# Corporate Report

FILE:

NO: R289

COUNCIL DATE: November 29,

2004

REGULAR COUNCIL

TO: Mayor & Council DATE:

November 24, 2004

FROM: General Manager,

Planning and Development

3900-20-4832

SUBJECT: New Electrical Safety By-law

### RECOMMENDATION

It is recommended that Council:

- 1. Receive this report as information; and
- 2. Authorize the City Clerk to bring forward, for the required readings, a new Surrey Electrical Safety By law, as documented in Appendix "A" to this report.

#### BACKGROUND

The Province has introduced a new *Safety Standards Act*, S.B.C. 2003, c. 39, as amended (the "*Safety Standards Act*") and accompanying Regulations that replace, among other pieces of legislation, the former *Electrical Safety Act*, R.S.B.C. 1996, c. 109, as amended (the "*Electrical Safety Act*") and Regulations. This new legislation was discussed in Corporate Report Nos. R136 and R137, copies of which are attached as Appendices "B" and "C". Council considered these reports at its Regular meeting on June 7, 2004 and adopted the recommendations of each of the reports.

# DISCUSSION

The new Electrical Safety Regulations under the *Safety Standards Act* have replaced the Electrical Safety Regulations related to the former *Electrical Safety Act*. The new Regulations contain the authority for a local government to provide safety services and the City's current Electrical Inspection Safety By-law is now somewhat out-of-date. It is recommended that a new Electrical Safety By-law be adopted that updates the provisions of the current By-law to reflect the new *Safety Standards Act* and related Regulations, as well as to incorporate some housekeeping amendments.

As discussed in the attached Corporate Report No. R136, the new *Safety Standards Act* introduced an Administrative Agreement for the provision of safety services by local governments. At its regular meeting on June 7, 2004, Council approved the City entering into such an Administrative Agreement for the purpose of providing electrical safety services. It is recommended that this Administrative Agreement become a Schedule to the new Electrical Safety Bylaw.

The following provides a summary of changes between the current Electrical Inspection Safety By-law and the

proposed new Electrical Safety By law:

- 1. The "WHEREAS" preamble has been updated to make reference to the *Safety Standards Act* and the Administrative Agreement with the Province for the provision of electrical safety services in the City of Surrey. References in Electrical Inspection Safety By-law, 1979, No. 4832 to Regulation 487/95 are not required in the proposed new By-law, as the *Safety Standards Act* adequately addresses this;
- 2. The references to "City Chief Electrical Inspector" and "City Electrical Inspectors" in the existing Electrical Inspection Safety By-law, 1979, No. 4832 have been updated to "Electrical Safety Manager" and "Electrical Safety Officers", respectively, to be consistent with terms used in the *Safety Standards Act*. A provision has also been added to address the appointment of the current Chief Electrical Inspector and Electrical Inspectors as the Electrical Safety Manager and Electrical Safety Officers, respectively, under the *Safety Standards Act*;
- 3. A copy of the Administrative Agreement with the Ministry of Community, Aboriginal and Women's Services, for the purpose of administrating electrical safety services in the City is being attached as Schedule "A" to the new By law; and
- 4. In addition to changes directly related to the new legislation, reference to the "Marshall Swift Valuation Service" has been added in paragraph 1 of Schedule "B" Electrical Permit Fees. This service will be used as a tool for determining electrical installation values, which form the basis for assessing electrical permit fees. At present, for each electrical permit, the electrical contractor declares the value of the work that will be performed under the permit. The Marshall Swift Valuation Service is a guide produced at arms length from the City and the contractors that will ensure a consistent and fair approach to valuing the work covered by each electrical permit. Schedule "B" has also been amended to address some minor mathematical inconsistencies. These are minor housekeeping amendments that will not significantly change the fees charged for electrical permits.

Appendix "A", attached to this report, contains the proposed Electrical Safety By-law, which contains the above noted revisions, relative to the current Electrical Inspection Safety By law, 1979, No. 4832.

Legal Services has reviewed this report and proposed Electrical Safety By-law and has no concerns.

# **CONCLUSION**

Based on the above, it is recommended that Council authorize the City Clerk to bring forward, for the required readings, a proposed new Surrey Electrical Safety By law, as documented in Appendix "A" to this report.

Murray Dinwoodie General Manager Planning and Development

RJB/kms/saw

Attachments:

Appendix "A" - Proposed New Electrical Safety By-law

Appendix "B" - Corporate Report No. 136 (without attachment)

Appendix "C" - Corporate Report No. 137

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Appendix "A"

**CITY OF SURREY** 

BY-LAW NO.

