



**REGULAR MEETING OF COUNCIL
Tuesday, May 26, 2020 @ 3:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet**

AGENDA

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY Council would like to acknowledge the Yuułuʔiłʔatḥ First Nation, on whose traditional territories the District of Ucluelet operates.	
3. NOTICE OF VIDEO RECORDING Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube. Delegates and meeting participants are also advised that this meeting is being conducted via Zoom which may store data on foreign servers.	
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5. APPROVAL OF AGENDA	
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- 11.2 Councillor Lara Kemps
Deputy Mayor April - June 2020
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Deputy Mayor July - September 2020
- 11.4 Councillor Rachelle Cole
Deputy Mayor October - December 2020
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 - 12.1 COVID-19 Task Force Update (Verbal Report)
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- 14. OTHER BUSINESS
- 15. QUESTION PERIOD
- 16. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, May 12, 2020 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen (all Councillors attended via video conferencing technology)
 Staff: Mark Boysen, Chief Administrative Officer
 Bruce Greig, Manager of Community Planning
 Donna Monteith, Chief Financial Officer (attended via video conferencing technology)
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate / Planning Clerk

Regrets:

1. CALL TO ORDER

1.1 The meeting was called to order at 3:32 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Yuułuʔiłʔatḥ First Nation, on whose traditional territories the District of Ucluelet operates.

3. NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding was being video recorded and broadcast on YouTube. Delegates and meeting participants were also advised that the meeting was being conducted via Zoom which may store data on foreign servers.

4. ADDITIONS TO AGENDA

4.1 There were no additions to the Agenda.

5. APPROVAL OF AGENDA

5.1 May 12, 2020 Regular Meeting Agenda.

2020.085.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
 THAT Council approve the May 12, 2020 Agenda as presented.

CARRIED.

6. ADOPTION OF MINUTES

6.1 April 27, 2020 Special Council Minutes

2020.086.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council adopt the April 27, 2020 Special Council Minutes as presented.
 CARRIED.

6.2 April 28, 2020 Regular Council Minutes

2020.087.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
THAT Council adopt the April 28, 2020 Regular Council Minutes as presented.
 CARRIED.

7. UNFINISHED BUSINESS

7.1 Lot 13 Marine Drive - Correspondence from Weyerhaeuser Todd Powell, Vice President of Weyerhaeuser NR Company

Todd Powell, Vice President for Real Estate and Development for Weyerhaeuser NR Company, discussed the Lot 13 Marine Drive affordable housing development and in particular the crediting of Weyerhaeuser for the provision of affordable housing at the time the Development Permit is issued rather than at subdivision.

2020.088.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
A. THAT Council indicate the following additional information should be provided at the time the Development Permit / Development Variance Permit application is submitted for the proposed subdivision and development of Lot 13:

1. *identify which lots would have the Affordable Rental housing agreement registered on their title, and which would have the Affordable Ownership housing agreement registered on their title;*
2. *identify which lots would be developed as 1-bed, 2-bed or 3-bed homes; and,*
3. *identify the prices of the lots and homes.*

CARRIED.

2020.089.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
B. THAT Council indicate that it is prepared to authorize modification of Master Development Agreement and Covenant EX125879 on lands owned by Weyerhaeuser Company Ltd. at the point when a Development Permit has been issued for the proposed subdivision and development of the land, subject to the concurrent registration of the "No Subdivision Covenant with Option to Purchase" being registered on the title of Lot 13.

CARRIED.

8. MAYOR'S ANNOUNCEMENTS

8.1 Mayor Noël noted that it is International Nurses Day and thanked them for their efforts. He also asked residents avoid non-essential

travel over the Victoria Day Long Weekend.

9. PUBLIC INPUT, DELEGATIONS & PETITIONS

9.1 Public Input

There was no public input received via email during this Council Meeting.

10. INFORMATION ITEMS

10.1 Affordable Housing Project

Daniel Franklin, Affordable Housing Advocate

Council requested that staff respond to Mr. Franklin's email.

10.2 Ucluelet Schools Seismic Upgrade Project Progress Report and Neighbours Information

School District 70

Mark Boysen, Chief Administrative Officer, noted that these documents will be distributed via Ukee Mail and Ucluelet.ca. He also noted that Planning staff will review the District of Ucluelet Noise Bylaw with the Project Manager.

11. COUNCIL COMMITTEE REPORTS

11.1 Councillor Marilyn McEwen

Deputy Mayor January - March 2020

- April 29 - attended CBT Virtual Open House.
- Noted that the West Coast Multiplex Society has hired a part time communications and administration manager.
- A Wild Pacific Trail meeting is scheduled for May 13.

11.2 Councillor Lara Kemp

Deputy Mayor April - June 2020

- May 12 - attended BC Chamber of Commerce meeting in which protocols for personal service establishments and restaurants were discussed.
- Noted that non-essential marine activities such as charter fishing will be reopened during phase 3 of BC's Restart Plan.
- Noted new local DFO fishing closures and regulations related to the Southern Killer Whale population.

11.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2020

- A Wild Pacific Trail meeting is scheduled for May 13.
- Reminded residents to limit attendance at the Co-Op to one person per household at a time.

11.4 Councillor Rachelle Cole
Deputy Mayor October - December 2020

- Regular ACRD EOC updates.
- Noted the ACRD's concerns related to non-essential travel over the Victoria Day Long Weekend.

11.5 Mayor Mayco Noël

- May 11 - Barkeley Community Forest meeting.
- Met with MP Gord Johns to discuss shovel ready projects in Ucluelet.
- Bi-weekly meetings with MLA Scott Fraser.
- Stressed the importance of protecting community hubs such as the Co-Op.

12. LEGISLATION

12.1 Five Year Financial Plan and Tax Rates Bylaws (Third Reading)
Joseph Rotenberg, Manager of Corporate Services

Donna Monteith, Chief Financial Officer, presented this report. She noted that residents may now apply for home owner grants online and discussed the budget feedback.

- 2020.090.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
1. THAT Council give "District of Ucluelet 2020-2024 Financial Plan Bylaw No. 1274, 2020" third reading.
CARRIED.
- 2020.091.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
2. THAT Council adopt "District of Ucluelet 2020-2024 Financial Plan Bylaw No. 1274, 2020."
CARRIED.
- 2020.092.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
3. THAT Council give "District of Ucluelet Annual Tax Rates Bylaw No. 1275, 2020" third reading.
CARRIED.
- 2020.093.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
4. THAT Council adopt "District of Ucluelet Annual Tax Rates Bylaw No. 1275,

2020."

CARRIED.

12.2 Fire Safety Inspection Bylaw (Adoption)

Joseph Rotenberg, Manager of Corporate Services

2020.094.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
 1. *THAT Council adopt "District of Ucluelet Fire Safety Inspection Bylaw No. 1265, 2020."*

CARRIED.

13. REPORTS

13.1 Ucluelet COVID-19 Community Response Plan

Mark Boysen, Chief Administrative Officer

Mark Boysen, Chief Administrative Officer, presented a slideshow about the Ucluelet COVID-19 Community Response Plan and Task Force and requested Council feedback. Mr. Boysen also introduced the COVID-19 Community Monitors who will collect data about the use of public spaces in the District which will be used to inform policy decisions about those spaces.

Council discussed fishing charter operators and the business licencing regime.

2020.095.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
 1. *THAT Council support the establishment of the Ucluelet COVID-19 Recovery Unit Task Force.*

CARRIED.

2020.096.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
 2. *THAT Council endorse the proposed Draft Ucluelet COVID-19 Community Recovery Plan.*

CARRIED.

13.2 Cheque Listing - April 2020

Nicole Morin, Corporate / Planning Clerk

13.3 Resolution Tracking - April 2020

Nicole Morin, Corporate / Planning Clerk

14. OTHER BUSINESS

15. QUESTION PERIOD

There were no questions received via email during this Council Meeting.

16. ADJOURNMENT

The meeting was adjourned at 4:37 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, May 12, 2020 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Mark Boysen
CAO



May 21, 2020

Ref: 254635

Dear Local Government Leader:

During these uncertain times, it is clearer than ever that safe, secure, appropriate, and affordable housing is critical for all British Columbians.

I am writing today to share with you that we will be opening the next Request for Proposals (RFP) for the Community Housing Fund, working with our partners to deliver more homes for the people of B.C.

The Community Housing Fund helps to create affordable rental homes for middle and low-income British Columbians. The fund supports projects that are a mixed-income model, with 20% of the housing in each building for low-income households, 50% rent geared to income (housing income limit) and 30% for moderate income households (up to \$74,000). Proponents must be a non-profit housing society, Indigenous housing society, First Nation, housing co-operative or municipality, which want to develop and operate rental housing projects for individuals, seniors and families with low to moderate incomes.

BC Housing will issue the Request for Proposals on May 27, 2020, and it will be open until mid-January 2021, giving proponents time to prepare their submissions. While the RFP will be open until mid-January, BC Housing will proceed with pre-allocation to successful proponents as early as September 2020. For more information, please visit <https://www.bchousing.org/projects-partners/funding-opportunities>.

These homes are the next step in our 10-year housing plan. In just over two years we've already made great progress together, providing thousands of secure homes to families, individuals and seniors in communities across the province through our housing programs:

- **Community Housing Fund** will provide close to \$1.9 billion over 10 years to build and operate 14,350 affordable new rental homes for seniors, families, low-income and middle-income earners. As of December 31, 2019, 5,200 units are complete or in progress.
- **Indigenous Housing Fund** will provide \$550 million over 10 years to build and operate 1,750 units of social housing for projects for Indigenous peoples both on and off Nation. As of December 31, 2019, 1,165 units are complete or in progress.

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Local Government Leader
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Women's Transition Housing Fund will provide \$734 million over 10 years to build 1,500 new supportive homes for women and children fleeing violence, including transition houses, safe homes, second-stage and long-term housing. As of December 31, 2019, 679 units are complete or in progress.

- **Programs for supportive housing** will provide \$1.4 billion over 10 years to build and operate 4,900 units of supportive housing for those who are experiencing homelessness or at risk of homelessness. As of December 31, 2019, 3,072 units are complete or in progress.
- **HousingHub**, a new branch of BC Housing, promotes, facilitates and coordinates housing partnerships to create affordable homes. As of December 31, 2019, 2,800 units are complete or in progress.

In addition to the Community Housing Fund RFP, there are other ongoing opportunities available to partner with BC Housing:

- **Building BC funds:** BC Housing welcomes discussions with partners interested in developing new housing through the Supportive Housing Fund and the Women's Transition Housing Fund. Visit <https://www.bchousing.org/partner-services> to learn more or contact your local Director of Regional Development (contact list below).
- **Major Repairs for Existing Social Housing:** The Province is providing \$1.1 billion over 10 years to non-profit housing providers and housing co-operatives to support capital projects that maintain or benefit an existing social housing building's condition or improve the building's seismic or fire safety, as well as for projects focused on energy performance. Visit <https://www.bchousing.org/partner-services/asset-management-redevelopment/capital-planning-repairs> to learn more about eligibility criteria and how to apply or speak with your local Regional Non-Profit Portfolio Manager.
- **HousingHub** was established to seek innovative partnerships with local housing organizations, community land trusts, Indigenous groups, faith-based groups, charities, the development community, financial institutions and other industries to create affordable rental housing and homeownership options for middle-income British Columbians. As a centre for housing expertise and collaboration, affordable housing will be developed through the HousingHub either through new construction or through the redevelopment of existing sites. Partners bring suitable land, equity and/or the catalyst for development. The HousingHub can provide:

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Local Government Leader
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- Expertise and assistance in the planning and development process
- Access to pre-development funding
- Low-cost financing
- Project coordination advice
- A place for organizations to collaborate

To learn more, visit: www.bchousing.org/partner-services/housinghub

There are many ways that municipalities can help to partner with BC Housing, such as providing city-owned land, waving Development Costs Charges and prioritizing affordable housing projects in the development approvals process. We also hope that you will help share these opportunities to partner with BC Housing with organizations in your area.

If you are interested in providing housing but are unsure of how to connect with non-profit housing operators, BC Housing or the [BC Non-Profit Housing Association](#) can help you identify housing non-profits in your region.

If your government or a stakeholder in your community has a housing proposal of any kind, please contact your local Director of Regional Development for more information:

Region	Director of Regional Development	Email
Interior Region	Danna Locke	dlocke@bchousing.org
Northern Region	Amy Wong	awong@bchousing.org
Vancouver Coastal & Fraser Region	Naomi Brunemeyer	nbrunemeyer@bchousing.org
	James Forsyth	jforsyth@bchousing.org
Vancouver Island	Malcolm McNaughton	mmcnaughton@bchousing.org
HousingHub	Raymond Kwong	rkwong@bchousing.org

Thank you for all you are doing to bring more affordable housing to your community.

Sincerely,



Selina Robinson
Minister

MAY 19 2020

District of Ucluelet

BRITISH
COLUMBIA

May 13, 2020

Ref: 249732

His Worship Mayor Mayco Noel
 District of Ucluelet
 PO Box 999
 Ucluelet BC V0R 3A0

Dear Mayor Noel:

This year, June 1-7 marks British Columbia's Child and Youth in Care Week. I invite you and your community to join British Columbians in celebrating the strength, creativity, resilience and tenacity of young people who are in or have been in care.

