** public Agenda.

**FURTHER, I/WE HEREBY** voluntarily submit this declaration with full knowledge of the above.



**Applicant Signature**

Nov 7/23

**Date Signed**





# District of Port Edward

## VARIANCE APPLICATION FORM

Date of Application: Nov. 7/23.

Application Fee (available payment options: cash, cheque, or debit)

VARIANCE APPLICATION FEE

\$100

Applicant Information (Owner or Agent as applicable)

Applicant's Name: Port Ed Holdings Ltd Clinton Thompson

Corporation (if applicable):

Address: Lot 336 Postal Code: VOU1G0

Telephone: Business: 250 600 0680 Home: Fax:

Email: portedholdingsinc@gmail.com

Property Information

Civic Address: 336 Spruce Ave.

Parcel Identifier(s): Lot E

Legal Description(s): PRP 8406.

Existing Zoning: RMZ

Description of Proposed Development (attach maps, plans and documents in support of application where applicable):

Smaller building to fit Lot.

2 parking spaces instead of 4

Variance Request	Zoning Bylaw Section:
Example: principal building front line setback from required 6 metres to 1 meter	Section: 5.12.6
Reduce minimum floor area from 50m <sup>2</sup> to 33.4m <sup>2</sup>	Section 5.6.2(b)
Reduce # of parking spaces required from 4 to 2.	Section 6.7- Table 6.3

**Undue Hardship**

Please detail the undue hardship that is the reason for the application. Be specific. Attach a separate sheet to the application if there is not enough space

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**Required Documents**

Legal Survey	
Building Elevation (if applicable only for high variances)	

**Agent Designation (if applicable)**

If you are not the Registered Owner of the property that requires Board of Variance approval, a letter signed by the Owner is required prior to the Board of Variance meeting allowing you to act as a representative on his/her behalf. Neither Board members nor the District of Port Edward staff are responsible for the completeness or accuracy of this Application. Please provide all necessary information so that the Board and staff can properly consider your request.

I hereby designate \_\_\_\_\_ to act as my agent in matters related to this application.

Registered Owner's Name: Port Ed Holdings Ltd Owner's Signature: 

Registered Owner's Name: \_\_\_\_\_ Owner's Signature: \_\_\_\_\_

**Signatures**

***I certify that the attached submission is complete and accurate, and includes all of the above items.***

Registered Owner's Name: Port Ed Holdings Ltd Owner's Signature:  Date: Nov 7/23

Registered Owner's Name: \_\_\_\_\_ Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

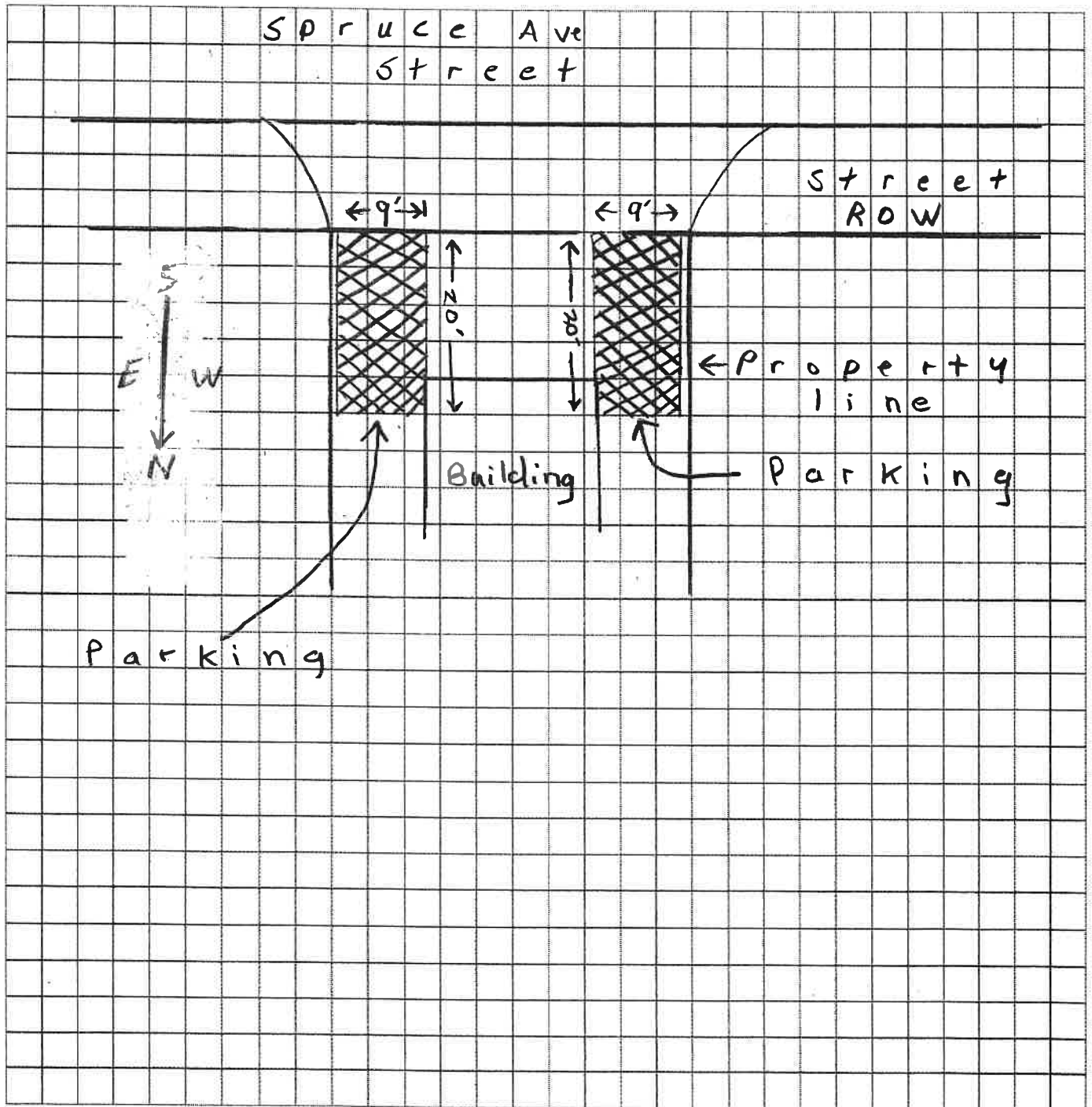
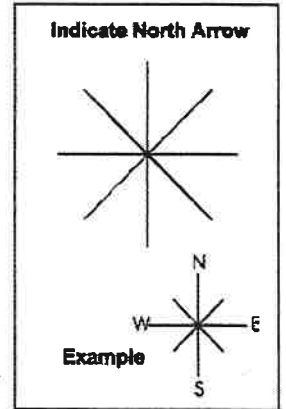
# SITE PLAN

Owner's Name: Port Ed Holdings Ltd Clinton Thompson  
Legal Description: PRP 8406 Lot E

Civic Address: 336 Spruce Ave

AN INCOMPLETE SITE PLAN WILL DELAY YOUR PERMIT

Scale: 1/4" = 4'



**Port Ed Holdings Ltd**

**336 Spruce Ave Lot E**

**Duplex**

**Development Application**

**Port Edward BC V0V 1G0**

## **Documentation**

Adjacent property map- C-104 – Tetra Tech -24/09/23

-Title Search 10/21/22

-Site Plan – Parking 90 degrees off street

-Site Plan- Structure site plan

-Site Plan- Utility: Water, sewer, gas

-Survey- All North Land Survey 2023

-Site grading plan, drainage works, and materials scale 1:500 –Clint Thompson

-Clinton Thompson- Resume

## **Historic Information**

Lot 336, was rezoned to RM2 with the intention of adding it to the adjacent Lots. This was unable to be done.

The Lot was overgrown with Alder trees, 90% yellow cedar and 5% hemlock 5% pine trees, aging up to 30 years old. This was cleared in 2016.

In 2023 this lot was excavated along with the adjacent lots of all unsuitable material to landfill. This was replaced by granular backfill. (2" minus granular crush aggregate) Aggregate was purchased from adventure paving.

## **Existing Soil Characteristics and Site Condition**

Recorded estimated of fill is 400 ton, hauled in and compacted. Estimation of 350 ton of aggregate (2" minus) will be required to complete for capping.

Grade and elevation will remain unchanged.

## **Land use**

Land use will be for building of a 20 x 60 modular/ mobile home duplex. <sup>incl. patios.</sup>  
The dwellings will have a 8' roof overhang for private patios, the dwellings skids will be supported by 4 cement cross member beams. Elaboration to be made in the building application. The overhang for the patio will be supported by 6" cement pilings.

The suites will be rented to workers for support of Port Expansion.

The exterior of the Duplex (façade) will be fashioned after the neighboring cabin complex. Photo attached.

## **Traffic**

Traffic will be minimal as it is located on a dead-end street.

## **Utilities**

Water/sewer connections to the street. Gas furnace and stoves will be connected via the existing gas line from the street. Electrical installations and work to be done and inspected by Pacific Northwest Electrical Controls 975 Saskatoon Ave, Prince Rupert BC V8J 4J1. Sewer (District of Port Edward Public Works) and water works are installed to the lot by 3 meters. Outlined by the attached utility site plan.

The building is placed on the lot with 10' side setbacks and 20' rear setback with 16' front set back. Outlined in the Structure site Plan

The parking area will be placed into the 16' set back with four 90 degrees off street parking spaces. Outlined in the attached site plan.

There are no historical, cultural, or archeological concerns for preservation.

Access- The access to the Duplex will be on Spruce Avenue.

## **Vegetation Considerations**

A proposed green space will be added to the area at the rear of the building. Will be seeded by Bee Turf. Bee Turf is a mixture of 9 different wildflowers and clover. From West Coast Seeds. List Below

Sheep Fescue *Festuca ovina*

Western Yarrow *Achillea millefolium*

Micro clover *Trifolium repens* var. *Pipolina*

Baby Blue Eyes *Nemophila menziesii*

Sweet Alyssum *Lobularia maritima*

English Daisy *Bellis perennis*

Roman Chamomile *Anthemis nobilis*

Perennial Ryegrass *Lolium perenniale*

White Dutch Clover *Trifolium repens*

This mix is intended to have zero upkeep and promote preservation of Bees.

**Erosion considerations** -There are no concerns with erosion.

There are no other concerns for site condition hazards.

## **Storm Water Management Plan**

It is estimated for climate zone #5 and for this terrain that most storm water runoff will naturally flow to the west boundaries of lot 1 and Lot 28.



## **Clinton Thompson Owner and Director of Port Ed Holdings Ltd**

Earth moving contractor owner operator, aggregate supplier, and producer prior to Developing in Port Edward BC

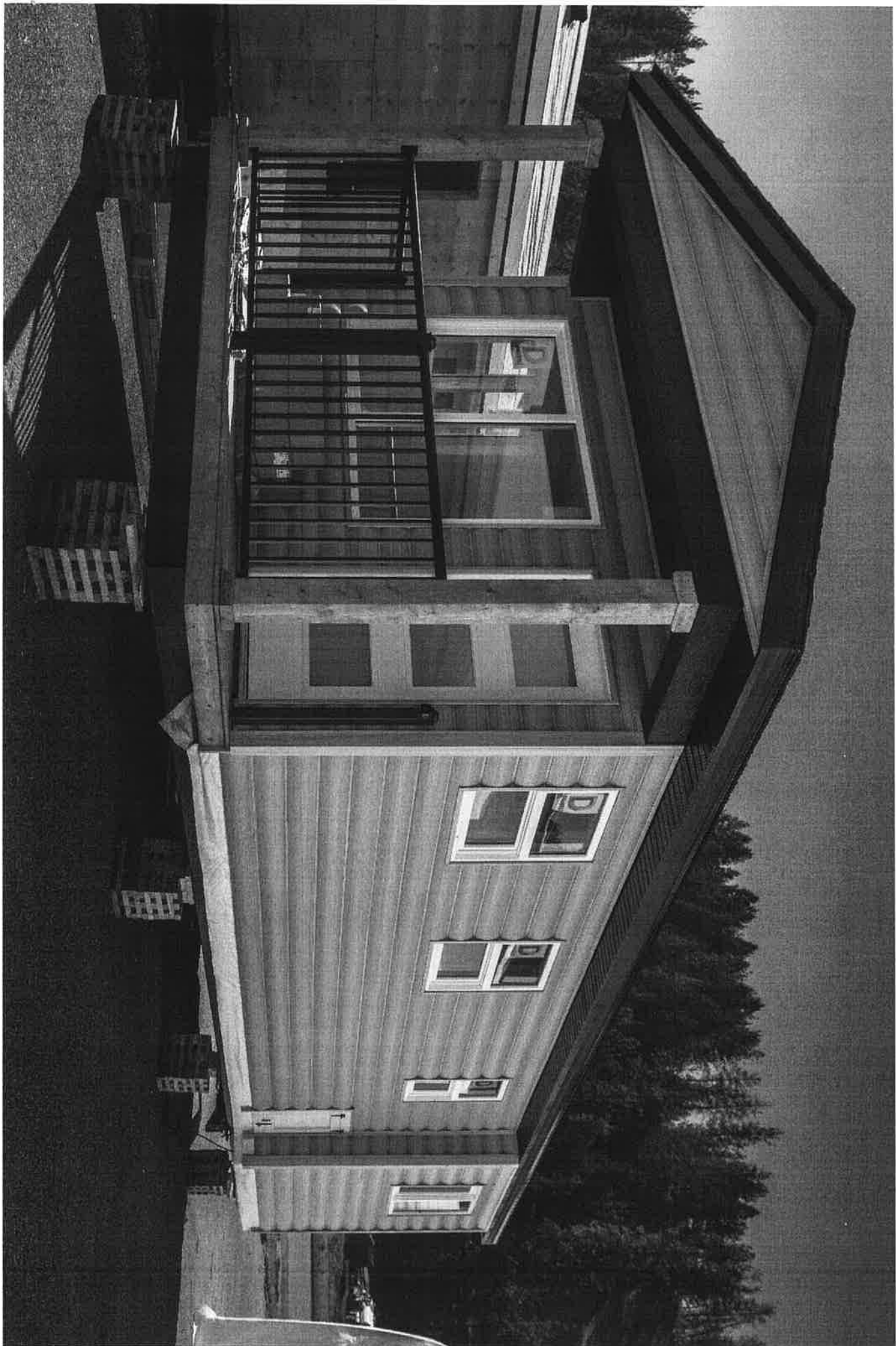
30 years- Owner operator *Oil Berta Construction ltd* Barrhead AB,.  
Tendering projects and on-site management. Specializing in municipal and provincial road projects including installation of watercourse crossing, water diversion management and design and underground utilities. Design, and management of traffic control detours

15 years- Owner operator *Thompson Gravel ltd* Barrhead AB,  
Production and Marketing of Aggregates, gravel pit management and reclamation. Tendering projects and on-site management of the projects.

Expert operator for excavators, crawler tractor, loader, grader, motor scraper, skid steer, highway tractor

10 years Safety officer

Certification in Forestry (Portage College), and in Building Foundation Design (Epic Education Program)



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2022-10-21, 14:49:00

Requestor: Cyrena Champion

**TITLE SEARCH PRINT**

File Reference:

Declared Value \$33000

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b>	PRINCE RUPERT
Land Title Office	PRINCE RUPERT
<b>Title Number</b>	CA7929905
From Title Number	CA3083317
<b>Application Received</b>	2019-12-16
<b>Application Entered</b>	2019-12-18
<b>Registered Owner in Fee Simple</b>	
Registered Owner/Mailing Address:	PORT ED HOLDINGS LTD, INC.NO. BC1095820 BOX 157 PORT EDWARD, BC V0V 1G0
<b>Taxation Authority</b>	Prince Rupert Assessment District Port Edward, District of
<b>Description of Land</b>	
Parcel Identifier:	007-759-924
Legal Description:	LOT E DISTRICT LOT 446 RANGE 5 COAST DISTRICT PLAN 8406
<b>Legal Notations</b>	NONE
<b>Charges, Liens and Interests</b>	NONE
<b>Duplicate Infeasible Title</b>	NONE OUTSTANDING
<b>Transfers</b>	NONE
<b>Pending Applications</b>	NONE

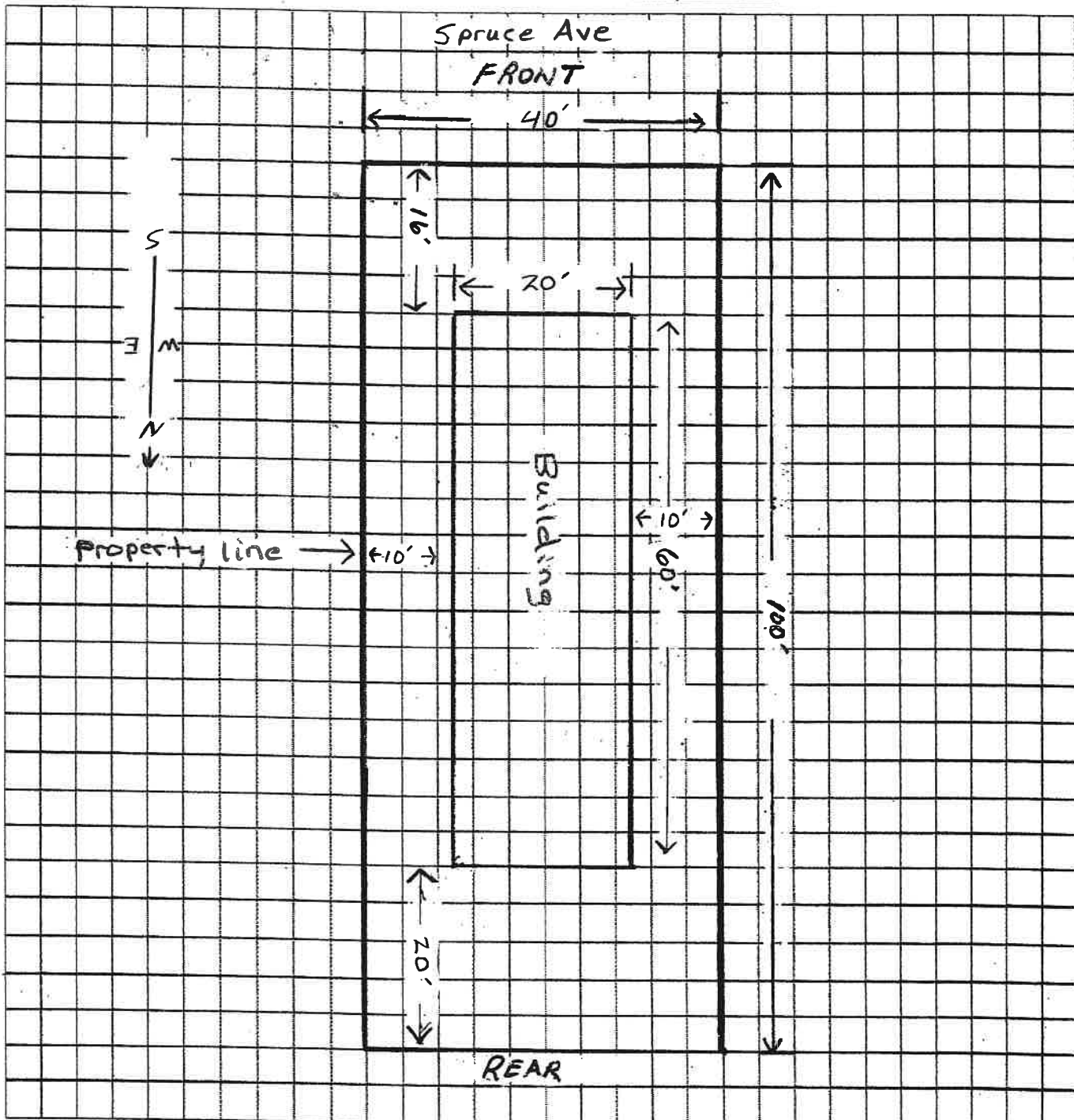
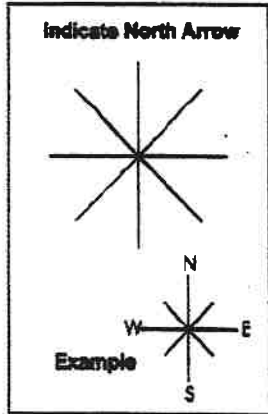
# SITE PLAN

