



The Village of
PORT CLEMENTS
"Gateway to the Wilderness"

36 Cedar Avenue West
PO Box 198
Port Clements, BC
V0T1R0
OFFICE: 250-557-4295
Public Works: 250-557-4295
FAX: 250-557-4568
Email: office@portclements.ca
Web: www.portclements.ca

7:00 PM, Monday, March 6th, 2023
Committee of the Whole Minutes

PRESENT:

Mayor Scott Cabianca
Councillor Brigid Cumming (via conference)
Councillor Kazamir Falconbridge (via conference)
Councillor Wayne Nicol
Councillor Dennis Reindl

CAO Marjorie Dobson
Deputy CAO Elizabeth Cumming

Members of the Public: Marilyn Bliss, Maureen Bailey, Linda Berston, Dave Unsworth, Bev Lore, Steve Bordignon

Committee of the Whole Meeting Called to Order at 7:01 PM

Mayor Scott Cabianca: I call to order the committee of the whole meeting of the Village of Port Clements being held on the traditional territory of the Haida People.

1. ADOPT AGENDA

2023-03-052—Moved by Councillor Cumming,
THAT The Committee adopts the March 6th, 2023, Committee of the Whole Agenda as presented.

CARRIED

Councillor Kazamir Falconbridge joined the meeting at 7:08 PM

2. REPORTS & DISCUSSIONS

D-1-Bylaw Review/Enforcement Potential

- Clarification on Nanaimo Adjudication System (NAS). It is a cheaper alternative to small claims court/RCMP enforcement and structure for bylaw processes. It is like a little court system as an alternative to going to court where you can have a civil adjudicator; Nanaimo manages in on behalf of the participating municipalities around the province. However, it does not involve getting a bylaw officer and the ticketing and process is governed by the Village.
 - Concerns brought up on the NAS: distance to Nanaimo may be cumbersome? Would it mean that we end up matching our town to other communities (like the City of Nanaimo)? What is the cost? General preference for a more community-oriented way to deal with issues, rather than resorting to fining. Everyone would be eligible for fines. Consensus that more background/information on the NAS is required.
 - Clarification on the concerns: the bylaw rules and regulations are set by the Village, and not all infractions may result in a penalty, sometimes it just requires a warning. The annual cost without using NAS is \$105/year, but there are other fees involved when using the system.
- Discussion on Bylaw Enforcement. Identified that staff act as bylaw officer sometimes, but with some issues staff do not have the resources/means to address. Debate on whether bylaw officer is necessary or not ex. tough job locally, may not be full-time position, maybe should be

done on case-by-case basis. However, if there are issues that the Village has an interest in resolving, then it needs to be determined how to address the few specific things while otherwise carrying on the leeway and freedom the community enjoys. Two bylaws may be attached to getting enforcement: untidy/unsightly premises, dog bylaws.

- The current enforcement process involves Village Staff sending a letter (warning/notice) with a time period to be in compliance after receiving a complaint. This has evolved from the deficiencies in the Village's ability to enforce bylaws and properly issue fines, etc. Staff identified that in some cases compliance is short-lived, but when it gets to second/third letter legal action is possible. Some discussion of mediation alternative rather than litigation, or going to Council.
- Discussion on dog issues as pertinent for bylaw enforcement. Questions on whether RCMP are qualified for dog enforcement, alternative resolutions to dog issues before getting into bylaw enforcement/escalation ex. more public information on how to deal with dogs in the street, or more personal preparation (bear spray), or discussion with dog owners. But question on how to enforce when it comes to unrestrained dogs, talking to the owner is not always going to work and need to aim at the outlier cases that cannot be resolved easily ex. dangerous dogs may require more severe, drastic action.
- Discussion on untidy/unsightly premises (Bylaw #46). Discussion mainly focused on Melney property, however, identified that it would be applicable to everyone in town in terms of compliance, but getting one property clean might encourage other properties to cleanup. Intent of the bylaw is to give the Village a tool to address if there is an issue that is affecting neighbors, to motivate property owners to deal with keeping their place neat and tidy, and it is valuable when it comes to tourism.
 - First main part of discussion revolved around encroachment of vehicles on Village right-of-way, that they should be potentially relocated but debate on whether it should be an issue for him to use the undeveloped laneway when other developed laneways are being utilized without issue.
 - Second main part of the discussion revolved on unsightliness/uncleanliness. Garbage truck an issue in past with offensive smell and fluids in a commercial zone, and if it should/could be relocated or runoff redirected. Issue that Bylaw is vague on how "filth" is defined as that can be interpreted differently by different people. Issue with property storing large volumes of recyclables that are an attractant to vermin, question on if this is acceptable in the zoning. Recognition that there has been a lot of cleanup to address the issue in the last 6 months on the property, better than it used to be.
 - In general, the property owner/authorized representative should be approached with the current issues to work on addressing the concerns and then progress from there. Correspondence should recognize progress that has been made/noticed.
 - Discussion veered into notifying property owner of the Village Cleanup, and larger discussion on what options there are to get rid of old vehicles on Island (for properties with vehicle buildup). Barging, donating, or contractors who buys scrap metal identified as options. Issue in that price of scrap metal is low right now, so it reduces incentive to get rid of vehicles.
- Discussion on Village Cleanup, identification that some people do not have vehicles to take trash to the dump. Staff identified that there is a sign-up list for volunteers and residents needing assistance to match people up with those with vehicles who can assist. Discussion that this should be advertised well. Previous format of Community Cleanup, with bins, requires a lot of volunteer commitment to undertake.

3. ADJOURNMENT

Meeting end at 8:43 PM