

2015 Resolutions Report

Category A

1-2015 *Municipal Elections Act - Section 67(9) of Part VIII Finances of the Municipal Elections Act* Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Provincial Government to amend Section 67(9) of Part VIII Finances of the *Municipal Elections Act* to expand the definition of "a contribution" to include items that are tangible and quantifiable such as printing, signage, office space and advertising. Further, that such items be required to be declared and listed on a candidate's donation list and be incorporated within the spending cap for the campaign.

Update

A letter was sent to the Department of Municipal Affairs. A meeting was subsequently held with departmental staff to review 2015 resolutions calling for legislative amendments. The harmonization proposal is receiving consideration. Departmental staff will confer with Elections NL on a Cabinet submission.

2-2015 **Essential Services** Carried

Be it Resolved in the interest of public safety, that Municipalities Newfoundland and Labrador lobby the provincial government to amend its legislation thereby enabling or providing a mechanism for the continuation of essential services in the event of a Labour strike or lock-out.

Update

The matter was referred back to the Urban Municipalities Committee (UMC) to prepare a draft submission with the assistance of UMC towns' senior staff. Once compiled, contact will be made with the Federation of Labour to commence a discussion regarding the provision of essential municipal services.

3-2015 **Funding Provincial FCM Representation for Smaller Municipalities**

Be It Resolved Municipalities Newfoundland and Labrador, through an increase in its membership fee, fund the provincial FCM seat reserved for smaller municipalities.

Update

The proposal is being examined as part of the larger MNL strategic planning process. As was highlighted in the original staff comments accompanying this resolution, although a fee increase is advocated to finance this seat, the MNL Board is not limited to this approach.

Note: Rural representation is subject to an FCM vote.

4-2015 **Taxation of Utilities** Carried

Be It Resolved that Municipalities Newfoundland and Labrador petition the provincial government to amend the said act to make it clear that the monthly service fee paid by consumers for service and equipment be gross revenue for the purpose of taxation.

Be It Further Resolved that the mobile phone suppliers give a detailed breakdown of their calculation for the purpose of calculating gross revenue to each municipality.

Update

A letter was sent to the Department of Municipal Affairs. Subsequent discussion with departmental staff indicated that constitutional issues were present and that they would be focusing on addressing them. A meeting with Justice and Finance department staff was planned to address this matter.

**5-2015 Authority to set Higher Tax Rates for Derelict and Vacant Buildings
Carried**

Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial government to amend applicable Municipal legislation to grant local government authority to set higher property tax rates for derelict and vacant buildings as a deterrent for property owners to allow their premises to become unsightly.

Update

A letter was sent to the Department of Municipal Affairs. Subsequent discussion with departmental staff indicated that, in their opinion, other means were available to address this issue but also acknowledging they did not afford the recouping of resources or costs. Research is proceeding on an alternative legislative amendment prospect.

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Provincial Government to revise the Municipalities Act to require a mandatory leave of absence to those individuals upon being named a declared party candidate.

And,

7-2015 Clarification on Communications and access to information while on Leave of Absence

Be It Resolved that municipal legislation be amended to provide clarification on access to communications and other information of Council for members on an approved leave of absence specifically for those who are on leave to campaign for other political offices.

Update for 6-2015 & 7-2015

A letter was sent to the Department of Municipal Affairs. Departmental staff have spoken with Elections NL and reviewed practices elsewhere in Canada. They note that the ability of a prospective candidate to influence a matter remains limited to their one vote regardless of their candidacy and that once on leave of absence, a candidate's access to Council communications seems to be more of an administrative issue. Research is proceeding on the prospect of clarifying the matter by changing the leave of absence term. Currently, candidates can't officially complete their registration with ElectionsNL prior to the drop of the writ.

8-2015 **Source Water Protection**

Be It Resolved That Municipalities Newfoundland and Labrador lobby the Government of Newfoundland and Labrador to ensure all water supply areas are designated Protected Public Water Supply Areas (PPWSA), and to work with MNL to build municipal capacity to actively implement PPWSA regulations, appropriate local and/or regional governance means, and watershed area monitoring measures.

Update

The resolution was referred to the Environment and Sustainability Committee for follow-up. MNL worked in concert with Department of Environment and Conservation staff to develop a “Protect-Monitor-Plan” strategy that was launched with presentations at the 2016 regional meetings. The MNL Water Liaison conducted follow-up calls and attended the MNL Symposium. Two Water Workshops were held in June where Environment and Conservation staff gave watershed protection and monitoring sessions.

9-2015 **Remove Boil Water Advisories in a Timelier Manner**

Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Government of Newfoundland and Labrador to develop and implement a strategy to remove BWAs in a timelier manner.

