



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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### NOTICE OF MOTION

Request for Notice of Motion, Pursuant to Sections 37 and 38, Council Procedure Bylaw No. 2715, 2009.

Introduced: Regular Council – September 14, 2015

From: Councillor Beth Burton-Krahn

Subject: **Section 279 of the *Community Charter* – No Forced Amalgamations**

**WHEREAS:** Municipalities in Canada have traditionally been viewed as ‘creatures of the Province’ and do not enjoy separate distinct legislative status, but rather are subject to the wishes and will of provincial authority;

**AND WHEREAS:** In British Columbia, municipalities enjoy the highest level of autonomy among Canada’s local governments and the nation’s most equitable relationship with provincial authority, as laid out in the *Community Charter*;

**AND WHEREAS:** The practice of the current provincial government has been to recognize and respect the local autonomy of municipalities over matters of local jurisdiction including on matters of municipal amalgamation;

**AND WHEREAS:** More specifically, Section 279 of the *Community Charter* titled “No Forced Amalgamations”, legally ensures and reinforces that municipal autonomy is the highest value in the relationship with the provincial government;

**THEREFORE BE IT RESOLVED:** That the Township of Esquimalt seek confirmation from the provincial government and all provincial political parties within the British Columbia legislature with respect to their position on maintaining and respecting Section 279 of the *Community Charter*;

**AND BE IT FURTHER RESOLVED:** That this resolution be forwarded to the Association of Vancouver Island Coastal Communities conference in the Spring of 2016 and to the Union of British Columbia Municipalities conference in the fall of 2016 for debate and support.