

THE CORPORATION OF THE VILLAGE OF NEW DENVER

POLICY TITLE: PUBLIC PARTICIPATION AT COUNCIL MEETINGS POLICY

EFFECTIVE DATE: October 10, 2023

SUPERSEDES: Delegations to Council
Policy# 111, 1986, Electronic Meeting Policy
#186, 2021

APPROVAL: Council Resolution #2023-0287

1.0 PURPOSE:

This policy will provide guidelines for the various methods of public participation at Council meetings and authorized in the Procedures Bylaw.

2.0 POLICY:

Council and committee meetings are *held in public*, but they are not meetings *of the public*. The meetings belong to the body that is meeting. While the public does not actually participate in decision-making, but rather provides input for Council to take into consideration, the views of the public are important to Council, and therefore methods for public participation at Council meetings have been authorized under the Procedures Bylaw.

3.0 DEFINITIONS

In this Policy:

- 3.1 “**Act**” means the Local Government Act of the Province of British Columbia
- 3.2 “**CAO**” means the person appointed by Council as the Chief Administrative Officer for the Village
- 3.3 “**Chair**” means the Member who has the authority to preside over a meeting, which is:
 - i. in the case of Hearings, Regular and Special meetings, the Mayor
 - ii. in the case of Committees and Commissions, the Members appointed as Chairperson by that Committee or Commission
- 3.4 “**Charter**” means the Community Charter of the Province of British Columbia
- 3.5 “**Corporate Officer**” means a person appointed as Corporate Officer by Council or the person designated by the Corporate Officer to carry out a particular duty
- 3.6 “**Council**” means the Council of the Village of New Denver
- 3.7 “**Council Chambers**” means the Village of New Denver council chamber located at 115 Slocan Avenue
- 3.8 “**Council Committee**” means a committee, board, or other body established by Council under sections 141-143 of the Charter
- 3.9 “**Delegation**” means any person wishing to appear as a speaker and/or make a presentation to Council, a Committee, or a Commission
- 3.10 “**Mayor**” means the Mayor of the Village of New Denver

3.11 “**Member**” means the following:

- i. in the case of Council, a Member of Council, including the Mayor
- ii. in the case of a Committee or Commission, a person appointed by Council to sit on that Committee or Commission

3.12 “**Open Meeting**” means any meeting open to the public in accordance with section 89 of the *Charter*

3.13 “**Petition**” means a formal written request made to Council

3.14 “**Village**” means the Village of New Denver

3.15 “**Village Office**” means the Village of New Denver Municipal Office located at 115 Slocan Avenue, New Denver, British Columbia.

3.16 “**Village Website**” means the information resource found at an internet address of www.newdenver.ca or as provided by the Village

4.0 RESPONSIBILITIES:

4.1 Council is responsible to approve this policy and any amendment thereto.

4.2 The Corporate Officer is responsible to implement, monitor, and evaluate this policy.

5.0 TYPES OF PUBLIC PARTICIPATION:

5.1 Viewing Regular and Special Council Meetings and Committee of the Whole Meetings

- a) Unless a meeting or part of a meeting is authorized to be closed to the public by the *Community Charter*, all meetings shall be open to the public for viewing.

Meetings can be viewed:

- (i) In person at the Village of New Denver Council Chambers located at 115 Slocan Avenue, New Denver.
- (ii) Online by accessing the online meeting platform link indicated on the meeting agenda and on the Village website.
- (iii) Watching a recorded version that will be available on the Village website within 48 hours of the adjournment of the meeting.

- b) The public does not have to pre-register to view a meeting either online or in person, however, there is limited space for in person viewing at the Council Chambers.

*Please do not attend a meeting in person if you are unwell.

5.2 Public Comment & Question Period

- a) The purpose of the public comment & question period is to provide the opportunity for the public to inform Council of their views on specific current agenda items.