Child and Youth in Care week is a chance to break the stigma that these youth face. Sadly, the stories told of young people in care are often ones of tragedy and broken commitments, but British Columbia's children and youth in care are so much more than these stories. They are artists, athletes, storytellers, caregivers, and activists. They are our province's future teachers, mechanics, doctors, researchers, parents and leaders. Join us in offering an alternative story and elevating the voices of children and youth. With their unique lived expertise, young people who are in or have been in care deserve to be celebrated and honoured for the love and diversity they bring to all our communities.

We hope that you will find time over Child and Youth in Care Week to spread a message of awareness and care in your communities. Face-to-face events will not be taking place this year due to the COVID-19 pandemic, but I encourage you to visit the Web site for tips and ideas for virtual events and other creative ways to celebrate at www.bcchildandouthincareweek.com. You can also help promote this message of celebration using the Web site's social media tools.

Thank you for your support of British Columbia's children and youth in care. If you have any questions or require more information, please contact the Federation of BC Youth in Care Networks at info@fbcyicn.ca.

Sincerely,

Katrine Conroy
 Minister of Children and Family Development

Ministry of
 Children and Family
 Development

Office of the
 Minister

Mailing Address:
 Parliament Buildings
 Victoria BC V8V 1X4

Location:
 Parliament Buildings
 Victoria



STAFF REPORT TO COUNCIL

Council Meeting: May 26, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, MANAGER OF RECREATION & TOURISM

FILE NO: 0540-20HA

SUBJECT: RESERVE BERTH FEES

REPORT NO: 20-42

ATTACHMENTS: NONE

RECOMMENDATION(S):

1. **THAT** Council receive the information regarding reserve berth fees requested by the Harbour Authority.

PURPOSE:

To provide Council with information regarding reserve berth fees.

BACKGROUND:

At the Tuesday May 19th Harbour Authority meeting, a motion was made for staff to provide information that addresses the following questions:

1. What is the income derived from reserved berth fees?
2. What is the volume (number of boats) of boats that utilize reserved berths?
3. What is the financial impact of the waiving reserve berth fees?

DISCUSSION:

The following chart lists the number of berths reserved in 2019, their location and the income generated from these fees:

	Charter Boats	Recreational Boats	Parks Boats	Total # of Boats	Total Income
Inner Boat Basin	28	9	2	39	\$17,550
Outer Boat Basin	3	2	1	6	\$2,700
Whiskey Dock	3			3	\$1,350
Totals	34	31	10	85	<u>\$21,600</u>

FINANCIAL IMPACTS:

The loss in reserve berth fees has been calculated above at \$21,600. Council should consider this a deliberate loss to the Harbour Master's income, in that he would not receive his share of the

proceeds under the current contract. As well, the Harbour Master is now estimating a loss in revenue for the Small Craft Harbour of \$70,000 due to the COVID-19 pandemic. This would be over and above any reserve berth revenue cuts. This is not something the District was able to adequately address during the budget process as restrictions for travel, gatherings and businesses were unclear at the time. The financial impacts during these uncertain times could mean that the Small Craft Harbour would not be able to contribute the budgeted funds to the infrastructure reserve fund.

POLICY OR LEGISLATIVE IMPACTS:

The reserve berth fees are determined by District of Ucluelet Harbour Regulation Amendment Bylaw No. 1193, 2016. In order to change the Reserved Berth rates, the bylaw will need to be replaced or amended. As well, it is likely the District's Five Year Financial Plan Bylaw adopted May 12, 2020 would require amending.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

As stated above, a bylaw amendment would be required to change the reserve berth fees. This would take staff time and two Council meetings.

OPTIONS REVIEW:

1. **THAT** Council receive the information regarding reserve berth fees requested by the Harbour Authority.
2. **THAT** the Council provide alternative direction to Staff.

Respectfully submitted: Abigail K. Fortune, Manager of Recreation & Tourism
 Donna Monteith, Chief Financial Officer



STAFF REPORT TO COUNCIL

Council Meeting: May 26, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1

FILE NO: 4320-50

**SUBJECT: APPLICATION FOR LIQUOR LICENSE CHANGES - BLACK ROCK
RESORT LOBBY AND FOYER**

REPORT NO: 20-43

ATTACHMENT(S): APPENDIX A – APPLICATION

RECOMMENDATION:

1. **THAT** Council indicate that it does not wish to provide comments to the Liquor and Cannabis Regulation Branch on an application for changes to the liquor primary license for the Black Rock Oceanfront Resort lobby and foyer.

PURPOSE:

To provide Council with information regarding the application to the Liquor and Cannabis Regulation Branch (**LCRB**) by the Black Rock Oceanfront Resort at 596 Marine Drive, for a liquor primary structural change that would allow the resort's lobby and foyer to have a permanent liquor primary license.

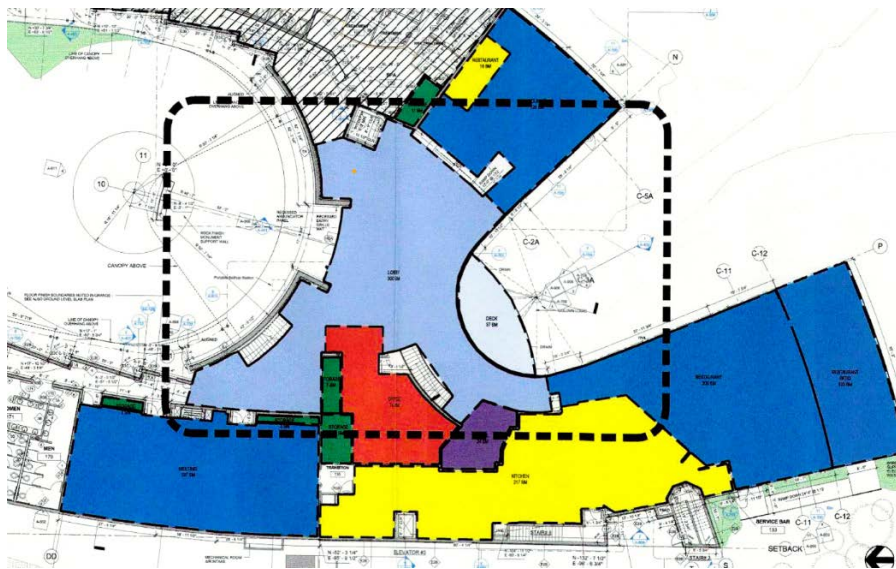


Figure 1 – Subject Area (light blue area inside the dotted box)

BACKGROUND:

Certain liquor license applications to the LCRB require a Local Government to either gather the views of impacted residents and provide comment to the LCRD or to opt out of that process. Council

has not adopted a general policy of opting out of providing feedback on liquor licence applications. The following is an excerpt from a guide to Local Governments by the LCRB:

If the local government chooses to provide input they must:

- *Gather the views of residents that may be affected by the proposed establishment.*
- *Implement a Public Notice campaign.*
- *Refer to internal and external departments and agencies.*
- *Comment on each point in the regulatory criteria.*
- *Comment on the method used to gather the views of residents.*
- *Comment and recommend with respect to the views of residents.*
- *Give recommendations as to whether the application should be approved and reasons for the recommendations.*
- *Provide the LCRB with a resolution within 90 days of notification.*

If the local government chooses not to provide input they must provide a resolution indicating one of the following:

- *They do not wish to provide input on any license application (do not wish to provide input in any of the prescribed circumstances detailed above).*
- *They only wish to provide input on certain types of license applications.*
- *They do not wish to provide input on a particular application.*

It should be noted that if the District of Ucluelet chooses to opt out of providing comment to the LCRB, the LCRB will itself gather the views of impacted residents as part of their internal processes.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

If Council does not opt out of providing comment, considerable time is required to advertise and implement a Public Notice campaign and canvass the opinions of impacted residents.

SUMMARY AND CONCLUSION:

The Black Rock Resort is relatively isolated from surrounding residential neighborhoods. The proposed change will simplify their operation model, as they would no longer require separate temporary liquor licenses for each event that requires the lobby and foyer to be a licensed area.

OPTIONS:

Given that the requested changes to the licenced area are internal to the resort, Staff support opting out of providing comment to the LCRB in this case. Alternatively, Council could consider the following:

2. **THAT** Council direct Staff to gather the views of residents that may be affected by the proposed structural liquor license change and undertake a Public Notice campaign before gathering the views of residents.

Respectfully submitted: John Towgood, Planner 1
Bruce Greig, Manager of Planning
Mark Boysen, Chief Administrative Officer

Black Rock Oceanfront Resort

Appendix

- 1) Letter to District of Ucluelet Council
- 2) Application LCRB: Liquor Primary Structural Changes
- 3) Copies of Existing Licenses
- 4) Letter from District of Ucluelet Building Inspection
- 5) Architect Floor Plans of proposed area
- 6) Previous Temporary Change to a Liquor License Approval

May 19, 2020

Black Rock Oceanfront Resort Application for Structural Changes to Existing Liquor License

The Black Rock Oceanfront Resort has applied to **Liquor Cannabis Regulation Branch** on February 6, 2020 for Structural Changes to our existing Liquor License #303302.

The application for structural changes is outlined below.

An application to extend the existing Licensee number #303302 to 'permanently include' the Hotel's lobby and lobby patio.

Occupant Load calculated by Architect Andy Igel:

Lobby: 162.2 (restaurant seating for events)

Lobby Patio: 20 (restaurant seating for events)

Temporary license approvals for the lobby area have been granted, most recently December 10, 2019 which is included for your review.

The hotel lobby sits directly in between 3 current licensed outlets and if approved would allow events to utilize the space and or non-server restricted liquor movement in between the outlets listed below:

Hotel's Lounge and Patio License Number #303302

Hotel's Restaurant and Patio License Number #303298

Hotel's Banquet Ballroom License Number #303298

And directly above the Hotel's Licensed Wine Cellar #303298

Given the location, we do not expect that the changes we have made application for would result in an impact to the community, and therefore request your review and recommend Council opt out of comment.

Ted Bailey

General Manager
Black Rock Oceanfront Resort



Liquor and Cannabis Regulation Branch
 400-645 Tyeo Road, Victoria, BC V9A 6X5
 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
 Phone: 250-952-5787 Fax: 250-952-7066

LIQUOR PRIMARY AND LIQUOR PRIMARY CLUB STRUCTURAL CHANGE APPLICATION

Liquor and Cannabis Regulation Form LCRB012A

What is a Structural Change?

It is defined as a change to the existing approved service area(s), including but not limited to:

- a change in the position of a wall or partial height divider (pony wall) or fixed planters used as separation between/within a service area
- new construction
- the removal or addition of permanent display cabinets, stages or dance floors
- a change to the food and liquor service bar location or size
- in the position of access and exit points leading to or from a licensed service area
- the removal of a service area from the liquor licence
- addition of a new outdoor patio or the removal or expansion of an existing patio
- change to capacity (occupant load) of a licensed establishment with or without changes to the licensed service area(s)
- such other construction or changes the general manager considers may affect patron routing, capacity, or the line of sight between a staff control point and the service area of the establishment.

If you are making changes to the current approved floor plan, other than cosmetic changes, a structural change application is required. If your liquor primary licence overlaps a food primary licence (aka dual licence), a structural change application is also required for the food primary. **Note:** This does not include cosmetic changes such as changes to existing flooring, wallpaper, reconfiguring tables and chairs, countertops, painting, or changing the type of material used in the perimeter bounding of an outdoor patio.

If you have any questions about this application, call the Liquor and Cannabis Regulation Branch toll-free at 1 866 209-2111.

Licence Information

Licence # affected: 303302

Please check if licence is currently dormant.

If yes, attach a letter signed by the licensee requesting the licence to be reactivated if this application is approved.

Do you currently hold other licences at this location? Food Primary (Licence #) 303298

Liquor Primary (Licence #) 303302 Licensee Retail Store (Licence #) _____ UBrew/UVin or Other (Licence #) _____

Licensee name (as shown on licence): BLACK ROCK OCEANFRONT RESORT

Establishment name (as shown on licence): BLACK ROCK OCEANFRONT RESORT

Establishment Location address: 596 MARINE DRIVE UCLUELET BC V0R3A0
(as shown on licence) Street City Province Postal Code

Business Tel with area code: 250-726-4814 Business Fax with area code: 250-726-2430

Business e-mail: bmichael@blackrockresort.com

Business Mailing address: 596 MARINE DRIVE UCLUELET BC V0R3A0
(if different from above) Street City Province Postal Code

Contact Name: BRIAN MICHAEL Title/Position: Director Food & Beverage
last / first / middle

Type of Change Requested

Sub- Job Number
Office use only

Please check appropriate box(es) below:

Part 1	<input type="checkbox"/> Addition of a New Outdoor Patio	Outdoor Patio (C3-LIC) _____
Part 2	<input type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Removal of an existing service area <input type="checkbox"/> Other	Structural - capacity change (C3-LIC) <u>70 21</u> Structural - no capacity change (C4-LIC) _____

Application Contact Person

This applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: BRIAN MICHAEL

Phone number: 416-453-4699

Fax number:

E-mail address: bmichael@blackrockresort.com

Part 1: Addition of New Outdoor Patio

Fee: \$440

C3 - LIC

Provide the following information:

1. Attach one 11" x 17" copy of the proposed patio floor plan (see Appendix I on page 6 for floor plan instructions).

The branch requires an occupant load (patrons plus staff) for the proposed patio area(s) which must be marked/stamped and dated on the plan you submit. Do not submit this application if you do not have the occupant load calculation stamped on your patio plans.