A by-law to provide for the appointment of Electrical Safety Officers and the imposition of fees and permits and inspections.

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WHEREAS, the *Safety Standards Act*, S.B.C. 2003, c.39, as amended makes provision for a local government to enter into an Administrative Agreement for the purpose of regulating electrical work and the use of electrical equipment;

AND WHEREAS, the City has entered into an Administrative Agreement with the Province of British Columbia for the provision of electrical safety services, a copy of which is attached as Appendix "A";

The Council of the City of Surrey, in open meeting assembled, enacts the following provisions:

# Part 1 Introductory Provisions

# Title

1. This By-law may be cited as "Surrey Electrical Safety By-law, 2004, No. ".

# **Definitions**

2. In this By-law the following words and terms shall have the meaning assigned to them to the extent that they are not inconsistent with the terms and definitions of the *Safety Standards Act*, S.B.C. 2003, c. 38, as amended and Regulations:

### City

means the City of Surrey.

#### Council

means municipal Council of the City of Surrey.

# **Electrical Contractor**

means a person, not being the worker of the contractor, who does electrical work for another person and includes a utility corporation that does electrical work for another person.

# Electrical equipment

includes any apparatus, conduits, plant, pipes, poles, works and any other regulated product that is used, designed or intended for use for or in connection with the generation, transmission, supply, distribution or use of electrical energy for any purpose.

# **Electrical Safety Manager**

means the person who is appointed by *City Council* as the local safety manager under Section 12(2) of the *Safety Standards Act*, S.B.C. 2003, c. 39, as amended.

# Electrical Safety Officer

means a person who is appointed by *City Council* to inspect electrical installations and equipment within the *City* in accordance with Section 11 of the *Safety Standards Act*, S.B.C. 2003, c. 39, as amended.

# Electrical Permit

means authorization in writing by the *Electrical Safety Manager* to perform *electrical work* regulated by this

By-law.

# Electrical Work

means regulated work with respect to *electrical equipment* and includes the installation, alteration, repair or maintenance of *electrical equipment*.

# General Manager

means the person appointed by *Council* as the General Manager of Planning and Development or a duly authorized representative.

#### Homeowner

means the *owner* of a fully detached dwelling who lives in or intends to live in that dwelling as a permanent resident.

# Lot

means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the Land Title Office.

#### Owner

means the registered owner in fee simple of a *lot* and includes:

- (a) a registered holder of the last registered agreement of sale; and
- (b) all persons authorized to act for or on behalf of the registered owner of the *lot*.

#### **Premises**

means a place, building or structure on or in which any *electrical equipment* is kept, installed or used.

# Part 2 Application

- 3. The *Council* may from time to time appoint a local *Electrical Safety Manager* and one or more *Electrical Safety Officers* for the purpose of administering the *Safety Standards Act*, S.B.C. 2003, c. 39, as amended and the regulations made hereunder with the *City* and for the time being in force, all of whom shall work under the supervision and control of the *General Manager*.
- 4. The persons holding the positions of *Electrical Safety Manager* and *Electrical Safety Officers* shall be deemed to have been appointed as local *Electrical Safety Manager* and *Electrical Safety Officers*, pursuant to Sections 11 and 12(2) of the *Safety Standards Act*, S.B.C. 2003, c. 39, as amended.
- 5. Nothing in this By-law relieves an *owner* or *electrical contractor* from the duty to observe and obey all relevant statutes, regulations and by-laws and no inspection carried out by or on behalf of the *City* shall be deemed to constitute a representation by the *City* or any of its elected or appointed officials, officers, employees, servants or agents that the *premises* inspected are safe and sound.
- 6. No person shall commence, work on, or complete any *electrical work* for which an inspection may be required under the provisions of the *Safety Standards Act*, S.B.C. 2003, c. 39, as amended or the regulations made hereunder, unless he has first made an application for an *electrical permit* and has paid the permit fee in accordance with Schedule "B" attached to this By law.
- 7. Where *electrical work* is performed by a person without the required *electrical permit*, an *electrical permit* shall be obtained and the normally required *electrical permit* fees shall be doubled.