Comments or questions can be made:

- (i) in person
- (ii) virtually
- (iii) by written submission

- b) Pre-registration for speaking is required no later than 24 hours prior to the start of the meeting. (e.g., if the meeting is at 7:00 p.m. on Tuesday, pre-registration must occur no later than 7:00 p.m. on Monday, or if the meeting is at 10:00 a.m. on Friday, pre-registration must occur no later than 10:00 a.m. on Thursday). This is to ensure proper collection of information such as name and address and agenda item the comment/question is in relation to, in case follow-up is required, to ensure speakers are aware of time limits and other rules, and to ensure no one wanting to speak is missed. Pre-registration can be done in person at the Village Office located at 115 Slocan Avenue during regular business hours (Monday – Friday, 9:00 a.m. to 4:00 p.m.) by phone at 250-358-2316, or by email at office@newdenver.ca, but in all cases must be received no later than 24 hours prior to the meeting. In order to meet the time limit as per Section 5.2(e), a maximum of 5 speakers will be registered for each meeting on a first come, first served basis. Everyone who has registered to speak will receive a confirmation from the Corporate Officer.
- c) If no one has pre-registered to speak during public comment & questions period it shall be in order for the presiding Member to proceed to the next agenda item.
- d) Written submissions (email is acceptable) will be accepted up to 24 hours prior to the start of the meeting. (as described in b above, as an example this means that written submissions must be submitted by 7:00 p.m. on Monday, if the meeting is at 7:00 p.m. on Tuesday). Written submissions must include full name, address, contact information and identify which agenda item they are speaking to in order to be accepted. Written submissions must be kept to 200 words or less. Written submissions can be dropped off in person at the Village Office located at 115 Slocan Avenue, mailed to Village of New Denver, P.O. Box 40, New Denver, BC, V0G 1S0 or emailed to office@newdenver.ca. Written submissions must be received no later than 24 hours prior to the start of meeting and should be marked as “written submission for [date] Council meeting. Written submissions will be attached to the meeting agenda and will not be read out loud at the meeting.
- e) Public Comment & Question period is limited to 15 minutes.
- f) Each speaker is only allowed to address Council once for a maximum of 3 minutes, unless otherwise authorized by a majority vote of Council Members present. For greater clarity, this means a person will not be permitted to have both a written submission and a verbal comment or question at the same meeting.
- g) A speaker that has pre-registered can not give their allocated time to another person.
- h) Comments/questions are restricted to items that are listed on the meeting agenda.
- i) Speakers must not address Council regarding a matter for which a public hearing must be held or has been held pursuant to the Local Government Act, prior to Council’s consideration of the matter or adoption of the bylaw.
- j) Speakers must not address Council regarding a permit for which public notice must be given or has been given pursuant to the Local Government Act, prior to Council’s consideration of issuance of the permit.
- k) Speakers shall address all comments through the presiding Member.
- l) Council will not respond to comments or questions made at the meeting. If required, questions will be deferred to staff for response at a later time.

- m) No media, including digital or printed materials, will be accepted for public comment and question period.
- n) While the public has the right to make critical or harsh remarks, the presiding Member may direct a speaker who makes offensive or disrespectful gestures or remarks about another person or uses offensive and disrespectful language to cease the offensive behaviour, withdraw the offensive remarks or require the speaker to discontinue their address to Council.
- o) Booming, hissing, clapping, etc. will not be permitted during Council meetings.
- p) Public comments/questions do not form part of the official minutes.

5.3 Correspondence

- a) The deadline for receiving correspondence from the public to the Corporate Officer of items for inclusion on the meeting agenda is 4:00 p.m. on the Thursday prior to the meeting.
- b) The Corporate Officer will neither respond to nor place on an agenda any correspondence which is anonymous, illegible, or defamatory.
- c) Correspondence addressed to the Mayor and/or Council
 - i) That is related to staff performance will not be considered by Council and shall be referred to the CAO;
 - ii) That, in the determination of the Corporate Officer is of a purely administrative or operational nature shall be referred to the CAO or the appropriate Officer or Official, and copied to Council;
 - iii) That is related to an item of business before Council, a Committee, or a Commission received after 4:00 p.m. on the Thursday prior to the meeting, if that agenda has been published, may be distributed as a late agenda item;
 - iv) That relates to the following will not be placed on the agenda:
 1. Matters that are purely administrative or operational in nature; and
 2. Matters that have been referred to staff for a report, until the matter is before Council.
- d) Notwithstanding subsection 5.3 (c)(iii), correspondence unrelated to an item of business before Council, received after the deadline under subsection 5.3(a), shall be included in a subsequent meeting agenda.

