



CITY OF GREENWOOD

Regular Council Meeting

Council Chambers – Greenwood City Hall – 202 S. Government Ave.

Monday, January 8, 2024

7:00 pm

AGENDA

1. Call to Order

2. Adoption of Agenda: January 8, 2024 Regular Council Meeting Agenda

3. Adoption of the Minutes

- a. December 11, 2023 Regular Meeting Minutes Page 3-16

4. Correspondence for Information

- a. RDKB HomeSmart Program Page 17-18
- b. Ministry of Housing Page 19-20
- c. Office of the Minister of Housing Page 21-26

5. Correspondence for Action

- a. Regional District of Kootenay Boundary – Support of Amendment Page 27-34

6. Councillor's Reports

7. Mayor's Report

8. Administrator's Report Public Works Report Page 35

9. Accounts Payable Report December 8, 2023 – January 4, 2024 Page 36

10. New and Unfinished Business

- a. West Boundary Sustainable Foods and Resources Society Page 37
- b. Memo to Council - Responsible Conduct Guiding Principles Policy Page 38-85
- c. Council Procedures Bylaw No. 997, 2022 review Page 86-97

11. Bylaws

- a. Bylaw No. 1012, 2024 Revenue Anticipation Borrowing Bylaw Page 98-99

12. Notice of Motions

13. Question Period

14. In-Camera – 90(1)(c)(e)

Excerpt from Council Procedures Bylaw 674 Section 14

- 1. Immediately prior to the adjournment of every regular meeting of Council, questions, but not statements, relating to matters dealt with at that meeting may be directed to Council by members of the public then present. All such questions shall be directed to the Mayor, and will where possible and appropriate be answered by the Mayor or a member designated by the Mayor.**
- 2. A maximum period of 15 minutes shall be provided for considering questions from members of the public; however that maximum may be extended to 30 minutes with the unanimous**
- 3. consent of all Council members present.**

15. Adjournment



CITY OF GREENWOOD
Minutes of the Regular Meeting of Council held on December 11, 2023

PRESENT

Mayor J. Bolt
Councillors: C. Huisman, CJ Rhodes, G. Shaw, J. McLean.

NOT PRESENT

Tracy Thomas, CAO

CALL TO ORDER

Mayor Bolt called the meeting to order at 7:00 pm.

ADOPTION OF AGENDA

(363-23)

Motion: J. McLean/ C. Rhodes
THAT the December 11, 2023 regular council agenda be adopted.
Carried

ADOPTION OF MINUTES

(364-23)

Motion: G. Shaw/ C. Huisman
THAT the minutes of November 14, 2023 Regular Council Meeting be adopted.
Carried

(365-23)

Motion: C. Rhodes/ C. Huisman
THAT the minutes of the November 28, 2023 Inaugural Council Meeting be adopted.
Carried

(366-23)

Motion: C. Rhodes/ J. McLean
THAT the minutes of the November 28, 2023 Regular Meeting Minutes be adopted.
Carried

**CORRESPONDENCE
FOR INFORMATION**

(367-23)

Motion: C. Rhodes/ J. McLean
That Council accepts all correspondence as information.
Carried

**CORRESPONDENCE
FOR INFORMATION**

None.

COUNCILLOR'S REPORTS

Clint Huisman: Verbal report presented

CJ Rhodes: Verbal report presented

Jessica McLean: Verbal report presented – On File

Gerry Shaw: Verbal report presented

MAYOR'S REPORT: Verbal report presented

ADMINISTRATION REPORT: No Report presented

(368-23) **Motion: J. McLean/ C. Rhodes**
THAT Council receive the reports as information. **Carried**

**ACCOUNTS PAYABLE
REPORTS**

(369-23) **Motion: C. Huisman/ C. Rhodes**
THAT Council receive the cash disbursement accounts payable report in the amount of \$61,204.15 for the period of November 24, 2023 to December 7, 2023. **Carried**

**NEW AND UNFINISHED
BUSINESS**

a. 2024 Board
Appointments.

J. Bolt Moved to stay as the RDKB Board Director
C. Huisman Seconded

Councillor Huisman expressed his support for J. Bolt as RDKB Board Director and expressed the want for more going forward, more reporting and doing more to keep all Council involved.

Councillor Rhodes asked Council if there is anyone else that is interested in this position.

Councillor Shaw expressed his interest in the position as well as put together a discussion on why Councillor Shaw would like this position.

Councillor Rhodes asked a question on procedure, "if one or more member has shown interest should there not be a debate so it is all inclusive because there is more than one person interested and there is no way to handle this with a single motion".

Mayor Bolt then expressed how Council had a discussion on this at the previous Committee of the Whole Meeting.

Councillor Rhodes acknowledged the discussion at the COTW but urged Council and Mayor to open the Motion to any Council interested.

Mayor Bolt agreed.

Councillor Rhodes expressed that he thought the previous motion made by Mayor Bolt should be rescinded.

Mayor Bolt questioned which motion.

Councillor Rhodes expressed that Council needs to include the full scope of what we're doing here.

Mayor Bolt stated "now were debating it".

Councillor Rhodes stated "I don't want to be argumentative about it. It should be a nomination process I would think, and it should go through the board."

Councillor Rhodes stated "Mayor Bolt has nominated himself and Councillor Huisman seconded and I think we should do that with everyone and then we can vote on."

Mayor Bolt stated he didn't know how this works.

Councillor Rhodes stated "if we progress with your motion right now there is nobody else included in it, I think it is just that simple."

Councillor McLean stated "how I see it is if Mayor Bolt makes a motion and Clint seconds it, its open for discussion, whereas if we voted on it right after and there is someone opposed we can say why were opposed."

C. Rhodes asked, "what if they're not, then Mayor Bolt would be the one that we elect."

Councillor Shaw stated "I think perhaps what Councillor Rhodes is looking at is the opportunity for the discussion versus if we have it has where you motion and second now it is either approved or defeated. Whereas if there was an opportunity for discussing the opportunity like for example, when we talk about the Liaisons and positions we talk openly and we candidly talk about that next and where those positions sit and why. Whereas this one was not even really given an opportunity to talk about it, it's just being voted on and then moving on to the next thing right. And one of the big things for me is when there is a process we should not feel uncomfortable to ask questions or to put our position forward and I feel like when it comes to this position it always feels like a very contentious thing whereas it should be more about openness and transparency, talk about the reasons why and then have a debate about those things at the table, I feel as if we never have the option to do that, it always feels like a very uncomfortable conversation, and I have seen in the past a lot of backroom talk about it rather than being able to sit here and candidly promote yourself or promote someone else for the reasons that you feel are there, right."

Mayor Bolt stated to Councillor Shaw that he is welcome to promote himself right now.

G. Shaw stated "Well the only problem is because we have a mover and a seconder it's no relevance to this motion to say anything,

right.”

Mayor Bolt stated to Councillor Shaw that “you just said that you wanted to put your name forward.”

Councillor Shaw stated “you can’t because this is already a motion and second on the table, it’s for discussion, this motion either gets defeated or it gets approved and the only other way it would be done is if you guys amended the motion to allow other people to put there name forward as well.”

Mayor Bolt stated “if this Motion gets defeated then we have *inaudible*”.

Councillor Shaw stated, “Well I know but, again, we can debate all of that with just a fair assessment at the table and discuss all that and that’s all I’m getting at.”

Councillor Rhodes stated “in all fairness to all interested parties they have to be nominated, correct, and with the motion we have on the floor right now we have already gone past that. I would suggest that we withdraw the motion and then make a proper one to allow all interested Council members the opportunity to participate in it and then they can be part of the debate. I don’t know anything about Councillor Shaw, I know recent stuff, I would like to know more and without this focus on the motion we have on the floor right now, we would never hear from the other one and the hazard is it could be approved without his input at all.”

Mayor Bolt stated *inaudible* “I can rescind my motion if you’d like and I’d like to put my name forward and if Councillor Shaw wants to put his name forward.”

Councillor Rhodes stated “So I think there has to be a formal nomination.”

Mayor Bolt stated “I don’t think that in our Council Procedure Bylaw”.

Councillor Rhodes stated “But you already did it, you already nominated somebody, so how do we get input from another interested party”.

Mayor Bolt stated “Councillor Shaw is nominating himself too”.

Councillor Shaw stated “I’d probably wait for somebody else to”.

Councillor Shaw stated “I didn’t nominate myself, I said I would like the position and I would like to give an opportunity to say why I want this position.”

Mayor Bolt stated “right, I have rescinded my motion”.

Councillor Shaw stated “I would like to read what I got here.”

Councillor Shaw then spoke about why he is interested in the Board Director Position for the RDKB.

Mayor Bolt then spoke about why he wants to stay on as Board Director for the RDKB.

Councillor Rhodes stated, “Mayor Bolt, only because I am a stickler for procedures but I think we have a motion on the table that we have to deal with”.

Mayor Bolt expressed that he had rescinded his motion.

Councillor Rhodes stated, “well that would require a motion as well, I believe.”

Councillor Huisman asked the question “Can anybody make that motion Councillor Rhodes or does it have to come from the original”.

Councillor Rhodes stated “I am not sure”.

Councillor McLean stated “I feel like anybody can make the motion”.

Councillor Shaw stated “he said he would, it was his motion to rescind”.

Councillor Rhodes stated “My point only is that you need to introduce another.”

Councillor McLean stated “another motion?”.

Motion: J. Bolt/ C. Huisman

THAT Mayor bolt moves to rescind his motion that he stays on as Board Director for the RDKB.

(370-23)

Carried

Councillor Huisman asked the question “Can I make a motion for all individuals that are interested in the position as a Board member for the RDKB to step forward and identify themselves.”

Mayor Bolt stated, “I would like to put my name forward as the Mayor of Greenwood.”

Councillor Shaw put his name forward.

Councillor Rhodes Seconded the motion.

Councillor Huisman stated “All in favor, oh sorry”

Mayor Bolt asked Councillor Huisman “who is seconding?”

Councillor Rhodes raised his hand and stated to Mayor Bolt that Councillor Rhodes seconded.

Councillor Huisman stated to Mayor Bolt “Seconding my motion”.

Councillor McLean asked the question “So now what, we can just vote, this is getting pretty uncomfortable”.

Councillor Rhodes stated, “well this is why you have nominations, somebody from Council should nominate and then we vote on it”.

Statement from a resident in the audience *inaudible*

Mayor Bolt expressed to the resident that they do not have a Corporate Officer here right now.

Resident in audience then asked Council why they can’t ask a former CAO.

Mayor Bolt stated, “I guess we could ask a former CAO, Wendy Higashi.”

Former CAO who attended as resident stated “I think Council needs to look at their Bylaws, somewhere in a Bylaw, there is a Bylaw that states a procedure Bylaw and there’s something in that, that states, The Mayor as the first right of refusal on that position, its somewhere, it happened when Councillor Lang was in, when *inaudible*, they read the refusal and decided on a different person.”

Councillor Shaw stated “Two things, I’m okay waiting if were not sure, just to be sure, on the other side of this, the Local Government Act states that the Regional position is a voted on, it says right in the act, Community Charter if you look through there is says go to such and such Local Government Act, if you go to the BC website it does say the position is voted on by Council and again when we look at procedures and policies, we went through our Bylaw last week and identified a whole bunch of things that aren’t correct in there, its not in there obviously but if it is somewhere else, I’m comfortable looking for it just to make sure that process is followed or if the process is wrong in our Bylaws that we fix them to match the Community Charter and Local Government Act.”

Mayor Bolt stated “you know, I’m fine if you don’t want me on the Regional District, lets just vote on it and we don’t need to drag this out or whatever”.

Councillor Rhodes states “Once again I’m not being argumentative, but that kind of comment is I mean, we have to deal with this and deal with this correctly and nobody has suggested that you’re not wanted”.

Mayor Bolt stated, "I'm not saying that, but were going to vote and see right."

Councillor Rhodes stated, "but you did say it".

Mayor Bolt stated *inaudible*

Councillor Rhodes stated, "Well it is an important matter, and you need to deal with it, we can't just sluff it off and act like it's not there, I mean we have to deal with it and this is how we deal with it and we also have this document from the Regional District."

Former CAO that was in audience as resident stated, "the rules and regulations might be different, so you have to make sure that you don't have a Bylaw you're going against."

Mayor Bolt stated, "Ya we do have a Procedure Bylaw and I read it, and I didn't see anything".

Councillor Rhodes agreed that he didn't see anything in the Procedure Bylaw as well.

Councillor Shaw stated "I think at the end of the day if we did in any Procedures Bylaw that we write, it should say, as long as it doesn't conflict with the Community Charter which is obviously our first line of duty, the Community Charter is what this table runs by so if we make mistakes in our policies and procedures we should make sure that there covered by saying, if in doubt refer back to the Community Charter or Local Government Act."

Councillor McLean stated, "I am good to vote on it now, I don't want to go through this uncomfortable situation again, it's difficult."

Councillor Shaw starts to talk.

Councillor McLean told Councillor Shaw to "Shh".

Councillor McLean stated, "It's difficult because you don't want any bad blood or anything like that and its awkward of course when someone wants it and you vote something else, I would like to just carry on with this."

Councillor Huisman stated "I would like to make a motion that we table this, and we find out the exact Bylaws so that we are 100% compliant and doing the job that we've been elected to do. I feel like this decision can be delayed so that we are 100%. It would be nice to get past this however I want to make sure we're following the rules."

Councillor Shaw stated "And on that note as well, it's probably important that in our policies and procedures Bylaw we put this in place for prior to November because the Regional District has all there voting in November so if your were to have the Board

positions, its important to have a Board member that is instated before, you know put in before that time so probably the first meeting in November to make sure that person meets the requirements of and gets sworn in and all that stuff.”

Mayor Bolt stated, “Were already running late with the RDKB so”.

Councillor Shaw stated “but that’s part of our job is that policy and procedure.”

Councillor Rhodes stated “Well I have read through it and did not see that in there, I have no recollection of any of our Bylaws covering that on there, we have a very definitive document from the Regional District on how to proceed and says what we can and can not do and I think were totally on track to make a decision tonight, I mean I don’t think we have done anything irregular and Mayor Bolt suggested that he has read through it and seen anything unclear.”

Mayor Bolt *inaudible*

Councillor Rhodes stated, “according to this, so everybody has seen this?”

All Council and Mayor Agreed.

Councillor Rhodes stated, “yes we all got it, it clearly says that we’re in charge to do pretty much anything we want”.

Mayor Bolt stated “yeah, Council can Vote, Vote me off Regional District, or vote Gerry off Regional District or Hospital Board, anytime they want.”

Councillor Rhodes stated, “And we can do it in any schedule we want, or any time of the year we want as well.”

Councillor Shaw stated “Yes we can but I mean again just for if we were to make any updates to our polices and procedures it would be nice to put them in there to have them in beginning of November so it can help us for better meetings, that’s all I was pointing out, it doesn’t mean we can’t vote any time, it’s just nice if it was there is all”.

Mayor Bolt *inaudible*

Councillor Rhodes states “regrettably we do not have another meeting until well into January, *inaudible*

Mayor Bolt *inaudible*

Councillor Shaw states “I would like to put my name forward if somebody would nominate me, I am not comfortable nominating myself.”

Councillor McLean states “I would like to nominate Councillor Shaw.”

Mayor Bolt asked Councillor Huisman if he would nominate Mayor Bolt.

C. Huisman states “yes, John, I will nominate you.”

Councillor McLean told Councillor Rhodes “Good Luck CJ, Good luck”.

Mayor Bolt *inaudible*

Councillor Shaw states “I think from here the procedure would be, we have already gone through our spiels about why we should be on the board, now it would come down to the motion to approve one member or another.”

Councillor Rhodes ask the question “is there a motion on the floor to postpone this to another meeting or?”

Councillor Huisman answered and stated, “I attempted to but it was not seconded”.

Councillor Rhodes said “okay”.

Mayor Bolt stated, “Well I guess I’ll ask the question, all in favor of me staying on the Regional District Board”.

Councillor Shaw asked the question “what are you doing right now?”

Councillor McLean states “I am going to make a motion just to get this done, I motion for Councillor Shaw to sit on the Board of the Regional District the RDKB”.

Councillor Rhodes states “well once again, do we have any motions on the floor that we need to deal with?”

Councillor McLean responded to Councillor Rhodes and answered “no”.

Councillor Rhodes states “Why don’t we say the name and then we vote on it, because they have both been nominated and I think the fair process is to vote.”

Mayor Bolt stated “Yeah, okay well let’s move forward and vote for the Mayor to stay on the Board of RDKB, I guess I can vote for myself I guess. I’ll vote for myself.”

Councillor Huisman states” can I speak about my decision, you have my support to be on the board because of how uncomfortable this is being handled and how you are the one that is suppose to handle

these situations, I support you but I cannot vote for you. I'm sorry John"

Councillor McLean asked Councillor Rhodes who he would like to vote for.

Councillor Shaw then states, "shouldn't it be a show of hands who's in support."

Councillor McLean then agrees with Councillor Shaw and states "Yes I think we should do a show of hands a vote for Mayor Bolt and now a vote for Councillor Shaw".

Mayor Bolt states "I don't really know how this works, I got no support so you didn't second it, so that motion is off the table, so who votes for Gerry Shaw for Regional District".

Councillor McLean, Councillor Shaw, Councillor Huisman and Councillor Rhodes all raised their hands in support of Councillor Shaw.

Mayor Bolt states "Okay Gerry Shaw you're the new RDKB director".

Councillor Shaw states "I think we need to make a motion now for this"

Motion: J. McLean/ C. Huisman

THAT Councillor Shaw is RDKB, sorry he is the Regional District representative.

Opposed: J. Bolt

(371-23)

Carried

Motion: J. McLean/ C. Huisman

THAT Council appoints Councillor J. McLean as the Kootenay Boundary Regional District Hospital Board Director.

(372-23)

Carried

Motion: C. Huisman/ J. McLean

THAT Council appoints Mayor Bolt as the West Boundary Community Forest Board Director.

(373-23)

Carried

Motion: C. Huisman/ G. Shaw

THAT Council appoints C. Huisman as the Alternate for the West Boundary Community Forest.

(374-23)

Carried

THAT Mayor Bolt Appoint the following 1 Year Appointments.

Board of Trade Liaison: C. Rhodes

Senior's Liaison: C. Huisman

Greenwood Volunteer Fire Department Liaison: C. Rhodes
Heritage Development Organization: G. Shaw
Boundary Citizens on Patrol/ Protective Services Committee:
 G. Shaw
Boundary RCMP Consultive Group Liaison: J. Bolt
Parks and Recreation: J. McLean
Greenwood Community Association: C. Huisman
Greenwood Heritage Society: G. Shaw
Greenwood Public Library: J. McLean
Public Works Liaison / Assets: C. Rhodes
Accessibility Committee: C. Huisman
Boundary Country Regional Chamber of Commerce: C. Rhodes
Boundary Invasive Species Society Liaison: J. McLean

- | | | |
|----|---|---|
| b. | Responsible Conduct
Guiding Principles
Policy | Mayor Deferred until next Regular Council Meeting.

