

CITY OF WHITEHORSE
SPECIAL Council Meeting #2020-09
COUNCIL CHAMBERS at City Hall

DATE: April 9, 2020

TIME: 4:30 p.m.

Mayor Dan Curtis
Deputy Mayor Dan Boyd
Reserve Deputy Mayor Laura Cabott

AGENDA

CALL TO ORDER 4:30 p.m.

AGENDA Adoption

NEW AND UNFINISHED BUSINESS

1. Continue Suspension of Parking Meter Enforcement
2. Continue Suspension of Transit Fare Collection
3. Provide Interest and Penalty Relief for City Utilities and Other Invoices
4. Allow Temporary Disposal of Cardboard as Residual Waste

ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: April 9 th , 2020
RE: Continue the Temporary Suspension of Parking Meter Enforcement

ISSUE

Extending the temporary suspension of parking meter enforcement.

REFERENCE

Traffic Bylaw 2013-34 (as amended)
Council Resolution 2020-06-03

Municipal Act s. 265.02

HISTORY

The week of March 16th 2020 saw a drastic reduction in downtown parking as citizens and businesses began adapting their normal routines in response to the COVID-19 pandemic. On March 21st, 2020 Council passed a Resolution to suspend parking enforcement at metered stalls until April 13th, 2020.

On March 16th 2020, the Chief Medical Officer of Health for the Yukon declared a state of emergency in response to COVID-19. Section 265.02 of the *Municipal Act* provides that, "Despite any other provision in this Act, a council may take any temporary measure necessary to respond to and deal with an emergency."

ALTERNATIVES

1. Extend the temporary suspension of parking enforcement at metered stalls until the state of emergency is withdrawn.
2. Resume downtown parking meter enforcement.

ANALYSIS

Although physical distancing practices can be respected when Bylaw Services staff conduct parking meter enforcement, there is some concern with the contact of surfaces that occurs when coins are deposited into meters.

Since March 23rd, 2020 public drop-in services to City buildings have been temporarily suspended. While City Hall is currently closed to the public, services continue to be provided to the public online or by telephone. The temporary suspension of drop-in services at City Hall impacts some residents' ability to pay for parking tickets.

It is not possible to forecast the value of lost revenue attributable to extending the suspension of parking meter enforcement as the period of time the state of emergency will be in place is unknown. There is currently very little parking pressure in downtown Whitehorse given alterations to service levels of businesses and reduction in traffic.

As under the existing enforcement suspension, a continued suspension of enforcement relating to metered parking stalls would not impact the enforcement of other parking provisions within the Traffic Bylaw such as accessible parking stalls, commercial delivery stalls or fire hydrants for example.

RECOMMENDATION

THAT the temporary suspension of parking meter enforcement be extended until the public health emergency declared by the Chief Medical Officer of Health for the Yukon on March 16th, 2020 is rescinded, or until future directions issued by the Chief Medical Officer of Health otherwise permit.

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: April 9, 2020
RE: Continue Suspension of Transit Fare Collection

ISSUE

Extending the waiving of transit cash fares, monthly pass and ticket strip fees.

REFERENCE

Fees and Charges Bylaw 2014-36
Municipal Act s. 265.02

Council Resolution 2020-06-02

HISTORY

On March 21st 2020 Council passed a resolution to temporarily suspend the collection of fees for bus fares pursuant to Schedule 11 of Bylaw 2014-36 until April 13th 2020. This decision was made to assist with COVID-19 physical distancing recommendations as applied to City of Whitehorse transit buses, to eliminate direct contact between transit drivers and passengers, and in recognition that some passengers may be experiencing financial difficulty due to the COVID-19 emergency.

On March 16th 2020 the Chief Medical Officer of Health for the Yukon declared a public health emergency in response to COVID-19. Section 265.02 of the *Municipal Act* allows Council to take any temporary measure necessary to respond to and deal with an emergency.

ALTERNATIVES

1. Extend the waiving of transit cash fares, monthly pass and ticket strip fees until the state of emergency is withdrawn.
2. Resume the collection of transit cash fares, monthly pass and ticket strip fees.

ANALYSIS

The rationale to extend the waiving of transit cash fares, monthly pass and ticket strip fees is the same as the rationale behind the original recommendation to waive. It is not possible to forecast the value of lost revenue attributable to waiving these fees as the period of time the state of emergency will be in place is unknown. At present any ability to generate revenue from transit fares and fees is greatly reduced as ridership levels have dropped to approximately 36% of normal and a maximum of 12 passengers are allowed on buses at any one time in order to respect physical distancing guidelines.

RECOMMENDATION

THAT the temporary suspension of the collection of fees for bus fares be extended until the public health emergency declared by the Chief Medical Officer of Health for the Yukon on March 16th, 2020 is rescinded, or until future directions issued by the Chief Medical Officer of Health otherwise permit.

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: April 9, 2010
RE: Late payment relief for City utilities and other invoices

ISSUE

To provide interest and penalty relief for customers financially impacted by the COVID-19 pandemic.

REFERENCE

Water Utility Bylaw 2013-57

Fees and Charges Bylaw 2014-36

Assessment and Taxation Act RSY 2020, c.13

Municipal Act s. 265.02

HISTORY

Some residents and local businesses are experiencing increasing financial strain resulting from the loss of employment or closure of business as a result of the COVID-19 pandemic. In conjunction with other municipalities, the City of Whitehorse is considering changes to the way billing and collection for utilities and other services could be provided, with a focus on providing citizens and businesses with additional payment options.

