

## OFFICE OF THE MAYOR

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January 30, 2018

Municipal Legislation Review  
Department of Municipal Affairs and Environment  
4<sup>th</sup> Floor, West Block, Confederation Building  
P.O. Box 8700  
St. John's, NL A1B 4J6

Dear Ms. Woodworth-Lynas,

I thank you for the opportunity given to the Town of Paradise to provide a written submission to share the Town's thoughts on how to renew these important legislations governing towns, local service districts and cities.

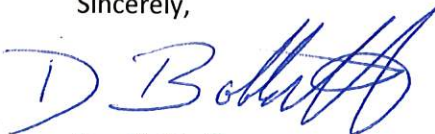
Some of the changes that senior staff feel review is required on are as follows:

- Municipalities Act
  1. Sections 26 & 31-Feasibility Report
    - Potential for a shorter more streamlined process where a boundary shift is relatively small and being done for practical purposes. For example, alignment of boundary re: watershed, etc. as opposed to financial inability of one municipality. At this time, the Feasibility Report is required for all changes to a municipal boundary.
  2. Section 69-Retirement
    - A manager, clerk or department head may be retired in accordance with a pension scheme. Is this in contravention of the Human Rights act no longer a mandatory retirement age?
  3. Section 76-Bank Account
    - All cheques currently have to be signed by the Mayor or Deputy Mayor or another member of Council and countersigned by the treasurer or clerk. This should be reworded to allow the Council to establish a policy on signing authority and to provide more flexibility. We currently have CAO, Clerk, Accounts Manager and Manager of Finance able to co-sign cheques.
  4. Section 79-Content of Budget
    - Currently required to obtain Ministerial approval to set-up operating reserves – Council should be able to establish operating reserves based on the

recommendation of finance staff. Larger municipalities have qualified finance professionals to make these recommendations.

5. Section 94 Long-Term Borrowing
    - Long-term borrowing requires Ministerial approval. This process is typically a rubber stamp for larger municipalities. Council should be able to borrow based on recommendation of qualified professional accounting staff.
  6. Section 201-Disposition of Property
    - Is there a way to accommodate requests of land exchanges which are done for public benefit – especially to non-profit organizations?
    - The limit should be increased to greater than \$500.
  7. Section 207-Conflict of Interest
    - Need clearer guidelines on conflict of interest.
  8. Section 213-Privileged Meetings of Council
    - Currently, a decision is not valid until it is ratified at Public Meeting of Council. However, there are certain topics such as human resource matters where Council should be able to make a decision without going public for the privacy and protection of employees or with respect to legal matters.
  9. Section 215 Inspection of Documents
    - This section should be reworded to reflect the Access to Information and Protection of Privacy Act to ensure there is consistency between both acts.
  10. Section 406-Service of Orders on Corporations
    - Ability to serve orders on more than a Director or CEO (ie: other managers employed by corporation). CEO is a defined term. Should this be broadened to include CAO, CFO, etc?
  11. Section 409-Appeal
    - More stringent enforcement of appeal periods (currently Board allows significant flexibility)
    - Defined time in which Board is mandated to hear appeal.
    - Clarification on whether or not any work may occur during appeal period.
  12. Section 420-Penalties
    - The new Government Act in Prince Edward Island has a range of penalties between \$200-\$10,000 while Newfoundland and Labrador is \$100-\$500 and \$500-\$1000 for subsequent offences. Penalty amounts need to be reconsidered.
  13. Seniors Discount
    - Needs to be added to act to ensure consistency amongst municipalities.
  14. Publications (Various Sections)
    - The requirement to publish in a newspaper and two conspicuous places is not in line with current communication methods such as electronic methods (website, e-newsletter, etc.)
- St. John's Act
    1. The City of St. John's Act deals, in part, with activities and development within the Broadcove Watershed. It would be beneficial if a map of the official watershed boundary was appended to the Act.

Sincerely,



Dan Bobbett  
Mayor