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BILL 10

**MUNICIPAL AFFAIRS STATUTES
AMENDMENT ACT, 2021**

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Minister of Municipal Affairs

Explanatory Notes

SECTION 1: *[Community Charter, section 124]* is consequential to amendments made by this Bill to the Act.

SECTION 2: *[Community Charter, section 128]*

- provides that regular council meetings may be conducted by means of electronic or other communication facilities, if authorized by procedure bylaw;
- provides some procedural requirements for electronic regular council meetings;
- provides that council members participating electronically in a meeting are deemed to be present at the meeting.

BILL 10 – 2021

**MUNICIPAL AFFAIRS STATUTES
AMENDMENT ACT, 2021**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Community Charter

1 *Section 124 (2) of the Community Charter, S.B.C. 2003, c. 26, is amended by repealing paragraph (d) and substituting the following:*

- (d) provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice; .

2 *Section 128 is repealed and the following substituted:*

Electronic regular council meetings

- 128**
- (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, regular council meetings may be conducted by means of electronic or other communication facilities.
 - (2) The following rules apply in relation to a regular council meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a council must
 - (i) provide for advance public notice of the following:
 - (A) the way in which the meeting is to be conducted by means of electronic or other communication facilities;
 - (B) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) establish the procedures for giving that notice;

SECTION 2: *[Community Charter, section 128 – continued]*

SECTION 3: *[Community Charter, sections 128.1 to 128.3]*

- provides that special council meetings or council committee meetings may be conducted by means of electronic or other communication facilities, if authorized by procedure bylaw;
- provides some procedural requirements for electronic special council meetings or council committee meetings;
- provides that council members who are unable to attend in person at a regular council meeting, a special council meeting or a council committee meeting, as applicable, may participate in the meeting electronically, if authorized by procedure bylaw;
- provides that council members participating electronically in a meeting are deemed to be present at the meeting.

- (c) the facilities must
 - (i) enable the meeting’s participants to hear, or watch and hear, the meeting,
 - (ii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting, and
 - (iii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.
- (3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

3 *The following sections are added:*

Electronic special council meetings

- 128.1** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, special council meetings may be conducted by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a special council meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the notice under section 127 (2) must include notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public;
 - (c) the facilities must
 - (i) enable the meeting’s participants to hear, or watch and hear, the meeting, and
 - (ii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.
- (3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

SECTION 3: *[Community Charter, sections 128.1 to 128.3 – continued]*

Electronic council committee meetings

- 128.2** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, council committee meetings may be conducted by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a council committee meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a council must provide for advance public notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and establish the procedures for giving that notice;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;
 - (d) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting.
- (3) Members of a council committee who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

Electronic participation by members in council and council committee meetings

- 128.3** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, a member of council or a council committee who is unable to attend in person at a regular council meeting, a special council meeting or a council committee meeting may participate in the meeting by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member;
 - (c) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.
- (3) Members of council or a council committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.

SECTION 4: *[Community Charter, Division 6 of Part 6]* sets out regulation-making powers.

4 *The following Division is added to Part 6:*

Division 6 – Ministerial Regulations

**Regulations respecting revenue anticipation borrowing
in special circumstances**

- 191.1** (1) The minister may make regulations in accordance with this section if the minister considers that special circumstances exist that result in, or are anticipated to result in, a loss of revenue by or an expense for
- (a) a municipality, including the City of Vancouver,
 - (b) a regional district, or
 - (c) a greater board.
- (2) The minister may make regulations respecting delaying the payment of debt incurred as revenue anticipation borrowing, until the earlier of
- (a) the date when the anticipated revenue with respect to which the borrowing was authorized is received, or
 - (b) December 31 of the year following the year in which the debt was incurred.
- (3) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.
- (4) A regulation under subsection (1)
- (a) must specify the following:
 - (i) the municipality, regional district or greater board or class of municipalities, regional districts or greater boards, including, without limitation, a class that is all municipalities, all regional districts or all greater boards, for which the payment date is postponed;
 - (ii) the calendar year in relation to which the debt is incurred as revenue anticipation borrowing;
 - (iii) whether the amount of any outstanding debt that remains unpaid after the applicable date referred to in subsection (2) will or will not limit the maximum allowable amount of revenue anticipation borrowing that may be incurred in the subsequent year, and
 - (b) may specify additional terms and conditions respecting the payment of the debt.

