

CONSOLIDATION FOR CONVENIENCE PURPOSES ONLY OF BYLAW 3487, 3557, 3578,

3617

**CITY OF CAMPBELL RIVER**

**PROVINCE OF BRITISH COLUMBIA**

**BYLAW NO. 3487**



**A BYLAW OF THE CITY OF CAMPBELL RIVER TO PROVIDE THE TERMS OF REFERENCE FOR COUNCIL'S ADVISORY PLANNING & ENVIRONMENT COMMISSION.**

WHEREAS the Council of the City of Campbell River may, pursuant to Section 143(1) of the *Community Charter*, establish Commissions;

AND WHEREAS the Council of the City of Campbell River has deemed it appropriate to establish an Advisory Planning & Environment Commission;

NOW THEREFORE the Council of the City of Campbell River, in open meeting assembled, enacts as follows:

**1. TITLE:**

This Bylaw may be cited for all purposes as "**Advisory Planning & Environment Commission Bylaw No, 3487, 2012**".

**2. DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

"**Commission**" means Advisory Planning & Environment Commission

"**City**" means the City of Campbell River.

"**Council**" means the Council of the City of Campbell River.

**3. PURPOSE**

*Amd Bylaw 3557 Jun/14 Sec. 3.1*

3.1 The purpose of the Commission is to provide policy advice and recommendations to Council, on various issues related to long range planning (OCP), land use and development planning, permitting and development application processes, transportation planning and environmental and sustainability issues. The following matters are within the mandate of the committee:

- a) Community long range planning and sustainability;
- b) Environmental issues of concern to the community;
- c) Transportation planning;
- d) Land use zoning, subdivision and development application policies, processes and procedures;
- e) Any other matter referred by Council.

3.2 The Commission will receive and review information, correspondence and minutes from other external organizations/committees as requested by Council (such as the BC Hydro Liaison Committee) and forward them to Council with recommendations as required.

#### **4. MEMBERSHIP**

- 4.1 The Commission shall consist of 12 members as follows:
- a) 3 (three) members of Council;
  - b) 3 (three) members of the development industry who have experience and expertise in such areas as architecture, landscape architecture, engineering, surveying, community planning, building construction and land development;
  - c) 3 (three) members of the public who have experience in the areas of sustainability, conservation and environmental protection;
  - d) 1 (one) member of the public who has experience and expertise in economics or finance;
  - e) 1 (one) member of the public who has experience and expertise with social issues impacting the residents of Campbell River;
  - f) 1 (one) member of the public at large.
- 4.2 Members will be selected so that the Commission is able to provide a balanced perspective between development and environmental issues and financial and social issues.
- 4.3 The three members of Council shall play an important liaison role in ensuring the objectives of the Commission, as set by Council, are being met and in providing the direct communication link to Council.
- 4.4 City employees are not permitted to serve on the Commission.

#### **5. APPOINTMENT OF MEMBERS**

- 5.1 The following shall apply to all appointments:
- a) Council will appoint members to the Commission;
  - b) At least two-thirds ( $2/3^{\text{rds}}$ ) of the members appointed to the Commission shall be either residents or taxpayers of the City;
  - c) In the event of a vacancy, Council may appoint a person for the unexpired term;
  - d) Where a Commission member is requested to serve as a representative to another advisory body, the Commission is authorized to designate its representative.

#### **6. TERM OF APPOINTMENT**

- 6.1 The following shall apply to all appointments:
- a) All appointments shall be for a three (3) year term, commencing on the 1<sup>st</sup> day of April, following the local general election and every 3<sup>rd</sup> year thereafter. The term of appointment to the Commission shall expire March 31<sup>st</sup> or when a successor is appointed.
  - b) Notwithstanding section 6.1(a), Council's inaugural appointments shall consist of three (3) one-year appointments, three (3) two-year appointments and three (3) three-year appointments.
  - c) The Commission may review the attendance circumstances of any member who has missed three consecutive meetings without prior permission, and may recommend to Council that the membership of such member be terminated.

- d) Any appointee to the Commission may be removed by an affirmative vote of two-thirds (2/3<sup>rds</sup>) of all members of Council.
- e) A member of the Commission may not serve for more than two (2) consecutive terms. Council may, however, by two-thirds (2/3<sup>rds</sup>) majority of those present, reappoint a person who has served two (2) consecutive terms.

