



DISTRICT OF PORT HARDY

AGENDA COUNCIL MEETING 7:00 PM TUESDAY FEBRUARY 27, 2018 MUNICIPAL HALL COUNCIL CHAMBERS 7360 COLUMBIA STREET

Mayor: Hank Bood
Councillors: Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson,
John Tidbury, Leightan Wishart

Staff: Allison McCarrick, Chief Administrative Officer
Heather Nelson-Smith, Director Corporate Services
Abbas Farahbakhsh, Director Operational Services
Leslie Driemel, Recording Secretary

**DISTRICT OF PORT HARDY
 AGENDA FOR THE REGULAR COUNCIL MEETING
 7:00 PM TUESDAY FEBRUARY 27, 2018 - COUNCIL CHAMBERS - MUNICIPAL HALL**

PAGE	A. CALL TO ORDER	Time:
	B. APPROVAL OF AGENDA AS PRESENTED (or amended)	
	Motion required.	1. 2.
	C. ADOPTION OF MINUTES	
1	1. Minutes of the Special Council Meeting held February 13, 2018.	
	Motion required.	1. 2.
2	2. Minutes of the Committee of the Whole meeting held February 13, 2018.	
	Motion required.	1. 2.
3-5	3. Minutes of the Regular Council meeting held February 13, 2018.	
	Motion required.	1. 2.
	D. DELEGATIONS AND REQUESTS TO ADDRESS COUNCIL	
6	1. Jill Laviolette on behalf of North Island Be the Change Society re: To introduce Council to the Society and 'The Hub'.	
	E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS	
7	1. Council Action Items. For information.	
	F. CORRESPONDENCE	
8-9	1. Lt. Adam Harding, Port Hardy Volunteer Firefighters Assoc. (Feb 8/18) re: Request for sponsorship for 50 th Anniversary event.	
	Motion / direction	1. 2.
	G. NEW BUSINESS	
	None in agenda package.	
	H. COUNCIL REPORTS	
	1. Verbal Reports from Council members.	
	I. COMMITTEE REPORTS	
10-11	1. Draft minutes of the First Nations Relations Committee meeting held February 13, 2018. For information.	
	J. STAFF REPORTS	
12-35	1. Heather Nelson-Smith, Director of Corporate Services (Feb.15/18) re: Council Procedure Bylaw Update.	
	Motion / direction	1. 2.
36-38	2. Heather Nelson-Smith, Director of Corporate Services (Feb.15/18) re: 2018 General Election Bylaw Update.	
	Motion / direction	1. 2.
39-41	3. Heather Nelson-Smith, Director of Corporate Services (Jan 31/18) re; Inspection of Public Buildings Policy CP8.3 Amendment	
	Motion / direction	1. 2.

**DISTRICT OF PORT HARDY
AGENDA FOR THE REGULAR COUNCIL MEETING
7:00 PM TUESDAY FEBRUARY 27, 2018 - COUNCIL CHAMBERS - MUNICIPAL HALL**

K. CURRENT BYLAWS AND RESOLUTIONS

- 42-44 1. Bylaw 1075-2018 A Bylaw to Amend Zoning Bylaw 1010-2013. For Second and Third Reading.

Motion required.

1. 2.

L. PENDING BYLAWS

No pending bylaws.

M. INFORMATION AND ANNOUNCEMENTS

February 28 Council: Special In Camera meeting 2:00 pm, Council Chambers
March 1 Committee: Tourism Advisory Committee 2:00 pm, Council Chambers
March 7 Committee Bear Smart, 6:00 pm, Council Chambers
March 13 Committee: First Nations Relations Committee 3:00 pm, Council Chambers
Council: Regular Meeting 7:00 pm, Council Chambers
March 14 Heritage Society Meeting 7:00 pm, Council chambers
March 15 Committee: Tourism Advisory Committee 2:00 pm, Council Chambers

N. NOTICE OF IN CAMERA MEETING

No In Camera meeting scheduled at this time.

O. ADJOURNMENT Motion required 1. 2. Time:



**MINUTES OF THE DISTRICT OF PORT HARDY
SPECIAL COUNCIL MEETING
FRIDAY FEBRUARY 13, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

PRESENT: Mayor Hank Bood, Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson and John Tidbury

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer and Heather Nelson-Smith, Director of Corporate Services;

REGRETS: Councillor Leightan Wishart

MEDIA: None **MEMBERS OF THE PUBLIC:** None

A. CALL TO ORDER

Mayor Bood called the meeting to order at 5:30 pm.

AGENDA

B. APPROVAL OF AGENDA AS PRESENTED

Moved/Seconded/Carried

THAT the agenda for the Special Meeting of Council February 13, 2018 be accepted as presented.

C. MOTION TO CLOSE MEETING TO THE PUBLIC (IN CAMERA)

Motion required as per section 92 of the Community Charter that the meeting be closed to the public for the purposes of discussing:

Subject matter related to *Community Charter*:

Section 90 1(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; AND (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Moved/Seconded/Carried

THAT in accordance with section 92 of the *Community Charter*, that the meeting be closed to the public as per subject matter related to *Community Charter*:

Section 90 1 (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; AND (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

D. ADJOURNMENT

Moved

THAT the Special Meeting of Council adjourn. Time: 6:15 pm

CORRECT

APPROVED

DIRECTOR OF
CORPORATE SERVICES

MAYOR

SC2018-007
AGENDA FEB
13/18
ACCEPTED AS
PRESENTED

SC2018-008
CLOSE
MEETING TO
PUBLIC
COMMUNITY
CHARTER
SEC90 1 (e)(k)

SC2018-009
ADJOURNMENT



**MINUTES
DISTRICT OF PORT HARDY
COMMITTEE OF THE WHOLE MEETING
TUESDAY FEBRUARY 13, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

PRESENT: Mayor Hank Bood, Councillors Pat Corbett-Labatt Dennis Dugas, Rick Marcotte, Fred Robertson and John Tidbury

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer; Heather Nelson-Smith, Director of Corporate Services; Leslie Driemel, Recording Secretary

REGRETS: Councillor Leightan Wishart and Abbas Farahbakhsh, Director of Operational Services

MEDIA: North Island Gazette

MEMBERS OF THE PUBLIC: 3

A. CALL TO ORDER

Mayor Hank Bood called the meeting to order at 6:38 pm.

AGENDA

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda for the Committee of the Whole meeting of February 13, 2018 be accepted as presented.

C. DELEGATION

RCMP Staff Sgt. Wes Olsen and Cpl Chris Voller re: 2017 Fourth Quarter and 2017 Year End Report.