And,

10-2015 **Strategy to Address Long-term and very Long-term Boil Water Advisories**

Carried

Be It Resolved that Municipalities Newfoundland and Labrador NL lobby the Government of Newfoundland and Labrador to create a strategy to address long-term and very long-term boil water advisories.

Update on 9-2015 and 10-2015

These resolutions were referred to the Small Towns Committee for follow-up. A letter to the Minister of Environment and Conservation was drafted but preempted by a very positive meeting with senior Water Resources Division staff. Water Resources Division staff delivered a presentation at Symposium on government's BWA removal Standard Operating Procedures (SOP) pilot. The province's longest-standing BWA (Portugal Cove South) was removed in April and additional pilot communities (4-5) were expected to enter the process by year's end.

11-2015 **Managing Drinking Water Infrastructure**

Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Government of Newfoundland and Labrador to increase funding and support to municipalities for asset management activities.

Update

This resolution was referred to the Small Towns Committee for follow-up in consultation with the Infrastructure Committee. A letter was to be sent to the Ministers of Environment and Conservation and Municipal Affairs seeking a joint MNL-Government of Newfoundland and Labrador water strategy. Subsequent meetings with senior departmental staff produced desired collaboration so no letter sent to date. Municipal Affairs staff provided Maintenance Assurance Manual DIY presentations at the two June Water Workshops.

12-2015 **Regional Approaches to Drinking Water**

Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Government of Newfoundland and Labrador to provide further incentives and sustained support for regional operators and other regional service sharing and drinking water management initiatives.

Update

This resolution was referred to the Small Towns Committee for follow-up in consultation with the Municipal Governance Committee. As was the case for 11-2015 above, productive departmental staff engagements made formal MNL action unnecessary. Municipal Affairs has regional water operator pilots underway. Regional approaches to drinking water system maintenance and monitoring are among the themes identified for discussion as part of MNL's regional government pilot activities and the two June Water Workshops also provided an opportunity to discuss regionalized water services.

13-2015 Crow Head Dump

Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Department of Municipal and Intergovernmental Affairs to immediately meet with Municipal Leaders from L'Anse au Clair to Red Bay to address this crisis situation.

Update

MNL wrote the Department advocating a speedy resolution of the matter and President Oldford also spoke publicly on the matter in May. Regular progress reports were obtained from the MNL Labrador Director and Combined Councils of Labrador President and from senior departmental staff. The site selection process has been very challenging. Municipal Affairs staff expected to travel to the region to meet with residents once the environmental assessment (EA) for the project was completed, but finally proceeded there in early June with neither the EA approval nor the tender for the project let. MNL will continue to monitor the situation.

14-2015 Disposal of Fire Protection Assets to other Municipalities

Carried

Be it Resolved that Municipalities Newfoundland Labrador, request that the Government of Newfoundland Labrador amend the Municipalities Act, to permit larger towns to donate or sell for nominal or minimum fees, used fire and emergency services vehicles and equipment to smaller towns for continued use if the equipment is suitable and applicable.

Update

A letter was sent to the Department of Municipal Affairs. Departmental staff have followed up and are conferring with Fire and Emergency Services-NL on the matter.

15-2015 Ticketing by Remote Photo Radar

Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial government to amend the Highway Traffic Act to include the right for Municipalities, in collaboration with the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police, to ticket individuals travelling above posted speed limits within the Municipality through the use of photo radar.

Update

A letter was sent to the Department of Municipal Affairs. Departmental staff have followed up and are conferring with the Department of Transportation and Works on the matter.

16-2015 **Car Wrecks**

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Department of Municipal and Intergovernmental Affairs to develop a definition and procedure which would be uniformly applied by municipalities and judges on all cases for wreck removal.

Be It Further Resolved that Municipalities Newfoundland and Labrador also lobby the Department of Municipal and Intergovernmental Affairs to amend the Municipalities Act to reflect the definition and procedure to be followed by municipalities.

Update

A letter was sent to the Department of Municipal Affairs. Departmental staff have followed up and reiterated that the necessary authority already exists to control car wrecks (e.g. Occupancy and Maintenance Regulations) and that liens can be attached to unpaid orders. Template definitions of "car wrecks" have been compiled in the past, however, councils have chosen not to adopt them. MNL's earlier work on this matter has been researched and recompiled for purposes of the forthcoming Municipalities Act formal review request.

Category B

17-2015 **Ferry Service on the Straits of Belle Isle**
Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Provincial Government and specifically the Department of Transportation and Works to reinstate a RFP as soon as possible.

Be It Further Resolved that a definite timeline be put in place for a new boat to be put in service on the Straits of Belle Isle.

Update

MNL has sought progress reports from the MNL Labrador Director and Combined Councils of Labrador President. MHA Dempster has been asked repeatedly about the status of the RFP for the Ferries of the Straits and the North, however, no news has been forthcoming.

