Dear UBCM Member Municipalities

Re: Ban on the Possession, Sale, Trade and Distribution of Shark Fins

Port Moody City Council on May 22, 2012 adopted an amendment to Port Moody’s Business License Bylaw to prohibit the possession, sale, trade and distribution of shark fins within the City of Port Moody. A related Municipal Ticket Information Utilization Bylaw was also adopted to establish a fine of $500.00 for violation of this provision of the Business License Bylaw.

On behalf of Council for the City of Port Moody, I am writing to urge all British Columbia municipalities to consider taking similar action on this issue.

Port Moody’s consideration of this ban began with a delegation request from a Port Moody resident, Mr. Jeff Congram. When Mr. Congram made his presentation, the issue sparked considerable encouragement from community members and others to take a stand against the ecologically destructive practice of killing sharks for their fins. Below is a summary of those representations taken from Port Moody Council’s meeting minutes of April 10, 2012:

Public Input Period:

Rebeka Breder, Port Moody, spoke in favour of the proposal to ban shark fin products in the City of Port Moody. As a lawyer, her research indicates that under the general provisions of the Community Charter, Port Moody Council can adopt bylaws related to animals and the regulation of businesses. She also noted a number of cities have put such bans in place. She submitted a memorandum she has prepared on the jurisdiction of British Columbia municipalities to ban shark fin products.
April Facey, Port Moody, spoke in support of the proposed ban on shark fin products. She related that when industry closed in Chemainus where she lived at the time, the community banded together and became a tourism destination, noting that if communities pull together they can make great changes. She suggested that as a community, Port Moody could bring the change that the shark fin ban suggests.

A group of school children and their teacher from Moody Elementary School attended and made a presentation on the research the class has done related to shark fin harvesting. They highlighted many of the negative impacts of the practice. The students read a letter that they had previously sent to Mayor and Council expressing their concerns for the environmental impact of the current practice of use of shark fin products.

Susan Ruzic, Port Moody resident and Teacher Librarian from Moody Elementary School spoke in support a ban on shark fin products. She also suggested Council look at the triple bottom line when considering bylaws, that is the financial, social and environmental impacts.

Gabriel Wildgen, resident of Montreal, Quebec and campaigner with Humane Society International, spoke in support of a ban on shark fin products. He outlined the activities that Humane Society International is engaged in to promote bans on use of shark fin products.

Phil Gillies, resident of Brantford, Ontario spoke on behalf of the Conservation Society of Canada indicating that he and his colleagues started the process over a year ago to ban shark fin products. He encouraged Port Moody to be the first municipality in British Columbia to ban shark fin products. He outlined numerous issues upon which this decision should be made, including environmental conservation, health, cruelty and law and order.

Rob Sinclair, resident of Toronto, Ontario urged Council to adopt a bylaw in Port Moody banning use of shark fin products. He provided a number of examples where governments in other countries are prohibiting use of shark fin products.

Formal Delegation: Jeff Congram – Shark Fin Ban:

Mr. Congram spoke in support of his request that Council implement a ban on the trade, sale and distribution of shark fins in Port Moody. He outlined his reasons for proposing this which includes the ecological impact, health concerns, the fact that the fins are used only to add texture rather than flavour and the cruelty associated with harvesting the shark fins.
MP Fin Donnelly also appeared before Council to respond to questions regarding activities in Ottawa on this issue.

Port Moody City Council will be submitting a resolution to the 2012 UBCM Convention to urge the Provincial Government to enact provincial legislation that would cover the entire province. This process may take some time, so in the meantime we urge all UBCM member municipalities to adopt similar regulations to ban the possession, sale, trade and distribution of shark fins in your communities.

Attached is a staff report that recommended enacting appropriate regulations for our purposes. This recommended approach was based on a legal opinion obtained from the city's solicitor. We hope this information will be of assistance to you in your consideration of this important issue.

Yours truly,

M.E. (Mike) Clay
Mayor
APPLICATION FOR DELEGATION TO COUNCIL

If you have any questions concerning this form, please contact Colleen Rohde, City Clerk, 469-4505. You may fax the completed form to the attention of the City Clerk at 469-4550, drop it off at the Clerk’s Department at City Hall, or mail it to City Hall. Council’s delegation policy and current meeting schedule are attached for your reference. Thank you for fully answering the questions below. It will greatly assist us in assisting you with your presentation to Council.