## **7. CHAIR**

- 7.1 The three Council representatives will decide who will serve as Chair. The Chair will be one of the three Council representatives. The other two Council representatives will serve on a rotating basis as Acting Chair in the absence of the Chair.
- 7.2 The Chair is responsible for ensuring the rules of procedure are followed prior to and during each meeting, and, in consultation with the staff liaison that items on their meeting agenda fall within their mandate.
- 7.3 The Chair or Acting-Chair shall conduct the meeting in accordance with this bylaw, the *Community Charter, Local Government Act*, Council policy, Council's Procedure Bylaw and Roberts Rules of Order.
- 7.4 If the Chair or Acting-Chairs are not present at the time appointed for the meeting, the staff liaison should call the meeting to order and the members present should immediately elect a Chair *pro tem* to preside over that meeting, or until the Chair or Acting-Chair arrives. Such office is terminated by the entrance of the Chair or Acting-Chair, the end of the meeting, or the election of another Chair *pro tem*.
- 7.5 The Chair's duties are:
  - a) Check if a quorum is present and open the meeting at the prescribed time;
  - b) Announce the business in the proper sequence – as on the agenda;
  - c) Recognize members entitled to speak, in the order in which they request to speak;
  - d) State and put the questions (resolutions which have been moved and seconded) to a vote;
  - e) Enforce the rules of procedure and decorum;
  - f) Expedite business;
  - g) Decide questions of order and respond to parliamentary enquiries; and
  - h) Declare the meeting adjourned when the business is complete.
- 7.6 The Chair shall serve as a leader and facilitator who encourages people to participate, helps people listen to each other and reflects back the common threads of the discussion. The Chair should be prepared to put aside their personal interests in an effort to help the Commission reach general consensus.

## **8. MEETING PROCEDURES**

- 8.1 The Commission shall meet at least four (4) times per year at the call of the Chair.
- 8.2 The Commission should strive for consensus in their decision-making; however, final decisions are made by resolution adopted by majority vote.

*Amd Bylaw 3578 Apr/15 Sec. 8.3*

- 8.3 A quorum for a meeting shall be a majority of members currently serving on the Commission.

- 8.4 Commission proceedings will be open to members of the public, unless authorized to be held in-camera by the *Community Charter*.
- 8.5 The Commission meeting minutes shall be presented to Council for information and placed on the next regularly scheduled Commission agenda for review and adoption. Upon adoption, the minutes are to be signed by the Chair or member presiding and distributed to the Commission members.

**9. DELEGATIONS AND CORRESPONDENCE**

- 9.1 All delegations requesting permission to appear before the Commission shall submit a written request to the City Clerk, including a written synopsis clearly outlining their topic of concern by 3:00 p.m. on the Wednesday of the week preceding the meeting.
- 9.2 Delegations will be given 10 minutes to present, unless a longer period is agreed to by majority vote of those members present.
- 9.3 Where a request to present has not been received by the City Clerk as prescribed in section 10.1, an individual or delegation may present to the Commission if approved by majority vote of those members present.
- 9.4 The deadline for the public to submit items to the City Clerk for inclusion on the Commission agenda shall be 3:00 p.m. on the Wednesday of the week preceding the meeting.

**10. SUB-COMMITTEES**

- 10.1 The Commission may establish one or more sub-committees to consider or enquire into any matter which falls within the scope and jurisdiction of the Commission and report its findings back to the Commission.
- 10.2 The Commission shall advise Council of the establishment of sub-committees and their purpose.
- 10.3 The Commission shall provide the sub-committees with a specific mandate and timeframe to submit their recommendations.
- 10.4 The Commission may appoint members to sub-committees that are not members of the Commission.

*Amd Bylaw 3557 Jun/14 Sec. 10.5, 10.6*

- 10.5 Staff liaisons or recording secretaries will not be appointed to any sub-committee.
- 10.6 The majority composition of any sub-committee shall be non-council members.