18-2015 **Trans Labrador Highway (L'Anse Au Clair to Red Bay)**
Carried

Be it Resolved that Municipalities Newfoundland and Labrador lobby the Provincial Government and the Department of Transportation and Works to do necessary upgrades and repave the Trans Labrador Highway from the Provincial border with Quebec to Red Bay.

Be It Further Resolved that a commitment with a firm timeline be attached to this project.

Update

MNL has sought progress reports from the MNL Labrador Director and Combined Councils of Labrador President.

19-2015 **Fixed Link**
Carried

Be it Resolved that Municipalities Newfoundland and Labrador lobby the Provincial Government for the completion of a full feasibility study into construction of a fixed link between the island portion of the province and Straits of Labrador.

Be It Further Resolved that if a feasibility study concluded that this is a viable project, then Municipalities Newfoundland and Labrador will lobby the province to immediately move forward with the construction.

Update

A letter was sent to Minister of Transportation Hawkins. Shortly thereafter, at a Board of Trade luncheon in St. John's, the Minister of Environment and Climate Change announced \$750K would be allocated to a new feasibility study.

20-2015 Provision for Intervener Costs - Environmental Protection Act

Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial government to amend the Environmental Protection Act whereby the proponent of a registered undertaking is responsible for the provision of costs to those granted intervener status.

Update

Requires further research and legal input.

21-2105 Support of Rural Works Program

Carried

Be It Resolved that Municipalities Newfoundland and Labrador endorse the FFAW led coalition's "Rural Works" campaign.

Be It Further Resolved that Municipalities Newfoundland and Labrador lobby the Department of Fisheries and Oceans to strengthen adjacency and historical attachment as the preeminent management consideration for resource allocation purposes.

Update

MNL has sought progress reports from the FFAW and continues to participate as appropriate in multi-stakeholder FFAW-led advocacy efforts. Numerous MNL members have participated in solidarity actions over the 2015-16 period.

22-2015 Increase in Royal Canadian Mounted Police Officers for Newfoundland and Labrador

Be It Resolved that Municipalities Newfoundland and Labrador shall strongly lobby the Government of Canada and the Government of Newfoundland and Labrador to increase the number Royal Canadian Mounted Police Officers in the province of Newfoundland and Labrador.

Update

Staff Comments:

Community policing levels and costs are a source of concern for the FCM and MNL. From 2008-2013, the federal government maintained a Police Officer Recruitment Fund with the goal of recruiting 2,500 new police officers nationally. Seeking a reinstatement of the fund would be one avenue to explore.

23-2015 Ban on Single-Use Plastic Bags

Therefore Be It Resolved that Municipalities Newfoundland and Labrador request the Province of Newfoundland and Labrador prohibit all retail stores from providing customers with single-use plastic carry out (shopping) bags EXCEPT those, which are compostable, biodegradable, or photodegradable.

Update

The resolution was referred to the Environment and Sustainability Committee for follow-up. The Committee conducted a review of approaches taken elsewhere and returned the opinion to the Board that the plastic bag ban resolution be supported less the reference therein to an exception for degradable plastic bags. The Ministers of Municipal Affairs and Environment and Climate Change have been written asking that a joint committee be struck to further evaluate a Provincial Ban on Single Use Plastic Bags. Minister Trimper has replied expressing his interest in seeing working with MNL on this.

24-2015 Syrian Refugee Crisis
Carried

Be it Resolved that Municipalities Newfoundland & Labrador encourage and support its membership to pursue the formation of regional community sponsorship committees with the goal of welcoming a single refugee family in their respective communities in collaboration potentially with local resettlement agencies and disaster relief organizations.

Update

A presentation by Department of Adult Education and Skills staff on their *Welcoming Communities* program was delivered at the 2016 regional meetings. MNL staff are also exploring possible follow-up research.

Category C

25-2015 Representation on the Marine Atlantic Board of Directors
Carried

Be It Resolved that Municipalities Newfoundland and Labrador lobby the Federal Government to include representation from the South West Coast when making appointments to the Marine Atlantic Board of Directors.

Update

Letters were sent to the Minister of Transport and Marine Atlantic's CEO. An encouraging reply has been received from Minister Garneau. MNL will continue to monitor.

26-2015 Pension Protection under CCAA and Corporate Bankruptcy
Carried

Be It Resolved that Municipalities Newfoundland and Labrador work with the province and the Federation of Canadian Municipalities to lobby the Federal Government to enact reforms to the Pension, CCAA, Bankruptcy and any other enabling legislation; whereby pension plan members receive the greatest level of creditor protection up to and including continuation of pension payments by a parent multi-national corporation where such an entity exists.

Update

The resolution has been returned to the Town of Labrador City with the intent that MNL work with senior staff on a draft resolution for consideration by the FCM.