RCMP Staff Sergeant Wes Olsen and Cpl Chris Voller provided an overview of the RCMP activities and statistics for the last quarter of 2017 and for the year 2017. The review included numbers and types of case files generated at the Port Hardy detachment.

Council discussion with Staff Sgt. Olsen included:

- The revamping of the reporting forms and scoring of RCMP files.
- A review of process regarding laying of charges that result in court time.
- Looking towards crime prevention through environmental design, e.g. brush cutting in parks for better site lines and cleanup of derelict buildings.
- The need for increased traffic checks for drinking and driving violations.
- An upcoming review of RCMP policing priorities.

D. NEW BUSINESS

No new business

E. ADJOURNMENT

MOVED

THAT the Committee of the Whole adjourn.

Time: 7:09 pm

CORRECT

APPROVED

DIRECTOR
OF CORPORATE SERVICES

MAYOR

COW 2018-006
APPROVAL OF
AGENDA AS
PRESENTED

DELEGATION
RCMP RE: 2017
OCT-DEC 2017 &
2017 YEAR END
REPORT.

COW 2018-007
ADJOURNMENT



**MINUTES OF THE DISTRICT OF PORT HARDY
REGULAR COUNCIL MEETING
FEBRUARY 13, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

PRESENT: Mayor Hank Bood, Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson and John Tidbury

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer; Heather Nelson-Smith, Director of Corporate Services; Leslie Driemel, Recording Secretary

REGRETS: Councillor Leightan Wishart; Abbas Farahbakhsh, Director of Operational Services

MEDIA: N. I. Gazette **MEMBERS OF THE PUBLIC:** 5

A. CALL TO ORDER

Mayor Bood called the meeting to order at 7:10 pm.

AGENDA

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda for the Regular Council meeting of February 13, 2018 be accepted as presented.

2018-023
AGENDA
FEB 13/18
ACCEPTED

C. ADOPTION OF MINUTES

1. Minutes of the Special Council Committee meeting held January 23, 2018.

Moved/Seconded/Carried

THAT the Minutes of the Special Council Committee meeting held January 23, 2018. be accepted as presented.

2018-024
SPECIAL MEETING
MINUTES JAN 23/18
ACCEPTED

2. Minutes of the Committee of the Whole meeting held January 23, 2018.

Moved/Seconded/Carried

THAT the Minutes of the Committee of the Whole meeting held January 23, 2018 be accepted as presented.

2018-025
COW MEETING
MINUTES JAN 23
/18 ACCEPTED

3. Minutes of the 2018-2022 Financial Plan Presentation held January 23, 2018.

Moved/Seconded/Carried

THAT the Minutes of the 2018-2022 Financial Plan Presentation held January 23, 2018 be accepted as presented.

2018-026
FINANCIAL PLAN
PRESENTATION
JAN 23 /18
ACCEPTED

4. Minutes of the Regular Council meeting held January 23, 2018.

Moved/Seconded/Carried

THAT the minutes of the Regular Council meeting held January 23, 2018 be accepted as presented.

2018-027
REGULAR COUNCIL
MEETING MINUTES
JAN 23 /18
ACCEPTED

5. Minutes of the Special Council meeting held February 2, 2018.

Moved/Seconded/Carried

THAT the Minutes of the Special Council Committee meeting held February 2, 2018 be accepted as presented.

2018-028
SPECIAL MEETING
MINUTES FEB 2/18
ACCEPTED

D. DELEGATIONS

DELEGATION:
BRENT BORG, FIRE
CHIEF PHFR RE:
OCT-DEC 2017
QUARTERLY
REPORT

1. Brent Borg, Fire Chief Port Hardy Fire Rescue: re: Quarterly Report to Council October to December 2017.

Fire Chief Borg reviewed and discussed with Council:

- Number and type of calls in the quarter.
- Training completed.
- Working RDMW on set up of FirePro.
- Membership and the successful recruitment drive.
- Changes in officer positions.
- Community involvement.
- Support the department receives from the Port Hardy Hospital Auxiliary.
- Positive and high morale within the department.
- Starting to plan activities for the 50th Anniversary of the Port Hardy Fire Department.

DELEGATION:
RUSS HELLBERG
RE: UPDATE ON
WOUNDED
WARRIOR RUN
FEB. 19-25 2018

2. Russ Hellberg, members 101 Squadron and Don Ford, Royal Canadian Legion Branch 237 re: Update on the preparations for the Wounded Warrior Run BC February 19 – 25, 2018 and Legion activities.

Russ Hellberg updated Council on the planned activities for the Wounded Warrior Run BC being held February 19-25, 2018. A PowerPoint presentation included information on:

- History and origin of the event.
- The cause and its focus on helping Canadian Forces members and first providers who have been wounded or injured.
- A review of programs available on Vancouver Island.
- Dates and length of the Run and schedule of events in Port Hardy.
- Personal profiles on some of the runners taking part in the event.
- What the District can do to help.

DELEGATION:
DON FORD, ROYAL
CANADIAN
LEGION BR237
UPDATE

Don Ford, Royal Canadian Legion Branch 237, updated Council on the planned activities for 2018. Council was advised the Legion was successful in obtaining a grant from New Horizons for Seniors program and the funding will be put toward repairs of the building and other projects.

ACTION ITEMS

E. ACTION ITEMS

1. Council action items were received for information.

F. CORRESPONDENCE

1. Rebecca Bishop, Program Officer, UBCM Local Government Services (Jan.17/18) re: 2017 Emergency Social Services Grant Approval was received for information.
2. Vancouver Island Regional Library, Port Hardy Branch re: 2017 Statistics were received for information.

G. NEW BUSINESS

No New Business.

H. COUNCIL REPORTS

Councillors Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, and John Tidbury reported on their recent meetings and other activities they attended and/or undertook on behalf of the District.

I. COMMITTEE REPORTS

1. Draft minutes of the Emergency Planning Committee meeting held January 29, 2018 was received for information.

J. STAFF REPORTS

1. Accounts Payable for January 2018 was received for information.

K. CURRENT BYLAWS AND RESOLUTIONS

1. Bylaw 1074-2018 Annual Financial Plan for 2018-2022. For Adoption.

Moved/Seconded/Carried

THAT Bylaw 1074-2018 Annual Financial Plan for 2018-2022 be adopted.

2. Bylaw 1075-2018 A Bylaw to Amend Zoning Bylaw 1010-2013. For First Reading.

Moved/Seconded/Carried

THAT Bylaw 1075-2018 A Bylaw to Amend Zoning Bylaw 1010-2013 receive First Reading.

L. PENDING BYLAWS

No Pending bylaws.

M. INFORMATION AND ANNOUNCEMENTS

Information and announcements in the agenda package were received for information.

N. NOTICE OF IN CAMERA MEETING

No In Camera meeting scheduled.

