

Committee of Council Agenda

Tuesday, October 3, 2023

2:00 p.m.

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Pages

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the Tuesday, October 3, 2023, Committee of Council Meeting Agenda be adopted as circulated.

3. CONFIRMATION OF MINUTES

4

Recommendation:

That the minutes of the following Closed Committee of Council Meetings be adopted:

- *September 12, 2023.*

4. REPORTS

4.1 2024 Permissive Tax Exemptions

8

Recommendation:

That Committee of Council recommend to Council:

1. *That Atira Women's Resource Society be approved for a permissive property tax exemption for 2024; and*
2. *That The City of Port Coquitlam be approved for permissive tax exemptions for 2024 – 2028; and*
3. *That previously approved permissive property tax exemptions continue for the 2024 taxation year.*

4.2 Council and Committee Procedure Bylaw Amendments

20

Recommendation:

That Committee of Council recommend to Council that proposed amendments to "Council and Committee Procedures Bylaw, 2015, No. 3898" be approved.

4.3 Delegation of Authority Bylaw Amendments

44

Recommendation:

That Committee of Council support revisions to the Delegation of Authority Bylaw and forward the draft Bylaw to Council for first three readings.

5. COUNCILLORS' UPDATE

6. MAYOR'S UPDATE

7. CAO UPDATE

8. RESOLUTION TO CLOSE

8.1 Resolution to Close

Recommendation:

That the Committee of Council Meeting of Tuesday, October 3, 2023, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:

Item 5.1

e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Item 5.2

e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

9. ADJOURNMENT

9.1 Adjournment of the Meeting

Recommendation:

That the Tuesday, October 3, 2023, Committee of Council Meeting be adjourned.



Committee of Council Minutes

Tuesday, September 12, 2023

Council Chambers

3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Council Present: Chair - Mayor West
Councillor Darling
Councillor McCurrach
Councillor Petriw
Councillor Pollock
Councillor Washington

Council Absent: Councillor Penner

Staff Present: R. Bremner, CAO
K. Grommada, Deputy CAO
C. Deakin, Corporate Officer
J. Frederick, Director Engineering & Public Works
B. Irvine, Director Development Services
R. Kipps, Fire Chief
D. Long, Director Community Safety & Corporate Services
J. Lovell, Director of Finance

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved-Seconded:

That the Tuesday, September 12, 2023, Committee of Council Meeting Agenda be adopted as circulated.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

3. CONFIRMATION OF MINUTES

None.

4. DELEGATIONS

None.

5. REPORTS

5.1 Development Permit Amendment Application for 2245 McAllister Avenue

Moved-Seconded:

That Committee of Council approve Development Permit DP000413 which will regulate the development of a building and landscaping at 2245 McAllister Avenue.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

5.2 Rezoning Application for 2272 Leigh Square, 2265 and 2291 Wilson Avenue

Moved-Seconded:

That Committee of Council:

1. Direct staff to bring forward a Comprehensive Development Zone bylaw that provides for the proposed development and includes the following specific provisions:

- a) Maximum 1.88 residential floor area ratio;*
- b) Density bonus in the amount of \$50 per ft² proposed in excess of 1.5 residential floor area ratio; plus, an additional \$50 per ft² for 10% of the residential floor area in excess of 1.5 floor area ratio;*
- c) Payment in lieu of parking to a maximum of 63 stalls;*
- d) A minimum of 2 long-term bicycle storage spaces per dwelling unit.*

2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:

- a) Demolition of existing structures;*
- b) Completion of road closures adjacent to 2272 Leigh Square;*
- c) Completion of subdivision to the satisfaction of the Approving Officer including subdivision and consolidation of the site into one parcel and road dedication along Wilson Avenue and Donald Street;*
- d) Submission of plans, securities and fees and agreements for off-site*

works and services including pedestrian flashing beacons at the Donald Street / Wilson Avenue crosswalk.

e) *Registration of legal agreement(s) to:*

i. establish a commitment to provide car share, e-bike share and transit subsidy programs;

ii. to require restaurant odour neutralization.

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

5.3 2023 Q2 Financial Variance and Forecast Report

The Manager of Accounting Services provided an on-screen presentation regarding the City's operating activities for last three months with an overview of the projected operating revenues, expenses and actuals to June 30, 2023.

6. COUNCILLORS' UPDATE

No update.

7. MAYOR'S UPDATE

No update.

8. CAO UPDATE

No update.

9. RESOLUTION TO CLOSE

9.1 Resolution to Close

Moved-Seconded:

That the Committee of Council Meeting of Tuesday, September 12, 2023, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:

Item 5.1

I. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

Item 5.2

e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Item 5.3

k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Item 5.4

e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

10. ADJOURNMENT

10.1 Adjournment of the Meeting

That the Tuesday, September 12, 2023, Committee of Council Meeting be adjourned. (4:33 p.m.)

In Favour (6): Mayor West, Councillor Darling, Councillor McCurrach, Councillor Petriw, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

Mayor

Corporate Officer

2024 Permissive Tax Exemptions

RECOMMENDATION:

That Committee of Council recommend to Council:

- 1. That Atira Women's Resource Society be approved for a permissive property tax exemption for 2024; and*
- 2. That The City of Port Coquitlam be approved for permissive tax exemptions for 2024 – 2028; and*
- 3. That previously approved permissive property tax exemptions continue for the 2024 taxation year.*

REPORT SUMMARY

This report recommends the approval of a new permissive property tax exemption application received in 2024 from Atira Women's Resource Society and staff recommends that Atira Women's Resource Society receive a 1-year permissive tax exemption except for the area commercially leased for profit.

This report also recommends that the City of Port Coquitlam receive a 5-year permissive tax exemption for the property the City leases for municipal parking.

Finance Department staff has also completed a review to ensure that organizations previously approved for a permissive property tax exemption continue to qualify for an exemption. No changes are recommended for these organizations.

BACKGROUND

Statutory Property Tax Exemptions

Statutory property tax exemptions are automatically applied under federal and provincial legislation. Section 220 of the *Community Charter* provides statutory tax exemptions for properties such as schools, public hospitals, libraries, municipal properties, places of public worship, cemeteries, emergency facilities and sewage treatment plants. Statutory tax exemptions require no action from City Council. These exemptions provide an exemption from all property taxes, including municipal taxes and all other taxing authorities such as school tax, Metro Vancouver, TransLink, BC Assessment, and Municipal Finance Authority.

Permissive Property Tax Exemptions

Section 224 of the *Community Charter* grants Council the discretion to provide property tax exemptions for property that is owned or held by a charitable, philanthropic, or other not for profit corporation and is used for a purpose directly related to the purposes of the corporation. The legislation also includes exemptions for other properties such as churches, care facilities, and private schools that are not fully exempt under section 220 of the *Community Charter*.

2024 Permissive Tax Exemptions

Permissive property tax exemptions provide an exemption from all property taxes, including municipal taxes and all other taxing authorities such as school tax, Metro Vancouver, TransLink, BC Assessment, and Municipal Finance Authority.

DISCUSSION

2024 Applications

A new application was received from a registered charity for the property located at 2117 Prairie Avenue. The Finance Department staff have reviewed the submission to confirm that the charity qualifies for a permissive tax exemption by being a registered charity through the Canada Revenue Agency and have demonstrated that at least 75% of the services of their organization are open to and used by residents of Port Coquitlam.

The City of Port Coquitlam entered into a 5-year lease agreement with British Columbia Hydro and Power Authority for the property located at 2171 Wilson Ave. This property will be used for municipal parking purposes. In accordance with the Community Charter, section 224 (2) (b) a permissive tax exemption may be granted if the land or improvements are held by a municipality and council considers are used for the purpose of the municipality.

Staff are recommending that Atira Women's Resource Society receive a full exemption except for the area that is commercially leased for profit and/or statutorily exempt and The City of Port Coquitlam receive an exemption for the Class 6 parking.

Atira Women's Resource Society

Atira Women's Resource Society provides transition housing and support services for women affected by violence and abuse. This application is for the property located at 2117 Prairie Avenue. Metro Vancouver is the registered owner of this property and Atira Women's Resource Society is the holder of the improvements and has a signed a long-term lease. This property consists of a 72-unit social housing apartment, 11 townhouses, a daycare and a health centre. In 2023 this property received a one-year taxation exemption due to being under construction. It is now fully developed and operational. In accordance with the legislation and City policy, the housing, daycare and commercial area used for support services can be considered for a taxation exemption. Based on the property assessment in 2023, the municipal taxes would have been \$34,658.

British Columbia Hydro and Power Authority/ The City of Port Coquitlam

The City of Port Coquitlam entered into a 5-year bare land lease agreement with British Columbia Hydro and Power Authority for the property located at 2171 Wilson Ave commencing October 1, 2023. This property is held by the municipality and will be used for municipal parking purposes. Based on the property assessments in 2023, the municipal taxes would have been \$27,274.

2024 Permissive Tax Exemptions

Annual Review of Permissive Property Tax Exemptions


Finance Department staff has verified the eligibility of these properties for exemptions for the 2024 taxation year.

The Finance Department sends a letter each year to all recipients to request the required documents for annual review by June 30 to confirm that all properties receiving permissive tax exemptions continue to qualify for the upcoming tax year. These permissive tax exemptions are listed in Attachment #1.

