

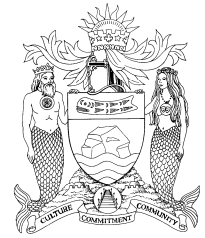
**\*Live Streaming/Telecast:** Please note that Standing Committees, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City's website at: [www.whiterockcity.ca](http://www.whiterockcity.ca)

Corporate Administration  
E-mail

(604) 541-2212  
[clerksoffice@whiterockcity.ca](mailto:clerksoffice@whiterockcity.ca)

Click on title to take you to the document

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



See page 103 (or click here) for On Table Items

July 17, 2019

A **GOVERNANCE AND LEGISLATION COMMITTEE MEETING** will be held in the CITY HALL COUNCIL CHAMBERS located at 15322 Buena Vista Avenue, White Rock, BC, on July 22, 2019 to begin at **5:15 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

## A G E N D A

### **Councillor Fathers, Chairperson**

1. CALL MEETING TO ORDER
2. ADOPTION OF AGENDA

#### **RECOMMENDATION**

THAT the Governance and Legislation Committee adopt the agenda for July 22, 2019 as circulated.

3. ADOPTION OF MINUTES  
a) July 8, 2019

Page 4

#### **RECOMMENDATION**

THAT the Governance and Legislation Committee adopt the following meeting minutes as circulated:

- a) July 8, 2019

4. **E-MAIL TO "MAYOR AND COUNCIL" E-MAIL ADDRESS**

Page 11

Councillor Fathers requested this item be placed on the agenda for discussion.

**Note:** Council Policy No. 107: Correspondence received by the City has been attached for reference purposes.

5. **TERMS OF REFERENCE: HOUSING TASK FORCE COUNCIL POLICY 164** Page 13

At the July 8, 2019 regular Council meeting the following motion was adopted:

*THAT Council endorses the following:*

1. A Housing Task Force being established where all aspects of housing in the Community will be reviewed;
2. A Community Forum regarding Affordable Housing be scheduled (July 29, 2019 5:30 p.m. White Rock Community Centre); and
3. Staff be directed to bring forward a draft Terms of Reference for the Housing Task Force.

**RECOMMENDATION**

THAT the Governance and Legislation Committee recommends that Council endorse Council Policy No. 164 – Terms of Reference: Housing Task Force as circulated.

**Note:** *Due to timing with the summer break and to commence the recruitment process should Council endorse Policy No. 164, this recommendation has been noted on the regular Council agenda for consideration of endorsement. Council may at that time choose to consider the motion or defer the matter to the next regular Council meeting.*

6. **PROPOSED AMENDMENTS TO THE TICKETING FOR BYLAW OFFENCES BYLAW, 2011, NO. 1929** **Page 18**

Corporate report dated July 22, 2019 from the Director of Planning and Development Services titled “Proposed Amendments to the Ticketing for Bylaw Offences Bylaw, 2011, No. 1929”.

**RECOMMENDATION**

THAT Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled “Proposed Amendments to the Ticketing for Bylaw Offences Bylaw, 2011, No. 1929”.

7. **PROPOSED AMENDMENT TO THE ANIMAL CONTROL AND LICENSING BYLAW, 2012, NO. 1959** **Page 29**

Corporate report dated July 22, 2019 from the Director of Planning and Development Services titled “Proposed Amendment to the Animal Control and Licensing Bylaw, 2012, No. 1959”.

**RECOMMENDATION**

THAT Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled “Proposed Amendment to the Animal Control and Licensing Bylaw, 2012, No. 1959”.

8. **MARINE DRIVE LIQUOR LICENSING: ISSUES AND OPTIONS** **Page 33**

Corporate report dated July 22, 2019 from the Director of Planning and Development Services titled “Marine Drive Liquor Licensing: Issues and Options”.

**RECOMMENDATIONS**

THAT Governance and Legislation Committee:

1. Receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled “Marine Drive Liquor Licensing: Issues and Options”; and
2. Direct staff to bring forward proposed amendments to the Business Licence Bylaw, 1997, No. 1510 to Council, to add new liquor licencing regulations as outlined in ‘Option 3’ in this corporate report and/or as directed by Committee.

9. **PROPOSED UPDATES: VACATION (SHORT TERM) RENTAL REGULATIONS** **Page 41**

Corporate report dated July 22, 2019 from the Director of Planning and Development Services titled “Proposed Updates: Vacation (Short Term) Rental Regulations”.

**RECOMMENDATION**

THAT the Governance and Legislation Committee:

1. Receive for information the corporate report dated July 22, 2019, from the Director of Planning and Development Services, titled “Proposed Updates: Vacation (Short Term) Rental Regulations”; and
2. Direct staff to bring forward proposed amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510 to Council, to add new vacation rental regulations as outlined in this corporate report and/or as directed by Committee.

**10. COUNCIL POLICY NO. 163: COUNCIL LIAISON(S) TO CITY COMMITTEES / TASK FORCES Page 51**

Council Policy No. 163 is presented in response to the Committee’s July 8, 2019 discussion regarding the role of Council as a liaison on City Committees / Task Forces.

**RECOMMENDATION**

THAT the Governance and Legislation Committee recommends that Council endorse Council Policy No. 163: Council Liaison(s) to City Committees / Task Forces as circulated.

**11. COUNCIL AND COMMITTEE PROCEDURE BYLAW, 2018, NO. 2232 – DELEGATIONS TO COUNCIL Page 52**

Councillor Fathers requested the City’s Council and Committee Procedure Bylaw be placed on the agenda to discuss Section 20. Delegations / Petitions.

**12. CITY POLICY AND SELECT BYLAW REVIEW Page 85**

Corporate report date July 22, 2019 from the Director of Corporate Administration titled “City Policy and Select Bylaw Review”.

**RECOMMENDATION**

THAT the Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Corporate Administration titled “City Policy and Select Bylaw Review”.

**13. POLICY ENDORSEMENT**

As part of the ongoing City Policy review, the following policies have been reviewed by staff and the proposed updates (shown with proposed tracked changes) are presented for Council’s consideration.

**RECOMMENDATION**

THAT the Governance and Legislation Committee endorses the following policies:

- Administration Policy No. 207: Distribution of City Lapel Pins Page 100
- Information Technology Policy No. 800: Video Surveillance/Recording at Civic Properties Page 101

*Note: Proposed amendments to Policy No. 800 were made following consultation with the City’s Manager of Freedom of Information.*

**14. CONCLUSION OF THE JULY 22, 2019 GOVERNANCE AND LEGISLATION COMMITTEE MEETING**

**PRESENT:** Councillor Fathers, Chairperson  
Mayor Walker  
Councillor Chesney  
Councillor Kristjanson  
Councillor Manning  
Councillor Trevelyan

**ABSENT:** Councillor Johanson

**STAFF:** D. Bottrill, Chief Administrative Officer  
T. Arthur, Director of Corporate Administration  
C. Johannsen, Director of Planning and Development Services  
S. Kurylo, Director of Financial Services  
E. Stepura, Director of Recreation and Culture

Press: 0

Public: 1

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1. **CALL MEETING TO ORDER**  
The meeting was called to order at 4:00 p.m.

2. **ADOPTION OF AGENDA**

2019-G/L-093

**It was MOVED and SECONDED**

THAT the Governance and Legislation Committee adopts the agenda for July 8, 2019 as amended to add as Item 4.0 Committee Functions and the rest of the agenda to be renumbered accordingly.

**CARRIED**

3. **ADOPTION OF MINUTES**

a) June 24, 2019

2019-G/L-094

**It was MOVED and SECONDED**

THAT the Governance and Legislation Committee adopts the following meeting minutes as circulated:

a) June 24, 2019.

**CARRIED**

In accordance with motion 2019-G/L-093 a new Item 4 titled Committee Functions was added to the agenda:

4. **COMMITTEE FUNCTIONS**

The Chairperson noted the following information, copies of the information was distributed "On Table" so the Committee could follow what was being noted for discussion. Attached to the notation was also Council Policy 120 – Code of Conduct for Committee Members.

*Committees function solely as advisory bodies that provide recommendations to Council.*

*The Appointed Chairperson plays a leadership role for the Committee.*

*The Council Liaison to the committees are there to offer information from the Council perspective, what has been discussed at the Council meetings, what Council have experienced and how the discussion fits within the City's practices and Councils Strategic Priorities.*

*The Council Liaison do not vote at the Committee as members of Council are not there to drive a Committee as Council have the freedom to make motions and have discussion at the Council table.*

*The Committee members are volunteers of their time and offer their expertise or passion for a topic. The Committee meeting is the opportunity to hear from that group of individuals.*

*When the minutes of the Committee come back to Council with a recommendation, the Council Liaison may speak to the recommendation and if needed answer questions in regard to the recommendation.*

*The Committee members themselves are appointed by the Council as a whole. When Council consideration the appointments, from those who have put their names forward, they consider who will bring the most to the conversation through their knowledge, background or interest.*

*Committee members sign a code of conduct in accordance with Council Policy 120. As a Committee member they are representing the City. During the consideration process Council Policy 120 is also considered.*

Discussion ensued and the following points were noted:

- It was clarified that the Councillor Liaison is encouraged to be active on the Committee. Although the Councillor Liaison do not vote or make motions they are not there to just to observe they are expected/encouraged to participate in discussion at the meetings.
- It was noted that this should be included as part of a policy so there is clarity around the role.

2019-G/L-095

**It was MOVED and SECONDED**

**THAT the Governance and Legislative Committee directs the role of a Council Liaison be formalized through a City policy and it be brought back to the Committee for review.**

**CARRIED**

5. **SPECIAL EVENT PROTOCOL GUIDELINES**

Corporate report dated June 24, 2019 from the Director of Recreation and Culture titled “Special Event Protocol Guidelines”.

The following discussion points were noted:

- Concern there is no mention of the Crown - Lieutenant Governor
- First Nation acknowledgement, it was requested that staff confirm this
- The parade line-up order, would like to see the arrows be inverted or be noted sideways as how they are currently placed is confusing

2019-G/L-096

**It was MOVED and SECONDED**

THAT the Governance and Legislation Committee

1. Receives for information the corporate report dated June 24, 2019 from the Director of Recreation and Culture titled “Special Event Protocol Guidelines”; and
2. Endorses the Special Event Protocol Guidelines as outlined in Appendix A of this corporate report with the noted changes.

**CARRIED**

6. **UPCOMING COMMUNITY FORUMS**

Discussion regarding timing for future forums, further topics and format.

It was noted that this is a successful way to reach the public. There should be Community Forums booked in July, September, October and November and some noted topics were:

- *Affordable Housing – will be its own topic - may be a few forums on this topic (a few months apart) – (first one July 29, 2019 at 5:30 p.m. White Rock Community Center)*
- *TransLink – will be its own topic - September*
- *Smart Cities, maybe more of an educational process (2 hours) demonstration and opportunity for the public to ask questions and comment*

The forum format will be considered with the topic as to what works best with the information to be provided, there must always be consideration / time given to hear from the public. It was noted that information needs to be put forward in regard to a scorecard against each of Council’s Strategic Priorities.

7. **COUNCIL POLICY NO. 106 – COUNCIL REMUNERATION AND EXPENSES**

Councillors Chesney and Fathers have requested that Council Policy No. 106 (Council Remuneration and Expenses) be placed on the agenda for discussion.

Council Policy 106 recommends that following the swearing in of a new Council the Director of Financial Services shall revise the annual remuneration for Mayor and Council using the average of the remuneration for the previous year for the following three noted municipalities: City of Pitt Meadows, City of Port Moody and City of Langley.

Up until December 31, 2018 there was also a one third of the annual remuneration considered an allowance for expenditures (tax free) permitted. Effective January 1, 2019 the *Income Tax Act* no longer permitted this tax free item and staff brought forward the Council Policy 106 so Council remuneration could be discussed with consideration of the amendment to the legislation (tax free portion of their indemnification).

The Governance and Legislation Committee recommended the following in regard to their identification:

**RECOMMENDATION #1:**

*THAT the Governance and Legislation Committee recommends that Council increase the Mayor and Council remuneration by 15%, enough to bring up the Council remuneration from what was lost with the new income tax act amendment that eliminated the nontaxable status of the non-accountable allowance for elected officials.*

**RECOMMENDATION #2:**

*THAT the Governance and Legislation Committee recommends that Council include in addition for 2019, the Canadian Price Index (CPI) rate to be added to the Mayor and Council Remuneration.*

**RECOMMENDATION #3:**

*THAT the Governance and Legislation Committee recommends that Council endorse Council Policy No. 106 – Council Remuneration and Expenses.*

It was noted that the item had been asked to be discussed again because two (2) previous members of Council are impacted by the change to the *Income Tax Act*. They now receive less funds than they had in the previous term(s) for carrying out their duties.

The Director of Financial Services noted the following gross amount of indemnification based on the recommendations noted above made by the Committee previously: with the two additional increase amounts of 18.3% total:

- Mayor annual indemnification currently: \$86,080 with the proposed increase of 18.3% the indemnification will increase to \$101,860
- Council annual indemnification currently: \$34,430 with the proposed increase of 18.3% the indemnification will increase to \$40,740
- In addition the Deputy Mayor monthly indemnification currently \$1,430 per month and with the proposed increase of 18.3% the indemnification will increase to \$1,700

The item was not on the agenda for a vote at this time. The recommendations as noted in this agenda are included on the regular agenda for later in the evening for Council consideration.