*Amd Bylaw 3617 May/16 Sec.11*

**11. CONFLICT OF INTEREST**

- 11.1 This section applies to a person appointed to the Commission under section 6 in relation to Commission meetings.
- 11.2 Where a member of a Commission attending a meeting of a Commission considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has
  - a) a direct or indirect pecuniary interest in the matter, or
  - b) another interest in the matter that constitutes a conflict of interest,the member must declare this and state in general terms the reason why the member considers this to be the case.

- 11.3 After making the declaration under section 11.2 of this Bylaw, the Commission member must not do anything referred to in section 101(2) of the *Community Charter*, as if that section applied to Commission members.
- 11.4 The official responsible for recording the minutes of a meeting of the Commission will record the declaration of a conflict by a member of the Commission, the reasons given for the declaration, the time of the member of the Commission's departure from the meeting room, and if applicable, of the member's return.
- 11.5 If Council considers that a member of the Commission has acted in breach of this section, it may remove the member from the Commission, unless Council considers that the breach was done inadvertently or resulted from an error of judgment in good faith or that the conflict of interest would be of a type described in section 104 of the *Community Charter* or a regulation under that section.

## **12. REMUNERATION**

- 12.1 No member of the Commission will receive any remuneration for services, however, a member is entitled to reimbursement for any reasonable out-of-pocket expenses incurred on behalf of the Commission that were previously approved by the Commission. The Commission's budget will be established by Council on an annual basis.

## **13. TECHNICAL & ADMINISTRATIVE SUPPORT**

- 13.1 The City Manager shall designate a staff liaison and recording secretary to aid the work of the Commission. Designated support staff may attend the Commission meetings in a resource capacity, but not be permitted to vote. The Commission does not direct the staff liaison, nor can they request other staff resources. Such requests must go through either the City Manager or Council.
- 13.2 The staff liaison provides support to the Commission on behalf of Council to ensure the mandate of the Commission is met. Acting in their capacity as liaison, staff provides Commissions with technical and operational information that assists the Commission in their work on behalf of Council. The staff liaison will assist with the preparation of recommendations to Council as requested by the Commission.
- 13.3 Under the direction of the Chair, the recording secretary shall be responsible for the preparation of agendas, minutes and follow-up from the meetings.
- 13.4 The recording secretary will have meeting agendas available for pick up on Friday at noon prior to the meeting of the Commission.
- 13.5 The Commission is entitled to reasonable use of City services and facilities, such as meeting rooms, photocopying, stationery supplies, etc. for Commission business, which are to be arranged by the recording secretary.

## **14. REPORTING**

- 14.1 The Commission Chairperson, with the assistance of the staff liaison, will report to Council on behalf of the Commission utilizing the standard reporting format adopted by the City. If deemed appropriate by the City Manager, such reports shall be accompanied by a staff report.
- 14.2 To make a presentation before Council at a regular meeting, the request is made to the City Clerk by submitting the report or presentation in written form. The report must clearly state any requests being made of Council and any recommended Council

resolutions for further action. Generally a report to Council will include background on the purpose of the report, facts or information, the findings or conclusions from the information (if required), and the recommendations of the Commission.

14.3 Prior to November 30<sup>th</sup> each year, the Commission will present an annual report to Council, setting out its activities and accomplishments for the previous year. The report shall also present to Council for its approval, work plan and budget for the following year.

**15. EXPECTATIONS**

15.1 The Commission and its members are required to:

- a) be accountable and responsive to Council;
- b) be open and transparent by observing legislative meeting protocol and conducting their business in public meetings;
- c) be collaborative in nature and respectful;
- d) remain accessible to each other, and to the Commission;
- e) regularly consult with the peer groups that they represent; and
- f) regularly share, and disseminate information between all Commission members on a timely basis.

15.2 As the Commission and its members are representatives of the City of Campbell River, members must distinguish when speaking in public, whether they are speaking as a member, a representative of another agency or community group, or as an individual. As a general rule, it is the Chair of a commission that speaks publicly on behalf of the commission when and where appropriate.

Read a first time on the	4th	day of	December,	2012
Read a second time on the	4th	day of	December,	2012
Read a third time on the	4th	day of	December,	2012
Adopted on the	18th	day of	December,	2012

Original signed by:

Mayor Jakeway  
**MAYOR**

Tracy Bate  
**DEPUTY CITY CLERK**