Discussion had between Council and Mayor |
| c. | Council Procedures
Bylaw No. 997, 2022
review | Mayor Deferred until next Regular Council Meeting. |
| d. | Concession Policy
Review | Mayor Deferred until next Regular Council Meeting. |
| e. | Committee of the Whole
Discussion | Mayor Deferred until next Regular Council Meeting. |
| f. | Action Tracker
Discussion | Mayor Deferred until next Regular Council Meeting. |

BYLAWS

- a. Bylaw No. 1011, 2023
Utilities Billing and
Payment Schedule.

(375-23)

Motion: G. Shaw/ C. Huisman

THAT Council give Fourth and Final Readings to Bylaw No. 1011, 2023 Utilities Billing and Payment Schedule.

Carried

- b. Bylaw No. 1012, 2024
Revenue Anticipation
Borrowing Bylaw

(376-23)

Motion: G. Shaw/ C. Rhodes

THAT Council give First, Second and Third Readings to Bylaw No. 1012, 2024 Revenue Anticipation Borrowing Bylaw.

Carried

NOTICE OF MOTIONS

None.

QUESTION PERIOD

Resident asked the question "Is there any light at the end of the tunnel with a CAO coming to work, where is the city in that, your short staffed in the office and you need help here with meetings. What is the status of the CAO?"

Mayor Bolt stated, "we're still working on that."

Resident asked the question "Has there been any indication at all that, coming into the New Year we will have a CAO?"

Mayor Bolt stated, "I'm hoping so."

Resident asked the question "Are we currently paying this CAO right now?"

Mayor Bolted stated "That falls under Land, Legal and Labor. As it falls under Labor, I can't answer that."

Resident asked, "How do we get that answer?"

Mayor Bolt stated *inaudible*

Resident asked the question, "We can't know if a staff member, if there is currently a salary going out for a position within the city."

Mayor Bolted stated, "No, Not right now."

Resident stated, "we're not allowed to know? It's not in a budget somewhere, that information is never going to be released?"

Mayor Bolt stated, "Oh, it will be. But right now it can't be released."

Resident asked the question, "But we did hire a CAO?"

Mayor Bolt stated, "Yes."

Resident asked the question, "Do we currently have a CAO whose just not working at this time?"

Mayor Bolt stated, "Correct".

Councillor Rhodes stated that the city is now recruiting, and the response has been quite unfavorable, and we are also in the final recruitment process for a part time individual for office functions.

Resident asked the question, "But we have still hired a CAO recently for that position?"

Mayor Bolt stated, "Right now we are looking for temporary CAO".

Resident's question is *inaudible*.

Mayor Bolt stated, “I can’t speak on our CAO at this time, I’m sorry.”

Resident asked the question, “Okay so the position is being recruited for as a temporary position?”

Mayor Bolt stated, “Yes, actually we’re just looking for a temporary Corporate Officer”.

Councillor Huisman stated, “Not a temporary CAO.”

Councillor Shaw stated, “I would just like to add that we are very hopeful for in the New Year that things are going to switch around here. We cannot discuss any issues to do with Land, Legal and Labor but the scope of everything looks like in the New Year we should be getting some answers to where we stand.”

Councillor Huisman commented “The current status in the office, we are below the numbers we should be at, because of Rhonda and Brooklyn that City Hall is able to stay open, they are taking on work that is above their scope, the learning curve is steep and their managing it very well, I want to commend them for supporting us as Council and supporting our community and there is just two of them so we are quite fortunate to have these people.”

Resident asked the question, “Do you know why we’re having these problems of staff not staying, like what is happening that is causing staff such a difficult time, employing people in this community and City Hall.”

Mayor Bolt stated, “I can’t speak to it right now.”

Resident asked, “I’m not asking you to give out specifics, Although specifics have been given to me, inappropriately, by you in the past, so I’m quite surprised, perhaps the fact were not sitting in the legion right now is the reason I’m not finding out but I’m just curious out of a general overall scope, why this is happening?”

Resident asked the question, “What happened with that Lady who just walked in earlier and just was saying don’t ever contact me again, what was that in reference to?”

Mayor Bolt stated, “I didn’t get the note, so I’m not going to comment”.

Further discussions had with residents in crowd regarding Building concerns, Bylaw Enforcement and Water connections.

IN-CAMERA

No Motion.

ADJOURNMENT

Motion: J. Bolt

THAT Council adjourn the Regular Council Meeting at 8:31 pm.

(377-23)

Carried

Mayor

Certified Correct

Corporate Officer

Brooke McCourt

From: Vivienne Hurley <vhurley@rdkb.com>
Sent: January 2, 2024 4:04 PM
To: Karen Halifax; 'Village of Montrose'; kbrooks@trail.ca; Carol Leroise; christine.meschi@warfield.ca; fran.noone@warfield.ca; adiejansen7@gmail.com; communications@ourbigwhitemountain.com; exploregreenwood@gmail.com; info@grandforks.ca; midwayreception@shaw.ca; midwaybc@shaw.ca; greenwoodcity@shaw.ca; Front Desk; Westboundary Connect; Christina Gateway
Cc: Freya Phillips; Rachel Newton; Cynthia Año Nuevo
Subject: Efficiency and Resiliency take the stage at RDKB HomeSmart Launch
Attachments: Raven Atherton (left) and Freya Phillips (right) are part of RDKB HomeSmart.jpeg; The RDKB HomeSmart team includes Raven Atherton (left) and Freya Phillips (right).jpeg

Please find below story about the new RDKB HomeSmart program, which has launched in the Kootenay and Boundary areas today.

We have shared the information with our local media and have posted on our social media platforms too (thank you to those who have already shared). We would appreciate any help you can give us to share the news further across the RDKB on your own platforms if you can. Thank you!

Viv

Lights, Camera, Retrofit Action: Efficiency and Resiliency take the stage at RDKB HomeSmart Launch

RDKB HomeSmart, a free home retrofit guidance service, has officially launched to the public. Designed to simplify the energy-efficient and resilient home improvement process, the project is supported by the Columbia Basin Trust, FortisBC, as well as the Regional District of Kootenay Boundary.

Freya Phillips, RDKB's Senior Energy Specialist, emphasizes the importance of the program, designed to offer residents a streamlined journey towards a more sustainable and comfortable living environment: "RDKB HomeSmart is a significant step towards creating efficient and resilient homes in our community. We're proud to offer a service that not only reduces energy consumption but also prepares homes for the challenges of a changing climate."

Raven Atherton, the newly appointed Retrofit Program Coordinator for RDKB HomeSmart, says, "Our goal is to make the retrofit journey accessible and straightforward for residents. From the initial sign-up to enjoying the home improvements, RDKB HomeSmart provides comprehensive support at every step."

As part of the launch, RDKB HomeSmart enlisted the participation of its own staff in a pre-launch trial. One staff member remarked, "RDKB HomeSmart saved me a lot of time and confusion! The team has helped me identify all the different rebates and loans available so I can make a retrofit and resiliency plan." This firsthand testimonial reflects the service's commitment to simplicity, efficiency and resiliency.

Residents can visit homesmart.rdkb.com for more information, to sign up, and kickstart their retrofit journey. Enquiries can also be directed to RDKB HomeSmart via phone at 250.368.0284 or by email at homesmart@rdkb.com.

Efficient and resilient retrofits are vital for reducing energy consumption, lowering costs, and future-proofing homes. By joining RDKB HomeSmart, participants gain access to a range of benefits, including time-saving processes, simplified navigation of rebates and loans, and expert guidance from a knowledgeable independent team.

Raven Atherton added, "We've designed RDKB HomeSmart to be a one-stop solution. Our process involves signing up, discussing priorities with me, explaining how the professional assessments are done, and which local registered contractors can implement the improvements needed. The ultimate goal is for residents to enjoy the benefits of a more efficient and resilient home."

The appointment of Raven Atherton and the launch of the RDKB HomeSmart program align with the RDKB's commitment to implementing its five-year climate action plan.

A placeholder for a redacted image, showing a small red 'x' icon in the top left corner.

Vivienne Hurley | Communications Specialist
vhurley@rdkb.com | T: 250.368.0233 | C:250.231.3172

Regional District of Kootenay Boundary
Toll-free: 1.800.355.7352
Main: 250.368.9148
rdkb.com



VIA EMAIL

Ref: 63760

December 21, 2023

Tracy Thomas
Chief Administrative Officer
City of Greenwood
Email: cao@greenwoodcity.ca

Dear Tracy Thomas:

I am writing to notify you of the funding allocation for the City of Greenwood from the \$51 million capacity funding for local government implementation of the legislative changes to support housing initiatives, including small-scale multi-unit housing and proactive planning, development finance, and transit-oriented development.

The City of Greenwood will receive \$153,121 by the end of January 2024.

The funding formula reflects the different legislative requirements for municipalities and regional districts, and that smaller communities may need more financial assistance because they have fewer resources.

The funding formula includes a base amount and a per-capita amount (based on BC Stats 2023 estimates).

- For municipalities, the base amount is \$150,000, and the per-capita amount is \$4.39.
- For regional districts, the base amount is \$80,000 and the per capita amount is \$5.80.

This funding is intended to support activities or projects local governments must undertake to meet the new legislative requirements. Examples include updates to an existing zoning bylaw, parking bylaw, Official Community Plan (OCP), Official Development Plan (ODP), Development Cost Charge (DCC) bylaw, Development Cost Levy (DCL) or

.../2

Housing Needs Report (HNR), as well as the development of a new zoning bylaw, OCP, ODP, DCC, DCL or new amenity cost charge (ACC) bylaw. This funding can also be used to hire staff and/or consultants in support of these activities. More specific information on eligible projects, eligible project costs as well as the reporting requirements will be provided in the funding guidelines when the funding is distributed.

If you have any questions regarding the legislative changes or funding program, please contact Ministry of Housing staff at PLUM@gov.bc.ca or 250-387-3394.

Yours truly,



Bindi Sawchuk
Assistant Deputy Minister
Housing and Land Use Policy Division
Ministry of Housing

pc: Teri Collins, Deputy Minister, Ministry of Housing
Tracy Campbell, Executive Financial Officer, Ministry of Housing
Kaye Krishna, Deputy Minister, Ministry of Transportation and Infrastructure
Okenge Yuma Morisho, Deputy Minister, Ministry of Municipal Affairs
Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs
Kevin Volk, Assistant Deputy Minister, Ministry of Transportation and Infrastructure
Jessica Brooks, Executive Director, Ministry of Housing
Rebecca Penz, Director, Ministry of Housing



BRITISH
COLUMBIA

VIA EMAIL

Ref. 63442

December 8, 2023

His Worship John Bolt
Mayor of the City of Greenwood
Email: greenwooddirector@rdkb.com

RE: New legislation to support local government housing initiatives

Dear Mayor John Bolt:

As you are aware, last week, the Province passed three bills that change the way local governments plan for new housing in their communities: Bills 44, 46, and 47, along with Bill 35, which regulates short-term rentals. While the legislation establishes the framework for the new rules, many of the details that describe how these changes will work on the ground are set out in regulation, and site standards and expectations around development are laid out in provincial policy manuals.

We have prioritized releasing the regulations and policy manuals to help local governments meet the June 30, 2024 requirements for small-scale multi-unit housing and transit-oriented development areas (TOD areas). Yesterday, the regulations and policy manuals for those requirements were released and are posted online here: [Local government housing initiatives - Province of British Columbia](#).

The regulation for small-scale multi-unit housing sets out the minimum number of dwelling units by parcel size and proximity to frequent transit, prescribes the frequency of transit bus stops, and establishes the minimum population threshold for legislation to apply to certain communities. It also includes an exemption to the legislation for hazardous conditions.

.../2

**Office of the
Minister of Housing**

Website:
www.gov.bc.ca/housing

Mailing Address:
PO Box 9074 Stn Prov Govt
Victoria BC V8W 9E9
Phone: 236 478-3970

Location:
Parliament Buildings
Victoria BC V8V 1X4
Email: HOUS.Minister@gov.bc.ca

The policy manual supports local governments to implement the zoning bylaw amendments required under the legislation. It establishes provincial expectations for implementation of the requirements, which must be considered when preparing, amending, or adopting a zoning bylaw to permit the use and density required by the small-scale multi-unit housing legislation. Further information will be provided in January about the criteria and process for extensions.

The regulations for TOD Areas designate the 52 TOD Areas that are now in effect by regulation (see attachment 1) and the full list of TOD Areas that must be designated by June 30, 2024 (see attachment 2). They also bring the provisions of Bill 47 into effect and set out the details for those provisions, such as the minimum allowable density (see attachment 3) and the applicable distance from transit stations. Bill 47 allows the Province to designate TOD Areas by order if a local government does not or designates incorrectly.

The TOD manual establishes provincial expectations for municipalities to implement the requirements, such as when designating TOD Areas by bylaw, making zoning decisions, and updating parking bylaws.

The regulations for the *Short-Term Rental Accommodation Act* (STRAA) set out where the principal residence requirement applies, exemptions, and how local governments and entities can opt-in or out of the requirement. The policy guidance provides information about how the STRAA, and related amendments to the *Local Government Act*, *Community Charter*, and *Vancouver Charter* apply to local governments, including local government bylaws related to short-term rentals. Yesterday, the regulations and policy guidance were released and are posted online here: [Policy guidance for local governments](#).

Early in the new year, we will be releasing regulations and a policy manual for updating Housing Needs Reports and policy guidance for implementing the new development finance tools [expanded Development Cost Charges (Levies) and Amenity Contribution Costs Charges.]

In my previous letter, I mentioned that we are exploring policy options and additional tools for facilitating the delivery of affordable housing, including the potential for inclusionary zoning and other tools to support a range of outcomes. I look forward to being able to share more in 2024 on these initiatives.

I appreciate how much work is in front of your local government to meet the requirements. The Ministry is committed to supporting your team in this work. We will be notifying you later this month of the amount your local government will receive from the \$51 million funding to support planning and capacity to meet these new requirements. Ministry staff will also be in touch with your administration about a webinar series for local government staff leading the work to implement the changes.

Sincerely,



Ravi Kahlon
Minister of Housing

Attachments

pc: The Honourable Rob Fleming, Minister of Transportation and Infrastructure
The Honourable Anne Kang, Minister of Municipal Affairs
Teri Collins, Deputy Minister, Ministry of Housing
Kaye Krishna, Deputy Minister, Ministry of Transportation and Infrastructure
Okenge Yuma Morisho, Deputy Minister, Ministry of Municipal Affairs
Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs
Bindi Sawchuk, Assistant Deputy Minister, Ministry of Housing
Kevin Volk, Assistant Deputy Minister, Ministry of Transportation and Infrastructure
Tracy Thomas, Chief Administrative Officer, City of Greenwood
(cao@greenwoodcity.ca)

Links:

- Local Government Housing Initiatives webpage with links to Bill 44 and 47 Housing Statute Regulations and the Provincial policy manuals for small-scale multi-unit housing and Transit-Oriented Development Areas:
<https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/housing-initiatives>
- Bill 35 Policy Guidance for Local Governments: [Policy guidance for local governments.](#)

Attachment 1: Transit-Oriented Development Areas Designated by Regulation (in effect)

Burnaby

- Brentwood Town Centre Station
- Burquitlam Station*
- Joyce – Collingwood Station*
- Lougheed Town Centre Station
- Metrotown Station
- Patterson Station
- Rupert Station*
- Sperling – Burnaby Lake Station

Chilliwack

- Downtown Chilliwack Exchange

Coquitlam

- Burquitlam Station
- Coquitlam Central Station
- Inlet Centre Station*
- Lafarge Lake – Douglas Station
- Lincoln Station
- Lougheed Town Centre Station*
- Moody Centre Station*

Kamloops

- Lansdowne Exchange
- North Shore Exchange

Kelowna

- Okanagan College Exchange
- Rutland Exchange

Maple Ridge

- Port Haney Station

Mission

- Mission City Station

New Westminster

- Columbia Station
- New Westminster Station

North Vancouver (District)

- Phibbs Exchange

Port Coquitlam

- Coquitlam Central Station*
- Lincoln Station*

Port Moody

- Inlet Centre Station
- Moody Centre Station

Richmond

- Aberdeen Station
- Bridgeport Station
- Capstan Station
- Lansdowne Station
- Marine Drive Station*
- Richmond – Brighthouse Station

Saanich

- Uptown Exchange

Surrey

- 152nd Street Station
- 160th Street Station
- 166th Street Station
- 184th Street Station
- 190th Street Station
- Columbia Station*

Vancouver

- 29th Avenue Station
- Arbutus Station
- Bridgeport Station*
- Broadway – City Hall Station
- Great Northern Way – Emily Carr Station
- Joyce – Collingwood Station
- King Edward Station
- Langara – 49th Avenue Station
- Marine Drive Station
- Mount Pleasant Station
- Nanaimo Station
- Oak – VGH Station
- Oakridge – 41st Avenue Station
- Olympic Village Station
- Renfrew Station
- Rupert Station
- South Granville Station
- Stadium – Chinatown Station
- VCC – Clark Station
- Waterfront Station

Victoria

- Legislature Exchange

*Overlap TOD Area from adjacent municipality

Attachment 2: TOD Areas that must be designated by June 30, 2024

140th Street Station
152nd Street Station
160th Street Station
166th Street Station
184th Street Station
190th Street Station
196th Street Station
203rd Street Station
22nd Street Station
29th Avenue Station
Aberdeen Station
Arbutus Station
Bourquin Exchange
Braid Station
Brentwood Town Centre Station
Bridgeport Station
Broadway – City Hall Station
Burquitlam Station
Burrard Station
Capilano University Exchange
Capstan Station
Columbia Station
Colwood Exchange
Commercial – Broadway Station
Coquitlam Central Station
Country Club Exchange
Downtown Chilliwack Exchange
Downtown Exchange
Dunbar Loop Exchange
Edmonds Station
Gateway Station
Gilmore Station
Gondola Exchange
Granville Station
Great Northern Way – Emily Carr Station
Guildford Mall Exchange

