

2018 Resolutions Report

Category A

1-2018 Illegal All-Terrain Vehicle Use Town of Holyrood

Therefore Be It Resolved that Municipalities Newfoundland and Labrador request the Department of Justice and Service NL to revisit and review the current legislation relating to the fines and penalties levied on users who are in violation of the regulations, so as to ensure that appropriate deterrents will discourage abuse and illegal use within municipal jurisdictions.

Be It Further Resolved that violators who are also found guilty of dangerous and imprudent driving to the point of disregarding public safety should have the vehicle seized and impounded until such time as the owner completes a safe driving course.

A letter was sent to the Minister of Municipal Affairs and Environment regarding this resolution. The response letter referenced new municipal legislation as a place where concerns could be addressed. The letter and resolution were shared with the Director of Legislative Renewal for consideration. Requests associated with fines and enforcement were forwarded to Minister of Justice and Public Safety and the Minister of Service NL. MNL is not in receipt of any additional responses from those Departments to date.

2-2018 Protection of Watershed Areas City of St. John's

Therefore Be It Resolved that Municipalities Newfoundland and Labrador call upon the Government of Newfoundland and Labrador to enact the appropriate legislation to ensure municipalities have the power to effectively protect watersheds and water supply areas through development controls without being exposed to financial peril/risk.

A letter was sent to the Minister of Municipal Affairs and Environment regarding this resolution. In the response letter, the Minister noted that "...under the *Urban and Rural Planning Act, 2000* and the *Municipalities Act, 1999*, municipalities can use Municipal Plans and Development Regulations to regulate any potential development in these areas." Under these pieces of legislation, "municipalities may legally expropriate properties in these areas; however, they must provide compensation and receive Ministerial approval prior to the expropriations." The response fails to address the core concern and dilemma the St. John's court case has exposed: that being that if any private lands currently falling within any established watersheds "protected" for citizens under the Province's legislation can be deemed to have been expropriated, *all municipalities with protected water supplies* have been exposed to a very serious and unsustainable fiscal liability for upholding the provincially-designated protection required to deliver a critical public service.

3-2018 Municipal Safety Manuals for Municipalities Town of Baie Verte

Therefore Be It Resolved that MNL, through their partnership with the MSCNL, develop a common comprehensive Municipal Safety Manual for all Municipalities in Newfoundland and Labrador, considerate of the range of town sizes and operational abilities, and provide continuous ongoing maintenance of the manual as safe work practices and regulations evolve.

The Municipal Safety Council of Newfoundland and Labrador (MSCNL) was dissolved in 2019. MNL is examining alternative means of advancing this project.

4-2018 Volunteer Firefighter Courtesy Light Town of Pasadena

Therefore Be It Resolved that Municipalities Newfoundland and Labrador petition the Government of Newfoundland and Labrador to make the necessary legislative changes to provide the option of a volunteer firefighter courtesy light and institute a corresponding public awareness campaign.

MNL staff members are involved in ongoing discussions with Newfoundland and Labrador Association of Fire Services in terms of moving forward on the best possible options with respect to this resolution.

7-2018 Disposal of Crown Lands Town of Gander

Therefore Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial government to revisit the divestiture of crown lands and allow municipalities to acquire ownership of crown lands within their boundaries at no cost.

In his response to MNL's letter regarding this resolution, the Minister of Fisheries and Land Resources reiterated the longstanding government position that, "*...the management and divestiture of Crown land is a provincial mandate viewed by the Province as a non-renewable provincial resource. The current management practices are applied province wide, with a focus on equity and fairness in divestiture.*" The Minister also stated that his department would, "*...continue to support municipalities in land development and planning activities through the municipalities' ability to reserve land within their boundaries, offering a flexible leasing program, as well as free grants as per Section 9 of the Lands Act.*" An update on current Crown Lands administration was also provided by government representatives at MNL's Northern/Western Regional Meeting in Deer Lake.

Two different but related Crown Lands resolutions will be voted on by the MNL membership during their 2019 AGM.

8-2018 Limits of Service Agreements Town of St. Lawrence

Therefore Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial government to honour the commitment made to municipalities to eliminate Limit of Service Agreements. This request is imperative if communities in this province are to experience growth and meet the needs of residents.

A letter was sent to the Minister of Municipal Affairs and Environment regarding this resolution. In her response letter, the Minister confirmed that the department has, "*...eliminated the requirements for municipalities to enter into Limit of Service (LOS) agreements, along with the administratively-burdensome processes of establishing and amending...*" them. Reference is then made to amended eligibility criteria and the departmental Municipal Infrastructure Guidelines that effectively replace the function of the former LOS. The letter goes on to state that "*provincial initiatives to build municipal capacity in the areas of asset management and infrastructure planning will further support*" the goals of encouraging densification and reducing the "*unit cost of municipal service delivery, while encouraging development of serviced areas prior to developing un-serviced lands.*"

Category B

9-2018 Mental Health Supports Town of Portugal Cove-St. Philip's

Therefore Be It Resolved that the Municipalities Newfoundland and Labrador support an initiative of a task force with health authorities and other elected officials to help coordinate the development and expansion of mental health supports for our communities with a special emphasis on addressing the mental health issues faced by our youth and the increasing number of youth suicides.

Councillor Tina Neary of Portugal Cove-St. Philip's has been leading the process of launching the multi-stakeholder mental health task force.

10-2018 Cell Coverage - Trans Labrador Highway Town of Mary's Harbour

Therefore Be It Resolved that Municipalities Newfoundland and Labrador lobby the appropriate government departments/private cell phone companies to have cell phone towers erected to provide cell phone service along the Trans Labrador Highway.

In 2018, the provincial government launched their cost-shared Cellular Service Pilot Project. With an initial \$1M budget, it contributed up to a maximum of 25% of project costs towards system upgrades with the balance to be shared by service providers and communities. A small number of municipalities successfully applied to the initial call for proposals but the program is expected to be repeated in 2019-2020.

In response to questions posed regarding federal investments in connectivity during the UMC meeting in August, then-MP Yvonne Jones indicated that she was aware that this remains an issue but that other infrastructure demands had been taking precedence at that time.

Category C

11-2018 Reduction of the Cost Recovery on Operations – Marine Atlantic Town of Channel-Port aux Basques

Therefore Be It Resolved that Municipalities Newfoundland and Labrador lobby the provincial Members of the House of Assembly, the Members of Parliament and the Newfoundland and Labrador Senators to intervene in asking the Government of Canada to lower the current percentage of 65% cost recovery on operations as a first step in keeping fares and freight cost at an affordable level for all users of the constitutionally guaranteed service.

Category C resolutions reflect MNL's support for a campaign led or position held by other organizations that is not municipal in nature but that the membership is prepared to express solidarity with. The Town of Channel-Port-aux-Basques has continued to lobby on this front. A delegation led by Mayor John Spencer traveled to Ottawa in May to appear before the House of Commons Standing Committee on Transport, Infrastructure and Communities. Their ongoing advocacy highlights the impact of Marine Atlantic's mandated cost-recovery rate on numerous provincial goods and services, the apparent disparities in the treatment of similarly critical transportation links elsewhere in the country (including a new Montreal bridge and the VIA Rail train system), and the support of the MNL membership for their call for reductions in the cost of the ferry service.