O. ADJOURNMENT

Moved

THAT the meeting be adjourned.

Time: 7:56 pm

CORRECT

APPROVED

DIRECTOR OF
CORPORATE SERVICES

MAYOR

2018-029
BYL 1074-2018
ANNUAL FINANCIAL
PLAN FOR 2018-
2022 ADOPTED

2018-030
BYL 1075-2018
AMEND ZONING
BYL 1010-2013

2018-031
ADJOURNMENT

The Hub

Our Mission:

To create a multi-purpose community centre. To host workshops and classes that highlight arts and technology and focuses on bringing back common sense.

The Hub goals:

- provide a dry gathering place during difficult weather days
- be a space to host youth centre
- bring together elders and youth
 - common sense workshops
- gathering space for members that are new to our community
- highlight technology and arts
- promote health, wellness and community inclusion

How to get involved:

- Volunteer!
- Spread awareness!
- Consider donating to our Society!
- Join our Society!

Email for more details:

thehubnorthisland@gmail.com

OR find us on Facebook:
The Hub North Island

AGENDA



AGENDA

ITEM	ACTION REGULAR MEETING FEBRUARY 13, 2018	WHO	STATUS /COMMENTS
Wounded Warrior Run	Post Run info to website and Recreation Board	HN-S VB	Done Done
Bylaw 1075-2018 A Bylaw to Amend Zoning Bylaw 1010-2013. (Salvation Army)	Public Hearing Feb 27 2 nd & 3 rd Bylaw reading	HN-S	Bylaw Reading Agenda Item
ITEM	ACTION REGULAR MEETING DECEMBER 12, 2017	WHO	STATUS /COMMENTS
Council Remuneration Committee	Approved: Proceed with formation of the Council Remuneration Committee	HN-S	In progress
ITEM	ACTION REGULAR MEETING NOVEMBER 28, 2017	WHO	STATUS /COMMENTS
Draft minutes of Op Scvs Committee meeting held Nov 16/17 <i>Recommendation: THAT Council approve placing the Lost at Sea Monument close to the kayak launch area in Tsulquate Park.</i>	Site approved as recommended. - proceed with installation	SM	In Progress Anchor is painted and site prep being done
ITEM	ACTION REGULAR MEETING NOVEMBER 14, 2017	WHO	STATUS /COMMENTS
James Hayward Memorial	-Staff to refurbish bench. Family to provide plaque information and payment. -District to order plaque	SM	In progress
Cannabis Advisory Committee Cannabis survey: Recommendation to Council: <i>THAT Council review and distribute the Cannabis Survey for public comments-deadline of Jan 31/18</i>	Distribute Cannabis Survey	HN -S	Survey posted Dec 7/17, open to Jan 31/18
ITEM	ACTION REGULAR MEETING SEPTEMBER 12, 2017	WHO	STATUS /COMMENTS
Bob Schantz, Municipal Inspector re: Note Against Title, 9085 Copper Drive	Approved as recommended: -to put a note against land title on Lot 48, Sec 36, Twp 9, Rupert District, Plan 24505,	HN-S	In progress



Port Hardy Volunteer Firefighters Association

February 8th, 2018

Dear Business Owner,

AGENDA

This year marks the 50th Anniversary of the founding of Port Hardy Fire Rescue, which was formed originally in 1968 by local citizens of the community. Today, the department is the busiest on the North island, and spans two stations, six apparatus, over thirty members, and responds to over 175 emergency calls every year, let alone thousands of hours of training and other events. Since its inception has had over 270 members provide their time to the department.

On June 30th, 2018, the Port Hardy Volunteer Firefighters Association is planning to host a traditional Firefighters' Ball in Port Hardy to commemorate fifty years of service to the North Island, and to thank the firefighters for their time and service. The event will be open to all current and retired members of Port Hardy Fire over the past fifty years, their significant others, local business owners, First Nations, and local dignitaries. We anticipate over 300 people in attendance.

With less than six months to go, we are rapidly planning and have set a fundraising goal of \$30,000 to host the event and show our appreciation for all present and past volunteer members. The Port Hardy Volunteer Firefighters Association is seeking your financial support as a **gold, silver, or bronze sponsor** for this important event at a level of **\$1,000, \$500, or \$250**, respectively. As a gold, silver, or bronze sponsor, we recognize your role as a significant sponsor of the event, and intend to recognize your contribution with a level of advertising, services, and gifts that acknowledges and repays your support for this event. Please find details on the back of this letter. A commitment to sponsorship is requested by **March 15th, 2018**.

On behalf of the Port Hardy Volunteer Firefighters Association, we thank you in advance for the support of your organization and helping us celebrate 50 years of service to the citizens and community of Port Hardy

Sincerely,

Lt. Adam Harding
email: apc.harding@gmail.com
phone: (250) 230-4797

On behalf of the 50th Reunion Planning Committee:

Fire Chief Brent Borg
Deputy Chief Gavin Texmo
Senior Firefighter Lionel Gunson
Lieutenant Adam Harding
Staff Member Lynea Borg
FF (Ret.) Al and volunteer Julie Mose

*The Port Hardy Volunteer Firefighters Association is a registered not-for-profit organization under the British Columbia Society Act. All cheques may be made payable to **PHFR 50th Reunion.***



Port Hardy Volunteer Firefighters Association

WHAT YOU GET AS A GOLD SPONSOR FOR \$1,000

- Invitations and table for four guests at the Port Hardy Fire 50th Anniversary Firefighter's Ball on June 30th, 2018 in Port Hardy - \$200 value
- Quarter page advertising supplement in the June 27th, 2018 print edition of the North Island Gazette - \$140 value
- Quarter page advertising inside spread of the June 6th, 2018 print edition of the Wave Magazine published for Campbell River, the Comox Valley, and the North Island - \$375 value
- Take home copies of the North Island Gazette and Wave Magazine for event guests
- Limited edition Port Hardy Fire Rescue collector's coins for event guests
- Social media thanks and acknowledgement prior to and following the event
- Quarter page advertisement and thank you in the event program
- Medium event banner space with logo
- Free fire extinguisher familiarization and training course with live fire/burn pan for up to six employees, with PHFR firefighter instructors
- Appearance of Sparky the Fire Prevention mascot at a company event of your choice on the North Island
- Custom memory stick for all event guests with historical photos of Port Hardy Fire Rescue as well as copies of all 50th anniversary advertising