FINANCIAL IMPLICATIONS

If Council chooses to approve the granting of additional property exemptions to these Port Coquitlam charities that have applied for 2024 permissive tax exemptions, the result will be an estimated shift the 2024 annual tax burden of approximately \$61,932 to the remaining taxable properties in the city.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Direct staff to prepare a bylaw exempting Atira Women's Resource Society for 2024 and The City of Port Coquitlam for 5 years starting in the 2024 taxation year.
	2	Direct staff to prepare a bylaw exempting only a selected property.
	3	Take no action (not approve any additional properties).

Lead author: Shelly Ryan

Contributing author: Jeffrey Lovell

ATTACHMENTS

Attachment 1– 2023 Permissive Exemptions

Attachment 2 - Permissive Exemption Policy

Attachment 3 – Draft Permissive Tax Exemption Bylaw, 2023, 4339

Attachment 4 – Draft Permissive Tax Exemption Bylaw, 2023, 4342

2023 City of Port Coquitlam Permissive Exemptions
Attachment 2

Name	Bylaw #	Expiry Date	2023 Tax Exemption	Community Charter Permissive Exemption	City Policy
Affordable Housing Charitable Association	4079	2028	\$ 6,537	S.224(2)(a)	7. Registered charities who provide services to the community
Atira Women's Resource Society	4287	2023	\$ 34,658	S.224(2)(a)	7. Registered charities who provide services to the community
Cheshire Homes Society of BC	4080	2028	\$ 3,572	S.224(2)(a)	7. Registered charities who provide services to the community
Community Integration Services Society	4081	2028	\$ 6,523	S.224(2)(a)	7. Registered charities who provide services to the community
Coquitlam Chinese Evangelical Bible Church	3712	Ongoing	\$ 18,723	S.224(2)(g)	2. Public Worship
Coquitlam Chinese Evangelical Free Church	2049	Ongoing	\$ 16,363	S.224(2)(g)	2. Public Worship
Tri-City Canaan Church (formally Fellowship Deaconry Association of BC)	3521	Ongoing	\$ 23,657	S.224(2)(g)	2. Public Worship
Foursquare Gospel Church of Canada	3927	Ongoing	\$ 160,949	S.224(2)(g)	2. Public Worship
Hope Lutheran Church	1559	Ongoing	\$ 11,204	S.224(2)(g)	2. Public Worship
Hyde Creek Streamkeepers	3455	2024	\$ 10,038	S.224(2)(a) and (d)	1. Non-for-profit occupiers of city property
Innervisions Recovery Society of BC	4084	2028	\$ 2,332	S.224(2)(a)	7. Registered charities who provide services to the community
Innervisions Recovery Society of BC	4085	2028	\$ 2,463	S.224(2)(a)	7. Registered charities who provide services to the community
Kinsight Community Society	4087	2028	\$ 3,043	S.224(2)(a)	7. Registered charities who provide services to the community
Kinsight Community Society	4089	2028	\$ 43,547	S.224(2)(a)	7. Registered charities who provide services to the community
Kinsight Community Society	4086	2028	\$ 2,593	S.224(2)(a)	7. Registered charities who provide services to the community
Kinsight Community Society	4088	2028	\$ 2,767	S.224(2)(a)	7. Registered charities who provide services to the community
New Chelsea Society	4090	2028	\$ 9,611	S.224(2)(a)	7. Registered charities who provide services to the community
New View Society	4091	2028	\$ 2,377	S.224(2)(a)	7. Registered charities who provide services to the community
Northview Community Church	3521	Ongoing	\$ 32,362	S.224(2)(g)	2. Public Worship
Our Lady of Assumption Roman Catholic Church & Elementary	2202	Ongoing	\$ 73,642	S.224(2)(f) and (h)	2. Public Worship 3. Private School
PLEA Community Services Society of British Columbia	4245	2032	\$ 7,239	S.224(2)(a)	7. Registered charities who provide services to the community
PLEA Community Services Society of British Columbia	4245	2032	\$ 6,559	S.224(2)(a)	7. Registered charities who provide services to the community
PLEA Community Services Society of British Columbia	4284	2032	\$ 8,494	S.224(2)(a)	7. Registered charities who provide services to the community

2023 City of Port Coquitlam Permissive Exemptions
Attachment 2

Port Coquitlam Heritage and Cultural Society	3455	2024	\$ 5,633	S.224(2)(a)	1. Non-for-profit occupiers of city property
Port Coquitlam Kinsmen Club	3455	2024	\$ 14,946	S.224(2)(a) and (d)	1. Non-for-profit occupiers of city property
Port Coquitlam Pentecostal Assembly	2203	Ongoing	\$ 19,911	S.224(2)(g)	2. Public Worship
Port Coquitlam Seniors Housing	3188	Ongoing	\$ 21,717	S.224(2)(h)	
Royal Canadian Legion Port Coquitlam (British Columbia/Yukon Command No 133)	3886	2027	\$ 18,049	S.224(2) (a)	
Southside Baptist Church	1022	Ongoing	\$ 20,130	S.224(2)(g)	2. Public Worship
The Church in Coquitlam	2205	Ongoing	\$ 40,753	S.224(2)(g)	2. Public Worship
Tri-City Islamic Centre	3374	Ongoing	\$ 19,679	S.224(2)(g)	2. Public Worship
Trustees of Trinity Congregation of the United Church of Canada	1025	Ongoing	\$ 26,490	S.224(2)(g)	2. Public Worship
Vancouver Bible Presbyterian	3186	Ongoing	\$ 27,638	S.224(2)(g)	2. Public Worship
Victory Baptist Church	2204	Ongoing	\$ 9,029	S.224(2)(g)	2. Public Worship
Total			\$ 713,225		

Subject Area: Finance			Policy # 7.02.04
Policy Title: Permissive Property Tax Exemption			
Authority:	Legislative	X	Effective Date: 2018-07-24
	Administrative		Review Date: 2020-07-24
Issued By:	K. Grommada, Director of Finance	Finance	Issue Date: 2018-07-27
			Manner Issued: E-mail to Department Heads

Purpose:

The Community Charter Sections 224, 225 and 226 grants Council the discretion to provide exemptions from property taxes for churches, private schools, charitable and non-profit organizations in accordance with regulations set out in those sections.

The purpose of this policy is to set the parameters under which Council will consider applications for permissive exemptions from property taxes from organizations which are eligible for such exemptions under Community Charter Sections 224, 225 and 226. The parameters will provide fair, consistent treatment and consideration for all applicants providing charitable and non-profit services for the benefit of Port Coquitlam Residents.

Policy:

The City recognizes the significant value that volunteers, volunteer groups and agencies contribute to the spiritual, educational, social, cultural, and physical well-being of the community. A permissive tax exemption is a means for Council to support organizations within the community and deems it appropriate that they be assisted through reductions in property taxation. Once granted, property tax exemptions, exempt properties from municipal taxes and all other taxing authority levies (provincial school taxes, Metro Vancouver, TransLink, BC Assessment and Municipal Finance Authority levies).

1. The City further limits the exemptions possible through the Community Charter to the following properties:
 - i. 100% property tax exemption for non-profit occupiers of City property for the duration of their occupancy. The bylaw exempting these occupiers shall

- be for a term of no more than 10 years, the maximum permissible under the Community Charter. The exemption may be renewed as required.
- ii. 100% ongoing property tax exemption for land and improvements surrounding a statutorily exempt building for public worship.
 - iii. 100% ongoing property tax exemption for land surrounding a statutorily exempt building owned by an incorporated institution of learning (private school) that is regularly giving children instruction accepted as equivalent to that given in a public school.
 - iv. 100% property tax exemption for properties on which a building for public worship or private school is to be built. In order to qualify for exemption under this section the owner must have applied for either a rezoning or a building permit by September 1st in the year preceding the year of tax exemption. The bylaw exempting these properties would be for the following two calendar years.
 - v. 100% or partial property tax exemption for properties that are to be awarded a grant under an existing City grant program and would qualify for property tax exemption under the Community Charter. Property tax exemption would be provided instead of a cash grant to the organization. The proportion of the property to be exempted will be determined to provide the equivalent benefit of a cash grant to the organization. The bylaw exempting these properties would be for a one-year period, unless otherwise exempted by Council.
 - vi. 100% property tax exemption for non-profit occupiers of school premises. The bylaw exempting these occupiers shall be for a term of no more than 10 years, the maximum permissible under the Community Charter. The exemption may be renewed as required.
 - vii. 100% property tax exemption for registered charities who provide services to the community. To qualify for an exemption under this section, the applicant must demonstrate that at least 75% of the services of their organization are open to and used by residents of Port Coquitlam. The bylaw exempting these properties shall be for a term of no more than 10 years, the maximum permissible under the Community Charter.
2. Council may grant a partial property tax exemption where the following circumstances exist:
- i. A portion of the land/improvements is used by private sector and/or organization not meeting Council's exemption criteria.
 - ii. The applicant already receives a grant from the municipality, provincial or federal government.
 - iii. The applicant meets all eligibility criteria, however Council may at its discretion grant a partial exemption.

Exemptions may only be granted to the portion of a property that meets all the requirements of this policy. The exemption may apply to the whole or part of the taxable assessed value of land, improvements or both.

3. The following guidelines will be considered when determining whether to grant a permissive tax exemption:

Guideline 1 - The use of the property must be consistent with and in compliance with all applicable municipal policies, bylaws and legislation.

Guideline 2 - The non-profit or charity must provide evidence of financial need. Property tax exemption will not be granted for organizations that operate with a profit motive.

Guideline 3 - The services or programs provided must be complementary extension to City services and programs

Guideline 4 - Permissive tax exemptions will be based on the principal use of the property, not on the non-profit or charitable service of the organization.

Guideline 5 - The services provided are primarily for the residents of Port Coquitlam.