8. **CITY OF WHITE ROCK: TREE MATTERS**

Councillor Fathers requested that the following items/documents pertaining to city trees be placed on the agenda for discussion:

The following items were placed on the agenda for reference during discussion:

- White Rock Tree Management Bylaw, 2008, No. 1831
- Engineering & Municipal Operations Policy No. 611: Tree Management on City Lands
- Arborist Report dated June 13, 2019 regarding 1235 Oxford Street, White Rock

The Chief Administrative Officer (CAO) gave a general overview of Policy 611 – Tree Management on City Lands.

The CAO inquired with Council as a check in with the principles of the policy, if this would remain as the direction of this Council.

The following questions / comments were noted:

- When the City removes trees on City lands what is the replanting program?  
The City is accountable as anyone else when trees are removed and additional trees are planted to make up for what was removed (tree size is important, it is usually 2 to 1)
- Trees are removed but the City does not appear to have the diversity that we once had, when a significant tree is removed a tree of similar standard should be the replacement (like species for like species)
- The City typically would only remove hazardous trees
- Item 7d) is something that was noted, if the tree was there and had obscured a view previously then this section should not apply (even if it takes time for the tree to grow)
- It was noted the two (2) recent trees removed from Oxford, that they should be replaced in close proximity
- Would like to see a policy that trees of a certain size would need to come to Council prior to being removed (these decisions need to come before Council with the exception of an emergency)



2019-G/L-096

**It was MOVED and SECONDED**

THAT the Governance and Legislation Committee refers the following to the City's Environmental Advisory Committee:

- White Rock Tree Management Bylaw, 2008, No. 1831; and
- Engineering and Municipal Operations Policy No. 611: Tree Management on City Lands for review from an environmental perspective / protecting our environment for recommendations to come back to this committee in the Fall 2019.

**CARRIED**

Discussion continued on the matter and the following points were noted:

- Matrix used to estimate the likelihood of a tree failure impacting a specified target and the risk rating matrix was noted: with the exception of Very Likely and Extreme that falls under what would be an emergency (extreme danger) but other than that Council should have oversight
- Communication is a big part of this, earlier when trees are known they need to come down this needs to be done with Council (not last minute)
- Would like Council to be able to review the Arborist report ahead of time and be able to ask questions of the information

2019-G/L-096

**It was MOVED and SECONDED**

THAT the Governance and Legislation Committee refers the following to the City's Environmental Advisory Committee:

- White Rock Tree Management Bylaw, 2008, No. 1831; and
- Engineering and Municipal Operations Policy No. 611: Tree Management on City Lands for review and make recommendation(s) as to how they should change in regard to Council oversight of trees before they are taken down.

**CARRIED**

9.

**WATER QUALITY TASK FORCE**

It was inquired where this Task Force was in regard to being established.

Staff clarified that the resolution on this matter was to defer the decision and allow the Water Community Advisory Panel to deal with the issues in regard to water quality as per their Terms of Reference that include water quality for both source and distribution.

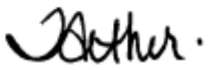
It was staff's recollection that a Water Quality Task Force at the time of being discussed was considered premature. The City's water treatment plant was not completed / operational at the point. Since that time there was a subsequent motion on this topic and staff were directed to provide an updated business case with regard to whether or not the City should continue to use the current water supply or they should be using Metro Vancouver's water supply. This report is expected that includes a business case will be brought forward in September 2019.

**10. CONCLUSION OF THE JULY 8, 2019 GOVERNANCE AND LEGISLATION COMMITTEE MEETING**

The Chairperson concluded the meeting at 5:53 p.m.

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Mayor Walker

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Tracey Arthur, Director of  
Corporate Administration

Unapproved

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



**POLICY TITLE: CORRESPONDENCE RECEIVED BY THE CITY**

**POLICY NUMBER: COUNCIL - 107**

<i>Date of Council Adoption:</i> January 2004	<i>Date of Last Amendment:</i> February 6, 2017
<i>Council Resolution Number:</i> 2004-11, 2009-477, 2010-418, 2012-054, 2013-082, 2015-214, 2016-151, 2017-063	
<i>Originating Department:</i> Administration	<i>Date last reviewed by the Governance and Legislation Committee:</i> January 30, 2017

**Policy:**

The underlying principles for handling inquiries, compliments and complaints are:

1. All inquiries, compliments and complaints are important and are to be acknowledged.

1.1 Email

City staff will respond to emails in a timely manner taking into consideration their workload and project deadlines with a response time of ten (10) business days.

1.2 Letters

Letters sent by mail or dropped off at City Hall will be acknowledged within thirty (30) days.

2. Responses to inquiries and complaints must be factual and complete. It is necessary for staff in the organization who has first-hand knowledge about the issue to review and draft the response.
3. The inquirer should be given an estimate by which they can expect a response.
4. Staff will strive to meet the deadlines outlined in this policy however, due to volume of correspondence submitted to the City, at the discretion of the Senior Manager who either the correspondence was addressed to or if the matter falls under their jurisdiction they will determine when the responses will be completed, following an acknowledgement to the writer, with consideration given to work volume and staff resources.

Once the Senior Manager is satisfied the inquiry has been fully answered no further response is necessary.

5. When correspondence is deemed by the Chief Administrative Officer to be derogatory or accusatory the Chief Administrative Officer will correspond back to the writer to inform that this will not be tolerated.

The writer will be informed that they may resubmit their comments; concerns or questions without the derogatory or accusatory statements and following that staff will acknowledge and / or answer queries.

There will be no further action taken until the writer, after being contacted by the Chief Administrative Officer, re-submits the correspondence.

6. All City Staff are public servants who maintain political neutrality. City Staff will not respond to correspondence that is deemed to be partisan and political in nature.

**Rationale:**

In order that the City of White Rock consistently projects a professional image and provides a timely, accurate response to inquiries and complaints, which are received through a variety of sources (telephone, email, courier, by hand, fax and Canada Post).



**POLICY TITLE: TERMS OF REFERENCE: HOUSING TASK FORCE**

**POLICY NUMBER: COUNCIL – 164**

<i>Date of Council Adoption:</i>	<i>Date of Last Amendment: N/A</i>
<i>Council Resolution Number: 2019-xxx</i>	
<i>Originating Department: Planning and Development Services</i>	<i>Date last reviewed by the Governance and Legislation Committee:</i>

**Policy:**

The White Rock Housing Task Force will provide advice to Council regarding potential housing and affordable housing policies, tools, incentives and partnerships that support a range of housing options and affordability levels in the City of White Rock. The Task Force will also assist the Planning and Development Services Department in completing the Official Community Plan Review, Zoning Bylaw Update and preparing a Housing Needs Report. The work of the Task Force will include these items:

- Reviewing background research on the City’s housing needs, particularly the standardized data provided by Metro Vancouver Regional District regarding factors that impact housing affordability (current and projected population, household income, significant economic sectors and currently available and anticipated housing units);
- Conducting a SWOT analysis to determine the strengths, weaknesses, opportunities and threats that impact the affordability of housing in White Rock;
- Reviewing municipal policies, tools and incentives for creating a range of affordable and rental housing options, including density bonuses and transfers, and the use of City land and/or Community Amenity Contributions (CACs) as City contributions to partnership-based affordable housing projects;
- Providing input into the Official Community Plan affordable housing policy review;
- Reviewing existing rental housing policies related to tenant relocation and protections;
- Providing recommendations on using ‘residential rental tenure zoning’ in White Rock, permitting multiple secondary suites in a single building, and eliminating the minimum size of secondary suites as currently proposed under the BC Building Code; and
- Consulting with community stakeholders, government and non-profit agencies, potential partners and the public to develop strategic goals and actions to protect, maintain, improve existing rental housing and create new affordable housing (ownership/rental).

## **Committee General Terms**

### **Term**

The Task Force appointments will be made by City Council for a one (1) year term, with the initial appointments expiring September 22, 2020 or until the activities are complete, whichever is sooner.

### **Membership**

- a) The Task Force will consist of up to seven (7) voting members appointed by Council from the community at large, two (2) non-voting members of Council, and City staff as required.

Representatives from the following groups, organizations or businesses will be invited to participate on the Task Force:

- City Council (2 members)
- Peninsula Homeless to Housing Task Force
- Semiahmoo Seniors' Planning Table
- White Rock Economic Development Advisory Committee
- The Public

Staff liaisons are:

- Director of Planning and Development Services
- Manager of Planning
- Planner (as required)
- Committee and FOI Clerk

- b) Members shall serve without remuneration or gifts.

### **Chairperson / Vice-Chairperson**

Council will appoint the Chairperson and a Vice-Chairperson of the Task Force.

### **Meetings**

- a) The members shall mutually agree to a meeting schedule at their inaugural meeting. The meeting schedule will then be published and updated as needed by the Committee Clerk.
- b) The Chairperson may call a meeting of the Task Force, with at a minimum of staff being able to give twenty-four (24) hours notice to the members, in addition to the scheduled meetings or may cancel a meeting.
- c) Quorum for meetings shall mean a majority of all of the Task Force voting members.

- d) If there is no quorum present within 15 minutes of the scheduled start time the Committee Clerk will:
  - i) record the names of the members present, and those absent; and
  - ii) conclude the meeting until the next scheduled meeting.
- e) All Task Force meetings are open to the public unless designated as closed to the public (in accordance with the *Community Charter*) by the Task Force. The public would attend the meeting to observe only. When deemed relevant to the discussion of a particular item of business under consideration, the Chairperson may, with majority consent of those members in attendance, give permission to a member of the public in attendance to speak to the item in question.
- f) Meetings shall last no longer than two (2) hours, except under extraordinary circumstances as agreed to by the members present.
- g) If a member:
  - i) fails to attend three (3) consecutively held meetings; or
  - ii) fails to attend a meeting in any sixty (60) day period, providing a meeting is held in that sixty (60) day period (whichever is the longer period of time) and
  - iii) unless the absence is because of illness; or
  - iv) unless the absence is with the express leave of the Chairperson, the appointment of the member shall be revoked.

The Committee Clerk will keep an attendance log and notify the Chairperson and City Clerk where there have been two consecutive absences without consent. The City Clerk will make contact with the Task Force member.

- h) Any person with particular expertise, including municipal staff may be invited by the Chairperson or staff member to attend a meeting in order to provide information or advice, but only members appointed by City Council may vote on matters coming before the Task Force.
- i) The office of the City Clerk will be responsible for preparing agendas, minutes, updating Terms of Reference policy, meeting schedule, and administrative support to the Task Force. Agendas and approved minutes will be posted on the City's website.
- j) Meeting minutes, with recommendations noted, will be forwarded to Council for information and action as required.
- k) The Task Force may hear and consider representations by any individual, group or organization on matters referred to the Task Force by Council.
- l) Where a member of the Task Force, their family, employer or business associates have any interest in any matter being considered by the Task Force, that member will absent themselves from all aspects of consideration of that matter by declaring a Conflict of Interest.

- m) The Chairperson and staff liaisons will prepare a concluding report to be submitted to the Chief Administrative Officer for review and to be forwarded to City Council.
- n) The Task Force cannot direct staff to take any action.
  - i) any such action must be referred to Council for consideration and adoption;
  - ii) the staff member assigned to the Task Force or the Chief Administrative Officer may advise the Task Force of existing policies or directives and the needs to refer the matter to Council prior to taking any action.
- o) The Task Force does not have the authority to commit funds, enter into contracts or commit the City to a particular course of action.
- p) On broader matters such as organizing or setting up major or unusual events or projects which do not have budget implications, the Task Force must receive prior approval from the Director of Planning and Development Services.
- q) The Chairperson may appoint members to a subcommittee to consider, inquire into, report and make recommendations to the Task Force for a specific purpose.
- r) Members of the Task Force are not permitted to speak directly with the media on behalf of the Task Force.

### **Procedures**

Unless otherwise provided for in these terms of reference, the procedures of the Task Force will be governed by the City's Council and Committee Procedure Bylaw.

### **Code of Conduct**

Appointees will be required to sign a statement agreeing that they have read, understood, and will conform to the City's code of conduct as defined in the Council policy regarding Code of Conduct for Committee Members. This will be required immediately upon appointment. The statement / agreement for signature is attached to, and forming, part of this policy.

### **Rationale:**

The purpose of the Housing Task Force is to provide advice to Council regarding potential housing and affordable housing policies, tools, incentives and partnerships and provide assistance to Planning and Development Services in completing the Official Community Plan Review and preparing a Housing Needs Report.



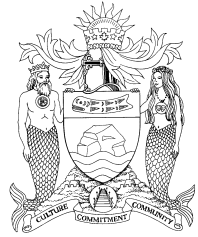
**CITY OF WHITE ROCK  
COMMITTEE CODE OF CONDUCT  
STATEMENT / AGREEMENT**

This will confirm that as of \_\_\_\_\_, I have read Council  
(DATE)  
Policy 120, “Code of Conduct for Committee Members” and Council Policy \_\_\_\_\_,  
Committee Terms of Reference and I understood and will conform to the City’s Code of  
Conduct as outlined in these policies.

\_\_\_\_\_  
(PRINT NAME)

\_\_\_\_\_  
(SIGNATURE)

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** July 22, 2019

**TO:** Governance and Legislation Committee

**FROM:** Carl Johannsen, Director of Planning and Development Services

**SUBJECT:** Proposed Amendments to the Ticketing for Bylaw Offences Bylaw, 2011, No 1929.

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**RECOMMENDATION**

THAT Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled “Proposed Amendments to the Ticketing for Bylaw Offences Bylaw, 2011, No. 1929”.