Owner's Name: Port Ed Holdings Ltd (Structure Site Plan)  
Legal Description: \_\_\_\_\_

Civic Address: 336 Spruce Ave Lot E PRP 8406 Rm2

**AN INCOMPLETE SITE PLAN WILL DELAY YOUR PERMIT**

Scale: 1/4" = 4'



# SITE PLAN

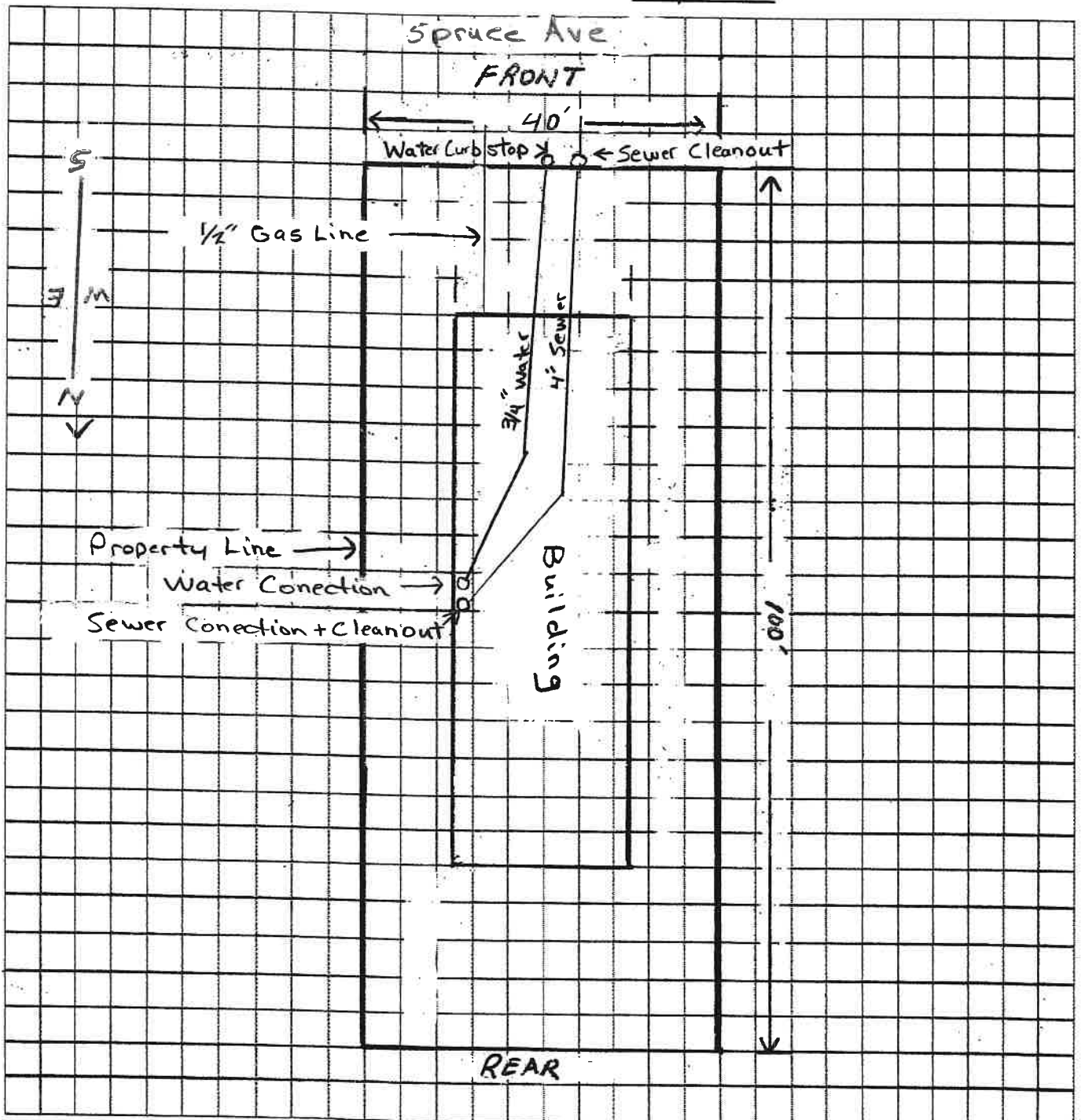
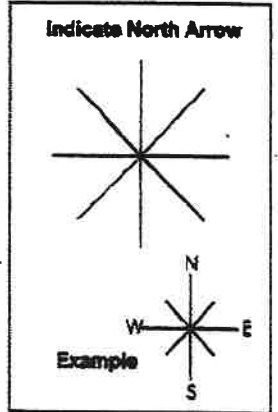
Owner's Name: Port Ed Holdings Ltd. (Utility Site Plan)

Legal Description: Water, Sewer, Gas, power to be determined.

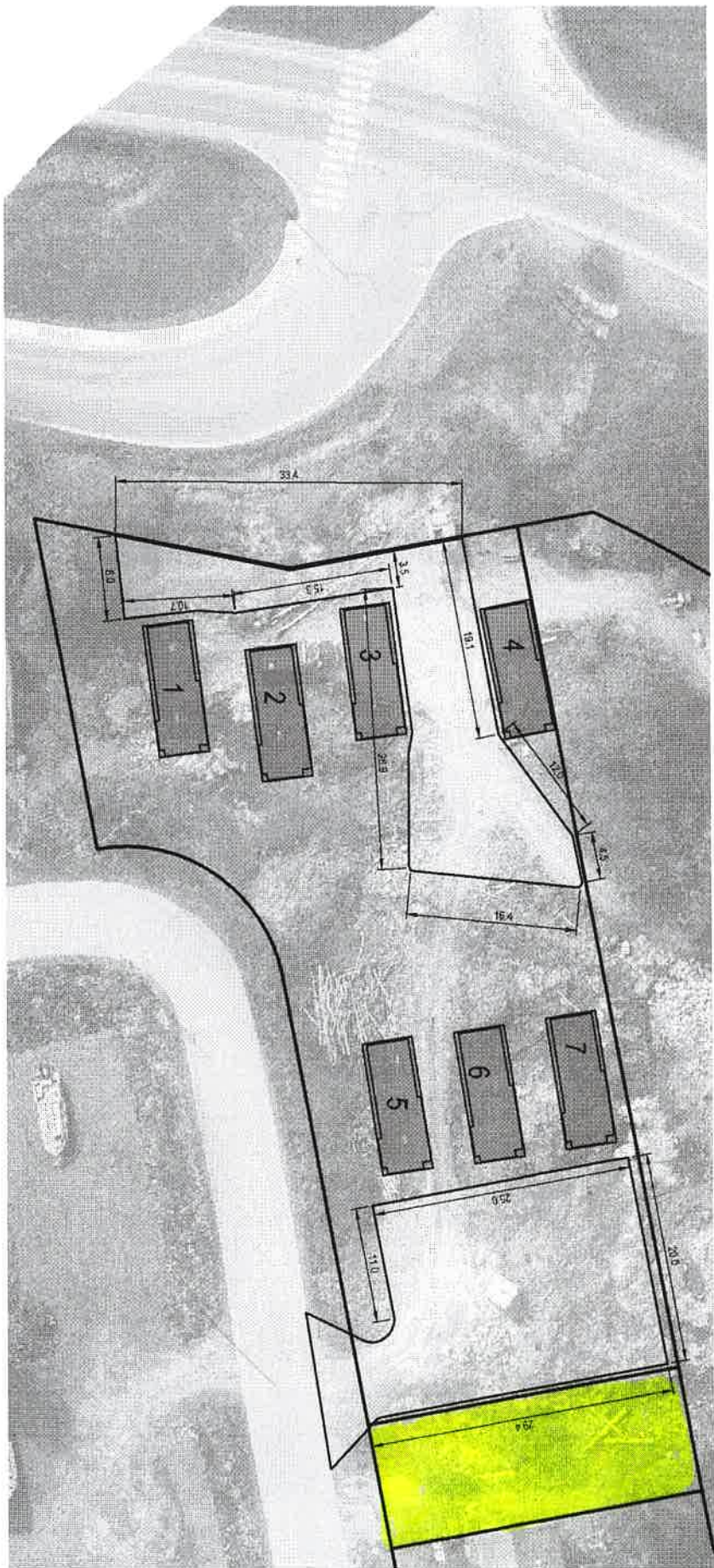
Civic Address: 336 Spruce Ave Lot E PRP 8406 RM2

AN INCOMPLETE SITE PLAN WILL DELAY YOUR PERMIT

Scale: 1/4" = 4'







- LEGEND:
- WATER PIPE
  - SEWER PIPE
  - UNDERGROUND ELECTRICAL

- PROPOSED PARKING AREA
- PROPOSED CABIN
- STORM PIPE

- PERFORATED STORM PIPE

- NOTES
1. WATER PIPE SIZING
    - STREET TO PROPERTY LINE 1 - 1/2"
    - PROPERTY LINE TO UTILITY SHED 1 - 1/2" SCHEDULE 40
    - UTILITY SHED TO CAINS 1" SCHEDULE 40
    - RISERS TO CAINS 1" SCHEDULE 40

2. SEWER PIPE SIZING
  - CABINS TO SEPTIC TANK 4" SCHED
  - INT. MAIN TO SEPTIC COMPARTMENT 1800 GAL
  - SEPTIC TANK TO MAIN 4" SCHEDULE 40
  - FORCE MAIN TO SANITARY MANHOLE 2" SCHEDULE 40
  - DIALY 1-1/2" RP RISERS

3. ELECTRICAL WORK TO BE COMPLETED BY PACKING NORTHWEST ELECTRIC AND CONTROLS

NUM	DATE	DW	APR	ADD PARKING AREA DIMENSIONS	DESCRIPTION
1	24/09/23	DW	APR		
<b>REVISIONS</b>					
A	24/09/23	DW	APR	ISSUED FOR REVIEW	

**PERMIT TO PRACTICE**  
**TETRA TECH CANADA INC.**  
**PERMIT NUMBER: 1001972**

PROFESSIONAL SEAL



PROJECT No.	OFFICE	DES	CAD	REV	DRAWING
704-ENV-KGE-00328-01	TER	DW	DW	1	
DATE: SEPTEMBER 24, 2022	SHEET No. 1 of 3	DW	APP	STATUS	
		MAT	DW	A	<b>C104</b>

**SPRUCE VIEW CABINS**  
**PARKING DIMENSIONS PLAN**

**REFERENCE PLAN OF CONSOLIDATION OF LOTS 9 AND 10, PLAN 7759 AND LOT F, PLAN 8406, DISTRICT LOT 446, RANGE 5, COAST DISTRICT.**

PURSUANT TO SECTION 100(1)(b), LAND TITLE ACT  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 864mm IN WIDTH  
 BY 558mm IN HEIGHT (ANSI D) WHEN PLOTTED AT A SCALE OF 1:750.

BCGS 1031.029



THIS PLAN LIES WITHIN THE NORTH COAST REGIONAL DISTRICT.

GRID BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 9.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY (107) ACHIEVED ARE DERIVED FROM NRCAN'S PPP SERVICE.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES. UNLESS OTHERWISE SPECIFIED, TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.99998203. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 50 METRES.

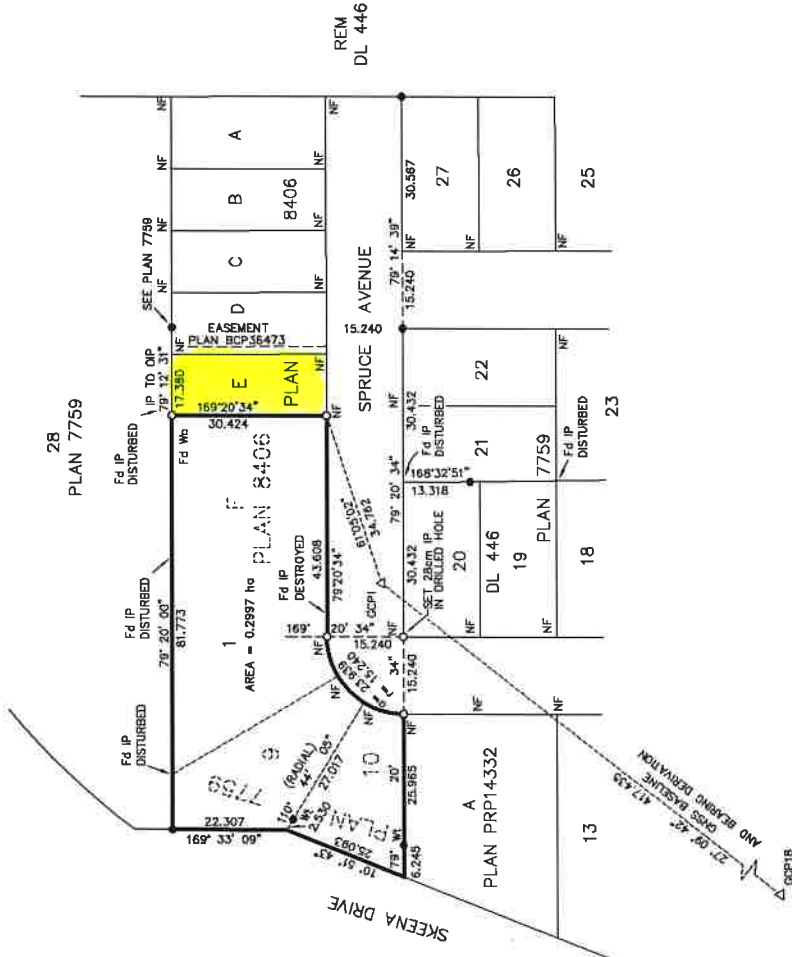
**LEGEND**

- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- △ DENOTES TRIANGULAR IRON POST SET

THIS PLAN SHOWS TWO WITNESS (W) POSTS WHICH ARE NOT SET AT THE TRUE CORNERS.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 13th DAY OF JUNE, 2023, DAVID HARDWICK, BCL 727

GCP 1 NORTHING: 6009674.84 EASTING: 415720.36 DATUM: UTM ZONE 9, NAD83 (CSRS) 2002.0 POINT COMBINED FACTOR = 0.999982 ESTIMATED ABSOLUTE ACCURACY IS 0.04m	GCP 1B NORTHING: 6009203.55 EASTING: 415720.36 DATUM: UTM ZONE 9, NAD83 (CSRS) 2002.0 POINT COMBINED FACTOR = 0.999984 ESTIMATED ABSOLUTE ACCURACY IS 0.04m
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# District of Port Edward

## SCHEDULE F

### DEVELOPMENT PERMIT FORM

DEVELOPMENT PERMIT NO. 04-2023

1. This Development Permit is issued to:

Name: Port Edward Holdings Ltd.  
Box 157 Port Edward, BC V0V 1G0  
Address: \_\_\_\_\_

2. This Development Permit applies to:

Address: 336 Spruce Avenue, Port Edward, BC  
Legal Description: Lot E, District Lot 446 Range 5 Coast District Plan 8406

3. Development Permit Area: Multi-Family Residential

4. This Development Permit imposes conditions and standards as follows:

a. The development must be completed in compliance with the plans attached as Exhibit "A" on file at Municipal Hall.

5. This Development Permit imposes conditions respecting the sequence and timing of construction as follows:

6. This Development Permit is issued subject to compliance with all of the Bylaws of the District of Port Edward applicable thereto, except as specifically varied or supplemented by this Development Permit.

5.6.2(b) and

7. This Development Permit varies Section 6.7 of Zoning Bylaw 713, 2020 as follows:

Reduce minimum floor area of units from 50 sq. m to 33.4 sq. m and  
Reduce number of off-street parking spaces from 4 to 2

8. This Development Permit supplements Section \_\_\_\_\_ of \_\_\_\_\_ as follows:





- 9. As a condition of the issuance of this Development Permit, the District has required that the applicant for the Development Permit provide security in the amount of \$ n/a in the form of \_\_\_\_\_, to guarantee the performance of the terms of the Development Permit.
- 10. If a Building Permit for the development permitted by this Development Permit has not been issued and construction has not substantially commenced within two years after the date of this Development Permit's issuance, this Development Permit shall lapse.
- 11. Minor changes in the development, that do not violate the development permit guidelines in accordance with which the Development Permit was originally issued, may be approved by the Chief Administrative Officer or his/her designate.

**12. This Development Permit is not a Building Permit.**

**13. Additional Signatures (if required)**

Authorizing resolution passed by Mayor and Council on \_\_\_\_\_ day of November, 2023.

Approved by the Minister of Transportation and Infrastructure pursuant to S. 52 of the *Transportation Act* on \_\_\_\_\_ day of n/a, 20  .

Authorization date: \_\_\_\_\_

Authorizing Signature: \_\_\_\_\_

**14. Development Permit Authorization**

04-2023 November, 2023

This Development Permit No. \_\_\_\_\_ is hereby issued on this \_\_\_ day of \_\_\_, 2013.

\_\_\_\_\_  
Chief Administrative Officer



60

## DISTRICT OF PORT EDWARD

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### REPORT TO COUNCIL

**Date:** November 28, 2023  
**To:** Elsie Lemke, CAO  
**From:** Lorraine Page, Director of Finance  
**Subject:** 2022 Audited Financial Statements Amendment

**RECOMMENDATION 1:** That Council passes a motion accepting the corrected 2022 Audited Financial Statements as prepared by Vohora & Company.