4. The following information will be considered when determining whether to grant a permissive tax exemption:

- i. The need for the services.
- ii. The availability of the services.
- iii. Other funding sources.
- iv. Services provided are accessible and equally available to the general public.

5. Applications must be received by June 30th in each applicable year for exemptions that begin in the subsequent year. Applications received after the deadline or applications which do not include all required information may not be considered.

6. The applicant must own or lease the subject property; and in the case of a lease, the lease requires payment of property taxes by the applicant.

7. Tax exemptions will only be granted to a registered charity as defined by Canada Revenue Agency:

- i. Registered charities

Registered charities are charitable organizations, public foundations, or private foundations that are created and resident in Canada. They must use their resources for charitable activities and have charitable purposes that fall into one or more of the following categories:

- the relief of poverty
- the advancement of education
- the advancement of religion
- other purposes that benefit the community

8. Permissive tax exemptions granted by Council are subject to an annual review to ensure that they continue to qualify for an exemption based on the most current available information at the time of the review:

- i. copy of last Registered Charity Information Return or Non-Profit Organization Information Return submitted to the Canada Revenue Agency;
 - ii. copy of most current Financial Statements;
 - iii. financial budget (pro-forma balance sheet and income statement) for the current year;
 - iv. A statement to justify the need for the services, the benefit provided to the residents of Port Coquitlam and statistical or other quantifiable measure demonstrating use and effectiveness of the services provided.
9. Council will impose penalties on an exempted organization for knowingly breaching conditions of exemption:
 - i. Revoking exemption with notice.
 - ii. Requiring repayment of monies equal to the foregone tax revenue.
 - iii. Disqualifying any future application for a specified time period.

Process

1. Administration

- (i) Applications will only be considered from:
 - a. Places of Worship and Independent Schools, for a period of up to ten (10) years and are subject to an annual Renewal Application:
 - b. Registered Charities or Non-Profit Organizations and Athletic or Service Clubs for a period of up to ten (10) years and subject to an annual Renewal Application.
- (ii) The Finance Department will process only complete applications; and will contact the applicant where additional information is required. An interdepartmental review will be conducted to determine if the organization is in compliance with all applicable municipal policies, bylaws and legislation, after which the Finance Department will prepare a report and bylaw for presentation to Council for approval and adoption on or before October 31st annually to meet BC Assessment's deadline.
- (iii) Late Applications will not be accepted. It is the Applicant's responsibility to monitor the City's website for Application due dates and any changes to this Policy.
- (iv) Public notice, in accordance with the *Community Charter*, will be placed in the local newspaper of the proposed bylaw.

(v) The Finance Department will review all permissive exemptions annually. The review is to ensure that they continue to qualify for an exemption based on the most current available information at the time of the review.

2. Annual timeline

January 31	Letter sent to all recipients to request required documents for annual review by June 30th
June 30	Applications due
July - August	Internal review of Applications and all current permissive exemptions
September - October	Council review & public notice
October 31 or earlier	Bylaw adoption

END OF POLICY

Record of Amendments:

Policy	Issue date	Reviewed	Replaced	Re-issue Date
7.02	2004-09-28	2005-01-10	Yes	2005-01-11
7.02.01	2005-01-11	2006-10-10	Yes	2006-10-11
7.02.02	2006-10-11	2008-09-17	Yes	2008-09-18
7.02.03	2008-09-18	2018-07-24	Yes	2018-07-27
7.02.04	2018-07-24	-		

CITY OF PORT COQUITLAM

PERMISSIVE TAX EXEMPTION BYLAW, 2023

Bylaw No. 4339

A Bylaw to allow for Permissive Tax Exemption for Atira Women's Resource Society (Occupier)

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as "Permissive Tax Exemption Bylaw, 2023, No. 4339."

2. ADMINISTRATION

2.1 The parcel of real property, described as:

Lot A, Plan EPP93689, District Lot 465, Group 1, New West District,
PID: 031-030-874, being 2117 Prairie Avenue is hereby declared exempt from
taxation except for the area commercially leased for profit in accordance with
Section 224 of the Community Charter. This Bylaw provides for exemption from
taxation for the calendar year 2024 unless revoked under section 3 of this bylaw.

3. PENALTIES & REPEAL

3.1 Council may impose penalties on an exempted organization for knowingly
breaching the conditions of exemption, as outlined in the Permissive Property Tax
Exemption policy (including amendments), including, but not limited to:

- a) Revoking tax exemption status without notice; and
- b) Requiring repayment of monies equal to the foregone tax revenue from the
point in time an organization was deemed to no longer be in compliance.

3.2 This Bylaw will cease to apply to the aforementioned properties in the event that
the use or ownership no longer conforms to the conditions necessary to qualify for
exemption.

READ A FIRST TIME this _____ day of _____, 2023

READ A SECOND TIME this _____ day of _____, 2023

READ A THIRD TIME this _____ day of _____, 2023

Mayor

Corporate Officer

PERMISSIVE TAX EXEMPTION BYLAW, 2023

A Bylaw to allow for Permissive Tax Exemption for The City of Port Coquitlam (Occupier)

1. CITATION

2. ADMINISTRATION

Lot A, Plan NWP21085, District Lot 463, Group 1, New West District, PID: 010-249-389 being 2171 Wilson Avenue is hereby declared exempt from taxation for Class 6 (parking) for the calendar years 2024-2028 in accordance with Section 224 of the Community Charter unless revoked under section 3 of this bylaw.

3. PENALTIES & REPEAL

3.1 Council may impose penalties on an exempted organization for knowingly breaching the conditions of exemption, as outlined in the Permissive Property Tax Exemption policy (including amendments), including, but not limited to:

- a) Revoking tax exemption status without notice; and
- b) Requiring repayment of monies equal to the foregone tax revenue from the point in time an organization was deemed to no longer be in compliance.

3.2 This Bylaw will cease to apply to the aforementioned properties in the event that the use or ownership no longer conforms to the conditions necessary to qualify for exemption.

READ A FIRST TIME this _____ day of _____, 2023

READ A SECOND TIME this _____ day of _____, 2023

READ A THIRD TIME this _____ day of _____, 2023

Mayor

Corporate Officer

Council and Committee Procedures Bylaw – Amendments

RECOMMENDATION:

That Committee of Council recommend to Council that proposed amendments to “Council and Committee Procedures Bylaw, 2015, No. 3898” be approved.

PREVIOUS COUNCIL/COMMITTEE ACTION

The existing Council and Committee Procedures Bylaw was adopted on July 27, 2015 and the bylaw has received some other amendments since then.

REPORT SUMMARY

With the recent adoption of “Public Notice Bylaw No. 4332” which now allows for digital Notice in place of newspaper advertising, the Notice of Council Meetings section in the Bylaw has been updated to reflect those changes as well. Additionally, edits have been made to the Inaugural Meeting and Electronic Meeting conditions.

BACKGROUND

Section 124 of the *Community Charter* states that a Council must, by bylaw, establish the first regular council meeting dated (referred to in section 125 (1) [*council meetings*] as a day in the first 10 days of November following a general local election. Currently, the City’s bylaw states that the Inaugural meeting will take place on the first Tuesday of November. In order to provide more flexibility for the timing of the Inaugural meeting the proposed amendment will change the bylaw to state the meeting may be held within the first 10 days of November.

When providing Notice for council meetings, public hearings and other items, the proposed amendments to the Bylaw now streamline the requirements of the Corporate Officer for when and how public Notice must be provided.


Council meetings being held virtually or electronically have been taking place since 2020 under Ministerial Orders or within the parameters of the City’s Council and Committee Procedures Bylaw. The proposed amendments streamline the requirements for holding electronic meetings.

FINANCIAL IMPLICATIONS

None.

Council and Committee Procedures Bylaw – Amendments

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Support the proposed amendments to the Bylaw and forward to Council for approval.
	2	Request additional information or further amendments to the Bylaw to address specific issues prior to making a decision.
	3	Not support the proposed amendments which would retain the existing bylaw.

ATTACHMENTS

Attachment 1 – Draft Council and Committee Procedures Amendment Bylaw

Attachment 2 – Existing Bylaw with tracked changes

Lead author(s): Carolyn Deakin

CITY OF PORT COQUITLAM

COUNCIL AND COMMITTEE PROCEDURES AMENDMENT BYLAW, 2023

Bylaw No. 4334

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as "Council and Committee Procedures Bylaw, 2015, No. 3898, Amendment Bylaw, 2023, No. 4334".

2. ADMINISTRATION

2.1 "Council and Committee Procedures Bylaw, 2015, No. 3898", Inaugural Meeting, is amended in Section 3, by replacing the existing clause 1 as follows:

"Following the general local election, the first Council meeting must be held within the first ten days of November in the year of the election."

2.2 "Council and Committee Procedures Bylaw, 2015, No. 3898" is amended by replacing Section 5 – Notice of Council Meetings, with the following:

"Notice of Council Meetings

5. 1) The annual schedule of regular Council meetings, established pursuant to section 4 (2) of this Bylaw, shall be available to the public through posting on the Public Notice Posting Place, and notice of the availability of the schedule shall be advertised by January 15th of each year in accordance with the City's Public Notice Bylaw and provisions set out in the *Community Charter*.

2) The Corporate Officer must also give notice of the meeting, as soon as possible, including confirmation of the time, place, and date, by:

(a) posting the agenda on the Public Notice Posting Place (bulletin board) at City Hall;

(b) providing a paper or electronic copy of the agenda to each member of Council; and

(c) posting the agenda on the City's website.