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**BACKGROUND**

The Ticketing for Bylaw Offences Bylaw, 2011, No. 1929 was created to provide an efficient means of amending fines and Schedules without having to undertake amendments to multiple City Bylaws. Fines are an effective means of Bylaw enforcement, and are issued by the City’s Bylaw Enforcement Officers (BEOs) when engagement and education does not result in compliance with a Bylaw.

**Current Ticketing Bylaw: Fines Out of Date, Not Responsive to Violations**

A number of City Bylaws referenced in the Ticketing for Bylaw Offences Bylaw have been amended since 2011, resulting in the changing of sections numbering or outright replacement of Bylaw sections (ie. the Public Health and Smoking Protection Bylaw). This discontinuity between the Ticketing for Bylaw Offences Bylaw and other City Bylaws can result in tickets (issued by BEOs) being invalidated or dismissed outright if they are challenged in court.

Staff also note that fine amounts, in some cases, have remained static for years and do not represent a real deterrent, due to the low dollar amount of potential fines. This is particularly evident in the low fine amounts for Zoning Bylaw violations (ie. unpermitted uses).

In terms of animal control and licencing, staff believe the current fines are not high enough to compel the owners of dogs, that have been deemed aggressive by Bylaw Enforcement, to properly implement the required restrictions for aggressive dogs.

Lastly, with the historically high amount of construction underway in the City, there has been an increase in violations of the White Rock Noise Control Bylaw, 2013, No. 2018 by builders of small and large projects. The current fine of \$150.00, for the first offence of “Construction Noise outside of permitted hours”, is not an effective enforcement tool for Bylaw staff, and can be seen by violators as merely a small fee for unpermitted extension of work beyond hours permitted. Staff also note that violations involving ‘undertaking work without a business licence’ have also increased, and given that the current fine amount is also low, this has resulted in some choosing to operate without a licence and the fine is just a part of the cost of doing

business. A higher fine for business licence violations will help to deter violations and increase business licence revenue.

### **DISCUSSION/ANALYSIS**

Based on the above context, this corporate report identifies recommended amendments to the Ticketing of Bylaw Offences Bylaw, to promote consistency amongst City Bylaws, maximize enforceability and ensure fines act as an effective deterrent to Bylaw violations. Key proposed amendments are summarized below and can be found in detail in Appendix A:

- Eliminating discontinuities between the Ticketing for Bylaw Offences Bylaw and other City Bylaws; and
- Raising fines to a level where they will act as a deterrent to illegal activities/Bylaw violations; the proposed new fines include:
  - Zoning Bylaw violations (ie. unpermitted uses such as illegal Accessory Vacation Rentals): \$500.00 for the first offence, \$1000.00 for the second offence and \$2000.00 for the third and subsequent offences. Current first offence fine is \$150;
  - \$500 for aggressive dog owners that do not adhere to conditions. Current fine is \$300;
  - Noise bylaw violations: \$500.00 for the first offence, \$1000.00 for the second offence and \$2000.00 for the third and subsequent offences. Current fine is \$150; and
  - \$200 per day for failing to obtain a Business Licence. Current fine is \$75 (one-time).

### **Potential Future Amendments in Support of Other City Bylaws**

Updates relating to other City Bylaws, such as the Sign Bylaw, are not included in these proposed amendments to the Ticketing for Bylaw Offences Bylaw. Staff note there may be further future amendments to the Ticketing Bylaw, depending on the outcomes of Council's review of City bylaws and the work of the City's Task Forces.

### **OPTIONS**

The Governance and Legislation Committee can:

1. Receive this corporate report as information and recommend that Council give first, second and third readings to "Ticketing for Bylaw Offences Bylaw Amendment 8, Bylaw, 2019, No. 2301"; or
2. Request that staff undertake further research and report back to Committee with an updated/modified approach, as directed by the Committee.

Staff recommends Option 1.

### **BUDGET IMPLICATIONS**

Enforcement related to the proposed bylaw amendments can be undertaken using existing Bylaw Enforcement staff resources.

## **CONCLUSION**

This corporate report identifies recommended amendments to the Ticketing of Bylaw Offences Bylaw, to promote consistency amongst City Bylaws, maximize enforceability and ensure fines act as an effective deterrent to Bylaw violations. Staff recommends that Council give first, second and third reading to Bylaw No. 2301.

Respectfully submitted,



Carl Johannsen, MCIP, RPP  
Director of Planning and Development Services

### **Comments from the Chief Administrative Officer:**

I concur with the recommendation to increase fines as outlined in this corporate report.



Dan Bottrill  
Chief Administrative Officer

Appendix A: Draft Bylaw, “Ticketing for Bylaw Offences Bylaw, 2011, No. 1929,  
Amendment 8, Bylaw 2301, 2019”

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
**BYLAW No. 2301**



A Bylaw to amend the  
 Ticketing for Bylaw Offences Bylaw, 2011, No. 1929

WHEREAS it is expedient to amend certain provisions of the Ticketing for Bylaw Offences Bylaw, 2011, No. 1929;

NOW THEREFORE the CITY COUNCIL of the Corporation of the City of White Rock, in an open meeting assembled, ENACTS as follows:

1. Deleting Schedule B 1 and replacing it with;

**Schedule B1**

Building Bylaw, 2012, No. 1928 (as amended)

<b>Designated Offense</b>	<b>Section</b>	<b>Penalty</b>
Construction, repair, alteration, relocation or demolition of a building or structure without a permit	Sec. 6.1 Sec. 6.2	\$250.00
Occupy or use contrary to notice or permit	Sec. 6.3	\$250.00
Knowingly submit false information in relation to permit application or construction	Sec. 6.4	\$250.00
Tamper with or remove posted notice or certificate	Sec. 6.5	\$250.00
Construction, repair, alteration, relocation or demolition contrary to or at variance to permit	Sec. 6.6	\$250.00
Obstructing entry of Building Official, Building Inspector or Bylaw Enforcement Officer	Sec. 6.7	\$500.00
Installation, repair or replacement of plumbing without, or not in accordance with terms of permit	Sec. 6.1 Sec. 6.2 Sec. 6.6	\$250.00
Disobey or remove a Stop Work Order	Sec. 6.5 Sec. 28.4	\$500.00 1 <sup>st</sup> \$750.00 2 <sup>nd</sup> \$1000.00 3 <sup>rd</sup> and Subsequent offences
Disobey or remove a Do Not Occupy notice	Sec. 6.5	\$500.00 1 <sup>st</sup> \$750.00 2 <sup>nd</sup>

	Sec. 28.6	\$1000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with Fire Sprinkler System requirements	Sec. 17.1	\$250.00
Failure to post permit	Sec. 17.2(a)	\$100.00
Failure to keep plans/specifications on site	Sec. 17.2(b)	\$100.00
Failure to post Civic address	Sec. 17.2(c)	\$100.00
Failure to obtain approval of works or conceal works prior to inspection and approval	Sec. 18.5	\$500.00
Occupy building prior to inspection and approval	19.1	\$500.00 per day
Construct retaining structure without a permit	20.1	\$250.00
Construct driveway access or culvert without a permit	Sec. 22.1 Sec. 22.2	\$500.00
Improper installation or maintenance of pool fence or gate	Sec. 23.3 Sec. 23.4	\$250.00
Disobey order to require Secondary Suite be brought into compliance with BC Building Code requirements	Sec. 28.3	\$250.00 1 <sup>st</sup> \$500.00 2 <sup>nd</sup> \$1000.00 3 <sup>rd</sup> and Subsequent offences

2. Deleting Schedule B 2 and replacing it with:  
**Schedule B 2**

White Rock Business Licence Bylaw, 1997, No. 1510 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Operate without a business licence	Sec. 2 Sec. 3	\$200 per day
Failure to display business licence	Sec. 10	\$150.00
Failure to permit inspection	Sec 17	\$500.00
Operate business while licence is under suspension	Sec 16	\$500.00 per day
Failure to list partners	Sec. 14	\$250.00
Unauthorized transfer of licence	Sec. 12	\$250.00
Prohibited business activity	Sec. 15 Sec. 16 Sec. 18	\$500.00 per day
Failure to notify city of change in condition	Sec. 11	\$250.00

3. Deleting Schedule B3 and replacing it with:  
**Schedule B 3**

Animal Control and Licensing Bylaw, 2012, No. 1959 (as amended)

<b>Designated Offense</b>	<b>Section</b>	<b>Penalty</b>
Operating a kennel	Sec.5	\$500.00
Keeping an exotic animal	Sec. 7	\$150.00 1 <sup>st</sup>
Keeping livestock or poultry	Sec 45	\$250.00 2 <sup>nd</sup>
		\$500.00 3 <sup>rd</sup> and Subsequent offences
Failure to license a dog	Sec. 8	\$300.00
No licence tag on dog	Sec. 11	\$150.00
Howling or barking dog causing a disturbance	Sec 22	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Dog off leash in a public place	Sec. 23 (4)	\$200.00
Dog on pier or promenade	Sec.23 (5)	\$200.00
Dog running at large	Sec. 23 (1)	\$150.00 1 <sup>st</sup> \$250.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Failure to secure a dog in estrus	Sec. 25	\$150.00
Failure to confine an aggressive dog	Sec. 29 (1)	\$500.00
Failure to keep an aggressive dog on leash	Sec. 29(2)(a)	\$500.00
Failure to muzzle an aggressive dog	Sec. 29 (2)(c)	\$250.00
Failure to comply with an order for an aggressive dog	Sec. 29	\$500.00
Dog excrement left on public property or private property other than the residence of the dog owner	Sec. 38	\$200.00
No suitable means to remove feces	Sec. 37	\$200.00
Dog enclosed in confined space without sufficient ventilation.	Sec. 42	\$300.00
Feeding, attracting or enticing wildlife	Section 45 (2)	\$150.00
Interfere with Animal Control Officer or Peace Officer	Sec. 48	\$500.00

4. Deleting Schedule B 5 and replacing it with;

**Schedule B5**

White Rock Noise Control Bylaw, 2013, No. 2018 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Disturbing Noise	Sec 7.1 Sec. 7.2 (b) and (c)	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Disturbing or objectionable noise as per Schedule A	Sec 7.2 (a)	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Commercial delivery noise outside of permitted hours	Sec.7.2 (d)	\$150.00
Amplified sound which disturbs	Sec.7.2 (e)	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Noise in a public place	Sec.7.2 (f)	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Construction noise out of permitted hours	Sec.7.3 (a)	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Construction noise outside of permitted hours without approval	Sec.7.3 (b)	\$4000.00
Construction noise on a Sunday or Holiday	Sec.7.4	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Noise by owner or occupant outside of permitted hours	Sec.7.5	\$200.00 1 <sup>st</sup> \$350.00 2 <sup>nd</sup> \$500.00 3 <sup>rd</sup> and Subsequent offences
Nuisance property	Sec. 7.6	\$2000.00
Continued disturbance from nuisance property	Sec. 7.7	\$2000.00



5. Deleting Schedule B 7 and replacing it with;

**Schedule B7**

White Rock Parks Regulation Bylaw, 1977, No. 675 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Contravenes any provision of Sections 2 (a) or 2 (b) (in any park, cuts, destroys, damages or removes any tree)	Sec. 2 (b)	\$1000.00 1 <sup>st</sup> offence \$2500.00 2 <sup>nd</sup> or Greater offence
Contravenes any provision of Section 2 (c) to 2 (x) (in any park)	Sec. 2 (c) to 2 (x)	\$100.00 1 <sup>st</sup> offence \$250.00 2 <sup>nd</sup> or Greater offence
Contravenes any provision of Section 3 (in any park)	Sec. 3 (a) to 3 (e)	\$100.00 1 <sup>st</sup> offence \$250.00 2 <sup>nd</sup> or Greater offence
Contravenes any provision of Section 6 (Playgrounds and Courts)	Sec. 6 (a) to 6 (c)	\$100.00 1 <sup>st</sup> offence \$250.00 2 <sup>nd</sup> or Greater offence
Contravenes any provision of Section 7 (Beaches)	Sec. 7 (a) to 7 (i)	\$100.00 1 <sup>st</sup> offence \$250.00 2 <sup>nd</sup> or Greater offence

6. Deleting Schedule B 9 and replacing it with;

**Schedule B9**

Public Health and Smoking Protection Bylaw, 2008, No.1858 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Smoking in contravention of the provisions of Section 2.1	Sec. 2.1 (a) to 2.1 (i)	\$100.00 1 <sup>st</sup> offence \$250.00 2 <sup>nd</sup> and Subsequent offences
Owner or responsible person allowing smoking in contravention of Section 2.1	Sec. 2.2	\$1000.00 1 <sup>st</sup> offence \$2000.00 2 <sup>nd</sup> and Subsequent offences
Owner or responsible person not posting or maintaining required signs	Sec. 2.3	\$250.00