- 8. A separate *electrical permit* shall be obtained for each building or structure in which *electrical work* is being undertaken.
- 9. An *electrical permit* may only be issued to a *homeowner* for *electrical work* in a single detached dwelling, which the homeowner occupies or intends to occupy.
- An *electrical permit* is valid for a period of one hundred eighty (180) days from the date of the last inspection and if 10. work has not been completed, a supplementary permit or an extension of the regular permit must be obtained.
- 11. An *electrical permit* for the supply of temporary power to a construction site shall be valid for a period of one hundred twenty (120) days from the date of issue.
- 12. Any person who does, or causes to be done, or commences to do, any work for which an *electrical permit* is required under the provisions of this By-law, without having applied for such electrical permit is guilty of an offence and liable to the penalties prescribed by the Offence Act, R.S.B.C. 1996, c. 338, as amended.

# Part 3 **General Provisions**

13.	The following by-laws are hereby repealed:
	"Electrical Inspection Safety By-law, 1976, No. 4832"
	"Electrical Inspection By-law, 1976, No. 4832, Amendment By-law, 1981, No. 6568"
	"Electrical Inspection By-law, 1976, No. 4832, Amendment By-law, 1982, No. 7028"
	"Electrical Inspection By-law, 1976, No. 4832, Amendment By-law, 1983, No. 7590"
	"Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1989, No. 9961"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1990, No. 10367"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1991, No. 10868"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1994, No. 12385"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1996, No. 12829"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1997, No. 13221"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 1998, No. 13595"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 2000, No. 14189"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 2001, No. 14576"
	Electrical Inspection Safety By-law, 1976, No. 4832, Amendment By-law, 2003, No. 14929".
PASS	ED THREE READINGS on the day of , 2004.
RECO	ONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk and sealed with the Corporate Seal on the

, 2004.

day of

\_\_\_\_\_CLERK

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Schedule "A"

Schedule "B" to Electrical Safety By-law, 2004, No.

# **Electrical Permit Fees**

# **Installation Permits**

Fees for installation permits are based on the value of the electrical installation, including all material and labour and fees for design, testing, consulting and monetary worth of contributed labour and materials. The Marshall Swift valuation service

may be used to establish the value of an electrical installation.

Permit fees for homeowner permits are based on a deemed installation value of three times the cost of materials.

Value of Electrical Installation	Fee
\$0 - \$300	\$41.00
\$301 - \$700	\$67.00
\$701 - \$1,000	\$94.00
\$1,001 - \$10,000	\$94.00 plus \$29.00 per \$1,000 (or part thereof over \$1,000)
\$10,001 - \$50,000	\$355.00 plus \$14.00 per \$1,000 (or part thereof over \$10,000)
\$50,001 - \$100,000	\$915.00 plus \$9.70 per \$1,000 (or part thereof over \$50,000)
\$100,001 - \$500,000	\$1,400.00 plus \$7.80 per \$1,000 (or part thereof over \$100,000)
\$500,001 - \$1,000,000	\$4,520.00 plus \$4.60 per \$1,000 (or part thereof over \$500,000)
\$1,000,001 -and over	\$6,820.00 plus \$3.05 per \$1,000 (or part

thereof over \$1,000,000)

Electrical Permit fees will be divided into two (2) portions. Ten (10%) percent of the estimated Electrical Permit Fee will be deemed applicable to plan checking and ninety (90%) percent of the estimated Electrical Permit fee will be deemed applicable to inspection charges. Where one or more letters of assurance from a registered professional are required, the plan checking amount will be reduced by ten (10%) percent to a maximum deduction of Five Hundred (\$500.00) Dollars.

# (Schedule "B" continued)

Description of Permit or Service Fee						
Fee fo	or the extension of a regular permit	\$42.00				
Fee fo	or Re-inspection Orders	\$55.00				
	orary Entertainment Installation Permits (i.e., val, movie set, etc.) either initially or as a renewal	\$71.40				
Annual Electrical Operating Permits - Fees for annual permits shall be:						
(a)	for a commercial or industrial installation:  (i) per kva of service capacity adjusted to nearest dollar  (ii) minimum fee  (iii) maximum fee	\$0.22 \$82.00 \$2,260.00				
(b)	for educational facility installation:  (i) for each classroom, shop, laboratory, gymnasium, auditorium  (ii) minimum fee  (iii) maximum fee	\$2.25 \$79.15 \$2,217.00				
(c)	for entertainment equipment set up (i) for each set up location (ii) minimum fee	\$253.40				
Surve	y Permits					
(a)	fee for a survey of single or duplex dwellings	\$60.00 [one (1) hour minimum] \$93.50 [one (1) hour minimum]				
(b)	fee for a survey of commercial or industrial premises					
Special Inspections:						
Where an applicant wishes a special inspection not provided for in the fee schedule, the fee shall be:						
(a)	during normal working hours	\$60.20 [one (1) hour				
(b)	after hours during which the offices of the City Hall are normally open, the fee, in addition to	minimum] \$417.00 plus				

other required fees, to be based on the time actually spent in making such inspection, including travelling time