3) Where revisions are necessary to the annual schedule of the regular Council or committee meetings, the Corporate Officer must, as soon as possible, post a notice and provide a copy in all the places in section 5 (2) which indicates any revisions to the date, time, and place or cancellation of a regular Council or committee meeting."

2.3 "Council and Committee Procedures Bylaw, 2015, No. 3898" is amended by replacing Section 9 – Electronic Meetings, with the following:

“Electronic Meetings

9. Provided the conditions set out in the *Community Charter* are met;
 - 1) A regular or Special council (or committee) meeting may, upon authorization of the presiding member or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.
 - 2) A member of Council who is unable to attend at a council (or committee) meeting, may, participate in the meeting by means of electronic or other communication facilities, at the discretion of the presiding member.
 - 3) The presiding member at a council (or committee) meeting must not participate electronically unless the entire meeting is conducted by means of electronic or other communication facilities. The regular presiding member will appoint a Chair.
 - 4) All council meetings, committee meetings and public hearings shall take place within City Hall unless Council passes a resolution to hold a particular meeting elsewhere or the meeting is conducted by means of electronic or other communication facilities.
 - 5) Where some or all Members are participating by means of electronic or other communication facilities, all participants and members of the public must be able to hear, or watch and hear, those Members participating in the meeting electronically.
 - 6) For meetings that are conducted by means of electronic or other communication facilities, the Corporate Officer will designate a location for the public to hear, or watch and hear, the meeting proceedings. A designated municipal officer must attend at that location.

READ A FIRST TIME this _____ day of _____, 2023

READ A SECOND TIME this _____ day of _____, 2023

READ A THIRD TIME this _____ day of _____, 2023

ADOPTION TIME this day of , 2023

Mayor

Corporate Officer



**A Bylaw to Regulate the Procedure of Council and Committee Meetings
for the City of Port Coquitlam**

The Municipal Council of the Corporation of the City of Port Coquitlam enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as "Council and Committee Procedures Bylaw, 2015, No. 3898".

Definitions

2. **AUDIO AND VIDEO RECORDING DEVICES** means any equipment enabling the recording and or transmission of sound and or visual images;

CHAIR means the Presiding Member of a committee;

CITY means the Corporation of the City of Port Coquitlam;

CITY HALL means Port Coquitlam City Hall located at 2580 Shaughnessy Street, Port Coquitlam, BC, V3C 2A8;

CLOSED means a meeting closed to the public under Section 90 and 91 of the *Community Charter*.

COMMITTEE means a Standing committee, Select committee, or other body as referred to in section 93 of the *Community Charter* [application of open meeting rules to other bodies], or as enabled by other legislation;

CORPORATE OFFICER means the person appointed by Council under Section 148 of the *Community Charter*;

COUNCIL means the Council for the Corporation of the City of Port Coquitlam;

DELEGATION means any person wishing to appear as a speaker and or make a presentation to Council or a committee;

MAYOR means the Mayor of the Corporation of the City of Port Coquitlam;

MEMBER means a member of Council;

PUBLIC NOTICE POSTING PLACE means the outside bulletin board located at the front doors of City Hall;

PRESIDING MEMBER means the Mayor or Chair of a Council or committee meeting or the person authorized to act in the Mayor or Chair's absence or inability to act;

STAFF DESIGNATE means the staff member(s) responsible for administration of a committee;

SELECT COMMITTEE means a committee established by Council resolution pursuant to Section 142 of the *Community Charter*, and to which Council shall appoint Council representation and may appoint members from the community;

STANDING COMMITTEE means a committee established by the Mayor pursuant to Section 141 of the *Community Charter* to which the Mayor shall appoint Council representation and may appoint members of the community;

Inaugural Meeting

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

Time and Location of Meetings

4. 1) Subject to Section 5(2), regular Council meetings must:
 - a) be held on the second and fourth Tuesday of each month;
 - b) begin at 6:00 pm in Council Chambers located at City Hall unless Council has resolved to hold the meeting elsewhere; and
 - d) when the Council meeting falls on a statutory holiday, be re-scheduled for the next day City Hall is open to the public.
- 2) All committee meetings must be held in accordance with the annual committee meeting schedule published at the beginning of each year unless a special

meeting notice or cancellation notice is produced in accordance with Section 5(2) below.

Notice of Council Meetings

- ~~5. 1) In accordance with Section 127 of the *Community Charter* [notice of council meetings], Council must prepare annually on or before December 31, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public annually by posting it at the Public Notice Posting Place and advertising in accordance with section 94 of the *Community Charter*.~~
- ~~2) Where revisions are necessary to the annual schedule of regular Council or committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a regular Council or committee meeting.~~
5. 1) The annual schedule of regular Council meetings, established pursuant to section 4 (2) of this Bylaw, shall be available to the public through posting on the Public Notice Posting Place, and notice of the availability of the schedule shall be advertised by January 15th of each year in accordance with the City's Public Notice Bylaw and provisions set out in the *Community Charter*.
- 2) The Corporate Officer must also give notice of the meeting, as soon as possible, including confirmation of the time, place, and date, by:
- (a) posting the agenda on the Public Notice Posting Place (bulletin board) at City Hall;
 - (b) providing a paper or electronic copy of the agenda to each member of Council; and
 - (d) posting the agenda on the City's website.
- 3) Where revisions are necessary to the annual schedule of the regular Council or committee meetings, the Corporate Officer must, as soon as possible, post a notice and provide a copy in all the places in section 5 (2) which indicates any revisions to the date, time, and place or cancellation of a regular Council or committee meeting."

Notice of Special Meetings

6. 1) Except where notice of a special meeting is waived by unanimous vote of all Council members under Section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a special Council or committee meeting must be given at least 24 hours before the time of meeting, by:
- a) posting a copy of the notice at the regular Council or committee meeting place;
 - b) posting a copy of the notice at the Public Notice Posting Place; and
 - c) leaving one copy of the notice for each Council member in the member's mailbox at City Hall or emailing details of the special meeting to each member.
- 2) The notice under subsection 1) must describe in general terms the purpose of the meeting and be signed by the Mayor or Corporate Officer.

Designation of a Member to Act in Place of the Presiding Member

7. 1) At the beginning of each year, Council must adopt an acting Mayor schedule which appoints Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- 2) Each Councillor designated under subsection 1) must fulfill the responsibilities of the Mayor in that person's absence.
- 3) If the member designated in the Acting Mayor Schedule under subsection 1) is unable to act in place of the Mayor, the Acting Mayor from the preceding month as identified on the Acting Mayor Schedule will be the Acting Mayor. If that Member is also unable to act in place of the Mayor, the Acting Mayor duties will fall to the Acting Mayor of each preceding month until a replacement is identified.
- 4) The member designated under subsection 1) or chosen under subsection 3) has the same powers and duties as the Mayor in relation to the applicable matter.
- 5) If the Presiding Member of a committee is absent, the Vice-Chair will fulfill the responsibilities of the Presiding Member. If the Vice-Chair is also absent, another committee member will be chosen by resolution to act as the Presiding Member.

Public Attendance at Meetings

- 8.
- 1) Except where the provisions of Section 90 of the *Community Charter [meetings that may or must be closed to the public]* apply, all Council and committee meetings must be open to the public.
 - 2) Before closing a Council or committee meeting or part of a Council or committee meeting to the public, Council must pass a resolution in a public meeting in accordance with Sections 90-92 of the *Community Charter [requirements before meeting is closed]*.
 - 3) Despite subsection 1), the Presiding Member may expel or exclude a person from a Council or committee meeting for disrespectful or disruptive behaviour.

Electronic Meetings

- ~~9. — Provided the conditions set out in the *Community Charter [Electronic Meetings and Participation by Members]* are met, Members are permitted to participate in Council, Committee of Council, standing Committee, or a Public Hearing, including special meetings, remotely via electronic means or other communication facilities under the following circumstances:~~
- ~~1) — When there is a health, safety or emergency situation that negates the ability to attend City Hall, such as, but not limited to, a declared national, provincial or local state of emergency, in which case there is no limit to the number of council members that may participate electronically;~~
 - ~~2) — When a Member is unable to physically attend a meeting, for a reason other than convenience (such as conferences, health reasons, personal safety or compassionate reasons); at the discretion of the Chair.~~
 - ~~3) — Members may participate electronically up to a maximum of three times per calendar year, unless otherwise approved by resolution of Council;~~
 - ~~4) — Except for Section 9 (1), a declared emergency that requires all members of Council to participate by electronic means, the Chair of the meeting must not participate electronically and, if required to attend electronically, the Chair will pass the chairing responsibilities to another Member as designated under section 7 of this Bylaw [Acting Mayor];~~
 - ~~5) — No more than three members of Council at one time may participate electronically [except as indicated in section 9 (1)] in a Council, Committee of~~

~~Council, standing Committee or Public Hearing, including special meetings, unless there are extraordinary circumstances as per the Chair's discretion;~~

- ~~6) A Member who wishes to attend a meeting electronically must provide at least 24 hours advance notice to the Corporate Officer, or their designate;~~
- ~~7) Requests to participate electronically will be approved in the order in which the request is received by the Corporate Officer, or their designate;~~
- ~~8) A member who is participating electronically in a meeting shall be counted in determining whether a quorum of members is present at any point in time and may also participate electronically in any portion of a meeting that is closed to the public;~~
- ~~9) Members may not participate electronically in an Inaugural Council Meeting except during an identified emergency which negates the ability of a Member to attend in person.~~

9. Provided the conditions set out in the *Community Charter* are met;

- 1) A regular council (or committee) meeting or special council (or committee) meeting may, upon authorization of the presiding member or during a state of local, provincial, or national emergency, be conducted by means of electronic or other communication facilities.
- 2) A member of Council who is unable to attend at a council (or committee) meeting, may, participate in the meeting by means of electronic or other communication facilities, at the discretion of the presiding member.
- 3) The presiding member at a council (or committee) meeting must not participate electronically unless the entire meeting is conducted by means of electronic or other communication facilities. The regular presiding member will appoint a Chair.
- 4) All council (or committee) meetings and public hearings shall take place within City Hall unless Council (or committee) passes a resolution to hold a particular meeting elsewhere or the meeting is conducted by means of electronic or other communication facilities.
- 5) Where some or all Members are participating by means of electronic or other communication facilities, all participants and members of the public must be

able to hear, or watch and hear, those Members participating in the meeting electronically.