2. What is the occupant load calculation for the new patio(s)?

Patio #1: 57 Patio #2: Patio #3:

3. If the patio(s) is already constructed, attach a photo.

4. Describe the height and composition of the patio perimeter or bounding (i.e. railings, fencing, planters, hedging, etc.). A patio must be bounded by fixed and immovable physical separation in order to control patrons and liquor within the service area.

48" Height 58" width x 8 panels / Glass Partition in steel frame.
LONG

5. Describe the location of the patio in relation to the licensed interior - the patio must be immediately adjacent to the interior area.

FOYER PATIO

6. Describe how staff will manage and control the patio from the interior service area.

PATIO/FOYER IS VISIBLE BY BOTH CURRENT LICENSED AREAS.

7. Specify if liquor service to the patio is from: (a) fixed bar located on the patio, (b) portable bar for the patio, (c) licensed interior.

LICENSED INTERIOR

8. Do servers have to carry liquor through any unlicensed areas to get to the patio? Explain:

NOT IF FOYER LICENSE IS APPROVED

Note: Patios on grass, earth or gravel require a permit from the local Health Authority. Sidewalk patios require a permit from LG/FN.

A resolution from your Local Government/First Nation is required. Part 3 of this form must be completed by Local Government/First Nation.

You must also complete Parts 4 and 5.

Part 2: Structural Changes

Fee: \$440 C3 - Cap Ch.
C4 - No Cap Ch.

(Excluding construction of new patios)

Provide the following information:

1. Describe in full detail the reason for this application and what the changes are that you want considered.

TO PERMANENTLY LICENSE HOTEL FOYER & FOYER PATIO WHICH IS IN CENTRE OF 3 LICENSED AREAS -

2. If you are applying to remove the interior area and create a stand-alone patio, describe the location of the patio in relation to the unlicensed permanent structure. A stand-alone patio must adjoin a permanent structure (affixed to a foundation) which is plumbed and wired, and which the applicant owns or leases.

[Empty box for description of patio location]

3. Attach one 11" x 17" copy of the proposed floor plan or patio plan (if creating a stand-alone patio). See Appendix 1 on page 6 for floor plan instructions.

4. Current total of all service areas (as shown on the liquor licence): []

5. By making these alterations, the total occupant load will:

- Decrease to: [] (patrons plus staff)
- Stay the same: [] (patrons plus staff)
- Increase to: [] (patrons plus staff)

If there is an increase to occupant load, a resolution from your Local Government/First Nation (LG/FN) is required. Take your application and floor plan to LG/FN. Part 3 of this form must be completed by LG/FN.

Part 3: Local Government/First Nation Resolutions: Confirmation Receipt of Application

If you are applying for a new patio (Part 1) or a proposed change that increases the occupant load (Part 2) then public interest factors may be affected by the structural change(s). This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local Government/First Nation (name): []

Name of Official: [] Title/Position: []

Phone: [] E-mail: []

Date: []
(Day/Month/Year)

Signature of Official: _____

Check here if the LG/FN will not be providing comment: Yes, opting out of comment.

Note: The LG/FN cannot provide comment for their own application.

Is this establishment located on Treaty First Nation land? No Yes

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application for a structural change to a liquor primary (LP) licence is being made within your community. The Branch requests that you consider this application (application form and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed Structural Change application form and floor plan to LG/FN.
- If there are any major issues LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign Part 3 of the application form and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

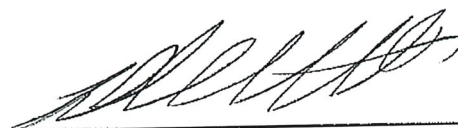
- Gather public input for the community within the immediate vicinity of the establishment.
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

Part 4: Declaration of Signing Authority Including Valid Interest

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: 
Authorized signatory of the licensee

Name: Edward David (last / first / middle) Position: Director (if not an individual) Date: 07/05/30 (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.



May 14, 2020

Attention LCRB Licensing,

RE: Occupant load determinations for liquor licensing #303298

From your guidelines:

If Local Government/First Nation (LG/FN) will not provide the occupant load, they must provide a letter confirming they do not issue occupant load. You must submit the LG/FN letter with your floor plan. The Branch will accept an occupant load calculation from a professional architect or engineer.

Please accept this letter as confirmation that The District of Ucluelet does not provide occupant load calculations for liquor licensing applications in Part 3 buildings.

We have no further comment with respect to this application.

If you have any further questions, or if we can be of any further help please don't hesitate to contact me directly at 250-726-6349 or nhenderson@ucluelet.ca.

Best regards,
Nicholas Henderson

Building Inspection

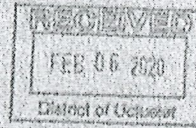
5/19/2020

IMG_1607.jpg

OCCUPANCY INFORMATION		
OCCUPANT LOAD (PER BCBC 3.1.17.1):		
RESTAURANT	205 SM / 1.2 =	170.8
KITCHEN/BAR:	246 SM / 9.3 =	26.5
RESTAURANT PATIO:	103 SM / 1.2 =	85.8
LOUNGE:	129 SM / 1.2 =	107.5
STORAGE AREAS:	34 SM / 40 =	0.8
OFFICE	74 SM / 9.3 =	8.0
RETAIL	24 SM / 3.7 =	6.5
LOBBY:	300 SM / 1.85 =	162.2 (RESTAURANT SEATING FOR EVENTS)
DECK:	37 SM / 1.85 =	20 (RESTAURANT SEATING FOR EVENTS)
MEETING ROOMS	197 SM / 1.85 =	106.5
TOTAL		694.7 OCCUPANTS (755.3 OCCUPANTS IF LOBBY & DECK ARE CALCULATED AT 0.75 NON-FIXED SEATING)
EGRESS		
694.7 OCC. X 6.1MM =	4 237.7 MM (13'-11") REQUIRED (4 688 REQUIRED IF NON-FIXED SEATING IN LOBBY & DECK) 7 315.2 MM (24'-0") PROVIDED	
WASHROOM FIXTURE COUNT		
	WC/URINAL	LAV
WOMENS	9	6
MENS	5	3
PER THE BC BUILDING CODE, THE FIXTURE COUNT IS ACCEPTABLE FOR AN OCCUPANCY LOAD OF NO GREATER THAN 500 OCCUPANTS (ASSEMBLY OCCUPANCY)		
OVERALL ASSESSMENT		
THE OCCUPANT COUNT IS LIMITED BY THE WASHROOM FACILITIES, WHICH CAP THE TOTAL OCCUPANCY AT 500.		
AS A RESULT, IT IS NOTED THAT THE FIRST FLOOR OCCUPANCY CANNOT AT ANY ONE POINT EXCEED 500 OCCUPANTS, AND EACH SPACE CANNOT EXCEED THE TOTAL OUTLINED IN THE CALCULATIONS ON THIS SHEET		
NOTES		
OCCUPANT COUNTS FOR SPA, FITNESS ROOM AND GUEST SUITES HAVE NOT BEEN INCLUDED IN THE OCCUPANCY COUNT.		
EACH GUEST SUITE IS EQUIPPED WITH THEIR OWN FACILITIES, AND EGRESS THROUGH THE NORTH AND SOUTH HALLWAYS, OR THROUGH THE STAIRS IF EXITING FROM THE UPPER STOREY. NONE OF THE ROOMS ARE REQUIRED TO EGRESS THROUGH THE PUBLIC SPACE OF THE RESORT THAT HAVE BEEN REVIEWED AS PART OF THIS STUDY.		
THE SPA AND FITNESS SPACES ARE EQUIPPED WITH THEIR OWN MEANS OF EGRESS AND PLUMBING FACILITIES, AND HAVE BEEN TREATED AS A SEPARATE SPACE THAT IS NOT TO BE ALTERED BY THIS STUDY.		
THE PLUMBING FACILITIES AND MEANS OF EGRESS INCLUDED IN THESE SPACES HAVE NOT BEEN INCLUDED IN THE OCCUPANCY COUNT, AND ARE NOT TO BE ALTERED OR REVISED BY THE STUDY.		
THIS STUDY IS BASED ON THE 2018 BRITISH COLUMBIA BUILDING CODE		

IGEL ARCHITECTURE
 405 PPIOR STREET
 VANCOUVER BC V6A 2G3
 IGEL-ARCH.COM

OCCUPANT LOADS
 DETERMINED BY
 ANDREW IGEL,
 PROFESSIONAL ARCHITECT



BUILDING INSPECTION
 (Signature)



OCUPANT LOADS
 DETERMINED BY
 ANDREW IGEL,
 PROFESSIONAL ARCHITECT



BUILDING INSPECTION

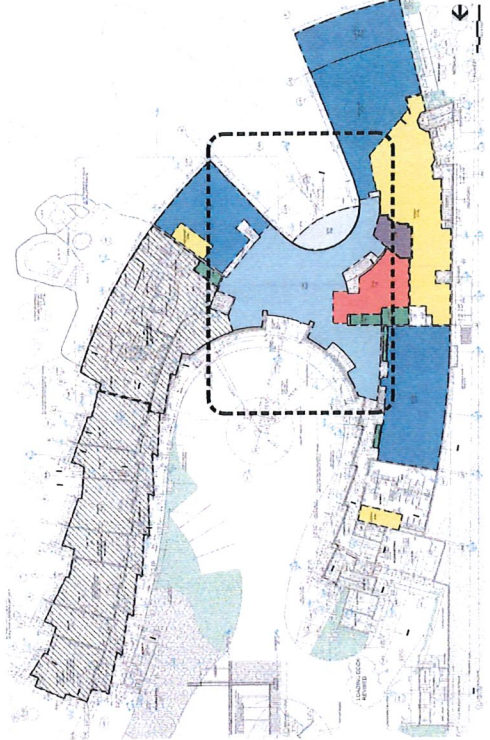
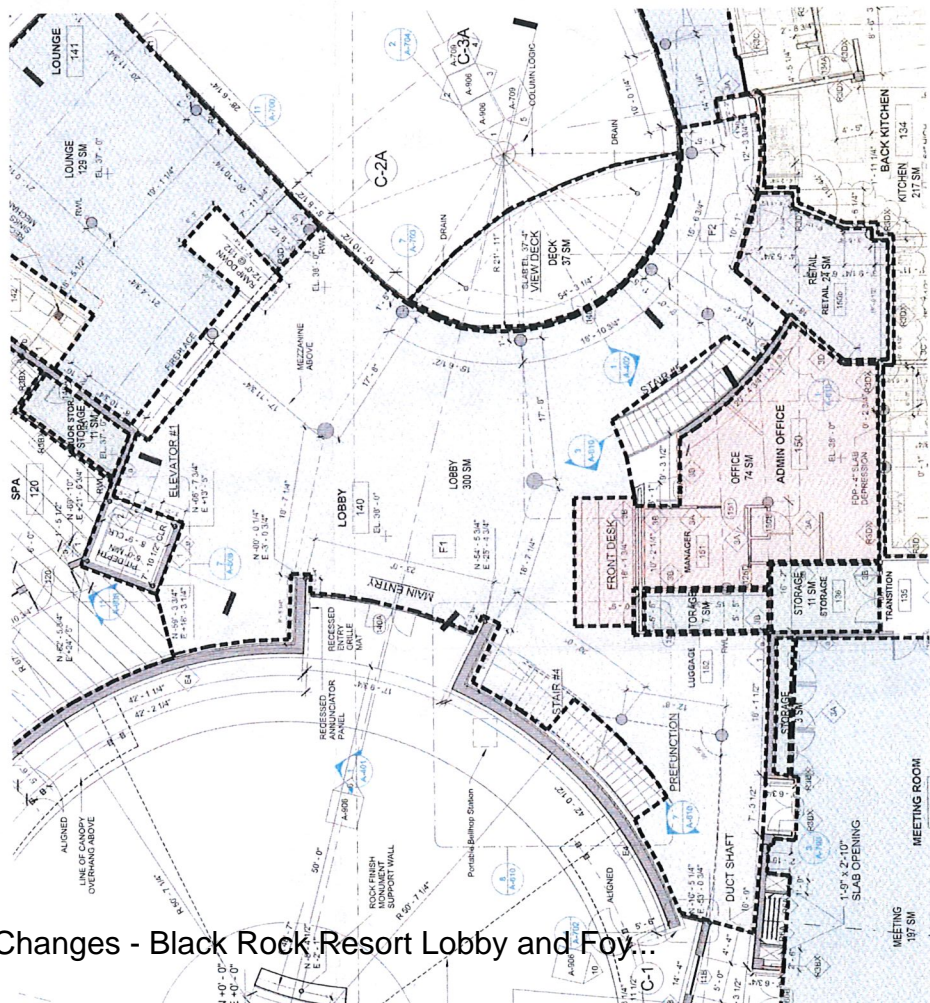


OCCUPANCY INFORMATION	
OCCUPANT LOAD (PER AREA):	170.8
RESTAURANT	295.2M ² / 12 = 24.6
KITCHENBAR	746.2M ² / 23 = 32.4
RESTAURANT PATIO	103.2M ² / 2 = 51.6
LOUNGE	170.2M ² / 1.2 = 141.8
STORAGE AREAS	34.2M ² / 46 = 0.7
OFFICE	74.2M ² / 13 = 5.7
RETAIL	24.2M ² / 27 = 0.9
LOBBY	300.2M ² / 1.86 = 161.4
DECK	37.2M ² / 1.86 = 19.9
MEETING ROOMS	157.2M ² / 1.86 = 84.0
TOTAL	944.7
647 OCC. X 1.1M ²	712.57
1488 REQUIRED NON-FIXED SEATING IN LOBBY & DECK	1312.16
WASHROOM FACILITIES COUNT	
WOMEN	6
MEN	3
OVERALL ASSESSMENT	
THE OCCUPANT COUNT IS LIMITED BY THE WASHROOM FACILITIES WHICH CAP THE TOTAL OCCUPANCY AT 500.	
AS A RESULT, IT IS NOTED THAT THE FIRST FLOOR OCCUPANCY CANNOT EXCEED ONE POINT FIVE TIMES THE OCCUPANT AND SEATING COUNT WHICH CANNOT EXCEED THE TOTAL CAPTURED IN THE WASHROOM FACILITIES.	
NOTES	
OCCUPANT COUNTS FOR SPA, FITNESS ROOM AND GUEST SUITES HAVE NOT BEEN INCLUDED IN THE OCCUPANCY COUNT.	
THIS STUDY IS BASED ON THE 2015 BRITISH COLUMBIA BUILDING CODE.	