SECTION 4: *[Community Charter, Division 6 of Part 6 – continued]*

- (5) A regulation under subsection (1) may provide that it applies despite any of the following:
- (a) section 177 [*revenue anticipation borrowing*];
 - (b) section 35 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (c) section 58 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Water District Act*;
 - (d) section 404 [*revenue anticipation borrowing*] of the *Local Government Act*;
 - (e) section 263 [*borrowing pending collection of real-property taxes*] of the *Vancouver Charter*.

**Regulations respecting borrowing from
reserve funds in special circumstances**

- 191.2** (1) The minister may make regulations respecting borrowing from reserve funds to cover an operational shortfall in the year of borrowing if the minister considers that special circumstances exist that result in, or are anticipated to result in, an operational shortfall for
- (a) a municipality, including the City of Vancouver,
 - (b) a regional district,
 - (c) a greater board, or
 - (d) an improvement district.
- (2) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.
- (3) A regulation under subsection (1)
- (a) must specify the following:
 - (i) the municipality, regional district, greater board or improvement district or class of municipalities, regional districts, greater boards or improvement districts, including, without limitation, a class that is all municipalities, all regional districts, all greater boards or all improvement districts, that may borrow from reserve funds;
 - (ii) the calendar year in relation to which borrowing is authorized;
 - (iii) the date by which the borrowed amount must be repaid to the reserve fund from which it was borrowed;
 - (iv) whether interest applies to the borrowed amount and, if so, the amount of the applicable interest;

SECTION 4: *[Community Charter, Division 6 of Part 6 – continued]*

- (v) whether a penalty of no more than 5% of the amount outstanding after the date specified under subparagraph (iii) applies to any amount outstanding after that specified date such that it must be paid to the reserve fund from which the amount was borrowed;
 - (vi) whether any amount outstanding after the date specified under subparagraph (iii) must be included as a cash transfer to reserves in the year following that date in the financial plan, annual estimates or budget, as applicable, and
 - (b) may specify additional terms and conditions respecting the borrowing from reserve funds.
- (4) A regulation under subsection (1) may provide that it applies despite any of the following:
- (a) section 165 [*financial plan*];
 - (b) section 189 [*use of money in reserve funds*];
 - (c) section 34.1 [*reserve and special reserve funds*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (d) section 53 [*annual estimate*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (e) section 46 [*annual estimates and fixing of rates*] of the *Greater Vancouver Water District Act*;
 - (f) section 57.1 [*reserve funds*] of the *Greater Vancouver Water District Act*;
 - (g) section 374 [*annual financial plan*] of the *Local Government Act*;
 - (h) section 377 [*financial management: application of Community Charter*] of the *Local Government Act*;
 - (i) section 697 (2) (d) [*general powers of improvement district*] of the *Local Government Act*;
 - (j) section 706 [*renewal of works and related reserve funds*] of the *Local Government Act*;
 - (k) section 193D (5) (d) and (8) [*reserve fund for accommodation to replace converted or demolished single room accommodation*] of the *Vancouver Charter*;
 - (l) section 201A [*property acquisition fund*] of the *Vancouver Charter*;
 - (m) section 219 [*Director of Finance to report on revenue and expenditure*] of the *Vancouver Charter*;
 - (n) section 306 (7) to (9) [*reserve fund for off-street parking and transportation infrastructure*] of the *Vancouver Charter*;
 - (o) section 372 [*annual estimates*] of the *Vancouver Charter*;
 - (p) section 523D (16) to (17.1) [*development cost levy reserve funds*] of the *Vancouver Charter*.

SECTION 5: *[Local Government Act, section 110]* removes restrictions on the classes of electors in a municipality or a regional district who may be permitted to vote by mail ballot.

SECTION 6: *[Local Government Act, section 167.1]* sets out regulation-making powers.

SECTION 7: *[Local Government Act, section 175]* is consequential to amendments made by this Bill to the Act.

SECTION 8: *[Local Government Act, section 221]* makes a minor amendment for style consistency.

SECTION 9: *[Local Government Act, section 465]*

- provides for public hearings to be conducted by means of electronic or other communication facilities;
- requires that electronic or other communication facilities enable the hearing's participants to hear, or watch and hear, each other;
- provides procedural specifics for adjourning a public hearing.