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

Use of Audio and Video Recording Devices

- 10.** Any person may use or operate devices to record audio and/or video at an open Council or committee meeting, provided that:

- 1) No recording device may emit an audible sound, so as to disturb or distract any person in the meeting room;
- 2) No photography or video recording device may emit a flash or other artificial light, except when meeting business has been temporarily stopped for official presentations or recognition ceremonies;
- 3) No person may use a recording device in such a way that blocks or interferes with the ability of another person to view the meeting proceedings;
- 4) All members of the public or media who desire to use shoulder-mounted or tripod-mounted recording devices must do so in an area designated by the Corporate Officer.

Order of Business

- 11.** Unless otherwise resolved, the Order of Business for agendas for all Council and committee meetings must be in the following order:

- | | |
|-------------------------------|------------------------------------|
| a) Call to Order | m) Resolutions |
| b) Adoption of the Agenda | m) Reports |
| c) Confirmation of Minutes | n) Information Reports |
| d) Proclamations | o) Action Table |
| e) Introductions | p) Verbal Updates |
| f) Presentations | q) New Business |
| g) Delegations | r) Open Question Period |
| h) Public Hearings | s) Resolution to Close |
| i) Public Input Opportunities | t) Reconvene Regular Meeting |
| j) Intergovernmental Reports | u) Closed Items Released to Public |

- k) Correspondence
- l) Bylaws
- v) Adjournment

Call Meeting to Order

- 12.** 1) As soon as the time specified for a Council or committee meeting to start has passed and there is a quorum present, the Presiding Member must take their seat and call the meeting to order.
- 2) If a quorum of Council or committee is present, but the Presiding Member does not attend within 15 minutes of the scheduled time for the meeting:
- a) the Corporate Officer or Staff Designate must call to order the members present; and
 - b) the members present must choose a member to preside at the meeting.

Adjourning Meeting Where No Quorum

- 13.** 1) If there is no quorum of Council or committee present within 20 minutes of the scheduled time for a meeting, the Corporate Officer or Staff designate must:
- a) record the names of the members present and those absent; and
 - b) adjourn the meeting until the next scheduled meeting.

Agenda

- 14.** 1) Prior to each Council and committee meeting, the Corporate Officer or Staff Designate must prepare an agenda setting out all the items for consideration at that meeting.
- 2) The deadline for submissions of items for inclusion on the agenda by staff and the public to either the Corporate Officer for the Council agenda or Staff Designate for the committee agenda must be no later than 12 noon one week prior to the meeting.
- 3) The Corporate Officer or Staff Designate who is responsible for the agenda must make the agenda available to members of Council or committee and the public at least three days prior to the meeting.
- 4) Council or committee must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to Section 15.

Late Items

- 15.** 1) An item of business not included on the agenda must not be considered at a Council or committee meeting unless introduction of the late item is approved by Council or committee at the time allocated on the Agenda for such matters (Adoption of the Agenda).
- 2) If the Council or committee makes a resolution under subsection 1), information pertaining to the late item(s) must be distributed to the members and the public.

Conduct

- 16.** 1) Members speaking at a Council or committee meeting must:
- a) use respectful language;
 - b) not use offensive gestures or signs;
 - c) speak only in connection with the matter being debated;
 - d) adhere to the rules of procedure established under this Bylaw.
- 2) If a member does not adhere to subsection 1), the Presiding Member may order the member to leave the member's seat, and:
- a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer; and
 - b) if the member apologizes to Council or committee, the member may be allowed to remain if a resolution is adopted by the remainder of the members present.

Debate and Voting

- 17.** 1) A Council or committee member may speak to a question or motion at a meeting only if that member first addresses the Presiding Member.
- 2) No member may interrupt another member who is speaking except to raise a point of order.
- 3) Members who are called to order by the Presiding Member:

- a) must immediately stop speaking;
 - b) may explain their position on the point of order; and
 - c) may appeal to Council or committee for its decision on the point of order in accordance with Section 132 of the *Community Charter [authority of presiding member]*.
- 4) If more than one member speaks the Presiding Member must call on the member who, in the Presiding Member's opinion, spoke first.
 - 5) Council or committee may debate and vote on a motion only if it is first moved by one member and then seconded by another.
 - 6) A member may require the question being debated at a Council or committee meeting to be read at any time during the debate, if that does not interrupt another member speaking.
 - 7) Members must vote separately on each distinct part of a question that is under consideration at a meeting if requested by a Council or committee member.
 - 8) A Council or committee member may, without notice, move to amend a motion that is being considered at a Council or committee meeting.
 - 9) An amendment may propose removing, substituting for, or adding to the words of an original motion.
 - 10) 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.
 - 11) An amendment may be amended once only; however a Council or committee member may propose an amendment to an adopted amendment.
 - 12) An amendment that has been negated by a vote cannot be proposed again.
 - 13) The following procedures apply to limit speech on matters being considered at a Council or committee meeting:
 - a) a member may speak more than once in connection with the same question, only with the permission of the Presiding Member and if new material is being presented;

- b) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of the Presiding Member.

14) The following procedures apply to voting at Council and committee meetings:

- a) when debate on a matter is closed, the Presiding Member must put the matter to a vote;
- b) when the Council or committee is ready to vote, the Presiding Member must put the matter to a vote by stating:

“Those in favour?” and then “Those opposed?”;
- c) when the Presiding Member is putting the matter to a vote a member must not:
 - i) cross or leave the room; or
 - ii) make a noise or other disturbance;
- d) whenever a vote of Council or committee on a matter is taken, each voting member present should signify their vote by raising their hand or indicating their vote verbally;
- e) the Presiding Member should declare the result of the voting by stating that the question is decided as either ‘carried’ or ‘defeated’ and note the members in contrast of the vote;
- f) if a member does not indicate their vote, they are considered to have voted in the affirmative;
- g) in all cases where the votes of the members present are equal for and against a question (tie vote), the question shall be declared in the negative; and
- h) the Presiding Member’s decision about whether a question has been finally put is conclusive.

Reconsideration

- 18.** 1) A member may, at the next Council or committee meeting:
- a) move to reconsider a matter on which a vote has been taken other than:
 - i) to postpone indefinitely; or
 - ii) to reconsider at vote that has already been reconsidered; and
 - b) move to reconsider an adopted Bylaw after an interval of at least 24 hours following its adoption.
- 2) A Council or committee member who voted affirmatively for a resolution adopted by Council or committee may at any time move to rescind that resolution unless subsection 4) applies.
- 3) A Council or committee member must not discuss the main matter referred to in subsection 1) unless a motion to reconsider that matter is adopted in the affirmative.
- 4) Council or committee may only reconsider a matter that has not:
- a) had the approval or assent of the electors and been adopted;
 - b) been reconsidered under subsection 1) or Section 131 of the *Community Charter* [mayor may require Council reconsideration of a matter]; and
 - c) been acted on by an officer, employee, or agent of the City.
- 5) A Bylaw, resolution, or proceeding that is reaffirmed under subsection 1) or Section 131 of the *Community Charter* [mayor may require Council reconsideration of a matter] is as valid and has the same effect as it had before reconsideration.

Notice of Motion

- 19.** 1) Any member who during a meeting wishes to bring before Council or committee any new matter, other than a point of order or of privilege, may do so by way of a notice of motion. A notice of motion announced during a meeting must be:
- a) presented in writing;
 - b) read aloud by the member, Corporate Officer or committee clerk; and
 - c) recorded in the minutes of the meeting.

- 2) A member may also submit a written notice of motion directly to the Corporate Officer or committee clerk. A notice of motion submitted directly to the Corporate Officer or committee clerk must:
 - a) specify the desired meeting date where the motion will be announced; and
 - b) be submitted no later than seven days prior to the meeting where the notice of motion will be announced.
- 3) After a notice of motion has been announced at a meeting, it must be included for consideration on the agenda of the next Council or committee meeting.
- 4) No notice of motion shall be moved in the absence of the member who announced the notice of motion, unless that member has authorized another member in writing to do so.
- 5) Consideration of a notice of motion is governed by the following procedures:
 - a) only the member making the motion may make introductory remarks;
 - b) the notice of motion must be moved and seconded; and
 - c) after a motion is moved and seconded, the motion is open for consideration and is deemed to be in the possession of Council or committee and may be withdrawn only by resolution.

Appearances before Council or Committee

- 20.** 1) The following procedure shall apply for all requests to appear before Council or committee:
- a) requests to appear as a delegation must be received by the Corporate Officer by noon, no less than one week prior to the Council or committee meeting;
 - b) requests must be submitted via the current Official Delegation Application form and process, as may change from time to time, or by email, on the condition that all information requested on the Official Delegation Application has been clearly provided.