7. Deleting Schedule B 12 and replacing it with;

**Schedule B12**

White Rock Unsightly Premises and Graffiti Abatement Bylaw, 2013, No 2019 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Nuisance or unsightly conditions	Sec. 5.1 Sec. 5.2	\$250.00
Nuisance property	Sec. 5.3	\$2000.00
Unsightly conditions on a nuisance property	Sec. 5.4	\$2000.00
Placement of graffiti on any sidewalk, wall, building, fence, sign or other structure or any real property or any place to which the public has access	Sec. 6.1	\$250.00
Collection or accumulation of water, refuse, or materials	Sec.6.3 (a)	\$250.00
Cause or permit unsanitary conditions	Sec. 6.3 (b)	\$250.00
Failure to remove, cut down, or trim trees, weeds or other growths	Sec. 6.3 (c)	\$250.00
Cause or permit graffiti or unsightly conditions	Sec. 6.3 (d)	\$250.00
Cause or permit an infestation	Sec. 6.3 (e)	\$250.00
Cause or permit conditions which may provide food or harborage	Sec. 6.3 (f)	\$250.00
Accumulation of construction or demolition waste not contained	Sec. 6.3 (g)	\$250.00
Outside storage of items	Sec. 6.3 (h)	\$250.00
Vehicle on landscaping	Sec 6.3 (i)	\$250.00
Placement of sweepings, ashes, refuse, rubbish or discarded materials in a public place	Sec 6.4	\$1000.00
Unsecure property	Sec. 6.5	\$250.00
Interferes with duties	Sec. 7.5	\$1000.00

8. Deleting Schedule B 13 and replacing it with;

**Schedule B13**

White Rock Zoning Bylaw, 2012, No 2000 (as amended)

<b>Designated Offence</b>	<b>Section</b>	<b>Penalty</b>
Prohibited use of land, building, or structure	Sec. 4 Sec. 6 Schedule B for all zones	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with accessory off-street parking requirements, i.e. for parking and storing of commercial vehicles, contractors equipment or machinery, house trailer or recreational vehicles, boats or boat trailers	Sec. 4.1.8 Sec. 4.1.9	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with Community Care Facilities or Community Services requirements	Sec. 5.1 Sec. 5.2	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with the accessory home occupation requirements	Sec. 5.3	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with the accessory boarding use requirements	Sec. 5.4	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with the accessory registered secondary suite requirements	Sec. 5.5	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with the accessory bed and breakfast requirements	Sec. 5.7	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with the accessory vacation rental requirements	Sec. 5.8	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Failure to comply with screening and fencing requirements	Sec. 4.12	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences
Removal of required parking or loading space	Sec. 4.14 Sec. 4.15	\$500.00 1 <sup>st</sup> \$1000.00 2 <sup>nd</sup> \$2000.00 3 <sup>rd</sup> and Subsequent offences

9. This Bylaw may be cited for all purposes as “Ticketing for Bylaw Offences Bylaw, 2011, No. 1929, Amendment 8, Bylaw, 2019, No. 2301

RECEIVED FIRST READING on the \_\_\_\_\_ day of \_\_\_\_\_  
RECEIVED SECOND READING on the \_\_\_\_\_ day of \_\_\_\_\_  
RECEIVED THIRD READING on the \_\_\_\_\_ day of \_\_\_\_\_  
ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_

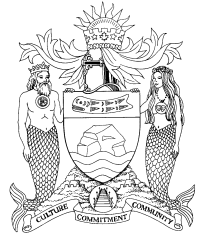
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MAYOR

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DIRECTOR OF CORPORATE ADMINISTRATION

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** July 22, 2019

**TO:** Governance and Legislation Committee

**FROM:** Carl Johannsen, Director of Planning and Development Services

**SUBJECT:** Proposed Amendment to the Animal Control and Licensing Bylaw, 2012, No. 1959

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**RECOMMENDATION**

THAT Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled "Proposed Amendment to the Animal Control and Licensing Bylaw, 2012, No. 1959".

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**BACKGROUND**

This corporate report is being brought forward to Governance and Legislation Committee to identify concerns regarding the feeding of wild birds (primarily Gulls) by individuals along the Promenade, and recommend an approach to curtailing this activity through a proposed amendment of the City's Animal Control and Licensing Bylaw 2012, No. 1959.

The feeding of birds by humans can result in public nuisances – such as significant concentrations of birds along the Promenade that result in bird feces and food waste deposits that can attract pests. This activity can also cause birds to be more dependent on human-provided food, and associate humans with readily available food – which in turn can lead to unwanted interactions between the birds and people walking on the Promenade.

Wildlife feeding can also divert them from their natural habitat into harm's way, and also result in a decline in the health of the animals or even their destruction. A good example of this is people feeding wild animals like coyotes; this has resulted in instances where these coyotes end up associating readily-available food with humans, and leads to them attacking humans and subsequently being destroyed by Provincial Conservation Officers.

**DISCUSSION/ANALYSIS**

Based on the above, and on the premise that key City Bylaws include regulations that seek to minimize public nuisances (ie. noise, unsightliness, etc.), staff recommend that the City's Animal Control and Licensing Bylaw be amended to include a new regulation that prohibits activities that 'attract, feed or otherwise entice any wildlife within the City' (other than bird-feeders). See Appendix A for proposed new bylaw regulation wording. Staff also note that the BC SPCA, which was consulted on this issue, concurs that feeding wild birds is harmful to their health.

If adopted by Council this bylaw amendment will provide the City's Bylaw Enforcement Officers the ability to curtail bird feeding on the Promenade by seeking compliance/enforcing the

Bylaw, which in turn will minimize nuisances associated with bird feeding, maintain people's ability to enjoy the waterfront and reduce harm to wildlife.

Enforcement:

In support of the proposed amendment to the Animal Control and Licencing Bylaw, through a separate July 22, 2019 corporate report staff are proposing amendments to the Ticketing for Bylaw Offences Bylaw that includes a \$150.00 fine for Animal Control and Licencing Bylaw violations related to bird feeding.

New Signage:

Staff also note that new signs that state 'do not feed the birds' are planned to be installed along the waterfront, in support of the proposed Bylaw Amendment and to raise public awareness of the new Bylaw regulation.

**BUDGET IMPLICATIONS**

Enforcement of the proposed bylaw amendment can be undertaken using existing Bylaw Enforcement staff resources. The installation of 'do not feed the birds' signs can be accommodated through the Engineering and Municipal Operations annual signage budget.

**OPTIONS**

The Governance and Legislation Committee can:

1. Receive this corporate report as information and recommend that Council give first, second and third readings to "Proposed Amendment to the Animal Control and Licensing Bylaw 2012, No. 1959 Amendment 3, 2019, No. 2307; or
2. Request that staff undertake further research and report back to Committee with an updated/modified approach, as directed by the Committee.

Staff recommends Option 1.

**CONCLUSION**

This corporate report identifies concerns regarding the feeding of birds by individuals along the Promenade, and recommends that an amendment be made to the City's Animal Control and Licensing Bylaw 2012, No. 1959 to add a new regulation that aims to curtail this activity and minimize associated nuisances.

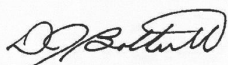
Respectfully submitted,



Carl Johannsen, MCIP, RPP  
Director, Planning and Development Services

**Comments from the Chief Administrative Officer:**

I concur with the recommendations as outlined in this corporate report.



Dan Bottrill  
Chief Administrative Officer

Appendix A: "Animal Control and Licencing Bylaw 2012, No. 1959, Amendment Bylaw, 2019, No. 2307".

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
BYLAW No. 2307



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A Bylaw to amend the  
Animal Control and Licensing Bylaw, 2012, No. 1959

WHEREAS it is expedient to amend certain provisions of the Animal Control Bylaw, 2012, No. 1959;

NOW THEREFORE the CITY COUNCIL of the Corporation of the City of White Rock, in an open meeting assembled, ENACTS as follows:

1. By adding the following definition to Section 3 Interpretation;

**Wildlife** means birds and other vertebrates that are indigenous to the province of British Columbia.

2. Delete "Livestock and Poultry and Section 45 and replace with

Wildlife, Livestock and Poultry

45. No person shall;

- (1) keep or allow to be kept on any real property any livestock, poultry, aviary, or apiary except as permitted pursuant to City of White Rock Bee Keeping Bylaw, 1992, No. 1313, or
- (2) attract, feed or otherwise entice any wildlife within the City except for the use of Hummingbird feeders and bird feeders that dispense only seeds or suet kept on private property.

3. This Bylaw may be cited for all purposes as the “Animal Control and Licensing Bylaw, 2012, No. 1959, Amendment 3, 2019, No. 2307;

RECEIVED FIRST READING on the \_\_\_\_\_ day of \_\_\_\_\_  
RECEIVED SECOND READING on the \_\_\_\_\_ day of \_\_\_\_\_  
RECEIVED THIRD READING on the \_\_\_\_\_ day of \_\_\_\_\_  
ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_

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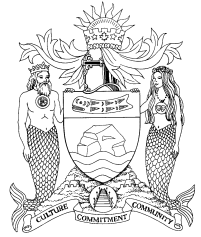
MAYOR

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DIRECTOR OF CORPORATE ADMINISTRATION



THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** July 22, 2019

**TO:** Governance and Legislation Committee

**FROM:** Carl Johannsen, Director of Planning and Development Services

**SUBJECT:** Marine Drive Liquor Licencing: Issues and Options

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**RECOMMENDATIONS**

THAT Governance and Legislation Committee:

1. Receive for information the corporate report dated July 22, 2019 from the Director of Planning and Development Services, titled "Marine Drive Liquor Licencing: Issues and Options"; and
  2. Direct staff to bring forward proposed amendments to the Business Licence Bylaw, 1997, No. 1510 to Council, to add new liquor licencing regulations as outlined in 'Option 3' in this corporate report.
- 

**BACKGROUND**

The Marine Drive corridor hosts restaurants and bars that serve liquor as 'Food Primary' or 'Liquor Primary' establishments. These establishments are a key element of the Marine Drive economy and experience, and City regulations should be tailored to support these businesses.

At the same time, Marine Drive is a 'mixed-use' corridor, where residents live in close proximity to liquor-serving establishments, and thus liquor-licencing regulations should seek to balance business viability with ensuring residents are not impacted by nuisances or disorderly conduct.

In the past year or so there have been multiple bylaw complaints and RCMP responses to noise and disorderly conduct in the vicinity of the West Beach Bar and Grill ('Food Primary', open until 12 am latest) and the Oceanside Lounge ('Liquor Primary', open until 2 am latest).

The attached letter from the RCMP in Appendix A provides commentary regarding Liquor Primary establishments in the area, the later hours of liquor service at the Oceanside Lounge and late night incidents in the surrounding area. The RCMP also notes that since June 1, 2019, they have received five noise complaints (between 11 PM and 12:30 AM) in the vicinity of the West Beach Bar and Grill, and have dealt with mischief and theft issues on Elm Street (adjacent to this business). Bylaw enforcement staff have also received complaints regarding late night noise and nuisances in the Marine Drive/Elm Street area, adjacent to West Beach Bar and Grill.

This corporate report presents options that respond to these issues, in the interest of balancing business viability and ensuring the Marine Drive remains a highly livable area, for Committee's consideration, feedback and direction back to staff.

**PAST PRACTICE/POLICY/LEGISLATION**

***Existing Liquor Licencing Context on Marine Drive***

In June 2019 Council supported the issuance of a Liquor Primary licence, with specific liquor service, patio and music hours, for The Luxe at 15475 Marine Drive (Application LL 19-003):

THAT Council directs staff to forward a copy of the 15475 Marine Drive report and the results of the Public Hearing to the Liquor and Cannabis Regulation Branch, considers the potential impact for noise and the impact on the community, and would support approval of the requested liquor primary license on the conditions that:

- the hours of liquor service be limited to 1:00 AM on Friday and Saturday and 12:00 AM from Sunday to Thursday;
- the hours of patio operation be restricted to 11:00 PM on Friday and Saturday and 10:00PM from Sunday to Thursday; and
- any live or DJ music be limited to ending one (1) hour prior to end of liquor service.

The June 10, 2019 corporate report presenting this application for Council’s consideration included a table identifying liquor service hours for licenced establishments on Marine Drive:

<b>Food Primary Licencees</b>		
<b>Business Area</b>	<b>Establishment Name</b>	<b>End of Business Hours</b>
East Beach	Zapoteca	10:00 PM Fri-Sat; 9:00 PM Sun-Thurs
East Beach	Baja Cantina	10:00 PM Tues-Sat 6:00 PM Sun
East Beach	Moby Dick	8:00 PM (all week)
East Beach (Semiahmoo First Nation)	Washington Avenue Grill	12:30 AM Fri-Sat 11:00 PM Sun 11:30 PM Mon-Thurs
West Beach	Charlie Don’t Surf	1:00 AM Mon-Sat 12:00 AM Sun
West Beach	Uli’s Restaurant	10:00 PM (all week)
West Beach	The Boathouse Restaurant	10:00 PM Fri-Sat 9:30 PM Sun 9:00 PM Mon-Thurs
West Beach	West Beach Bar and Grill	12:00 AM Wed-Sun 7:00 PM Mon-Tues
<b>Liquor Primary Licencees</b>		

<b>Business Area</b>	<b>Establishment Name</b>	<b>End of Business Hours</b>
West Beach	Oceanside Public House	2:00 AM Fri-Sat 12:00 AM Sun 1:30 AM Mon-Thurs

Most of these establishments have Food Primary licenses issued by the Liquor and Cannabis Regulation Branch (LCRB). Food Primary typically allows for liquor service until 12:00 AM, as long as food is being served. Liquor Primary establishments can operate later until 2:00 AM.

