

MuniLegislativeReview

From: Ian Froude <ifroude@stjohns.ca>
Sent: Wednesday, January 31, 2018 12:07 AM
To: MuniLegislativeReview
Subject: Municipal Legislation Review

Please accept this as my submission to the Municipal Legislation Review

Thank you for the opportunity to have input on this important review of Municipal Legislation.

There are a number of issues and ideas I have in relation to the review, the legislation in question, and broadly creating more enabling legislation for municipalities, particularly for the City of St. John's.

1. It would be very useful to include the Municipal Elections Act (MEA), Urban and Rural Planning Act (URPA), and St. John's Municipal Taxation Act in the review. These Acts significantly impact the operations, planning and financing abilities and flexibility of the City of St. John's. It would be valuable to have these items reviewed. For example, URPA creates significant constraints on how we decide to design and plan the City. Additionally, if the MEA were included, it would permit consideration of an election date change to allow for more students in the City of St. John's to vote. The 30 day timeline of residency conflicts with the start of the school year, preventing individuals from voting. The legislation should also change to allow municipalities the opportunity to choose a 'ranked-ballot' system of elections rather than 'first-past-the-post.' Ranked-ballot is a much fairer way to determine who represents residents in municipal legislatures.

Under provincial law, residents must be living in St. John's for at least thirty days prior to election day in order to be eligible to vote. With the 2017 election date of September 26th, it meant that anyone who wanted to vote must have had active residence in the city no later than the last week of August.

This creates a clear barrier for students from out of town, as many move into on- or off-campus housing in the first week of September. This also impacts students beyond their first year, as many who live and study in St. John's may go home or travel over the summer, leaving them to find new accommodations for September and therefore ineligible to vote come election day.

In addition to the date of election, mail-in ballots can create barriers for not only students, but all residents who rent their homes. While mail-in ballots encourage greater inclusion and importantly benefit residents with mobility or accessibility issues, we must also consider ways to improve access to the ballot for residents without fixed long-term addresses.

With respect to the St. John's Taxation Act or other financing laws or regulations: the requirement to stick to a narrow set of property taxes to raise funds for the operations and investment in the City of St. John's is regressive. It's too blunt of an instrument because of the single mil rate for all residential properties, and a second, for commercial properties. Property taxes are difficult for residents and business owners and there should be a consideration of other types of taxation.

2. The enforcement capabilities of the City of St. John's are hampered by the rules within the Act's that govern the City. In particular, the timelines associated with fines (giving residents 30 days to act) prevents us from making improvements through enforcement on important issues such as sidewalk snow clearing, garbage covering, etc that have a great impact on quality of life in St. John's. It would also be a benefit for the City of St. John's to have a greater role in traffic violation enforcement.

3. Medical Officer: the roles and responsibility of the ‘Medical’ Officer outlined in the Act seems narrow. With a growing health crisis in our province, greater partnership between municipal governments and the province could have significant dividends. Cities are able to act on health issues - particularly through the social determinants of health, especially those of the impacts of the ‘built environment’ on individuals health. It could be quite impactful to have the perspective of a more broadly defined ‘Public Health Officer’ when making decisions or considering changes at St.John’s City Hall.. An expanded role definition for a Health Officer would enable the City to provide greater attention to these important issues.

5. The ability of the City of St. John’s to appoint a ‘Municipal Auditor General.’ The provinces AG is very busy, which means the City might not get the scrutiny required. Allowing for a municipality to appoint an AG would be very helpful to ensure we have the scrutiny to ensure value for tax dollars and program delivery are met.

6. Conflict of Interest Issues: I don’t have a good sense of the quality of this section of the legislation, but please consider whether it has the right measures and parameters to deal with Conflict of Interest issues in municipal elections decision making.

7. The requirement to print notices in a daily paper is cumbersome and expensive. Ideally, The City would be able to make the choice through which mediums it will use to reach its residents. We have tools such as the ‘City Guide’ which serve as a medium to share information, we utilize online resources, and even if the requirement was removed the City could still utilize daily papers, just in a more cost effective fashion.

8. In general, the City needs expanded authority to protect built heritage, which could include:

Authority to enforce penalties for non-compliance

Authority to address demolition-by-neglect through property standards bylaws

Authority to adopt maintenance provisions

Authority to force building owners to conduct repairs

Authority to adopt conservation standards/maintenance standards for heritage buildings

Authority to enforce the salvage of historic elements in the case of demolition

Authority to enforce design guidelines for new developments in Heritage Areas

I would be open to further discussing these ideas and I hope these provide value to the discussion, and that we can make some important changes to the legislation being considered.

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