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PROPOSED SITE PLAN

PROJECT: LLOBBY OCCUPANCY STUDY
 CLIENT: BLACK ROCK OCEANFRONT RESORT & SPA
 PROJECT NO.: 18103
 DATE: 12/15/19
 DRAWN BY: AS SHOWN
 SCALE: A1.0



1 MAIN FLOOR PLAN
 1/32" = 1'-0"

2 ENLARGED PLAN
 1/8" = 1'-0"



Liquor and Cannabis Regulation Branch

Liquor Primary Licence #303302

Expires on December 31, 2020

Establishment Name: **Black Rock Oceanfront Resort**
 Licence Name: **Black Rock Oceanfront Resort**
 Location Address: 596 Marine Drive
 UCLUELET, BC V0R 3A0
 Issued to: Black Rock Management Inc

TERMS AND CONDITIONS**HOURS OF SALE**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

CAPACITY

Patio1	20	Person01	75
--------	----	----------	----

- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor and Cannabis Regulation Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCRB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter (s) to be kept with current liquor licence.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all service areas until 10 PM when meal service is available.

YOUR CURRENT VALID LICENCE MUST BE PROMINENTLY DISPLAYED AT ALL TIMES. TAMPERING, ALTERING OR DEFACING THIS LICENCE IN ANY MANNER MAY RESULT IN THE LICENCE BEING CANCELLED.

Licence issued by the General Manager under the authority of the Liquor Control and Licensing Act.

Licence Printed: November 20, 2019



Liquor and Cannabis Regulation Branch

Food Primary Licence #303298

Expires on December 31, 2020

Establishment Name: **Black Rock Oceanfront Resort**
 Licence Name: **Black Rock Oceanfront Resort**
 Location Address: 596 Marine Dr
 UCLUELET, BC V0R 3A0
 Issued to: Black Rock Management Inc

TERMS AND CONDITIONS**HOURS OF SALE**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

CAPACITY

Banquet 01	200	Banquet 02	68	Patio1	90	Person01	173
------------	-----	------------	----	--------	----	----------	-----

- For the sale and consumption of all types of liquor in establishments with a primary focus on the service of food.
- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor and Cannabis Regulation Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCRB.
- Patio extension permitted as outlined in red on the official plan.

YOUR CURRENT VALID LICENCE MUST BE PROMINENTLY DISPLAYED AT ALL TIMES. TAMPERING, ALTERING OR DEFACING THIS LICENCE IN ANY MANNER MAY RESULT IN THE LICENCE BEING CANCELLED.

Licence issued by the General Manager under the authority of the Liquor Control and Licensing Act.



December 10, 2019

Job #8467673-32

tbailey@blackrockresort.com

Black Rock Management Inc.

Re: Temporary Change to a Liquor Licence – Approved
Establishment: Black Rock Oceanfront Resort
Food Primary Licence #303302
Establishment Location: 596 Marine Drive, Ucluelet, BC, V0R 3A0

The Liquor and Cannabis Regulation Branch has approved the temporary change application for the above-noted establishment.

Temporary Extension of the Licensed Area:

- **Date:** December 31, 2019 – New Years Eve Celebration.
- **Hours:** 5:00 pm to 3:00 am.
- The red-lined area is temporarily extended to the hotel foyer as per submitted plans (attached).
- Occupancy load/person capacity of the extended area: **77**.

A copy of this approval letter and attached plans must be kept on site, along with your liquor licence and red-lined floor plans, readily available for inspection at all times while the extended area is in use.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional to this event(s) being managed to the satisfaction of the General Manager.

Important Information:

All types of temporary changes to a licence are restricted to 6 events per year.

As a reminder, the Branch requires that a complete application including the supporting documents be submitted a **minimum of three (3) weeks** in advance of your event(s); otherwise your application will not be accepted and will returned to you with the fees.

If you have any questions, please contact the helpdesk at 1-866-209-2111.

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
400-645 Tye Road
Victoria, BC
www.gov.bc.ca/liquorregulationandlicensing

Sincerely,

A handwritten signature in black ink, appearing to read "Evan Lister". The signature is fluid and cursive, with the first name "Evan" written in a larger, more prominent script than the last name "Lister".

Evan Lister
Case Manager

Please Note:

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCRB Act, its Regulations, and the terms and conditions of your licence.

cc: Inspector
LG
PD

IGEL ARCHITECTURE
1025 MARKET STREET, SUITE 100
OAKLAND, CA 94612
TEL: 415.774.0100
WWW.IGEL-ARCH.COM

OCCUPANT LOAD
77 BASED
ON ARCHITECT
DETERMINATIONS
FOR LOBBY



NO.	DATE	DESCRIPTION	BY

LOBBY OCCUPANCY STUDY
BLACK ROCK
COMMERCIAL DEVELOPMENT
SUN WALKING CENTER
VICTOR LEE, ARCHITECT
OAKLAND, CA
11/28/19

PROPOSED
SITE PLAN

DATE	12/07/19
AS SHOWN	10/03
PROJECT NO.	A1-0

OCCUPANCY INFORMATION

REQUIRED ALLOCATIONS:
RESTAURANT/FULL RESTAURANT 10 (PREPARED OCCUPANCY)
RESTAURANT PANTRY 4 (PREPARED OCCUPANCY)
BAR/LOUNGE 14 (PREPARED OCCUPANCY)
FOOD SERVICE AREAS 1 (21, 284 (4))
OFFICE 8 (11, 284 (12))
RETAIL 7 (2, 284 (12))
MULTI-PURPOSE 1 (2, 284 (12))

TOTAL OCCUPANTS

OCCUPANT COUNTS FOR SPANDED LOBBY ARE NOT INCLUDED AT THE SPANDED LOBBY AREAS AND ARE INCLUDED AT THE SPANDED LOBBY AREAS FOR THE USE OF THEIR OCCUPANTS.

PERSONNEL OCCUPANCY COUNT

WORKERS	3	3
MEN	1	1

NOTE: THE FOLLOWING CODE THE BUILDING CODE IS ACCEPTABLE FOR AN OCCUPANT LOAD OF NO GREATER THAN 50 OCCUPANTS PER 100 SQ FT OF FLOOR AREA.

ADDITIONAL OCCUPANTS CAN BE REPORTED IN THE LOBBY TO LOBBY AS OTHER AREAS SAME THE TO EXISTENCE THAT NO MORE THAN 50 OCCUPANTS AT ANY ONE TIME.

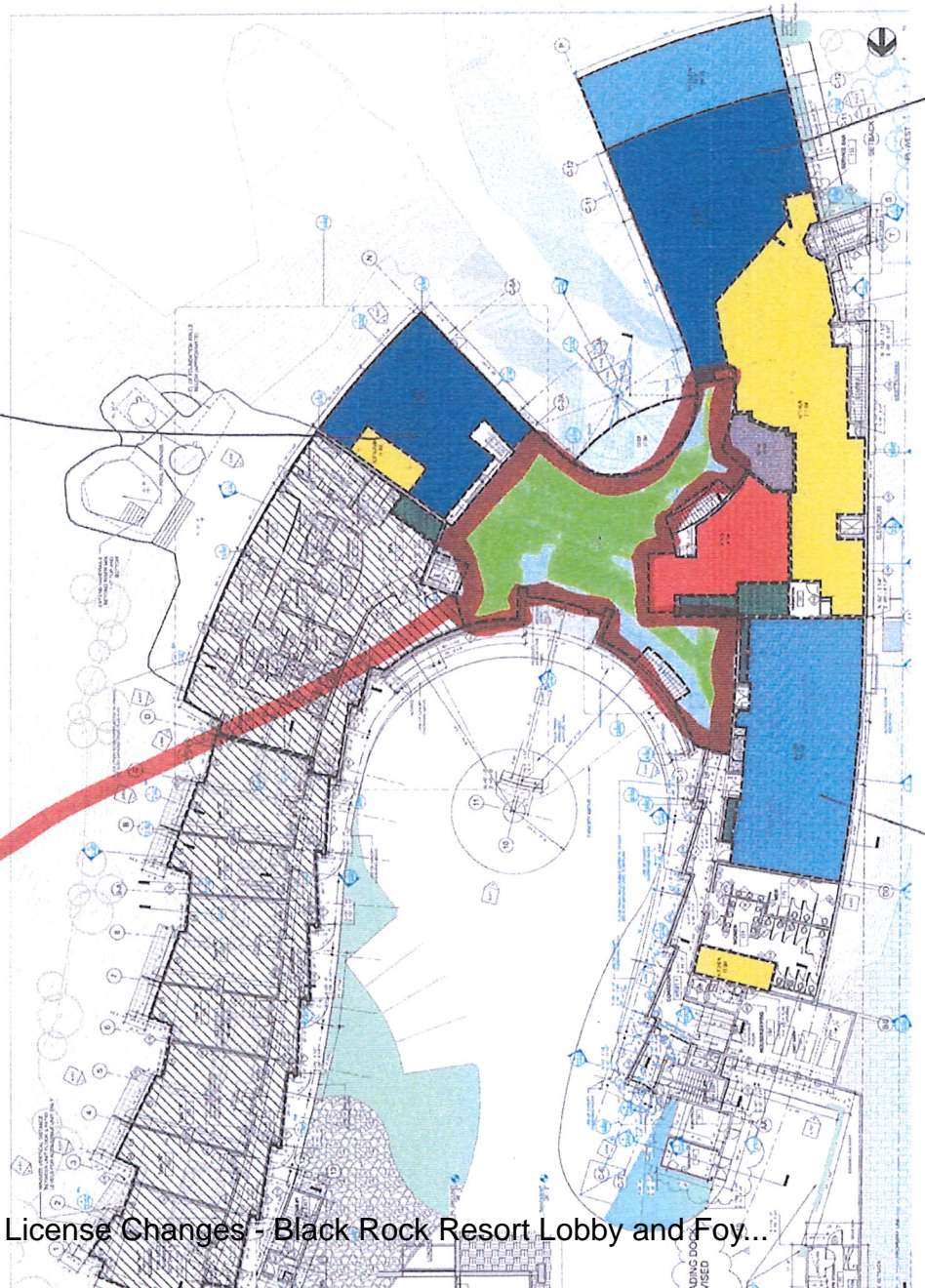
THE LOBBY MUST NEVER EXCEED AN OCCUPANCY OF 315, 284 (87) 19)

RECEIVED
DEC 09 2019
District of Uctuelet

NICHOLAS
HENDERSON
BUILDINGS
INSPECTOR
NA

LOUNGE CURRENTLY
LICENSED

PROPOSED LICENSED
AREA



BANQUET ROOM
CURRENTLY
LICENSED

PROPOSED LICENSED AREA

LOBBY CURRENTLY LICENSED

Application for Liquor License Changes - Black Rock Resort Lobby and Foy...

303302
119

1 SITE PLAN



STAFF REPORT TO COUNCIL

Council Meeting: May 26, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, MANAGER OF RECREATION & TOURISM

FILE NO: 0550-20 CM

SUBJECT: GRAD BANNER REQUEST

REPORT NO: 20-44

ATTACHMENTS: NONE

RECOMMENDATION(S):

1. **THAT** Council contribute \$2,000 towards the cost of 2020 Ucluelet Secondary School graduation temporary banners.
2. **THAT** Council support installation of the temporary banners and the graduation parade scheduled for Saturday, June 20, 2020.

PURPOSE:

To request Council provide financial support to the Ucluelet Secondary School (USS) Graduation class of 2020 with an alternative form of celebration in response to the COVID-19 crisis.

BACKGROUND:

USS has approached the District of Ucluelet with a request to support their two-part graduation celebration. The first part involves the installation of 16 temporary banners of this year's USS grads on District streetlight posts that currently feature the work of local artists. These banners will contain a picture, first name and acknowledgement of a graduating student.

The cost of producing banners is approximately \$1600 with a \$400 honorarium provided to the volunteers who install these banners. The total request to the District is \$2,000.

Part two of the plan is to have a graduation parade through town on Saturday June 20th, starting at 4:00 PM, weather dependent. A parade provides an opportunity to publicly acknowledge the graduating students from a safe distance and it gives the grads an opportunity to wear their finery and celebrate this milestone achievement together. The proposed parade route is provided on the following page.



Artist Rendering of Proposed Flags



FINANCIAL IMPACTS:

The request from Ucluelet Secondary School is \$2,000. This is anticipated to cover production and installation costs. It is proposed that these funds are allocated from the Council Promotions.

Staff have approached the District of Tofino Staff about partially funding the banners. District of Tofino Staff have agreed to bring forward the funding request at their first Regular Council meeting in June. The hope is the District of Tofino will contribute \$1,000 towards purchase and installation of the banners.