\$104.50 per hour for each hour or part thereof beyond four (4) hours

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Appendix "B"



# Corporate Report

NO:		

COUNCIL DATE:

# **REGULAR COUNCIL**

TO: Mayor &

Council

FROM: **General Manager, Planning** FILE: 0125-020

& Development

SUBJECT: Safety Standards Act - Administrative

> Agreement with the Province Regarding the Continued Provision of Electrical Safety

DATE:

May 31,

2004

Services by the City of Surrey

#### RECOMMENDATION

It is recommended that Council authorize the Mayor and City Clerk to execute the Administrative Agreement, attached as Appendix I to this report, between the Province of British Columbia and the City of Surrey, regarding the continued provision of electrical safety services by the City of Surrey within the City.

#### **INTENT**

The purpose of this report is to obtain Council authorization for the Mayor and City Clerk to execute an Administrative Agreement with the Province related to the continued provision of electrical safety services by the City under the Safety Standards Act, S.B.C. 2003, c. 39 (the "Safety Standards Act").

### BACKGROUND

This report is to be read in conjunction with the Corporate Report entitled "Safety Standards Act and Regulations – Response to B.C. Federation of Labour Concerns" that is to be considered by Council at the same meeting as this report.

# **DISCUSSION**

The Province has introduced the new *Safety Standards Act* to consolidate and update, among other things, the current *Electrical Safety Act*, R.S.B.C. 1996, c. 109, *Elevating Devices Safety Act*, R.S.B.C. 1996, c. 110, *Gas Safety Act*, R.S.B.C. 1996, c. 169 and the *Power Engineers and Boiler and Pressure Vessel Safety Act*, R.S.B.C. 1996, c. 368 (the "*Acts*"). To address the existing circumstances where some local governments provide some of the services covered by some of these *Acts*, the *Safety Standards Act* introduces an Administrative Agreement that will act to formalize these existing arrangements between the Provincial government and the related local government. The relevant provisions of the *Safety Standards Act*, related to these Administrative Agreements become effective June 30, 2004, so as to allow affected local governments sufficient time to obtain proper authority to execute such an Agreement. There are 11 local governments that provide electrical and/or gas inspections as part of integrated building inspection programs. Each of these local governments is required, under the *Safety Standards Act* to enter into an Administrative Agreement with the Province if it wishes to continue providing specific safety services covered under that *Act*.

The Province has conducted Local Government Forum meetings over the past year involving representatives of the 11 local governments providing gas and/or electrical inspection services. The focus of these meetings was to develop an agreement that was as simple as possible, addressing only the requirements of the new *Safety Standards Act*. The Administrative Agreement, attached as Appendix I, is the result of these meetings. The provisions of the Administrative Agreement will not change how the City of Surrey provides electrical inspection services or how it liaises with the Provincial inspection authorities. Further, the Administrative Agreement will not add any new significant requirements or costs to the City or increase liability for the City, in continuing to provide electrical safety services in the City of Surrey. The Administrative Agreement calls for the City to enter into a Memorandum of Understanding ("MOU") with the new Safety Authority regarding, the sharing information between the City and the Safety Authority. Staff will work with officials of the Safety Authority in structuring such a MOU and will forward it to Council for approval if its contents go beyond the authority of staff to execute.

The Administrative Agreement and this Corporate Report have been reviewed by the City Solicitor and were found acceptable.

# **CONCLUSION**

Based on the above information, it is recommended that Council authorize the Mayor and City Clerk to execute the Administrative Agreement, attached as Appendix I to this report, between the Province of British Columbia and the City of Surrey, regarding the continued provision of electrical safety services by the City of Surrey within the City.