DATE: February 21, 2012

NAME: JEFF CONGRAM

REPRESENTING: (NAME OF GROUP OR ORGANIZATION) ________________________________

MAILING ADDRESS:

115 Clearview Dr
Post Moody V3H 2S7

STREET ADDRESS (IF DIFFERENT FROM MAILING ADDRESS) ________________________________

TELEPHONE NUMBER (DAYTIME)

604 616 6457

FAX: ________________________________

PREFERRED MEETING DATE FOR DELEGATION TO COUNCIL

March 27, 2012

ALTERNATIVE DATE:

March 13, 2012

IF THERE IS AN URGENCY TO YOUR DELEGATION TIMING, PLEASE PROVIDE DETAILS BELOW:

____________________________________________________________________________________

IN THE SPACE BELOW, PLEASE BE VERY SPECIFIC ABOUT WHAT ACTION YOU WOULD LIKE COUNCIL TO TAKE IN RESPONSE TO YOUR DELEGATION. PLEASE ATTACH COMPLETE BACKGROUND INFORMATION IN SUPPORT OF YOUR REQUEST.

Asking council to consider and implement a city ban on the trade, possession, consumption of shark fins in our community.

IN YOUR PRESENTATION TO COUNCIL, ARE YOU REQUESTING ANY FINANCIAL OR “IN-KIND” ASSISTANCE? **YES □ NO □

**IF YES, APPROXIMATE AMOUNT MUST BE INCLUDED: ______________________________**

IN THE SPACE BELOW, PLEASE INDICATE WHAT, IF ANY, SPECIAL PRESENTATION EQUIPMENT YOU REQUIRE FOR YOUR PRESENTATION: (WIRELESS MICROPHONE, OVERHEAD PROJECTOR, VCR, FLIP CHART, EASEL, ETC.)

____________________________________________________________________________________

Following your delegation, Council members may have questions for clarification. Council may then, either refer the issue to the next or a subsequent meeting of Council, refer the issue to staff for a report and/or refer the issue to a committee for consideration and recommendation back to Council. You will be advised in writing of Council’s further action.

THANK YOU FOR YOUR INTEREST IN YOUR COMMUNITY.
COUNCIL AND STAFF WILL STRIVE TO ADDRESS YOUR CONCERNS.

ALL PERSONAL INFORMATION IS COLLECTED AND MAINTAINED PURSUANT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT
QUESTIONS CAN BE DIRECTED TO THE CITY CLERK, 604-469-4505.
The consumption of shark fins symbolizes the worst of humanity's disregard for nature.

Aside from the extreme cruelties and wastefulness of this dish it also threatens to disrupt an entire ecosystem that may have global impacts we do not even realize at this time.

As an ocean community and a regional leader on environmental issues it does not fit with our own morals and ethics.

Port Moody has the opportunity to set an example for our region and again show why we have received international recognition as a most livable city.

A small community like ours in Ontario passed a ban last year which sparked 7 others to do so including Toronto.

I hope our concil sees this as a worthy issue.
City of Port Moody
Report/Recommendation to Council

Date: May 01, 2012
Submitted by: Development Services Building, Bylaws and Licencing Section
Subject: Ban on the possession, sale, trade and distribution of Shark Fins

Purpose
To provide draft amendments to Business Licencing Bylaw No. 1508 and Municipal Ticketing Information Utilization Bylaw No. 2896 for Council’s consideration.

Background
At the April 10, 2012 Regular Council meeting, Council resolved;

THAT the City of Port Moody implement a ban on the possession, trade, sale and distribution of shark fins or their derivative products with the exception of possession for educational bona fide research purposes.

Analysis
The most effective bylaw to implement a ban on the possession, sale, trade and distribution of shark fins is Business Licencing Bylaw No 1508. Under this bylaw staff have the ability to refuse a business licence to applicants that propose this use and issue fines to businesses conducting this activity. Council would also have the ability to revoke a business licence if the business was found to be conducting business contrary to the bylaw.

Included as Attachment “A” is proposed Business Licencing amending Bylaw No. 2936. Should Council give Bylaw No. 2936 three readings notice of consideration of the bylaw will be provided in a manner consistent with the Community Charter.

Included as Attachment “B” is a proposed amendment to Municipal Ticketing Bylaw No. 2896 which, if adopted would provide for a $500.00 fine for possessing, trading, selling or distributing shark fins or their derivative products with the exception of possession for educational bona fide research purposes.

Communications
Notice of the proposed amendment will be provided in accordance with the Community Charter, which will involve a notice being placed on the City’s website and in two consecutive issues of the local paper. As well, the opportunity will be provided for residents and business owners to provide comment directly to Council at the May 22, 2012 meeting.
Report/Recommendation to Council
Ban on the possession, sale, trade and distribution of Shark Fins
May 01, 2012

Budgetary Impact
There is no budgetary impact with respect to the recommendations in this report.