**BACKGROUND:**

Please find attached a copy of the 2022 Audited Financial Statements as provided by the District of Port Edward auditor, Vohora & Company with a correction to the Statement of Expenditures on page 19. The original Financial Statements presented at the April 25<sup>th</sup> Regular Council meeting had a misrepresentation of both Legal and Roads Expenditures in 2022. The recently discovered error had overstated Legal Expenditures by \$418,371, which was actually paving upgrades in 2022. The attached 2022 Audited Financial Statements represent actual expenditures in 2022.



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**Submitted by:** Lorraine Page, Director of Finance

**Approved for Submission to Council**



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**Elsie Lemke, CAO**

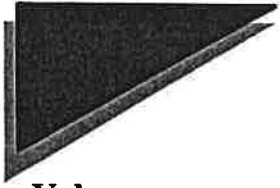


**Vohora** LLP  
*CPAs & Business Advisors*

**DISTRICT OF PORT EDWARD**

**Financial Statements**

**Year Ended December 31, 2022**

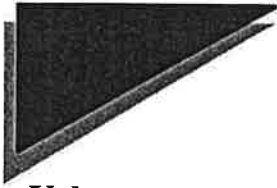


**Vohora** LLP  
CPAs & Business Advisors

**DISTRICT OF PORT EDWARD**  
**Index to Financial Statements**  
**Year Ended December 31, 2022**

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**Vohora** LLP  
CPAs & Business Advisors

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Vancouver, BC V6Z 1S4

Phone: (604) 251-1535  
Fax: (604) 541-9845  
Toll Free Phone: (800) 281-5214  
Email: [firm@vohora.ca](mailto:firm@vohora.ca)  
[www.vohora.ca](http://www.vohora.ca)

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## INDEPENDENT AUDITOR'S REPORT

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To the Members of District of Port Edward

*Report on the Financial Statements*

*Opinion*

We have audited the financial statements of District of Port Edward (the District), which comprise the statement of financial position as at December 31, 2022, and the statements of operations, changes in accumulated surplus, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the District as at December 31, 2022, and the results of its operations and cash flows for the year then ended in accordance with Canadian public sector accounting standards (PSAS).

*Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the District in accordance with ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

*Responsibilities of Management and Those Charged with Governance for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAS, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the District's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the District or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the District's financial reporting process.

*Auditor's Responsibilities for the Audit of the Financial Statements*

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

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**PASSIONINTEGRITYEXCELLENCE**

Offices located in Vancouver, South Surrey, Mission, Prince Rupert, Terrace and Smithers BC



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**Vohora LLP**  
*CPAs & Business Advisors*

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**INDEPENDENT AUDITOR'S REPORT (continued)**

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As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the District's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the District to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Vancouver, BC  
April 25, 2023

*Vohora LLP*  
Chartered Professional Accountants

**DISTRICT OF PORT EDWARD**  
**Statement of Financial Position**  
**December 31, 2022**

	2022	2021
<b>FINANCIAL ASSETS</b>		
Cash and cash equivalents <i>(Note 2)</i>	\$ 6,664,889	\$ 6,931,236
Short term investments <i>(Note 3)</i>	2,291,195	2,260,824
Accounts receivable <i>(Note 4)</i>	119,918	94,970
Property taxes receivable <i>(Note 5)</i>	136,155	130,723
Investment in Port Edward Historical Society <i>(Note 6)</i>	605,404	607,447
Municipal Finance Authority demand notes <i>(Note 8)</i>	51,331	51,331
	<u>9,868,892</u>	<u>10,076,531</u>
<b>LIABILITIES</b>		
Accounts payable and accruals <i>(Note 7)</i>	302,749	347,999
Municipal Finance Authority debt reserve fund demand notes <i>(Note 8)</i>	51,331	51,331
Municipal Finance Authority debentures payable <i>(Note 9)</i>	707,225	809,747
Deferred income <i>(Note 14)</i>	2,835,449	2,900,049
	<u>3,896,754</u>	<u>4,109,126</u>
<b>NET FINANCIAL ASSETS</b>	<u>5,972,138</u>	<u>5,967,405</u>
<b>NON-FINANCIAL ASSETS</b>		
Inventory	144,792	155,492
Prepaid expenses	518	518
Tangible capital assets <i>(Note 13)</i>	18,753,493	18,628,437
	<u>18,898,803</u>	<u>18,784,447</u>
<b>ACCUMULATED SURPLUS</b>	<u>\$ 24,870,941</u>	<u>\$ 24,751,852</u>

ON BEHALF OF COUNCIL

  
 Councillor

  
 Councillor

**DISTRICT OF PORT EDWARD**  
**Statement of Operations**  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>REVENUES</b>			
Property taxes <i>(Note 12)</i>	\$ 1,941,147	\$ 1,985,484	\$ 1,949,115
Garbage collection	146,860	84,650	81,302
Licences and permits	62,940	33,196	15,654
Interest and penalties	43,500	67,821	19,835
Grants	1,458,000	935,162	2,781,964
Water service and connection fees	199,000	199,753	298,350
Sewer service and connection fees	199,000	146,635	202,163
Interest income	130,000	113,882	45,991
Other revenue	-	114,190	118,654
	<u>4,180,447</u>	<u>3,680,773</u>	<u>5,513,028</u>
<b>EXPENSES</b>			
Administration	94,918	292,984	309,410
Amortization of tangible assets	-	940,374	905,990
Discounts	1,900	2,012	1,982
Interest on line of credit	57,750	61,878	61,512
Legislative - Indemnities	110,000	71,493	67,339
Operating expenses, repair and maintenance	2,835,160	1,798,490	1,390,243
Payments on debentures	74,912	74,912	74,912
Salaries and related costs	886,250	418,157	428,126
Water rights lease	2,200	1,863	2,259
	<u>4,063,090</u>	<u>3,662,163</u>	<u>3,241,773</u>
<b>SURPLUS FROM OPERATIONS</b>	<u>117,357</u>	<u>18,610</u>	<u>2,271,255</u>
<b>OTHER INCOME</b>			
Actuarial adjustment	-	27,610	23,667
Debt principal repayments	74,912	74,912	74,912
Gain on disposal of assets	-	-	89,015
Gain on Investment in Port Edward Historical Society	-	(2,043)	234,615
	<u>74,912</u>	<u>100,479</u>	<u>422,209</u>
<b>ANNUAL SURPLUS</b>	<u>\$ 192,269</u>	<u>\$ 119,089</u>	<u>\$ 2,693,464</u>

See notes to financial statements



**DISTRICT OF PORT EDWARD**  
**Statement of Changes in Accumulated Surplus**  
**Year Ended December 31, 2022**

	2022	2021
<b>ACCUMULATED SURPLUS - BEGINNING OF YEAR</b>	<b>\$ 24,751,852</b>	<b>\$ 22,058,388</b>
<b>ANNUAL SURPLUS</b>	<u>119,089</u>	<u>2,693,464</u>
<b>ACCUMULATED SURPLUS - END OF YEAR</b>	<u><b>\$ 24,870,941</b></u>	<u><b>\$ 24,751,852</b></u>

See notes to financial statements

**DISTRICT OF PORT EDWARD**  
**Statement of Changes in Net Financial Assets**  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>ANNUAL SURPLUS</b>	\$ 192,269	\$ 119,089	\$ 2,693,464
Purchase of tangible capital assets	(3,037,333)	(1,065,430)	(4,261,282)
Loss (gain) on disposal of assets	-	-	(89,015)
Proceeds on disposal of tangible capital assets	-	-	93,425
Amortization of tangible capital assets	-	940,374	905,990
Decrease (increase) in inventory	-	10,700	(1,101)
	<u>(3,037,333)</u>	<u>(114,356)</u>	<u>(3,351,983)</u>
<b>INCREASE (DECREASE) IN NET FINANCIAL ASSETS</b>	(2,845,064)	4,733	(658,519)
<b>NET FINANCIAL ASSETS - BEGINNING OF YEAR</b>	<u>5,967,405</u>	<u>5,967,405</u>	<u>6,625,924</u>
<b>NET FINANCIAL ASSETS - END OF YEAR</b>	<u>\$ 3,122,341</u>	<u>\$ 5,972,138</u>	<u>\$ 5,967,405</u>

See notes to financial statements

**DISTRICT OF PORT EDWARD**  
**Statement of Cash Flows**  
**Year Ended December 31, 2022**

	2022	2021
<b>OPERATING ACTIVITIES</b>		
Cash receipts from customers and residents	\$ 3,688,316	\$ 5,937,158
Cash paid to suppliers and employees	(2,808,344)	(2,208,349)
Interest and penalties received	113,882	45,991
Interest paid	(61,878)	(61,514)
	<u>931,976</u>	<u>3,713,286</u>
Cash flow from operating activities		
<b>INVESTING ACTIVITIES</b>		
Purchase of tangible capital assets	(1,065,430)	(4,261,282)
Short term investments	(30,371)	(25,009)
Proceeds on disposal of tangible capital assets	-	93,425
	<u>(1,095,801)</u>	<u>(4,192,866)</u>
Cash flow used by investing activities		
<b>FINANCING ACTIVITY</b>		
Municipal Finance Authority debentures payable	(102,522)	(98,579)
	<u>(102,522)</u>	<u>(98,579)</u>
Cash flow used by financing activity		
<b>DECREASE IN CASH FLOW</b>	<b>(266,347)</b>	<b>(578,159)</b>
Cash - beginning of year	<u>6,931,236</u>	<u>7,509,395</u>
<b>CASH - END OF YEAR</b>	<b>\$ 6,664,889</b>	<b>\$ 6,931,236</b>

See notes to financial statements

**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of accounting

The financial statements of District of Port Edward (the "District") have been prepared in accordance with Canadian public sector accounting standards (PSAS). All figures are presented in Canadian dollars.

Fund accounting

The resources and operations of the District have been segregated for accounting purposes into the following funds:

a) General operating and revenue fund

The purpose of the general operating revenue fund is to reflect the operating activities, administration and debt servicing functions of the District, not including sewer and water.

b) Waterworks utility fund

The purpose of the water operating fund is to reflect the operating activities, administration and debt servicing functions of the District, related to the water system.

c) Sewer operating fund

The purpose of the sewer operating fund is to reflect the operating activities, administration and debt servicing functions of the District, related to the sewer system.

d) Capital and loan funds

The purpose of the capital and loan fund is to reflect tangible capital assets and the related financing and equity therein. There are three separate funds for general, waterworks and sewer.

e) Reserve funds

The purpose of the reserve fund is to reflect the operating activities, administration and debt servicing functions of the District, related to reserves.

Revenue and expenditure recognition

Revenue is recorded on the accrual basis and is recognized when it is earned.

Tax revenue is recognized when the tax has been authorized by bylaw and the taxable event has occurred.

All other non-tax revenue is recognized when the exchange and non-exchange transaction has occurred and the amount can be reasonably measured and collected.

Unearned revenue is reported on the statement of financial position as deferred revenue

Government grants and transfers are recognized in the financial statements as revenue in the period in which eligibility criteria have been met and reasonable estimates of the amounts can be made. Transfers received for which the expenditures have not yet been incurred are reported as deferred revenue.

Expenditures are recognized on an accrual basis by the receipt of goods and services or the creation of an obligation to pay.

*(continues)*

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Cash and cash equivalents

Cash includes cash and cash equivalents. Cash equivalents are considered to be any term deposits with a maturity of three months or less that the District may hold. When the aggregate of the District's various bank accounts is in an overdraft position or the value of outstanding cheques exceeds the bank balance, the net balance is presented as a current liability.

Short term investments

Short term investments include marketable securities and term deposits with a maturity of greater than three months are also included in short term investments.

Financial instruments

*Measurement of financial instruments*

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, financial assets with actively traded markets are reported at fair value, with any unrealized gains and losses reported in income. All other financial instruments are reported at amortized cost.

Financial assets measured at fair value include cash and short term investments.

Financial assets measured at amortized cost include accounts receivable and demand notes from Municipal Finance Authority.

Financial liabilities measured at amortized cost include accounts payable and accruals, Municipal Finance Authority debt reserve fund demand notes payable and Municipal Finance Authority debentures payable.

*Impairment*

Financial assets measured at amortized cost are measured for impairment when there are indicators of impairment. The amount of the write-down is recognized in statement of operations. The previously recognized impairment loss may be reversed to the extent of the improvement, directly or by adjusting the allowance account, provided it is no greater than the amount that would have been reported at the date of the reversal had the impairment not been recognized previously. The amount of the reversal is recognized in statement of operations.

*Transaction costs*

The District recognizes its transaction costs in statement of operations in the period incurred. However, financial instruments that will not be subsequently measured at fair value are adjusted by the transaction costs that are directly attributable to their origination, issuance or assumption.

Other taxing jurisdictions

The assets, liabilities, taxation, other revenues and expenses with respect to the operations of other taxing jurisdictions are not reflected in these financial statements.

*(continues)*

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Non-financial assets

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

a) Tangible capital assets

Tangible capital assets are recorded at cost, which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. Interest is capitalized whenever external debt is issued to finance the construction of tangible capital assets. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight line basis over their estimated useful lives shown below. Land is not amortized as it is deemed to have a permanent value.

Land	N/A	non-amortizable
Buildings	25 years	straight-line method
Automotive and other equipment	10 years	straight-line method
Fire department equipment	20 years	straight-line method
Infrastructure	40 years	straight-line method

Assets under construction are not amortized until the asset is available for productive use. Tangible capital assets are written down when conditions indicate that they no longer contribute to the District's ability to provide goods and services, or when the value of future economic benefits associated with the tangible capital assets are less than their net book value.

Contributed tangible capital assets are recorded at their fair value on the date of contribution. When fair value of a contributed asset cannot be reliably determined, the asset is recorded at nominal value.

b) Works of art and historic assets

Works of art and historic assets are not recorded as assets in these financial statements.

c) Leased tangible capital assets

Leases which transfer substantially all the benefits and risks incidental to ownership of property are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are charged to expenses as incurred.

d) Inventories held for consumption

Inventories of supplies held for consumption are recorded at the lower of cost and replacement cost. Cost includes the original purchase cost, plus shipping and applicable duties. Replacement cost is the estimated current price to replace the items.

*(continues)*

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Measurement uncertainty

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period.

Certain amounts in the financial statements are subject to measurement uncertainty and are based on the District's best information and judgment, including:

1. the estimated useful lives of tangible capital assets;
2. the collectability of accounts and taxes receivable;

Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Budget figures

Budget figures have been provided for comparative purposes and have been derived from the District's Fiscal five-year financial plan, approved by the Council of the District on . The budget is reflected in the Statement of Operations and Accumulated Surplus and the Statement of Changes in Net Financial Assets.

2. CASH AND CASH EQUIVALENTS

	2022	2021
Unrestricted cash	\$ 2,798,504	\$ 3,537,187
Restricted cash	3,866,385	3,394,049
	\$ 6,664,889	\$ 6,931,236

Restricted cash is comprised of cash deposit holdbacks held for externally restricted purposes as required by the Regional District and the Province of BC. The restricted cash is related to the water main replacement project and Northern Capital and Planning Grant program (Note 15).

3. SHORT TERM INVESTMENTS

	2022	2021
3 Year Redeemable Term Deposit earns interest at 1.10% per annum and matures on October 8, 2023. Interest is paid annually	\$ 1,137,463	\$ 1,131,263
3 Year Redeemable Term Deposit earns interest at 2.25% per annum and matures on October 1, 2025. Interest is paid annually	1,153,732	1,129,561
	\$ 2,291,195	\$ 2,260,824

**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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**4. ACCOUNTS RECEIVABLE**

	<u>2022</u>		<u>2021</u>
Grants receivables	\$ 25,000	\$	33,000
GST receivable	48,020		22,228
Other receivables	23,217		18,837
Garbage collection	7,082		8,593
Water service and connection	10,954		6,667
Sewer service and connection	5,645		5,645
	<u>\$ 119,918</u>	\$	<u>94,970</u>

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**5. PROPERTY TAXES RECEIVABLE**

	<u>2022</u>		<u>2021</u>
Current	\$ 24,047	\$	29,109
Arrears	19,062		17,800
Delinquent	93,046		83,814
	<u>\$ 136,155</u>	\$	<u>130,723</u>

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

**6. INVESTMENT IN PORT EDWARD HISTORICAL SOCIETY**

The District meets the criteria of control of the Society under the requirements in PS 1300. The Society also meets the definition of a Government Business Enterprise. The District reports the investment in the Society using the modified equity method. The value of the District's investment in the Society is equal to \$605,404 (2020 - \$607,718) which is equal to the Society's total fund balance.

A summary of the Society's financial statements is found below:

	2022	2021
<u>STATEMENT OF FINANCIAL POSITION</u>		
Total Assets	\$ 687,307	\$ 672,682
Total Liabilities	(81,903)	(64,964)
Total Fund Balances	(605,404)	(607,718)
	-	-
 <u>STATEMENT OF REVENUES AND EXPENDITURES</u>		
Total Revenues	417,325	434,378
Less: Total Expenses	(419,368)	(199,492)
Excess of Revenue over expenses	(2,043)	234,886
Grand total	\$ (2,043)	\$ 234,886

**7. ACCOUNTS PAYABLE AND ACCRUALS**

	2022	2021
Trade accounts payable	\$ 92,040	\$ 68,954
Collection for other governments	69,501	102,206
Accrued retirement benefit	86,657	93,885
Accrued overtime	3,851	8,375
Accrued sick time	33,912	60,010
Accrued vacation	16,788	14,570
	\$ 302,749	\$ 348,000

**8. MUNICIPAL FINANCE AUTHORITY DEBT RESERVE FUND DEMAND NOTES**

On September 26, 2013, the Skeena-Queen Charlotte Regional District loaned the District the sum of \$1,500,000 through the Municipal Finance Authority. The current balance and terms of the debenture can be seen in Note 9. In order to secure the balance of the liability, a demand promissory note was issued by the District in the amount of \$51,331. The Municipal Finance Authority debt reserve fund demand notes are due on demand and are non-interest bearing.

**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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9. MUNICIPAL FINANCE AUTHORITY DEBENTURES PAYABLE

	2022	2021
School - Municipal Finance Authority debenture payable for school is interest bearing at 3.85% per annum. The minimum principal payment on the outstanding school debenture on an annual basis is \$74,912.	<b>\$ 707,225</b>	<b>\$ 809,747</b>

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10. HOMEOWNER'S GRANTS

Provincial Home Owners' Grants of \$106,761 (2020 - \$106,761) were claimed during the year.