*Original* signed by

Murray Dinwoodie General Manager Planning and Development

RJB/kms/rdd/saw Attachment

Appendix "C"



Corporate Report

NO: \_\_\_\_\_

#### REGULAR COUNCIL

TO: Mayor & Council DATE: May 31, 2004

FROM: General Manager, Planning FILE: 0125-020

and Development

**SUBJECT:** Safety Standards Act and Regulations

#### RECOMMENDATION

It is recommended that Council:

- 1. Receive this report as information;
- 2. Authorize the Mayor to forward a letter to the Minister of Community, Aboriginal and Women's Services recommending that the Minister establish, under the current authority granted by legislation, an advisory board related to electrical safety services in the Province; and
- 3. Instruct the City Clerk to forward a copy of this report to Mr. Jim Sinclair, President, B.C. Federation of Labour.

#### INTENT

The purpose of this report is to provide information to Council about the issues raised in a letter and attachment, dated March 3, 2004, from Mr. Jim Sinclair of the B.C. Federation of Labour, regarding the new *Safety Standards Act* and related Regulations.

# BACKGROUND

At its Regular meeting on Monday March 22, 2004, Council considered a letter and attachment, dated March 3, 2004, from Mr. Jim Sinclair, President of the B.C. Federation of Labour. The letter included a request to appear before Council as a delegation to express concerns regarding the new *Safety Standards Act* and related Regulations. The letter also included a draft resolution for Council's consideration. Council resolved to refer the letter and attachment to staff. A copy of each of the letter and attachment are attached to this report as Appendix I.

The Provincial government, over approximately the last two years, has undertaken a process toward the creation of a new *Safety Authority Act* (Bill 20), a new *Safety Standards Act* (Bill 19) and associated Regulations. This work was based on the fundamental position that many of the services traditionally delivered by the Province can be more effectively delivered by non-governmental agencies under appropriate legislation and regulations.

The new *Safety Standards Act* was adopted in the Legislature on March 24, 2003 and along with the Regulations, took effect on April 1, 2004. Municipalities, including the City of Surrey, through representation on local government task groups, have had an opportunity to review the *Act* and related Regulations during their creation and to provide input toward their finalization. Only recently, have the final versions of the *Safety Standards Act* and associated Regulations been published. The final release of the Regulations is dated March 22, 2004.

It appears that the submission to Surrey City Council, dated March 3, 2004, by the B.C. Federation of Labour (the "BCFL") is generally referring to draft regulations that were distributed for discussion purposes earlier in the process of developing the *Act* and Regulations. The legislation and Regulations that came into effect April 1, 2004 is substantially different than these earlier versions. Many of the issues that are raised by the BCFL have been addressed. There are a few concerns that remain outstanding and will be the subject of further discussions between the Province, the new Safety Authority and municipalities.

A legislative framework of statutes, regulations and local government by-laws that incorporate national and Provincial codes, governing the installation and operation of regulated products, is the basis of the Provincial safety

system. The *Local Government Act* enables municipalities to administer safety services in the areas of building, plumbing and fire safety. The new safety system regulations apply to electrical systems, gas systems, refrigeration equipment, boilers and pressure vessels, elevating devices, aerial tramways, amusement rides and intra-provincial railways.

The Safety Standards Act and Safety Authority Act were introduced as part of the "Safety System Transformation Project" initiated by the Ministry of Community, Aboriginal and Women's Services. The Safety Standards Act was created to consolidate and update the Electrical Safety Act, Elevating Devices Safety Act, Gas Safety Act, and Power Engineers and Boiler and Pressure Vessel Safety Act, as well as to transfer some provisions of the Railway Act. The City of Surrey provides electrical inspection services and, therefore, has a more specific interest in the impact of changes to legislation covering this area.

The Safety Authority Act transferred the delivery of Provincial Safety Services to a stand alone, not for profit agency called the "B.C. Safety Authority". The Province will continue to oversee the delivery of safety services and the development of safety regulations and policies related to the delivery of those services. The new Safety Authority will act to deliver safety services (inspections, examinations, contractor licensing, etc.) throughout the Province for all the disciplines covered by the Safety Standards Act. The only exception will be for gas and/or electrical inspection services provided by several local jurisdictions as follows:

Vancouver Gas and Electrical
Burnaby Gas and Electrical
North Vancouver City Gas and Electrical
North Vancouver District Gas and Electrical
Maple Ridge Gas and Electrical

Richmond Gas
Kelowna Gas
Coquitlam Gas
Victoria Electrical
West Vancouver Electrical
Surrey Electrical

These municipalities, including Surrey, have had the opportunity to provide input during the development of the Regulations under the *Safety Standards Act*. Concerns raised by the municipalities were similar to many of the concerns that are raised by the BCFL in their correspondence to the City. As a result of the concerns raised by the municipal representatives, the Province made amendments to the both the *Act* and the regulations. The Province has also committed to continue dialogue with municipalities to clarify outstanding items such as "Equivalent Standards Agreement", Advisory Boards, etc.