Haney Place Exchange
Holdom Station
Hospital Exchange
Inlet Centre Station
Joyce – Collingwood Station
King Edward Station
King George Station
Kootenay Loop Exchange
Lafarge Lake – Douglas Station
Lake City Way Station
Langara – 49th Avenue Station
Langford Exchange
Langley Centre Exchange
Lansdowne Exchange
Lansdowne Station
Legislature Exchange
Lincoln Station
Lonsdale Quay Exchange
Lougheed Town Centre Station
Main Street – Science World Station
Maple Meadows Station
Marine Drive Station
Metrotown Station
Mission City Station
Moody Centre Station
Mount Pleasant Station
Nanaimo Station
New Westminster Station
Newton Exchange
North Shore Exchange
Oak – VGH Station
Oakridge – 41st Avenue Station
Okanagan College Exchange
Olympic Village Station
Orchard Park Exchange

Patterson Station
Peachtree Square Exchange
Penticton Plaza Exchange
Phibbs Exchange
Pitt Meadows Station
Port Coquitlam Station
Port Haney Station
Production Way – University Station
Renfrew Station
Richmond – Brighthouse Station
Royal Oak Exchange
Royal Oak Station
Rupert Station
Rutland Exchange
Sapperton Station
Scott Road Station
Scottsdale Exchange
South Granville Station
Sperling – Burnaby Lake Station
Stadium – Chinatown Station
Surrey Central Station
TRU Exchange
UNBC Exchange
Uptown Exchange
UVic Exchange
Vancouver City Centre Station
VCC – Clark Station
VGH Exchange
Village Green Centre Exchange
VIU Exchange
Waterfront Station
Woodgrove Exchange
Yaletown – Roundhouse Station

Attachment 3: Distances, Transit Stations and Densities by Category

Municipality	Transit Hub Type	Prescribed Distance	Minimum Allowable Density (FAR)	Minimum Allowable Height (Storeys)
Burnaby	Sky Train/ Canada Line (Rapid Transit Stop)	200m or less	Up to 5.0	Up to 20
Delta				
Coquitlam				
Langley (City + Township)		200m – 400m	Up to 4.0	Up to 12
Maple Ridge				
North Vancouver (City + District)	Prescribed Bus Exchange or West Coast Express Station	400m – 800m	Up to 3.0	Up to 8
New Westminster				
Pitt Meadows				
Port Coquitlam		200m or less	Up to 4.0	Up to 12
Port Moody				
Richmond				
Surrey				
Vancouver		200m – 400m	Up to 3.0	Up to 8
Abbotsford				
Chilliwack				
Colwood	Prescribed Bus Exchange	200m or less	Up to 3.5	Up to 10
Kamloops				
Kelowna				
Langford				
Mission				
Nanaimo				
Prince George		200m – 400m	Up to 2.5	Up to 6
Saanich District				
Vernon				
Victoria				
View Royal				

From: Anitra Winje - Corporate Officer <corporate@rdkb.com>
Sent: December 14, 2023 1:58 PM
To: finance.greenwoodcity@shaw.ca; Gerry Shaw
Subject: RDKB Bylaw No. 1582
Attachments: 1852-Consent-Greenwood.pdf; 1852_IncreaseReqLimit_BoundaryTransit_final.pdf; Staff Report - Boundary Transit 950 - 2024 requisition increases - Dec 2023.pdf

Hello Rhonda and Director Shaw,

Attached please find a letter and attached documents regarding proposed RDKB Bylaw No. 1852 (Regional District of Kootenay Boundary Grand Forks and District Transit Service Establishment Amendment).

We are hoping to obtain a resolution from your council in support of this amendment bylaw.

Kind regards,
Anitra

December 14, 2023

Rhonda Shangraw
Deputy Finance Clerk
City of Greenwood

By email: finance.greenwoodcity@shaw.ca

Dear Ms. Shangraw:

Re: Consent to Adopt "Regional District of Kootenay Boundary Grand Forks and District Transit Service Establishment Amendment Bylaw No. 1852, 2023"

The Regional District of Kootenay Boundary will be taking the above-noted bylaw to a future Board meeting to seek three readings. The purpose of the bylaw is to increase the requisition for the Grand Forks and District (Boundary) Transit Service.

The requisition was raised by 25% in 2023 from \$50,000 to \$62,500 per Regulation 113/2007. The service has experienced a shortfall over the past number of years; to address this, funding from Interior Health and the service participants has sustained the service.

However, to fund the anticipated annual operating costs of the service, the requisition limit needs to be further raised. As the requisition limit can only be raised by 25% every five years, the RDKB requires consent from participants in the service per section 349(1)(b) of the *Local Government Act*. If that consent is acquired, the RDKB will forward the bylaw to the Inspector of Municipalities for approval so that the Board may then adopt said bylaw.

The RDKB is proposing, through Bylaw 1852, to raise the requisition limit to \$140,000 or \$0.0769/1,000. of net taxable value of land and improvements included in the service area. This amount will cover the anticipated increases in the Five-Year Financial Plan as per the following:

Main

202 – 843 Rossland Avenue
Trail, BC V1R 4S8
T: 250.368.9148
T/F: 1.800.355.7352
F: 250.368.3990

Grand Forks

2140 Central Avenue
Grand Forks, BC V0H 1H0
T: 250.442.2708
T/F: 1.877.520.7352
F: 250.442.2688

rdkb.com



2024 BUDGET	Increase(Decrease) between 2023 BUDGET and 2024 BUDGET		7.97% 2025 BUDGET	5.63% 2026 BUDGET	3.70% 2027 BUDGET	2.95% 2028 BUDGET
	\$	%				
101,750	39,956	64.66	113,476	122,412	128,614	133,754

The Ministry of Municipal Affairs has confirmed that the requisition limit can be raised with the consent of the majority of service participants (City of Grand Forks, City of Greenwood, Electoral Area D and Electoral Area E).

For more detailed information, please refer to the staff report attached to this letter. Also attached is the draft bylaw.

The RDKB is seeking consent by way of a resolution from your council to support this requisition.

Sincerely,



Anitra Winje
Corporate Officer

Attachments:

1. Draft Bylaw No. 1852
2. Staff Report dated November 29, 2023

pc: Director Gerry Shaw

Date

Addressee Name



Bylaw No. 1852

A Bylaw of the Regional District of Kootenay Boundary, in the Province of British Columbia, to increase the requisition limit of the Grand Forks and District Transit Service

WHEREAS the Regional District of Kootenay Boundary has, by Bylaw No. 672, 1991, established the Grand Forks and District Transit Service Local Service;

AND WHEREAS pursuant to section 349 of the *Local Government Act*, a Board, may, by bylaw, and in accordance with the requirements applicable to the adoption of the bylaw that it amends or repeals, amend a service establishment bylaw;

AND WHEREAS the Board wishes to amend Bylaw No. 672 to increase the maximum annual requisition for the service;

AND WHEREAS the Board has obtained the approval of the electors in the participating area through the alternative approval process, in accordance with section 349(1) of the *Local Government Act*;

NOW THEREFORE BE IT RESOLVED that the Regional District of Kootenay Boundary Board of Directors, in open meeting assembled, hereby enacts as follows:

1. AMENDMENT:

Section 2 (Maximum Annual Requisition) of Bylaw No. 672 is hereby repealed and replaced with the following:

The maximum amount of money that be requisitioned annually for the service shall not exceed \$140,000.00 (one hundred and forty thousand dollars) or \$0.0769/1,000. of net taxable value of land and improvements included in the service area.

2. CITATION:

This Bylaw may be cited as "Regional District of Kootenay Boundary Grand Forks and District Transit Service Local Service Establishment Amendment Bylaw No. 1852, 2023."

Read a First and Second Time this _____ day of _____ 2023.

Read a Third Time this _____ day of _____ 2023.

I, Anitra Winje, Manager of Corporate Administration/Corporate Officer of the Regional District of Kootenay Boundary, hereby certify the foregoing to be a true and correct copy of Bylaw No. 1852 cited as "Regional District of Kootenay Boundary Grand Forks and District Transit Service Local Service Establishment Amendment Bylaw No. 1852, 2023" as read a Third time this day of , 2023.

Manager of Corporate Administration

Approved by the Inspector of Municipalities this day of 2023.

Reconsidered and Adopted this day of 2023.

Chair

Manager of Corporate Administration

I, Anitra Winje, Manager of Corporate Administration/Corporate Officer the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1852 cited as "Regional District of Kootenay Boundary Grand Forks and District Transit Service Local Service Establishment Amendment Bylaw No. 1852, 2023"

as ADOPTED this day of 2023.

Manager of Corporate Administration



**Regional District of
Kootenay Boundary**

STAFF REPORT

Date: November 29 2023
To: Chair McGregor and Boundary Services
Committee
From: J.Chandler, General Manager
Operations/Deputy CAO
Re: Boundary Transit 950 – 2024 Budget
Requisition increase

File

Issue Introduction

The purpose of this report is to provide an overview of the 2024 budget for the Boundary Transit Service (950) and seek support to increase the requisition limit.

History/Background Factors

The RDKB service requisition limits can be raised by 25% every five years. The RDKB raised the requisition in 2023 from \$50,000 to \$62,500.

A shortfall in the taxable requisition in past years, has been funded by separate grants from each member participant of the service and additional Interior Health Authority funding.

To ensure long term security of the service, the RDKB have proposed an amendment to the service bylaw with consent from the Province, to raise the requisition limit once more. This approach has been in the 2023 work plan, with the goal to ensure that adequate funds can be raised in 2024, through taxation to match the anticipated annual operating costs of the service.

The Province, in review of the proposed service bylaw changes, confirmed that the requisition limit can be raised with the consent of the majority of participants, those being the City of Grand Forks, City of Greenwood, Rural Area 'D' and specified service area of Rural Area 'E'.

Implications

This report is not presented to review directly the budget expenditure for 2024, as at this time year end costs are outstanding with BC Transit. However, the budget is included with this report for summary information.

The current budget proposed a tax requisition of \$100,776 for 2024. This is an increase from \$61,793 in 2023. It is important to note that in 2023 additional funds were provided from all participants, totaling an additional \$34,916.

Budget Summary

The table below shows the cost distribution of the participants in total from 2023, with the differential funds currently anticipated for 2024.

	2023 Requisition	2023 grant	2023 total contribution	2024 Requisition	2023 to 2024 total cost increase
City of Grand Forks	\$29,099	\$16,344	\$45,443	\$47,455	\$2,012
City of Greenwood	\$3,618	\$2,141	\$5,759	\$5,901	\$142
Area D	\$23,253	\$13,085	\$36,338	\$37,922	\$1,584
Area E	\$5,823	\$3,346	\$9,169	\$9,497	\$328
Totals	\$61,793	\$34,916	\$96,709	\$100,775	\$4,066

Next Steps

Staff are seeking formal agreement from each participant of the service as listed above, for their approval to raise the requisition 'limit' (The upper permissible tax requisition threshold). The intent will be to raise the limit capacity to ensure there will be adequate capacity funding for the 5 year financial plan.

Agreement to increase the requisition limit is not an agreement to the 2024 budget and financial plan, which will continue to be reviewed in detail from January 2024 through the normal process.

Advancement of Strategic Planning Goals

We will review and measure service performance and we will continue to focus on good management and governance.

Background Information Provided

- Draft 2024-2028 Boundary Transit Service (950) proposed Five Year Financial Plan


Alternatives

1. Support the formal request to each participant to address the required requisition limit increases for 2024 to 2028.
2. Do not support the formal request to each participant to address the required requisition limit increases for 2024 to 2028.
3. Provide alternate direction to staff.

Recommendation(s)

That the Boundary Services Committee approve staff to prepare formal letters and requests be sent to each participant of the Boundary Transit Service, for their approval and consent to raise the requisition limit to align with the costs presented in the 2024-2028 5 year financial plan;

Further that the response and agreements are provided to the RDKB for the January 2024 Boundary Services Committee meeting, scheduled for 10th January 2024.

	POLICY TITLE: Public Works Report	POLICY NO:
	AUTHORITY: Mayor and Council	CLASSIFICATION:
	EFFECTIVE DATE: January 8, 2024	MOTION:
	SUPERSEDES: N/A	

Public Works Report Sept/23-Jan/24

Complete the final service installs for the new washroom
 Complete the concrete pad outside the new washroom
 Perform the non compliance issues at the wastewater treatment plant that were noted in the inspection
 Repaired the sewer line issue on Copper Ave
 Ongoing tree pruning in town
 Monthly dam inspections
 Assisted with community events/Halloween, Christmas
 Addressing daily sewer and water complaints/ turn off and on
 Clean up of Emcon building/ carpentry work for new ambulance bay (office and entrance)
 Help with new door at Emcon building
 Help contractors on replacement of Community Hall roof
 Re-deck Louisa St bridge
 General clean up of material at public works shop and wastewater treatment plant
 Help with the installation of the new furnaces at the Firehall and the Health Centre
 Haul effluent bags from the wastewater treatment plant
 Clean and haul the material from the filtration ponds
 Clean the chlorine contact chamber at the wastewater treatment plant
 Measured and ordered walkway material for wastewater treatment plant
 Sidewalk concrete repair
 New water and sewer service 656 N. Kimberley Ave
 Repair a watermain leak at 455 N Gov't Ave
 Finalize scheduling for #3 lift station rebuild
 Receive and store new garbage cans
 Winterize campsite, assay building and parks
 Winterize irrigation lines
 Remove downtown garbage cans and store for winter
 Help with the install of heat tape for Community Hall roof and downspout
 Worked with Interior Heath on water infrastructure upgrades and other water system issues
 Clean fats and grease out of #1 sewer lift station
 Research road sign policies
 Replace wood trim in Board of Trade room
 Measure and order broken window glass for City Hall
 Daily sewer and water rounds/ snow plowing and sanding
 Daily maintenance of vehicles

City of Greenwood
Cheque Register-Summary-Bank



AP5090

Date : Jan 04, 2024

Page : 1

Time : 9:03 am

Supplier : HERIT To ZWARN
Cheque Dt. : 08-Dec-2023 To 04-Jan-2024
Bank : 01 - General Bank To 999 - Penny Rounding Suspense

Seq : Cheque No. Status : All
Medium : C=Computer E=EFT-PAP T=EFT-

Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
6122	18-Dec-2023	BLACK001	BLACK PRESS	Issued	249	C	301.02
6123	18-Dec-2023	CHARV001	CHARTIER, VANESSA DAWN	Issued	249	C	640.00
6124	18-Dec-2023	HUISC001	HUISMAN, CLINTON JOSEPH	Issued	249	C	3,151.27
6125	18-Dec-2023	IDRS	IDRS	Issued	249	C	876.85
6126	18-Dec-2023	ISL	ISL ENGINEERING AND LAND SERVICES LTD.	Issued	249	C	43,380.54
6127	18-Dec-2023	JAMSEXT	SEXTON, JAMES DANIEL	Issued	249	C	3,500.00
6128	18-Dec-2023	PETTCS	CITY OF GREENWOOD	Issued	249	C	174.35
6129	18-Dec-2023	SHADCR	SHADOW CREEK PROPERTIES LTD.	Issued	249	C	1,320.38
6130	18-Dec-2023	TANTA001	TANTAWY, ANWAR	Issued	249	C	3,333.36
6131	18-Dec-2023	DUNDIGI	DUNHAM DIGITAL	Issued	251	C	201.60
00591-0001	18-Dec-2023	CANAD003	CANADA REVENUE AGENCY	Issued	248	E	7,760.89
00591-0002	18-Dec-2023	COLLVISA	COLLABRIA HERITAGE CREDIT UNION	Issued	248	E	5,784.24
00591-0003	18-Dec-2023	MANULIFE	MANULIFE FINANCIAL	Issued	248	E	3,027.95
00591-0004	18-Dec-2023	MUNIP	MUNICIPAL PENSION PLAN	Issued	248	E	3,175.73
00591-0005	18-Dec-2023	SHAW001	SHAW CABLE	Issued	248	E	202.94
00591-0006	18-Dec-2023	TELUS 003	TELUS	Issued	248	E	108.17
00592-0001	19-Dec-2023	SHAW001	SHAW CABLE	Issued	255	E	102.34
Total Computer Paid :		56,879.37	Total EFT PAP :	20,162.26	Total Paid :		77,041.63
Total Manually Paid :		0.00	Total EFT File :	0.00			

17 Total No. Of Cheque(s) ...



WEST BOUNDARY SUSTAINABLE FOODS AND RESOURCES SOCIETY

January 3, 2024

The board members of the West Boundary Sustainable Foods and Resources Society are requesting use of the kitchen at the baseball diamond for two and hopefully three days (January 9th, 10th, and 11th) to make chicken pot pies for our less fortunate neighbours.

For several years now a group of us have been preparing fresh vegetables and coleslaw to share among our neighbours with limited finances and resources.

We recently received a grant from the Regional District enabling us to buy chickens and all the ingredients to be able to make meat pies. We are intending to give them out to all the clients at the food banks in the west boundary.

Our intention is to set up in the kitchen on Tuesday and bring people for Wednesday and Thursday.

We want to thank you in advance for making the kitchen available to us'

Sincerely

Cathy Straume

Secretary of the West Boundary Sustainable Foods and Resources Society

MEMORANDUM TO COUNCIL

To: Mayor and Council

Date: January 3, 2024

From: Brooke McCourt

Date to Council: January 8, 2024

Subject: Responsible Conduct Guiding Principles Policy – The City of Greenwood

Rationale

The purpose of this report is to give Council the opportunity to discuss what they are wanting to add or amend to the Responsible Conduct Guiding Principles Policy.

Options

1. Council may choose to have changes made to the Responsible Conduct Guiding Principles Policy and have a drafted copy for Council to review on the next scheduled Regular Council Meeting.
2. Council may choose to refer the issue back to staff for additional information.
3. Council may choose not to support the recommendation.

Recommendations

That Council motions to have the City of Greenwood's Responsible Conduct Guiding Principles Policy reviewed and make recommendations of Councils final decision on what to have under *Section 16. Compliance and Enforcement*.

Background

I have researched surrounding municipality's Council Code of Conducts and within my findings I noticed that most Code of Conducts are very similar in how they are put forward. Some have specific terms and policies set out for that specific area or municipality. The City of Greenwood's Code of Conduct is a considerably more detailed Policy outlining descriptions for topics such as Integrity, Accountability and Compliance and Enforcement.

During the last COTW Meeting held on December 4, 2023 Council had discussed reviewing *Section 16 Compliance and Enforcement* of the Responsible Conduct Guiding Principles Policy. Council discussed giving the opportunity to change the said behavior as well as a way of supporting the Council member differently other than taking Committee Appointments away. Also looking into getting the member HR Training instead of penalizing the Council member who has breached the Policy.