- c) Delegation applications submitted with unclear, incomplete, or missing information will not be considered as officially received and will not be processed until all required information has been provided.
- 2) The Corporate Officer shall approve and schedule delegation requests based on the following parameters:
 - a) no more than three delegations or intergovernmental reports will appear per meeting, unless resolved by majority consent of Council or committee;
 - b) the delegation may not appear for the sole purpose of promoting an individual business;
 - c) Any non-profit organization that is locally-based or that provides a service to Port Coquitlam residents will be permitted to appear as a delegation to Council. Non-profit organizations may appear to provide information updates or make requests to Council. Information updates or requests regarding a topic outside of municipal jurisdiction or municipal service delivery will be declined.
 - d) Delegations from organizations or individual members of the public, other than non-profit organizations as identified in section c), will be heard in the following manner:
 - i) Information updates regarding a topic of municipal jurisdiction or service delivery will be addressed by Council;
 - ii) Requests regarding a topic of municipal jurisdiction or service delivery will be addressed by the relevant Council Committee; and
 - iii) Information updates or requests regarding a topic outside of municipal jurisdiction or municipal service delivery will be declined.
 - e) After a delegation has been made to Committee or Council, no individual or organization may appear as a delegation regarding that topic:
 - i) for a period of one year, in the absence of substantial new information regarding the topic; and

- ii) for a period of six months, in the event of substantial new information becoming available regarding the topic.
 - f) When a delegation applicant is of the opinion that new information regarding a topic has become available for the purpose of a subsequent presentation, as identified in section e) ii), it is the responsibility of the applicant to prove to the Corporate Officer's satisfaction that any new information is sufficiently substantive to warrant another delegation on the matter.
 - g) Delegations from any individual or organization are limited to one delegation every six months, regardless of topic.
 - h) the delegation may not speak about a bylaw where a public hearing or public input opportunity has been held, or where a Public Hearing or Public Input Opportunity is scheduled to be held; and
 - i) the delegation may not speak about a matter dealing with a grievance under a collective agreement.
- 3) When a delegation request is approved, the Corporate Officer will notify the applicant as soon as possible of the date, time, and place of the meeting where the appearance is scheduled.
- 4) If a delegation request is not approved, the Corporate Officer shall inform the applicant as soon as possible and provide the reasons why the applicant was denied. A written response regarding denial of the application will be provided upon request by the applicant. The Corporate Officer will inform members of Council or committee when a delegation application is denied, including reasons for the denial.
- 5) Requests to appear before Council or committee that are denied shall be:
- a) offered the opportunity to provide written information for distribution to Council or committee; and
 - b) informed of their right to appeal the decision in writing to Council.
- 6) Upon approval, all delegations agree to the following requirements:
- a) every delegation is limited to a maximum of five minutes, unless additional time is agreed to by unanimous consent of the Council or committee;

- b) every delegation will use respectful behavior and language, follow direction from the Chair, and abide by all procedural rules of Council;
 - c) if the delegation wishes to include presentation slides, there must not be more than six slides; and
 - d) All presentation materials, paper and electronic, must be submitted to the Corporate Officer by 9:00 am on the Thursday prior to the meeting for approval. Unapproved presentation materials are not permitted for use by a delegation.
- 7) Presenters who are invited by the City do not have to request to be a delegation and are not subject to the requirements in Section 20.

Petitions

- 21.** 1) A petition being presented to Council or committee shall include the spokesperson's contact information, the resolution and/or pertinent information on the top of each page of the petition, and the names and addresses of the petitioners all legibly printed and then a signature.
- 2) In the case of a society or corporation signing a petition, the authority given by the society or corporation to sign the petition shall also be produced.
- 3) All petitions shall be given to the Corporate Officer to be valid.

Bylaws

- 22.** 1) A Bylaw introduced at a Council meeting must:
- a) be printed;
 - b) have a distinguishing name;
 - a) have a distinguishing number;
 - b) contain an introductory statement of purpose;
 - e) be divided into sections; and
 - f) have a place for the Presiding Member and Corporate Officer to sign.

- 2) Council must consider a proposed Bylaw at a Council meeting either:
 - a) separately when directed by the presiding member or requested by another Council member; or
 - b) jointly with other proposed bylaws in the sequence determined by the presiding member.
- 3) The readings of the bylaw may be given by stating its title and bylaw number.
- 4) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- 5) Subject to Section 882 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- 6) In accordance with Section 135 of the *Community Charter [requirements for passing Bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- 7) Despite Section 135(3) of the *Community Charter [requirements for passing Bylaws]*, and in accordance with Section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed text amendment to the Official Community Plan or Zoning Bylaw at the same meeting at which the Plan or bylaw passed third reading.
- 8) After a bylaw is adopted and signed by the Presiding Member and Corporate Officer, the Corporate Officer must have it placed in the City's records for safekeeping.

Resolutions from Closed Meetings

23. 1) As per Section 117 of the *Community Charter [duty to respect confidentiality]*, information that is resolved to be released from a closed meeting of Council or committee will be:
 - a) confirmed in an open meeting; or
 - b) released to the public at an alternative time, as resolved by Council or Committee.

Open Question Period

- 24.** 1) Subject to curtailment at the discretion of the Presiding Member if other business necessitates, a maximum time of 20 minutes for questions from the media and public will be permitted.
- 2) Questions may be asked of any member, but directed through the Presiding Member.
- 3) Questions must truly be questions and not statements or opinions by the questioner.
- 4) Not more than three separate questions per questioner will be allowed unless permitted by the Presiding Member.
- 5) Questions from each representative of the attending media will be allowed preference prior to proceeding to questions from the public.
- 6) The Presiding Member will recognize the questioner and will direct questions to the member or staff representative whom the Presiding Member feels is best able to reply.
- 7) More than one member or staff representative may reply, through the Presiding Member, if that person has something more to contribute.
- 8) The open question period will not be held during the 6 week period immediately preceding a municipal election or by-election.

Minutes

- 25.** 1) Minutes of the proceedings of Council or committee must be:
- a) legibly recorded;
- b) brought forward for adoption at a subsequent Council or Committee meeting; and
- c) certified as correct by the Corporate Officer or staff designate and the Presiding Member.
- 2) For closed meetings where staff are not included as per Section 91 of the *Community Charter*, the minutes must be signed by the Presiding Member and another Council member in attendance at the meeting.

- 3) In accordance with Section 97 of the *Community Charter [other records to which public access must be provided]*, minutes of the proceedings of Council and committee must be available for public inspection at City Hall during its regular office hours and will be placed on the City's website once adopted.
- 4) Subsection 3) does not apply to minutes of a Council or committee meeting or that part of a Council or committee meeting from which persons were excluded under Section 90 of the *Community Charter [meetings that may be closed to the public]*.

Attendance and Voting at Committee Meetings

26. 1) Members attending a meeting of a committee of which they are not a committee member may participate in the discussion only with the permission of the committee members present.
- 2) Members attending a meeting of a committee of which they are not a committee member must not vote on a question.

Severability

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

Administration

28. This Bylaw may not be amended, repealed or substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter [public notice]*.
29. If this Bylaw does not address a specific issue, Robert's Rules of Order, Edition 11, Revised 2011, authored by Henry M. III Robert and Daniel H. Honemann will be used as the over-arching reference for Council and committee procedures and processes.
30. Where there is a discrepancy between this Bylaw and current provincial legislation, the latter will prevail as the official document.
31. Except where expressly stated, the provisions of this Bylaw govern the proceedings of Council, all Committees and all Commissions, as applicable.

Repeal

32. Council Procedure Bylaw No. 3435, 2004 and its amendments are hereby repealed.

Read a first time by the Municipal Council this 13th day of July, 2015.

Read a second time by the Municipal Council this 13th day of July, 2015.

Read a third time by the Municipal Council this 13th day of July, 2015.

Public Notice given this 16th day and 23rd day of July, 2015.

Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 27th day of July, 2015.

Approved:

GREG MOORE

Mayor

CAROLYN DEAKIN

Assistant Corporate Officer

RECORD OF AMENDMENTS

BYLAW NO.	SECTION(S):	DATE:
3968	Section 9	October 5, 2016
3989	Sections 7 & 19	February 14, 2017
4027	Sections 3 and 4	October 10, 2017
4038	Sections 11 and 20	January 23, 2018
4061	Section 10	July 10, 2018
4095	Section 4.1 b, 4.3, and 7.3	November 27, 2018
4207	Section 20 (6)(d)	January 26, 2021
4246	Section 9	October 19, 2021

Delegation of Authority Bylaw – Amendments

RECOMMENDATION:

That Committee of Council support revisions to the Delegation of Authority Bylaw and forward the draft Bylaw to Council for first three readings.

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

Changes are being recommended by staff to contribute to the continuous improvement of the City's operations, particularly by adding new delegations of authority for routine documents.

BACKGROUND

Section 154 of the *Community Charter* provides Council with the authority to delegate, by Bylaw, certain powers, duties and functions to officers and employees of the City. The City's existing Delegation of Authority Bylaw has been reviewed and updates are proposed to ensure the City's administrative functions continue to operate effectively and efficiently with the following amendments:

- 1) The authority for signing all agreements on behalf of the City (unless specifically delegated) is for both the Mayor and the Chief Administrative Officer, Corporate Officer or Manager of Legislative Services to sign the agreement. For clarity, this means one elected official (Mayor or Acting Mayor) and one staff member (the CAO, the Corporate Officer or the Manager of Legislative Services) must sign, not two elected officials or two staff members. Due to staff availability at certain periods throughout the year, it is recommended that an additional staff position be given the authority to be a City signatory. Some documents are time sensitive and sometimes require up to three signatures (ex. Section 219 Floodplain covenants). The Director of Community Safety and Corporate Services is a Commissioner for Taking Affidavits for the City, and it is recommended that the Director be added as a City signatory.
- 2) The City's Chief Administrative Officer is the staff member responsible for approving Information Sharing Agreements and it is recommended that the position also be designated the authority to execute those agreements on behalf of the City.
- 3) Lease agreements for building or facilities that the City owns are usually time sensitive and it is recommended that the Chief Administrative Officer and the Manager of Legislative Services be designated the authority to sign lease agreements on behalf of the City.