WHAT YOU GET AS A SILVER SPONSOR FOR \$500

- Invitations and table for two guests at the Port Hardy Fire 50th Anniversary Firefighter's Ball on June 30th, 2018 in Port Hardy - \$100 value
- Quarter page advertising supplement in the June 27th, 2018 print edition of the North Island Gazette - \$140 value
- Quarter page advertising inside spread of the June 6th, 2018 print edition of the Wave Magazine published for Campbell River, the Comox Valley, and the North Island - \$375 value
- Take home copies of the North Island Gazette and Wave Magazine for event guests
- Social media thanks and acknowledgement prior to and following the event
- Eighth page advertisement and thank you in the event program
- Small event banner space with logo
- Custom memory stick for all event guests with historical photos of Port Hardy Fire Rescue as well as copies of all 50th anniversary advertising

WHAT YOU GET AS A BRONZE SPONSOR FOR \$250

- Eighth page advertising supplement in the June 27th, 2018 print edition of the North Island Gazette - \$80 value
- Eighth page advertising inside spread of the June 6th, 2018 print edition of the Wave Magazine published for Campbell River, the Comox Valley, and the North Island - \$225 value
- Take home copies of the North Island Gazette and Wave Magazine for event guests
- Social media thanks and acknowledgement prior to and following the event
- Listing and thank you in the event program and on the event banner



**MINUTES OF THE
DISTRICT OF PORT HARDY
FIRST NATIONS RELATIONS COMMITTEE MEETING
3:00PM TUESDAY, FEBRUARY 13, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL, 7360 COLUMBIA STREET**

Committee Members:

Councillors Pat Corbett-Labatt (Chair)

AGENDA

Also Present:

Ross Hunt Jr., Chief Councillor – Kwakiutl First Nation; Chrissy Chen, Councillor – Kwakiutl First Nation; Jeneen Hunt, Band Manager – Kwakiutl First Nation

Regrets:

Councillor Leightan Wishart

Staff:

Allison McCarrick, CAO; Leslie Driemel, Recording Secretary

A. CALL TO ORDER

Councillor Pat Corbett-Labatt called the meeting to order at 3:05 pm and acknowledged that the meeting is being held on the traditional territory of the Kwakiutl people.

DRAFT

B. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda for the First Nations Relations Committee meeting of February 13, 2018 be accepted.

C. ADOPTION OF MINUTES

1. Minutes of the First Nations Relations Committee meeting held January 9, 2018.

Moved/Seconded/Carried

THAT the minutes of the First Nations Relations Committee meeting held January 9, 2018 be accepted as presented.

D. DELEGATIONS

DRAFT

No delegations.

E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

1. Review and Update of Action Items.

Fort Rupert Trail

Allison McCarrick advised the Fort Rupert Trail project has been sent to Operational Services Committee to complete.

MTSA

Allison McCarrick advised the work on agreements is ongoing with individual First Nations. Jeneen Hunt commented that drafts will be provided by the First Nations to the Department of Indigenous Services Canada (DISC).

2. Community to Community Forum

The Committee discussed the recent Community to Community Forum and comments were made that it was a good event and that increased attendance by all local First Nations would make it better.

FNRC
2018-004
AGENDA FEB
13/18 ACCEPTED

FNRC
2018-005
MINUTES OF JAN
2318 ACCEPTED

ACTION ITEM
REVIEW

3. Protocols for First Nations Signage

Allison McCarrick advised the District has an “Art on Public Property” policy that will be reviewed by the Operational Services Committee. There was discussion on the need for the municipality and First Nations community to have protocols in place regarding signage. Ross Hunt will provide a list of First Nations master carvers to the District.

DRAFT

F. CORRESPONDENCE

No correspondence.

G. NEW BUSINESS

A general discussion was held on:

- Regional District Board composition.
- Nomination and voting requirements for municipal general elections.
- Review of provincial municipalities with good working relationships with local First Nations.
- Employment and training in the North Island.
- District tendering and procurement proceedings.
- Economic development opportunities on the North Island.

It was agreed by consensus to bring forward a discussion on how to organize a First Nations Summer games event to the next agenda.

H. COMMITTEE MEMBER REPORTS

No reports.

I. NEXT MEETING DATE: March 13, 2018

2018 Meeting Dates: April 10, May 8, June 12, July 10, August 14, September 11 (UBCM Convention Week) October 9, November 13, December 11.

J. ADJOURNMENT

Moved
THAT the meeting be adjourned.

Time: 4:35pm

DRAFT

FNRC
2018-006
ADJOURNMENT



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: February 15, 2018 **FILE:** Bylaws

TO: Allison McCarrick, Chief Administrative Officer

FROM: Heather Nelson-Smith, Director of Corporate & Development Services **AGENDA**

RE: **Council Procedure Bylaw Update**

PURPOSE

To review Council Procedure Bylaw, 03-2009 to ensure it is up to date for the 2018 General Election.

BACKGROUND / ANALYSIS

Attached is the current Council Procedure Bylaw.

Due to the change in election day for the 2018 general election the inaugural meeting date must be changed to reflect the provisions in the *Local Government Act*.

Part 2 Council Meetings

Inaugural Meeting

- 4 (1) Following a general local election, the inaugural meeting of Council must be held on the first Tuesday in November in the year of the election.

As per the requirements of the *Community Charter* the Council must publish their intent to proceed with an amendment to the Council Procedure Bylaw with two publications in a newspaper as per section 94 of the *Community Charter*.

Given the requirement to advertise the amendment, Council may want to review the procedures to see if there are other amendments desired.

STAFF RECOMMENDATION

Take the report to Council for further review and determine if there are any other amendments Council would like to make in the Council Procedure Bylaw.

Respectfully submitted,

Heather Nelson-Smith
Director of Corporate &
Development Services

I agree with the recommendation.

Allison McCarrick
Chief Administrative Officer



**DISTRICT OF PORT HARDY
BYLAW NO. 03-2009 COUNCIL PROCEDURE BYLAW**

**As Amended: Bylaw No.1028-2014
Consolidated for Convenience only – July 2014**

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**DISTRICT OF PORT HARDY
BYLAW NO. 03-2009**

COUNCIL PROCEDURE BYLAW

A BYLAW OF COUNCIL PROCEDURES OF THE DISTRICT OF PORT HARDY

The Municipal Council of the District of Port Hardy enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw may be cited as the “Council Procedure Bylaw No. 03-2009”.

Definitions

2. In this Bylaw,

"Chief Administrative Officer" means the District Officer position appointed by bylaw to act as Chief Administrative Officer."