OPTIONS REVIEW:

1. **THAT** Council contribute \$2,000 towards the cost of 2020 Ucluelet Secondary School graduation temporary banners. **(Recommended)**
2. **THAT** Council support installation of the temporary banners and the graduation parade scheduled for Saturday, June 20, 2020. **(Recommended)**
3. **THAT** Council provide alternate direction to staff.

Respectfully submitted: Abigail K. Fortune, Manager of Recreation & Tourism



STAFF REPORT TO COUNCIL

Council Meeting: May 26, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE NO: 3900-25 BYLAW 1264

SUBJECT: COUNCIL PROCEDURE BYLAW UPDATE

REPORT NO: 20-40

ATTACHMENT(S): APPENDIX A: BYLAW No. 1264, 2020

RECOMMENDATION(S):

1. **THAT** Council give “District of Ucluelet Council Procedures Bylaw No. 1264, 2020” first reading.
2. **THAT** Council give “District of Ucluelet Council Procedures Bylaw No. 1264, 2020” second reading and direct Staff to provide notice of the proposed bylaw.

PURPOSE:

The purpose of this report is to introduce the draft “District of Ucluelet Council Procedures Bylaw No. 1264, 2020” (the Proposed Procedure Bylaw) for consideration and discussion.

BACKGROUND:

Council previously instructed staff to update the “District of Ucluelet Council Procedure Bylaw No. 1166, 2014” (the Current Procedure Bylaw) to reflect the new meeting schedule. After reviewing the Bylaw, staff determined that it would be appropriate to replace it to address gaps in the Current Procedure Bylaw and better reflect Council’s current needs and practices.

DISCUSSION:

The Community Charter requires that Council establish, by bylaw, the general procedures to be followed during council and council committee proceedings. The proposed bylaw does exactly that. It also stipulates meeting procedures for the District of Ucluelet Board of Variance and Harbour Authority.

The following chart highlights the significant changes introduced by the Proposed Procedure Bylaw:

Section or Part Title	Proposed Changes
Definitions	Definitions updated to support the provisions of the Proposed Procedure Bylaw.

Corporate Seal	Reference to the Corporate Seal is removed with the exception of reference to it in the Bylaw Section.
Scope	Scope of the bylaw is extended to include Public Hearings and District of Ucluelet Harbour Authority Meetings.
Meetings and Notices	Regular Council Meetings and Regular Committee of the Whole Meetings to be held according to the Council Meeting Schedule rather than on the second and fourth Tuesday of the month (with exceptions).
Cancellation	Allows for the Corporate Officer to cancel or reschedule Council and Committee of the Whole Meetings if he or she determines that there is insufficient business to warrant holding the meeting and removes reference to postponing Council Meetings.
Council Meetings by Electronic Means	Allows Council to convene Special Council Meetings exclusively by electronic means (provided appropriate notice is given) and introduces a requirement to verbalize votes if a member is participating electronically by audio means only (by phone).
Agenda and Order of Business	Sets out order of business for Committees of the Whole, changes the usual order of business for Regular Council Meetings to include Public Hearings and Notices of Motions.
Late Items	Establishes the deadline for Late Items to be included in an agenda package to be two hours before a Council and Committee of the Whole Meetings.
Notice of Motion	Sets out procedures for Council Members to give notice of their intent to introduce a motion at a subsequent meeting.
Public Input and Delegations	Removes reference to petitions and prohibits public input and delegations about a number of subject matters including but not limited to bylaws that have been subject to a statutory public hearing, employee relations, promotion of commercial products/services, litigation affecting the District of Ucluelet, matter related to an election campaign and matter related to records held in confidence by the District. The section also authorizes the Corporate Officer to screen Delegation requests.
Correspondence Addressed to Mayor and Council	Sets out procedures for redacting correspondence and requirements for staff to relay where the correspondence has been forwarded. Requires correspondence to display the writers name and not be libelous.
Minutes	Removed reference to when and how closed meeting minutes are disclosed.

Motions	Allows the Chair to refuse to accept a motion if it deals with a matter that was voted upon by Council and defeated within the last six months and refers to a procedures for the Chair's ruling to be challenged. The part also introduces new language around what can and cannot be amended and iterates the order of operations required to amend a motion.
Reconsideration	Prohibits Council from reconsidering matters that have been approved by the electors, reconsidered by the Mayor in accordance with the <i>Community Charter</i> , or acted on by an employee of the District.
Bylaws	Authorizes Council to give three readings to a bylaw in a single motion. Defines the elements of a bylaw and clarifies that bylaw may be effective at adoption or a later date.
Voting	Authorizes the Chair to use consent voting procedures for non-controversial decisions, removes reference to what constitutes a voting majority and removes the requirement to record negative votes in the minutes.
Rules and Conduct of Debate	More specifically defines the powers and duties of the Chair and introduces procedure for the appeal of the Chair's decision as well as a section regarding questions of privilege. Authorizes the Chair to remove members and audience members from Chambers when they are out of order.
Public Hearings	Introduces new procedures which apply to statutory public hearings.
Committees, Commissions and Other Bodies	Consolidates the Commission, Standing Committees and Select Committees sections into a single section. Extends the scope of the bylaw to include the Harbour Authority.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

If the recommended motion is adopted by Council, Staff will publish a notice of the proposed changes and bring this the Proposed Procedure Bylaw back to Council for third reading and adoption at two subsequent meetings. The staff time required to complete these tasks is anticipated to amount to approximately four hours.

Since “District of Ucluelet Board of Variance Bylaw No. 1163, 2014” (the Board of Variance Bylaw) incorporates the Current Procedure Bylaw by reference, the Board of Variance Bylaw will have to be amended if the Current Procedure Bylaw is repealed and replaced. This is anticipated to take approximately three hours of Staff time and two Council Meetings.

FINANCIAL IMPACTS:

Since notice is required to adopt or amend the procedure bylaw, a quarter page ad in two consecutive versions of the Westerly News will be purchased if the recommendations are adopted. The total cost of the two advertisements is approximately \$350.00.

POLICY OR LEGISLATIVE IMPACTS:

If adopted, the Proposed Procedure Bylaw will give Council greater flexibility and transparency by better aligning the procedure bylaw with their current practices. The Board of Variance Bylaw will also have to be amended because it incorporates the Current Procedure Bylaw by reference.

OPTIONS REVIEW:

1. **THAT** Council give "District of Ucluelet Council Procedures Bylaw No. 1264, 2020" first reading. **(Recommended)**
2. **THAT** Council give "District of Ucluelet Council Procedures Bylaw No. 1264, 2020" second reading and direct Staff to provide notice of the proposed bylaw. **(Recommended)**
3. **THAT** Council provide alternative direction to Staff.

RESPECTFULLY SUBMITTED: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

DISTRICT OF UCLUELET**BYLAW NO. 1264, 2020**

A Bylaw to establish procedures for Council, Committees and Commissions

WHEREAS the *Community Charter* requires that Council must, by bylaw, establish the general procedures to be followed by council and council committees;

AND WHEREAS the Mayor and Council are further empowered to establish additional procedures and otherwise facilitate the conduct of the District's business;

AND WHEREAS this table of contents is inserted for purposes of ease of reference only:

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

PART 1 – ADMINISTRATION & INTERPRETATION

1. TITLE AND REPEAL

- 1.1. This bylaw may be cited for all purposes as “District of Ucluelet Council Procedures Bylaw No. 1264, 2020” or the “Council Procedures Bylaw”.
- 1.2. “District of Ucluelet Council Procedure Bylaw No. 1166, 2014” and all amendments thereto are hereby repealed.

2. INTERPRETATION AND DEFINITIONS

- 2.1. In this bylaw, the following terms have the following meanings:
 - (a) **“Acting Mayor”** means the Councillor designated under section 11 of this bylaw to act in place of the Mayor when the Mayor is absent or otherwise unable to act, or when the Office of the Mayor is vacant;

- (b) **"Acting Mayor Schedule"** means a schedule of when each Councillor is to serve as Acting Mayor on a rotating basis for the period January 1 to December 31. The Acting Mayor Schedule for an upcoming year is approved by Council in accordance with section 12 of this bylaw.
- (c) **"Agenda"** means a list of items of business to come before a Public Hearing or Meeting;
- (d) **"Agenda Deadline"** means:
 - (i) 12:00 P.M. five clear days before the Council Meeting or Committee of the Whole, for all matters other than those submitted by District Staff; and
 - (ii) a time at the discretion of the Corporate Officer for matters submitted by District Staff provided advance permission is obtained from the Corporate Officer and the notice requirements of this bylaw are satisfied;
- (e) **"Agenda Package"** means the Agenda and any other associated reports bylaws or other documents;
- (f) **"Annual Meeting Schedule"** means a schedule of the date, time and place of Regular Council, Regular Committee of the Whole and the Ucluelet Harbour Authority Meetings for the period of January 1 to December 31;
- (g) **"Board of Variance"** means the District of Ucluelet's Board of Variance;
- (h) **"Chair"** means a person who has authority to preside over a Meeting or public hearing and is also known as the Presiding Member;
- (i) **"Commission"** means a municipal commission established in accordance with the *Community Charter*;
- (j) **"Committee"** means a standing, select, or other committee of Council but does not include a Committee of the Whole. Committees meet to consider, but not decide, matters of District business. Committees sit in a deliberative capacity only and must forwards their recommendations to Council for consideration;
- (k) **"Committee of the Whole"** means a committee comprised of all Council Members that meets to consider, but not decide, matters of District business. The Committee of the Whole sits in a deliberative capacity only and must forwards its recommendations to Council for consideration;
- (l) **"Committee of the Whole Meeting"** means:
 - (i) a Regular Committee of the Whole Meeting; and
 - (ii) a Special Committee of the Whole Meeting;
- (m) **"Corporate Officer"** means the District of Ucluelet's appointed Corporate Officer and his or her deputy;
- (n) **"Council"** means District of Ucluelet Council;
- (o) **"Council Chambers"** means the George Fraser Room in the District of Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet, British

Columbia;

- (p) **"Council Committee"** means:
 - (i) a Standing Committee of Council;
 - (ii) a Select Committee of Council; and
 - (iii) any other body established by Council composed solely of Council members but does not include a Committee of the Whole;
- (q) **"Council Meeting"** means:
 - (i) an Inaugural Council Meeting;
 - (ii) a Regular Council Meeting; and
 - (iii) a Special Council Meeting;
- (r) **"Council Member"** means Mayor or a Councillor;
- (s) **"Councillor"** means a person who currently holds office as a District of Ucluelet Councillor;
- (t) **"District"** means the District of Ucluelet;
- (u) **"District Office"** means the District of Ucluelet local government administration office, located at 200 Main Street, Ucluelet, British Columbia;
- (v) **"Inaugural Council Meeting"** means the first Regular Council Meeting following a general local election;
- (w) **"Mayor"** means the Mayor for the District of Ucluelet, and includes the Councillor designated to act as Mayor during such periods necessary;
- (x) **"Majority Vote"** means the majority of the Members present at a duly convened meeting, being a Meeting where Quorum and notice requirements are met;
- (y) **"Meeting"** means a Council Meeting or a meeting of the Committee of the Whole or any Council Committee, Commission, the Board of Variance or Other District Body;
- (z) **"Member"** means a Council Member, Committee of the Whole Member or any member of a Council Committee, Commission, the Board of Variance or other District Body;
- (aa) **"Motion"** includes a resolution;
- (bb) **"Other District Body"** means:
 - (i) a Committee;
 - (ii) a Commission;
 - (iii) the Board of Variance;
 - (iv) the District of Ucluelet Harbour Authority;
 - (v) any advisory body established by Council;
 - (vi) a Court of Revision

- (vii) a parcel tax roll review panel established under the *Community Charter*; and
 - (viii) any body prescribed by regulation;
 - (cc) **"Presiding Member"** means the Mayor, Acting Mayor or other Member who presides over a Council Meeting or a meeting of any Voting Body, and is also known as the Chair;
 - (dd) **"Public Notice Posting Places"** means:
 - (i) the notice board at the District Office; and
 - (ii) the District's website, except when subject to electronic failures.
 - (ee) **"Quorum"** is the number of Members who must be present to conduct business, being a majority of the Voting Body's members, excepts as otherwise provided for in this bylaw;
 - (ff) **"Regular Committee of the Whole Meeting"** means a Committee of the Whole meeting listed on the Annual Meeting Schedule;
 - (gg) **"Regular Council Meeting"** means a Council Meeting listed on the Annual Meeting Schedule;
 - (hh) **"Select Committee"** means a committee established and the members appointed by Council in accordance with the *Community Charter* for a specific purpose. At least one member of a Select Committee must be a Council Member. Select Committees consider, inquire into, report and make recommendations to Council on matters referred by Council;
 - (ii) **"Standing Committee"** means a committee established and members appointed by the Mayor in accordance with the *Community Charter* for matters the Mayor considers would be better dealt with by committee. At least half the members of a standing committee must be Council Members;
 - (jj) **"Special Committee of the Whole Meeting"** means a Committee of the Whole meeting other than a Regular Committee of the Whole Meeting called in accordance with section 46.2. of this bylaw.
 - (kk) **"Special Council Meeting"** means a Council meeting other than a Regular Council meeting or an adjourned Council meeting that is called in accordance with section 9.1. of this bylaw.
 - (ll) **"Voting Body"** means Council, the Committee of the Whole or a Council Committee, Commission, the Board of Variance or Other District Body.
- 2.2. Any legislation or statute referred to in this bylaw is a reference to an enactment of British Columbia and its regulations, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to in this bylaw is a reference to an enactment of the Council of the District of Ucluelet as amended, revised, consolidated or replaced from time to time.
- 2.3. Any section, subsection, sentence, clause or phrase of this bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this bylaw without affecting the validity of the

remaining portions of this bylaw.