Delegation of Authority Bylaw – Amendments

- 4) Currently any legislative policies, or amendments to those policies, are introduced at Committee of Council and then forwarded to Council for approval. It is recommended that legislative policies be approved by Committee of Council.

FINANCIAL IMPLICATIONS

None.

OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Support the proposed delegated authorities and forward the amendment bylaw to Council for first three readings.
	2	Defer sending the proposed bylaw to Council pending receipt of further information (to be specified).
	3	Not support the amendments, which will retain the existing Bylaw as is.

Lead author(s): Carolyn Deakin

ATTACHMENTS

Attachment 1: Draft Amendment Bylaw

Attachment 2: Existing Bylaw with tracked changes

CITY OF PORT COQUITLAM

DELEGATION OF AUTHORITY AMENDMENT BYLAW, 2023

Bylaw No. 4335

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2023, No. 4335”.

2. ADMINISTRATION

2.1 That Part II: Administrative Authorities, Section 41 is amended to include the Director of Community Safety and Corporate Services as follows:

“41. Except for specific provisions in this Bylaw, any contract, agreement, debenture, plan or other document or instrument to be executed or approved on behalf of the City shall be executed by both the Mayor and one other City signatory including the Corporate Officer, Chief Administrative Officer, Director of Community Safety and Corporate Services or Manager, Legislative Services.”

2.2 That Part II: Administrative Authorities, section 42 is amended to delegate the authority of approving Information Sharing Agreements to the Chief Administrative Officer by removing section 42 in its entirety and replacing it with the following:

“42. The City’s Chief Administrative Officer is delegated the authority to execute Information Sharing Agreements.

2.3 That Part II: Administrative Authorities is amended to delegate the authority of signing Leases to the City’s Chief Administrative Officer, the Deputy Chief Administrative Officer or the Manager, Legislative Services by adding section 43 as follows and then renumbering the remaining sections of the Bylaw:

“43. The Chief Administrative Officer, the Deputy Chief Administrative Officer and the Manager, Legislative Services are delegated the authority to execute any leases on behalf of the City.”

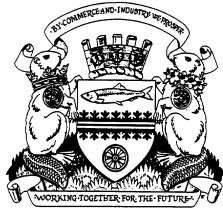
- 2.4 That Part II: Administrative Authorities is amended to delegate the approval of legislative policies to Committee of Council by adding section 44 as follows and then renumbering the remaining sections of the Bylaw:

“44. Legislative policies may be approved by the Committee of Council.”

READ A FIRST TIME this	day of	, 2023
READ A SECOND TIME this	day of	, 2023
READ A THIRD TIME this	day of	, 2023

Mayor

Corporate Officer



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3876

A Bylaw to Delegate Authority and Establish Procedures for Delegated Authorities

WHEREAS the Community Charter empowers Council, by bylaw, to delegate certain powers, duties and functions, including those specifically established by an enactment, to its members, committees, officers, employees or another body established by the Council;

NOW THEREFORE the Council of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw may be cited for all purposes as the “Delegation of Authority Bylaw, 2014, No. 3876”.

PART I: DELEGATED AUTHORITIES & PROCEDURES

ANIMAL CONTROL

2. The Manager of Bylaw Services is delegated the authority to enter into, and deliver on behalf of the City, partnership and service agreements relating to animal control. Signing authority for these agreements is delegated to the Manager of Bylaw Services.

BYLAW ENFORCEMENT

3. It is acknowledged by the Council of the City of Port Coquitlam that by virtue of their appointment, Bylaw Officers are “Peace Officers” in the course of performing their duties. A Bylaw Enforcement Officer may exercise the following powers on behalf of the City:
 - a) enforcement of the City’s regulatory bylaws and related policies;
 - b) entry onto or into private premises to verify compliance with the Council’s regulations, prohibitions or requirements pursuant to Section 16 of the *Community Charter*;
 - c) the service of summons pursuant to Section 28 of the *Offence Act*;
 - d) for certainty, the issuance of Municipal Ticket Information as provided by the Ticket Information Utilization Bylaw, 1992, No. 2743 and the Bylaw Notice Enforcement Bylaw, 2012, No. 3814.
 - e) in accordance with Section 70(1)(b) of the *Police Act* upon the appointment of a Bylaw Officer by the City of Port Coquitlam Council or delegate, each employee must complete the Oath/Affirmation in BC Regulation 136/2002M199/2002 (see Schedule A).

BUSINESS LICENSING

4. The Manager of Planning and the Manager of Bylaw Services are delegated the authority to suspend or cancel a business licence for reasonable cause pursuant to Section 32 of the Business Bylaw, No. 3725.
5. The Manager of Planning and the Manager of Bylaw Services are delegated the authority to attach conditions to a business licence pursuant to Section 5.1 of the Business Bylaw, No. 3725.
6. An applicant for a business license who is denied the license by a decision of the Manager of Planning or the Manager of Bylaw Services is entitled to reconsideration. The applicant may submit a request for reconsideration in writing to Council, within 30 days of the licence being denied. This request will be placed on the next reasonably convenient Council Meeting Agenda and Council will provide a final ruling on the matter.

FINANCE

7. The Committee of Council is delegated the authority to accept the annual municipal financial statements pursuant to Section 167(1)(b) of the *Community Charter*.
8. The Committee of Council is delegated the duties and functions pursuant to Part 6 - Division 2 Audit of the *Community Charter*.

LAND USE AND DEVELOPMENT APPROVALS

9. The Committee of Council is delegated the authority:
 - a) to issue development permits under Section 490 of the *Local Government Act*;
 - b) to renew temporary use permits under Section 493 of the *Local Government Act* in areas of the City designated under Section 492 for such temporary uses;
 - c) to issue and renew heritage alteration permits under Section 617 of the *Local Government Act*;
 - d) to issue time extensions for Council consideration of adoption of a Zoning Bylaw amendment for a period of up to one year from the initial one-year period; and,
 - e) to authorize notice of a proposal for a development variance permit or a temporary use permit under Section 493 of the *Local Government Act*.
10. The Director of Development Services is delegated the authority to issue development permits (small lot) under Section 490 of the *Local Government Act* where the developments are:
 - a) for new single residential buildings in the RS4 zone;
 - b) designed in accordance with the Intensive Residential Guidelines for Small Lots of the Official Community Plan; and,
 - c) in compliance with the regulations of the Zoning Bylaw.
11. The Director of Development Services is delegated the authority to issue development permits (duplexes) under Section 490 of the Local Government Act where the developments are:
 - a) For new semi-detached residential buildings in the RD and RS4 zone;

- b) Designated in accordance with the Intensive Residential Guidelines for Duplexes of the Official Community Plan; and,
 - c) In compliance with the regulations of the Zoning Bylaw.
- 12. The Director of Development Services is delegated the authority to issue development permits (coach house) under Section 490 of the *Local Government Act* where the coach house is:
 - a) designed in accordance with the Intensive Residential Guidelines for Coach Houses of the Official Community Plan; and,
 - b) in compliance with the regulations of the Zoning Bylaw and Parking and Development Management Bylaw.
- 13. The Director of Development Services is delegated the authority to issue watercourse development permits under Section 490 of the *Local Government Act* where the works are:
 - a) located in an agricultural, single residential or duplex zone;
 - b) in compliance with the watercourse protection guidelines of the Official Community Plan; and,
 - c) in compliance with the regulations of the Zoning Bylaw.
- 14. The Director of Development Services is delegated the authority to issue an amendment to a permit providing for a minor alteration or change which:
 - a) would not change the intent of the design, and
 - b) would not vary any bylaw with the exception of the following:
 - i. Zoning Bylaw bicycle facilities regulations,
 - ii. Zoning Bylaw recycling facilities regulations, and
 - iii. Parking and Development Management Bylaw regulations.
- 15. The Director of Development Services is delegated the authority to extend the date of expiry of a permit other than a Temporary Use Permit where, in the sole opinion of the Director of Development Services, no circumstances have arisen to require an amendment or reconsideration of the permit.
- 16. In exercising the authority delegated by this Bylaw, the Committee of Council and Director of Development Services shall do so in accordance with the relevant policies, guidelines and regulations of the Official Community Plan and Zoning Bylaw.
- 17. An applicant for a permit who is denied the permit by a decision by the Director of Development Services is entitled to reconsideration. The applicant may submit a request for reconsideration in writing to the Committee of Council and this request will be placed on the next reasonably convenient meeting of the Committee of Council. If the issue is not resolved at this meeting, the applicant may request that the matter be considered by Council, who will provide a final ruling on the matter.
- 18. The Committee of Council and Director of Development Services are delegated not only the authority to issue certain permits, but also to amend and cancel permits and to take such action as would be within the authority of Council if an owner fails to comply with a term or condition of a permit.