Referencing the attached examples of different municipality's Code of Conduct I have found that most municipality's have under the Compliance and Enforcement sections, a straight forward and broad statement *that City Council may impose sanctions on a member whose conduct does not comply with this Code, including but not limited to a motion of censure.*

I did not come across anything that has correspondence under the Compliance and Enforcement Section regarding a different way of supporting the members without penalizing but getting the said Council member HR Training. I did however come across a great corresponding document with information on Responsible conduct from UBCM/ LGMA, I would advise all Council to please read through and look at Page 25 that state the advantages of Code of Conduct Enforcement.

Attachments

Attachment 1: RDKB – Responsible Conduct Guiding Principles Policy
Village of Midway – Responsible Conduct Guiding Principles Policy
City of Grand Forks – Council Code of Conduct
City of Prince George – Council Code of Conduct
Chapter 4 – Forging the Path to Responsible Conduct in your Local Government
City of Greenwood – Council Code of Conduct Information



Responsible Conduct Guiding Principles Policy

Policy:

The Regional District of Kootenay Boundary (RDKB) is committed to fostering and achieving high standards of responsible conduct by all RDKB elected and appointed officials.

Definitions:

- Official – any elected or appointed official of the RDKB.
- Staff – an employee or contract employee of the RDKB.

Purpose:

1. To guide the conduct and set minimum standards as the basis for responsible behavior expected of RDKB officials in fulfilling their roles and responsibilities while providing good governance for decision-making and service delivery.
2. To address some of the ethical issues facing many local governments today, including but not limited to:

Bias: When matters of personal interest include matters dealing with family, friends or business partners and associates.

Breach of Trust: Any act by an official which is in violation of the duties entrusted to them.

Bullying and Harassment: In accordance with the RDKB Anti-Bullying and Harassment Policy and relevant legislation.

Confidential Information: Such as information received at a closed meeting or marked "confidential."

Conflict of Interest: when an official has a direct or indirect pecuniary interest in a matter under consideration.

Gifts: Such as when a gift or benefit that is connected to an official's performance is accepted.

Inside Influence: When an official uses his or her office to attempt to influence a decision of the Board of Directors.

Outside Influence: When an official uses his or her office in an attempt to influence a decision of any other person or body (e.g. outside the Board of Directors).

Role Misunderstanding: A misunderstanding between the Board and staff in as to who completes work assignments.

Key Principles:

Integrity:

Demonstrating strong ethical principles

- Be truthful, honest and open in all dealings
- Uphold public interest, serving citizens diligently to make decisions in the best interests of the community.
- Ensure alignment between stated values and actions, including following through on commitments, engaging in positive communication with the community and correcting errors in a timely transparent manner.

Accountability:

An obligation and willingness to accept responsibility or to account for one's actions

- Officials will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective committee or board.
- Officials will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions, while protecting confidentiality where appropriate or necessary.
- Listen to and consider the opinions and needs of the community in all decision-making and allow for discourse and feedback.
- The Board shall practice joint accountability where the Chair and Directors are responsible to ensure that everyone is following the Code of Conduct and to call a Point of Order when necessary. Should a Director not feel comfortable calling a Point of Order, the Director may advise the Chair of his/her concerns as soon as possible after the meeting.

Respect:

Having due regard for others' perspectives, wishes, and rights. Displaying deference (respectful of both tradition and legacy enshrined in *Local Government Act* positions as well as their intended functions) to local government offices and officers and the role of local government in community decision making. All officials shall:

- Treat every person, including other officials, staff and the public, with dignity, understanding and respect.
- Honour people's values, perspectives, beliefs, ideas, roles, responsibilities, contributions and needs. (added "responsibilities" and "perspectives")
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- Not engage in behaviour that is indecent, insulting or abusive. This behaviour includes verbal slurs such as racist remarks, unwanted physical contact, or other aggressive actions that are harmful or threatening.

- Call for and expect respect from the community towards officials and staff, and their roles and responsibilities within the local government system.

Leadership and Collaboration:

An ability to lead, listen to, and positively influence others while coming together to create or meet a common goal through collective efforts.

- Demonstrate behavior that builds and inspires public trust and confidence in local government.
- Calmly face challenges and provide considered direction on issues while empowering colleagues and staff to do the same.
- Officials will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other officials and staff to provide their perspectives on relevant issues.
- Accept that it is the equal responsibility of the individual official, the Board/committee/commission as a collective, the community and stakeholders to work together to achieve common goals.
- Be an active participant in ensuring the foundational principles are followed in all local government dealings, whether it be officials, with staff, with community members, with other orders of government, in Board/committee/commission decision making, and in the delivery of services and other activities of the local government.
- Officials will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

Procedure: Application of a Code of Conduct (attached)

Statement:

As an Official or as an appointed Alternate Director for the Regional District of Kootenay Boundary, I agree to uphold the Guiding Principles for Responsible Conduct Policy as a standard of behavior and as adopted by the Regional District of Kootenay Boundary Board of Directors.

I affirm that I have read and I understand the Regional District of Kootenay Boundary Guiding Principles for Responsible Conduct Policy.

Signature

Print Name

Manager of Corporate Administration/Corporate Officer

Date

Policy Procedure: Application of Code of Conduct

Code of Conduct:

1. Act in the Public Interest

- 1.1 Recognizing that the Regional District strives to maintain and enhance the quality of life for all RDKB residents through professional, effective, responsive and responsible governance, officials will conduct RDKB business with integrity in a fair, honest and open manner.

2. Comply with the Law

- 2.1 Officials shall comply with all applicable federal, provincial and local laws in the performance of their public duties.

3. General Conduct

- 3.1 The conduct of officials in the performance of their duties and responsibilities with the RDKB must be reasonable, fair, open and honest.
- 3.2 Officials will have an obligation to consider issues consistently and impartially.
- 3.3 All officials will treat one another, RDKB staff and the public with dignity and respect. They must also refrain from behavior that is an abuse of power or otherwise amounts to discrimination, harassment, personal threats, intimidating or demeaning behaviour, or verbal attacks upon the character, professionalism or motives of others.
- 3.4 When making decisions, officials must consider all relevant facts, opinions and analysis of which they should be reasonably aware.

4. Respect for Process

- 4.1 All duties must be performed in accordance with the procedures and rules of order established by RDKB bylaws and policies, which govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Regional District by Regional District staff. Members of committees shall be aware of the mandate of their respective committee and act in accordance with it.

5. Conduct of Public Meetings

- 5.1 Officials shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. During meetings, cell phones should be turned off or kept on silent or vibrate. Meeting attendees shall not interrupt other speakers, make personal comments or comments not relevant to the business of the meeting, or otherwise disturb a meeting.

6. Communication, Interactions with Public and Media

- 6.1 Officials will accurately communicate the decisions of the Board, even if they disagree with the majority decision of the Board and will refrain from making disparaging comments about other officials or the Board's decision itself.

- 6.2 Officials shall publicly share substantive information that is relevant to a matter under consideration by the Board of Directors or Board Committee, which they may have received from sources outside of the public decision-making process.
- 6.3 Officials will comply with the Board Communication Protocol policy or be subject to the Code of Conduct policy.

7. Email Best Practices

- 7.1 The RDKB strives to convey a professional image of the organization at all times, and will work to ensure that all forms of communication from the RDKB meet specific standards of professionalism, graphic standards, plain language and other best practices in organizational communication.
- 7.2 RDKB elected officials will attempt to use email best practices as set out in this document when communicating with customers, clients, or any third party on behalf of the organization via email.
- 7.3 RDKB elected officials are expected to ensure that all electronic communications relating to Regional District business are consistently professional.
- 7.4 Proof-read emails before sending. Use a spell-checker and grammar-checker to ensure that the message is free of mechanical and grammatical errors. In the case of very important emails, consider having a colleague proofread a draft before the email is sent. Poor writing can tarnish the RDKB's reputation and credibility.
- 7.5 Ensure the accuracy of email content. Consult the appropriate authoritative source to verify that what you are writing is correct before you hit "send."
- 7.6 Use appropriate language and a professional tone in email messages. It is often very difficult to determine when a person is using humour, sarcasm, or irony in an email. Please note that emails that include humour, sarcasm or irony may be misunderstood and should be avoided.
- 7.7 Avoid using all capital letters. Messages typed in ALL CAPITALS are the email equivalent of yelling, and may be taken as offensive.
- 7.8 Keep messages short, simple, clear and concise.
- 7.9 Remember that when you send an email, that email becomes part of a permanent electronic record. Whatever is written in your email, including content and form, will be on the record until deleted.
- 7.10 While it is common to use short-hand for personal notes, it is unacceptable for business communication. Standard abbreviations (including: e.g., Mrs., Mr., etc.) will continue to be acceptable, however, the use of excessive or colloquial abbreviations (LOL, ROFL, TTYL, BRB, etc.) is unacceptable.
- 7.11 Ensure that all messages are sent only to the intended recipients. Avoid sending messages to parties that are not directly affected by the contents of the message.
- 7.12 Ensure that all messages include a completed, appropriate and accurate subject line and a signature.
- 7.13 Emails that contain financial information (quotes, costs, etc.) must be checked for accuracy.
- 7.14 Under no circumstances should Regional District of Kootenay Boundary confidential business information be sent out to any third party using email

without prior written authorization from the Regional District of Kootenay Boundary.

7.15 Archive all messages that are older than 3 months.

7.16 Outgoing emails shall include a signature block indicating the sender's name, title and contact information and follow RDKB graphic standards. The sender shall be responsible for ensuring that paper copies of email strings are kept where circumstances warrant.

8. Decisions Based on Merit

8.1 Officials shall base their decisions on merits and substance of a matter at hand, rather than on unrelated circumstances.

9. Conflict of Interest

9.1 All officials shall be aware of their responsibilities under the *Local Government Act* and shall fulfill the requirements of conflict of interest provisions set out in the *Community Charter*. It is expected officials will make decisions that benefit the community. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or business interests.

9.2 All officials must fully disclose to the Board Chair and Chief Administrative Officer any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.

9.3 Any conflict or incompatibility between personal interests and the impartial performance of public or professional duties must be resolved appropriately and in accordance with statutory requirements.

9.5 Confidential information gained through official positions must not be used for securing a private benefit for the official and or anyone else.

9.6 Officials must not expect or request preferential treatment for themselves or their family because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

10. Gifts and Personal Benefits/Favours

10.1 Officials must not, directly or indirectly accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the RDKB and never accept a gift of cash. Officials must ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to challenge this policy or to influence or secure a favour from the local government.

11. Confidential Information

11.1 All officials shall be aware of their responsibilities under the *Local Government Act* (the application of the *Community Charter*) which sets out legislation and requirements with respect to Duty to Respect Confidentiality and which all officials shall fulfill. Any collection, use and disclosure of personal and or private business information must be managed in accordance with the *Freedom of Information and Protection of Privacy Act* and for the purpose for which it is intended to be used.

- 11.2 Officials shall respect the confidentiality of information concerning property, personnel or legal affairs of the RDKB and of information provided by a third party to the RDKB on a confidential basis. The confidentiality of information concerning property, personnel, RDKB legal affairs or information provided by a third party to the RDKB on a confidential basis must be respected and must not be disclosed without authorization, nor used to advance personal, financial or other private interests.
- 11.3 Officials shall not disclose or release to anyone, confidential information acquired by virtue of their office in either oral, electronic or written form except when required by law or authorized by the Board to do so.
- 11.4 The deliberations and decisions made in a closed meeting must not be released to the public until the Board approves, by resolution, that this information be released to the public.
- 11.5 Except in the normal course of duties, officials must not in any way change or alter RDKB records or documents.

12. Use of Public Resources

- 12.1 Officials are not entitled to use public resources, which are not available to the overall public such as equipment, supplies or facilities or other private property other than for the discharge of their duly authorized duties dealing with the RDKB business and in no case for private or personal gain, convenience or profit.

13. Political Activity

- 13.1 Officials must not undertake campaign related activities on RDKB property and must not use any RDKB property for campaign work including RDKB photocopiers, computers, and email lists etc.

14. Interactions with Officials, Staff and Advisory Bodies

- 14.1 All officials must act in accordance with the Board's Procedure Bylaw and the conduct guidelines outlined in this document.
- 14.2 Officials must not direct or influence, or attempt to direct or influence any staff or advisory body member in the exercise of their duties or functions and are not to contact or issue instructions to any of the Regional District's contractors, tenderers, consultants or other service providers.
- 14.3 Officials must not make public statements attacking or reflecting negatively on Regional District staff or invoke staff matters for political purposes.

15. Implementation

- 15.1 The Regional District's Guiding Principles for Responsible Conduct Policy and the Code of Conduct procedure will be provided to candidates running in RDKB elections for Electoral Area Director. Candidates elected to the RDKB Board of Directors or individuals appointed to the RDKB Board as municipal Directors and those appointed as Alternate Directors, as well as individuals appointed to other RDKB bodies, committees and commissions will be required to sign the Policy affirming they have read and understand the Regional District's Responsible Conduct Guiding Principles Policy. The Policy and Code of Conduct procedure will be reviewed at orientation sessions for new and returning officials following each election or by-election.

16. Compliance and Enforcement

16.1 All officials are to abide by the requirements of the *Local Government Act*, *Community Charter* and the Guiding Principles for Responsible Conduct Policy and shall endeavor to resolve disputes in good faith recognizing that interpersonal malice and rancor do not facilitate good governance.

16.2 Directors

a) Stage 1:

Alleged breaches of this Code of Conduct by elected officials shall be reported in writing to the Board Chair within 14 days of the alleged breach. The Board Chair or Vice Chair shall then conduct an informal, preliminary investigation into the breach and speak to the parties involved with a goal of resolving the issue informally between the parties, with email confirmation from the parties that a meeting of the parties occurred.

- i. The Board Chair or Vice Chair may call upon senior staff to be present at the meeting with the parties involved but only in an advisory and/or support role so as to keep staff at arm's length.

b) Stage 2:

If it is determined that the elected official has breached the Code of Conduct, and the issue was not able to be resolved informally under the process identified in Section 16.2 above, the Board Chair will then address the Board at an *in camera* (closed) meeting to take one or more of the following actions:

- Letter of apology
- Mandatory education, training, coaching or counselling
- Reorientation to the policy and its purpose
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)
- Written pledge promising to comply

16.4 Board Chair

Stage 1:

Alleged breaches of this Code of Conduct by the Board Chair shall be reported in writing to the Board Vice Chair within 14 days of the alleged breach. The Board Vice Chair shall then conduct an informal, preliminary investigation into the breach and speak to the parties involved with a goal of resolving the issue informally between the parties, with email confirmation from the parties that a meeting of the parties occurred.

i.) The Vice Chair may call upon senior staff to be present at the meeting with the parties involved but only in an advisory and/or support role so as to keep staff at arm's length.

16.5 Stage 2:

If it is determined that the Board Chair has breached the Code of Conduct, and the issue was not able to be resolved informally under the process identified in Section 16.4 above, the Board Vice Chair will then address the Board at an *in camera* (closed) meeting to take one or more of the following actions:

- Letter of apology
- Mandatory education, training, coaching or counselling
- Reorientation to the policy and its purpose
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)
- Written pledge promising to comply

16.6 The Corporate Officer shall receive and retain all reports and other written and electronic records relating to an alleged breach of the Code of Conduct.

17. Impact on Board Decisions

17.1 A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a RDKB decision.

Review Schedule:

Original Approval Date	Reviewed by Policy and Personnel Committee	Adopted by Board of Directors
January 31, 2019	May/Sept 2018	
	January 2019	
	March 30/Apr 20/May 25/ July 27/Sept 18, 2022	October 12, 2022

POLICY No. 387

**Responsible Conduct Guiding Principles Policy
(Village of Midway Elected Officials)**

APPROVAL DATE: February 19, 2019

AMENDED DATE: July 15, 2019

AMENDED DATE: August 19, 2019

DATE OF REVIEW:

Policy: The Village of Midway is committed to fostering and achieving high standards of responsible conduct by all Village elected officials.

Purpose: To guide the conduct and set minimum standards as the basis for responsible behavior expected of Village elected officials in fulfilling their roles and responsibilities while providing good governance for decision-making and service delivery.

Key Principles:

Integrity:

Being and demonstrating strong ethical principles.

- Be truthful, honest and open in all dealings.
- Behave in a manner that promotes public confidence in local government, including actively avoiding any perception of conflicts of interest, improper use of office or unethical conduct.
- Uphold public interest, serving citizens diligently to make decisions in the best interests of the community.
- Ensure alignment between stated values and actions, including following through on commitments, engaging in positive communication with the community and correcting errors in a timely transparent manner.

Accountability:

An obligation and willingness to accept responsibility or to account for one's actions.

- Be transparent in how an elected official individually, and a council collectively, conducts business and carries out duties.
- Ensure information is accessible and citizens can view the process, while protecting confidentiality where appropriate or necessary.
- Accept and uphold that the council is collectively accountable for local government decisions and that individual elected officials are responsible and accountable for the decisions they make in fulfilling their roles as council members.
- Listen to and consider the opinions and needs of the community.

Respect:

Having due regard for others' perspective, wishes, and rights. Displaying deference (respectful of both tradition and legacy enshrined in *Community Charter* positions as well as their intended functions) to local government offices and officers and the role of local government in community decision making.

- Treat every person, including other members of council, staff and the public, with dignity, understanding and respect.
- Show consideration at all times for colleagues and staff, including honouring people's values, beliefs, ideas, roles, contributions and needs.
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- Value the role of diverse perspectives and debate in decision-making.
- Act in a way that is respectful of the roles and responsibilities of the offices of Mayor and Councillor.
- In local government considerations and operations, value the distinct roles and responsibilities of local government staff as well as the community and commit to fostering a positive working relationship between staff, the public and elected officials.
- Call for and expect respect from the community towards elected officials and staff, and their roles and responsibilities within the local government system.

Leadership and Collaboration:

An ability to lead, listen to, and positively influence others, coming together to create or meet a common goal through collective efforts.

- Demonstrate behavior that builds and inspires public trust and confidence in local government.
- Calmly face challenges and provide considered direction on issues, while empowering colleagues and staff to do the same.
- Create space for open expression by others, take responsibility for one's own actions and reactions and accept the decisions of the majority.
- Accept that it is the equal responsibility of the individual elected official, the council as a collective, the community and stakeholders to work together to achieve common goals.
- Be an active participant in ensuring the foundational principles are followed in all local government dealings (eg. Including among elected officials, between council members and staff, with community members, with other orders of government, in the decisions of a council, and in the delivery of services and other activities of the local government).

Statement:

As an Elected Official for the Village of Midway, I agree to uphold the Guiding Principles for Responsible Conduct Policy as a standard of behavior and as adopted by the Village of Midway Council.

I affirm that I have read and I understand the Village of Midway Guiding Principles for Responsible Conduct Policy.

