

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2331, 2021

A Bylaw to Amend Council Procedure Bylaw No. 2063, 2013

WHEREAS the Council of the Corporation of the District of Peachland has adopted Council Procedure Bylaw Number 2063, 2013;

AND WHEREAS it is deemed necessary to amend Council Procedure Bylaw Number 2063, 2013;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the District of Peachland, in open meeting assembled, hereby enacts the following:

1. THAT Section 3.2 – Location of Regular Meetings be amended to read as follows:

3.2 Location of Council Meetings and Public Hearings

All Council meetings and public hearings shall take place at Council Chambers, 4450 6th Street, Peachland, B.C. unless Council passes a resolution to hold a particular meeting elsewhere or the meeting is conducted by means of electronic or other communication facilities.

- a) For meetings that are conducted by means of electronic or other communication facilities, the Corporate Officer will designate a location for the public to hear, or watch and hear, the meeting proceedings. A designated municipal officer must be in attendance at that location.

2. THAT Section 3.9 – Electronic Meetings be amended to read as follows:

3.9 Electronic Meeting and Participation by Members

1. Electronic Meetings

Provided the conditions set out in the Community Charter are met:

- a) A Special Council meeting may, upon authorization of the Mayor or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.
- b) A Regular Council meeting may, upon authorization of the Mayor or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.

2. Participation by Members in Electronic Meetings

Provided the conditions set out in the Community Charter are met:

- a) A member of Council who is unable to attend at Regular Council, Special Council meeting may participate in the meeting by means of electronic or other communication facilities.
- b) The member presiding at a Regular Council or Special Council meeting must not participate electronically unless the meeting is conducted by means of electronic or other communication facilities.

3. THAT Section 3.10 – Notice of Electronic Meetings be added as follows:

3.10 Notice of Electronic Meetings

1. For a meeting conducted by means of electronic or other communication facilities, the Corporate Officer must give notice, in the same manner as provided for a Regular Council meeting in section 3.6 of this bylaw or for a Special Council meeting in section 3.8 of this bylaw and shall include:
 - a) The meeting agenda, including confirmation of the time and date;
 - b) The way in which the meeting is to be conducted; and
 - c) The place where the public may attend to hear, or watch and hear, the proceedings
4. THAT Section 5.3 (6) be added as follows:

5.3 Opportunities to Address Council

6. Persons who are authorized to present at a Council meeting and who are unable to attend in Council Chambers may participate in the meeting by means of electronic or other communication facilities.
5. THAT Sections 14.6 - Electronic Committee Meetings be added as follows:

14.6 Electronic Committee Meetings

1. Committee meetings may be conducted by means of electronic or other communication facilities and committee members may participate by means of electronic or other communication facilities in accordance with sections 3.9(2) and 5.3(6) of this bylaw.
 2. For a Committee meeting conducted by means of electronic or other communication facilities, public notice will be given in the same manner as provided for in section 3.10 of this bylaw.
6. THAT the following Sections of Section 14 – Committees be renumbered as follows:

Section 14. Committees

- 14.7 Chairperson of Committees
- 14.8 Minutes and Quorum
- 14.9 Conduct and Debate
- 14.10 Conflict of Interest
- 14.11 Voting Rules of a Committee Meeting

7. THAT **Schedule “A” – Public Hearing Protocol** be amended as attached to this bylaw.
8. This Bylaw shall take effect upon its adoption by the Council of the Corporation of the District of Peachland.

READ A FIRST TIME, this 12th day of October, 2021.

READ A SECOND TIME, this 12th day of October, 2021.

READ A THIRD TIME, this 12th day of October, 2021.

ADOPTED, this day of

Mayor

Corporate Officer

Dated at Peachland, B.C.
This day of

SCHEDULE "A"

PUBLIC HEARING PROTOCOL

PURPOSE:

To provide guidelines for the procedures of and the participation in Public Hearings of Council

DEFINITION:

A "Public Hearing" is a statutory requirement under the Local Government Act. A Public hearing must be held after the second reading, and before the third reading, of an Official Community Plan or Zoning Bylaw. During a Public Hearing, Council acts in a quasi-judicial role for purposes of allowing the public to make representation on matters contained within the bylaw.

PROTOCOL:

All persons who believe that their interest in property is affected by a proposed bylaw must be afforded a reasonable opportunity to be heard.

Owners, applicants, and members of the public may participate in the public hearing in person, by means of electronic or other communication facilities, or by written submission.

Any person wishing to participate in a public hearing by means of electronic or other communication facilities must submit their request to the Corporate Officer prior to the Public Hearing.

When there are a large number of people present wishing to speak, a speaking list will be available for the public to sign. For those persons who do not sign the lists, or arrive too late to sign the lists, the presiding member shall ask three times, "Are there any other persons wishing to speak to this bylaw", before declaring that the hearing on that particular bylaw is closed.

The Order of Business at a Public Hearing will proceed as follows for each bylaw:

1. Open Public Hearing and Introduction of Bylaw
2. Presentation by staff
3. Presentation from Applicant
4. Representation from the Public
5. Close (or adjourn) Public Hearing

The role of Council is to hear representation from those persons who wish to provide comments regarding the proposed bylaw. Everyone who wishes to speak shall be given the opportunity to be heard. No one will be, or should feel, discouraged or prevented from making his or her views known. However, it is important that all who speak at these meetings restrict their remarks to matters contained in the bylaw, and it is the responsibility of the presiding member of the Public Hearing to ensure that remarks are so restricted.

Members of Council may, if they so wish ask questions following the presentation. However, the main function of Council members is to listen to the views of the public. It is not the function of Council at the Public Hearings to debate the merits of the proposed bylaw with individual citizens.

No decision will be made at the Public Hearings, but the entire proceedings will be considered by Council at a subsequent meeting.

Written submissions received prior to the Public Hearing shall be circulated to Council and recorded as

part of the official record by the Corporate Officer.

No further information or representations can be considered by Council after the public hearing is closed.