3. SCOPE AND APPLICATION

- 3.1. The Bylaw applies to Public Hearings, Council Meetings, Committee of the Whole Meetings, Committee meetings, Commission meetings, Boards of Variance meetings District of Ucluelet Harbour Authority Meetings and meetings conducted by other bodies established by Council.
- 3.2. Nothing contained within this bylaw shall relieve any person from the responsibility to seek and comply with other applicable legislation.
- 3.3. The failure of Council or District staff to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council otherwise in compliance with statutory requirements.

4. ADDITIONAL AND ALTERNATE PROCEDURAL RULES

- 4.1. In circumstances not provided for under this bylaw or applicable legislation, the most current edition of Robert's Rules of Order, Newly Revised, apply to the extent that those rules are:
 - (a) applicable in the circumstances; and
 - (b) not inconsistent with provisions of this bylaw, the *Community Charter, Local Government Act* or other applicable legislation.
- 4.2. Any one or more of the procedures in this bylaw, except those required by the *Community Charter, Local Government Act or any other legislation*, may be temporarily suspended by Majority Vote.

PART 2 – MEETINGS & NOTICE

5. INAUGURAL COUNCIL MEETING

- 5.1. Following a general local election, the Inaugural Council Meeting must be held on the first Tuesday in November in the year of the election.
- 5.2. If Quorum of the Council Members elected at the general local election has not taken office by the date of the Inaugural Council Meeting referred to in section 5.1 of this bylaw, the first meeting must be called by the Corporate Officer and held as soon as reasonably possible after quorum has taken office.

6. MEETING PLACE AND TIME

- 6.1. All Council Meetings must take place in Council Chambers unless Council resolves to hold the Council Meeting elsewhere and directs the Corporate Officer to give notice of a different meeting place by posting a notice of the change on the Public Notice Posting Places at least twenty-four (24) hours prior to the time of the Council Meeting.
- 6.2. After the Inaugural Council Meeting, Regular Council Meetings and Regular Committee of the Whole Meetings must occur on the dates and at the times specified

in the Annual Meeting Schedule, except where such a meeting, is cancelled or rescheduled in accordance with section 7 of this bylaw.

6.3. Council Meetings:

- (a) are adjourned no later than two and a half hours after commencement, unless Council otherwise resolves;
- (b) may include two brief recesses for any reason called by the Mayor, who must state the approximate length of time of the recess or the approximate time when the meeting will reconvene; and
- (c) may include a recess of up to thirty (30) minutes, called by the Mayor or by Council Resolution, in order to review this bylaw, the *Community Charter*, other applicable legislation, Robert's Rules of Order or to enter in-camera.

7. CANCELLATIONS AND RESCHEDULING

7.1. Council Meetings and Committee of the Whole Meetings may be cancelled or rescheduled:

- (a) by Council resolution;
- (b) by the Mayor;
- (c) if the Corporate Officer determines that there is insufficient business to warrant holding the Meeting; or
- (d) if the Corporate Officer has been notified by a majority of members no later than twenty-four (24) hours prior to the meeting that they will not be present for the meeting

provided notice is given in accordance with section 7.2.

7.2. If a Council Meeting is cancelled or rescheduled, the Corporate Officer must give at least twenty-four (24) hour advanced notice:

- (a) to Council Members, by delivering a copy of the notice to the place that each Council Member designated for receiving notices; and
- (b) to the public, by posting a copy of the notice at the Public Notice Posting Places.

7.3. Council Meetings and Committee of the Whole Meetings may be cancelled if:

- (a) quorum is not present within fifteen (15) minutes after the time appointed for commencement of the meeting, in which case the names of the members present will be entered in the minutes; or
- (b) quorum is lost for the balance of the agenda, in which case the time of conclusion and the names of the members then present shall be entered in the minutes.

7.4. Where a Meeting is cancelled or rescheduled, the business on the Agenda for that meeting is to be included in the next meeting.

8. NOTICE OF REGULAR COUNCIL AND REGULAR COMMITTEE OF THE WHOLE MEETINGS

- 8.1. In accordance with the *Community Charter*, Council must annually:
- (a) on or before November 30 prepare an Annual Meeting Schedule which establishes the date, time and place of Regular Council Meetings and Regular Committee of the Whole Meetings are to be held in the upcoming year;
 - (b) post the Annual Meeting Schedule at the Public Notice Posting Places; and
 - (c) give notice of the Annual Meeting Schedule's availability on or before January 31, in accordance with the *Community Charter*.
- 8.2. Where revisions are necessary to the Annual Meeting Schedule, 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 or Regular Committee of the Whole Meeting.

9. SPECIAL COUNCIL MEETINGS

- 9.1. A Special Council Meeting may be called in accordance with the *Community Charter*.
- 9.2. Except where notice of a Special Council Meeting is waived by unanimous vote of all Council Members, a notice of the date, hour, and place of Special Council Meeting must be given at least twenty-four (24) hours before the time of the meeting, by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
 - (b) by delivering a copy of the notice to the place that each Council Member designated for receiving notices.
- 9.3. The notice under section 9.2. of this bylaw must describe in general terms the purpose of the meeting and be signed by the Mayor or Corporate Officer.

10. COUNCIL MEETINGS BY ELECTRONIC MEANS

- 10.1. Provided the conditions set out in the *Community Charter* are met and the Corporate Officer receives authorization of the Mayor:
- (a) a Special Council Meeting may be conducted by electronic or other communication facilities; and
 - (b) a Member who is unable to attend a Council Meeting, Committee of the Whole Meeting or Committee Meeting, may participate in the meeting by electronic or other communication facilities.
- 10.2. Participation by a Member in a meeting pursuant to 10.1.(b) is only available:
- (i) if the Member is too ill to attend in person or is outside the District's municipal boundaries;
 - (ii) for up to two (2) Members per Meeting; and
 - (iii) for up to four (4) Meetings per year, per Member.
- 10.3. A Member participating in a meeting by electronic or other communication facilities pursuant to 10.1.(b) may not Chair the meeting.

- 10.4. A Member participating by audio means only must indicate his or her name and vote verbally.
- 10.5. Notice of a Special Council Meeting conducted under 10.1.(a) must contain information about the way in which the meeting is to be conducted and place where the public may attend to hear, or watch and hear, the proceeding of the meeting that are open to the public.
- 10.6. If communication facilities fail or malfunction during a Meeting, the affected Member will be deemed to have left the meeting.

11. ANNUAL REPORT

- 11.1. In accordance with *Community Charter*, Council must annually consider the Annual Municipal Report.
- 11.2. The Corporate Officer must give notice in accordance with the *Community Charter* of the date, time and place when Council will:
 - (a) consider the Annual Report; and
 - (b) receive submissions and questions from the public about the Annual Report.

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

12. DESIGNATION PROCEDURES

- 12.1. Annually, in December, Council must, from amongst its members, adopt an Acting Mayor Schedule for the upcoming year, which provides for each Councillor to serve as Acting Mayor on a rotating basis when:
 - (a) the Mayor is unable to attend a meeting in person;
 - (b) the Mayor is otherwise unable to act; or
 - (c) the office of the Mayor is vacant.
- 12.2. The Acting Mayor has the same powers as the Mayor and must fulfil the responsibilities of the Mayor in his or her absence.
- 12.3. If both the Mayor and Acting Mayor are absent or unable to act, the Councillor next in succession on the Acting Mayor Schedule shall be the Acting Mayor.

PART 4 – COUNCIL PROCEEDINGS

13. OPEN MEETING RULE

- 13.1. All Council Meetings must be open to the public, except as provided for under the *Community Charter*.
- 13.2. Before holding a meeting or part of a meeting that is to be closed to the public, Council must state, by resolution passed in open meeting:
 - (a) the fact that the meeting or part is to be closed; and

- (b) the basis under the *Community Charter* on which the meeting or part is to be closed.

13.3. Despite section 13.1., the Chair may expel or exclude from a meeting of a Voting Body a person in accordance with the rules set out in the *Community Charter*.

14. CALLING TO ORDER

14.1. As soon as there is a Quorum present, at the time specified for a Council meeting, the Mayor, if present, must take the Chair and call the Council meeting to order.

14.2. If the Mayor is absent, the Acting Mayor, must take the Chair and call the meeting to order.

15. ADJOURNING THE MEETING – NO QUORUM

15.1. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:

- (a) record the names of the Council Members present and those absent; and
- (b) adjourn the meeting until the next scheduled meeting.

16. AGENDA AND ORDER OF BUSINESS

16.1. Prior to each Council Meeting and Committee of the Whole Meeting, the Corporate Officer must prepare an Agenda.

16.2. The deadline for submission to the Corporate Officer of items for inclusion on the Council Meeting and Committee of the Whole Agenda is the Agenda Deadline.

16.3. Items received by the Corporate Officer after the Agenda Deadline must not be placed on the Agenda, but instead must be placed on the Agenda for the consideration at the following Council Meeting or Committee of the Whole Meeting, unless the items is introduced as Late Item pursuant to section 17 of this bylaw.

16.4. The Corporate Officer must make the Agenda available to the members of Council and the public:

- (a) forty-eight (48) hours before a Regular Council Meeting;
- (b) forty-eight (48) hours before a Regular Committee of the Whole Meeting;
- (c) twenty-four (24) hours before a Special Council Meeting; and
- (d) twenty-four (24) hours before a Special Committee of the Whole Meeting.

16.5. Only those matters included on the Agenda may be considered or dealt with at the Council or Committee of the Whole Meeting unless a new matter is introduced as a Late Item pursuant to section 17 of this bylaw.

16.6. The usual order of business at a Regular Council Meeting and Special Council Meeting is as set out in the Agenda for that meeting under the following headings, as appropriate:

- (a) CALL TO ORDER;
- (b) ACKNOWLEDGEMENT OF YUULU?IL?ATH? FIRST NATIONS;

- (c) NOTICE OF VIDEO RECORDING;
- (d) LATE ITEMS;
- (e) APPROVAL OF THE AGENDA;
- (f) ADOPTION OF MINUTES;
- (g) UNFINISHED BUSINESS;
- (h) MAYOR'S ANNOUNCEMENTS;
- (i) PUBLIC INPUT & DELEGATIONS;
- (j) REPORTS;
- (k) LEGISLATION;
- (l) NOTICE OF MOTION;
- (m) CORRESPONDENCE;
- (n) INFORMATION ITEMS;
- (o) COUNCIL COMMITTEE REPORTS;
- (p) OTHER BUSINESS;
- (q) QUESTION PERIOD;
- (r) PUBLIC AND STATUTORY HEARINGS AND THIRD READING OR ADOPTION OF BYLAWS WHERE APPLICABLE AFTER EACH HEARING;
- (s) CLOSED SESSION;
- (t) RECONVENE FROM CLOSED SESSION;
- (u) ADJOURNMENT.

16.7. The usual order of business at a Regular Committee of the Whole Meeting and Special Committee of the Whole Meeting are as set out in the Agenda for the meeting under the following headings, as appropriate:

- (a) CALL TO ORDER;
- (b) ACKNOWLEDGEMENT OF YUUKU?IK?ATH? FIRST NATIONS;
- (c) NOTICE OF VIDEO RECORDING;
- (d) LATE ITEMS;
- (e) APPROVAL OF THE AGENDA;
- (f) UNFINISHED BUSINESS;
- (g) MAYOR'S ANNOUNCEMENTS;
- (h) CORRESPONDENCE;
- (i) INFORMATION ITEMS;
- (j) PUBLIC INPUT & DELEGATIONS;
- (k) REPORTS;

- (l) OTHER BUSINESS;
 - (m) QUESTION PERIOD;
 - (n) CLOSED SESSION;
 - (o) RECONVENE FROM CLOSED SESSION;
 - (p) ADJOURNMENT.
- 16.8. All items on an Agenda must be taken up in the order in which they appear on the Agenda unless the Committee of the Whole or Council resolves otherwise by Majority Vote.
- 16.9. An item of business on a Regular Council, Special Council, Regular Committee of the Whole or Special Committee of the Whole Agenda may by Majority Vote, be:
- (a) deleted; or
 - (b) postponed to a future meeting of the same body.
- 16.10. Agendas are adopted by Majority Vote at the designated point in the agenda (ADOPTION OF THE AGENDA) either as presented or as amended.

17. LATE ITEMS

- 17.1. A late item may be approved for addition to an Agenda by the Corporate Officer and by resolution of Council at the appropriate time in the Agenda (LATE ITEM), if the subject matter is of an urgent nature such that the item cannot be held to the next Council Meeting.
- 17.2. The deadline for late items to be included on an Agenda is two (2) hours before the Council or Committee of the Whole Meeting. Late items must be distributed to Council prior to the commencement of the Council Meeting or Committee of the Whole Meeting.

18. NOTICE OF MOTION

- 18.1. A Council Member must give notice of his or her intention to introduce a motion for Council's consideration by:
- (a) verbally stating at the appropriate point in the agenda (NOTICE OF MOTION) that he or she intends to introduce the motion at a subsequent meeting; and
 - (b) submitting a written copy of the motion to the Corporate Officer by the Agenda Deadline for the next Council Meeting.
- 18.2. Notwithstanding section 18.1., in the case of urgent business a Council Member may introduce a motion for Council's consideration without prior notice by:
- (a) submitting a written copy of the proposed motion to the Corporate Officer at least 24 hours before the Council Meeting; and
 - (b) obtaining the Corporate Officer and Council's approval to introduce the motion as a Late Item.