Local Government Act

5 *Section 110 (2) and (3) of the Local Government Act, R.S.B.C. 2015, c. 1, is repealed.*

6 *The following section is added:*

Regulations respecting elections in special circumstances

- 167.1** (1) If the minister considers that special circumstances exist that affect, or are anticipated to affect, the administration or conduct of election proceedings or proceedings for assent voting, the minister may make regulations providing an exception to or modification of
- (a) one or more provisions of this Part or Part 4,
 - (b) a regulation under this Part or Part 4, or
 - (c) a bylaw under this Act.
- (2) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to, or alleviate the effects of the special circumstances.
- (3) A regulation under subsection (1) must specify a date of repeal of the regulation that is no later than one year after the date the regulation is made.

7 *Section 175 (4) is amended*

(a) in paragraph (a) by striking out “section 110 (3) (b)” and substituting “section 110”, and

(b) by repealing paragraph (b).

8 *Section 221 (1) is amended by striking out “conducted by means of electronic or other communications facilities.” and substituting “conducted by means of electronic or other communication facilities.”*

9 *Section 465 is amended*

(a) by adding the following subsections:

- (1.1) Subject to subsection (1.2), a public hearing under section 464 (1) may be conducted by means of electronic or other communication facilities.
- (1.2) The facilities referred to in subsection (1.1) must enable the public hearing’s participants to hear, or watch and hear, each other. , *and*

SECTION 9: *[Local Government Act, section 465 – continued]*

SECTION 10: *[Local Government Act, section 466]* is consequential to amendments made by this Bill to the Act.

SECTION 11: *[Local Government Act, section 494]* is consequential to amendments made by this Bill to the Act.

SECTION 12: *[Local Government Act, section 541]* is consequential to amendments made by this Bill to the Act.

(b) by repealing subsection (7) and substituting the following:

- (7) A public hearing may be adjourned and no further notice of the hearing is necessary if the following are stated to those in attendance at the time the hearing is adjourned:
- (a) the time and date of the resumption of the hearing;
 - (b) the place of the resumed hearing, if applicable;
 - (c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable.

10 Section 466 (2) is amended

(a) in paragraph (b) by adding “, if applicable” after “the place of the hearing”, and

(b) by adding the following paragraph:

- (b.1) if the hearing is conducted by means of electronic or other communication facilities, the way in which the hearing is to be conducted by those means; .

11 Section 494 (2) is amended

(a) by striking out “and” at the end of paragraph (c),

(b) by repealing paragraph (d) and substituting the following:

- (d) the time and date when and, if applicable, the place where the resolution will be considered, and , ***and***

(c) by adding the following paragraph:

- (e) if the meeting at which the resolution will be considered is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

12 Section 541 (2) is repealed and the following substituted:

- (2) A notice under subsection (1) must state the following:
- (a) the subject matter of the application;
 - (b) the time and date when and, if applicable, the place where the application will be heard;
 - (c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

SECTION 13: *[Local Government Act, section 543]* is consequential to amendments made by this Bill to the Act.

SECTION 14: *[Local Government Act, section 683]* amends the time period for a term of office of a trustee.

SECTION 15: *[Local Government Act, section 690]* amends the time period during which an improvement district board must call an annual general meeting.

SECTION 16: *[Local Government Act, section 699]* removes the requirement for a bylaw of an improvement district to be sealed with the seal of the improvement district.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5]*

- continues repayment obligations in relation to reserve fund borrowing authorized due to impacts of COVID-19;
- continues repayment obligations in relation to revenue anticipation borrowing authorized due to impacts of COVID-19;
- continues the postponement of the 2020 tax sale and redemption period under bylaws authorized due to impacts of COVID-19.

13 Section 543 (3) is repealed and the following substituted:

- (3) A notice under subsection (2) must state the following:
 - (a) the subject matter of the application;
 - (b) the time and date when and, if applicable, the place where the application will be heard;
 - (c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

14 Section 683 (3) is amended by striking out “is 3 years” and substituting “continues until the date of the improvement district election that is held in the third calendar year following the calendar year in which the trustee was elected or appointed”.

15 Section 690 (1) is repealed and the following substituted:

- (1) At least once in every calendar year, an improvement district board must call an annual general meeting of the owners of land in the improvement district at which it presents the audited financial statements for the preceding calendar year.

16 Section 699 (1) is repealed and the following substituted:

- (1) A bylaw of an improvement district must be signed by the corporate officer and the person presiding at the meeting at which the bylaw is passed.