***Key Issues: No Outdoor Patio or Music Regulations, Later Liquor Service Hours***

Staff note that as Food Primary licence applications are not referred by the LCRB to the City for comments, and City bylaws do not currently restrict patio hours, Food Primary establishments have typically not had outdoor patio or amplified music hours that they must adhere to. However, recent applications for Manufacturer’s licensees and Liquor Primary licences do have patio use restrictions as an outcome of the public notification and referral process.

Considering that most liquor-serving establishments on Marine Drive are Food Primaries and have no patio operating restrictions, this can create noise impact issues where establishments are located below or adjacent to residential properties and patios are open past 10-11pm. Noise complaints related to the West Beach Bar and Grill have been attributed to the outdoor patio area being used and amplified/live music being played until (or close to) 12 AM.

As noted above the Oceanside Lounge, a Liquor Primary, has the latest liquor service hours (2 AM) in the local area, and the RCMP have responded to disturbances and disorderly conduct near the Oceanside Lounge in the past year. These issues are seen as related to the Oceanside’s later liquor service hours, relative to other area establishments (See Appendix A for details).

**DISCUSSION/ANALYSIS**

Based on the above context staff have prepared options that respond to the above issues that range from focusing on specific licenced establishments to a broader approach that considers the overall liquor licencing context on Marine Drive. Staff seek Committee’s feedback and direction on these options and related processes, and staff will then report back to Committee on next steps, process and proposed Bylaw updates (as applicable).

**Option 1: Consider Suspension of Business Licences**

This option focuses on first engaging the owners of West Beach Bar and Grill and Oceanside Lounge and seeking their cooperation on being ‘good neighbours’, by them being proactive in limiting late night patio use and amplified music, ensuring patron behavior is not disruptive to neighbours or results in disorderly conduct, and being compliant with the City’s bylaws.

However, if issues and violations continue and result in Bylaw enforcement action, Business Licencing staff can consider suspending a business licence for a specified period of time or indefinitely. The holder of suspended licence could then appeal to Council to have it re-instated. Council will then be able to consider either confirming the suspension or re-instating the licence, subject to Council’s terms or conditions.

### Option 2: Request Amendments to Existing Provincial Liquor Licences

Option 2 involves requesting the LCRB to amend the existing liquor licences for the West Beach Bar and Grill and Oceanside Lounge. This would involve Council consideration of sending a request to the LCRB to amend these liquor licences according to these suggested parameters:

1. amending the Food Primary licence for the West Beach Bar and Grill to allow outdoor patio use to 11 PM Friday to Saturday and 10 PM Sunday to Thursday, and amending the live music/entertainment endorsement to require amplified (live/DJ) music to end one hour prior to end of liquor service; and
2. amending the Liquor Primary licence for the Oceanside Lounge, to require end of liquor service at 1 AM Friday to Saturday and 12 AM Sunday to Thursday. Outdoor patio use and amplified music hours may also be considered, following further review by staff.

Should Committee wish to move ahead with Option 2, staff note that consultation should be undertaken with LCRB staff first to determine the process to follow in making such a request (ie. where businesses involved may not support these amendments; is further public consultation required, etc.). Staff would then report back to Committee with the outcomes of LCRB consultation and, as applicable, a proposed process for Committee's consideration.

### Option 3: Setting Consistent Liquor Service Hours (Business Licencing Bylaw Updates)

Option 3 involves a broader, proactive approach to regulating liquor establishments, by considering updates to the City's Business Licencing Bylaw, 1997, No. 1510 to include liquor service hours that apply to all Marine Drive businesses. As the Business Licence Bylaw is a regulatory bylaw, the City has the authority to set hours of operation for individual businesses.

This objective of this approach would be to set consistent liquor service, outdoor patio use and amplified music hours that generally reflect the current liquor service hours of most of Marine Drive establishments. This in turn would continue to support Waterfront businesses, but also help to minimize nuisances and disturbances.

This new approach includes three proposed components:

- establishing consistent patio operating hours for all liquor serving establishments, similar to Council's decision on The Luxe liquor primary application, to allow outdoor patio operations until 11 PM Friday to Saturday and 10 PM Sunday to Thursday;
- identifying a 1 AM end of liquor service for liquor-serving establishments on Marine Drive (also according to The Luxe liquor primary application). Staff note that this proposal would not allow 'automatic extensions' of liquor service hours for Food Primaries that currently have a 12 AM end of liquor service in their licences. Any proposed liquor service extensions (ie. from 12 AM to 1 AM) still requires approval from the LCRB, following public consultation and a decision by the Director of Planning and Development Services to support/not support, as per the Planning Procedures Bylaw; and
- requiring amplified live/DJ music to end one hour prior to end of liquor service.

Staff note that consultation with Marine Drive businesses, the White Rock Business Improvement Association (BIA), South Surrey and White Rock Chamber of Commerce and residents should be undertaken to gather feedback that Council can consider prior to adopting any of these proposed amendments to the Business Licencing Bylaw. This consultation could involve inviting feedback from businesses and agencies on the proposed amendments, using an on-line survey ([talkwhiterock.ca](http://talkwhiterock.ca)) to gather public feedback, and a public meeting or forum.

Staff also note that further assessment of the City's business licencing authority, relative to the Province's liquor licencing authority, would be undertaken to ensure any proposed Bylaw amendments are effective and not beyond the City's jurisdiction.

### ***Staff Commentary and Next Steps***

While the issues noted above require further engagement with specific licenced establishments, they also present an opportunity to consider a broader approach to liquor licencing on Marine Drive. Staff recommend proceeding with Option 3, to consider establishing a consistent liquor service, patio operation and amplified music hours for Marine Drive establishments. Bylaw Enforcement staff will also continue to seek compliance with the City bylaws as required.

If Committee endorses Option 3, staff will report back to Committee on the City's business licencing authority in relation to regulating liquor service, as well as a proposed public consultation process for gathering input on proposed Business Licence Bylaw amendments.

### **BUDGET IMPLICATIONS**

None; the proposed Business Licence Bylaw updates can be implemented with existing staff.

### **OPTIONS**

The Governance and Legislation Committee can:

1. Receive this corporate report as information and direct staff to bring forward proposed amendments to the Business Licence Bylaw, 1997, No. 1510 to Council, to add new liquor licencing regulations as outlined in 'Option 3' in this corporate report and/or as directed by Committee; or
2. Request that staff undertake further research and report back to Committee with an updated/modified approach, as directed by the Committee.

Staff recommends Option 1.

### **CONCLUSION**

This corporate identifies options, for Committee's consideration and direction back to staff, that respond to issues related to specific liquor-serving establishments along Marine Drive. In the interest of supporting waterfront businesses overall but also minimizing nuisances and impacts to residents, Option 3 proposes a broader approach, by amending the City's Business Licencing Bylaw to identify a consistent set of liquor service, patio use and amplified music hours.

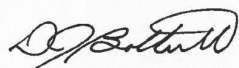
Respectfully submitted,



Carl Johannsen, MCIP, RPP  
Director of Planning and Development Services

### **Comments from the Chief Administrative Officer:**

I concur with the recommendations of this report.



Dan Bottrill  
Chief Administrative Officer

**Appendix A:**  
RCMP Letter Dated April 18, 2019



April 18, 2019

Attn: Carl Isaak  
Manager of Planning  
Corporation of the City of White Rock  
15322 Buena Vista Avenue  
White Rock, BC V4B 1Y6  
Canada

Dear Mr. Isaak:

**Re: Development Application Referral No. 19-003 (15475 Marine Drive)**

On behalf of the White Rock RCMP Detachment, thank you for providing the opportunity to comment on Development Application Referral No. 19-003 and the Liquor Licence Resolution for the Lux Waterfront Lounge (15475 Marine Drive). We appreciate that the City of White Rock has reached out to our agency regarding the proposed extension of liquor service for this new establishment.

It is important to note that the comments provided herein are not specific to the Lux Waterfront Lounge or establishments on the Marine Drive waterfront. The White Rock RCMP would express the same concerns for *any* White Rock bar or restaurant looking to extend their hours of liquor service beyond 1:00 am.

**Background**

The White Rock RCMP has a total of 25 Members, 19 of whom serve on General Duty watches. The watches range in size from 4 to 5 Members, although on average, a watch will have 4 Members working per shift in the summer months and 3 Members per shift throughout the rest of the year. This is to accommodate annual leave, training and other operational requirements. During the summer months, the White Rock RCMP utilizes overtime resources to support General Duty operations. On a Friday or Saturday night, the Detachment may have a total of 6 to 7 Members on shift in order to accommodate General Duty calls for service, beach patrols, bar walks and "high rail" patrols, where Members work alongside CN Police to police areas of the beach that are not accessible by the White Rock Promenade. The use of overtime resources incurs an additional cost to the City of White Rock and its tax-payers.

Over the past several years, the White Rock RCMP has experienced new challenges with respect to crime and enforcement action under both Federal and Provincial Statutes. Two trends that continue to test the resources of the Detachment are increased calls for service relating to serious crime and increased calls for service requiring action by Police under British Columbia's *Mental Health Act*. A major incident in White Rock or an apprehension under the *Mental Health Act* could tie up 1 Member or an entire watch for several hours, making it difficult for Police to address other calls for service in an effective and timely manner. During the summer months, when tens of thousands of visitors attend the City to enjoy its beautiful waterfront and cultural and economic centres, Police resources are further tested.

#### Concerns Regarding Extended Liquor Service Hours

The White Rock RCMP has maintained effective working relationships with the majority of bar and restaurant establishments in White Rock. These relationships have been fostered by a shared desire to ensure the safety of all patrons and a number of pro-active programs aimed at preventing alcohol-related offences. The White Rock RCMP has also benefitted from some of the technologies offered by the establishments, namely high-resolution Closed-Circuit Television surveillance (CCTV) and ID-scanners. While these technologies may not prevent crime, they have proven to be of great value in criminal investigations where Police are attempting to identify a suspect or potential witnesses.

Our agency's concern with extended hours of liquor service does not reflect a lack of confidence in White Rock establishments to provide their patrons with a safe environment. We do believe that many of the bars and restaurants take measures to try and be respectful neighbours and responsible hosts. In our experience, however, it is the clientele who come to White Rock to continue to drink after everyone else has closed that provide us with a challenge.

In Surrey and White Rock, there are a total of 58 establishments with Liquor Primary Licences. 32 of these establishments close at 1:00 am on Friday and Saturday nights and 3 close at 1:30 am. The remaining 23 licensees close their doors at 2:00 am. The establishments in and closest to White Rock include:

- Peace Arch Curling Club (White Rock)
- Oceanside Yacht Club Waterfront Public House (White Rock)
- S + L Kitchen and Bar
- The Henry Public House
- Showshaa Taproom
- Crescent Beach Yacht Club

With the proximity of the waterfront, it is easy to see how White Rock becomes an attractive option for patrons looking to continue a night of drinking. These later serving hours do not attract the attendance of locals but rather patrons who come in to town having already consumed alcohol. They later filter out on to the streets, namely Marine Drive, and often cause a disturbance to the surrounding neighbourhood. Some of these patrons also choose to drive despite their alcohol consumption. In 2018, the White Rock

RCMP conducted 8 impaired driving investigations and issued 17 Violation Tickets on Marine Drive between midnight and 4:00am on Saturday and Sunday mornings after bar close.

While the White Rock RCMP responds to alcohol-related calls for service at all times of the day, there is a noted increase in these calls between midnight and 4:00am. In 2018, the White Rock RCMP responded to 86 alcohol-related events in the City of White Rock during these hours. For the purpose of this example, these are events occurring in open areas, parking lots, roadways/sidewalks or bars and restaurants. 28% of these calls occurred along Marine Drive.

Alcohol-related calls for service generally fall in to one of the following categories:

- Offences under the *Liquor Control and Licensing Act* (eg. public intoxication, consumption in public)
- Causing a Disturbance (eg. yelling, screaming, consensual fights)
- Assault
- Impaired Driving

More serious offences include Aggravated Assault, Assault with a Weapon or Causing Bodily Harm and Sexual Assault. In August 2018, the White Rock RCMP responded to a stabbing on Marine Drive that required an immediate response from 12 Members, including Police from other jurisdictions. In 2018, 8 Members responded to an Assault with a Weapon call that was related to a fight between 2 large groups of intoxicated persons. During this event, Members were charged at, challenged and obstructed from performing their duties. When any event requires a significant Police response, other calls for attendance face delays and decreased levels of service.

#### Police Resources

The White Rock RCMP experiences regular resource challenges in the busy summer months having 1 establishment operate with extended liquor licence hours. Should the City of White Rock choose to permit additional establishments to have these hours, the White Rock RCMP will have to increase overtime resources on Friday and Saturday nights in order to maintain a safe community for citizens, visitors and businesses. These resources do and will cost money and should be factored in to any future budget for policing services in White Rock.