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11. PENSION LIABILITY

The District and its employees contribute to the Municipal Pension Plan (the "Plan"), a jointly trusted pension plan. The Board of Trustees, representing plan members and employers, is responsible for overseeing the management of the plan, including investment of the assets and administration of benefits. The Plan is a multi-employer contributory defined benefit pension plan with about 150,000 active members and approximately 54,000 retired members.

Every three years an actuarial valuation is performed to assess the financial position of the Plan and the adequacy of plan funding. The most recent valuation as at December 31, 2021 indicated a surplus of \$3,761 million for basic pension benefits. \$277 million is required to maintain the contribution rate at the current average rate of 15.08% and the balance of \$3,185 million is to be transferred to a contribution Rate Stabilisation Account (RSA) within the Basic Account. The next valuation will be as at December 31, 2024.

The District paid \$53,419 (2021 - \$65,039) for employer contributions to the Plan in fiscal 2022.

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

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**12. COLLECTION OF TAXES FOR OTHER GOVERNMENTS**

The District acts as a collection agency for the other government agencies. The taxes collected on their behalf are not shown as revenue in the statement of revenue and expenditures of the District. This is in accordance with the Public Sector Accounting recommendations subsection PS 1300.44. The amount collected for other governments are as follows:

	<u>2022</u>		<u>2021</u>
School District	\$ 522,596	\$	568,307
B.C. Assessment Authority	11,303		12,516
Skeena-Queen Charlotte Regional District	112,015		123,667
Northwest Regional Hospital District	90,013		104,873
Police Taxes	28,921		41,844
Municipal Finance Authority	33		37
	<u>\$ 764,881</u>	\$	<u>851,244</u>

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**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

**13. TANGIBLE CAPITAL ASSETS**

	General Operating & North Pacific Cannery Museum						Sewer		Totals
	Land and Land Improvements	Buildings	Vehicles and Equipment	Parks and recreation	Roads	Engineered Structures	Equipment	Collection System and treatment	
Cost									
Opening costs	2,972,610	4,621,345	2,941,333	10,556,968	127,363	4,098,644	390,797	5,199,984	30,909,044
Additions during the year	696,741	24,745	320,450	10,000	-	-	13,494	-	1,065,430
Transfer during the year	-	-	-	-	-	-	-	-	-
Disposals and write downs	-	-	-	-	-	-	-	-	(4,410)
Closing costs	3,669,351	4,646,090	3,261,783	10,566,968	127,363	4,098,644	404,291	5,199,984	31,974,474
Accumulated Amortization									
Opening accum'd amortization	54,973	2,429,831	2,482,082	2,365,704	60,258	2,727,516	211,391	1,948,852	12,280,607
Amortization	3,079	185,894	129,528	263,674	3,184	197,819	27,086	130,110	940,374
Disposals and write downs	-	-	-	-	-	-	-	-	-
Closing accum'd amortization	58,052	2,615,725	2,611,610	2,629,378	63,442	2,925,335	238,477	2,078,962	13,220,981
Net Book Value of Tangible Capital Assets	3,611,299	2,030,365	650,173	7,937,590	63,921	1,173,309	165,814	3,121,022	18,753,493

**DISTRICT OF PORT EDWARD**  
**Notes to Financial Statements**  
**Year Ended December 31, 2022**

**14. DEFERRED REVENUE**

Deferred revenue consists of grants and other funding restricted for the funding of expenses to be incurred in the future. As at December 31, the following grants and other funding have been listed as deferred:

	2022	2021
Community 2 Community Forum	\$ 17,947	\$ 17,947
Ridley Terminals Inc.: Diana Lake Enhancement	14,400	79,000
Northern Capital and Planning Grant <i>(Note 15)</i>	2,559,589	2,559,589
COVID-19 Safe Restart Grant for Local Governments	243,513	243,513
	\$ 2,835,449	\$ 2,900,049

**15. NORTHERN CAPITAL AND PLANNING GRANT PROGRAM**

The District received grant funding from the Northern Capital and Planning Grant Program ("NCPG") starting in 2019. The funds received are to be used at the discretion of the municipality, however they may only be used for capital and long-term planning purposes. The following summarizes the funding received and expenditures incurred during the year:

	2022	2021
Grant received	\$ 2,517,000	\$ 2,517,000
Accrued interests	42,589	42,589
	\$ 2,559,589	\$ 2,559,589

**16. COMPARATIVE FIGURES**

Some of the comparative figures have been reclassified to conform to the current year's presentation.

**DISTRICT OF PORT EDWARD**  
**Statement of Financial Activities - General Operating Revenue Fund (Schedule 1)**  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>REVENUE</b>			
Property Taxes			
General purpose	\$ 505,132	\$ 1,039,785	\$ 934,362
Ridley Island Tax Sharing	548,592	945,698	1,014,753
Grants			
Grants in lieu of taxes	161,881	132,082	299,437
Provincial government, basic and unconditional	1,342,095	803,081	2,482,527
General			
Garbage collection	43,953	84,650	81,302
Licenses and permits	8,463	33,196	15,654
Interest and penalties	10,723	67,821	19,835
	<u>2,620,839</u>	<u>3,106,313</u>	<u>4,847,870</u>
<b>OTHER REVENUE</b>			
Bank interest			
General	2,147	46,899	3,972
Reserve fund	9,209	36,613	17,035
Guaranteed income certificates	13,507	30,371	24,984
Other general			
Rentals	20,869	36,527	38,603
Bus transit fares	18,314	39,589	33,876
Admin fee recovery	1,369	2,535	2,532
Miscellaneous	23,594	35,539	43,642
Gain (loss) in investment in Port Edward Historical Society	-	(2,043)	234,615
Gain on sale of capital assets	-	-	89,015
	<u>-</u>	<u>27,610</u>	<u>23,667</u>
	<u>89,009</u>	<u>253,640</u>	<u>511,941</u>
<b>EXPENSES</b>			
Total Expenditures	-	-	1,826,750
<b>INCOME FROM OPERATIONS</b>	<u>\$ 2,709,848</u>	<u>\$ 3,359,953</u>	<u>\$ 3,533,061</u>

See notes to financial statements

**DISTRICT OF PORT EDWARD**  
**Statement of Expenditures - General Operating Revenue Fund** (Schedule 2)  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>EXPENDITURES</b>			
<b>Administrative</b>			
Council Indemnities	\$ 76,409	\$ 71,493	\$ 67,339
Advertising and economic development	21,432	18,009	18,888
Audit	20,708	19,049	18,250
Dues and subscriptions	60,213	50,160	53,066
Grants in AID	10,496	6,000	9,250
Insurance	69,083	71,563	60,883
Interest	69,799	61,878	61,514
Legal	26,320	60,008	23,196
Miscellaneous	7,306	10,183	6,439
Office	37,685	13,052	33,212
Outside professional services	66,724	28,659	58,804
Salaries and related costs	428,390	376,218	377,541
Travel, Seminars, and conferences	1,330	13,332	1,172
Telephone and fax	21,014	16,830	18,520
	<u>916,909</u>	<u>816,434</u>	<u>808,074</u>
<b>Protective services</b>			
Dog control	514	2,071	453
Emergency phone services	12,465	8,337	10,985
Fire protection	73,256	53,396	64,561
	<u>86,235</u>	<u>63,804</u>	<u>75,999</u>
<b>Public works</b>			
Administration	24,987	28,652	21,942
Admin salaries & related costs	326,185	264,331	287,468
Beautification	46,102	44,989	40,630
Building operating	180,296	114,919	158,895
Bus service	112,294	100,995	98,965
Roads and sidewalks	102,071	519,304	89,955
Street lighting	28,971	25,894	25,532
Storm sewer	28,929	20,406	25,495
	<u>849,835</u>	<u>1,119,490</u>	<u>748,882</u>
<b>Public works equipment</b>			
Equipment operating	156,130	65,946	137,598
Less: Amounts charged to other funds	(57,353)	(42,741)	(50,545)
	<u>98,777</u>	<u>23,205</u>	<u>87,053</u>
<b>Garbage collection</b>			
Garbage collection	127,847	104,985	112,672
<b>Recreation and community services</b>			
Civic properties, recreation, and tourism	49,821	103,252	43,907
	<u>49,821</u>	<u>103,252</u>	<u>43,907</u>
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,129,424</b>	<b>\$ 2,231,170</b>	<b>\$ 1,876,587</b>

See notes to financial statements

**DISTRICT OF PORT EDWARD**  
**Statement of Financial Activities - Waterworks Utility Revenue Fund (Schedule 3)**  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>REVENUES</b>			
Water service and connection fees	\$ 163,086	\$ 199,753	\$ 298,350
<b>EXPENDITURES</b>			
Administration	78,943	133,381	104,628
Discounts	1,220	1,222	1,617
Operating expenses, repairs and maintenance	97,541	154,565	129,277
Small equipment	5,746	4,021	7,615
Water rights lease	1,704	1,863	2,259
	<u>185,154</u>	<u>295,052</u>	<u>245,396</u>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES</b>	<u>\$ (22,068)</u>	<u>\$ (95,299)</u>	<u>\$ 52,954</u>

See notes to financial statements



**DISTRICT OF PORT EDWARD**  
**Statement of Financial Activities - Sewer Revenue Fund** (Schedule 4)  
**Year Ended December 31, 2022**

	Budget 2022 <i>(Unaudited)</i>	2022	2021
<b>REVENUES</b>			
Sewer service and connection fees	\$ 238,537	\$ 146,635	\$ 202,163
<b>EXPENDITURES</b>			
Administration	37,860	41,939	50,410
Operating expenses, repairs and maintenance	66,178	77,926	88,115
Discounts	274	791	365
	<u>104,312</u>	<u>120,656</u>	<u>138,890</u>
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>	<b>\$ 134,225</b>	<b>\$ 25,979</b>	<b>\$ 63,273</b>

See notes to financial statements



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## DISTRICT OF PORT EDWARD

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### COUNCIL REPORT FOR INFORMATION

**Date:** November 28, 2023  
**To:** Mayor and Council  
**From:** Elsie Lemke, Interim Chief Administrative Officer  
**Subject:** CAO's Report to Council – November 15 - 23, 2023

#### Administration

- Arranged for surveying and easement documents to get underway for watermain and road to water treatment plant that is currently not protected by a registered right of way;
- Contact with various organizations and contactors for cost estimates in response to 2024 capital budget discussions;
- Attended two Chamber events – business after business to hear about AltaGas/Vopak project, and lunch event with Blair Mireau speaking to the MOU with Port Edward on the Port Ed Store and Post Office project;
- Numerous calls to Conservation Officer regarding wolf problems;
- Discussions with Municipal Insurance Association regarding risk management policy updates;
- Ongoing contact with property owners regarding driveways on Oceanview, storm water concerns.

#### Public Works

- Finished hauling winter sand from Terrace;
- Dealt with numerous storm sewer issues, cleaning catch basins, ditching, etc. to deal with heavy rains;
- New Public Works Shop overhead doors installed;
- Worked on repairs to the dog park fence;
- Raw Water pumps major maintenance and cleaning due to heavy rains; flushed tanks in preparation for winter season;
- Met with contractor for boat launch repairs cost estimate.

#### Approved for Submission to Council

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Elsie Lemke, Interim CAO



# DISTRICT OF PORT EDWARD

6e

## Director of Corporate Administrative Services & Strategic Projects

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### COUNCIL REPORT FOR CONSIDERATION

**Date:** November 28, 2023  
**To:** Elsie Lemke, Interim Chief Administrative Officer  
**From:** Polly Pereira, Director of Corporate Administrative Services

**SUBJECT:** 2024 Council Meeting Schedule

**RECOMMENDATION:** That Council approves the 2024 Regular Council Meeting Schedule.

#### Background:

At the end of each year a schedule for the new year for Regular Council meetings is provided to Council for consideration. A copy of the proposed 2024 Regular Council meetings is attached for review and adoption.

**Prepared By:**

  
\_\_\_\_\_  
Polly Pereira, DCAS

**Approved for Submission to Council**

  
\_\_\_\_\_  
Elsie Lemke, Interim CAO

**Attachment**

#### Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence



**DISTRICT OF PORT EDWARD**  
**2024 REGULAR MEETING OF COUNCIL SCHEDULE**  
**TIME 7:00 PM**

<b>January</b>	<b>9<sup>th</sup> &amp; 23<sup>rd</sup>, 2024</b>
<b>February</b>	<b>13<sup>th</sup> &amp; 27<sup>th</sup>, 2024</b>
<b>March</b>	<b>12<sup>th</sup> &amp; 26<sup>th</sup>, 2024</b>
<b>April</b>	<b>9<sup>th</sup> &amp; 23<sup>rd</sup>, 2024</b>
<b>May</b>	<b>14<sup>th</sup> &amp; 28<sup>th</sup>, 2024</b>
<b>June</b>	<b>11<sup>th</sup> &amp; 25<sup>th</sup>, 2024</b>
<b>July</b>	<b>9<sup>th</sup>, 2024 only</b>
<b>August</b>	<b>13<sup>th</sup>, 2024 only</b>
<b>September</b>	<b>10<sup>th</sup>, 2024 only</b>
<b>October</b>	<b>8<sup>th</sup> &amp; 22<sup>nd</sup>, 2024</b>
<b>November</b>	<b>12<sup>th</sup> &amp; 26<sup>th</sup>, 2024</b>
<b>December</b>	<b>10<sup>th</sup>, 2024 only</b>

**Meetings will be held in Council Chambers**  
***770 Pacific Avenue, Port Edward BC***



# DISTRICT OF PORT EDWARD

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## Director of Corporate Administrative Services & Strategic Projects

### COUNCIL REPORT FOR CONSIDERATION

**Date:** November 28, 2023  
**To:** Elsie Lemke, Interim Chief Administrative Officer  
**From:** Polly Pereira, Director of Corporate Administrative Services

**SUBJECT:** 2024 Council Appointments

**RECOMMENDATION:** That Council provide direction to confirm the District Boards and Acting Mayor appointments.

1. Acting Mayor for the months of January 1 to March 31: \_\_\_\_\_;
2. Acting Mayor for the months of April 1 to June 30: \_\_\_\_\_;
3. Acting Mayor for the months of July 1 to September 30: \_\_\_\_\_;
4. Acting Mayor for the months of October 1 to December 31: \_\_\_\_\_;
5. North Coast Regional District \_\_\_\_\_ and the alternate \_\_\_\_\_ or the rest of the Council.
6. Regional Hospital District Board \_\_\_\_\_ and the rest of Council as the alternates
7. Northern Development Initiative Trust Board \_\_\_\_\_ and the rest of Council as alternates
8. Port Edward Harbour Authority Board \_\_\_\_\_ and the rest of Council as alternates
9. Skeena Roundtable Representative \_\_\_\_\_ and the rest of Council as the alternates.

**Prepared By:**

Polly Pereira, DCAS

**Approved for Submission to Council**

Elsie Lemke, Interim CAO

**Strategic Plan Priority Aligned With:**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence

**Attachment**

- 2023 Council Appointments
- Skeena Roundtable Membership Information

**REPORTS:**

**a) Polly Pereira, Director of Corporate Administrative Services  
RE: Council Appointments**

22-172 Moved by: Councillor Brown  
Seconded by: Councillor MacKenzie

**THAT** the Council Appointment report from Polly Pereira, Director of Corporate Administrative Services be accepted as submitted; and

**FURTHER THAT** the following appointments will cover the 2023 fiscal year

1. Acting Mayor for the months of January 1 to March 31: Councillor Dan Franzen;
2. Acting Mayor for the months of April 1 to June 30: Councillor James Brown;
3. Acting Mayor for the months of July 1 to September 30: Councillor Christine MacKenzie;
4. Acting Mayor for the months of October 1 to December 31: Councillor Colleen McDonald.

Carried

Unanimously

**FURTHER THAT THE FOLLOING MOTION WAS MADE:**

22-173 Moved by: Councillor Brown  
Seconded by: Councillor McDonald

5. North Coast Regional District Board Mayor Knut Bjorndal be the representative and the alternate Dan Franzen.

Carried Unanimously

**FURTHER THAT THE FOLLOING MOTION WAS MADE**

22-174 Moved by: Councillor Brown  
Seconded by: Councillor McDonad

6. Regional Hospital District Board Mayor Knut Bjorndal be the representative and the Acting Mayor be the alternate.
7. Northern Development Initiative Trust Board the Mayor Knut Bjorndal be the representative and the Acting Mayor be the alternate.
8. Port Edward Harbour Authority Board the Mayor Knut Bjorndal be the representative and the Acting Mayor be the alternate.

Carried Unanimously

## RE: Skeena Roundtable - Membership Update

Skeena Roundtable FOR:EX [Skeena.Roundtable@gov.bc.ca]

**Sent:** Thursday, November 16, 2023 4:55 PM

**To:** CAO

**Attachments:** Skeena Round Table Terms ~1.docx (145 KB)

Hi Elsie,

Thank you for your reply. We are excited to have a member of Council join, and I am happy to provide more information on the Roundtable.

We have quarterly meetings: October, December, March, and June. Meetings are scheduled for the first Tuesday of the month and run approximately ~3 hours from 9am-12pm. Meetings are virtual and are held over Zoom. For our June session, we do an in-person field trip instead of a virtual meeting. For example, last spring, we were hosted by Gitanyow Nation on Gitanyow Lax'yip and learned about their governance systems and wildlife and fisheries management.

In terms of membership, our expectations are that members attend meetings and act as liaison between their respective organizations and the Roundtable. If members can't attend a meeting, we ask that they identify an alternate who can join in their place. Members should also review meeting materials before meetings and adhere to our Code of Conduct, which is:

### 1. Commitment

- a. Come prepared or designate an alternate out of respect for everyone's time.
- b. If the agenda is unclear or expectations are unmet, share feedback with Roundtable Chair.
- c. Foster an environment for connections and the development of relationships.

### 2. Curiosity

- a. Listen, encourage questions, and create space for others to speak.
- b. Create opportunities for participants to add value and take-away value from each meeting by listening and sharing – "two ears, one mouth."
- c. Commit to curiosity, humility, and acceptance of diversity of thought.

### 3. Respect

- a. Treat each other with respect, inclusivity, and consideration.
- b. Foster a space free of racism and discrimination.

I've attached our Terms of Reference to this email, which expands on what I've described above.

If you have any more questions please let me know.

Sincerely,  
Saskia

---

**From:** CAO <cao@portedward.ca>

**Sent:** Thursday, November 16, 2023 12:21 PM

**To:** Skeena Roundtable FOR:EX <Skeena.Roundtable@gov.bc.ca>

**Subject:** RE: Skeena Roundtable - Membership Update

You don't often get email from [cao@portedward.ca](mailto:cao@portedward.ca). [Learn why this is important](#)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Good afternoon Saskia;

The email from you to Mayor Bjorndal dated November 16th was forwarded to me for follow up. Mayor Bjorndal is away on an extended vacation, and has suggested that another member of Council may wish to be appointed to this Roundtable Project. In advance of speaking with the other members of Council on this, I am reaching out to you to acquire some

# SKEENA ROUNDTABLE

Terms of Reference





Last Updated: December 6, 2022

# Skeena Roundtable Terms of Reference

The Skeena Roundtable (Roundtable) Terms of Reference (TOR) is a guide to define the purpose, scope, participation, and operation of the Roundtable. The TOR is a living document, which will be reviewed annually and modified as the Roundtable develops and evolves.