Signature

Print Name

Manager of Corporate Administration/Corporate Officer

Date

Policy Procedure: Application of Code of Conduct

Code of Conduct:

1. Act in the Public Interest

- 1.1. Recognizing that the Village of Midway strives to maintain and enhance the quality of life for all Midway residents through professional, effective, responsive and responsible governance, elected representatives will conduct Village business with integrity in a fair, honest and open manner.

2. Comply with the Law

- 2.1. Elected officials shall comply with all applicable federal, provincial and local laws in the performance of their public duties.

3. General Conduct

- 3.1. The conduct of elected officials in the performance of their duties and responsibilities with the Village must be reasonable, fair, open and honest.
- 3.2. Elected officials will have an obligation to consider issues consistently and impartially.
- 3.3. All officials will treat one another, Village staff and the public with dignity and respect. They must also refrain from behavior that is an abuse of power or otherwise amounts to discrimination, harassment, personal threats, intimidating or demeaning behaviour, or verbal attacks upon the character, professionalism or motives of others.
- 3.4. When making decisions, elected officials must consider all relevant facts, opinions and analysis of which they should be reasonably aware.

4. Respect for Process

- 4.1. All duties must be performed in accordance with the procedures and rules of order established by Village of Midway bylaws and policies which govern the deliberation of public policy issues.

5. Conduct of Public Meetings

- 5.1. Elected officials shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. During meetings, cell phones should be turned off or kept on silent or vibrate. Meeting attendees shall not interrupt other speakers, make personal comments or comments not relevant to the business of the meeting, or otherwise disturb a meeting.

6. Communication, Interactions with Public and Media

- 6.1. Elected officials will accurately communicate the decisions of the Council, even if they disagree with the majority decision of the Council and will refrain from making disparaging comments about the other elected or appointed officials or the Council's decision itself.

7. Decisions Bases on Merit

- 7.1. Members shall base their decisions on merit and substance of a matter at hand, rather than on unrelated circumstances.

8. Conflict of Interest

- 8.1. All officials shall be aware of their responsibilities under the *Community Charter* and shall also fulfill the requirements of conflict of interest provisions set out in the *Community Charter*. It is expected officials will make decisions that benefit the community. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or business interests.
- 8.2. Elected officials must fully disclose to the Mayor and Chief Administrative Officer any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.
- 8.3. Any conflict or incompatibility between personal interests and the impartial performance of public or professional duties must be resolved appropriately and in accordance with statutory requirements.
- 8.4. Confidential information gained through official positions must not be used for securing a private benefit for the official and or anyone else.
- 8.5. Elected officials must not expect or request preferential treatment for themselves or their family because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

9. Gifts and Personal Benefits/Favours

- 9.1. Elected officials must not, directly or indirectly accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the Village of Midway and never accept a gift of cash. Officials must ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to challenge this policy or to influence or secure a favour from the local government.

10. Confidential Information

- 10.1. All officials shall be aware of their responsibilities under the *Community Charter* which sets out legislation and requirements with respect to Duty to Respect Confidentiality and which all elected officials shall fulfill. Any collection, use and disclose of personal and or private business information must be managed in accordance with the *Freedom of Information and Protection of Privacy Act* and for the purpose for which it is intended to be used.
- 10.2. The confidentiality of information concerning property, personnel, Village legal affairs or information provided by a third party to the Village on a confidential basis must be respected and must not be disclosed without authorization, nor used to advance personal, financial or other private interests.
- 10.3. Elected officials shall not disclose or release to anyone, confidential information acquired by virtue of their office in either oral, electronic or written form except when required by law or authorized by the Council to do so.

- 10.4. The deliberations and decisions made in a closed meeting must not be released to the public until the Council approves, by resolution, that this information be released to the public.
- 10.5. Except in the normal course of duties, elected officials must not in any way change or alter Village of Midway records or documents.

11. Use of Public Resources

- 11.1. Officials are not entitled to use public resources, which are not available to the overall public such as equipment, supplies or facilities or other private property other than for the discharge of their duly authorized duties dealing with the Village of Midway business and in no case for private or personal gain, convenience or profit.

12. Interactions with Members, Staff and Advisory Boards

- 12.1. All Officials must act in accordance with the Board's Procedure Bylaw and the conduct guidelines outlined in this document.
- 12.2. Elected officials must not direct or influence, or attempt to direct or influence any staff or advisory body member in the exercise of their duties or functions and are not to contact or issue instructions to any of the Village of Midway's contractors, tenderers, consultants or other service providers
- 12.3. Members must not make public statements attacking or reflecting negatively on Village of Midway staff or invoke staff matters for political purposes.

13. Compliance and Enforcement

- 13.1. All officials are to abide by the requirements of the *Community Charter* and the Guiding Principles for Responsible Conduct Policy and shall endeavor to resolve disputes in good faith recognizing that interpersonal malice and rancor do not facilitate good governance.

CITY OF GRAND FORKS		
POLICY TITLE: Council Code of Conduct		POLICY NO: 308
EFFECTIVE DATE: June 27 th , 2016.		SUPERSEDES:
APPROVAL:	Council	PAGE:

POLICY:

Council Members of the City, have an obligation to provide to their residents a fair, ethical, and accountable level of governance, so as to maintain the highest level of integrity in the public eye, for the Municipality they represent. Some of the core values reflected in this Code are honesty, integrity, objectivity, and an expectation that members of Council perform their oath of office to the best of their ability and knowledge. This Code applies to all Members of City Council. ("Members")

PURPOSE:

To establish guidelines for the highest standards of professional and ethical conduct of the Members.

LAWS:

Members shall always be in compliance with all applicable Federal, Provincial, and Municipal laws, while performing their public duties, including but not limited to: the *Local Government Act*, the *Community Charter*, the *Freedom of Information and Protection of Privacy Act*, the *Financial Disclosure Act*, and all applicable City bylaws and policies.

CONDUCT:

Members, while in the performance in their duties with the City, shall always conduct themselves in a professional manner. Members shall refrain from verbal attacks and other disrespectful conduct towards other members of Council, committees, City Staff, and the

Public. Members shall refrain from undermining or criticizing other Members, City Administration and staff, in public or to the media.

MEETINGS:

All meetings of Council shall be conducted in an orderly and respectful manner. Behavior of Members prior to, during, and following a meeting or hearing shall always be courteous, professional, fair, and unbiased towards other Members and City Administration and staff. Members shall be prepared, courteous, and attentive to all discussions, and remain focused on subject matter on hand. Members shall not interrupt other speakers or make inappropriate personal comments, and will refrain from disrespectful conduct, sarcasm, derogatory comments, or questions and comments designed to embarrass or undermine other Members, City Administration and staff, or the Public. Members shall base their decisions on the relevant merits and substance of the subject matter at hand, including input received from the City Administration and staff and the Public.

ROLE OF MEMBERS:

Members shall respect and adhere to the Council - CAO structure of Municipal government as per City protocol practiced in the City. Members shall not contact City staff directly to discuss official municipal business except to the CAO, through the Mayor. Members shall refrain from publicly criticizing individual members of City staff so as not to cast aspersions on their professional competence and credibility. Comments about the performance of City staff shall only be made to the CAO through the Mayor in private correspondence or conversation. Members' request for information from City staff shall be directed to the CAO through the Mayor. If the response constitutes more than a technical clarification, then the response shall be provided to all Members so that all Members have access to the same information.

ADVOCACY:

Members shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Members shall explicitly state they do not represent Council of the City, nor shall they allow the inference that they do.

COMPLIANCE AND ENFORCEMENT:

Members, and or City staff are encouraged to report, in good faith, any known or suspected violation of this Code. No reprisals or threat of reprisals shall be made against such a complainant, or against anyone for providing relevant information in connection with a suspected violation of this Code. As such, any reports in regards to situations of actual or potential non-compliance shall be dealt with, by making prompt and full disclosure in writing to the Mayor. This disclosure should include a detailed description of the actual or potential breach of this Code, including dates, times, locations and any other relevant information. The report shall be reported to Council at a closed meeting, if permitted under the *Community Charter*.

At such time, advisement may be given to the Member in question that their behavior or activity maybe in contravention of this Code and encourage that Member to stop their behavior or activity.

City Council may impose sanctions on a Member whose conduct does not comply with this Code, including but not limited to a motion of censure.

A violation of this Code shall not be considered a basis for challenging the validity of a Council decision.

IMPLEMENTATION:

As an expression of the standards of conduct expected by the City, this Code is intended

to be self-enforcing. This Code becomes most effective when Members are thoroughly familiar with it and embrace its provisions. For this reason, this Code shall be provided as information to candidates for Council. Members elected to Council shall be requested to sign a Member statement affirming they have read and understand this Code, and that they agree to conduct themselves in accordance with it.

Upon adoption of this Code of Conduct, and thereafter at the beginning of each term, Members will be required to sign two copies of the Code (one for the Member and one for Corporate Records) to convey to each other that Members have read, understand and accept it.

SIGNATURES:

Members of Council:

Signature

Date



CITY OF PRINCE GEORGE POLICY

Council Code of Conduct

Approved by Council: December 16, 2013

Purpose and Application:

The residents of the City of Prince George are entitled to have a fair, ethical and accountable municipal Council that has earned the public's full confidence for integrity. The purpose of this Code is to establish guidelines for the ethical and interpersonal conduct of members of Council ("Members").

The public expects a responsive local government with the highest standards of professional conduct from Members elected to it. Honesty, integrity, objectivity, due diligence and accountability are some of the core ethical values reflected in this Code. Members are expected to perform their functions of office faithfully and to the best of their knowledge and ability, in accordance with these core ethical values.

This Code applies to all Members of City Council.

1. Act in the Public Interest

Council shall act in the public interest by conducting its business with integrity, in a fair, honest and open manner.

2. Comply with the Laws

Members shall comply with all applicable federal, provincial, and municipal laws in the performance of their public duties, including but not limited to: the *Local Government Act*, the *Community Charter*, the *Freedom of Information and Protection of Privacy Act*, the *Financial Disclosure Act*, and all applicable City bylaws and policies.



CITY OF PRINCE GEORGE POLICY

3. Conduct of Members

The conduct of members in the performance of their duties and responsibilities with the City must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the City staff or the public.

4. Respect for Process

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the City Council governing the deliberation of public policy issues, involvement of the public, and implementation of policy decisions of the Council by City staff.

5. Conduct of Meetings

Members shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. Members shall not interrupt other speakers, make personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of a meeting.

6. Decisions Based on Merit

Members shall base their decisions on the relevant merits and substance of the matter at hand, including input received from City staff and the public.



CITY OF PRINCE GEORGE POLICY

7. Sharing Substantive Information

Subject to paragraph 10, members shall share with Council substantive information that is relevant to a matter under consideration by the Council, which they may have received from sources outside of the public decision-making process. If a member has a concern regarding whether the information received should be shared, the member shall first consult with the City Manager or Director of Legislative Services.

8. Conflict of Interest

Members shall familiarize themselves and act in accordance with the provisions set out in the conflict of interest sections of the *Community Charter*.

9. Gifts

Members must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of their duties, except in accordance with the provisions of the *Community Charter*.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel, legal affairs, or other information of the City distributed for the purposes of, or considered in, a closed Council meeting. Members shall neither disclose confidential information without proper authorization, nor use such information to advance their own or anyone's personal, financial or other private interests. Without limiting the generality of the foregoing, members shall not disclose Council resolutions or staff report contents from a closed meeting of Council unless and until a Council decision has been made for the information to become public, and shall not disclose detail on Council's closed meeting deliberations or how individual members voted on a question in a closed meeting.



CITY OF PRINCE GEORGE POLICY

11. Use of Public Resources

Members shall not use City public resources such as staff time, equipment, supplies or facilities, for private gain or personal purposes. Specifically, members shall not undertake municipal election campaign related activities at City Hall or on other premises owned by the City during regular working hours, unless such activities are organized by the City (e.g. all-candidate information sessions). Members shall not use City-owned equipment, technology or other property for municipal election campaign work (e.g. photocopiers, computers, etc.).

12. Advocacy

Members shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council or the City, nor shall they allow the inference that they do.

13. Policy Role of Members

Members shall respect and adhere to the Council-City Manager structure of municipal government as practised in the City. In this structure, the Council determines the policies of the City with the advice, information and analysis provided by the City staff and Council committees. Members therefore shall not interfere with the administrative functions of the City or with the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.

14. Positive Work Place Environment

Members shall treat other members, the public and City staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Comments about City staff performance shall only be made to the City Manager through private correspondence or conversation.



CITY OF PRINCE GEORGE POLICY

15. Member Questions/Inquiries to City Staff

Member's requests for information from staff shall be directed to the City Manager, a Director, or the Superintendent of Operations. If the response constitutes more than a technical clarification, then the response shall be provided to all Members so that all members have access to the same information.

16. Implementation

As an expression of the standards of conduct for members expected by the City, this Code is intended to be self-enforcing. This Code therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this Code shall be provided as information to candidates for Council. Members elected to Council shall be requested to sign a member statement affirming they have read and understand this Code, and that they agree to conduct themselves in accordance with it.

17. Compliance and Enforcement

This Code expresses standards of ethical conduct expected for Members of Council. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the City.

The City will not retaliate against Members or City staff who, in good faith, report a known or suspected violation of this Code. No reprisals or threat of reprisals shall be made against such a complainant, or against anyone for providing relevant information in connection with a suspected violation of this Code. Members shall respect the integrity of this Code and the enforcement of it.

City Council may impose sanctions on members whose conduct does not comply with this Code, including but not limited to a motion of censure.



CITY OF PRINCE GEORGE POLICY

To ensure procedural fairness, a member who is accused of violating any provision of this Code shall have a minimum of two weeks, or the time between two consecutive Council meetings, whichever is greater, to prepare his or her response to these allegations. Specifically, before considering a sanction, Council must ensure that a member is provided with:

1. a copy of a written report setting out the alleged breach of this Code, and possible sanctions that may be considered against him or her;
2. a minimum of two weeks, or the time between two consecutive meetings, whichever is greater, to prepare a response against any allegations and possible sanctions; and
3. an opportunity to make representations and be heard by Council.

A violation of this Code shall not be considered a basis for challenging the validity of a Council decision.

CHAPTER 4

Essentials of Code of Conduct Enforcement

When to Consider Enforcement

In most cases local governments find it is worth exerting considerable effort towards informal resolution, and considering enforcement only if those efforts prove unsuccessful. Conduct is often about relationships, and with the collective governance model of local governments, good working relations are critical to good governance. Informal resolution can help to maintain relationships. Enforcement processes – being lengthy, protracted affairs that sometimes pit colleagues against each other – can serve to erode relationships as well as public trust in the process and the local government.

For this reason, local governments generally find informal resolution more effective, and are more satisfied with its outcomes (see Chapter 3, 'Resolving Conduct Issues Informally' for details). If informal resolution is not attainable, local governments may wish to consider enforcement.

A local government can hold its elected officials accountable for their conduct through an enforcement process articulated within its code of conduct, so long as that process is fair. This chapter focuses on characteristics of these code of conduct enforcement processes, and what to consider in their development, but first, it points to enforcement approaches outside of a code of conduct that may be applicable.



Overview of Other Enforcement Approaches

Specific Statutory Processes

Various federal or provincial laws provide specific accountability or enforcement processes for certain conduct matters, for example:

- **Incidents and complaints regarding bullying and harassment of an employee and/or other conduct that affects employees:** Local governments are responsible for the safety of their employees at work. If a complaint relates to matters covered by legislated provisions to address workplace bullying and harassment, the complaint **must** be dealt with in accordance with the *Workers Compensation Act* and Occupational Health and Safety policies established by WorkSafeBC. There may also be other laws, local government policies or employment arrangements that will govern how to respond when an employee indicates they have been subjected to unsafe working conditions or inappropriate behaviour.
- **Application to court for a declaration of disqualification and forfeiture of financial gain for contraventions of conflict of interest and other ethical conduct requirements:** The *Community Charter*, *Local Government Act* and related legislation provide rules for conflicts of interest, inside influence, outside influence, gifts, contracts and insider information. Contraventions result in disqualifications and may result in forfeiture of any financial gain that resulted. Electors or the local government may apply to the Supreme Court for a declaration of disqualification and for an order to forfeit financial gain.

- **Prosecution of an offence:** Some contraventions of legal requirements are offences which may, at the discretion of the provincial Crown Counsel, be prosecuted in court, and convictions may result in fines and/or imprisonment (e.g., unauthorized disclosure of personal information under the *Freedom of Information and Protection of Privacy Act*, and unauthorized disclosure of certain confidential information under the *Community Charter*, *Local Government Act* and related statutes).

LEADING PRACTICE TIPS

This list is not exhaustive. There are numerous other federal or provincial laws that provide enforcement processes (e.g., Court-based prosecutions under the Criminal Code of Canada for contravention of laws related to libel or slander; Human Rights Tribunal determination of discrimination complaints under the BC Human Rights Code). Local governments will want to familiarize themselves with all applicable legislation before initiating a local government enforcement process.

Local Government Process to Decide on a Specific Alleged Conduct Contravention and Impose Related Sanctions

The courts have found that a local government has an ability to control conduct of its members in some circumstances, and local governments have relied on this to impose sanctions for contraventions on a case-by-case basis.

These case-by-case processes are similar to enforcement processes articulated within a code of conduct: both can result in sanctions; both must be undertaken using a high standard of fairness; and both are complex from a legal perspective.

However, an important distinction between them relates to whether the process is established in advance (as it is for processes articulated within a code of conduct), or whether it is developed each time it is needed (as it is for case-by-case processes).

LEADING PRACTICE TIPS

Before getting into a situation where misconduct of a Council or Board member becomes an issue, develop a code of conduct to set standards of conduct, and include within the code the process that will be used to deal with alleged contraventions.

An enforcement process articulated within a code of conduct has several advantages over a case-by-case enforcement process, as illustrated in the graphic, and is strongly recommended.

ADVANTAGES OF CODE OF CONDUCT ENFORCEMENT

ENHANCED CERTAINTY AND TRANSPARENCY IN THE PROCESS

- Everyone understands the process by which officials will be held accountable for their conduct
- Improved public confidence

IMPROVED COMPLIANCE

- Those who are subject to a code may be more likely to comply if there are known consequences for contraventions

ADMINISTRATIVE EFFICIENCIES

- Once the process is developed, using it for a subsequent contravention allegations will eliminate the need to “reinvent the wheel” each time an allegation is made

ENHANCED FAIRNESS

- Consistent use of the same process helps to ensure everyone is treated fairly
- Can help to overcome perceptions of bias in decisions about the process itself

Obtaining Legal, Law Enforcement and Other Advice About Enforcement Processes

Conduct enforcement is a complex and evolving area of law; while this guide is intended to help support local government decision-making in relation to conduct matters, it does not provide legal advice, and it is not a substitute for that advice.