Municipalities Enabling and Validating Act (No. 4)

17 The following Part is added to the *Municipalities Enabling and Validating Act (No. 4)*, S.B.C. 2011, c. 14:

PART 5 – 2021

Division 1 – Definitions

Definitions

31 In this Part:

- “**City of Vancouver**” means the city as defined in section 2 of the *Vancouver Charter*;
- “**council**” means a council as defined in section 1 of the Schedule to the *Community Charter*;

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

“**Greater Vancouver Sewerage and Drainage District**” means the Corporation as defined in section 2 of the *Greater Vancouver Sewerage and Drainage District Act*;

“**Greater Vancouver Water District**” means the Corporation as defined in section 2 of the *Greater Vancouver Water District Act*;

“**improvement district**” means an improvement district as defined in section 1 of the Schedule to the *Local Government Act*;

“**item 16**” means item 16 of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal;

“**local authority**” means a local authority as defined in section 1 of the Schedule to the *Community Charter*;

“**municipality**” means a municipality as defined in section 1 of the Schedule to the *Community Charter*;

“**regional district**” means a regional district as defined in section 1 of the Schedule to the *Local Government Act*;

“**Vancouver council**” means the Council as defined in section 2 of the *Vancouver Charter*.

Division 2 – Reserve Fund Borrowing (COVID-19)

Reserve fund borrowing – municipalities

- 32** (1) This section applies to a municipality that, during the 2020 calendar year, borrowed from a reserve fund established under section 188 [*establishment of reserve funds*] of the *Community Charter* in accordance with section 3 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the municipality as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 189 [*use of money in reserve funds*] of the *Community Charter*.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

Reserve fund borrowing – regional districts

- 33** (1) This section applies to a regional district that, during the 2020 calendar year, borrowed from a reserve fund established under section 377 [*financial management: application of Community Charter*] of the *Local Government Act* in accordance with section 4 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the regional district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 377 of the *Local Government Act*.

Reserve fund borrowing – improvement districts

- 34** (1) This section applies to an improvement district that, during the 2020 calendar year, borrowed from a reserve fund established under section 706 [*renewal of works and related reserve funds*] of the *Local Government Act* in accordance with section 5 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the improvement district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 706 of the *Local Government Act*.

Reserve fund borrowing – City of Vancouver

- 35** (1) This section applies to the City of Vancouver in respect of money that the city, during the 2020 calendar year, borrowed from a reserve fund established under the following sections of the *Vancouver Charter* in accordance with section 6 (1) of item 16:
- (a) section 193D (5) (d) and (8) [*single room accommodation permits*];
 - (b) section 201A [*property acquisition fund*];
 - (c) section 306 (7) to (9) [*reserve fund for off-street parking and other transportation infrastructure*];

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

- (d) section 523D (16) to (17.1) [*development cost levies*].
- (2) The money borrowed in accordance with subsection (1)
 - (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the City of Vancouver as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite the following provisions of the *Vancouver Charter*:
 - (a) section 193D (5) (d) and (8);
 - (b) section 201A;
 - (c) section 306 (7) to (9);
 - (d) section 523D (16) to (17.1).

**Reserve fund borrowing – Greater Vancouver
Sewerage and Drainage District**

- 36**
- (1) This section applies to the Greater Vancouver Sewerage and Drainage District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 34.1 [*reserve and special reserve funds*] of the *Greater Vancouver Sewerage and Drainage District Act* in accordance with section 7 (1) of item 16.
 - (2) The money borrowed in accordance with subsection (1)
 - (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
 - (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Sewerage and Drainage District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
 - (4) This section applies despite section 34.1 of the *Greater Vancouver Sewerage and Drainage District Act*.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

Reserve fund borrowing – Greater Vancouver Water District

- 37 (1) This section applies to the Greater Vancouver Water District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 57.1 [*reserve funds*] of the *Greater Vancouver Water District Act* in accordance with section 8 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Water District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 57.1 of the *Greater Vancouver Water District Act*.

Power to make regulations

- 38 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) modifying the date specified in section 32 (2) (a), 33 (2) (a), 34 (2) (a), 35 (2) (a), 36 (2) (a) or 37 (2) (a) [*repayment deadline*];
 - (b) waiving the 5% penalty incurred under section 32 (3), 33 (3), 34 (3), 35 (3), 36 (3) or 37 (3) [*penalty for outstanding debt*].
- (3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

Division 3 – Revenue Anticipation Borrowing (COVID-19)

Extension of borrowing – municipalities

- 39 (1) Debt incurred by a municipality borrowing money in anticipation of revenue in 2020 in accordance with section 177 [*revenue anticipation borrowing*] of the *Community Charter* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the municipality.
- (3) This section applies despite section 177 of the *Community Charter*.

