

MuniLegislativeReview

From: Caitlin Urquhart [REDACTED]
Sent: Thursday, January 25, 2018 12:09 PM
To: MuniLegislativeReview
Subject: Re: Municipal Legislation Review Written Submission

I forgot to add, that I am also in support of the recommendations put forward by Councillor Maggie Burton of St. John's, below. Thank you for your thoughtful consideration.

Other Municipal Statutes Need A Review Too

The *City of St. John's Act* isn't the only municipal statute that needs work! The *Municipal Elections Act* is an old target of mine. The City has been asking for changes for years, and a detailed programme for reform was recently outlined by the Citizens Assembly for Stronger Elections. I was glad to hear the Minister respond positively to their suggestions. This review is a logical time to fix the municipal elections statutes but I hope we get some action soon.

Working on development regulations has made me quite frustrated with the limitations of the *Urban and Rural Planning Act, 2000*.

It's also interesting that most municipalities' taxing powers are included in the review, but the *St. John's Municipal Taxation Act* isn't.

About My Suggestions

Sometimes I ask for powers I think we might already have. That's because I've heard people cast doubt on whether the statutes authorize them, and I think it should be clear.

Sometimes I ask for the power to do something I don't necessarily want to do right now, e.g. stop vehicles for moving violations. I think the RNC's doing a good job, but every other municipality has the power to set up a municipal police force if they want to, and so should we! The same goes for a congestion tax and photo radar. I'm not suggesting that we set up a municipal police force, start a congestion tax or implement photo radar right now, but those are municipal decisions and municipal councils and voters should be trusted to make them.

- **Heritage Protection:**

In general, the City needs expanded authority to protect built heritage, including:

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1. Authority to enforce penalties for non-compliance
2. Authority to address demolition-by-neglect through property standards bylaws
3. Authority to adopt maintenance provisions
4. Authority to force building owners to conduct repairs
5. Authority to adopt conservation standards/maintenance standards for heritage buildings
6. Authority to enforce the salvage of historic elements in the case of demolition
7. Authority to adopt and enforce the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada
8. Authority to enforce design guidelines for new developments in Heritage Areas

- **Wetlands and Watersheds:**

It's time for a legislative override of the *Lynch* decision

(<https://www.canlii.org/en/nl/nlca/doc/2016/2016nlca35/2016nlca35.html?autocompleteStr=2016%20NLCA%2035&autocompletePos=1>).

The City needs to be able to protect watersheds from development without having to expropriate land and compensate landowners.

- **Traffic:**

The City should have

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 1. The power to modify speed limits.
 2. The power to implement a photo radar system and ticket speeders.
 3. The power to stop vehicles for moving violations.
 4. The power to sanction vehicles for excessive noise.
 5. The power to implement a congestion tax.

- **Ethics**

The City should have

1.
 1. The ability to enforce breaches in ethics codes, as recommended in Clyde Wells's report.)

We Should Try This Again

While I've tried to think broadly about what powers the City is missing, I'm sure that over the next few years many more things will become obvious. I hope this review isn't our only chance to work on the municipal statutes! A second look in five years' time would go a long way.

I'd like to close by thanking Minister Joyce again for starting off this process, and by encouraging to head over to EngageNL.ca and make your voice heard!

Caitlin Urquhart

p: [REDACTED]

e: [REDACTED]

On Thu, Jan 25, 2018 at 12:02 PM, Caitlin Urquhart [REDACTED] wrote:

Dear Review Committee,

It is my sincere hope that you will include in your review of municipal legislation the Municipal Elections Act, as time it of the essence. It is incumbent upon this government to include election reform in the current review because any further delay would result in municipalities having insufficient to implement change. Elections require a great deal of planning.

I encourage your committee to review the Report and to act upon each and every call to action put forward by the Citizens' Assembly for Stronger Elections, which can be found at casenl.ca.

Thank you,
Caitlin Urquhart