19. Signing authority for land use and development permits issued pursuant to this section is delegated to the Director of Development Services.
20. For clarification, the delegation to the Committee of Council of the authority to issue permits includes all the authorities of Council in relation to those development permits, including the authority to vary or supplement a bylaw under Section 490 of the *Local Government Act* and the authority to impose conditions and requirements and set standards on the issuance of a permit.
21. For clarification, the delegation to the Committee of Council of the authority to issue development permits and heritage alteration permits includes the authority to establish a permit expiry date, impose conditions, require undertakings, determine if an undertaking has been breached and enter on the land and carry out the demolition, removal or restoration at the expense of the owner, give and publish notices, and hear objections.

LANDSCAPE SECURITIES

22. The Committee of Council is delegated the authority to require landscape securities in relation to development permits and temporary use permits.
23. The Director of Development Services is delegated the authority to require landscape securities in relation to development permits (small lot) or coach house and watercourse development permits located in an Agricultural A, Single Residential RS or Duplex RT zone.
24. The Committee of Council is delegated the authority to determine if a condition in a permit respecting landscaping in relation to development permits and temporary use permits has not been satisfied and the Committee of Council may then undertake the work, apply the security and otherwise administer the security pursuant to Section 502 of the *Local Government Act*.
25. The Director of Development Services is delegated the authority to determine if a condition in a permit respecting landscaping in relation to watercourse development permits located in an Agricultural A, Single Residential RS or Duplex RT zone has not been satisfied and the Director may then undertake the work, apply the security and otherwise administer the security pursuant to Section 502 of the *Local Government Act*.

LIQUOR AND CANNABIS LICENCES

26. The Committee of Council is delegated the authority to adopt a resolution on a liquor licence application submitted in accordance with the *Liquor Control and Licensing Act* (LCLA) to the Liquor and Cannabis Regulation Branch or to make a decision to opt out of providing comment on the application.
27. The Director of Development Services is delegated the authority to provide comment to the Liquor and Cannabis Regulation Branch on a special occasion liquor licence application submitted in accordance with the *Liquor Control and Licensing Act* (LCLA).

CANNABIS RETAIL LICENCES

28. The Committee of Council is delegated the authority to adopt a resolution on a cannabis licence application submitted in accordance with the *Cannabis Control and Licensing Act*

to the Liquor and Cannabis Regulation Branch or to make a decision to opt out of providing comment on the application.

NOISE CONTROL BYLAW EXEMPTIONS

29. The Director of Engineering and Public Works, the Manager of Infrastructure Planning, the Manager of Building, and the Manager of Bylaw Services are delegated the authority to grant exemptions to the Noise Control Bylaw No. 2891.

NOTIFICATION

30. The Corporate Officer, Manager of Legislative Services and Corporate Initiatives and Assistant Corporate Officer are delegated the authority to publish newspaper notices required under the *Local Government Act* and the *Community Charter*.

OFFICERS

31. Pursuant to Section 154(3) of the *Community Charter*, the Chief Administrative Officer is delegated the authority to appoint a person to fill an officer position and to hire or to suspend an officer of the City. The Chief Administrative Officer must report such decisions to Council at its next meeting.

PARKS AND RECREATION AGREEMENTS

32. The Committee of Council is delegated the authority to enter into, and deliver on behalf of the City, partnership and service agreements relating to recreation, parks, cultural, special events, and library services. In exercising this delegated authority, the Committee shall do so in accordance with the relevant purchasing policies, guidelines and regulations of the City. Signing authority for these agreements is delegated to the Director of Recreation.

PURCHASING

33. The Departmental Directors are delegated the authority to enter into contracts for the purchase of goods and services. In exercising this delegated authority, the Directors shall do so in accordance with the relevant purchasing policies, guidelines and regulations of the City.

RENTAL FEE WAIVERS

34. The Committee of Council is delegated the authority to waive rental fees for City-owned facilities.

STRATA LOT OWNERSHIP

35. The Corporate Officer or Manager of Legislative Services and Corporate Initiatives is delegated the authority to exercise the powers of the City at any annual general meeting or a special general meeting of the strata corporation on behalf of the City as an owner of one or more strata lots within a strata development.
36. The authority delegated by this Bylaw is not limited, but is general and the Corporate Officer or Manager of Legislative Services and Corporate Initiatives may vote, propose

and second motions, participate in discussions, and do any and all other things that the City as the owner of the strata lot is entitled to do at strata corporation meetings.

37. The Corporate Officer or Manager of Legislative Services and Corporate Initiatives may consent to the waiver of the holding of an annual or special general meeting of the strata corporation and may consent in writing to its resolutions.

TREE PERMITS

38. Committee of Council may consider a decision of the Parks Section Manager with respect to the issuance of a tree cutting permit.

PART II: ADMINISTRATIVE AUTHORITIES

39. The Director of Engineering and Public Works, Director of Development Services, Corporate Officer, Manager of Legislative Services and Corporate Initiatives, Manager of Development Engineering, Manager of Engineering Projects and Budgets and Supervisor of Design and Technical Services are delegated the authority to enter into and deliver on behalf of the City, the following:

- a) statutory rights of way for municipal services
- b) easements for the benefit of or burdening City property
- c) encroachment agreements
- d) highway reservation agreements
- e) Section 219 covenants *Land Title Act*,
- f) subdivision and development servicing agreements
- g) latecomer charge waiver agreements
- h) releases and modifications of the agreements listed in this section.

40. The Director of Development Services, Manager of Legislative Services and Corporate Initiatives and Corporate Officer are delegated the authority to file notices of permits issued pursuant to this Bylaw in the Land Title Office.

41. Except for specific provisions in this Bylaw, any contract, agreement, debenture, plan or other document or instrument to be executed or approved on behalf of the City shall be executed by the Mayor ~~and one other City signatory including the Corporate Officer, Chief Administrative Officer, Director of Community Safety and Corporate Services or Manager, Legislative Services (or Acting Mayor) and the Corporate Officer (or Chief Administrative Officer or Manager of Legislative Services and Corporate Initiatives).~~

42. ~~Information Sharing Agreements approved on behalf of the City shall be executed by both the Mayor and the Corporate Officer (or Chief Administrative Officer).~~ The Chief Administrative Officer is delegated the authority to execute Information Sharing Agreements.

43. The Chief Administrative Officer, the Deputy Chief Administrative Officer and the Manager, Legislative Services are delegated the authority to execute leases on behalf of the City.

44. Legislative policies may be approved by the Committee of Council.

PART III: EXERCISE OF DELEGATED AUTHORITY

45. Where a committee, officer, or employee holding a position with delegated authority pursuant to this Bylaw decides not to exercise their delegated authority under this Bylaw, in their sole discretion and for reasons of complexity, visibility or any other circumstance, the matter will be considered by Council. These decisions are not open for reconsideration by Council.
46. If two members of Council provide a written request to the Corporate Officer that they wish to have all members of Council consider a matter that has been delegated to a committee, officer or employee at least 24 hours prior to the decision being made, the matter must not be considered by the delegated authority and shall be considered by Council.
47. For clarity, unless a power, duty or function of Council has been expressly delegated by this Bylaw, all of the powers, duties and functions of Council remain with Council.
48. A committee, officer or employee holding a position with delegated authority may not further delegate the delegated authority.
49. In the absence of an officer with delegated authority or an employee holding a position with delegated authority, the person named to act in the capacity of the officer or the position is delegated the applicable authority delegated by this Bylaw.
50. If the title of a committee is changed by the Mayor or the title of a position is changed by the Chief Administrative Officer, the delegated authority of this Bylaw shall continue to apply to the applicable committee or position.

REPEAL

51. The “Delegation Bylaw No. 3820” and all amendments thereto, are hereby repealed.

Read a first time for the Municipal Council this 8th day of September, 2014.

Read a second time for the Municipal Council this 8th day of September, 2014.

Read a third time for the Municipal Council this 8th day of September, 2014.

Certified in accordance with the Bylaw authorizing the revision.

Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 15th day of September, 2014.

GREG MOORE
Mayor

CAROLYN DEAKIN
Acting Corporate Officer

SCHEDULE A

PEACE OFFICER RESOLUTION

1. *As per the authority at section 36 of the Police Act, R.S.B.C. 1996, c. 367, as amended, the City of Port Coquitlam ("City") through its Mayor and Council or delegate appoints **(INSERT NAME)** as a bylaw enforcement officer for the City commencing **(DATE)** for the purposes of enforcing all City's bylaws and in accordance with the statutory authority granted within the Community Charter, S.B.C. 2003, c. 26, as amended, is authorized to exercise such statutory authority.*
2. *For the purposes of this resolution the City also designates (insert full legal name here) as a peace officer, as that term is defined in section 29 of the Interpretation Act, R.S.B.C. 1996, c. 238, as amended, for the preservation and maintenance of public peace within the City, with the full powers, privileges and responsibilities of a peace officer while carrying out their duties for the City.*
3. *This appointment will expire immediately when (insert full legal name here) is either no longer employed by the City; is no longer appointed to the position of bylaw enforcement officer; or if City Council rescinds their appointment.*

As per the oath of office, it is taken under the authority of section 70 of the *Police Act* and B.C. Reg. 136/2002. Consider the following:

I, **(insert full legal name here)**, do solemnly affirm that:

- a) I will be faithful and bear true allegiance to His Majesty King Charles III the Second, Queen of Canada, Her Heirs and Successors; and
- b) I will faithfully, honestly and impartially perform my duties as bylaw enforcement officer for the City of Port Coquitlam.

Solemnly affirmed by me, at the City of Port Coquitlam, Province of British Columbia, on **(insert day, month, year here)**.

(Insert full legal name here), Bylaw Enforcement Officer

A Commissioner for Administering Oaths