Code of conduct enforcement does not replace other enforcement approaches that may be available or required, such as those described above. As a local government begins to explore what enforcement processes are available for a particular conduct contravention, it may want to consider discussing the matter with their legal advisors and, in some circumstances, with law enforcement or other agencies (e.g., WorkSafe BC for matters in which the conduct affects an employee; Office of the Human Rights Commissioner for matters that may be discriminatory).

Code of conduct enforcement is a complex process and its outcomes can be significant, so it is important for local governments to give considerable thought to how to ensure its process is sound. Articulating an enforcement process within a code of conduct is also a relatively new practice in B.C. and largely untested in the courts, which represents some legal uncertainties. These factors give rise to a critical need to seek legal advice on details of the process as it is being designed and when it is implemented.

This guide should not be used as a template for designing a code enforcement process, because some elements (e.g., what is an appropriate standard of fairness; what would comply with open and closed meeting rules; how to ensure that informal processes do not jeopardize a subsequent enforcement process; what complaints can be dismissed; what sanctions may be imposed) can vary considerably depending on specific circumstances. The considerations and current practice set out in the guide are intended to support a local government's initial thinking about these processes and as a starting point for it to have an informed discussion with its legal advisors about how to design an enforcement process that will meet its unique circumstances and needs.

Code of Conduct Enforcement: Overarching Considerations

Ensuring a Fair Process

Code of conduct enforcement processes have two stages: determining if there has been a contravention (e.g., taking complaints; conducting investigations; making determinations), and if so, making decisions on what, if any, sanctions to impose (e.g., recommendations from investigation and/or a Council/Board decision on sanctions). Fair process in both of these stages is critical.

A local government is obligated to ensure its decision processes are fair, particularly where the decision affects the interests of a specific individual.

Given the significance of these processes to elected officials, local governments need to consider how they can meet a high standard of fairness, including finding ways to ensure throughout the process that:

- The person affected by a decision is able to participate in the process before the decision is made (e.g., is notified of allegations, findings and recommendations and provided all documents and information that will be relied on by decision-makers, is provided with an opportunity to respond and sufficient time to prepare, and is given an opportunity to be represented by legal counsel at the appropriate stage);
- The decision-makers are open-minded (i.e., they have neither a conflict of interest nor a predetermined bias); and
- The decision is based on relevant evidence and, where applicable, the justification for the decision is given to the person(s) affected by it.

LEADING PRACTICE TIPS

Build timelines into the various steps of your enforcement process. This will enhance fairness, and can avoid eroding relationships further as the process drags on.

Build an informal resolution component into your code of conduct enforcement process.

Consider carefully managing the extent to which staff are involved in enforcement processes. Given the nature of these processes, critical staff-elected official working relationships can be significantly affected.

Consider specifically referring to legislated confidentiality requirements in your code of conduct, so members know how they will be held accountable for contraventions of those provisions.

Ensuring the Investigator has Sufficient Independence, Expertise and Authority

It can be extremely challenging to ensure the person conducting an investigation is free from bias or the perception of bias when investigating a colleague (i.e., where a Council/Board or one of its committees is investigating the conduct of a Council/Board member) or when there is an employer/employee relationship (e.g., where a CAO is investigating the conduct of a Council or Board member).

In order to remove this perception of bias, improve fairness, and enhance public trust in the process, investigations are most often assigned to an independent third party.

Balancing Transparency and Confidentiality

Local government legislation provides rules around what must be dealt with in open meetings, and what may or must be dealt with in closed meetings. The *Freedom of Information and Protection of Privacy Act* provide rights of access to certain records, as well as a requirement to protect personal information. A local government will need to ensure compliance with these laws as it develops and implements its enforcement processes.

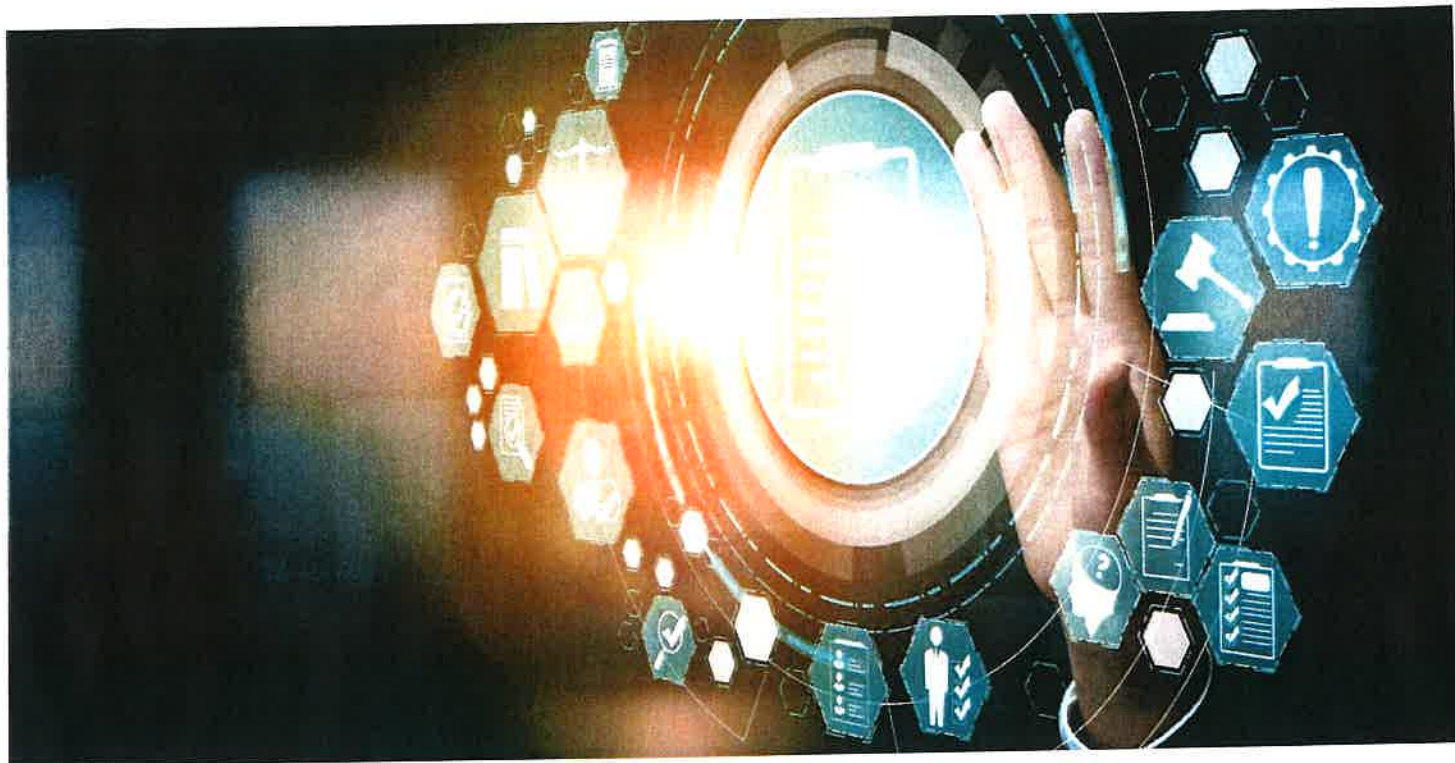
Within these legislated parameters, there may be some discretion for local governments to make choices about whether to conduct some parts of the enforcement process in open or not. Where there is sufficient discretion, local governments may wish to consider where confidentiality is needed to support a fair process, where transparency is needed to enhance public confidence in the process, and how to balance these two objectives in each step of the process and overall.

For example, to protect the privacy of the individuals involved and ensure investigations are free from bias, most local governments maintain confidentiality throughout the complaint and investigation processes (e.g., notifying only those involved and requiring them to maintain confidentiality). Once the investigation is complete, and if it finds there was a contravention, the balance can sometimes shift towards transparency by providing for consideration of, and decisions on, investigators' reports and sanctions in an open Council or Board meeting. This is typically because the legislation requires this (i.e., the subject matter does not meet the criteria for discussion in a closed meeting) and/or the local government considers the public interest is best served by making these decisions transparently.

Matters of Cost, Capacity, Efficiency and Effectiveness

Decisions around process will have an impact on financial and human resource capacity. For example, decisions about who can make a complaint (e.g., elected officials, staff or the public) can significantly affect the volume of complaints and investigations. This will affect resources that will need to be dedicated to the enforcement process, since investigations can be time consuming and require people with highly specialized skills.

These considerations can help to sharpen the focus on various design elements and implementation strategies, not just for enforcement but for all elements of building and restoring responsible conduct. In addition, they may encourage reconsideration of alternative measures (e.g., prevention activities or informal resolution of conduct issues) that may have been previously discarded because of their associated costs (yet may be much less costly – both financially and in relationship impacts – than code of conduct enforcement).



Code of Conduct Enforcement: Process Steps, Current Practice and Considerations

The inclusion of details of how alleged contraventions will be addressed is a recent trend in B.C. local government codes of conduct. Where processes are articulated, they tend to consist of a number of distinct steps, within which there are both some common elements and some variation.

The following tables are snapshots of these provisions taken from a small sample of current B.C. codes. Readers are cautioned that this does not represent the full extent of existing practice, but rather an overview intended to be generally representative of the range of enforcement approaches articulated currently in B.C. codes of conduct.

As noted earlier, including enforcement provisions in codes of conduct is an emerging area still largely untested in the courts.

The examples provided here are not provided as templates but rather as a starting point; each local government needs to consider its own circumstances and seek its own legal advice as it develops its processes and sanctions.

It is critical that local governments exercise a high standard of fairness in these processes. Some jurisdictions choose to articulate this extensively in their code in order to provide clarity and certainty, while others do not articulate this in their code, but instead provide fair process as a matter of practice, allowing some flexibility to adapt to specific circumstances. Do not assume that codes that lack explicit fair process provisions mean that the jurisdiction is not practicing fair process. The choice is not whether or not to provide a fair process, but rather how and where to define it.

INITIATION: What triggers the process?

How is the enforcement process initiated and who can make a complaint?

The process is typically initiated by a complaint, and complaints are allowed from any member of the Council or Board. In some cases, committee members and/or staff may also make a complaint, and in a few cases, complaints are accepted from "any person," which would include all of the above as well as members of the public.

How is the complaint made, and what must it contain?

Typically, the complaint must be in writing, and most require these to be signed and dated by the complainant. There are varying degrees of specificity in the detail to be provided, with some codes saying nothing about this, and others requiring more specifics (e.g., detailed description of the conduct, witnesses and supporting documents).

To whom is the complaint made?

Most are delivered to the mayor/chair and/or a staff official (e.g. CAO), with provision that if the mayor/chair is involved, delivery is to the acting mayor/chair. In a few cases, delivery is to mayor and Council/chair and Board, and in some cases, complaints go to an investigator if one has been appointed.

Considerations:

- › **Fair process/cost and capacity:** Fairness would dictate that at a minimum, anyone subject to a code of conduct should be allowed to make a complaint. From a public trust perspective, consideration could be given to allowing complaints from anyone impacted by the conduct (e.g., members of the public who are impacted by the erosion of good governance resulting from the conduct). The volume, and perhaps the complexity, of complaints tends to increase as the number of potential complainants increases, which will have cost and capacity impacts.
- › **Fair process:** Consider timelines for making a complaint. Existing practice examples: some codes don't explicitly provide a deadline, while others tie a deadline to the breach (e.g., as soon as possible after, or within six months).
- › **Fair process:** Consider how much detail to require in a complaint. Part of a fair process is enabling the respondent to respond, which would be difficult without sufficient detail as to the allegation. To be clear about process, consider explicitly stating that the respondent is to be provided notice of the allegations and an opportunity to respond before a decision to proceed to an investigation is made, perhaps with some deadlines. Existing practice examples: some codes do not provide this explicitly, while others do and provide deadlines (e.g. must respond within 14 days of notification).
- › **Confidentiality/transparency:** Consider measures to ensure confidentiality until an investigation of the allegations is complete.

INFORMAL RESOLUTION: What informal resolution processes are available?

When does informal resolution occur and how is it triggered?

Most codes explicitly provide for informal resolution. Some create an informal complaint process, and encourage complainants and respondents to try informal resolution before a formal complaint is made. Some other codes encourage an attempt at informal resolution after a formal complaint has been submitted and before the complaint review process; in these cases, the CAO and/or mayor/chair become involved in that informal resolution step.

What is the informal resolution process?

Some codes that provide for informal resolution are silent as to the process. However, most others call for the complainant to address the issue directly with the respondent to encourage compliance, and/or to request the assistance of the mayor/chair to attempt to resolve the issue. In one case, a senior staff official could be called on to assist the complainant in that process, and third-party mediation is an option if these steps aren't successful in reaching resolution.

What are the timelines and fair process provisions?

There is no deadline for informal resolution where it occurs prior to receiving a formal complaint, because the de facto deadline is when a formal complaint is made. Most codes that encourage informal resolution after a formal complaint is made set a 30-day deadline to attempt informal resolution prior to an investigator being appointed. Most do not have specific fair process or transparency/confidentiality provisions for this informal stage. However, in some cases, there are specific provisions for confidentiality, and where mediation is part of the process, legal or other representation for the complainant and respondent are offered for that part of the process.

Considerations:

- › **Cost/capacity/efficiency/effectiveness:** Local governments may want to consider encouraging informal resolution because that can be less costly and lead to better outcomes than investigation and sanction processes (see Chapter 3, Resolving Conduct Issues Informally).
- › **Confidentiality/transparency:** Consider measures to keep informal resolution processes confidential.

APPOINTMENT OF INVESTIGATOR: Who is appointed to investigate and how are appointments made?

Who is the investigator, who makes the appointment, and on what basis?

In the majority of cases, the investigator is an independent third party, typically appointed by either the mayor/chair, the person acting in their place, or jointly by the mayor/chair and CAO. Exceptions include when the code assigns investigator duties to a position (e.g., senior staff official), or when the investigator is defined as the Council/Board or an individual or body appointed by the Council/Board. In cases where a senior staff official is assigned in the code as investigator, the code also provides for that individual to appoint an independent third party to investigate instead of the senior staff official.

What duties does the investigator perform?

Typically, investigators undertake the complaint review process, investigation and reporting of findings. In at least one case, a senior staff official is responsible for the complaint review process, and the investigator is appointed only after the complaint review process is complete, if needed. In one case, the investigator is assigned a broader range of responsibilities.⁶

What are the timelines and fair process provisions?

Several jurisdictions require the investigator be appointed within 30 days of receipt of a formal complaint (unless the matter is resolved informally within that time frame). See “Who is the Investigator” above for fair process provisions.

Considerations:

- **Fair process/investigator independence, expertise and authority:** Choosing an investigator who is free from bias is critical. This would indicate a need to appoint an independent third party, and/or ensure other mechanisms are in place to protect investigator independence. Assigning an investigation to a senior staff position, such as a CAO, is not recommended for most investigations as it would be very difficult to achieve the needed level of independence, and because the investigation could harm the staff-Council/Board relationship, compromising both the ability of the Council/Board to provide good governance and the CAO’s ability to effectively perform their duties. Providing for input from the complainant and respondent on the choice of investigator can help ensure all parties agree the investigator is unbiased and qualified; this effect can be enhanced by provisions that refer to the need for investigators to have professional skills/expertise.
- **Confidentiality/transparency:** The choice of who appoints the investigator (e.g., Council/Board, mayor/chair and/or CAO) may impact when complaint information becomes public, since Council/Board decisions may need to be made in an open meeting.

⁶ City of Surrey Bylaw 20018 creates an Ethics Commissioner position and assigns a number of roles to the position, including providing advice and delivering training. See link in Chapter 6, Resources.

COMPLAINT-REVIEW PROCESS: How are complaints initially dealt with and by whom?

What is the complaint review process and who carries it out?

If informal resolution is not reached, complaints undergo an initial assessment and are either dismissed or proceed to investigation. Almost always, the investigator is responsible for the initial assessment, although in at least one code of conduct, this role is assigned to a senior staff official.

On what basis can a complaint be dismissed?

Reasons that a complaint may be dismissed are usually provided, but there is some variation on the grounds for dismissal. Many refer to complaints that are frivolous, vexatious and/or not made in good faith. Several also mention complaints that are unfounded, based on insufficient grounds, unlikely to succeed and/or beyond the jurisdiction of the code or other conduct policy.

What is the process if a complaint is dismissed?

Many do not provide a specific process. Where one is provided, there is a requirement to inform the complainant and, in at least one code of conduct, the Council or Board.

What are the timelines and fair process provisions?

Codes don't typically set timelines for this step. Some codes provide that the respondent must be notified and given an opportunity to provide an initial response prior to the complaint review process; of these, a few provide deadlines for the initial response (e.g., within 14 days of notification).

Considerations:

- › **Cost, capacity, efficiency, effectiveness:** Local governments will want to consider some form of complaint-review process, to ensure that investigations aren't required when not warranted by the nature of the complaint.
- › **Fair process:** Both fair process and public trust can be enhanced by being clear about the types of complaints that can be dismissed, while providing some discretion for investigators to make decisions based on their professional judgement and specific circumstance. Local governments may also want to consider whether to provide some deterrents for vexatious complaints (see Other Enforcement-Related Provisions table).
- › **Confidentiality/transparency:** For complaints that are dismissed, local governments will want to consider how to treat the involved parties fairly when making decisions about whether or not to provide notification about the complaint and the reasons it has been dismissed, and the extent of that notification. For complaints that proceed to investigation, fair process would require notification to both the complainant and respondent, and opportunities for the respondent to respond during the investigation (see the Investigation table below).

INVESTIGATION: How are complaints investigated?

What is the purpose of the investigation and how is it conducted?

Investigations tend to be described quite generally (e.g., independent, impartial investigation of complaint; determine the facts, review relevant documents, conduct interviews), which provides considerable room for investigators to use their professional judgement to adapt the investigative process to meet the circumstances. Specific provisions relate to fair process, described below.

What are the timelines?

Some codes do not provide timelines. Where they are provided, timelines can refer to when the investigation begins (e.g., within 10 days, or as quickly as possible), when updates are provided (e.g., updates within 90 days after investigator's appointment) and/or when the investigation finishes (e.g., within 30 days, with extensions possible).

What are the fair process provisions?

Codes typically provide for confidential investigations and require participants to respect that confidentiality. All codes have investigation fair process provisions, that are either general (e.g., investigate in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice), or more specific (e.g., complainant and respondent are provided notice, and relevant documents, respondents must be given opportunity to respond, and participants may be represented (including legal counsel)).