## Purpose of the Roundtable

The Roundtable is a forum for the Province of BC (BC), Indigenous Nations, local governments, and interest groups to connect, share and receive information, and provide input on BC's efforts to advance reconciliation through land and resource initiatives in the Skeena Region.

The need for the Roundtable was identified by the Skeena Region Stakeholder Needs Assessment commissioned by BC in 2021. The Needs Assessment highlighted the need for increased information and engagement regarding BC's reconciliation initiatives in the Skeena Region.

The goals of the Roundtable are to:

1. Increase awareness about reconciliation initiatives in the Skeena Region.
2. Provide a safe, meaningful, and inclusive forum where participants can share perspectives and input, learn from one another, and have authentic dialogue.
3. Create opportunities for participants to build relationships and identify ways that they can continue to work together to advance reconciliation in their respective organizations outside of the Roundtable.

## Scope of the Roundtable

The Roundtable is a forum to support information sharing and dialogue related to reconciliation efforts in Skeena Region, with an initial focus on land and resource initiatives. The scope of the Roundtable is to:

1. Share information about BC's land and resource reconciliation initiatives underway across the Skeena region.
2. Support respectful dialogue around the impacts and opportunities these initiatives present for Roundtable participants.
3. Build a shared understanding of and language for reconciliation.

While engagement on specific initiatives will occur independently, the Roundtable will support existing and emerging processes and serve as a conduit for information sharing.

The Roundtable will align its focus with the mandate letters for:

- [Minister of Land, Water, and Resource Stewardship](#)
- [Minister of Indigenous Relations and Reconciliation](#)
- [Minister of Forests](#)

## Participation

BC is committed to creating a safe and inclusive space where participants can learn about and discuss land and resource initiatives in the Skeena Region. All participants are expected to review and agree to the Roundtable Code of Conduct.

To ensure that the Roundtable remains an effective and safe space for information sharing and dialogue, participation in the Roundtable is by invitation only. Organizations will be asked to confirm one representative and an alternate. BC will maintain a list of Roundtable participants.

## Indigenous Representation

Indigenous Nations in the Skeena Region have been engaged during the design of the Skeena Roundtable. The approach to Indigenous participation is to inform and seek input from Nations where agenda topics are directly related to them and invite them to participate as co-presenters where applicable.

## Representation

The Roundtable is established and supported by BC. The Roundtable will have regional representatives from BC (Ministry of Forests; Ministry of Land, Water and Resource Stewardship; and Ministry of Indigenous Relations and Reconciliation), local governments, and interest groups. The BC team may call upon representatives from other ministries to support and inform the process as required. Subject matter experts will be invited to present on a variety of topics, including but not limited to land and resource initiatives.

Parties must nominate a single representative and an alternate to attend the Roundtable. Roundtable participants will not be compensated by BC for their time.

## Process to confirm participants

Participation in the Roundtable is by invitation only. Requests will be evaluated using the following criteria:

- Is the applicant's sector underrepresented?
- Is the applicant able to attend meetings?
- Is the applicant willing to commit to the Code of Conduct?

## Roles and Responsibilities

**Roundtable Lead:** The Lead has the overall responsibility for the BC staff and resources needed to support the success of the Roundtable; works with the Chair and Coordinator on both long-

range planning and preparation of agendas and presenters; monitors participant feedback and meeting effectiveness to ensure Roundtable Purpose and Scope is being met.

**Roundtable Chair:** The Chair will help guide the direction of the Roundtable by facilitating Roundtable meetings; working with the Lead, Coordinator, presenters, and Roundtable participants on agenda development; soliciting feedback from participants, monitoring the Code of Conduct during Roundtable meetings; and being an intermediary between the participants and BC.

**Roundtable Coordinator:** The Coordinator is responsible for sending calendar invites, distributing meeting materials, maintaining a current list of participants, maintaining the MS Teams site, and other related duties.

**Participants:** Participants are a liaison between their respective organizations and the Roundtable. Participants will review meeting materials prior to meetings and adhere to the Code of Conduct.

**Subcommittees:** Subcommittees may be struck as required. Subcommittee focal areas, membership and terms of reference will be determined by the Roundtable.

## Roundtable Operation

### Schedule and Agenda

Agenda topics and schedule will be developed in at least six-month increments. The Roundtable will meet quarterly on the first Tuesday of October, December, March, and June.

A draft meeting agenda will be distributed by email from the Coordinator at least one week prior to each meeting.

### Meeting Notification

A schedule of meeting dates will be provided by the Coordinator at least three months in advance. Calendar invites will be sent to participants. Participants are asked to RSVP to the meeting organizers in advance.

### Meeting Materials

Materials requiring review and approval in upcoming meetings will be shared at least three business days in advance of the meetings. Presentation materials used in meetings will be shared following the meeting and are not to be shared outside the Roundtable participant list without approval.

### Meeting Record

Copies of any materials presented to the group will be distributed along with actions and decisions.

## Meeting Facilitation

Meetings will be facilitated by BC. Guests and subject matter experts will be invited to attend or present to the Roundtable.

## Meeting Format

Most meetings will be available for participants to attend virtually. The meeting organizers will endeavour to offer one in-person meeting per calendar year. For in-person meetings, participants are expected to follow the public health guidelines. Travel expenses will be the responsibility of the participants.

## Continuity

The Roundtable will evolve over time. It is recommended that the TOR be evaluated and updated annually to adapt to changes. All modifications are to be reviewed and approved by BC and Roundtable participants.

# Code of Conduct

### 1. Commitment

- a. Come prepared or designate an alternate out of respect for everyone's time.
- b. Have a well-developed agenda with a clear purpose and outcomes, communicate expectations of participants in advance, and be mindful of time.
- c. If the agenda is unclear or expectations are unmet, share feedback with Roundtable Chair.
- d. Foster an environment for connections and the development of relationships.

### 2. Curiosity

- a. Listen, encourage questions, and create space for others to speak.
- b. Create opportunities for participants to add value and take-away value from each meeting by listening and sharing – “two ears, one mouth.”
- c. Commit to curiosity, humility, and acceptance of diversity of thought.

### 3. Respect

- a. Treat each other with respect, inclusivity, and consideration.
- b. Foster a space free of racism and discrimination.



# DISTRICT OF PORT EDWARD

7a

Director of Corporate  
Administrative Services & Strategic Projects

## COUNCIL REPORT FOR CONSIDERATION

**Date:** November 28, 2023  
**To:** Elsie Lemke, Interim Chief Administrative Officer  
**From:** Polly Pereira, Director of Corporate Administrative Services  
**Subject:** Fireworks Amendment Bylaw # 751

**RECOMMENDATION:** That Council gives final reading and adoption to the attached Fireworks Amendment Bylaw No. 751, 2023.

**BACKGROUND:** The attached Fireworks Bylaw # 723 needs to be amended to include the issuance of a permit for discharge of fireworks on private property. At the last Council Meeting on November 11, 2023 this bylaw was given first, second and third reading and is now presented for adoption.

**Prepared By:**

  
Polly Pereira, DCAS

**Approved for Submission to Council**

  
Elsie Lemke, Interim CAO

**Strategic Plan Priority Aligned With:**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence

**Attachments**

- Fireworks Bylaw # 723, 2021



**DISTRICT OF PORT EDWARD**  
**Fireworks Amendment Bylaw No. 751, 2023**

**A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD**  
**FIREWORKS BYLAW # 723, 2021**

**WHEREAS** Council for the District of Port Edward wishes to amend the Fireworks Bylaw # 723, 2021 to insert a permit application section.

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

***Insert after section 4.11***

- 4.12 Notwithstanding section 4.5 herein, the issuance of a permit to an authorized person for the discharge of fireworks on private property for the purpose of the observance or celebration of a special event or festival where all conditions to obtain a permit under this bylaw have been met, may be approved. The fee for every permit issued for private property shall be Zero (\$0.00).

READ a first time this 14<sup>th</sup> day of November, 2023;

READ a second time this 14<sup>th</sup> day of November, 2023;

READ a third time this 14<sup>th</sup> day of November, 2023;

RECONSIDERED AND ADOPTED THIS    day of November, 2023

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Knut Bjorndal, Mayor

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Polly Pereira, Director of Corporate  
Administrative Services



## DISTRICT OF PORT EDWARD

### Fireworks Bylaw No. 723

#### A BYLAW TO PROVIDE FOR THE REGULATION, SALES, POSSESSION AND USE OF FIREWORKS

**WHEREAS** Council of the District of Port Edward, in accordance with Section 8 (3)(d) of the Community Charter, may establish by bylaw to regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives.

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

#### 1. CITATION

**This bylaw may be cited for all purposes as the “District of Port Edward Fireworks Bylaw No. 723, 2021.**

#### 2. REPEALS

Fireworks Regulations Bylaw # 384, 1996 is hereby repealed.

#### 3. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

“**Approved**” means approved by an Officer of the District of Port Edward, Fire Chief or designate.

“**Council**” means the Council of the District of Port Edward.

“**District**” means the District of Port Edward.

“**Explosive**” includes gunpowder, nitro glycerine, gun cotton, dynamite, blasting gelatin, fulminate or mercury, or other metals, coloured fire and every other substance used or manufactured to produce a violent effect by explosion caps, detonators, cartridges, and ammunition.

“**Fire Chief**” means the person who is appointed from time to time as Fire Chief of the District of Port Edward or that person’s representative.

**“Fire Department”** means the District of Port Edward Volunteer Fire Department.

**“Firecracker”** includes small fireworks with entwined fuses used solely as noise makers, not for pyrotechnic effects or have little or no pyrotechnic effect and without limitation such as bottle rockets, screechers, screecharoos, humaroots, supersonic bang, butterfly thunder and air bombs and items similarly named or are in the same noise producing category.

**“Fireworks”** means consumer fireworks, manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosives Regulations as low hazard fireworks for recreation (Class 7.2.1) such as, but not limited to, fireworks, showers, fountains, golden rain, lawn lights, pinwheels, Roman candles, and volcanoes. (**Low Level Fireworks less than 50 meters**) (**High-Level Fireworks** more than 50 meters such as aerial shells, comets, large roam candles. Designed for professional and certified individuals as per the Federal Explosives Acts and Explosives Regulations may use high-hazard display fireworks.)

**“Minor”** means a person under the age of nineteen (19) years old.

**“Occupant”** means an owner, tenant, lessee, agent, licensee, and any other person who has the right of access to and control of any, land, building or premises to which this bylaw applies.

**“Peace Officer”** means Fire Chief, Fire Prevention Officer, Bylaw Officer, Police/RCMP Officer.

**“Possession”** means when a person has anything in his/her personal possession or knowingly has it in the possession or custody of another person or place, whether or not that place belongs to or is occupied by him/her.

**“Restricted Area”** means a storage area specifically assigned for the storage of fireworks that are behind a counter, in a locked cabinet, supervised by the retail proprietor or under constant surveillance.

**“Sales”** means the act of selling, the exchange of goods or services for money or other valuable considerations.

#### **4. GENERAL**

4.1 No person shall sell or offer to sell, either by way of retail or wholesale, fireworks in the District of Port Edward.

4.2 No person shall give or otherwise dispose of fireworks to another person in the District of Port Edward.



- 4.3 No person shall sell, give or furnish fireworks or firecrackers to a minor.
- 4.4 No minor shall be in possession of, ignite or explode fireworks or firecrackers.
- 4.5 Except as provided in this bylaw, no person shall explode or discharge fireworks in the District of Port Edward, whether on public or private property.
- 4.6 No person shall manufacture any fireworks by altering or combining any combustibles, chemicals, explosives, flammables or other dangerous things.
- 4.7 A Peace Officer may seize firecrackers or fireworks being held in violation of this bylaw and may dispose of them without compensation.
- 4.8 The Fire Chief may enter onto property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to person or property.
- 4.9 An occupant of real property shall remove or reduce anything or conditions from a building or yard which in the opinion of the Peace Officer is a fire hazard or increases the danger of fire during use or fireworks.
- 4.10 After an inspection the Fire Chief may order, in writing, that, within a reasonable time set out in order, the occupant remove, destroy, repair or alter the use of the occupancy of the premises, or remove or take precautions against any fire hazard as set out in the order.
- 4.11 The District shall charge any and all costs that are incurred while mitigating fires resulting from the misuse of fireworks to the person or persons responsible for discharging the fireworks or firecrackers.

## **5. SAFETY**

- 5.1 The person displaying the fireworks must read all instructions and plan the order of firing before hand.
- 5.2 This bylaw shall be subject to the provisions of the Federal Explosives Acts and Explosives Regulations.
- 5.3 In the event of a fire ban a person shall not be permitted to discharge fireworks at any time.
- 5.4 No person shall explode any fireworks on any highway, road, street, lane, bridge or other public place unless authorized in writing by Council resolution and signed by the

Fire Chief. Application must be submitted at least thirty (30) days before the event and any other required information. **A fee of one hundred and fifty (\$150) dollars will be required for the use of any public place.**

- 5.4 Any person or organization conducting a public display using a public area with written permission of Council or authorized entity must provide a detail plan of their fireworks display with their fireworks application.
- 5.5 Clean-up after the show- wait 30 minutes after the display has finished. Check the firing area for duds, clean up all debris, and check it again the next morning. Water supply or extinguishers must be on hand during the event.
- 5.6 Any and all costs that are incurred while mitigating fires resulting from the misuse of fireworks will be charged to the person or persons responsible for discharging the fireworks or firecrackers.

## **6. PENALTIES**

- 6.1 A person who contravenes a provision of this Bylaw is guilty of an offence and is subject to the penalties imposed by this Bylaw.
- 6.2 Each day that a contravention of this provision of this Bylaw continues is a separate offence.
- 6.3 Each person who commits an offence against this Bylaw is liable to a fine of not less than Two Hundred Dollars (\$200) and not more than Ten Thousand Dollars (\$10,000).

## **7. SEVERABILITY**

- 7.1 The provisions of this bylaw are severable and the invalidity of any part of this Bylaw shall not affect the validity of the remainder of this bylaw.

READ a first time this 14<sup>th</sup> day of December, 2021;

READ a second time this 14<sup>th</sup> day of December, 2021

READ a third time this 14<sup>th</sup> day of December, 2021

RECONSIDERED AND ADOPTED THIS 11<sup>th</sup> day of January, 2022

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Knut Bjorndal, Mayor

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Polly Pereira, Director of Corporate  
Administrative Services



# DISTRICT OF PORT EDWARD

76

Director of Corporate  
Administrative Services & Strategic Projects

## COUNCIL REPORT FOR CONSIDERATION


**Date:** November 28, 2023  
**To:** Elsie Lemke, Interim Chief Administrative Officer  
**From:** Polly Pereira, Director of Corporate Administrative Services  
**Subject:** **Sewer Rates & Regulations Amendment Bylaw # 752**

**RECOMMENDATION:** That Council gives final reading and adoption to the attached Sewer Rates & Regulations Amendment Bylaw No. 752, 2023.

**BACKGROUND:** The attached Sewer Rates & Regulations Bylaw # 397 needs to be corrected. Section 9(1) indicates that a minimum diameter of each sewer connection shall be 150mm and that is not correct, as it should say 100mm. This bylaw was given first, second and third reading at the last Council meeting on November 14, 2023.

**Prepared By:**

**Approved for Submission to Council**

  
\_\_\_\_\_  
Polly Pereira, DCAS

  
\_\_\_\_\_  
Elsie Lemke, Interim CAO

**Strategic Plan Priority Aligned With:**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence

**Attachments**

- Sewer Rates and Regulations Bylaw # 397, 1997



**DISTRICT OF PORT EDWARD**

**Sewer Rates and Regulation Amendment Bylaw No. 752, 2023**

**A BYLAW TO AMEND THE SEWER RATES AND REGULATION BYLAW # 397, 1997.**

**WHEREAS** Council for the District of Port Edward wishes to amend and correct section 9(1) of the Sewer Rates and Regulation Bylaw #397, 1997;

**THEREFORE** the Council of the District of Port Edward in open meeting assembled enacts as follows:

**Correction to Section 9- Building Sewers**

***Remove***

**(1) The minimum diameter of each sewer and sewer connection shall be 150 mm.**

***Replace with:***

**(1) The minimum diameter of each sewer and sewer connection shall be 100 mm.**

READ a first time this 14<sup>th</sup> day of November, 2023;

READ a second time this 14<sup>th</sup> day of November, 2023;

READ a third time this 14<sup>th</sup> day of November, 2023;

RECONSIDERED AND ADOPTED THIS    day of November, 2023

\_\_\_\_\_  
Knut Bjordal, Mayor

\_\_\_\_\_  
Polly Pereira, Director of Corporate  
Administrative Services

**DISTRICT OF PORT EDWARD  
BYLAW NO. 397**

**A BYLAW TO REQUIRE OWNERS OF PROPERTY TO CONNECT THEIR BUILDINGS AND STRUCTURES TO THE APPROPRIATE SEWER CONNECTIONS;**

**TO IMPOSE A CONNECTION CHARGE AND FIX THE TERMS AND CONDITIONS OF PAYMENT;**

**TO REGULATE THE DESIGN AND INSTALLATION OF SEWAGE WORKS PROVIDED BY PERSONS OTHER THAN THE MUNICIPALITY;**

**AND TO IMPOSE A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE USE OF THE SANITARY SEWER SYSTEM.**

---

The Council of the District of Port Edward, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited as the "Sewer Rates and Regulations Bylaw No. 397, 1997".

2. INTERPRETATION

In this bylaw, unless the context otherwise requires;

**Building Inspector** shall mean a person or persons appointed from time to time by the Council of the District of Port Edward as Building Inspector and includes Deputy and Assistant Building Inspectors.

**Building Sewer** shall have the meaning as described in the B.C. Plumbing code as amended from time to time.

**Common sanitary sewer** shall mean and shall include any sewer main upon or under, any public street, lane, right-of-way, or easement, for the purpose of bearing sewage, which sewer main is owned or maintained by the District, whether laid by the District or any other person whomsoever.

**Quarter** shall mean the relevant 3 month period ending on the last day of March, June, September, and December of any year.

**Storm Sewer** shall mean and includes any sewer main upon or under, any public street, lane, right-of-way, or easement, for the purpose of bearing drainage water, which sewer main is owned or maintained by the District, whether laid by the District or any other person whomsoever.