"Committee" means a standing, select, or other committee of Council, but does not include COTW;

“COTW” means the Committee of the Whole Council;

“Corporate Officer” means the District Officer position appointed by bylaw to act in the capacity of Corporate Officer in accordance with the *Community Charter*, and in the absence of the Corporate Officer, the Chief Administrative Officer shall act in the capacity of Corporate Officer;

“Council” means the Council of the District of Port Hardy;

“Deputy Mayor” means the Council member designated or appointed to act in the place of and in the capacity of Mayor, as per sections 9(1) or 9(3) herein, as the case may be;

“District” means the District of Port Hardy;

“Mayor” means the mayor of the District;

“Municipal Hall” means the District of Port Hardy administrative office building located at 7360 Columbia Street, Port Hardy, British Columbia;

"Presiding Member" means the Mayor, or in the absence of the Mayor, the Deputy Mayor, who is presiding as chair of a meeting of Council or committee of Council."

“Public Notice Posting Places” means the notice board at the Municipal Hall.

“Quorum” is a majority of those members elected and serving on council;

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council, COTW, and Council committees to the extent that those Rules are:
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

PART 2 – COUNCIL MEETINGS

Inaugural Meeting

4. (1) Following a general local election, the inaugural meeting of Council must be held on the first Tuesday in December in the year of the election.
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

Time and location of meetings

5. (1) All Council meetings must take place within the Municipal Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
 - (a) be held on the second and fourth Tuesday of each month,
 - (b) begin at 7:00 p.m.;
 - (c) be adjourned at 10:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 28;
 - (d) when such meeting falls on a statutory holiday, be held on the next day the Municipal Hall is open.
- (3) Regular Council meetings may:
 - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and

- (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 days written notice.
- (4) For the purpose of section 5.(3)(a), where the cancellation of a Regular Council meeting is proposed, a poll of the Council members may be conducted by the Mayor, Corporate Officer or Chief Administrative Officer, either in person, by email or by telephone, and where a majority of all of the members of Council agree to cancel a Regular Council meeting, the meeting shall be cancelled accordingly and the Corporate Officer shall ensure a notice is posted at the public notice posting place to that effect.
- (5) For the purpose of section 5.(3)(b), where a Regular Council meeting has been postponed, the Corporate Officer shall post a notice to that effect at the public notice posting place.

Notice of Council Meetings

- 6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before December 31st, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must give notice annually on or before January 15th of the time and duration that the schedule of regular Council meetings will be available beginning on December 31st in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Notice of special meetings

- 7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
 - (a) posting a copy of the notice at the public notice posting place;
 - and,

- (b) advising each Council member at least 24 hours before the time of the commencement of the special meeting, by email or by putting a copy of the notice in the Council member's mailbox at the Municipal Hall, or by telephoning, or a combination thereof.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

Electronic Meetings

- 8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met,
 - (a) a special Council meeting may be conducted by means of visual or audio electronic or other communication facilities;
 - (b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting, as applicable, may participate in the meeting by means of visual or audio electronic or other communication facilities.
- (2) The member presiding at a special council or council committee meeting must not participate electronically.
- (3) No more than 2 members of council at one time may participate at a council meeting under subsection (1)(b).
- (4) No more than 2 members of a Council Committee at one time may participate at a Council Committee meeting under subsection (1)(b).
- (5) In the event of a failure of technology, the member(s) participating electronically will be deemed to have left the meeting.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- 9. (1) At the inaugural meeting of Council, Council must designate each of its members to serve, on a rotating basis, as Deputy Mayor. The Deputy Mayor shall be responsible to act in the place of the Mayor when the Mayor is absent or otherwise unable to act, or when the office of Mayor is vacant.
- (2) Each Councillor designated under subsection (1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the Deputy Mayor designated under subsection (1) are absent from a Council meeting, the Council members present at the Council meeting must appoint one of its members as Deputy Mayor for that Council meeting.

- (4) The Council member designated as Deputy Mayor in accordance with subsection (1) or appointed as Deputy Mayor to preside at a Council meeting under subsection (3), has the same powers and duties as the Mayor while acting in those capacities.

PART 4 – COUNCIL PROCEEDINGS

Attendance of Public at Meetings

10. (1) Except where the provisions of section 90 of the *Community Charter [meetings that may or must be closed to the public]* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter [requirements before Council meeting is closed]*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
 - (a) COTW,
 - (b) standing and select committees,
 - (c) parcel tax review panel,
 - (d) board of variance,
 - (e) advisory bodies such as advisory planning commission.

Minutes of meetings

11. (1) Minutes of the proceedings of Council must be
 - (a) legibly recorded,
 - (b) signed as being correct by the Corporate Officer, or when the Corporate Officer is absent, by another Officer who was present at the meeting; and,
 - (c) signed by the Mayor or Deputy Mayor, whomever was present at the meeting to which the minutes apply.
- (2) Subject to subsection (3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.

- (3) Subsection (2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.
- (4) The names of the mover and seconder of resolutions shall not be recorded in the minutes.
- (5) The name of a member voting in opposition to a resolution will be recorded in the minutes if the member so requests.

Calling meeting to order

12. (1) As soon after the time specified for a Council meeting to commence and there is a quorum of members present, the Mayor, if present, must take the Chair and call the Council meeting to order however, where the Mayor is absent, the Deputy Mayor must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Deputy Mayor do not attend within 15 minutes of the scheduled time for the Council meeting to commence:
 - (a) the Corporate Officer must call to order the members present, and
 - (b) the members present must appoint a member to act as Deputy Mayor as per section 9(3) herein to preside at that meeting.

Adjourning meeting where no quorum

13. If there is no quorum of Council present within fifteen (15) minutes of the scheduled time for a Council meeting, the Corporate Officer must
 - (a) record the names of the members present, and those absent, and
 - (b) adjourn the meeting until the next scheduled meeting.

Agenda

14. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by Council members, staff and the public of items for inclusion on the Council meeting Agenda must be submitted to the Confidential Secretary as follows:
 - (a) All Council or staff longhand reports and material requiring further work by the confidential Secretary must be submitted to the

- confidential secretary on or before 12:00 noon the Thursday prior to the meeting;
- (b) All material typed and ready for copying submitted by Council members, staff or the public and public requests for delegations, etc. must be submitted to the Confidential Secretary on or before 4:30 p.m. the Thursday prior to the meeting;
 - (c) The only exception to the above will be when emergency situations arise and such will be ruled upon by the Mayor or Chief Administrative Officer.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public by 4:30 p.m. on the Friday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 15.

Order of proceedings and business

15. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
- (a) Call to Order
 - (b) Approval of agenda;
 - (c) Adoption of minutes;
 - (d) Delegations and requests to address Council;
 - (e) Business Arising from the Minutes and Unfinished Business
 - (f) Correspondence
 - (g) New Business
 - (h) Council Reports
 - (i) Committee Reports
 - (j) Staff Reports
 - (k) Current Bylaws and Resolutions
 - (l) Pending Bylaws
 - (m) Information and Announcements
 - (n) Notice of In Camera Meeting
 - (o) Adjournment
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

Late Items

16. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless Council approves introduction of the late item at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under subsection (1), information pertaining to late items must be distributed or presented to its members.