Council Strategic Plan Objectives
This proposed action is consistent with the 2009 Council Strategic Plan which includes a goal to preserve, protect, and enhance our natural environment which includes green spaces, wildlife, air and water.

Sustainability Implications
This issue was generated external to the City and therefore not applicable to the Community Sustainability Plan.

Policy Implications
N/A

Alternatives
1. That Council not give Bylaw No. 2936 and Bylaw No. 2938 three readings.
2. That Council give direction to staff.

Recommendations
THAT Bylaw No. 2936 be now read a first time
THAT Bylaw No. 2936 be now read a second time
THAT Bylaw No. 2936 be now read a third time

THAT Bylaw No. 2938 be now read a first time
THAT Bylaw No. 2938 be now read a second time
THAT Bylaw No. 2938 be now read a third time

THAT staff be directed to provide notice which Council considers reasonable of the proposed amendment to the Business Licence Bylaw as outlined in the report dated May 1, 2012 prepared by Development Services which includes placing a notice in two consecutive issues of the local paper and on the City's website and providing an opportunity for the community to provide comment at the May 22, 2012 Regular Meeting of Council.

Prepared by: Tim Savoie
Manager of Building, Bylaws and Licencing

Approved for Submission to Council:
Tim Savoie
Acting City Manager
Report/Recommendation to Council

Ban on the possession, sale, trade and distribution of Shark Fins
May 01, 2012

Approvals

Supervisor (initials):  Department Head (initials):

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<tr>
<th>Corporate Review</th>
<th>Initials</th>
<th>Committee Review</th>
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Council/Agenda Information

Regular Council Meeting  Date: May 8, 2012  Item # 4.3
City of Port Moody Business Licencing By-law, 1980, No. 1508, Amendment Bylaw No. 5, 2012, No. 2936

WHEREAS the City has adopted Business Licencing Bylaw 1980 No. 1508 to regulate business within the City;

AND WHEREAS City wishes to further amend the Business Regulation Bylaw to regulate an aspect of business activity;

AND WHEREAS Council considers the trade, sale or distribution of shark fin products to be a noxious and offensive business activity and wishes to ban the use of such products for the purpose of protection and enhancement of the well being of the City;

NOW THEREFORE, the Council of the City of Port Moody, in open session assembled, enacts as follows:

1. Citation
   1.1 This Bylaw may be cited as City of Port Moody Business Licencing By-law, 1980, No. 1508, Amendment Bylaw No. 5, 2012, No. 2936

2. Amendment
   2.1 “City of Port Moody Business Licencing Bylaw No. 1508” is amended by adding the following Section:

   8. (iii) possess, trade, sell or distribute shark fins or their derivative products with the exception of possession for educational bona fide research purposes.

3. Effective Date
   3.1 This bylaw shall come into force and take effect upon final adoption thereof.

4. Severability
   4.1 If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.
Read a first time this ______ day of __________.
Read a second time this ______ day of __________.
Read a third time this ______ day of __________.
Adopted this ______ day of __________.

________________________________________  ______________________________________
Mayor                                                                                   City Clerk
City of Port Moody Municipal Ticket Information Utilization Bylaw, 2012, No. 2938

A bylaw to amend Section 5 of Business Licensing Bylaw No. 1508 as it relates to the sale, trade and possession of shark fins.

The Council of the City of Port Moody enacts as follows:

1. Citation
   1.1 This Bylaw may be cited as City of Port Moody Municipal Ticket Information Utilization Bylaw, 2012, No. 2938.

2. Amendments
   2.1 Bylaw No. 2896 is amended as follows:
       (a) By deleting Schedule 5 and replacing it with Schedule 5 attached to and forming part of this bylaw.

3. Attachments and Schedules
   3.1 Schedule 5 – Business Licensing Bylaw No. 1508

4. Effective Date
   4.1 This bylaw shall come into force and take effect upon final adoption thereof.

5. Severability
   5.1 If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.
Read a first time this ____________ day of ____________.

Read a second time this ____________ day of ____________.

Read a third time this ____________ day of ____________.

Adopted this ____________ day of ____________.

__________________________________________        ____________________________
Mayor                                             City Clerk
### Schedule 5

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<thead>
<tr>
<th>Business Licensing Bylaw No. 1508</th>
<th>Section</th>
<th>Fine</th>
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<tbody>
<tr>
<td>License Not Posted</td>
<td>7</td>
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<tr>
<td><strong>Sell, trade, possess shark fins</strong></td>
<td>8(iii)</td>
<td>$500.00</td>
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<td>Failure To Maintain Accurate Record</td>
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<td>Failure To Produce Record</td>
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<td>Employ/Engage In Business Person Without Prior Approval</td>
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<tr>
<td>Failure To Maintain Accurate Client Register</td>
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