5.4 Delegations to Council

- a) A person who is not an Officer, Official, or employee of the Village, who wishes to address the Members of Council, Committee or Commission, and have a report or presentation scheduled on a meeting agenda, shall provide written application on the prescribed form to the Corporate Officer by 4:00 p.m. on the Thursday prior to the meeting and shall include:
 - i) The name(s) of the person(s) who would be making the report or presentation if approved (the Delegation); and
 - ii) A copy of the report or presentation in written form. The written submission

must clearly state any requests being made of Council and any recommended resolutions.

- b) Delegation requests not in compliance with conditions as set out above may not be considered as received and will not be processed until all required information has been provided.
- c) If the request deals with a matter that is within the jurisdiction of the Village, and is received in accordance with subsection 5.4(a), the Corporate Officer shall recommend to the CAO one or more of the following actions:
 - i) That the request be referred to the appropriate Officer or Official if the request is operational in nature;
 - ii) That the request be referred to committee; or
 - iii) That the request be granted and the Delegation be scheduled to the meeting requested or the next scheduled meeting.
- d) For Delegations granted in accordance with subsection 5.4(c)(iii), each address by a Delegation shall be limited to ten (10) minutes unless a longer period is agreed to by majority vote passed by all Council Members present. A further ten (10) minutes is allocated to questions from Council.
- e) The Corporate Officer shall refuse to place a Delegation on the agenda if the matter is outside the jurisdiction of Council, the Committee, or Commission or if the Delegation has already addressed the Council, Committee, or Commission on the same topic in the past twelve (12) months, unless substantial, relevant, new information is to be presented. If the Delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to the CAO and the applicable Council Members for their consideration.
- f) No more than three (3) Delegations will be permitted per meeting.
- g) Council shall not permit a Delegation to address Council during a Council meeting regarding a bylaw in respect of which a Public Hearing will be, or has been, held as a pre-requisite to the adoption of the bylaw.
- h) Council Members shall not respond to requests or questions from a Delegation nor engage in debate except to ask clarifying questions or to correct incorrect information.
- i) Following the Delegation presentation, Members may:
 - i) In the case of Council, refer the request to staff, COTW, a Committee, or a Commission for a report or further investigation, if the matter requested is for funding or may impact Village resources, current projects, or initiatives;
 - ii) Take no further action;
 - iii) Table the matter to a meeting closed to the public, if Section 90 of the *Community Charter* applies to the matter, or;
 - iv) Consider the matter at the meeting at which such Delegation has appeared or consider the matter at a future regular meeting of Council.
- j) The request to appear as a Delegation form is attached as Schedule "A".

5.5 Petitions to Council

- a) The petition must be addressed to the Village of New Denver Council.
- b) The petition must identify a contact person.
- c) Petitions must be legible, typewritten, or printed in ink (no pencil).
- d) The petition must be appropriate and respectful in tone, and must not contain improper or offensive language or information.
- e) A Petition to be submitted to Council shall include the name of each petitioner with the civic address and/or a legal description (Lot #, Block #) of the property of which they are the owner or which they occupy in the Village. In the case of a Corporation, the authority given by the Corporation to sign the petition shall be produced in connection therewith.
- f) Each petitioner must print and sign their own name. The petition must contain original signatures only, written directly on the petition.
- g) The petition should include, at the top of each page of the petition, a clear statement reflecting the position of those persons signing the petition as well as what action is being requested of Council. Pages should be numbered and total number of pages indicated.
- h) The petition must clearly disclose on each page that it will be considered a public document at the Village of New Denver and that information contained in it may be subject to the scrutiny of the Village and other members of the general public.
- i) Petitions shall be submitted to the Corporate Officer.
- j) Petitions meeting the requirements noted above will be placed on an upcoming meeting agenda, or may be presented to Council as a Delegation.
- k) A sample petition format is attached on Schedule "B"

This policy shall be in effect on the date it is approved by resolution of Council.