**Superintendent of Public Works** shall mean the Superintendent of Public Works appointed by the Council of the District of Port Edward.

3. SANITARY SEWER CONNECTION REQUIRED

Every owner of real property which abuts a street or lane or other public right-of-way upon or under which there is laid a common sanitary sewer, or is within 20 m of such common sanitary sewer and upon which there is situated a building or structure shall connect or cause to be connected, the said building or structure to the common sanitary sewer in the manner provided by this bylaw.

4. STORM SEWER CONNECTION

Owners of real property may connect, where available, a building or structure to the storm sewer in the manner provided by this bylaw.

5. APPLICATION FOR CONNECTION

- (1) All applications for an installation of all sewer connections shall be made to the Superintendent of Public Works by the owner or his agent.
- (2) The said applications shall be accompanied by the required connection charge as laid down in Schedule "A" of this bylaw.
- (3) Upon approval of the application, the Superintendent of Public Works shall cause to be laid, a sewer connection extending from the common sanitary or storm sewer to the applicant's building sewers at the property line.
- (4) If the application is rejected, the Superintendent of Public Works shall notify the owner of the reasons for rejection and return the connection charge which accompanied the application.
- (5) Any extension to any sewers shall be at the owners expense, in accordance with the provisions of this bylaw.
- (6) Where a new building or structure is being built and will come within the provisions of this bylaw, the owner or his agent shall make applications for a connection permit and pay the connection charge at the time he makes application for the connection permit.

6. CONNECTION CHARGE

- (1) The connection charge covers:
  - (a) the connection to the sewers to the property line of the applicant;
  - (b) the inspection of the applicant's building sewer.

7. FAILURE TO CONNECT

- (1) In the event of any owner failing to make application for a connection required under this bylaw, the Superintendent of Public Works may serve on the owner a notice stating that the said owner shall connect or cause to be connected, his buildings or structures to the common sewer within thirty (30) days of the date of the notice, or the Municipality will have the work done at the expense of the owner, including a 15% administration fee.
- (2) After the expiration of the thirty (30) day period, the Municipality may enter upon the property of the owner and cause the connection to be made. The total cost and expense of making the connection, including the cost of installing the building sewer and the sewer connection, shall be charged against the owner of the property, including a 15% administration fee. Any amount remaining unpaid on the 31st day of December shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
- (3) In the event of failure to make a proper connection to the satisfaction of the Building Inspector, the Superintendent of Public Works shall give notice to correct within 30 days of notice.

8. USE OF SEWERS

- (1) No person shall discharge or cause to be discharged:
  - (a) Any storm water, surface water, ground water, roof run-off, or unpolluted industrial process water to any sanitary sewer;
  - (b) Any sewage into a storm sewer;
  - (c) Any inflammable liquid, including gasoline, naphtha, or explosive substance or any grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay or any other trade or industrial waste which may injure or impair the efficiency of any sewer;
  - (d) Any steam exhaust, blow-off or drip from drip-pipe or any heated water into any sewer until the temperature has been reduced to at least 65 degrees C provided that steam exhausts shall be discharged into a blow-off or condensing tank and so such tank may be connected to the sewer until the Health Inspector has approved in writing the design, construction and location of such tank.

- (2) In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as described in subsection (1) may be harmlessly discharged into the common sewer, a permit to connect the sewer may be issued by the Health Inspector when he has approved the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said noxious wastes into the common sewer.

## 9. BUILDING SEWERS

- (1) The minimum diameter of every sewer and sewer connection shall be 150 mm.
- (2) Each lot must be separately and independently connected with any sewer.
- (3) All sewers from houses and other buildings shall be installed by and at the cost of the owner and shall be constructed of one of the following materials:
  - (a) Plastic PVC SDR 35.
  - (b) Such other material as may be approved from time to time by the B.C. Plumbing Code.
- (4) The building sewer shall be laid to an even slope of not less than one to fifty in the direction of flow in the case of 100 mm, and not less than one to one hundred in the case of 150 mm.
- (5) The pipe shall be laid not less than 0.90 m below the finished surface of the ground, as measured to the top of the pipe, except where the resultant grade would be less than specified in Section 4 of this bylaw, due to the lack of depth to the main sewer.
- (6) The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even, and free of any internal obstruction.
- (7) Where couplings are provided by the manufacturer the couplings shall be installed in accordance with the manufacturer's specifications.
- (8) Bell and spigot pipe shall be laid with the spigot end facing in the direction of the flow.
- (9) Excavating for house sewer trenches shall have a uniform grade at the bottom. Each length of pipe shall be given a solid, even bearing.
- (10) No work of any kind connected with the sewer system either for laying new or repairing old services shall be done upon or under any street or lane in the District by any other than the employees or agents of council.



- (11) Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Building Inspector may require that special joint-material be used.
- (12) At every change of direction, the owner shall install a long sweep bend whose radius shall be at least 0.90 m.
- (13) Immediately inside the premises and in an accessible position, the owner shall install a clean-out of the same diameter as the connection.
- (14) Where the building sewer is laid over filled ground or in ground which may be subject to settling, the Building Inspector may require that the cast iron soil pipe or other materials than those mentioned in subsection (3) be used.

#### 10. INSPECTION OF BUILDING SEWERS

- (1) When the owner has completed the installation of his building connection, but before the same has been backfilled, he shall inform the Building Inspector that the installation is complete and the Building Inspector shall forthwith make an inspection of the work.
- (2) The owner or agent shall test the house connection for water-tightness in the presence of the Building Inspector. The test shall be performed by sealing the building sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than 1.8 m is placed on all sections of the building sewer. The rate at which water escapes from the building sewer, when calculated under this test, shall not exceed 1 litre for each 3 m of building sewer.
- (3) The backfilling of the building sewer shall not be commenced until the Building Inspector has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other bylaws have been adhered to.
- (4) Materials and workmanship which, in the opinion of the Building Inspector are defective, or otherwise not in accordance with the provisions of this bylaw shall be removed and replaced by the owner, at the direction of the Building Inspector and the building sewer shall not be backfilled unless and until the said house sewer has been accepted and approved by the Building Inspector. Failure to replace materials or workmanship as provided in this section shall be cause for the municipality to proceed with the issuance of a notice referred to in Section 6 (3) of this bylaw.

#### 11. USER CHARGE

- (1) There shall be and is hereby imposed and levied a sewer user charge against the owner or occupier of real property whose property or premises is connected any sewer system.

- (2) Each parcel of land or premises shall be classified in accordance with the categories set out in "Schedule A" attached hereto and forming part of this bylaw and the user charge imposed shall be the rate shown opposite the relevant category.
- (3) In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the sewer connection was made, if made on or before the fifteenth (15th) day of the month, the user charge shall be for the total month, or if made after the fifteenth (15th) day of the month, the charge shall be for Fifty Percent (50%) of the current monthly user charge.
- (4) The user rates and charges as set forth in Schedule A - Section I shall be payable quarterly, unless otherwise required, at the office of the Superintendent of Public Works, on or before the last business day of the current quarter.

12. OFFENSES

Any person who violates any of the provisions of this bylaw shall be guilty of an offense and shall be liable on summary conviction to a fine not exceeding the sum of Five Hundred Dollars (\$500.00) and costs for each offense.

13. REPEAL

This bylaw will repeal "Sewer Rates and Regulations Bylaw No. 376, 1995" and all amendments thereto.

READ a first time this 9<sup>th</sup> day of December, 1997.  
 READ a second time this 9<sup>th</sup> day of December, 1997.  
 READ a third time this 9<sup>th</sup> day of December, 1997.  
 ADOPTED this 23<sup>rd</sup> day of December, 1997.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Certified a true copy of bylaw  
cited as "Sewer Rates & Regulations  
Bylaw No. 397, 1997".

\_\_\_\_\_  
Clerk

SCHEDULE "A"

<b>I</b>	<b><u>Sewer Rates</u></b>	<b><u>Monthly</u></b>	<b><u>Quarter</u></b>
a)	1. Each self contained dwelling unit, including each Suite within a multiple dwelling or each apartment within an Apartment Block -Each Unit	\$ 15.00	\$ 45.00
	2. Trailer Parks, Manufactured Home Parks -each campsite, space, or pad whether or not occupied by a trailer or Manufactured Home	\$ 15.00	\$ 45.00
	3. Rooming or boarding House- -Plus for Each Housekeeping Unit -and for each Sleeping Room	\$ 15.00 \$ 15.00 \$ 7.50	\$ 45.00 \$ 45.00 \$ 22.50
	4. Restaurant, Cafe, Coffee Shop, Snack Bar (Unlicensed)-	\$ 24.00	\$ 72.00
	5. Hotels, Motels & Auto Courts- -For each unit with Kitchen Facilities -For each unit without Kitchen Facilities	\$ 24.00 \$ 15.00 \$ 7.50	\$ 72.00 \$ 45.00 \$ 22.50
	6. Licensed Lounges, Licensed Restaurants, Licensed coffee Shops Licensed Cafes -	\$ 58.50	\$176.00
	7. Schools	\$ 93.33	\$ 280.00
	8. Business Premises, Stores, Offices, Workshops, Garages and Service Stations, Warehouses, and Industrial Buildings or other commercial undertaking not otherwise classified: -With 9 employees or less -With more than 9 employees	\$ 24.00 \$ 58.50	\$ 72.00 \$176.00
	9. Private Clubs, Service Clubs, Churches	\$ 15.00	\$ 45.00
	10. Public Halls, or Church Halls	\$ 24.00	\$ 72.00

**II . CONNECTION CHARGES**

100 mm sanitary sewer connection	\$1100.00
150 mm sanitary sewer connection	\$1200.00

For larger than 150 mm sewer connection, the minimum fee is \$1200.00 plus any costs incurred over this amount.

All road crossings and rock excavating would be additional cost

150 mm storm sewer connection	Cost
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# DISTRICT OF PORT EDWARD

7C

## Director of Corporate Administrative Services & Strategic Projects

### COUNCIL REPORT FOR CONSIDERATION

**Date:** November 28, 2023  
**To:** Elsie Lemke, Interim Chief Administrative Officer  
**From:** Polly Pereira, Director of Corporate Administrative Services  
**Subject:** **Business Licence Bylaw # 753, 2023**

**RECOMMENDATION:** That Council gives first, second and third reading to the attached Business Licence Bylaw # 753, 2023.

**BACKGROUND:** The attached Business Licence Bylaw # 389 and amendment Bylaw #417 were adopted in the late 90s and need to be updated. The current business licences are held mostly by contractors, at a rate of \$60 per year. This rate has been in place since the 90's and has not been increased. The proposed rate structure has been simplified, by creating just 2 categories- Industrial Operations (General Commercial and Industrial) at \$150 per year and all other businesses at \$100 per year. We are now requesting that Council gives first, second and third reading.

**Prepared By:**

**Approved for Submission to Council**

  
Polly Pereira, DCAS

  
Elsie Lemke, Interim CAO

**Strategic Plan Priority Aligned With:**

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence

**Attachments**

- Business Licence Bylaw # 389 & Bylaw # 417



**DISTRICT OF PORT EDWARD**  
**BUSINESS LICENCE BYLAW No. 753, 2023**

A bylaw to authorize the issuance of business licences within the boundaries of the District of Port Edward.

**WHEREAS** pursuant to the Community Charter, the Council may, by bylaw, regulate matters in relation to business;

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

1. **CITATION**

This Bylaw may be cited for all purposes as "District of Port Edward Business Licence Bylaw No. 753, 2023"

2. **REPEALS**

THAT "District of Port Edward Business Licence Bylaw No. 389, 1997 and Bylaw No. 417, 1999 amendment be repealed in its entirety.

3. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

**Act** means the Community Charter, Chapter 26, as amended and the Local Government Act, Chapter 323, as amended.

**Applicant** means any person who makes an application for a licence under the provisions of the bylaw.

**Building Inspector** means the person or persons duly appointed as such from time to time by the Council and includes the Manager, Building Inspections, and a person designated by the Manager to act on his behalf.

**Business** means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit.

**Council** means the elected Council of the District.

**District** means the District of Port Edward.

**Licence** means a business licence issued under this bylaw.

**Licencee** means one who holds a business licence issued under this bylaw.

**Licence Inspector** means the person or persons appointed as Licence Inspector from time to time by the Council to administer this bylaw.

**Licence Period** means the period of time in which a Business Licence is in force.

**Premises** means a store, office, warehouse, factory building, house, enclosure, yard or other place occupied, or capable of being occupied by one or more persons for the purpose of any business, trade or occupation, or any area situated within any of the foregoing, where more than one separate or distinct class or classification of business is being carried on.

#### **4. GENERAL REQUIREMENTS**

4.1 Except as otherwise provided in this Bylaw, no person will carry on, maintain, own, or operate a Business within the District without holding a Business Licence.

4.2. A person who operates more than one Business in a premises must obtain a separate Business Licence for each Business.

4.3 The Business Licence must be posted in a conspicuous place in the premises, vehicle, place or structure for which the Business Licence was issued at all times that the Business is operating.

#### **5. LICENCES EXEMPTIONS**

A Non- Profit Society is required to hold a Business Licence. The nominal Licence fee is zero.

#### **6. AUTHORITY TO LICENCE**

6.1 Council appoints the Chief Administrative Officer to serve as the Licence Inspector, who is authorized to carry out and administer the provisions of this Bylaw.

6.2 Council delegates to the Licence Inspector the powers of Council to grant the Business Licence if the Licence Inspector is satisfied that:

- a) the Applicant has fulfilled the requirements of this and all other District bylaws applicable to the Business and the Premises;
- b) the Applicant has fulfilled the requirements of all federal, provincial, Local Government, and First Nations legislation applicable to the Business;
- c) the Applicant has paid the Licence fee; and
- d) the Applicant does not have any outstanding fees or fines owed to the District in relation to the proposed Business, or any other Business operated by the same Applicant.

**7. LICENCE APPLICATION**

7.1 All applications for a Business Licence must:

- a) be in the form prescribed from time to time by the Licence Inspector for that purpose;
- b) be signed by the owner or operator of the Business or their duly authorized agent; and
- c) contain a true and accurate description of the following information:
  - i. the nature of the Business;
  - ii. the full names, civic address of the business and contact information
  - iii. the Premises from which the Business is conducted;
  - iv. any other information the Licence Inspector may require with respect to the operation of the Business and its location.
  - v. the issuance of a Business Licence is not a representation or warranty by the District that the Business or proposed Business complies with any or all applicable bylaw or enactments, and the Applicant or Licencee bears all responsibility to ensure that the Business or proposed Business complies with all applicable bylaws of the District and with all other federal and provincial enactments, laws, rules, codes, regulations or orders.

**8. LICENCE FEES**

8.1 All Business Licences will have a Licence Period of one-year, commencing on the 1<sup>st</sup> of May and terminating on the 30<sup>th</sup> of April in each and every calendar year.

8.2 The District will not refund Licence Fees for any reason.

8.3. No Licence shall be issued to an Applicant for a Business until the Licence Inspector approves the Licence and the fee(s) have been paid to the District.

8.4 Every Licencee must notify the Licence Inspector in writing if the Business operation is being terminated.

**9. LICENCE CHANGES/TRANSFERS**

9.1 A Licence granted under this Bylaw shall be deemed a personal Licence to the Licencee and shall not be transferable to any other person.

9.2 A person shall not carry on or continue a Business which he has purchased, without first obtaining a Licence pursuant to this Bylaw.

9.3 A person shall not change the location of the Business for which the Licence has been issued, and then carry on that Business without first having obtained a transfer of his Licence from the Licence Inspector.

9.4 The Licence Inspector shall charge a fee of \$10.00 for each Licence transfer.



## **10. BUSINESS REFUSAL, SUSPENSION AND CANCELLATION**

10.1 The Licence Inspector has the authority to refuse an Application for a Business Licence or suspend or revoke a Business Licence for reasonable cause by providing the Applicant or Licencee with:

- a) the Applicant or Licencee fails to comply with this Bylaw;
- b) the Applicant or Licencee fails to comply with a term or condition of the Business Licence;
- c) the Applicant or Licencee fails or ceases to meet the lawful requirements to carry on the Business at the Premises;
- d) the Applicant or Licencee is convicted of an offence that, in the opinion of Council or the Licence Inspector, directly relates to the Business;
- e) the Applicant or Licencee violates any bylaw of the District that is, in the opinion of Council or the Licence Inspector, in any way related to the Business or the Business Premises; or
- f) the Licencee has engaged in misconduct with respect to the Business or the Business Premises which, in the opinion of Council or the Licence Inspector, warrants the suspension or cancellation of the Business Licence.

10.2 If the Licence Inspector suspends a Business Licence:

- a) the suspension is for such period of time as the Licence Inspector may determine; and
- b) the Licence Inspector may impose additional terms and conditions that the Licencee must meet in order to obtain a Business Licence at the end of the suspension period.

10.3 If the Licence Inspector suspends or cancels a Business Licence written reasons for the refusal must be given to the Licencee.

10.4 The Licence Inspector must provide notice of the suspension or cancellation to the Licencee pursuant to the notice provisions outlined in the Bylaw.

10.5 The Licencee must surrender the Business Licence to the Licence Inspector.

10.6 Notwithstanding the notice provisions in this Bylaw, the Licence Inspector may post a notice of the suspension or cancellation of a Business Licence upon the Premises for which the Business Licence was issued, and such notice will not be removed until the Business Licence is reinstated or the Business ceases to occupy the Premises.

## **11. NOTICE**

11.1 The Licence Inspector may deliver written notice to an Applicant or Licencee personally or by mail:

- a) if the Applicant or Licencee is a corporation, by delivering or mailing the notice to the corporation's registered office; or
- b) by delivering or mailing the notice to the address of the Applicant provided on the application or the address of the Business subject to the Business Licence.

- 11.2 Notice delivered in accordance with section 11.1 is presumed to have been received by the Applicant or Licencee, if delivered personally, on the date of delivery and, if delivered by mail, on the seventh day after the notice is mailed.

## **12. RECONSIDERATION BY COUNCIL**

- 12.1 If the Licence Inspector refuses to grant, suspends, cancels or imposes terms and conditions upon a Business Licence, the Applicant or Licencee who is subject to that decision may request that Council reconsider the Licence Inspector's decision, by, within ten (10) business days of the date of receiving notice of the Licence Inspector's decision, deliver to the Corporate Officer a written request stating the grounds upon which the request for reconsideration is based.
- 12.2 Upon receipt of the written request for reconsideration by the Applicant or Licencee, the reconsideration will be placed on the next Regular Council Agenda.