Considerations:

- › **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements, like:
 - How respondents will be able to effectively participate, including how and when they will be provided with relevant documents, how and when they can respond (ensuring they are given sufficient time to prepare that response); and when are respondents and potentially others given an opportunity to be represented and by whom; and
 - How to ensure the decision is based on relevant information (e.g., considerations around things like documentation of evidence, findings and decisions).

In addition, local governments will want to consider how much of this to detail within their code. More detail helps to ensure processes are consistently applied and things don't get missed, but may make the process less flexible and more difficult to adapt to emerging circumstances.

- › **Confidentiality/transparency:** Considerations typically relate to how to ensure allegations and evidence remain confidential during the investigation process.

REPORTING FINDINGS: How are investigation findings and recommendations reported and to whom?

What must be in the investigator's report?

Reports must provide investigation findings. In some cases, there is a specific requirement to include findings as to whether there has been a contravention, and/or recommendations on resolution of the complaint.

Can sanctions be recommended if there has been a contravention?

There are two approaches: specific authority for the recommendations of sanctions from among a list of potential sanctions in the code; OR no specific mention of the ability to recommend sanctions, even though the code lists potential sanctions.

Can additional recommendations be made in the report?

A number of codes specifically allow any recommendation an investigator deems appropriate and also specifically provide for a recommendation that the complaint be dismissed.

To whom is the report delivered?

There are two general approaches, with some slight variation: to the Council/Board, with some also provided to a staff official; OR to the mayor/chair (with provision for the acting mayor/chair if that person is involved) with most also being provided to a staff official.

What are the timelines and fair process provisions?

There are few timelines for reporting (see Investigation table above for details). In many cases, there are explicit provisions for reports to be provided to both the complainants and respondents. A few state that the report to the mayor/chair is confidential, and in one case, there is explicit provision that if there is insufficient evidence in an investigation, the investigator reports that finding but there is to be no permanent record of the complaint.

Considerations:

- › **Fair process:** Consider how and when the complainant and respondent are informed of the findings of the investigation. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.
- › **Confidentiality/transparency:** Consider whether the investigator's report is provided confidentially or not. The choice of who receives the investigator's report may impact the extent to which the report is confidential, since if the report is delivered to the Council/Board, this may be in an open meeting. Where reports are not confidential, consider whether some information must be severed to comply with legislated privacy rules. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

FINAL RESOLUTION: What actions can be taken once findings have been reported and by whom?

If the investigator's report goes to mayor/chair, does it also go to Council or Board?

Some codes require the mayor/chair to provide the report, or a summary of it, to the Council/Board, others allow that person to decide whether it should go to the Council/Board, and the remainder do not give direction to the mayor/chair as to whether or not the report should be provided to the Council/Board.

What happens if the investigation finds a contravention?

Some codes state that the decision about whether there was a contravention rests with the Council/Board. Others are less explicit, stating only that the investigator's report must state whether there has been a contravention.

If there was a contravention, who imposes sanctions and what are the parameters around that?

In no case can an investigator impose sanctions. That decision rests with the Council/Board. Codes describe what sanctions may be imposed, and in many cases, a Council/Board can choose from among those provided. In some cases, the only sanctions that can be imposed are some or all of those recommended by the investigator. In at least one case, the Council/Board is directed to consider specified factors (e.g., nature or impact of the conduct).

What are the timelines and fair process provisions?

Some codes do not articulate fair process. Others do, including: notification to the respondent prior to Council/Board consideration, stating that the respondent is entitled to respond and given time to prepare response (e.g., two weeks), stating that the respondent is entitled to be represented, including by legal counsel (some have indemnification; see 'Other Enforcement-related Provisions' table below). Some codes provide for Council/Board consideration in open meetings, while others provide for closed meetings for this.

Considerations:

- › **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements and how much to detail this within their code. **Refer to the fair process discussion in the 'Investigation' table above, which is relevant for this step also.** In addition, consider how to ensure an unbiased decision on sanctions. Some local governments find that limiting Council/Board discretion (e.g. may only impose sanctions recommended by investigator, or must consider specific factors) can help to reduce the potential for bias and/or ensure the decision is based on relevant information.
- › **Confidentiality/transparency:** Consider relevant meeting rules and the nature of the matter. If these matters are dealt with in open meetings, consider whether some personal information should be severed; if dealt with in closed meetings, consider when and how the respondent is informed of decisions, and when and to what extent information is made available to the public (as a void of information can ultimately be filled by misinformation). Consider also whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

OTHER ENFORCEMENT-RELATED PROVISIONS: A sample of other key enforcement provisions that may be included in a code.

What enforcement provisions are there for different groups that are subject to a code?

Many codes apply only to members of the Council/Board; some also include committee members and/or staff. Where these other groups are included, codes tend to modify enforcement provisions (e.g., who deals with complaints and how this is done; what sanctions may be imposed) for each group.

Do codes provide for reimbursement of legal costs for a person involved in an enforcement process?

Some codes make provisions for reimbursement of a respondent's legal costs under certain circumstances, and with certain limits (e.g., if the person did not act in a dishonest, grossly negligent or malicious way; for the first occurrence, but not subsequently unless agreed in advance; upon request; only reasonable costs are reimbursed, sometimes with specified dollar limits).

What are the responsibilities of persons subject to the code?

Most codes require that members refrain from discussing allegations at open meetings until after investigations and Council/Board decisions on them.

Some codes require that members endeavour to resolve disputes in good faith, cooperate with informal resolution and/or not obstruct the Council/Board in investigations.

Some also require that members not act or threaten reprisal/retaliation against involved persons (i.e., complainant, respondent, witness, staff). In at least one case, for complaints that are vexatious, malicious or in bad faith, complainants are subject to disciplinary action, including sanctions in the code.

Considerations:

- › **When code applies to committee members and/or staff:** All processes must be fair, and all will need to consider the confidentiality/transparency balance, but how these are applied is often different for each group. There may also be different legal or contractual requirements that would guide enforcement processes that must be considered (particularly with respect to staff).
- › **Reimbursement:** Fairness can be enhanced by providing clear policy in the code, rather than dealing with reimbursement of legal costs on a case-by-case basis. In considering the potential to offer reimbursement of legal costs and limitations around that, local governments may wish to consider whether their indemnification policy could inadvertently act as a deterrent to trying to work things out informally.
- › **Responsibilities:** Local governments may wish to consider whether the fairness and/or effectiveness of their enforcement processes could be enhanced by provisions such as these.

Sanctions

As described in the 'Final Resolution' table above, if the findings of an investigation indicate that there has been a conduct contravention, a Council or Board may consider what, if any, sanctions to impose.

As with other elements of a code of conduct enforcement process, legal advice is recommended as sanctions are being designed and when they are imposed.

Current Practice for Sanctions

Codes of conduct that provide details of an enforcement process also typically set out a range of sanctions that the Council or Board could impose for contraventions.

Sanctions are stated specifically, generally, or as a combination of these. For example, some codes say that the Council/Board "may impose sanctions" and follow this with a few examples, while others provide a specific list of sanctions, sometimes followed with a general provision for "any other sanction considered appropriate" by the investigator in some cases and the Council/Board in others.

Some codes also provide overarching statements that sanctions may only be imposed if they do not prevent the member from fulfilling their legislated duties of elected office.

Specific sanctions included in a sampling of B.C. codes of conduct are:

- Request letter of apology
- Mandatory education, training, coaching or counselling
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Suspension or removal as deputy/acting mayor/chair
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)⁷
- Written pledge promising to comply

Readers are cautioned that this listing merely presents a compilation of sanctions currently included within B.C. local government codes of conduct. They should be considered in the context of evolving law and the legal uncertainty that is discussed above. Given this, legal advice is advised on sanctions as well as other elements of a code of conduct enforcement process.

⁷ This sanction is provided for in the District of North Cowichan's code of conduct, and it is specifically linked to its Council remuneration bylaw. See Chapter 6, Resources for link.

Considerations When Imposing Sanctions

- **Fair process:** Fairness can be enhanced and the potential for bias reduced by providing direction to the Council or Board about what it must consider in making sanction decisions, or limiting Council/Board discretion to only imposing some or all of the sanctions recommended by the third-party investigator.
- **Effectiveness:** While sanctions can be imposed as a way of distancing the Council or Board from the member's conduct (e.g., public rebuke) or to penalize the member for the contravention (e.g., reduction in remuneration, imposing limits on travel or suspension of committee appointments), local governments may also wish to consider how sanctions may be used to support a return to responsible conduct and to prevent conduct issues in the future. For example, providing coaching, skills building or training can help to avoid conduct issues that stem from a misunderstanding about roles and responsibilities, from cultural assumptions or from frustration with not being able to get one's point across at a meeting. Additionally, restricting how documents are provided to the member can help to prevent a recurrence of a contravention of a duty of confidentiality.
- **Legal risk:** Sanctions are not specifically mentioned in B.C. local government legislation but local governments have been found by the courts to have the ability to manage conduct; this may include the ability to sanction in cases of the misconduct of a Council or Board member. The edges of that authority – in terms of what specific sanctions may be imposed – aren't yet clear, but some key questions to think about in imposing sanctions are set out in this graphic. Ensuring that each question can be answered with a "yes" may mean that the legal risk related to the proposed sanction is lower.

Could the sanction fall within the local government's legislated powers?

(e.g. CC/LGA fundamental and included powers; power to rescind appointments.)

If the sanction were imposed, would the elected official still be capable of fulfilling their duties of office?

(e.g., a suspension or disqualification from office would mean the elected official could not fulfill their duties of office; removal from rotation as acting mayor/chair or from a committee would not have that effect.)

Is the sanction consistent with other policies and procedures of the local government?

(e.g., do policies related to compensation allow for reduced remuneration if an elected official is found to have contravened the code of conduct?)

Were processes to determine the contravention and impose sanctions procedurally fair, with due regard to natural justice?

(e.g. notice, opportunity to be heard, open-minded decision-making, and consideration of relevant facts?)

How to Improve the Post-sanction Environment

Disqualification is not a sanction that can be imposed by a local government. Consequently, an elected official found to be in contravention of a code of conduct will continue to be a Council or Board member. By the time formal complaints are made, relationships among Council or Board members may be very strained, and the investigation and sanction process will likely further damage these relationships.

Finding effective ways to work together will become even more important, and local governments may wish to consider what specific support could be provided to the elected official found to be in contravention, and to the collective to facilitate them working effectively together again. In addition, consideration may be given to whether policy or procedure changes could support a return to responsible conduct. Local governments may also wish to consider whether to give the investigator an ability to make these types of restorative and support recommendations, which could help to move away from a singular focus on sanctions.



FOOD FOR THOUGHT

- › Is informal resolution something that would be suitable for the conduct issue at hand? If so, have we attempted that? If not, why not?
- › What enforcement processes and sanctions does our code of conduct include? Are they sufficient?
- › Do we have a process in place to review our code of conduct and what it covers? What can we learn from what we have just gone through for any future situations?
- › Does our code refer to legislated conduct rules? If so, is it clear about which enforcement processes refer to what code provisions? (e.g., court-based processes for conflict of interest, WorkSafe BC processes for bullying and harassment involving an employee, code of conduct enforcement for all others).
- › Have we done everything we can to make sure investigations and decisions are free from bias and administratively fair, and that the entire enforcement process reduces the potential for the process to be used for purely political purposes?
- › Are we providing the same standard of fairness to everyone?

“Justice Crawford sounded one important note of caution on the right of an elected council to take action regarding a council member’s misconduct. The power to decide whether a council member’s conduct falls below the expected standard of conduct must be exercised with great care and discretion:

‘Far too easily, this could turn into an abuse of process for cheap political gain, and any council that sets out in this direction must be careful in what it is doing.’”

(From the Young Anderson paper Controlling Councillor Conduct)

CLICK HERE for links to resources referenced in this chapter.



CITY OF GREENWOOD

Council Code of Conduct Information

Greenwood City Hall – 202 S. Government Ave.
PO Box 129, Greenwood, BC V0H 1J0

New legislative requirements for municipal codes of conduct came into force on June 13, 2022 with the *Municipal Affairs Statutes Amendment Act (No. 2), 2021*.

Within 6 months of the first regular Council meeting following the general local government election, a Council must decide whether to adopt or review a code of conduct for Council members. **Council for the City of Greenwood must discuss and review a code of conduct by May 2023.**

Before making a decision, a Council must consider the principles for codes of conduct prescribed by regulation.

If a Council decides not to adopt or review a code of conduct, they must make the reasoning behind their decision publicly available. A Council must also reconsider a decision before January 1st of the year of the next general local election.

The following information is attached:

- Responsible Conduct Guiding Principles Policy
(Code of Conduct for the previous Council for the City of Greenwood)
- Model Code of Conduct: Getting Started on a Code of Conduct for Your Council/Board
(Joint Publication: UBCM / LGMA / Ministry of Municipal Affairs)

Links for Additional Information:

Bill 26 – 2021: Municipal Affairs Statutes Amendment Act (No. 2), 2021
<https://www.leg.bc.ca/parliamentary-business/legislation-debates-proceedings/42nd-parliament/2nd-session/bills/first-reading/gov26-1>

Principles for Codes of Conduct Regulation – BC Reg. 136/2022
https://www.bclaws.gov.bc.ca/civix/document/id/crbc/crbc/136_2022

CORPORATION OF THE CITY OF GREENWOOD
A BYLAW TO REGULATE COUNCIL MEETINGS AND PROCEDURES

CONSOLIDATION OF BYLAWS TO REGULATE COUNCIL MEETINGS AND PROCEDURES
BYLAW NO. 997, 2022
CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only.

AMENDMENT BYLAW	DATE OF ADOPTION
Bylaw No. 717, 1998	April 27, 1998
Bylaw No. 738, 2000	January 24, 2000
Bylaw No. 765, 2002	February 10, 2003 (Repealed Bylaw No. 717, 1998)
Bylaw No. 834, 2010	March 22, 2010

CORPORATION OF THE CITY OF GREENWOOD

BYLAW NO. 997, 2022

A BYLAW TO REGULATE COUNCIL MEETINGS AND PROCEDURES IN THE CITY OF GREENWOOD

The Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

WHEREAS Section 231 of the Municipal Act requires that Council by bylaw regulate Council meetings and their conduct, and provides for regulating the procedures of Council;

AND WHEREAS Section 296 of the Municipal Act requires that Council by bylaw provide for the procedure to be followed in passing bylaws;

NOW THEREFORE the Council of the City of Greenwood, in open meeting assembled, ENACTS AS FOLLOWS:

Citation

1. This bylaw may be cited as "Council Procedure Bylaw No. 997, 2022".

Interpretation

2. In this bylaw, unless the context otherwise requires;
 - (a) "Act" means the Municipal Act (R.S.B.C. Chapter 290);
 - (b) "Chair" means the person presiding at a meeting of the Council, of a Committee of the Council, or the person appointed as Chair of a Standing or Select Committee of the Council, as the context requires;
 - (c) "Clerk" means the Clerk of the municipality appointed pursuant to the Act;
 - (d) "Committee" means a committee of the Council other than Committee of the Whole; (e) "Committee of the Whole" means all of the members of Council present at a meeting and sitting in committee;
 - (f) "Council" means the Council of the municipality;
 - (g) "Mayor" includes an Acting Mayor or other member chosen to preside at a meeting of Council in the absence of both the Mayor and Acting Mayor;
 - (h) "member" means a member of the Council and includes the Mayor; and
 - (i) "municipality" means the City of Greenwood; and
 - (j) "Notice Board" means the notice board at City Hall.

Bylaw No. 738, (j)
2000 Amendment

Appointment of Acting Mayor

3.
 - (1) Council shall appoint, annually and otherwise as required, one or more of its members as Acting Mayor and, where more than one member is so appointed, Council shall prescribe the term during which each member shall serve as Acting Mayor.
 - (2) Except as provided in Section 7(2), where neither the Mayor nor the current Acting Mayor is available to perform any function of the Mayor, the member, if any, appointed under subsection (1) to next serve as Acting Mayor shall be deemed at the time to be the Acting Mayor.

Council Meetings

4. (1) Regular Council Meetings

Bylaw No. 738,
2000 Amendment

- a. Regular meetings of Council are held at City Hall.
- b. Regular meetings of Council are held on the 2nd and 4th Monday of each month commencing at 7:00 pm.
- (2) Unless Council otherwise determines in advance, when the day fixed for a meeting of the Council falls on a legal holiday that meeting shall be held on the next day following which is not a legal holiday.
- (3) Minutes of Council Meetings and Committee Meetings
 - (a) Minutes of Council meetings must be kept in accordance with section 236 of the Municipal Act.
 - (b) Minutes of Committee meetings must be kept in accordance with section 237 of the Municipal Act.
 - (c) Section (b) applies to meetings of:
 - i. Select or standing committees of Council; and
 - ii. Any other body composed solely of Council members acting as council members."
- (4) Attendance of Public at Meetings
 - (a) Subject to sections 242.2 and 242.5 of the Municipal Act, all Council meetings must be open to the public.
 - (b) Where Council wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with section 242.3 of the Municipal Act.
 - (c) This section applies to meetings of bodies referred to in section 242.7 of the Municipal Act, including, without limitation:
 - i. Select or standing committees of council;
 - ii. The board of variance
- (5) Where Council by resolution determines that the conduct of a person present at any meeting of Council is improper it may order such person to leave the meeting and, in case of refusal to do so, that person may, on the order of the Mayor, be removed therefrom by the police.

Special Council Meetings

5. (1) Notice of Special Council Meeting

Bylaw No. 738,
2000 Amendment

- Except where notice of a special meeting is waived by a unanimous vote of all council members under section 223(3) of the Municipal Act, at least 24 hours before a special meeting of Council, (the person responsible for corporate administration under section 197 of the Municipal Act) must:
 - (a) Give advance public notice of the time, place and date of the meeting by way of a notice board at City Hall; and
 - (b) Give notice of the special meeting in accordance with section 223 of the Municipal Act.
- (2) Notwithstanding subsection (1), notice of a special meeting may be waived by a unanimous vote at a meeting at which all members are present.
- (3) The Mayor may call a special meeting of the Council and 2 or more members may, in writing, request the Mayor to call a special meeting.

- (4) Where the Mayor, within 24 hours after receiving a request under subsection (3), refuses or neglects to call a special meeting to be held within 7 days after he receives the request, or where the Mayor is absent, 2 or more members may call a special meeting, and they shall sign's notice of the meeting.
- (5) The order of business on the agenda of a special meeting shall include:
 - (a) adoption of the agenda;
 - (b) such specific matters as are to be dealt with at that meeting; and
 - (c) adjournment.
- (6) Any matter which is not on the agenda of a special meeting may not be dealt with at that meeting unless all members are present and agree.

