

ASVA Resolution 2018 – 01
Summer Village of Grandview

Resolution concerning the development of a model bylaw for the regulation of cannabis

Whereas the Government of Canada has determined that cannabis will become a legal substance commencing October 17, 2018; and

Whereas all municipalities within Alberta have the responsibility to control the use and sale of cannabis within their boundaries; and

Whereas all Summer Villages will have to determine the need and scope of bylaws for regulating locations for cannabis consumption and retail within the municipal boundaries; and

Whereas it would be efficient if all Summer Villages collaborated on the development of a model bylaw for the regulation of cannabis.

It is therefore resolved that a model bylaw be developed under the direction of the ASVA to provide guidance to the Summer Villages of Alberta for the regulation of cannabis. Funding for this project would be by a proportionate share of the legal costs by the participating municipalities.

Background

On October 17, 2018, cannabis will become a legal substance in Canada and will share a similar status to that of alcohol regarding restrictions of consumption, age limits, and retail operations. While federal and provincial regulations oversee the general rules for this substance, it is the prerogative of municipalities to provide further regulation through bylaws if desired.

The following provincial restrictions have been proposed:

- Public possession will be limited to 30 grams (with no limit on possession in private residences).
- Sales will be in specialty stores, separate from alcohol, tobacco, and pharmaceuticals.
- A limit of 30 grams per purchase will be imposed.
- Smoking and vaping in public will fall under existing tobacco laws.
- Smoking or vaping in vehicles will be banned for all occupants.
- A maximum of four plants per household will be allowed, to a maximum height of one metre each.
- Outdoor growing will be banned.

A model bylaw with optional clauses that individual Summer Villages could adopt would allow these municipalities to impose further restrictions on where cannabis may be consumed and to provide guidance if an application is made for a business license for the sale of cannabis from a home-based business. To avoid duplication or contradiction, the model bylaw project would need to commence after provincial regulations have been established. Because of the many unknowns involved, professional legal advice would be advisable in the process.

It is suggested that, because Summer Villages generally share typical social frameworks, a collaborative approach would be more cost-efficient than individual initiatives. Funding of this project would be provided by the participating Summer Villages in equal amounts.

Submitted by the Summer Village of Grandview
October 18, 2018

ASVA Resolution 2018 – 02 Summer Village of Grandview

Resolution concerning Municipal Indicators

Whereas Municipal Affairs has introduced an array of measurements intended to determine the viability of municipalities; and

Whereas the choice of indicators may portray Summer Villages in an incorrect manner because of the unique characteristics of this class of municipality; and

Whereas Municipal Affairs has decided to proceed with this program despite recommendations for improvements.

Therefore it is resolved that after the municipal indicators are published, the ASVA conduct an assessment of the scorecard indicators for all Summer Villages in comparison with other types of municipalities and, if the indicators reflect unfairly on the viability of Summer Villages, make a submission to the Minister after consulting with the member Summer Villages.

Background

In March, 2018, the Deputy Minister of Municipal Affairs announced that the Ministry was implementing a new performance measure for all Alberta municipalities. The purpose is to determine municipalities deemed to be “at risk” by the use of 13 indicators reflecting financial, governance, and community parameters. The Ministry will publish annually the indicators for each municipality based on the most recent municipal data. Should multiple exceptions be triggered, the ministry will be offering advisory supports to the municipality. Continued failure to meet the benchmark on a defined number of indicators for three consecutive years will initiate a viability screening to determine if a review is warranted.

By choosing a “one size fits all” approach to determining the viability of different types of municipalities, it appears that Summer Villages may be reflected in a distorted light. Specific issues with this approach are outlined in the following except of a letter sent to the Minister:

1. **Tax Base Ratio:** If the municipality receives more than 95% of its tax revenue from residential taxes, it fails in this measurement. Summer Villages generally do not have commercial properties and obtain essentially 100% of the tax revenue from residential taxes. Our municipality is structured on a sustainability concept that neither needs nor wants to have commercial enterprises; these would be to the detriment of the adjacent municipalities with which we have a collaborative relationship.
2. **Population Change:** Municipal Affairs has rightly acknowledged that this indicator should not apply to Summer Villages and improvement districts. This acknowledgement shows recognition that some variation in requirements between different types of municipalities is both possible and reasonable. Our village would have, in fact met this requirement because our population did not decline in the past ten years. Expansion of the size of Summer Villages is difficult and thus the growth measurement is a poor indicator of sustainability.
3. **Infrastructure investment – asset sustainability ratio:** This indicator requires that current capital additions exceed the current year’s amortization (depreciation). Summer Villages generally have few capital assets and only infrequently need to replace them. Our major capital asset is our road, which generally does not involve a capital addition but rather is upgraded as an expense. We have a bridge that has a very long life. We are currently installing a wastewater system that should last 50 years before more capital is required. Our few buildings are functioning properly and are maintained with routine expenses. To achieve a passing score on this indicator, we would be driven to spend money needlessly. We are proud of our budget stewardship and feel we should be rewarded for this success rather than penalized. There are situations at

all levels of government where indicators such as this drive needless and wasteful spending, something entirely contrary to the goal of sustainability.

4. **Infrastructure Age – Net Book Value of Tangible Capital Assets:** This goal encourages replacement of existing assets on a regular basis. Other than land, which does not depreciate, our few assets are not generally replaced. To achieve success conceptually with this indicator, we would again be driven to needlessly replace assets.

5. **Interest in Municipal Office:** This indicator requires the number of candidates running for office to exceed the number of positions. In a Summer Village, which generally has a small and engaged population, it is not unusual to have the positions filled by acclamation. Rather than this being an indication of lack of engagement, it should be considered a reflection of how well the municipality is governed and the support the residents have for their council members. If there was a problem with governance, there would be many candidates running for office. To give further evidence of the weakness and appropriateness of this indicator, in our Summer Village we have approximately 500 in the pool of eligible candidates for three council positions. This means that the participation for office was 0.6%. On the other hand, Edmonton, with a pool of 618,564 potential candidates, had 83 candidates who ran for office. This calculates to be only .013%, a much lower interest rate than in our Summer Village by a factor of 46! For Summer Villages, the measurement goal should be attaining the number of candidates equal to the number of council positions. Despite appeals to Municipal Affairs concerning the perceived shortcomings of these indicators, the Minister has advised that the project will be implemented as planned; however, revisions will be considered after one full evaluation cycle.

If it can be shown that the municipal indicators as currently formulated cast an unduly negative light on the Summer Villages, it is recommended that the ASVA, in consultation with its members, make a submission to the Minister to implement necessary changes to achieve the stated goal of the minister, that being to accurately assess the viability of municipalities.

*Submitted by the Summer Village of Grandview
October 18, 2018*