## **13. ENFORCEMENT AND PENALTY**

### **Inspection**

- 13.1 Every owner or operator of a Business must provide any information with respect to the Business as the Licence Inspector reasonably requests for the purpose of ensuring that the requirements of this Bylaw are being fulfilled.
- 13.2 Subject to the Community Charter, the Licence Inspector or any appointed officer of the District engaged in the administration or enforcement of bylaws, are hereby authorized to enter a Premises, vehicle, or other place in respect of which a Business Licence has been applied for or granted pursuant to this Bylaw, at all reasonable times to inspect and determine whether the regulations and requirements of this or any other bylaw and the Business Licence are being observed.
- 13.3 No person will obstruct the Licence Inspector or any appointed officer of the District engaged in the administration or enforcement of bylaws.
- 13.4 Any Person who:
- a) contravenes, violates, fails or neglects to comply or do anything required by any provision of this Bylaw; or
  - b) suffers or allows any act or thing to be done in contravention of this Bylaw commits an offence and upon conviction will be liable to a fine of not more than two thousand dollars (\$2,000), and where the offence is a continuing one, each day that the offence is continued will constitute a separate offence.
- 13.5 This Bylaw may be enforced by:
- a) a Peace Officer or the Licence Inspector; or
  - b) proceedings brought under the Offence Act.

13.6 A Peace Officer or the Licence Inspector may refer any disputed bylaw notices to the Provincial Court and may represent the District in any related proceedings.

**No Duty of Care**

13.7 Neither failure to enforce this Bylaw, nor any error, omission, or other neglect in relation to a Business Licence issued under this Bylaw, will be interpreted as giving rise to a cause of action in favour of any person.

READ a first time this day of November, 2023.  
READ a second time this day of November, 2023.  
READ a third time this day of November, 2023.

RECONSIDERED AND ADOPTED this day of December, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**SCHEDULE "A"**

**Business Licence Fee**

<b>INDUSTRIAL OPERATION</b> ( <i>General Commercial &amp; Industrial</i> )	<b>\$150</b>
<b>ALL OTHER BUSINESSES</b>	<b>\$ 100</b>

**DISTRICT OF PORT EDWARD**

**BYLAW NO. 417**

**A BYLAW TO AMEND "DISTRICT OF PORT EDWARD BUSINESS LICENSE  
BYLAW NO. 389, 1997" .**

Pursuant to Section 653 (1) of the *Municipal Act*.

WHEREAS amendments to section 659 (1) of the *Municipal Act* allows Council to impose business license fees by classification;

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

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw. All fees for twelve (12) month period unless otherwise stated.

<b>Nature of Business</b>	<b>Fee Payable</b>
Agent	60.00
Apartment Building	100.00
Arcade	60.00
Auction Sale	60.00
Automobile Dealer	160.00
Automobile Service Station/Service Garage	60.00
Babysitting Service	40.00
Banker	210.00
Barbers first chair	30.00
each additional chair	10.00
Beauty Parlor/Hairdresser first operator	30.00
each additional operator	10.00
Billiard Rooms	40.00
Bill Poster	60.00
Boat Charters	40.00
Boat Construction	60.00
Boat Marina	60.00
Book Agent	60.00
Bowling Alley	60.00
Building Developer	60.00
Canvasser	60.00
Carnivals (per day)	110.00
Circus (per day)	110.00
Cleaning/Dyeing	60.00

<b>Nature of Business</b>	<b>Fee Payable</b>
Cleaners Agent/	
Branch Office	40.00
Commercial Vehicle	60.00
Contractor	60.00
Contractor, Logging	60.00
Dance Hall	100.00
Day Care, Family	60.00
Day Care, Group	60.00
Delivery/Cartage/Courier Service	60.00
Discotheque Teenage	100.00
Express or Freight Company	60.00
Farmer's Market	60.00
Farmer	60.00
Figure Salon	60.00
Financial Institutions	210.00
Fish Processing Plants/ Allied Operations	
1) Canning	210.00
2) Reductions	110.00
3) Fresh/Frozen	110.00
4) Allied operations Licence	60.00
not required if licence taken out under section 1, 2, or 3.	
Floor Space	60.00
Fuel Dealer	60.00
Fuel Sales	60.00
Home Occupation	20.00
Hotel/Motel each room	5.00
Janitor Service	40.00

<b>Nature of Business</b>	<b>Fee Payable</b>
Junk Dealer	40.00
Kindergarten/Play School	60.00
Land Developer	60.00
Laundry/Laundromat	60.00
Laundry Office	60.00
Lease or Rental Agency	60.00
Mail Order Agency	60.00
Manufacturer	110.00
Mobile Business	80.00
Pasturing and Grazing	60.00
Pawnbroker	60.00
Peddler	60.00
Personal Care Home	60.00
Private Club	60.00
Private Patrol Agency	60.00
Profession	60.00
Public Market	60.00
Quarry	210.00
Real Estate and/or General Insurance Office	60.00
Religious or Charitable Business	Free
Repair Shop	60.00
Restaurant	70.00
Retail and or/	40.00
Room Rentals per room	5.00
Seasonal Business	60.00



<b>Nature of Business</b>	<b>Fee Payable</b>
Soliciting for Charity	Free
Steam Bath	60.00
Storage Areas	60.00
Tailor	60.00
Taxi each taxi	10.00 ea.
Tenant Listing Service	60.00
Theatre	110.00
Trailer Courts first trailer each additional trailer	60.00 3.00 ea.
Vehicle Hire first vehicle each additional vehicle	40.00 10.00
Vending Machine	60.00
Wholesale	60.00

READ a first time this 11<sup>th</sup> day of May, 1999.  
 READ a second time this 11<sup>th</sup> day of May, 1999.  
 READ a third time this 11<sup>th</sup> day of May, 1999.

ADOPTED this 25<sup>th</sup> day of May, 1999.

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Mayor

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Clerk

Certified a true copy of bylaw No. 417  
 cited as "District of Port Edward Business License Bylaw 417, 1999.

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Clerk

## DISTRICT OF PORT EDWARD

### BYLAW NO. 389

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A bylaw to authorize the issuance of business licences within the boundaries of the District of Port Edward.

**WHEREAS**, the Council is authorized, pursuant to Division (1) of Part 11 of the Municipal Act to issue business licences within the boundaries of the District of Port Edward;

**THEREFORE BE IT RESOLVED**, that the Council of the District of Port Edward, in open meeting assembled, hereby enacts as follows:

#### **I**      **TITLE**

This Bylaw may be cited for all purposes as "District of Port Edward Business Licence Bylaw No. 389, 1997"

#### **II**     **INTERPRETATION**

In this bylaw, unless the context otherwise requires:

**Act** means the Municipal Act.

**Agent** means a person within the District who, on behalf of any non-resident manufacturer, dealer, merchant or other person, sells or offers for sale, by sample or description or otherwise, for or on account, directly to the consumer, any goods, wares or merchandise.

**Apartment building** means a building or premises not being a motel, hotel or rooming house and which is divided into more than two (2) dwelling units, occupied or equipped to be occupied as rental accommodation.

**Applicant** means a person who makes an application for a licence under the provisions of the bylaw.

**Arcade** means a premises containing one or more machines on which mechanical, electrical, automatic or computerized games are played for amusement or entertainment and for which a fee is charged for use.

**Auction Sale** means the offering or putting up for sale any real or personal property for which the public is invited to make competitive bids.

**Automobile Dealer** means any person carrying on the business of new and/or used car sales provided, however, that no further license fee shall be required for the operation of an automobile service station or automobile service garage in conjunction with car sales business.

**Automobile Service Station/Service Garage** means any person carrying on the business of an automobile service station or service garage including the sale of automobile fuels and parts and accessories only.

**Babysitting Service** means a person employing one or more persons to supervise children in the permanent or temporary residences of the parents or guardians of the children, and who charges a fee or commission for provision of such supervision.

**Banker** means a person who carries on business as a chartered bank or carries on the business of accepting money on deposit for custody, subject to cheque or draft, or carries on the business of discounting bills, notes or drafts.

**Barbers** means any person carrying on the business of a barber shop.

**Beauty Parlour/Hairdresser** means any person carrying on the business of a beauty parlour or hairdresser.

**Billiard Rooms** means any person operating premises where billiard tables or pool tables are used for hire, and to include lunch counters, snack bars, confectionary and tobacco sales for the convenience of patrons.

**Bill Poster** means a person carrying on the business of erecting or maintaining painted, posted, illuminated or other advertising signs on property which does not belong to the advertiser.

**Boat Charters** means any person carrying on the business of a boat charter.

**Boat Construction** means any person carrying on the business of a boat construction and repair shop.

**Boat Marina** means any person carrying on the business of a boat marina, which included boat charters, boat moorage, boat sales and repairs and the sale of marina supplies.

**Book Agent** means a person who sells or offers for sale, books, magazines, or other periodicals, not being Bibles or religious tracts, by canvassing from house to house or place to place within the District.

**Bowling Alleys** means any person operating a bowling alley for hire or profit, and to included a lunch counter or snack bar and the sale of bowling equipment and rentals and sale of confectionary and tobacco, but not including vending machines.

**Building Developer** means a person who hires or otherwise employs a General Contractor to construct or erect or who causes to be constructed or erected houses or other buildings with the object of selling or otherwise disposing of them at a profit.

**Building Inspector** means the person or persons duly appointed as such from time to time by the Council and includes the Manager, Building Inspections, and a person designated by the Manager to act on his behalf.

**Business** means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit, but does not include any activity carried on by the government, its agencies or government owned corporations.

**Canvasser** means a person:

- a) who canvasses or solicits orders within the District, from cards or samples or in any other manner whatsoever, for the sale of any goods, wares or merchandise, or any article or thing, for future delivery, for, or on behalf of, a bona fide resident merchant or retail dealer who holds a licence from the District as such, and
- b) who fills the orders for those goods, wares, merchandise, articles or things from the regular stock of merchandise continuously being carried and offered for sale by that licensed merchant or retail dealer.

**Carnivals** means offering for the use of the public, any ferris wheel, roundabout, crack-the-whip, aeroplane ride, or game of skill or chance, excluding booths or concessions operated by and for the sole benefit of recognized charities, but does not include amusement arcades.

**Circus** means an exhibition or travelling show of horses, riders, acrobats, clowns and other performers and performing animals and includes a menagerie, but not a carnival.

**Cleaning, Dyeing** means any person carrying on the business of a cleaning or dyeing.

**Cleaners Agent or Branch Office** means any person maintaining a branch office within the municipality for the purpose of receiving orders or dispatching the delivery of clothes to be cleaned or having been cleaned at a plant situated outside the municipality.

**Commercial Vehicle** means:

- a) a motor vehicle having permanently attached to it a truck or delivery body;
- b) an ambulance, casket wagon, fire apparatus, hearse, motor bus, tow car, road building machine, taxi and a tractor;
- c) a combination of vehicles; and
- d) other vehicles as specified by regulation of the lieutenant Governor in Council under the Commercial Transport Act.

## **Contractor:**

- (1) "Contractor" means a person who undertakes to do or perform at a certain price or rate or for a fixed sum any construction, building, carpentry, plastering, lathing, shingling or concrete work, or any other work or service except a work or service which is specifically imposed elsewhere in this bylaw.
- (2) "General Contractor" means a person who employs or otherwise utilizes more than one of the distinct classes of sub-contractors listed in Schedule "A" at any one time.
- (3) "Sub-Contractor" means a person performing or engaged as a contractor directly or by a General contractor whether such work is undertaken on an hourly, daily, weekly or monthly basis, a labour basis, or other basis, but does not include a general contractor.
- (4) For the purposes of definitions (1), (2), and (3), "construction" includes
  - (a) the erection of, the addition to, or the alteration or demolition of any building;
  - (b) the erection or construction of towers, dams, or similar structures;
  - (c) the laying or construction of a pipe line or a system of pipe lines;
  - (d) the construction of roadways, airport runways, or railways; and
  - (e) the construction of tunnels.

## **Contractor, Logging**

- (1) "General Logging Contractor" means a person primarily engaged in the business of logging, including a person who enters into contracts with mills or quota holders for substantially comprehensive harvesting of timber lands, which involves the majority of the following phases of logging: skidding, sorting, bucking, decking, loading and hauling; and may also include post logging treatment of a logged off area by slash burning or replanting.
- (2) "Logging Sub-Contractor" includes a person primarily employed by a general logging contractor for the carrying out of no more than three of the phases enumerated in paragraph (1) above and may include a person engaged in the business of hauling, storage, or loading of forest products, including logs, lumber, hog fuel, chips, pulp and similar substances.

**Council** means the elected Council of the District.

**Dance Hall** means a building, room, or place where public or private dances are held or permitted for hire or profit.

**Day Care, Family** means a community care facility, as defined in the Community Care Facility Act, R.S.B.C., Section 1(a), which provides personal care or supervision to not more than 3 children under the age of 6 not related by blood or marriage to the operator of the facility.

**Day Care, Group** means a community care facility, as defined in the Community care Facility Act, R.S.B.C., Section 1(a), which provides personal care or supervision to more than 3 children under the age of 6 not related by blood or marriage to the operator of the facility.

**Delivery/Cartage/Courier Service** includes transportation of merchandise or other articles from place to place within the District.

**Disotheque Teenage** means a dance hall exclusively for patrons not less than thirteen years and not more than 18 years of age.

**District** means the District of Port Edward.

**Express or Freight Company** means the transportation of merchandise or other articles other than as defined under "Delivery Service".

**Farmer's Market** means a place specifically designated on a temporary or permanent basis for the retail sale of agricultural products, and may include sale of fish and handicrafts.

**Farmer:**

- (1) "Home Sales" means a person who sells an agricultural product at the farm on which it was produced or at a Farmer's Market.
- (2) "Mobile Vendor" means a person, the majority of whose sales or agricultural products are mobile sales, directly to the consumer rather than to a person or persons carrying on business as a wholesaler or retailer in farm produce

**Figure Salon** means a building, room or place where the business of figure grooming, exercise, weight control and mechanical massage is carried on.

**Financial Institutions**

- (1) "Trust Company" means a business defined and regulated as a trust company by Provincial or Federal Statute.
- (2) "Credit Union" means a credit union as defined and regulated by Provincial Statute.
- (3) "Mortgage Broker" means a person defined and regulated as a mortgage broker by Provincial Statute.
- (4) "General Finance" means a financial institution, except a bank as defined in the Bank Act, and not otherwise specifically defined herein.

**Fish Processing Plants & Allied Operations** means any person carrying on the business of fish processing by canning, reduction to fish oil and/or meal, dealing in fresh and frozen fish, and allied operations.

**Floor Space** means the area within a building that is used for display purposes, or to service customers, but does not include those areas set aside exclusively for the purpose or use of the employees or participants in the business.

**Fuel Dealer** means a person who carries on a business of soliciting or taking orders for the delivery of wood, sawdust, propane gas, rock gas, gasoline, or fuel oil to commercial or residential premises within the municipality.

**Fuel Sales** means the sale or distribution of bulk quantities of fuel to retailers or bulk consumers and includes the storage of bulk quantities of fuel.

**Home Occupation** means an occupation or professional practice carried on for remuneration, or financial gain, and which is clearly an accessory use of a dwelling unit.

**Hotel/Motel** means a building or group of buildings in which there are more than two (2) sleeping or dwelling units wherein accommodation with or without private cooking facilities is provided for transient lodgers, or transient motorists.

**Janitor Service** means any person carrying on the business of a janitor service.

**Junk** includes any of the following used articles or things: rubber, tires, metal, paper, sacks, wire, ropes, rags or machinery.

**Junk Dealer** means a person who carries on the trade or business of going from place to place, collecting, buying or selling junk.

**Kindergarten or Play School** means premises where the owner or operators, for payment, provide pre-school or play school classes for the attendance of children.

**Land Developer** means a person who buys, sells, or otherwise deals in land for the purpose of development or redevelopment.

**Laundry/Laundromat** means a building or premises where the business of washing clothes or other fabrics is carried on, or wherein the business of supplying linen to others is carried on.

**Laundry Office** means a building, room or place where the business of distributing laundered clothing, or of collecting clothing to the laundered is carried on apart and separate from the premises where the business of a laundry is actually carried on.

**Lease or Rental Agency** means a person who, acting for himself, or on behalf of another, rents, leases, or otherwise lets for a fee any goods, wares, merchandise or equipment of any kind, but does not include vehicle for hire or vehicle leasing or rentals.

**Licence** means a business licence issued under this bylaw.

**Licensee** means one who holds a business licence issued under this bylaw.

**Licence Inspector** means the person or persons appointed as Licence Inspector from time to time by the Council to administer this bylaw.

**Mail Order Agency** means a business where orders are taken by a person either on his own behalf or as an agent for another for the sale of goods, wares or merchandise kept in stock for retail sale by such person or his principal or principals outside the District or where such business is carried on partly with the business of a retail, or wholesale and retail, trader or merchant.

**Manufacturer** means an assembler, manufacturer, producer or finisher of goods, substances or things or any part thereof.

**Mobile Business** means a business that is carried out entirely from a motor vehicle or mobile unit that is designed to be or is mobile, including hand push carts and self-propelled concession stands. The entire stock of goods, wares, merchandise, or foodstuffs offered for sale is actually carried and contained in the motor vehicle or mobile unit. The goods, wares, merchandise, or foodstuffs are offered for sale and are delivered to the purchaser at the time of sale. This does not include a delivery vehicle owned and operated by a licensed retailer or wholesaler within the District.

**Pasturing and Grazing** means the pasturing of more than five (5) horses other than horses owned by the owner or occupier of land, and for which a fee is charged.

**Pawnbroker** has the same meaning as in the Pawnbrokers Act.

**Peddler** means any person who goes from place to place or house to house selling or offering for sale goods, wares, merchandise, or foodstuffs but does not include an employee of a manufacturer of bread, bakery or milk products who goes from place to place selling or offering for sale these products.

**Personal Care Home** means a community care facility, as defined in the Community Care Facility Act, where personal care is provided to 3 or more persons by reason of their age, infirmity or physical disability.

**Premises** means a store, office, warehouse, factory building, house, enclosure, yard or other place occupied, or capable of being occupied by one or more persons for the purpose of any business, trade or occupation, or any area situated within any of the foregoing, where more than one separate or distinct class or classification of business is being carried on.

**Private Club** means a society or group of persons eligible to be incorporated as a society, carrying on activities as a social club, and who may be carrying on other activities.

**Private Patrol Agency** means a person who by contract or agreement undertakes to watch or patrol the premises of more than one person for the purpose of guarding or protecting persons or property against robbery, theft, burglary or other hazards.



**Profession** means an occupation which involves a liberal, scientific or artistic education, and mental rather than manual labour, and for which a licence to practice is required by statute and includes accredited public chartered, certified general and registered industrial accountants, agronomists, architects, barristers and solicitors, chiropractors, dentists, dental mechanics, ecologists, engineers, financial consultants, foresters, naturopathic physicians, notaries, optometrists, osteopaths, pharmacists, physicians and surgeons, psychiatrists, chartered and registered physio-therapists, podiatrists, psychologists, surveyors, radiologists, and veterinarians.