Voting at meetings

17. (1) The following procedures apply to voting at Council meetings:
 - (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

"Those in favour raise your hands." and then "Those opposed raise your hands."
 - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
 - (e) the presiding member's decision about whether a question has been finally put is conclusive;
 - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
 - (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

Delegations

18. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application on a prescribed form has been received by

the Corporate Officer by 4:30 p.m. on the Thursday prior to the meeting. Each address must be limited to fifteen (15 minutes) unless a longer period is agreed to by unanimous vote of those members present.

- (2) Where written application has not been received by the Corporate Officer, as prescribed in subsection (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- (6) Council will not consider a matter at the same meeting as proposed by a delegation unless approved by a unanimous vote of the members present.

Points of order

19. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion
 - (a) if the motion is contrary to the rules of procedure in this bylaw; and
 - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
 - (a) the presiding member must cite the applicable rule or authority if requested by another Council member;
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a); and
 - (c) the presiding member may reserve the decision until the next Council meeting.

Conduct and debate

20. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor or Deputy Mayor as the case may be, and in a situation whereby a Council member has been appointed by Council to preside at the Council meeting in accordance with section 9(3) herein, that member shall be addressed as Deputy Mayor. The Mayor or Deputy Mayor may also be addressed as Your Worship.
- (3) Members must address other non-presiding members by the title Councillor.
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member
- (a) must immediately stop speaking,
 - (b) may explain their position on the point of order, and
 - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.
- (7) Members speaking at a Council meeting
- (a) must use respectful language,
 - (b) must not use offensive gestures or signs,
 - (c) must speak only in connection with the matter being debated,
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and

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- (a) if the member refuses to leave, the presiding member may cause the member to be removed from the member's seat by a peace officer; and
 - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) a member who has made a substantive motion to the Council may reply to the debate;
 - (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
 - (d) a member may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with the permission of Council.

Motions generally

21. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:
- (a) to refer to committee;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to postpone indefinitely;
 - (e) to postpone to a certain time;
 - (f) to move the previous question;

- (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

Motion to commit

22. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

Motion for the main question

23. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

Amendments generally

24. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover, if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been negatived by a vote of Council cannot be proposed again.

- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
 - (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
 - (c) the main question.

Reconsideration by Council Member

25. (1) Subject to subsection (5), a Council member may, at the next Council meeting,
 - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
 - (a) had the approval or assent of the electors and been adopted,
 - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*,
 - (c) been acted on by an officer, employee, or agent of the District.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

Privilege

26. (1) In this section, a matter of privilege refers to any of the following motions:
- (a) fix the time to adjourn;
 - (b) adjourn;
 - (c) recess;
 - (d) raise a question of privilege of the Council;
 - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

Reports from committees

27. Council may take any of the following actions in connection with a resolution it receives from COTW:
- (a) agree or disagree with the resolution;
 - (b) amend the resolution;
 - (c) refer the resolution back to COTW;
 - (d) postpone its consideration of the resolution.

Adjournment

28. (1) A Council may continue a Council meeting after 10:00 p.m. only by an affirmative vote of a majority of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
 - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – BYLAWS

Copies of proposed bylaws to Council members

29. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

Form of bylaws

30. A bylaw introduced at a Council meeting must:
- (a) be printed;
 - (b) have a distinguishing name;
 - (c) have a distinguishing number;
 - (d) contain an introductory statement of purpose;
 - (e) be divided into sections.

Bylaws to be considered separately or jointly

31. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the presiding member or requested by another Council member, or
 - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

Reading and adopting bylaws

32. (1) The presiding member of a Council meeting may
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act* [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.

- (4) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (5) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Bylaws must be signed

33. After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping and endorse upon it:
 - (a) the District's corporate seal;
 - (b) the dates of its readings and adoption; and
 - (c) the date of Ministerial approval or approval of the electorate if applicable.

PART 6 - RESOLUTIONS

Copies of resolutions to Council members

34. A resolution may be introduced at a Council meeting only if it relates to a matter that is included on the agenda associated with that Council meeting, or in the alternative, all Council members unanimously agree to waive this requirement.

PART 7 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

35. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the District's business, is a meeting of COTW.

Notice for COTW meetings

36. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the Public Notice Posting Places;
and
 - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at the Municipal Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 36, during a Council meeting for which public notice has been given under section 5 or 6.

Minutes of COTW meetings

37. (1) Minutes of the proceedings of COTW must be
- (a) legibly recorded,
 - (b) certified by the Corporate Officer,
 - (c) signed by the member presiding at the meeting, and
 - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

Presiding members at COTW meetings and Quorum

38. (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

Points of order at meetings

39. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and debate

40. The following rules apply to COTW meetings:
- (a) a motion is not required to be seconded;
 - (b) a motion for adjournment is not allowed;
 - (c) a member may speak any number of times on the same question;
 - (d) a member must not speak longer than a total of 5 minutes on any one question.

Voting at meetings

- 41. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

Reports

- 42. (1) COTW may consider reports and bylaws only if
 - (a) they are printed and the members each have a copy, or
 - (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

Rising without reporting

- 43. (1) A motion made at a COTW meeting to rise without reporting
 - (a) is always in order and takes precedence over all other motions,
 - (b) may be debated, and
 - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 36(1), the Council meeting must resume and proceed to the next order of business.

PART 8 – COMMITTEES

Duties of standing committees

- 44. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
 - (a) matters that are related to the general subject indicated by the name of the committee;
 - (b) matters that are assigned by Council;
 - (c) matters that are assigned by the Mayor.

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- (2) Standing committees must report and make recommendations to Council at all of the following times:
 - (a) in accordance with the schedule of the committee's meetings;
 - (b) on matters that are assigned by Council or the Mayor,
 - (i) as required by Council or the Mayor, or
 - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

Duties of select committees

45. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

Schedule of committee meetings

46. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

Notice of committee meetings

47. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
 - (a) posting a copy of the schedule at the Public Notice Posting Places; and
 - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under subsection (2) to be given to all

members of the committee at least 24 hours before the time of the meeting.

Attendance at Committee meetings

48. Council members who are not members of a committee may attend the meetings of the committee.

Minutes of committee meetings

49. Minutes of the proceedings of a committee must be
- (a) legibly recorded,
 - (b) certified by the Corporate Officer,
 - (c) signed by the chair or member presiding at the meeting, and
 - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

Quorum

50. The quorum for a committee is a majority of all of its members.

Conduct and debate

51. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

52. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 9 – GENERAL

53. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

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- 54. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter [public notice]*.
 - 55. District of Port Hardy Council Procedure and Notice of Meeting Bylaw No. 11-2000 and District of Port Hardy Council Procedure Amendment Bylaw No. 02-2004 are hereby repealed.