Extension of borrowing – regional districts

- 40**
- (1) Debt incurred by a regional district borrowing money in anticipation of revenue in 2020 in accordance with section 404 [*revenue anticipation borrowing*] of the *Local Government Act* must be repaid on or before the earlier of the following dates:
 - (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
 - (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the regional district.
 - (3) This section applies despite section 404 of the *Local Government Act*.

Extension of borrowing – City of Vancouver

- 41**
- (1) Debt incurred by the City of Vancouver borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 263 [*borrowing pending collection of real-property taxes*] of the *Vancouver Charter* must be repaid on or before the earlier of the following dates:
 - (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
 - (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021.
 - (3) This section applies despite section 263 of the *Vancouver Charter*.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

**Extension of borrowing – Greater Vancouver
Sewerage and Drainage District**

- 42 (1) Debt incurred by the Greater Vancouver Sewerage and Drainage District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 35 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Sewerage and Drainage District Act* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.
- (3) This section applies despite section 35 of the *Greater Vancouver Sewerage and Drainage District Act*.

**Extension of borrowing – Greater Vancouver
Water District**

- 43 (1) Debt incurred by the Greater Vancouver Water District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 58 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Water District Act* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.
- (3) This section applies despite section 58 of the *Greater Vancouver Water District Act*.

Power to make regulations

- 44 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations modifying the date specified in section 39 (1) (b), 40 (1) (b), 41 (1) (b), 42 (1) (b) or 43 (1) (b) [*repayment deadline*].
- (3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

Division 4 – Annual Tax Sales (COVID-19)

Deferral of tax sale – municipalities

- 45** (1) If a council of a municipality adopted a bylaw in accordance with section 15 (1) of item 16 deferring the annual tax sale, provided for under Division 7 [*Annual Municipal Tax Sale*] of Part 16 [*Municipal Provisions*] of the *Local Government Act*, for 2020,
- (a) the annual tax sale for the municipality for 2020 is deferred to September 27, 2021, and
 - (b) for certainty, any taxes that are delinquent, as described in section 246 (1) of the *Community Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.
- (2) This section applies despite Division 7 of Part 16 of the *Local Government Act*.

Deferral of tax sale – City of Vancouver

- 46** (1) The annual tax sale for the City of Vancouver for 2020 is deferred to November 10, 2021, in accordance with By-Law No. 12730, adopted by Vancouver council on July 7, 2020.
- (2) For certainty, any taxes that are delinquent, as described in section 407 [*further warning of tax sale*] of the *Vancouver Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.
- (3) This section applies despite Part XX [*Real-Property Taxation*] of the *Vancouver Charter*.

Deferral of tax sale – improvement districts

- 47** (1) In this section, “**deferral date**” means, as applicable,
- (a) a date specified for the annual tax sale by a bylaw made under section 17 (2) of item 16, or
 - (b) September 27, 2021, if no date is specified in a bylaw referred to in paragraph (a).
- (2) If an improvement district board adopted a bylaw in accordance with section 17 (2) of item 16 deferring the annual tax sale for 2020 until the deferral date,
- (a) the annual tax sale for the improvement district for 2020 is deferred to the deferral date, and
 - (b) for certainty, any taxes that remain owing, as described in section 718 (1) (a) [*tax sale for recovery of taxes*] of the *Local Government Act*, continue to remain owing for 2021, with interest charges that are carried under that Act.

SECTION 17: *[Municipalities Enabling and Validating Act (No. 4), Part 5 – continued]*

SECTION 18: *[Vancouver Charter, section 2.1]* is consequential to amendments made by this Bill to the Act.

SECTION 19: *[Vancouver Charter, section 72]* removes restrictions on the classes of electors who may be permitted to vote by mail ballot.

SECTION 20: *[Vancouver Charter, section 164.1]* makes a minor amendment for style consistency.

SECTION 21: *[Vancouver Charter, section 495A]* provides that meetings and special meetings of the Park Board may be conducted by means of electronic or other communication facilities, if authorized by regulation.

- (3) This section applies despite Division 6 [*Tax Sales*] of Part 17 [*Improvement Districts*] of the *Local Government Act*.

Division 5 – Tax Sale Redemption Periods (COVID-19)

Extension of redemption period – municipalities

- 48** (1) If a council of a municipality adopted a bylaw in accordance with section 18 (1) of item 16 extending the expiration of the redemption period for all properties that have a redemption period ending in 2020, the expiration of the redemption period for the municipality is extended to September 27, 2021.
- (2) This section applies despite Division 7 [*Annual Municipal Tax Sale*] of Part 16 [*Municipal Provisions*] of the *Local Government Act*.