Schedule "A"

Delegation to Council Request Form



Village of New Denver
P.O. Box 40, New Denver, BC V0G 1S0 • office@newdenver.ca
PHONE (250) 358-2316 • FAX (250) 358-7251

DELEGATION TO COUNCIL REQUEST FORM

Applicant Name: _____

Title / Organization: _____

Contact Phone Number: _____

Contact Email Address: _____

Preferred Council Meeting Date for Delegation: _____

Alternate Council Meeting Date for the Delegation: _____

Name of person(s) making the presentation: _____

Title / Topic of Presentation: _____

Purpose of Presentation:

- Information Only
- Requesting a Letter of Support
- Other (Please provide details below)

Rules for Delegations:

1. A Delegation to Council Request Form must be submitted to the Village Office. Submission of a request does not constitute approval nor guarantee a date. The request must first be reviewed by the Corporate Officer.
2. The Corporate Officer will review the request and, if approved, arrange a mutually agreeable date with you. You will receive a signed and approved copy of your request form as confirmation.
3. A maximum of three Delegations will be permitted at any Regular Meeting of Council or Committee of the Whole Meeting.
4. Delegations are scheduled on a first-come, first-served basis, subject to direction from the Mayor, Council, or Chief Administrative Officer.
5. The Mayor, Chief Administrative Officer or Corporate Officer may reject a Delegation request if it regards an offensive subject, has already been substantially presented to Council in one form or another, deals with a pending matter following the close of a public hearing, or is, or has been, dealt within a public participation process.
6. Supporting submissions for the Delegation must be provided to the Village Office by 4:00 p.m. on the Thursday prior to your appearance date.
7. Delegations will be allowed a maximum of ten minutes to make their presentation.
8. Any questions to Delegations by members of Council will seek only to clarify a material aspect of a delegate's presentation.
9. Persons invited to speak at the Council meeting may not speak disrespectfully of any other person or use any rude or offensive language or make a statement or allegation which impugns the character of any person.

Helpful Suggestions:

- have a purpose
- get right to your point and make it
- be concise
- be prepared
- state your request, if any
- do not expect an immediate response to a request
- multiple-person presentations are still 10 minutes maximum
- be courteous, polite, and respectful
- it is a presentation, not a debate
- the Corporate Officer may ask for any relevant notes (if not handed out or published in the agenda) to assist with the accuracy of our minutes

I understand and agree to these rules for Delegations

Name of Delegate or Representative of Group

Date

Signature

The personal information collected on this form is done so pursuant to the Community Charter and/or the Local Government Act and in accordance with the Freedom of Information and Protection of Privacy Act. The personal information collected herein will be used only for the purpose of processing this application or request and for no other purpose unless its release is authorized by its owner, the information is part of a record series commonly available to the public, or is compelled by a Court or an agent duly authorized under another Act. Further information may be obtained by speaking with The Village of New Denver at 250-358-2316 or at Box 40, 115 Slocan Ave, New Denver, BC.

For Office Use Only

Approved by:

Corporate Officer

Appearance date:

Receipt emailed on:

Rejected by:

Mayor

Applicant informed on:

CAO

Applicant informed by:

Schedule "B"
Sample Petition Template

To: Village of New Denver Council
115 Slocan Avenue
P.O. Box 40
New Denver, BC V0G 1S0

Description of the issue

Petition Text (to be noted on each page) of what the desired action of Council is

Name	Civic or Legal Address	Signature

(The following to appear on each page of the petition)

By signing this petition, I hereby acknowledge that this petition will become a public document at the Village of New Denver and that all information contained in it will be subject to the scrutiny of the Village, and will be publicly available. Questions about the collection and disclosure of personal information contained in this petition should be directed to the Corporate Officer, corporate@newdenver.ca , 250-358-2316.