**Public Market** means a building or premises containing stalls, tables, spaces, divisions or compartments individually rented, occupied or operated for the purpose of displaying or selling merchandise.

**Quarry** means any person operating a gravel or sand pit and/or rock quarry.

**Real Estate and/or General Insurance Office** means any person operating a real estate and/or a general insurance business within the municipality.

**Religious or Charitable Business** means a business operated solely by a bona fide religious or charitable organization recognized as such by the Provincial or Federal Government, which would otherwise be classified in this bylaw as door-to-door and direct sales or other retail.

**Repair Shop** means any person owning and/or operating a repair shop within the municipality.

**Restaurant** means any person operating a restaurant.

**Retail and/or** means any person who sells or offers for sale whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.

**Room Rentals** Subject to the Provisions of Section 475B from any person offering for rent or lease or any person renting or leasing rooms and suites for lodging for hire, either in a hotel, rooming house, apartment, lodging house, or auto camp, tourist camp or elsewhere.

**Seasonal Business** means any business which is operated for less than six (6) months in a calendar year.

**Soliciting for Charity** means the act of canvassing or soliciting for the purpose of collecting or receiving money or property of any kind, the whole or any part of which either directly or indirectly is, or is intended to be, used or disposed of for any charity, relief or benefit, or any philanthropic, patriotic, religious or educational purpose.

**Steam Bath** means a building or premises where a Turkish, Russian, vapour, sweat, salt or sauna bath is provided for a fee.

**Storage Areas** means an indoor or outdoor area adjacent to or forming part of a business premises, excluding that portion of any area set aside for free parking facilities provided by the owner or operator of the business for the exclusive accommodation of customers.

**Tailor** means any person carrying on the business of a tailor.

**Taxi** means any person operating a taxi.

**Tenant Listing Service** means a person who, by contract or agreement and for a fee, provides information and introductions to landlords respecting persons seeking residential accommodation.

**Theatre** means any person owing or operating a theatre, including sale of confectionary and tobacco not dispensed by machine.

**Trailer Courts** means any person carrying on the business of a trailer court.

**Vehicle Hire** means the business of renting out motor vehicles or individual items of machinery.

**Vending Machine** means a machine or mechanically-operated device that dispenses merchandise, provides entertainment or amusement such as games or music or other services, upon insertion of a coin, slug or card.

**Wholesale** means the business of selling merchandise to be retailed by others.

### **III BUSINESS LICENCE OFFENCE**

1. No person shall:

- (a) carry on any business within the district unless he is the holder of a valid and subsisting licence; or
- (b) once licensed to carry on a business from a specific location in the District, carry on a similar or different business from other locations in the District, unless he is the holder of a valid and subsisting licence for those additional locations; or
- (c) carry on more than one business in or from any one premise unless he is the holder of valid and subsisting licence for each of those businesses, unless otherwise specified in this bylaw; or
- (d) when making application for a licence under the provisions of this bylaw, provide false information respecting the nature and address of the business, the number of persons engaged or occupied in the business, or any other information which the Licence Inspector may require to classify the business or to calculate the licence fee.

2. Subsection 1(c) shall not apply to any business that is exempted from the requirements of this bylaw by a Federal or Provincial Act or Regulation.

#### **IV GENERAL REQUIREMENTS**

1. Applications for a licence shall be made in writing to the Licence Inspector.
2. Every person applying for a licence shall complete the forms supplied by the District through the Licence Inspector.
3. A licensee shall apply for renewal of this licence, prior to the beginning of each licensing period prescribed in Section 8, if he continues the business.

#### **V LICENCE APPROVALS**

1. All premises in or upon which the applicant proposes to carry on any business, shall be approved by the Building Inspections Division of the District before such licence is granted.
2. The applicant shall upon request by the Building or Licence Inspector, produce certificates or letters of approval, as may be required by Federal, Provincial or local government authorities.
3. An applicant whose business is governed by Federal or Provincial Acts or regulations shall, upon request, supply proof to the Licence Inspector of his or his employees' qualifications under those Acts or Regulations.
4. When the issuance of a licence requires insurance coverage, proof of that insurance coverage in a form acceptable to the Treasurer of the District shall be submitted prior to the issuance of the licence.

#### **VI LICENCE FEES**

1. Where the licence fee is calculated according to;
  - a) the floor area, or
  - b) ground areaused in the business, or
  - c) the number of people regularly engaged,
  - d) the number of vending or other dispensing machines or other machines used, or
  - e) the number of rental units maintainedin the business, the licensee shall notify the licence Inspector of any change regarding those matters, and, as a result of the change, shall pay any additional fees required by this bylaw.
2. Unless a licence is refused, no licence fee paid under this bylaw shall be refundable.

3. Where a business comprises more than one classification listed in Schedule "A", then a separate fee for each classification shall be payable.
4. No licence shall be issued to an applicant for a business until the fee prescribed for that business or class of business in Schedule "A" has been paid to the District.
5. A licence is not valid and subsisting until it has been issued by the Licence Inspector and the licence fee prescribed in Schedule "A" has been paid.
6. All fees collected by the Licence Inspector under this bylaw shall be paid to the District's Treasurer who shall deal with the fees in the manner provided by the Act.

## **VII ISSUANCE OF A LICENCE**

1. A licence shall state
  - (a) the name of the licensee
  - (b) the name of the business
  - (c) the classification of the business
  - (d) the location of the business premises
  - (e) the period of the licence, and
  - (f) that the licensee is licensed to carry on the business in a lawful manner.
2. The licensee or person in charge of the premises where the business is carried on shall display the licence, at all times, in the sales or reception area of the premises to which the public has access or in another area designated by the Licence Inspector.
3. Licences shall be granted so as to terminate on the Thirtieth (30th) day of April and no proportionate reduction shall be made on account of any person commencing or ceasing to do business at any particular time.

## **VIII LICENCE CHANGES/TRANSFERS**

1. A licence granted under this bylaw shall be deemed a personal licence to the licensee and shall not be transferable to any other person.
2. A person shall not carry on or continue a business which he has purchased, without first obtaining licence pursuant to this bylaw.
3. A person shall not change the location of the business for which the licence has been issued, and then carry on that business without first having obtained a transfer of his licence from the Licence Inspector.
4. The Licence Inspector shall charge a fee of \$10.00 for each licence transfer.

5. A licence transfer may be refused by the Licence Inspector where the premises to which the applicant wishes to transfer the licence do not comply with the requirements of the District bylaws regulating building, zoning, health, sanitation or business.
6. A licensee shall notify the Licence Inspector when the licence is no longer required.

## **IX LICENCE INSPECTOR**

1. The Council by resolution, from time to time, may appoint a Licence Inspector, and one or more persons to assist the Licence Inspector to administer the provisions of this bylaw.
2. The Licence Inspector *or other authorized employee or agent* may enter at all reasonable times on any property subject to this bylaw to ascertain whether this bylaw is being observed.
3. An owner or occupier of real property in the District shall give to the Licence Inspector the information and the access to that property required to enable necessary inspections and investigations to be made.
4. When the licence Inspector is satisfied that the applicant has complied with the requirements of the bylaws of the District regulating building, zoning, health, sanitation, and business he can grant, issue or transfer a licence subject to any other requirements of this bylaw.

## **X LICENCE SUSPENSIONS**

1. The Licence Inspector is hereby authorized to suspend a licence for the period he decides if the holder of the licence
  - a) is convicted of an offence indictable in Canada; or
  - b) is convicted of an offence under any municipal bylaw or statute of the Province in respect for which he is licensed or with respect to the premises named in his licence; or
  - c) has, in the opinion of the Licence Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his licence that it warrants the suspension of his licence; or
  - d) has ceased to meet the lawful requirements to carry on the business for which he is licensed or with respect to the premises named in his licence; or
  - e) has, in the opinion of the Licence Inspector, conducted his business in a manner, performed a service in a manner, or sold, offered for sale, displayed for sale or distributed to a person actually or apparently under the age of 16 years, anything that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years.

2. The suspension of a licence by the Licence Inspector shall be made in writing, signed by the Licence Inspector and served on the licensee or delivered to the licensee by registered mail to the address given by the licensee on the application form for the licence.
3. A notice of suspension may be posted by the Licence Inspector upon the premises for which the licence was issued and the notice shall not be removed until the licence is reinstated, or the suspended licensee ceases to occupy the premises, or a new licence is issued for the premises.
4. No person shall carry on a business for which a licence required by this bylaw is under suspension.

#### **XI APPEALS FROM LICENCE SUSPENSIONS**

1. Section 513 of the Act gives a right of appeal to the Council to a person whose licence has been suspended by the Licence Inspector.
2. A person who appeals to the Council from a suspension by the Licence Inspector shall, within ten (10) days from the date of suspension, give to the District Clerk notice in writing of his intention to appeal.
3. The notice of intention to Appeal shall state concisely the grounds upon which the Appeal is based.
4. The District Clerk shall refer the matter to Council in order to appoint a time and place for a hearing and then give the appellant reasonable notice of the time and date.

#### **XII REVOCATION OF A BUSINESS LICENCE**

1. The Council may revoke a licence for reasonable cause after giving notice to the Licensee and after giving the licensee an opportunity to be heard.
2. The notice and opportunity to be heard referred to in subsection 1. is not required for the Licensee who by reasonable efforts cannot be found.
3. A notice of revocation of a licence may be posted by the Licence Inspector upon the premises for which the licence was issued and the notice shall not be removed until the former licensee ceases to occupy the premises, or a new licence is issued for the premises.

#### **XIII APPEALS FROM REFUSAL OF A LICENCE**

1. A person who has applied for but been denied a licence by the Licence Inspector may appeal to Council.
2. Section 508 of the Act provides that, notwithstanding the Act or District bylaws, the Council may, on the affirmative vote of at least two-thirds of the members, refuse in any particular case to grant the request of an applicant for a licence under section 497 to 513 of the Act, but the granting or renewal of a licence shall not be unreasonably refused.

**XIV PENALTY**

1. Except as otherwise provided in this bylaw, a person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed by this bylaw commits an offence and is liable on summary conviction to a maximum fine of Two Thousand Dollars (\$2,000.00).
2. A person who commits an offence of a continuing nature against this bylaw is liable on summary conviction to a maximum fine of Two Thousand Dollars (\$2,000.00).

**XV REPEAL**

That "Business Bylaw, No. 299, 1992" and any amendments" are hereby repealed but not so as to revive any provision not contained therein.

**XVI SCHEDULE "A"**

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.

READ a first time this 22<sup>nd</sup> day of April, 1997.  
READ a second time this 22<sup>nd</sup> day of April, 1997.  
READ a third time this 22<sup>nd</sup> day of April, 1997.

Reconsidered And Finally Adopted this 13<sup>th</sup> day of May, 1997.

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Mayor

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Clerk

Certified a true copy of bylaw 389,  
cited as "District of Port Edward Business  
Licence Bylaw No. 389, 1997."

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Clerk

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.  
All fees for twelve (12) month period unless otherwise stated.

<b>Nature of Business</b>	<b>Fee Payable</b>
Agent	60.00
Apartment Building	100.00
Arcade	60.00
Auction Sale	60.00
Automobile Dealer	160.00
Automobile Service Station/Service Garage	60.00
Babysitting Service	40.00
Banker	210.00
Barbers first chair	30.00
each additional chair	10.00
Beauty Parlor/Hairdresser first operator	30.00
each additional operator	10.00
Billiard Rooms	40.00
Bill Poster	60.00
Boat Charters	40.00
Boat Construction	60.00
Boat Marina	60.00
Book Agent	60.00
Bowling Alley	60.00
Building Developer	60.00
Canvasser	60.00
Carnivals (per day)	110.00
Circus (per day)	110.00
Cleaning/Dyeing	60.00



<b>Nature of Business</b>	<b>Fee Payable</b>
Cleaners Agent/	
Branch Office	40.00
Commercial Vehicle	60.00
Contractor	60.00
Contractor, Logging	60.00
Dance Hall	100.00
Day Care, Family	60.00
Day Care, Group	60.00
Delivery/Cartage/Courier Service	60.00
Discotheque Teenage	100.00
Express or Freight Company	60.00
Farmer's Market	60.00
Farmer	60.00
Figure Salon	60.00
Financial Institutions	210.00
Fish Processing Plants/ Allied Operations	
1) Canning	210.00
2) Reductions	110.00
3) Fresh/Frozen	110.00
4) Allied operations Licence	60.00
not required if licence taken out under section 1, 2, or 3.	
Floor Space	60.00
Fuel Dealer	60.00
Fuel Sales	60.00
Home Occupation	20.00
Hotel/Motel each room	5.00
Janitor Service	40.00

<b>Nature of Business</b>	<b>Fee Payable</b>
Junk Dealer	40.00
Kindergarten/Play School	60.00
Land Developer	60.00
Laundry/Laundromat	60.00
Laundry Office	60.00
Lease or Rental Agency	60.00
Mail Order Agency	60.00
Manufacturer	110.00
Mobile Business	80.00
Pasturing and Grazing	60.00
Pawnbroker	60.00
Peddler	60.00
Personal Care Home	60.00
Private Club	60.00
Private Patrol Agency	60.00
Profession	60.00
Public Market	60.00
Quarry	210.00
Real Estate and/or General Insurance Office	60.00
Religious or Charitable Business	Free
Repair Shop	60.00
Restaurant	70.00
Retail and or/	40.00
Room Rentals per room	5.00
Seasonal Business	60.00

<b>Nature of Business</b>	<b>Fee Payable</b>
Soliciting for Charity	Free
Steam Bath	60.00
Storage Areas	60.00
Tailor	60.00
Taxi each taxi	40.00 ea.
Tenant Listing Service	60.00
Theatre	110.00
Trailer Courts first trailer each additional trailer	60.00 3.00 ea.
Vehicle Hire first vehicle each additional vehicle	40.00 10.00
Vending Machine	60.00
Wholesale	60.00



## MEMORANDUM TO GOVERNING BODIES OF THE ACCESSIBILITY COMMITTEE

**DATE:** November 27<sup>th</sup>, 2023  
**TO:** Robert Buchan, City Manager; Daniel Fish, Chief Administrative Officer, North Coast Regional District; Joe Zelwietro, Chief Librarian; and, Polly Pereira,  
**FROM:** Veronika Stewart, Manager of Communications, Engagement and Social Development; Chair, Prince Rupert and Area Accessibility Committee;  
**SUBJECT: UPDATE ON ACCESSIBILITY COMMITTEE**

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The Prince Rupert and Area Accessibility Committee, established in the Spring, has been gradually working on the development of an Accessibility Plan and feedback mechanism, as per Provincial mandate. The Committee includes the City of Prince Rupert, North Coast Regional District, Prince Rupert Library and District of Port Edward, and has 7 community members as well as staff representation from the respective organizations who attend.

The Disability Alliance of BC has provided a guide for BC's prescribed organizations to support capacity for developing an Accessibility Plan, which staff have used to guide the workshopping process with the Committee to develop actions, and also to inform the principles that will guide the plan. Since May, the Committee has identified their own guiding principles, as well as key priorities in the different areas where the removal and prevention of barriers is recommended by legislation that align with partner services—employment, delivery of services, the built environment, information and communications, and transportation.

The next steps in development of the Accessibility Plan are to send to relevant community partners and stakeholders such as Northern Health, Thompson Community Services Society and others, and also to conduct public engagement on the Plan. The intent is to present a Plan for adoption to our respective organizations in 2024 following public engagement and input.

In the interim, to begin to address accessibility priorities, the Committee has been looking for funding to implement some of the lower-cost items as quickly as possible. For instance, one key priority identified in the plan were some simple upgrades to our pool showers as well as the purchase of a narrow-profile water wheelchair, and a grant has been applied to with Northern Health to complete that work. In updating the City's

website this summer, the City also ensured that new site is compliant with WCAG2 (accessibility) standards.

From the City's perspective, in 2024 Prince Rupert has a number of proposed capital and special project requests that will contribute to some of the draft priorities identified by the Committee. Namely the following:

- Accessibility Upgrades to the second-floor washroom of the Rec Centre (contingent on grant funding);
- The above-noted project to make minor accessibility improvements at the pool;
- Complete Communities assessment that will develop a walkability/complete streets metric to support prioritization of accessibility in transportation corridor upgrades;
- Installation of three new or replacement bus shelters in the community, built to accessible standard;
- Upgrades to the light at Fulton St and 3<sup>rd</sup> Avenue West that will include accessibility chirps;
- Completion of the Social Development Assessment that will also include the development of a poverty reduction/equity policy lens toolkit that can be used internally to assess City policy making.

These City projects are all confirmed or proposed to be funded primarily through grants, to alleviate the potential cost to taxpayers.

Meanwhile, the North Coast Regional District will use Universal Design to inform the development of the NCRD's new administration building, a recently announced project.

In addition to the above listed priorities, our community partners on the Committee will also be bringing forward the Draft of the Accessibility Plan as it is developed to ensure that community priorities for their respective services and assets are understood and can be integrated into planned upgrades.

Thank you for your time and consideration, and we look forward to providing an additional update regarding planned community engagement in the near future.

Regards,



Veronika Stewart,  
Manager of Communications, Engagement and Social Development  
Chair of Prince Rupert and Area Accessibility Committee

Attch. Adopted Minutes of the Prince Rupert and Area Accessibility Committee Meetings May – October

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**Board Highlights**

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November 2023

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**Delegations:**

The Ministry of Transportation and Infrastructure provided an update on the Ministry's Skeena winter maintenance program. The Chair of the Board thanked the Ministry for their delegation.

The Invasive Species Council of BC and the Department of Fisheries and Oceans Canada provided an update on European green crab programs in B.C. The Chair of the Board thanked the Invasive Species Council of BC and the Department of Fisheries and Oceans Canada for their delegation.

**Board Business:**

1. The Board resolved to provide a letter of support to the Village of Daajing Giids for its Foundry Centre project.
2. The Board resolved to write a letter to the Minister of Housing to request that properties within electoral areas be included in the Secondary Suite Incentive Program.
3. The Board resolved to support an application to Northern Development Initiative Trust for a grant of up to \$20,000 for a Business Façade Improvement program.
4. The Board resolved to support approval of a residential subdivision.
5. The Board resolved to send a letter to the Canadian Radio-television and Telecommunications Commission in support of Citywest's subsea fibre redundancy project and requesting a timely decision be made on the funding application.
6. The Board appointed Director Evan Putterill as Trustee and Director Johanne Young as Alternate to the Vancouver Island Regional Library Board.

***For complete details of NCRD Board meetings, the Agenda and Minutes are posted online at [www.ncrdbc.com](http://www.ncrdbc.com).***