Vancouver Charter

18 *Section 2.1 of the Vancouver Charter, S.B.C. 1953, c. 55, is amended*

(a) by repealing subsection (2) and substituting the following:

- (2) The following provisions of the *Community Charter* apply to the city:
- (a) Division 6 [*Ministerial Regulations*] of Part 6 [*Financial Management*];
 - (b) section 193.1 [*interest calculation*];
 - (c) section 223 [*exemptions under regulations*];
 - (d) Division 3 [*Dispute Resolution*] of Part 9 [*Governmental Relations*]. ,
and

(b) in subsection (4) by adding the following:

- (d) the *Municipalities Enabling and Validating Act (No. 4)*, S.B.C. 2011, c. 14.

19 *Section 72 (2) is repealed.*

20 *Section 164.1 (3) is amended by striking out “conducted by means of electronic or other communications facilities.” and substituting “conducted by means of electronic or other communication facilities.”*

21 *The following section is added:*

Electronic meetings of the Board

- 495A.** (1) If permitted under subsection (2), a meeting or special meeting of the Board may be conducted by means of electronic or other communication facilities.

SECTION 21: *[Vancouver Charter, section 495A – continued]*

SECTION 22: *[Vancouver Charter, section 562]* is consequential to amendments made by this Bill to the Act.

SECTION 23: *[Vancouver Charter, section 566]*

- provides for public hearings to be conducted by means of electronic or other communication facilities;
- requires that electronic or other communication facilities enable the hearing’s participants to hear, or watch and hear, each other;
- provides procedural specifics for notice of a public hearing.

SECTION 24: *[Vancouver Charter, section 594]* is consequential to amendments made by this Bill to the Act.

SECTION 25: *[Transition – notice]* provides that notice of a meeting or hearing provided in accordance with item 21 of Schedule 2 to the *COVID-19 Related Measures Act* is deemed to be provided in accordance with the applicable local government statute, as amended by this Act.

(2) The Lieutenant Governor in Council may make regulations permitting meetings under subsection (1) and prescribing conditions, limits and requirements respecting such meetings.

22 *Section 562 (4) is amended by striking out “Section 566 (3) to (5.1)” and substituting “Section 566 (1.1), (1.2) and (3) to (5.1)”.*

23 *Section 566 is amended*

(a) by adding the following subsections:

(1.1) Subject to subsection (1.2), a public hearing under subsection (1) may be conducted by means of electronic or other communication facilities.

(1.2) The facilities referred to in subsection (1.1) must enable the public hearing’s participants to hear, or watch and hear, each other. , **and**

(b) by repealing subsection (3) and substituting the following:

(3) Notice of the hearing that states the following must be published in accordance with section 3, with the last publication appearing at least 7 days and not more than 14 days before the date of the hearing:

(a) the time and date of the hearing;

(b) the place of the hearing, if applicable;

(c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable;

(d) the place where and the times when a copy of the proposed by-law may be inspected.

24 *Section 594 (2) is amended by striking out “Section 566 (3), (5) and (5.1)” and substituting “Section 566 (1.1), (1.2), (3), (5) and (5.1)”.*

Transitional Provisions

Transition – notice

25 If, before this section comes into force, a local authority, as defined in section 1 of the Schedule to the *Community Charter*, provides notice of a meeting or a hearing to be held on or after the date this section comes into force and provides the notice in accordance with item 21 [*Local Government Meetings and Bylaw Process (COVID-19) Order No. 3*] of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal, that notice is deemed to be provided in accordance with the *Community Charter*, the *Local Government Act* or the *Vancouver Charter*, as applicable and as amended by this Act.

SECTION 26: *[Hospital District Act, section 17.1]* is consequential to amendments made by this Bill to the *Community Charter*.

Consequential Amendments

Hospital District Act

26 *Section 17.1 (5) of the Hospital District Act, R.S.B.C. 1996, c. 202, is amended by repealing paragraph (f) and substituting the following:*

(f) sections 128 to 128.3 [*electronic meetings and electronic participation*]; .

Commencement

27 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 3	By regulation of the Lieutenant Governor in Council
3	Section 4	July 11, 2021
4	Sections 9 to 13	By regulation of the Lieutenant Governor in Council
5	Sections 14 to 18	July 11, 2021
6	Sections 21 to 26	By regulation of the Lieutenant Governor in Council