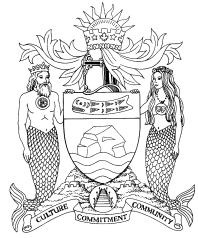
Respectfully submitted,



Sgt Rob W. DIXON  
A/NCO i/c White Rock RCMP Detachment  
15299 Pacific Avenue  
White Rock, BC V4B 1R1



THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** July 22, 2019  
**TO:** Governance and Legislation Committee  
**FROM:** Carl Johannsen, Director of Planning and Development Services  
**SUBJECT:** Proposed Updates: Vacation (Short Term) Rental Regulations

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**RECOMMENDATIONS**

THAT the Governance and Legislation Committee:

1. Receive for information the corporate report dated July 22, 2019, from the Director of Planning and Development Services, titled “Proposed Updates: Vacation (Short Term) Rental Regulations”; and
  2. Direct staff to bring forward proposed amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510 to Council, to add new vacation rental regulations as outlined in this corporate report and/or as directed by Committee.
- 

**EXECUTIVE SUMMARY**

In January 2019 Council directed staff to bring forward a corporate report regarding potential updates to accessory vacation rental regulations (‘vacation’ or ‘short term’ rentals) in the City of White Rock’s Zoning Bylaw. This corporate report presents potential updates for Governance and Legislation Committee’s feedback and direction back to staff, including:

1. Updating the ‘Accessory Vacation Rental’ Zoning Bylaw definition to ‘short term rentals’;
2. Adding ‘Responsible Person’ and contact information clauses to improve rental property management and oversight;
3. Adding regulations clarifying the difference between long term and short term rentals;
4. Requiring vacation rental business licence numbers in on-line advertisements; and
5. Increasing Business Licence Fees for Vacation Rentals.

This corporate report also summarizes Bylaw enforcement activities regarding vacation rentals, and identifies ‘in progress’ initiatives that staff are undertaking to improve public awareness, and monitoring and enforcement of vacation rentals, including a proposed increase in fines.

**BACKGROUND**

At the January 28, 2019 Regular Council meeting, Council approved the following resolutions:  
THAT Council:

- directs staff to prepare a corporate report with options on amending Section 5 of the City's Zoning Bylaw to address Short-Term Rentals in the City of White Rock and that staff use an aggregator, such as AirDNA, to ensure all properties listed for rent are identified in the search, and;

- authorizes the corporate report include options included in the newly adopted bylaw on short term rentals by the City of Victoria (requiring a responsible person must be identified to the City and they must be available to be onsite within two (2) hours if the owner of the owner is not present).

In response to these resolutions, this corporate report presents an overview of current City of White Rock regulations for Accessory Vacation Rentals (‘vacation rentals’ or ‘short term rentals’), an update regarding the City’s enforcement of vacation rental regulations, and proposed updates to the vacation rental regulations section in the City’s Zoning Bylaw, for Committee’s feedback and direction back to staff.

## **PAST PRACTICE / POLICY / LEGISLATION**

### ***Vacation Rentals: Zoning Bylaw and Business Licence Bylaw Regulations***

The emergence of ‘informal’ or ‘sharing economy’ vacation rental platforms and tourist accommodation businesses (ie. AirBnB, VRBO) provides an opportunity to increase tourist accommodations in White Rock, given the low amount of hotel rooms in White Rock and the Semiahmoo Peninsula. This in turn can provide positive ‘spinoff’ effects for the local economy.

However, while it’s important to support this new type of business, it should be regulated in a manner that minimizes impacts on neighbours, doesn’t reduce the availability of rental stock (ie. rental apartments) in the City or result in the illegal use of land and buildings, or reduce the availability of parking in neighbourhoods.

Vacation rentals are thus regulated like other land uses and businesses in White Rock through the Zoning Bylaw and Business Licence Bylaw. The Zoning Bylaw only permits vacation rentals in registered, legal secondary suites within single family homes, for rental periods no longer than 30 days, and requires on-site parking for vacation rental units. Multi-family dwellings, such as apartments and townhouses, are not permitted to host vacation rentals (this differs from other cities, such as Vancouver, which permits vacation rentals in apartments). The Business Licence Bylaw also requires vacation rental businesses to have a business licence to operate, under the ‘Bed and Breakfast’ licence category.

Currently there are twenty-five business licenses issued for vacation rentals, seven building permit applications in process to legalize secondary suites for hosting vacation rentals, and two building permit applications to legalize secondary suites, for hosting vacation rentals, and are awaiting permit review.

### ***Previous Zoning Bylaw Updates Regarding Vacation Rentals***

Accessory vacation rental regulations were first added to the Zoning Bylaw (Section 5.8) in 2013. These regulations were updated in 2018, through the first phase of the Zoning Bylaw Update. The current Zoning Bylaw requirements for vacation rentals are as follows:

#### **5.8 Accessory Vacation Rental**

5.8.1 An accessory vacation rental use shall:

- a) only be operated from an *accessory registered secondary suite* that complies with all applicable BC Building Code requirements;
- b) only be operated by an *owner* (or family member of the owner) of the subject property, where they are a full-time resident and occupant of the *one-unit residential use*. A tenant may not sublet the *accessory registered secondary suite* for this purpose;
- c) install fire extinguishers, interconnected smoke and carbon monoxide alarms, and emergency lighting in hallways and egress points, to B.C. Building Code standards;
- d) not permit any structural alteration or addition that changes the residential character and form of the *principal building*;

- e) be limited to a maximum of two (2) *sleeping units* only;
- f) be limited to no more than four (4) adult guests at any given time;
- g) not be occupied by more than one booking or reservation at any given time;
- h) not have any exterior signage advertising the *accessory vacation rental use*;
- i) provide accessory off-street parking in accordance with the provisions of Section 4.14;
- j) not create any form or manner of nuisance for neighbouring properties, including but not limited to noise, light, traffic or on-street parking;
- k) have a valid business license;
- l) only provide for the temporary accommodation of any number of guests for periods not to exceed thirty (30) days.

### ***Vacation Rentals: Bylaw Awareness and Enforcement, and Results to Date***

While vacation rentals like Air BnB are permitted and regulated as legal uses in Metro Vancouver municipalities, many illegal and unlicensed vacation rentals also exist and are typically found on accessory vacation rental platform websites.

The City's Bylaw Enforcement Officers (BEOs) regularly monitor vacation rental website listings, involving multiple searches per week, to identify and curtail illegal vacation rentals in White Rock. The BEOs also respond to complaints regarding specific listings and properties. Staff note that a key component of on-line searching involves positively identifying illegal rentals that are actually in the City of White Rock and not Surrey, as many listings note 'White Rock' as their location, even though they are located in South Surrey.

When the BEOs come across an illegal vacation rental (operating as an unpermitted use and/or without a business licence), the BEOs:

- contact the individual operating the vacation rental;
- direct the individual to immediately stop operating the illegal vacation rental and remove the listing from the online vacation rental platform. Many of the unlicensed vacation rentals that the BEO's find do not meet Zoning and Building Bylaw regulations (ie. in an apartment/townhouse unit or unpermitted secondary suite), and must be discontinued; or
- if the rental is operating in a registered secondary suite (in a single family home), request the individual come into compliance by obtaining a vacation rental business licence; or
- if the rental is operating in an existing un-registered secondary suite, request the individual come into compliance by:
  - first updating and registering their suite as a legal use, by going through a building permit process to bring the secondary suite into compliance with the Building and Fire Code; and
  - then obtaining a valid vacation rental business licence.

As a result of BEO investigations of suspected illegal vacation rental listings and complaints, since 2017 115 of the listings and complaints reviewed were determined to be un-licensed rentals, and have been discontinued following BEO intervention. The remainder were found to have existing licences, be in the process of getting licences, or offering rentals longer than 30 days.

### ***Emerging Approaches Regarding Accessory Vacation Rentals***

#### **Renting Non-primary Residences and Higher Business Licence Fees**

The City of Victoria updated their Short-term Regulation Bylaw (Appendix A) in October 2018 to allow a two-tiered system that requires owners to pay business licence fees according to their residence status:

1. rentals involving a room or unit in a principal residence require a \$150 annual fee; and

2. rentals in non-principal residences, including investment properties and second homes, pay a \$1,500 annual fee.

As of June 2019, the City of Victoria has collected \$529,000 in business license fees from owners hosting legal vacation rentals. Victoria's two tiered approach is not recommended for White Rock, as it will likely result in rental units in strata buildings being used for short term rentals, which may in turn reduce the available long-term rental stock in the City.

#### Online Tracking Companies (ie. Air DNA)

In recent years vacation rental tracking companies, such as 'AirDNA', have emerged to help cities, property managers, tourism boards and investors track and analyze trends in short term rental markets worldwide. These tracking platforms can also be valuable for searching and identifying vacation rental listings, legal and illegal, in a particular area, which in turn could assist the City's Bylaw enforcement efforts.

#### Provincial Taxation of Short Term Vacation Rentals

In February 2018 the Province struck an agreement with AirBnB to collect up to eleven percent in taxes on short-term rentals. The taxes include the eight percent PST and, where applicable, a municipal and regional district tax (MRDT) of up to three percent on accommodations. The Province intends to use the PST portion (~\$16 million annually) to improve housing affordability.

#### Increased Fines for Hosting Illegal Vacation Rentals in Stratas

In July 2018 the Provincial *Strata Property Act* was amended to allow strata corporations to fine strata owners or residents up to \$1,000 a day for not complying with strata bylaw(s) limiting or banning short-term rentals.

### **DISCUSSION/ANALYSIS**

#### ***Potential Updates to Vacation Rental Regulations***

Based on the above context, in response to the April 8, 2019 Council resolution and following review of Victoria's vacation rental Bylaw and approaches in other cities, staff have prepared potential updates to White Rock's accessory vacation rental regulations. Staff seek Committee's feedback and direction on these potential updates, including which updates are to be brought forward to Council as proposed amendments to the Zoning and Business Licence Bylaws:

##### 1. Updating Definitions in City Bylaws

Noting that 'short term rentals' is now a common term used to refer to 'Air BnBs' etc., renaming the current 'Accessory Vacation Rental' term to 'Short Term Rental' in the Zoning Bylaw and Business Licence Bylaw would help make the Bylaws more user-friendly, and allow for a clearer explanation of short term rental regulations through public awareness initiatives.

##### 2. Adding Responsible Person and Contact Information Clauses

Section 5.8.1(b) of the Zoning Bylaw requires vacation rentals to be operated by the subject property's owner (legal property title holder), or a family member of the owner, and they must be a full time resident and occupant. This approach helps to ensure that the vacation rentals are closely managed by the person offering the rental. However, and following some of the City of Victoria's responsible person regulations, staff note that adding clauses requiring the designation of a 'responsible person' in the Zoning Bylaw would be beneficial to ensure continued close management of the vacation rental unit, if the owner is away on vacation or away from the home for any other reason. These clauses should also require that 1.) the responsible person is available to attend the short term rental unit within two hours of being requested to do so by the tenant or by City Bylaw staff, and that 2.) the contact information of the owner and the responsible person designate are prominently displayed within the short term rental unit.

### 3. Adding Regulations Regarding Long Term Rental Uses

As noted above, Section 5.8 specifies that licenced Accessory Vacation Rentals are to only provide rental accommodations for no more than 30 days. In order to provide clarity that legal secondary suites that do not have vacation rental licences are intended to provide long term rental accommodations over 30 days, Section 5.5 (Accessory Registered Secondary Suites) of the Zoning Bylaw should be updated to clearly state that suites are to provide rental accommodations for more than 30 days, unless the owner has a valid business licence for a vacation rental.

### 4. Requiring Vacation Rental Business Licence Numbers in Advertisements

Requiring owners with a valid vacation rental business licence to display their business licence number in advertisements would help in on-line monitoring and enforcement efforts. This approach can also help to identify illegal vacation rentals to the public, which could deter potential customers, generate more accurate bylaw violation complaints and motivate those hosting illegal vacation rentals to get their units properly licenced.

### 5. Increasing Business Licence Fees for Vacation Rentals

White Rock's business licencing fee for vacation rentals is \$150. Given the time and staff resources that vacation rental enforcement requires, staff recommend the business licencing fee be increased to \$250 or \$300 annually, with increased revenue being use to assist with enforcement.

### ***Initiatives Already Underway***

A number of initiatives monitoring illegal vacation rental activity and increasing awareness of and compliance with the City's bylaws are already underway, including:

- raising public awareness of the City's vacation rental regulations, through advertisements in the *Peace Arch News*, e-newsletters, the city's website and forthcoming brochures. This includes communicating what is permitted by the City's bylaws, how owners interested in hosting vacation rentals can do so in a way that complies with bylaws, and that staff are ready to help owners get the right permits and licences to do so; staff are also considering the creation on an on-line information page on the City's website, similar to the City of Vancouver's vacation rental information and application webpage: <https://vancouver.ca/doing-business/short-term-rentals.aspx>;
- increasing the amount of Bylaw Enforcement staff resources assigned to 'monitoring and compliance efforts', by hiring additional casual BEOs to undertake this work and assist with other Bylaw Enforcement duties;
- requiring the vacation rental business licence holders to display their business licence number in their on-line vacation rental advertisements; and
- increasing fines for bylaw violations, to act as a viable deterrent to illegal vacation rentals. New fines are proposed in a separate July 22, 2019 report to Governance and Legislation Committee, including \$500 for a first offence, \$1,000 for a second offence and \$2,000 for a third and subsequent offences. The current fine is \$150.

### ***Potential Future Initiatives***

Additional future initiatives related to vacation rentals could include:

- utilizing an on-line vacation rental tracking platform, such as AirDNA, to assist the BEOs in identifying and tracking illegal vacation rental activity. Although this may enable more time-efficient monitoring, staff note that new software purchases should include careful consideration of the software's costs and benefits prior to recommending purchase; and
- requiring business licencing for all rental units, short term and long term. This would help to encourage more secondary suites to be properly permitted and licenced, and enable for a more accurate count of the City's rental housing stock.