19. PUBLIC INPUT AND DELEGATIONS

- 19.1. At each Regular Council meeting and Regular Committee of the Whole, ten (10) minutes will be made available for public input on any matter on the Agenda or within the competence of Council, in accordance with the following procedures:
- (a) when recognized by the Mayor, each person will be allowed up to two (2) minutes to address Council; and
 - (b) if at the end of the ten-minute Public Input period there remain any persons who wish to speak, the Members may, by unanimous resolution, agree to extend the length of the Public Input period.
- 19.2. Persons or groups wishing to address Council for longer than two (2) minutes, or who have been invited by Council, may be received as a delegation in accordance with the following procedures:
- (a) prospective delegations must be made by prior arrangement through the Corporate Officer before the Agenda Deadline or at the Meeting by resolution of Council;
 - (b) prospective delegations must provide to the Corporate Officer information concerning the subject matter, and the name(s), address(es) and contact information of the spokesperson(s);
 - (c) prospective delegations must provide to the Corporate Officer any materials that they will present to Council by the Agenda Deadline;
 - (d) delegations must limit their presentation to ten (10) minutes, except by prior arrangement through the Corporate Officer before the Agenda Deadline or at the meeting by resolution of Council; and
 - (e) at the Chair's discretion, members of Council may query or converse with delegations, notwithstanding the specified time limit.
- 19.3. The number of delegations on any Council Meeting Agenda will be limited to four (4).
- 19.4. Council must not consider a submission or act on a request made during Public Input and Delegations until at least the next Regular Council Meeting, unless:
- (a) Council resolves unanimously to consider the matter; or
 - (b) the matter is elsewhere included on the Agenda.
- 19.5. The provisions of this section are suspended from the close of nominations preceding a general local election or by-election until the meeting of Council following the election, except where Council, by resolution, permits a person or delegation to address Council.
- 19.6. Delegates and speakers providing Public Input must not be heard by Council on:
- (a) any matter that has been the subject of a public hearing held in accordance with a legislation as a pre-requisite to the:
 - (i) adoption of a bylaw; or
 - (ii) passing of a resolution authorizing a permit;

- (b) a reconsideration or appeal of a Council decision held in accordance with an enactment, except for the person entitled to such reconsideration or appeal, or their legal representatives;
 - (c) District employee relations;
 - (d) the promotion of commercial products or services;
 - (e) litigation or potential litigation affecting the District;
 - (f) any matter related to an election campaign; or
 - (g) any matter about records held in confidence by the District, unless that record has been lawfully released to the public by the District.
- 19.7. The Corporate Officer has the authority to screen delegation requests and, if appropriate, refuse to place a delegation on the Agenda if the subject matter of the proposed delegation:
- (a) is listed under section 19.6. of this bylaw;
 - (b) the delegate has previously made a delegation to Council on the same issue and no new information is provided; or
 - (c) is not within the jurisdiction of Council.

20. CORRESPONDENCE ADDRESSED TO MAYOR AND COUNCIL

- 20.1. Correspondence addressed to the Mayor or Council which requires, or requests Council action must:
- (a) be legible
 - (b) be signed by, or identified as being from, at least one person who provides a name;
 - (c) not contain libellous statements about third parties;
 - (d) be submitted to the Corporate Officer by the Agenda Deadline, unless Council so resolves to accept the correspondence as a late item; and
 - (e) be approved by the Corporate Officer or Mayor and placed on the agenda for the next Regular Council Meeting.
- 20.2. District staff must acknowledge receipt of the correspondence and advise the writer of where the correspondence has been referred.
- 20.3. Correspondence referred to the Agenda must be presented in its entirety, excluding contact information, unless the author requests that specific personal information, except the author's name, be redacted.

21. INFORMATION ITEMS

- 21.1. Information items may be placed on the Agenda under the appropriate section (INFORMATION ITEMS).
- 21.2. Information items include:

- (a) correspondence of interest to the public or Council which does not require or request Council action; and
- (b) in-camera items approved for public release.

22. QUESTION PERIOD

- 22.1. At each Regular Committee of the Whole and Council Meeting, ten (10) minutes must be made available for a members of the public to question Council on any matter within the competence of Council, in accordance with the following procedures:
- (a) persons wishing to ask questions must state their name before asking their question;
 - (b) a person asking a question may ask a supplementary question but must, following the response to the supplementary question, yield to allow other persons opportunity to ask questions; and
 - (c) no speeches are permitted in Question Period.
- 22.2. If at the end of the ten-minute question period there remains any person wishing to speak, Council may, by unanimous resolution, agree to extend the length of the Question Period.
- 22.3. The provisions of this section do not permit verbal representations concerning a bylaw that was subject to a statutory public hearing that has been completed.

23. MINUTES

- 23.1. Minutes of Council meetings must be:
- (a) legibly recorded;
 - (b) certified as correct by the Corporate Officer; and
 - (c) signed by the Mayor.
- 23.2. The minutes of a previous meeting may be corrected, but not debated or reflected upon, at the time they are considered for adoption.
- 23.3. Subject to section 23.4 of this bylaw and in accordance with the *Community Charter*, Minutes of the proceeding of Council, Committees, Committees of the Whole, Commission and Committees must be available for public inspection at the District Office during regular office hours.
- 23.4. Section 23.3 does not apply to Minutes of a Council Meeting or part thereof which persons were excluded under Section 90 of the *Community Charter*.

PART 5 – MOTIONS

24. READING AND CONSIDERATION OF MOTIONS

- 24.1. Council may debate and vote on a motion only if it is first made by one Council Member and then seconded by another.
- 24.2. A Member may require the motion under consideration to be read.

- 24.3. The Chair may refuse to accept a motion if he or she is of the opinion that the motion is:
- (a) contrary to this bylaw;
 - (b) relates to matters outside the competence of Council or Council's jurisdiction under legislation; or
 - (c) deals with a matter that was voted upon by Council and defeated within the last six (6) months.
- 24.4. If a motion is refused pursuant to section 24.3. the Chair must apprise the Council Members of the refusal to accept and must state the rule or authority applicable.
- 24.5. A Council Member may appeal the Chair's refusal to accept a motion under section 24.3. according to the procedures set out in section 38 of this bylaw.

25. RECORDING OF MOTIONS IN THE MINUTES

- 25.1. The names of the Council Members who moved and seconded a motion must be recorded in the Minutes.

26. MOTIONS PERMITTED WHILE MATTER UNDER DEBATE

- 26.1. When a matter is under debate, no motion is in order except:
- (a) to withdraw, only if made by the original mover;
 - (b) to adjourn;
 - (c) to defer (postpone) to a certain day (time);
 - (d) to refer to a committee or staff for report; or
 - (e) to amend.
- 26.2. The motions listed in 26.1. have precedence in the order listed.

27. AMENDMENTS

- 27.1. A Council Member may, without notice, move to amend a motion that is being considered at a Council Meeting.
- 27.2. An amendment may propose removing, replacing, or adding to the words of an original motion.
- 27.3. A proposed amendment must be reproduced in writing by the mover if requested by the Chair.
- 27.4. 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.
- 27.5. An amendment may be amended once only.
- 27.6. A Council Member may propose an amendment to an adopted amendment.
- 27.7. An amendment that has been defeated by a vote of Council cannot be proposed again.

- 27.8. The Chair 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 subsection (a) is positive; then
 - (c) the main question.

28. RECONSIDERATION

- 28.1. Reconsideration of a matter voted upon, other than to postpone indefinitely, may only be advanced:
- (a) by the Mayor, in accordance with the *Community Charter*, or
 - (b) by another Member of Council at the next Council meeting, if that member voted as the majority did on the matter.
- 28.2. Council must not discuss the main matter to be reconsidered unless the motion to reconsider that matter is first adopted in the affirmative.
- 28.3. No matter may be reconsidered more than once.
- 28.4. A vote to reconsider must not be reconsidered.
- 28.5. Council may only reconsider a matter that has not:
- (a) had the approval or assent of the electors and been adopted;
 - (b) been reconsidered by the Mayor in accordance with the Community Charter; or
 - (c) been acted on by an officer, employee, or agent of the District.
- 28.6. The conditions that applied to the original bylaw, resolution, or proceeding apply to its reconsideration under this section.
- 28.7. A bylaw, resolution, or proceeding that is reaffirmed under this section is as valid and has the same effect as it had before reconsideration.

PART 6 – BYLAWS

29. COPIES OF THE BYLAW

- 29.1. 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 twenty-four (24) hours before the Council Meeting, unless all Council Members unanimously agree to waive this requirement.

30. FORM OF BYLAWS

- 30.1. 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; and
- (e) be divided into sections.

31. BYLAWS TO BE CONSIDERED SEPERATELY OR JOINTLY

- 31.1. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the Chair or requested by another Council Member; or
 - (b) jointly with other proposed bylaws in the sequence determined by the Chair.

32. READING AND ADOPTING BYLAWS

- 32.1. Every proposed bylaw must receive three readings prior to its final adoption.
- 32.2. The readings of the bylaw may be given by stating the Bylaw title or Bylaws titles.
- 32.3. In accordance with the *Community Charter, Local Government Act or other enactment*, Council may give up to three readings to a proposed bylaw at the same Council Meeting.
- 32.4. Subject to any statutory requirement or a Council Member requesting that the reading be considered separately, a proposed bylaw may be introduced and given first, second and third reading in one motion. Where a public hearing is required, a proposed bylaw may be introduced and given first and second reading in one motion.
- 32.5. Subject to official community plan adoption procedure under the *Local Government Act*, each reading and adoption of a proposed bylaw must receive the affirmative vote of a majority of the Council Members present at a Meeting.
- 32.6. A bylaw subject to statutory public hearing requirements must be referred to a public hearing before third reading, unless the public hearing requirement is waived in accordance with applicable legislation.
- 32.7. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter, Local Government Act* or other enactment.
- 32.8. There must be at least one day between third reading and adoption of the bylaw except:
- (a) in the case of an official community plan, zoning or heritage designation bylaw, the proposed bylaw may, in accordance with the *Local Government Act* be adopted at the same meeting it received third reading; and
 - (b) where the *Community Charter, Local Government Act* or any other enactment requires otherwise.
- 32.9. If the bylaw requires approval of the Lieutenant Governor in Council, a Minister or the Inspector of Municipalities, or approval of the electors through a counter petition opportunity or assent of the electors, the approval must be obtained before the bylaw is adopted in accordance with applicable legislation.

32.10. Readings may be reconsidered in accordance with the procedures set out in section 28 of this bylaw.

32.11. A bylaw is deemed to have been abandoned if:

- (a) any bylaw fails to receive a mover and seconder at any reading or at adoption, and the bylaw is not otherwise tabled or dealt with; or
- (b) an Official Community Plan amendment or Zoning Bylaw amendment bylaw has not been advanced for further consideration since its previous reading for a period of 18 months.

33. BYLAW MUST BE SIGNED

33.1. 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.

34. FORCE AND EFFECT

34.1. A bylaw comes into force and effect the later of:

- (a) the date it is adopted by Council; or
- (b) a date established by the bylaw.

PART 7 – VOTING

35. GENERAL VOTING RULES

35.1. Voting is to proceed in accordance with the general voting rules determined by the *Community Charter*.

35.2. When the motion under consideration contains distinct propositions, and a member of Council so requests, the vote may be taken upon each proposition separately.

35.3. When debate on a motion is complete, the Chair must immediately put the motion to a vote.

35.4. In Conducting a vote, the Chair must:

- (a) first call for all members in favour of the motion and then all those opposed to the motion; and
- (b) announce the outcome of the vote by declaring the motion carried or defeated.

35.5. After the Chair has put the motion to a vote, a Member must not speak to the question or make a further motion concerning it. The Chair's decision as to whether a motion has been finally put is conclusive.

- 35.6. Votes must be by show of hand except:
- (a) where votes are taken by unanimous consent according to section 35.9. of this bylaw; or
 - (b) where section 10.4. of this bylaw applies.
- 35.7. A Member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.
- 35.8. If the votes of the members present at the meeting at the time of the vote are equal for and against, the motion is defeated, and the Chair must declare the motion defeated.
- 35.9. Some motions may be voted on by Unanimous Consent, an informal way of taking a vote that is used for routine and non-controversial decisions of a procedural nature. The procedure involves asking if any Member objects to adopting the motion and if no one does, it is adopted. Where one member objects, a vote must be taken.

PART 8 – RULES OF CONDUCT AND DEBATE

36. POWERS AND DUTIES OF THE CHAIR

- 36.1. The Chair at a Council Meetings is:
- (a) the Mayor;
 - (b) in the absence of the Mayor, the Acting Mayor; or
 - (c) in the absence of both the Mayor and Acting Mayor, the next Councillor on the Acting Mayor Schedule that is in attendance.
- 36.2. Where the Mayor or Acting Mayor joins a meeting already in progress, he or she shall Chair the Meeting upon arrival.
- 36.3. If the Mayor wishes to vacate the Chair for any reason during a meeting, he or she shall call upon the Acting Mayor to Chair the Meeting or, in the absence of the Acting Mayor, the next Councillor on the Acting Mayor Schedule that is in attendance.
- 36.4. The Chair is responsible for:
- (a) maintaining order and decorum at Council Meetings;
 - (b) recognizing Council Members, District staff, delegations and other meeting attendees who, in accordance with this bylaw, wish to address Council;
 - (c) ruling on which Council member has a right to speak;
 - (d) ensuring that all Council Members who wish to speak to a motion or an agenda item have spoken;
 - (e) deciding points of order, subject to an appeal to Council under section 38 of this bylaw;
 - (f) deciding questions of privilege according to section 38 of this bylaw;
 - (g) calling a Member or person to order;

- (h) ruling on whether or not a motion is out of order;
- (i) stating motions and announcing the outcome of votes; and
- (j) providing other leadership functions as necessary to conduct Council Meetings in an efficient and effective manner.