READ A FIRST TIME THIS 24th DAY OF MARCH, 2009.

READ A SECOND TIME THIS 24th DAY OF MARCH, 2009.

READ A THIRD TIME THIS 24th DAY OF MARCH, 2009.

THIRD READING RESCINDED THIS 14TH DAY OF APRIL, 2009

AMENDED APRIL 14, 2009 to delete: 2. Definitions – “District Web Site” means the information source found at an internet address provided by the District.

READ A THIRD TIME AS AMENDED THIS 14TH DAY OF APRIL, 2009.

ADOPTED THIS 28TH DAY OF APRIL, 2009.

Certified correct.

Original signed by:

DEPUTY DIRECTOR OF
CORPORATE SERVICES

MAYOR

Certified to be a true copy of the District of Port Hardy
Council Procedure Bylaw No. 03-2009.

DIRECTOR OF CORPORATE SERVICES



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: February 15, 2018 **FILE:** 4200-01 Elections
TO: Allison McCarrick, Chief Administrative Officer
FROM: Heather Nelson-Smith, Director of Corporate & Development Services
RE: **2018 GENERAL ELECTION BYLAW UPDATE**

AGENDA

PURPOSE

To review Local Government Elections Bylaw, 07-2011 to ensure it is up to date for the 2018 General Election.

BACKGROUND / ANALYSIS

Attached is the current Election Bylaw.

The only required change is the election day from the 3rd Saturday in November to the 3rd Saturday in October.

An optional change to the bylaw would be the addition of Mail Ballot Voting.

Mail Ballot Voting is a provision that can be included by bylaw to allow people to send their ballot to the District office for counting in any election under the following circumstances:

- (a) persons who have a physical disability, illness, or injury that affects their ability to vote at another voting opportunity;
- (b) persons who expect to be absent from the District of Port Hardy on general voting day and at the times of all advance voting opportunities;

The procedure for Mail Ballot Voting requires that electors apply in advance to the Election Officer in order to receive a ballot via mail. The elector is then required to return the sealed ballot in time for the election, the bylaw can state a specified date and time or just state it must be received before the close of the general voting. Each returned ballot is deposited in their secrecy envelopes by 2 election officials into a designated ballot box which is counted at the close of the election.

STAFF RECOMMENDATION

Take the report to Council for further review and determine if Mail Ballot Voting is a provision Council wants to include in the upcoming 2018 General Election.

Respectfully submitted,

I agree with the recommendation.

Heather Nelson-Smith
Director of Corporate &
Development Services

Allison McCarrick
Chief Administrative Officer



DISTRICT OF PORT HARDY

BYLAW 07 - 2011

A Bylaw to Provide for the Determination of Voting Procedures For the Conduct of Local Government Elections and Other Voting

WHEREAS the Council of the District of Port Hardy deems it expedient to establish various procedures and requirements to be applied to the conduct of local government elections and other voting;

NOW THEREFORE, the Council of the District of Port Hardy in open meeting assembled ENACTS as follows:

- 1. Title**
 - 1.1 This bylaw may be cited as the "Local Government Elections Bylaw No. 07-2011".
- 2. Register of Electors**
 - 2.1 For the purposes of all local elections and submissions to the electors under Part 3 and 4 of the *Local Government Act*, the most current available Provincial list of voters prepared under the *Election Act*, shall become the register of resident electors on the 52nd day prior to the general voting day for such elections and submissions to the electors.
- 3. Additional General Voting Opportunities**
 - 3.1 The Council authorizes the Chief Elections Officer to establish additional general voting day opportunities for each election and to designate the voting places and voting hours within the limits set out in the *Local Government Act*, for such voting opportunities.
- 4. Additional Advance Voting Opportunities**
 - 4.1 In addition to the required advance voting opportunity on the 10th day before general voting day, the Thursday and Friday immediately preceding the 3rd Saturday in November from the hours of 9:00 a.m. to 4:00 p.m. are hereby established as advance voting opportunities for general local elections and other voting.
 - 4.2 Except as provided in Section 4 of this Bylaw additional advance voting opportunities will be held at the District of Port Hardy Municipal Hall, 7360 Columbia Street, Port Hardy, B.C.
- 5. Special Voting Opportunities**
 - 5.1 In order to give electors, who may otherwise be unable to vote, an opportunity to do so, the Council of the District of Port Hardy will provide a special voting opportunity at the Port Hardy Hospital and Eagle Ridge Manor, 9120 Granville Street, on the Wednesday immediately preceding the 3rd Saturday in November from 2:00 p.m. to 2:30 p.m. Only patients may vote.
- 6. Mail Ballot Voting**
 - 6.1 Voting by mail is not permitted.

7. Order of Names on Ballot

7.1 The order of names of candidates on the ballot will be determined by lot in accordance with the *Local Government Act*.

8. Number of Scrutineers at Voting Places

8.1 As authorized under the *Local Government Act* the number of scrutineers for each candidate that may attend at an election is one (1) scrutineer for each ballot box in use.

9. Resolution of Tie Vote After Judicial Recount

9.1 In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with the *Local Government Act*.

10. Severability

10.1 If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

11. Repeal

11.1 Bylaw No. 09-2008 is hereby repealed in its entirety

Read a first time the 14th day of June, 2011.

Read a second time the 14th day of June, 2011.

Read a third time the 14th day of June, 2011.

Adopted the 28th day of June, 2011.

Original signed by:

Director of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
Local Government Elections Bylaw No. 07-2011

Director of Corporate Services



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: January 31, 2018 **FILE:** Policies
TO: Allison McCarrick, Chief Administrative Officer
FROM: Heather Nelson-Smith, Director of Corporate & Development Services **AGENDA**
RE: **Inspection of Public Buildings Policy CP8.3 Amendment**

PURPOSE

To amend the public building policy to allow the District to charge for inspections following an initial inspection.

BACKGROUND / ANALYSIS

In 2017 the District included a fee in the User Rates and Fees Bylaw 1073-2017, under Building Inspection that allows the District to charge for additional inspections required for the same type of inspection.

4. Re-inspection Charge	
a) A re-inspection fee where more than two inspections are necessary.	\$ 75.00

Wording is required to be added to the Public Building Inspection Policy CP8.3 that references additional inspection charges will be billed as per the current User Rates and Fees Bylaw.

FINANCIAL IMPLICATIONS

The District will recover costs for additional public building inspections beyond the first two.