### ***Next Steps***

Pending Committee feedback and direction, staff recommend that Committee direct staff to prepare amendments to the Zoning Bylaw and Business Licence Bylaw, to incorporate the updates identified in this corporate report into these Bylaws.

### **BUDGET IMPLICATIONS**

Administration of the proposed new vacation rental regulations can be undertaken with existing staff resources. Enforcement of on-line vacation rental listings and complaints can be accomplished using existing Bylaw Enforcement staff, augmented by additional casual BEOs funded through contingency.

Increased business licence fee and fine revenue can also be used to fund additional staff resources to monitor and enforce vacation rental activity, or fund monitoring software such as AirDNA.

### **OPTIONS**

The Governance and Legislation Committee can:

1. Receive this corporate report as information and direct staff to bring forward amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510, according to the content of this corporate report and/or Committee feedback and direction; or
2. Request that staff undertake further research and report back to Committee with an updated/modified approach, as directed by the Committee.

Staff recommends Option 1.

### **CONCLUSION**

This corporate report presents an overview of current City of White Rock regulations for Accessory Vacation Rentals ('vacation rentals' or 'short term rentals'), an update regarding the City's enforcement of vacation rental regulations, and proposed updates to the vacation rental regulations section in the City's Zoning Bylaw and Business Licence Bylaw, for Committee's feedback and direction back to staff. Pending feedback and direction from Committee, staff recommend that Committee direct staff to bring forward proposed amendments to the Zoning and Business Licence Bylaw to a future Council meeting.

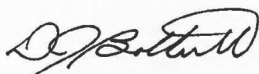
Respectfully submitted,



Carl Johannsen, MCIP, RPP  
Director of Planning and Development Services

### **Comments from the Chief Administrative Officer:**

I concur with the recommendations of this corporate report.



Dan Bottrill  
Chief Administrative Officer

NO. 18-036

SHORT-TERM RENTAL REGULATION BYLAW  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators' principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

**Contents**

1	Title
2	Definitions
3	Licence Required
4	Power to Refuse a Licence
5	Licence Number to be Included in Advertising
6	Responsible Person
7	Offences
8	Penalties
9	Severability
10	Transition Provisions
11	Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Short-Term Rental Regulation Bylaw".

**Definitions**

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.

### **Licence Required**

- 3 (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
- (2) A person applying for the issuance or renewal of a licence to operate a short-term rental must, in addition to meeting the requirements of the Business Licence Bylaw:
- (a) make an application to the Licence Inspector on the form provided for that purpose;
  - (b) pay to the City the applicable licence fee prescribed under subsection (3);
  - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
    - (i) the person owns the premises where the short-term rental will be offered, or
    - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
  - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
  - (e) provide, in the form satisfactory to the Licence Inspector,
    - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
    - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
- (3) The licence fee for purposes of subsection (2)(b) is:
- (a) \$150 where the short-term rental is offered in the operator's principal residence; or
  - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

### **Power to Refuse a Licence**

- 4 The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
- (a) the applicant has failed to comply with section 3; or
  - (b) the short-term rental operation would contravene a City bylaw or another enactment.



### **Licence Number to be Included in Advertising**

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

### **Responsible Person**

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

### **Offences**

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

### Penalties

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

### Severability

- 9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

### Transition Provisions

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

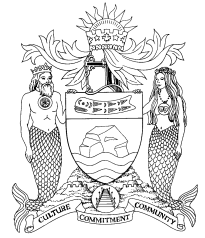
### Commencement

- 11 This bylaw comes into force on adoption.

READ A FIRST TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
READ A SECOND TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
READ A THIRD TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
ADOPTED on the	<b>8<sup>th</sup></b>	day of	<b>March</b>	2018

**“CHRIS COATES”**  
CITY CLERK

**“LISA HELPS”**  
MAYOR



**POLICY TITLE: COUNCIL LIAISON(S) TO CITY COMMITTEES/  
 TASK FORCES**

**POLICY NUMBER: COUNCIL - 163**

<i>Date of Council Adoption:</i>	<i>Date of Last Amendment:</i>
<i>Council Resolution Number:</i>	
<i>Originating Department: Administration</i>	<i>Date last reviewed by the Governance and Legislation Committee:</i>

**Policy**

City Committees function as an advisory body that provide recommendations to Council on matters within the Committee mandate as stated in their Terms of Reference.

The appointed Chairperson plays a leadership role for the Committee. A Council member appointed to a Committee serves in the capacity of Council Liaison to the Committee and is there to offer information during discussions from a Council perspective, including what has been discussed at Council meetings, what they have experienced and how discussions fit within the city’s practices and Council’s strategic priorities.

The Council Liaison is encouraged to actively participate at the Committee meetings; however, they serve as non-voting members. Council members are not there to drive the committee. Accordingly, the Council Liaison appointed to an advisory committee would not make motions or second a motion.

The Committee members are volunteers with their time and offering their expertise or passion for a topic and this is the opportunity to hear from that group of individuals.

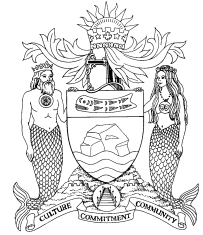
When the minutes of the Committee come back to Council with a recommendation the Committee Liaison would be expected to speak to the recommendation, and if needed, provide clarification and answer questions in regard to the recommendation. It should be noted that the Council Liaison may not necessarily agree with advisory committee recommendations.

**Rationale**

The policy provides clarification on the Councillor Liaison’s role on City Committees/ Task Forces.

**THE CORPORATION OF THE  
CITY OF WHITE ROCK  
BYLAW NO. 2232**

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A Bylaw to establish the rules of procedure for  
Council and Committee Meetings.

**DISCLAIMER: THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.**

Consolidated as of January 2019.

<b>TABLE OF CONSOLIDATION</b>			
<b>BYLAW</b>	<b>DATE APPROVED</b>	<b>AMENDMENT NO.</b>	<b>SUBJECT MATTER</b>
2277	January 14, 2019	1	Question & Answer Period
2284	January 28, 2019	2	Agenda Publication & Deadlines

The Council of the City of White Rock, in an open meeting, enacts as follows:

## **PART 1 – INTRODUCTION**

### Title

1. This Bylaw may be cited as the “*Council and Committee Procedure Bylaw, 2018, No. 2232*”.

### Definitions

2. In this bylaw:
  - (a) ‘City’ means the City of White Rock.
  - (b) ‘Chief Administrative Officer’ is the staff person whose responsibilities are outlined under Chief Administrative Officer in the *Community Charter*. and as set out in the City’s Officer and Indemnification Bylaw.
  - (c) ‘Chairperson’ means the presiding member of a meeting.
  - (d) ‘Closed Meeting’ means a meeting that the public are not permitted to attend in accordance with the *Community Charter*.
  - (e) ‘Committee’ means a standing, select or advisory committee, but does not include Committee of the Whole.
  - (f) ‘Committee Clerk’ is the person who is responsible for establishing an agenda, with other City staff and the Chairperson, and taking the minutes at a meeting of a Committee.
  - (g) ‘Committee Member’ is a person who is appointed by the Mayor or City Council to a standing, select, advisory, task force. panel or other Committee.
  - (h) ‘Committee of the Whole’ (COTW) refers collectively to those members of Council present when Council moves to sit as a Committee.
  - (i) ‘Council’ is the Mayor and Councillors duly elected in the City of White Rock and who continue to hold office.
  - (j) ‘Councillor’ is a Councillor duly elected in the City of White Rock and who continues to hold office.
  - (k) ‘Delegation’ refers to an individual or group bringing information to Council on a topic specified on a “Request to Appear as a Delegation” form.
  - (l) ‘Deputy Mayor’ is the Councillor who, in accordance with Part 3 of this Bylaw, is responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
  - (m) ‘Director of Corporate Administration’ is the staff person with the responsibilities of the Corporate Officer as outlined in the *Community Charter* and as set out in the City’s Officer and Indemnification Bylaw.

- (n) ‘Mayor’ is the Mayor duly elected in the City of White Rock and who continues to hold office.
- (o) ‘Member’ is a Member of Council including the Mayor or a person appointed to a committee, as defined in this bylaw, by Council and/or by the Mayor.
- (p) ‘Presentation’ refers to an individual or group that has been requested by staff in order to inform or update Council on a subject relevant to business being conducted on the agenda. The presenter’s name and, if applicable, title to the organization, and topic will be placed on the meeting agenda.
- (q) ‘Presiding Member’ is the person who is responsible for chairing the meeting.
- (r) ‘Public Hearing’ means a hearing that is required according to the *Local Government Act*, for the purposes of this bylaw where public hearing is noted will also include public meetings.
- (s) ‘Public Notice Posting Place’ is the notice board at City Hall.
- (t) ‘Quorum’ means a majority of all of its Council or Committee voting members that must be present in order to conduct official business (any matters requiring a vote, including adoption of the agenda, minutes, etc.).

#### Application of Rules of Procedure

- 3. (1) The provisions of this Bylaw apply to all meetings of Council, COTW and all Committees.
- (2) In cases not provided for under this Bylaw, the latest edition of Robert’s Rules of Order will apply to the proceedings of Council, COTW, and Committees to the extent that those rules are:
  - (a) applicable in the circumstances, and
  - (b) not inconsistent with the provision of this Bylaw the *Community Charter* or *Local Government Act*.

## **PART 2 – COUNCIL MEETINGS**

### Inaugural Meeting

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

### Time and Location of Meetings

5. (1) Council meetings will take place within City Hall, or at a city owned facility, unless another location is deemed necessary by Council or staff to hold its meetings elsewhere. The meeting location will be noted on the meeting notice when applicable, and/or the agenda for the meeting.
- (2) Regular Council meetings will:
  - (a) be held on Mondays, in accordance with the schedule adopted by resolution by Council on or before December 31 of the preceding year;
  - (b) commence in accordance with the approved regular Council meeting schedule posted at the Public Notice Posting Place; generally, but not exclusively, at 7:00 p.m.; if there is a public hearing/meeting scheduled, the regular meeting will begin at the scheduled start time and be reconvened immediately following conclusion or adjournment of the public hearing/meeting;
 

Earlier start times for regular meetings and public hearings / meetings will be applied when circumstances, determined by the Mayor and/or staff require them (including but not limited to: high volume of business, special presentation(s) or a large public hearing/meeting is anticipated).
  - (c) be concluded or adjourned at 10:30 p.m. unless Council resolves to proceed beyond that time in accordance with Section 32 of this bylaw.
- (3) Council Meetings may:
  - (a) be cancelled by resolution by Council, provided that two consecutive meetings are not cancelled.
- (4) Special Council meetings may be called:
  - (a) By the Mayor at their discretion; or

- (b) By two (2) or more Council Members, in writing, may request the Mayor call a Special Council meeting;
- (c) Two (2) or more Council Members may themselves call a Special Council meeting if:
  - Within 24 hours after receiving a request under subsection (b), and no arrangements are made under subsection (a) for a special Council meeting to be held within the next seven (7) days, or
  - both the Mayor and the Acting Mayor are absent or otherwise unable to act

Note: if the meeting is called under subsection (c) the Council Members calling the meeting or the Director of Corporate Administration must sign the meeting notice.

- (5) (1) Closed Meetings of Council will be called as the need arises.
- (2) Any items which, in the opinion of Council, do not comply with the Closed Meeting criteria specified in the *Community Charter* must be deleted from the agenda of the Closed Meeting and be referred to:
  - (a) a future Regular Council Meeting as an additional item; or
  - (b) a committee; or to
  - (c) staff.
- (3) Information considered in any part of a Closed Meeting of Council must be kept in confidence until Council discusses the information at a meeting that is open to the public or releases the information to the public. The consequences of a Member breaching the duty of confidentiality may include, but are not limited to: motions by Council to censure the Member, removal of the Member from the Deputy Mayor rotation, removal of the Member from committees, court proceedings to recover damages from the Member, and court proceedings to obtain a statutory injunction (including contempt of court proceedings in the event of a continuing contravention).

#### Notice of Council Meetings

- 6. (1) In accordance with the *Community Charter*, Council will annually:
  - (a) adopt on or before December 31 a schedule of dates, times and places of Regular Council meetings for the following year and make the schedule available to the public by posting it at the Public Notice Posting Place ; and



- (b) give notice when the schedule of Regular Council meetings will be available at least once a year in accordance with sections 94 and 127the *Community Charter*.

7. (1) Except where notice of a special meeting is waived by unanimous vote of all members, a notice of the date, time and place of a special Council meeting must be given at least 24 hours before the time of a meeting by:
  - (a) posting a copy of the notice on the Public Notice Posting Place;
  - (b) leaving a copy of the notice for each member in the member's mailbox at City Hall; and
  - (c) e-mailing Council.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Director of Corporate Administration.

### **PART 3 – DESIGNATION OF COUNCILLOR TO ACT IN PLACE OF THE MAYOR**

#### Deputy (Acting) Mayor

8. (1) Annually Council will designate the order in which each member will serve as Deputy Mayor on a rotating basis. During an election year this will be conducted at the inaugural Council meeting. Amendments to the schedule must be made by Council resolution.
- (2) If both the Mayor and the Councillor appointed under section (1) are absent from a Council meeting, the Councillor that appears next on the rotation and is present at the Council meeting will act as Deputy Mayor/Chairperson for that Council meeting.
- (3) When the Mayor is absent or otherwise unable to act, or when the office of the Mayor is vacant, the Deputy Mayor:
  - (a) has the same powers and duties as the Mayor in relation to the applicable matter;
  - (b) must fulfill the responsibilities of the Mayor at the Council Meeting; and
  - (c) may sit in the Mayor's chair for the duration of the Council meeting.