36.5. The Chair:

- (a) may make and second motions;
- (b) may participate in debate without vacating the Chair; and
- (c) must vote under the same rules as Members, in accordance with sections 35 of this bylaw.

36.6. The Chair must recognize members desiring to speak in the order in which the members indicate their request, preference being given to the mover and to the seconder should either or both wish to speak.

36.7. Debate is closed by the Chair when in the Chair's opinion there has been adequate debate.

37. APPEALING THE CHAIR'S RULING

37.1. A Member may immediately appeal a ruling of the Chair to Council by requesting that the Chair put the question "Shall the ruling of the Chair be sustained?" This question must be decided without debate by Majority Vote, excluding the Chair. The Chair shall be governed by the result and in cases where the votes are tied, the motion passes in the affirmative.

37.2. If the Chair refuses to put the question in accordance with section 38.1. of this bylaw, Council must immediately appoint another Member to temporarily Chair the Meeting and that Member must proceed in accordance with section 38.1. of this bylaw. A motion passed under this section is as binding as if passed under subsection 38.1.

38. QUESTION OF PRIVILEGE

38.1. Any Member may raise a question of privilege (matter affecting the welfare of Council as a whole or a Member personally that needs to be dealt with immediately) to remedy a pressing matter at any time by pointing to the matter (e.g. room temperature, noise or other distractions). The Chair must immediately decide whether to accept the question of privilege and, if accepted, order any actions necessary to address it. Where a motion results from an accepted point of privilege, it is not debatable or amendable.

39. GENERAL CONDUCT

39.1. When the Chair desires to speak any member desiring to speak at the same time must cede to the Chair.

39.2. Members and other participants should be addressed, as appropriate, in the following manner:

- (a) the Mayor as:
 - (i) Your Worship, or

- (ii) Mayor;
 - (b) a presiding member who is not elected as the Mayor as Chair;
 - (c) a Councillor as Councillor (here use the surname).
- 39.3. No member or other person attending the meeting may:
- (a) interrupt a member who is speaking, except in accordance with this bylaw;
 - (b) cause a disturbance, disrupt or in any manner delay the conduct of business at a meeting; or
 - (c) use rude or offensive language.
- 39.4. If a person, other than a Member, resists or disobeys an order of the Chair or other person presiding over a Meeting, that person may be removed by the Corporate Officer, or if necessary, by a peace officer at the direction of the Chair. An order issued under this section may be enforced as if it were a court order.
- 39.5. Where the Chair is of the opinion that a Member is conducting themselves in an improper or unparliamentary manner, the Chair may order the member expelled from the meeting and, if necessary, to be removed by a member of the RCMP. An order issued under this section may be enforced as if it were a court order.
- 39.6. If, through the Corporate Officer, an expelled Member advises the Chair that he or she wishes to apologize:
- (a) the Chair must so advise Council; and
 - (b) Council, without debate and by a two-thirds (2/3) vote of the Members present, may:
 - (i) pass a motion allowing the expelled Member to proceed to the public podium to apologize; and
 - (ii) where an apology is permitted and made, pass a motion allowing the expelled Member to return to the meeting.

40. CONDUCT OF SPEAKER

- 40.1. A Member wishing to speak for the purpose of making a motion or entering the debate may speak after being recognized by the Chair but only to:
- (a) make the motion; or
 - (b) speak directly and concisely on the matter under debate.
- 40.2. A Member wishing to speak for the purpose of requesting the Chair consider and decide on any of the following matters may do so without recognition and, if necessary, by interrupting a member who is speaking:
- (a) a violation of a specific rule or a particular mistake, omission, or error in procedure (point of order); or
 - (b) a matter of the comfort, convenience or privilege of the Council or of the member (question of privilege),

but a Member must cease speaking when called to order and while the point of order or question of privilege is being stated, after which the Member may explain.

41. MATTERS OPEN TO DEBATE

41.1. Members may debate a motion:

- (a) to deal with a report;
- (b) in relation to any reading, amendment and adoption of a bylaw;
- (c) to issue a permit;
- (d) to refer a report for inquiry, comment, further study, or recommendation;
- (e) to amend a motion that is debatable;
- (f) to postpone to a certain day; or
- (g) to deal with routine proceedings including the appointment and conduct of officers of the Council and the correctness of the records of the Council or the Voting Body.

41.2. All other business is decided without debate or amendment, or as otherwise provided in these rules of procedure.

PART 9 – PUBLIC HEARINGS

42. TIME AND PLACE OF PUBLIC HEARINGS

42.1. Public hearings required by legislation must occur in Council Chambers unless otherwise advertised, on an as required basis and may be scheduled by the Corporate Officer to occur:

- (a) during a Regular Council Meetings;
- (b) during a Special Council Meetings; or
- (c) as a public hearing held independently of a Special Council Meeting or Regular Council Meeting.

43. ORDER OF BUSINESS AT A PUBLIC HEARING

43.1. The usual order of business at a public hearing is as set out in the agenda for that public hearing under the following headings, as appropriate:

- (a) CALL TO ORDER;
- (b) ACKNOWLEDGEMENT OF YUULU?IL?ATH? FIRST NATIONS;
- (c) NOTICE OF VIDEO RECORDING;
- (d) LATE ITEMS;
- (e) STATEMENT OF THE CHAIR:
 - (i) REVIEW OF THE PUBLIC HEARING PROCEDURES;
 - (ii) PROPOSED BYLAW OR PERMIT SUMMARY;

- (f) PROPOSED BYLAW OR PERMIT:
 - (i) PUBLIC NOTICE SUMMARY;
 - (ii) RELATED DOCUMENT (BYLAW OR PERMIT AND STAFF REPORTS);
- (g) WRITTEN SUBMISSION RECEIVED DURING THE NOTICE PERIOD;
- (h) APPLICATION/AGENT/STAFF PRESENTATION;
- (i) PUBLIC INPUT;
- (j) ADJOURNMENT.

44. PROCEDURES

- 44.1. Prior to each public hearing, the Corporate Officer must prepare an Agenda.
- 44.2. The Corporate Officer must make the Agenda available to the members of Council and the public forty-eight (48) hours before the public hearing.
- 44.3. Subject to subsection section 44.4. of this bylaw, any written materials and submissions considered by Council at the public hearing will be available for review by the public during at the hearing.
- 44.4. Written submissions received during the notice period will be added to the public record in their entirety, excluding contact information, unless at the time of submission the author requests that other personal information, except the author's name, be redacted.
- 44.5. Written submissions may be delivered to the District Office via email, mail or hand, up to forty-eight (48) hours before the public hearing or must be delivered at the public hearing.
- 44.6. Individuals that speak during the PUBLIC INPUT portion of the public hearing must:
 - (a) first identify themselves by stating their name and address and, where applicable, the name and address of the person or persons they represent;
 - (b) limit their remarks to matters contained in the proposed bylaw or permit; and
 - (c) not make a reply, rebuttal or further submission without the Chair's/Presiding Member's permission.
 - (d) Only Council Members may ask questions of speakers to clarify what has been said.
- 44.7. The Chair may establish additional rules of conduct that apply to public hearings provided they are consistent with this bylaw, the *Community Charter, Local Government Act* and any other applicable enactment.
- 44.8. A public hearing may be cancelled by the Corporate officer where insufficient public notice is given.
- 44.9. The following sections of this bylaw apply to public hearings with references to the Chair, the body and other provisions modified as appropriate:
 - (a) Sections 7.1 and 7.2 [Cancellations and Rescheduling] except Public Hearings may also be cancelled by the Corporate Officer in the event that the statutory

notice requirements are not met;

- (b) Section 37 [Powers and Duties of the Chair];
- (c) Section 39 [General Conduct]; and
- (d) Section 41 [Conduct of Speakers].

PART 10 – COMMITTEES, COMMISSIONS & OTHER BODIES

45. COMMITTEE OF THE WHOLE

- 45.1. Council must meet regularly as a Committee of the Whole at the place, date and time specified in the Annual Meeting Schedule for Regular Committee of the Whole Meetings, except where the Regular Committee of the Whole Meeting is cancelled or rescheduled in accordance with this section.
- 45.2. Special Committee of the Whole Meetings may be called by the Mayor provided notice of the date, time and location of the meeting is given:
 - (a) to Council Members, by delivering a copy of the Agenda Package to the place to which the member has directed notices be sent twenty-four (24) hours before the Special Committee of the Whole Meeting; and
 - (b) to the public by posting notice on the Public Notice Places twenty-four (24) hours before the Special Committee of the Whole Meeting notice is waived by unanimous vote of all members of Council.
- 45.3. The following sections of this Bylaw apply to meetings of the Committee of the Whole, with references to the Chair, the body and other provisions modified as appropriate:
 - (a) Section 7 [Cancellations and Rescheduling]
 - (b) Section 10 [Council Meetings by Electronic Means] at the discretion of the Chair member noting the cost and availability of electronic meeting facilities;
 - (c) Section 13 [Open Meeting Rule];
 - (d) Section 16 [Agenda and Order of Business];
 - (e) Section 17 [Late Items];
 - (f) Section 19 [Public Input and Delegations];
 - (g) Section 20 [Correspondence Addressed to Mayor and Council];
 - (h) Section 21 [Information Items];
 - (i) Section 22 [Question Period];
 - (j) Section 23 [Minutes] except certification is by the Chair if the Corporate Officer is not in attendance;
 - (k) Part 5 [Motions] except a motion made at a meeting of the Committee of the Whole is not required to be seconded; and
 - (l) Section 48 [Committee Procedures].

- 45.4. The previous section does not apply if alternate provisions are provided for:
- (a) in another District bylaw;
 - (b) in applicable legislation; or
 - (c) when the other body was established.

46. OTHER DISTRICT BODIES

- 46.1. The rules of the Council procedure must generally be observed during Other District Body meetings:
- (a) so far as is possible in the determination of the Chair recognizing the more informal nature of such bodies; and
 - (b) except strict compliance is required for sections specifically referenced in this section or elsewhere in this bylaw.
- 46.2. The Chair of an Other District Body must give notice of the time, place and date of a meeting by posting a notice at the Public Notice Posting Places:
- (a) seventy-two (72) hours before a regularly scheduled meeting of the Other District Body; and
 - (b) twenty-four (24) hours before a special meeting of the Other District Body.
- 46.3. At least twenty-four (24) hours before an Other District Body meeting, the Chair must make the meeting agenda available by:
- (a) leaving copies of the agenda at the reception counter at the District Office for the purpose of making them available to members of the public; and
 - (b) leaving one copy of the Agenda for each Other District Body member at the place to which the member has directed notices be sent.
- 46.4. 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.
- 46.5. A motion made at a meeting of a Committee or Commission is not required to be seconded.
- 46.6. The following sections of this bylaw apply to meetings of an Other District Body with references to the Chair, the body and other provisions modified as appropriate:
- (a) Section 7 [Cancellations and Rescheduling]
 - (b) Section 10 [Council Meetings by Electronic Means] at the discretion of the Chair member noting the cost and availability of electronic meeting facilities;
 - (c) Section 13 [Open Meeting Rule];
 - (d) Section 16 [Agenda and Order of Business];
 - (e) Section 17 [Late Items];
 - (f) Section 19 [Public Input and Delegations];
 - (g) Section 20 [Correspondence Addressed to Mayor and Council];

- (h) Section 21 [Information Items];
 - (i) Section 22 [Question Period];
 - (j) Section 23 [Minutes] except certification is by the Chair if the Corporate Officer is not in attendance;
 - (k) Part 5 [Motions] except a motion made at a meeting of the Committee of the Whole is not required to be seconded; and
 - (l) Section 48 [Committee Procedures].
- 46.7. The previous section does not apply if alternate provisions are provided for:
- (a) in another District bylaw;
 - (b) in applicable legislation; or
 - (c) when the other body was established.

PART 11 – WORKSHOPS

47. COUNCIL WORKSHOPS

- 47.1. Members of Council may meet informally for educational, political, social or spiritual purposes, including attendance at the annual Union of British Columbia Municipalities conference.
- 47.2. Provided no District business is formally advanced through the taking of votes:
- (a) such encounters are not to be considered meetings of Council;
 - (b) no notice is required; and
 - (c) the rules of procedures in this Bylaw do not apply.

READ A FIRST TIME this day of , .

READ A SECOND TIME this day of , .

READ A THIRD TIME this day of , .

PUBLIC NOTICE given in accordance with the *Community Charter*, including newspaper notices this and day of , .

ADOPTED this day of , .

A TRUE AND CORRECT COPY of "District of Ucluelet Council Procedures Bylaw No. 1264, 2020".

Mayco Noël
Mayor

Mark Boysen
Corporate Officer

THE CORPORATE SEAL of
the District of Ucluelet was
hereto affixed in the
presence of:

Mark Boysen
Corporate Officer