A Corporate Report to Burnaby City Council addressed the BCFL submission (a similar submission to that forwarded to Surrey) in a point-by-point manner. This report, which was copied to the UBCM and member municipalities, is attached as information (see Appendix II). City staff has reviewed this report and are satisfied that the report fairly reflects the current status of the subject matter.

# **DISCUSSION**

# Administrative Agreement

The Safety Standards Act introduces an Administrative Agreement requirement for any local government that currently provides gas and/or electrical safety services. This agreement is intended to formalize the existing arrangement for such services without changing how the local government provides the service or the liability to which the local government is exposed in providing the service. After extensive discussions, an Administrative Agreement identical in content for all jurisdictions has been produced. A separate Corporate Report is being forwarded to Council seeking Council authority to enter into such an Agreement with the new Safety Standard Authority, in respect of the City of Surrey continuing to provide electrical safety services within its boundaries.

# Provincial Advisory Board

A Provincial Advisory Board was a requirement of the previous *Electrical Safety Act*. The Board provided advice to the Ministry on matters affecting electrical safety and positively influenced the quality of electrical codes and systems

in the Province over the years. In essence, the Board provided a measure of risk management to the Province, local governments and the public. Clause 81 of the new *Safety Standards Act* permits the Minister to establish one or more advisory boards to provide advice to the Minister on safety, standards, qualifications and licensing, enforcement and other related matters. While this provision is available to the Minister, the Minister, at this time, has not yet established such an advisory board in relation to electrical safety systems. On the basis that such a board can positively influence electrical safety in the Province, it is recommended that Council authorize the Mayor to forward a letter to the Minister recommending that the Minister establish an advisory board on electrical safety services.

# Operation of Overhead Cranes/Elevating Devices

The Safety Standards Act covers, among other things, the operation of overhead cranes/elevating devices. Council has informally raised concerns regarding changes to the legislation and regulations related to the adequacy of the training of operators of such devices. The City has always relied upon the Province to administer the legislation and regulations related to the safe installation and operation of overhead cranes/elevating devices in the City, including the training of the operators. The new legislation transfers the administration of the legislation and regulations to a new Safety Authority. With respect to training, a new Industry Training Authority has been established by legislation that operates independently of the Safety Authority. Training requirements for those who undertake work regulated by the Safety Authority, including the operation of overhead cranes, falls under the jurisdiction of this new Training Authority. Based on conversations with Provincial officials, City staff has been advised that there has been no change in the training and qualification requirements for operators of cranes/elevating devices. There had been an initiative by the Province to a more generic qualification for such operators, but resistance from the industry and unions has caused them to re-think the approach and leave the existing requirements in place. City staff has been further advised that work is beginning on potential changes to the formal training program for operators, but such changes will likely not be finalized for implementation for at least a year.

#### **CONCLUSION**

The Safety Standards Act and the draft legislation and Regulations produced by the Province prompted an aggressive response by the BCFL, as contained in Mr. Sinclair's letter and attachment of March 3, 2004 to City Council. Contractors associations, Ministry advisory groups, local governments, inspectors associations and many others brought forward similar concerns in reviewing drafts of the legislation and Regulations. This input resulted in significant changes to the Regulations that addressed most of the concerns raised by the BCFL and others and a commitment by the Province for continued dialogue to refine and clarify outstanding items and, if necessary, further modify the Regulations. Staff will continue to focus its efforts on working with other jurisdictions in assisting the Province in meeting this commitment.

It is recommended that Council authorize the Mayor to forward a letter to the Minister of Community, Aboriginal and Women's Services urging the Minister to establish, under the current authority granted by legislation, an advisory board related to electrical safety services in the Province. It is further recommended that Council instruct the City Clerk to forward a copy of this report to Mr. Jim Sinclair, President of the BCFL.

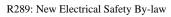
Original signed by

Murray Dinwoodie General Manager Planning and Development

RJB/kms/saw Attachment

Appendix I Letter dated March 3, 2004 from B.C. Federation of Labour

Appendix II Letter dated May 5, 2004 & Report dated April 28, 2004 from City of Burnaby



Appendix I