STAFF RECOMMENDATION

“THAT Policy CP8.3 be amended to include a provision to charge for additional public building inspections as attached in the draft amendment”.

Respectfully submitted,

Heather Nelson-Smith
 Director of Corporate &
 Development Services

I agree with the recommendation.

Allison McCarrick
 Chief Administrative Officer

DISTRICT OF PORT HARDY

POLICY MANUAL

COUNCIL POLICY
DEVELOPMENT

INSPECTION OF PUBLIC BUILDINGS

POLICY #CP8.3

Approved: May 27, 2008 Amended February 13, 2018

Page 1 of 2

Intent

To establish an inspection system in which the frequencies of inspection are reasonable without compromising life or fire safety.

Policy Background

Fire Services Act

s.26(1) A municipal council must provide for a regular system of inspection of hotels and public buildings in the municipality.

s.1 “Public building” includes a factory, a warehouse, store, mill, school, hospital, theatre, public hall, office building and any building other than a private dwelling house.

Initial Inspections

Inspections for the initial year beginning April 2008 shall be completed based on the following considerations:

1. occupancy of the building
2. comparative fire risk
3. age and condition of the building
4. cooperation of the owner/occupant

Rate of inspection

Following completion of a satisfactory inspection, inspection shall be diarized for routine inspection as shown below.

INSPECTION ONCE PER YEAR	INSPECTION ONCE EVERY TWO YEARS	INSPECTION ONCE EVERY THREE YEARS
Hotels	Recreation facilities	Retail shops
Apartments	Dance halls	Marinas
	Churches	Industrial establishments
	Schools	Offices
	Restaurants	Garages and service stations
	Licensed beverage establishments	Theatres

DISTRICT OF PORT HARDY

POLICY MANUAL

COUNCIL POLICY
DEVELOPMENT

INSPECTION OF PUBLIC BUILDINGS

POLICY #CP8.3

Approved: May 27, 2008 Amended February 13, 2018

Page 2 of 2

General Instructions

1. An owner/occupant shall be given a maximum of seven (7) days to correct a defect that creates a fire hazard.
2. If a defective fire alarm system cannot be reset, the Inspector will notify the occupant and will issue a notice to the occupant to repair the alarm system immediately. Re-inspection will be held the following day to ensure compliance.
3. An owner/occupant shall be given a maximum of thirty (30) days to correct a defect other than a fire hazard.
4. A copy of the report shall be left with the owner/occupant following inspection.
5. Re-inspection shall be held with a maximum of forty-five (45) days from the initial inspection.
6. An inspector's initials must be placed beside an infraction item on an inspection report to show that the item has been resolved.
7. Failure by the owner/occupant to comply with a remedial order will be reported to the Director of Corporate Services and will be reported at an open meeting of Council.
8. When an inspector is required to enter any private room or suite they should be accompanied by another inspector.
9. ***The owner/occupier shall be charged for each inspection beyond the first inspection and one (1) re-inspection at the rate prescribed in the current User Rates and Fees Bylaw under the Building Inspection Schedule.***



DISTRICT OF PORT HARDY

BYLAW NO. 1075-2018

AGENDA

A Bylaw to Amend Zoning Bylaw No. 1010-2013

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Zoning Bylaw No. 1010-2013;

NOW THEREFORE the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART 1 CITATION

1.1 This bylaw may be cited for all purposes as the "District of Port Hardy Zoning Bylaw Amendment Bylaw No. 1075-2018".

PART 2 AMENDMENTS

2.1 District of Port Hardy Zoning Bylaw No. 1010-2013 is hereby amended as follows:

- a) Section "1.3 Definitions" is hereby amended as follows:
 - i) Adding the following definition in alphabetical order:

***'Emergency Shelter'** means a use staffed and supervised by a public authority or non-profit agency for the purposes of providing temporary sleeping accommodation for people in need of emergency shelter on a short-term basis (to a maximum of 24 hours). Emergency Shelter use includes drop-in and meal services as well as accessory administration and office space for use by program staff*

- b) Table 5.1 in section 5.1 of Part 5 is amended by adding a new zone listing at the very end of the Table as follows:

CD-8: Comprehensive Development 8	CD-8
-----------------------------------	------

- c) Part 12: Comprehensive Development Zones is amended by adding a new section 12.5 CD-8: Comprehensive Development 8 as shown on Schedule "A" to this Bylaw.
- d) The list of zones included in the legends titled "Zoning Descriptions" on each of Schedules A, B, C and D are amended by including "CD-8: Comprehensive Development 8".
- e) Schedule C: Zoning Map – West is amended by changing the applicable zone of the property legally described as Parcel A (DD 223130I) of Lots 19 and 20, Block 4, Section 36, Township 9, Rupert District, Plan 2178 PID 006-455-743; Lot 19, Block 4, Section 36, Township 9, Rupert District, Plan 2178, Except Parcel A (DD223130I) thereof PID 006-455-611; and Lot 20, Block 4, Section 36, Township 9, Rupert District, Plan 2178, Except Parcel A (DD 223130I) thereof PID 006-455-662

PART 3 SEVERABILITY

3.1 If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Read a first time the 13th day of February 2018
Public Hearing held the ___ day of February, 2018
Read a second time the ____ day of February, 2018.
Read a third time the ____ day of February, 2018.
Adopted on the ____ day of March, 2018.

DIRECTOR
OF CORPORATE SERVICES

MAYOR

Certified a true copy of
Bylaw No. 1075-2018 as adopted.

Director of Corporate Services

SCHEDULE “A” TO BYLAW NO. 1075-2018

12.5 CD-8: COMPREHENSIVE DEVELOPMENT ZONE 8

The purpose of this zone is to allow the range of uses permitted in the C-3: Town Centre Commercial zone which is common to properties on Market Street, along with the added principal use of an Emergency Shelter, on the property which is civically addressed as 7305 Market Street and is legally described as Parcel A (DD 223130I) of Lots 19 and 20, Block 4, Section 36, Township 9, Rupert District, Plan 2178 PID 006-455-743; Lot 19, Block 4, Section 36, Township 9, Rupert District, Plan 2178, Except Parcel A (DD223130I) thereof PID 006-455-611; and Lot 20, Block 4, Section 36, Township 9, Rupert District, Plan 2178, Except Parcel A (DD 223130I) thereof PID 006-455-662

(a) The following principal uses are permitted:

- (1) Assembly
- (2) Family Resource Centre
- (3) Professional Service Establishment
- (4) Personal Service Establishment
- (5) Emergency Shelter

(b) The following accessory uses are permitted:

- (1) Accessory Buildings and Structures (see section 3.9)

(c) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.08 feet)	
Maximum Parcel Coverage	75%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	