In Camera Special Council Meetings

6. (1) If, in the opinion of the Council, the public interest so requires, persons other than members and officers, or persons other than members, may be excluded from a special meeting.
- (2) The following and no other matters may be dealt with at a special meeting of the Council, or a portion thereof, from which members of the public have been excluded under subsection (5):
 - (a) personnel matters, including labor relations, contract negotiations and Council appointments;
 - (b) legal opinions and advice, and matters relating to litigation or potential litigation;
 - (c) matters relating to the proposed acquisition or disposal of real property; and
 - (d) matters relating to the nomination, appointment, or recognition of individual members of the public.
- (3) Council may at any time by resolution determine to make public the decision taken on any matter dealt with at an in camera special Council meeting when, in the opinion of Council, it is then in the public interest to do so. Prior to the adjournment of every in camera special meeting, Council shall consider what decisions (if any) made at that meeting can be made public, and the timing and manner in which such decisions will be made public.
- (4) Except as provided in subsection (3), no member may, either privately or publicly, disclose the content of any discussion or decision at an in camera special Council meeting. A member who discloses the content of any discussion or decision at an in camera special Council meeting contrary to this section shall be deemed to be guilty of improper conduct, and that member may be expelled from the next regular or special meeting of Council under the provisions of section 4.5) of this bylaw.

Opening Procedures

7. (1) As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the members to order.
- (2) If the Mayor is not in attendance within 15 minutes after the time appointed for a meeting, the Acting Mayor shall take the Chair and call the members to order. If the Acting Mayor is absent, the Clerk shall call the members to order and, if a quorum is present, the members shall appoint an Acting Chair who shall preside during the meeting or until the arrival of the Mayor or Acting Mayor. A member appointed as Acting Chair has all the authority and is subject to the same rules as the Mayor.

- (3) If there is no quorum present within 30 minutes after the time appointed for the meeting, the Clerk shall record in the minutes the names of the members present and the meeting shall stand adjourned until the next day of meeting.

Council Meeting Agendas

8. (1) Prior to each regular and special meeting of the Council the Clerk shall, in consultation with the Mayor, prepare an agenda for the meeting.

- (2) Notice of Regular Council Meetings

Bylaw No. 738,
2000 Amendment

(a) At least 72 hours (or by the close of business the Friday) before a regular meeting of Council, (the person responsible for corporate administration under section 197 of the Municipal Act) must give public notice of the time, place and date of the meeting by way of a notice posted on the notice board.

(b) At least 24 hours (or by the close of business the Friday) before a regular meeting of Council, (the person responsible for corporate administration under section 197 of the Municipal Act) must give further public notice of the meeting by:

- i. posting a copy of the agenda on the notice board; and
- ii. leaving copies of the agenda at the reception counter at City Hall for the purpose of making them available to members of the public.

(c) At least 24 hours (or by the close of business the Friday) before a regular meeting of Council, (the person responsible for corporate administration under section 197 of the Municipal Act) must deliver a copy of the agenda to each member of Council at the place to which the Council member has directed notices to be sent.

- (3) The business at all regular meetings of the Council shall proceed in the following order unless otherwise determined by a majority vote of the members present at the meeting:

- (a) Call to Order
- (b) Adoption of the Agenda
- (c) Delegations
- (d) Adoption of Minutes
- (e) Correspondence for Information
- (f) Correspondence for Action
- (g) Committee Reports
- (h) Other reports from Councillors
- (i) Mayor's Report
- (j) Administrator's Report
- (k) Public Works Foreman's Report
- (l) Accounts Payable
- (m) New and Unfinished Business
- (n) Bylaws
- (o) Notices of Motion
- (p) Question Period
- (q) Adjournment.

- (4) At Council's discretion, previous matters for discussion may be included on subsequent Agenda after a period of three months.

Bylaw No. 834,
2010 Amendment

Adjournment

9. Every regular and special meeting of Council shall be adjourned not later than 4 hours after that meeting was called to order unless the members then present determine by a two-thirds majority vote to continue the meeting beyond that hour.

Rules of Conduct

10. (1) Every member shall address himself or herself to the Chair before speaking to any question or motion.
- (2) Members shall address the Mayor as "Your Worship", "Mr. Mayor", or "Madam Mayor" as appropriate, and shall address and refer to other members of Council by their title of "councillor".
- (3) No member shall:
- (a) speak disrespectfully of any person,
 - (b) use offensive language in or against the Council, or against a member;
 - (c) reflect upon any resolution of the Council except for the purpose of moving that such resolution be reconsidered, rescinded, or otherwise dealt with in accordance with the provisions of this bylaw;
 - (d) interrupt a member who is speaking, except to raise a point of order; or
 - (e) disobey the rules of the Council or resist a decision of the Council or the Mayor on questions of order or practice, or interpretation of the rules of the Council.
10. (4) If a member takes an action prohibited in subsection (3), he or she may be ordered by a majority vote of the members to leave his or her seat for that meeting, and if the member refuses to do so, he or she may, on the order of the Mayor, be removed from the meeting by a peace officer.
- (5) If a member referred to in subsection (4) apologizes to the Council, the members may permit the offending member to forthwith resume his or her seat.

Rulings and Appeals

11. The preservation of order at meetings and appeals from rulings on points of order shall be in accordance with the provisions of sections 224, 226 and 227 of the Act.

Voting

12. (1) Voting on questions, resolutions and bylaws shall be conducted in accordance with the provisions of section 225 of the Act, and the required majority in particular matters shall be determined by the applicable sections of the Act.
- (2) A member present when a question is put is expected to vote unless the member considers that he or she is not entitled to participate in the discussion of the matter or to vote on a question in respect of the matter, in which case the member shall declare this and state in general terms the reason why the member considers this to be the case.
- (3) After making a declaration required by subsection (2), the member
- (a) shall not take part in the discussion of the matter, and is not entitled to vote on any question in respect of the matter;
 - (b) shall immediately leave the meeting or that part of the meeting during which the matter is under consideration; and
 - (c) shall not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

- (4) When a declaration required by subsection (2) is made,
 - (a) the person recording the minutes of the meeting shall record the member's declaration, the reasons given for it, and the time of the member's departure from the meeting room and, if applicable, of the member's return, and
 - (b) the person presiding at the meeting shall ensure that the member is not present at the meeting at the time of any discussion or vote on the matter.
- (5) Immediately following the vote, the Chair shall state whether each motion is carried or defeated.
- (6) At the request of a member who voted against a motion that is carried, the Clerk shall record the member's opposition to the motion in the minutes, provided the request is made immediately following the vote on the question.
- (7) No vote shall be taken in Council by ballot or any other method of secret voting.

Delegations and Petitions

13. (1) Unless otherwise determined by a resolution of the Council, no person or group of persons may appear before the Council unless that person or group has provided written notice of their wish to appear before the Council. Such notice shall be filed with the Clerk not later than 10:00 am. on the third day immediately preceding the day of the meeting at which the delegation wishes to appear. A Saturday, Sunday, or statutory holiday shall not be included in calculating the time limit for filing the notice. The notice shall set out the subject matter to be dealt with, the proposal intended to be made, and the name of the person or persons who will address the Council. Copies of the notice shall be provided to the Council with the agenda for the meeting at which the delegation is to be heard.
- (2) A delegation shall appoint a speaker or, at the discretion of the Council, more than one speaker, and every delegation shall be allowed 10 minutes to present its petition or submission, however this period may be extended by resolution of the Council.
- (3) The Council may dispose of the petition or submission at the meeting at which it is received, refer the matter to a committee, or take such other action as it deems expedient. In order to be included on the Regular Council Meeting Agenda, requests to Council must be submitted to the City Office by 12:00 pm on the Wednesday preceding the regularly scheduled meeting. Council will receive requests/ delegations at the Regular Council Meeting, but will defer any decision until the next regularly scheduled meeting. This procedure may be waived at the discretion of Council in urgent situations."
- (4) A petition presented to the Council shall include the name of each petitioner, and his or her residential address and telephone number. In the case of a corporation, the authority given by the corporation to sign the petition shall be produced with it.

Bylaw No. 834,
2010 Amendment

Question Period

14. (1) Immediately prior to the adjournment of every regular meeting of Council questions, but not statements, relating to matters dealt with at that meeting may be directed to Council by members of the public then present. All such questions shall be directed to the Mayor, and will where possible and appropriate be answered by the Mayor or a member designated by the Mayor.

- (2) A maximum period of 15 minutes shall be provided for considering questions from members of the public, however that maximum may be extended to 30 minutes with the unanimous consent of all Council members present.

Motions

15. (1) Every motion shall be stated or read by the mover, who alone may make introductory remarks thereon.
- (2) When required by the Mayor, a motion shall be in writing and a copy shall be given to the Clerk before such motion shall be open for discussion.
- (3) When a motion has been moved and seconded it shall be deemed to be in possession of the Council and shall be open for consideration, but it may be withdrawn by the mover with the consent of the majority of the members present.
- (4) A motion that has been seconded shall be read by the Clerk before debate if requested by any member, or if considered necessary by the Clerk or the Mayor in order to ensure that the motion has been correctly recorded.
- (5) No member may speak more than twice to the same question without leave of the Council except to explain a material part of his speech which may have been misunderstood, and in doing so the member may not introduce new information.
- (6) A member who has moved a main motion shall be allowed a reply, but not a member who has moved an amendment.
- (7) After a question is finally put by the Mayor, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.
- (8) The decision of the Mayor as to whether the question has been finally put shall be conclusive.
- (9) When a motion is under consideration no other motion shall be received except a motion:
 - (a) to adjourn;
 - (b) to table;
 - (c) to move the previous question;
 - (d) to postpone definitely;
 - (e) to refer;
 - (f) to amend; or
 - (g) to postpone indefinitely.
- (10) A motion to table may not specify a time at which the pending motion is to be further considered by the Council, and the tabled motion
 - (a) may be removed from the table and further considered by adoption of a motion to remove the pending motion from the table, and
 - (b) if not removed from the table as provided in clause (a), the pending motion shall expire upon adjournment of the next regular meeting following that at which it was tabled.
- (11) A motion to postpone definitely shall defer consideration of the pending motion until a later time in the same meeting or until the next regular meeting, but may not defer consideration beyond the adjournment of the next regular meeting.
- (12) A motion to postpone indefinitely removes the pending motion from further consideration without requiring a vote on the pending motion.

- (13) The several motions in subsection (9) shall have precedence in the order in which they are listed, and motions (a), (b), and (c) are neither amendable nor debatable.
- (14) Amendments to a motion shall be decided upon before the main question is put to a vote, and only one amendment shall be allowed to an amending motion.
- (15) Until it is decided, a motion to refer the subject matter to a Committee shall preclude amendments of the main question.
- (16) A motion to adjourn the meeting or to adjourn the debate shall always be in order, but if such motion is defeated a second motion to the same effect shall not be made until some intermediate business or matter has been disposed of.

16. Notices of Motion

- (1) At any regular meeting of the Council any member may give notice of a motion to be moved at a future meeting of the Council by reading to the Council, at the time of giving such notice, the text of the motion to be so moved, and giving to the Clerk at that time a copy in writing of the said motion.
- (2) Every notice of motion shall specify the meeting at which the motion will be presented, and the Clerk shall include the subject referred to in the notice of motion on the agenda of the meeting specified in the notice.

17. Bylaws

- (1) Every bylaw shall receive 3 separate readings and shall be reconsidered not less than one day after third reading and before adoption.
- (2) Unless otherwise required by the Act, all 3 readings of a bylaw may be given at the same meeting.
- (3) Notwithstanding subsection (1), in accordance with subsection 956(10) of the Act, Council may reconsider and adopt an official community plan bylaw, a zoning bylaw, or an amendment to either at the same meeting at which the bylaw passed third reading.
- (4) The question on the motion for first reading of a bylaw shall be decided without amendment or debate.
- (5) If a motion for first reading of a bylaw is not seconded, or is defeated, the bylaw shall be considered defeated and shall not be brought forward to be considered by Council on a subsequent agenda.
- (6) The title and the intended object only of the bylaw shall be read by the Mayor or Clerk at each reading of the bylaw, unless a majority of the members require that it be read in full.
- (7) At the request of any member, the whole or any part of a bylaw shall be read before the motion for reconsideration and adoption is put.
- (8) Where a bylaw requires the assent of the electors or the approval of the Lieutenant Governor in Council, the minister or the inspector, the assent or approval shall be obtained after the bylaw has been given third reading and before it is reconsidered and adopted.
- (9) A bylaw shall not come into force until it has been given 3 readings and has been adopted by Council.
- (10) One signed and sealed copy of every adopted bylaw, bearing evidence of approval, if any, shall be kept by the Clerk among the records of the Municipality.

Public Hearings

18. (1) Every public hearing shall be advertised in accordance with the requirements of the Act, and shall be scheduled to begin at 6:30 pm on the date of a regular meeting of the Council unless by resolution of Council it is scheduled for another time.
- (2) The first order of business at every public hearing shall be the appointment of a Chairman and Secretary of that public hearing.
- (3) Where a public hearing is required under section 956 of the Act, it shall be held after the second reading and before the third reading of the bylaw.

Committee of the Whole

19. (1) A meeting of the Committee of the Whole may be called by the Mayor at any time.
- (2) The current Acting Mayor shall chair meetings of the Committee of the Whole and report on its proceedings unless the Committee or Council determines otherwise.
- (3) A meeting of the Committee of the Whole during a meeting of Council shall be called by a motion "That Council resolve into Committee of the Whole".
- (4) A meeting of the Committee of the Whole during a Council meeting may be closed by a motion "That the Committee rise and report" if a report is to be made to the Council, or a motion "That the Committee now rise" if no report is to be made by the Committee.
- (5) The rules of the Council shall generally be observed in Committee of the Whole, except that no motion shall require to be seconded, nor shall the number of times a member speaks on any question be limited except as provided in subsection (6)(b).
- (6) (a) A motion in Committee of the Whole to rise without reporting shall always be in order, and shall take precedence over any other motion.
- (b) Debate on a motion under clause (a) shall be allowed, but no member shall speak more than once to the motion and, on an affirmative vote, the subject referred to the Committee shall be deemed to have been considered and disposed of by the Committee.
- (7) When the Committee of the Whole has partly considered a matter it may report progress and ask leave to sit again.

Standing and Select Committees

20. (1) Standing and Select Committees shall be governed by the provisions of sections 241 and 242 of the Act.
- (2) A member may be appointed to a Standing or Select Committee even if that member is absent from the Council meeting at which the appointment is made.
- (3) Where provision has not otherwise been made for the election or appointment of the Chair of any Committee, the Chair shall be named by Council at the time the members of the Committee are appointed.
- (4) A member of the Council may attend the meetings of any of its Committees that the member has not been appointed to, and may take part in any discussion or debate with the permission of a majority of members of the Committee, but that member shall not be allowed to vote.

- (5) The general duties of all the Standing Committees of the Council shall be as follows:
- (a) to consider and report to the Council from time to time, or whenever desired by the Council and as often as the interests of the municipality may require, on all matters referred to it by the Mayor or the Council or coming within its purview, and to recommend such action by the Council in relation to those matters as the Committee deems necessary;
 - (b) to carry out the specific instructions of the Council expressed by resolution in regard to any matter referred by the Council to the Committee for immediate action upon it, and to report its action in detail at the next regular or other meeting of the Council thereafter, as specified in the instructions of the Council; and
 - (c) to carry out the duties and follow the procedure established by policy of the Council.
- (6) A member who introduces a motion upon any subject which may require the appointment of a Select Committee shall be appointed as a member of the Committee.
- (7) A majority of the members appointed to a Standing or Select Committee shall constitute a quorum.
- (8) In the transaction of business all Standing and Select Committees shall adhere as closely as possible to the rules governing proceedings at meetings of the Council.
- (9) A Select Committee shall, upon completion of its assignment, or upon submitting its report to the Council, be automatically dissolved.
- (10) The attendance and examination of witness before any Standing or Select Committee shall be governed by the provisions of section 243 of the Act.
- (11) The standing and select committees of Council do not meet on a regular basis. Committee meetings are held on as needed.
- (12) Notice of Committee Meetings
- At least 24 hours before the committee meeting the person responsible for corporate administration under section 197 of the Municipal Act must give advance public notice of the time, place and date of the meeting by way of a notice posted on the notice board.

Bylaw No. 738,
2000 Amendment

Miscellaneous

21. Subject to the provisions of the Act, all points of order not dealt with in this bylaw shall be decided in accordance with the rules contained in the most recent edition of Robert's Rules of Order Newly Revised.
22. Where there is a conflict between the provisions of this bylaw and the Act, the provisions of the Act shall apply.
23. This bylaw shall not be amended except by a bylaw passed at a regular meeting of Council pursuant to a notice in writing given and openly announced at an earlier regular meeting.

Repeal

24. City of Greenwood Procedure Bylaw 654 is repealed.

Effective Date


25. This bylaw shall come into full force and effect upon adoption.

Read a First Time this	7 th day of November, 2022
Read a Second Time this	7 th day of November, 2022
Read a Third Time this	7 th day of November, 2022
Adopted by Council this	28 th day of November, 2022



Mayor

Certified a true copy of Bylaw No. 997, 2022
On the 8 day of Dec, 2022.



Corporate Officer

CORPORATION OF THE CITY OF GREENWOOD
BYLAW NO. 1012, 2024
REVENUE ANTICIPATION BORROWING BYLAW

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE

WHEREAS the municipality does not have sufficient money on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the *Community Charter* that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

- a) The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year; and
- b) The whole amount of any sums of money remaining due from other governments;

AND WHEREAS there are no liabilities outstanding under Section 177;

AND WHEREAS the total amount of liability that Council may incur is four hundred forty three thousand, four hundred forty seven dollars (\$443,447), made up of the sum of four hundred forty three thousand, four hundred forty seven dollars (\$443,447), being 75% of the whole amount of the taxes levied for all purposes in prior year, and zero dollars (\$0), being the whole amount of the sum of money remaining due from other governments;

NOW THEREFORE the Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Revenue Anticipation Borrowing Bylaw No. 1012, 2024".
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the municipality an amount or amounts not exceeding the sum of four hundred forty three thousand, four hundred forty seven dollars (\$443,447).
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the officer assigned the responsibility of financial administration of the municipality.
4. All unpaid taxes and the taxes of the current year when levied or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.
5. That the "Revenue Anticipation Borrowing Bylaw No. 1012, 2024" will be in effect on January 8, 2024.

Read a First Time this	11 th day of December, 2023
Read a Second Time this	11 th day of December, 2023
Read a Third Time this	11 th day of December, 2023
Adopted by Council this	8 th day of January, 2024

Mayor

Certified a true copy of Bylaw No. 1012, 2024

On the day of , 2024.

Corporate Officer