Under the *Municipal Act* s.265.02, "Despite any other provision in this Act, a council may take any temporary measure necessary to respond to and deal with an emergency." Therefore, although in normal circumstances an amendment to the Fees and Charges Bylaw would be warranted, Council may make temporary accommodations by resolution.

ALTERNATIVES

1. Accept the recommendation to suspend the application of interest and penalty charges to late payments for utilities and other services.
2. Refer back to Administration.

ANALYSIS

Utilities and Other City Invoices

Based on a comparison of the billing practices other Canadian municipalities and utility service providers, Administration will continue to bill for utility services and other services as normal. However, to best serve the City's customers in these extraordinary times, the following changes to the City's current utility and other services collection activities are proposed to be implemented:

1. Suspend late payment charges on all utility accounts until September 30, 2020;
2. Suspend late payment charges on City invoices until September 30, 2020; and
3. Continue generating bill reminders and other related notices for customers in arrears so that they may stay informed of their current situation.

These measures would provide relief for customers who may not be able to afford to pay their bills. By suspending late payment charges, utility customers will be in a position to choose whether they are able to delay payments for utility services without negative financial impact.

Administration will continue to process payments for accounts that are set up for preauthorized payment, unless the customer requests to cancel their preauthorized payment plan. Customers will be able to cancel by sending an email, completing a brief online form, or by appointment, if necessary.

Regardless of what type of payment a customer may be having difficulty with, City staff are always willing to work with customers and collaborate on payment plans.

Property Taxation

Other municipalities are implementing plans to revise their respective property tax billing and collections activities. The City of Whitehorse and other Yukon communities are bound to the Government of Yukon's Assessment and Taxation Act. Administration continues to participate with the Yukon government and other Yukon municipalities as options are being explored.

Financial Implications

There are several financial implications, including the impact to the City's cash flow, an increase in future utility and other receivables collection activities due to larger arrears balances, and the lost revenue from not charging utility late payment charges.

However, Administration is confident that the City's liquidity position is not at significant risk. Using data from prior years, the total cost of not charging late payment charges for utility arrears and other receivables until September 30 is estimated to be approximately \$78,000.

RECOMMENDATION

THAT the application and collection of penalties and interest for late payments on water and waste water services, garbage collection and other City services, excluding property taxes, be suspended until September 30, 2020.

ADMINISTRATIVE REPORT

TO: Mayor and Council
FROM: Administration
DATE: April 9, 2020
RE: Allow Temporary Disposal of Cardboard as Residual Waste

ISSUE

Temporarily suspend enforcement of Schedule D, Section 11, of the Waste Management Bylaw to allow disposal of cardboard at the Waste Management Facility without penalty

REFERENCE

Bylaw 2018-15 Waste Management Bylaw – Schedule D – Controlled Waste
Municipal Act s. 265.02

HISTORY

Under the Waste Management Bylaw, penalties for unsorted, multi-customer waste loads containing controlled waste (Schedule D) or banned landfill waste (Schedule E) exceeding 10% of the total load came into effect on July 1, 2019. Per section 11 of Schedule D, this includes “clean, uncontaminated corrugated cardboard”.

On March 25, 2020 local recycling processors (P&M and Raven Recycling) closed their public drop-off to reduce the risk of staff and public exposure to COVID-19. This included most recyclables including loose cardboard.

One of the local recycling processors is continuing to accept cardboard in bulk from commercial sources such as grocery stores as that does not require handling in person during the processing cycle.

Soon after the processors’ announcement, the City sent out messaging encouraging residents to store clean recyclables in a location secure from wildlife. However, if needed, residents may dispose of waste in regular household waste (i.e., black carts).

Municipal Act

Section 256.02 of the *Municipal Act* provides that, “Despite any other provision in this Act, a Council may take any temporary measure necessary to respond to and deal with an emergency.” Therefore, Council has the authority to temporarily suspend enforcement of a bylaw.

ALTERNATIVES

1. Temporarily suspend enforcement of cardboard as a Controlled Waste to allow disposal of cardboard as residual waste at the Waste Management Facility.
2. Refer back to Administration.

ANALYSIS

With the actions taken by the local recycling processors, the Waste Management Facility will see cardboard exceed the 10% threshold of the total load that is set out Schedule D of the Waste Management Bylaw. This will mean that unsorted waste fees would be applied if cardboard is in excess of 10% of a waste load.

This is expected to cause concerns for the commercial waste haulers that pick up unsorted loads from multi-family dwellings or businesses, as well as for the City's residential pick up, as there is currently no avenue for residents and some businesses to dispose of their cardboard other than adding it to black bins or bringing it to the Waste Management Facility.

Administration is recommending a temporary suspension of enforcement of Schedule D, section 11, "clean, uncontaminated cardboard". The intended duration is for the period while the Chief Medical Officer of Health's declaration of a public health emergency remains in effect, and for a period of one month after it is lifted. The additional month is to allow for cardboard already disposed of in dumpsters or black bins before public health emergency is lifted to be processed without penalty.

RECOMMENDATION

THAT a temporary suspension of enforcement of Section 11 of Schedule D of the Waste Management Bylaw be authorized, effective immediately, to allow for the disposal of cardboard as residual waste; and

THAT the said temporary suspension be in place for a period of one month after the public health emergency declared by the Chief Medical Officer of Health for the Yukon on March 16th, 2020 is rescinded, or until future directions issued by the Chief Medical Officer of Health otherwise permit.