### **PART 4 – COUNCIL PROCEEDINGS**

#### Attendance of Public at Meetings

9. (1) Except where the provisions of the *Community Charter* apply, all Council meetings must be open to the public.

- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with the *Community Charter* that states:
- The fact that the meeting or part of the meeting is to be closed; and
  - The basis under the applicable subsection of section 90 of the *Community Charter* on which the meeting or part is to be closed
- (3) .  
This section applies to all meetings of the bodies referred to in the *Community Charter* including without limitation :
- (a) COTW
  - (b) Standing, Select, Sub Committees;
  - (c) Parcel Tax Review Panel;
  - (d) Boards;
  - (e) Advisory Committees; and
  - (f) Task Forces
- (4) Despite subsection (1), the Presiding Member may expel or exclude a person from a Council meeting in accordance with the *Community Charter*.

#### Minutes of the Meetings

10. (1) Minutes of the proceedings of Council must be legibly recorded and certified as correct by the Director of Corporate Administration and signed by the Mayor or Chairperson at the meeting or at the next meeting at which the minutes are adopted responsible for taking the meeting minutes.
- (2) The Director of Corporate Administration is responsible for taking the meeting minutes and shall record that a Member has moved the motion and a Member has seconded the motion but need not record the names of the Members that move and second the motion.
- (3) Subject to subsection (4), minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours and available on the City website.
- (4) Subsection (3) does not apply to minutes of a Council meeting or that part of a Council meeting that is closed to the public
- (5) The Director of Corporate Administration is responsible for taking the meeting minutes and may make minor amendments to approved minutes including but not limited to typographical errors, sequential number errors, grammatical errors or completing missing information.

Seating Arrangements

11. (1) The Mayor shall designate each Councillor to a seat at the Council table at the beginning of the term.
- (2) Except as provided in section 8(3), each Councillor shall remain in their designated seat at each Council meeting for the duration of the term.

Calling Meeting to Order

12. (1) As soon after the time specified for a Council meeting and if there is a quorum present, the Mayor must take the Chair as Chairperson and call the Council meeting to order.
- (2) If the Mayor is absent, then the Deputy Mayor must take the Chair as Chairperson and call the meeting to order.
- (3) If a quorum of Council is present but the Mayor and the Deputy Mayor do not attend within 15 minutes of the scheduled time for a Council meeting:
  - (a) the Director of Corporate Administration must call to order the members present; and
  - (b) the next scheduled Deputy Mayor of the rotation would act as Chairperson for the meeting.

Adjourning Meeting Where No Quorum

13. (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Director of Corporate Administration will:
  - (a) record the names of the Members present, and those absent; and
  - (b) Adjourn the meeting until the next scheduled meeting stating date/time and location of the meeting.

Agenda

14. (1) Prior to each Council meeting:
  - (a) the Director of Corporate Administration, in consultation with the Chief Administrative Officer and the Mayor, must have prepared an Agenda setting out all items for consideration at the meeting; and
  - (b) Will provide a copy of the agenda by end of the day on the Wednesday prior to the meeting to each member of Council through technological means and/or in their mailbox at City Hall, unless otherwise directed by the member of Council. *(amended by Bylaw 2284)*  
~~will provide a copy of the agenda by end of day on the Thursday prior to the meeting to each member of Council through technological means and/or in~~

~~their mailbox at City Hall, unless otherwise directed by the member of Council.~~

- (2) The deadline for items or submission to the Corporate Administration Department for inclusion on the agenda for Council, staff and the public is 4:30 p.m. on the Monday prior to the Council meeting. If a time-sensitive matter arises, the Director of Corporate Administration and/or the Chief Administrative Officer may, at their discretion, add agenda items following this deadline.
- (3) The Director of Corporate Administration will make the agenda available to the public after it has been sent to Council as follows:
  - A reading / reference copy will be available in the Administration office;
  - Photocopies of the agenda will be available upon request in accordance with the City’s Fees and Charges Bylaw; and
  - On the City website, the Friday prior to the Monday meeting (making allowance for technical error when the system is down and or documents have had issue being uploaded to the website).

Order of Proceedings and Business

- 15. (1) The agenda order of proceedings and business for all regular Council meetings will be set in accordance with a separate council policy.

Late Items (On Table or Supplemental Agenda)

- 16. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless Council resolves to introduce the late item to the agenda by vote of the majority of members present.
- (2) If the Council makes a resolution under subsection 15(1), information pertaining to the late item(s) must, when possible, be distributed to the Members by written copy or verbally.

If Council votes to permit the amendment to the agenda, the Chairperson or Director of Corporate Administration will advise if a) there is a written copy of the information to be supplied on table or b) if the item will be introduced verbally.

Voting at Meetings

- 17. (1) The following procedures apply to voting at Council meetings:
  - (a) when debate on a matter is closed, the Chairperson must put the matter to a vote of Members;
  - (b) after the Chairperson finally puts the question to a vote, a member must not speak to the question or make a motion concerning it;

- (c) the Chairperson’s decision about whether a question has been finally put is conclusive;
  - (d) whenever a vote of Council on a matter is taken, each member present will signify their vote by raising their hand; and
  - (e) the Chairperson must declare the result of the voting.
- (2) Every Council member present when a question is put will be expected to vote unless they make a declaration under the provisions of the *Community Charter*, regarding conflict of interest, in which case the provisions of that section apply and in such cases they will not participate in the discussion or vote but must leave the Chambers until the vote is taken at which time they may resume their seat.
- (3) Should any member in attendance refrain from voting when any question is put, for any reason other than situations pertaining to provisions of the *Community Charter*, regarding conflict of interest, the member will be regarded as having voted in the affirmative and the vote will be counted accordingly.
- (4) A speaker may not speak against the motion they have made, but may choose to vote against it.
- (5) All acts whatsoever authorized or required by the *Community Charter*, to be done by the Council, and all other questions, including questions of adjournment, that may come before the Council will, save where otherwise so expressed, be done and decided by the majority of the members of Council present at the meeting.
- (6) In all other cases where the votes of the members then present, including the vote of the Chairperson, are equal for and against a question, the question will be defeated, and it will be the duty of the Chairperson to so declare.
- (7) The name of any member who voted in the negative on a question will be recorded in the minutes of such meeting.
- (8) When the question under consideration contains distinct propositions, upon request of any member, the vote upon each proposition will be taken separately.
- (9) When a regular meeting is to be adjourned to go into a Public Hearing or Public Meeting (Development Variance Permit) it will be noted in the agenda and noted verbally by the Chairperson as follows:

**MEETING POSTPONE (ADJOURNMENT)**

In the circumstance the Public Hearing for Bylaws (No. xxxx) is not concluded by 7:00 p.m. the regular Council meeting will be called to order and at this point in the agenda the meeting will be postponed (adjourned) in order to continue the public hearing.

The regular meeting will be reconvene directly following the adjournment or conclusion of the noted Public Hearing here at (location: City Hall Council Chambers) later this same evening.

Presentations on a Regular Agenda)

18. (1) A presentation by the Mayor or a Councillor at a Council meeting shall only pertain to:
- (a) events attended as a representative of the City; or
  - (b) information on community events and activities.
- (2) Presentations by a Member to Council will be limited to a maximum of five (5) minutes.
- (3) Presentations by an invited guests at a Council meeting will be limited to a maximum of ten (10) minutes.

Presentation time by an invited guest can only be extended by Council by unanimous vote of all present members of Council.

19. Question and Answer Period (*added by Bylaw 2277 and renumbered accordingly*)

- Section 19 (1) Question and Answer Period will be included toward the start of the regular Council meeting (following Meeting Minutes approval). This will be an opportunity for the public to ask questions and make comments.
- (2) Questions will be addressed to the Chairperson. If there are questions for an individual member of Council, they will be addressed through the Chairperson for direction.
  - (3) Question and Answer Period will be timed, not to exceed 15 minutes unless Council wishes to extend Question and Answer Period just prior to the conclusion of the regular Council meeting. Extension for a further 15 minutes at that time may be permitted by majority vote of Council. No further extensions will be permitted for that evening for Question and Answer Period.
  - (4) Each speaker will be given two (2) minutes, the speaker will be given one (1) opportunity to ask a question or make comment(s) during this time. In the circumstance there is still time from the original 15 minutes remaining and there are no further speakers a second opportunity may be provided.
  - (5) The speaker will begin by stating their name and city of residence to

be recorded in the minutes along with a summary of the question / comment(s). When the Chairperson does not have the information to provide for an immediate answer to the response it will be given in written format and included on the next agenda under this topic when the information is available.

- (6) An area on the website will be designated for a summary list of all the questions, comment topics and answers provided during Question and Answer Period so this item can be easily searched by the public.
- (7) There is to be no questions or comments on a matter that will be the subject of a public hearing or public meeting (example: Development Variance Permit). Questions that may be subject to Freedom of Information and Protection of Privacy will be forwarded for a direct response through the FOI process.
- (8) Question and Answer Period will not be conducted during the months of September and October of an election year.

#### Delegations / Petitions

20. (1) The Council may allow a Delegation to address the Council at a meeting on a topic provided a Delegation request form has been received by the Director of Corporate Administration by 8:30 a.m. on the Monday prior to the meeting.  
*(amended by Bylaw 2284)*  
~~The Council may allow a Delegation to address the Council at a meeting on a topic provided a Delegation request form has been received by the Director of Corporate Administration by 4:30 p.m. on the Monday prior to the meeting.~~
- (2) A maximum of five Delegations will be permitted at any Council meeting.
- (3) Each Delegation must be limited to a maximum of five (5) minutes; this time may only be extended by unanimous vote of all Members present.
- (4) The Mayor and Chief Administrative Officer or the Director of Corporate Administration must not permit a Delegation to address a meeting of the Council regarding:
  - i. Any matter that will be the subject of a public hearing that is required under an enactment as a prerequisite to the adoption of a bylaw;
  - ii. Any matter that is undergoing a local area service process or counter petition process;
  - iii. Any matter which the City has commenced prosecution and on which judgment has not been rendered;



- iv. The promotion of commercial products or services which have no connection to the business of the City;
  - v. Publicly tendered contracts or proposal calls for the provision of goods and services for the City, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded by Council or City staff; and further
  - vi. A subject is beyond the jurisdiction of Council.
- (5) A delegate may only appear once per year in relation to a specific topic, such appearance is to be measured from the time of the last appearance on the matter. This includes the topic, any process, resolution or concerns regarding the topic or any review or assessment of the topic.
- (6) The Director of Corporate Administration may schedule Delegations to a later Council meeting than requested considering the subject matter or if there are already five (5) requests to appear as a Delegation at the same meeting.
- (7) A Delegation intending to give a Power Point presentation must supply the Director of Corporate Administration with a copy of the presentation by 8:30 a.m. on the Monday prior to the meeting. The presentation will be reviewed by staff, to ensure that it is professional and relevant to the Council proceedings. If the Director of Corporate Administration is of the opinion that the Presentation is unprofessional or irrelevant the noted slides/pages will be removed or the entire presentation will be rejected. Staff will contact the delegation to inform if this is to occur. *(amended by Bylaw 2284)*  
~~A Delegation intending to give a Power Point presentation must supply the Director of Corporate Administration with a copy of the presentation by 4:30 p.m. on the Monday prior to the meeting. The presentation will be reviewed by staff, to ensure that it is professional and relevant to the Council proceedings. If the Director of Corporate Administration is of the opinion that the Presentation is unprofessional or irrelevant the offending slides/pages will be removed or the entire presentation will be rejected. Staff will contact the delegation to inform if this is to occur.~~
- (8) Every petition presented to Council by a Delegation, or otherwise, must include:
- (a) the date of the petition;
  - (b) legible full names of each signatory petitioner with their address; and,
  - (c) a statement at the top of the page clearly indicating why signatures have been collected.
- (9) All petitions addressed to Council will be placed on the Council agenda for receipt. Petitions must be received by 8:30 a.m. on the Monday prior to the next regular scheduled meeting. Petitions received after this agenda deadline will be

automatically placed on the next regular scheduled meeting agenda. (*Amended by Bylaw 2284*)

~~Petitions may also be submitted at a regular Council meeting during the Delegations and Petitions section of the agenda.~~

~~All petitions addressed to Council will be placed on the Council agenda for receipt. Petitions must be received by 4:30 p.m. on the Monday prior to the next regular scheduled meeting. Petitions received after this agenda deadline will be automatically placed on the next regular scheduled meeting agenda.~~

~~Petitions may also be submitted at a regular Council meeting during the Delegations and Petitions section of the agenda.~~

Point of Order (Question to the Chair: Are the rules of the meeting being followed?)

21. (1) The Chairperson will preserve order and decide all points of order which may arise, but subject to an appeal to the other members of the Council present.
- (2) Without limiting the Chairperson’s duty under the *Community Charter*, the Presiding Member must apply the correct procedure to a motion:
  - (a) if the motion is contrary to the rule of procedure in this Bylaw; and
  - (b) whether or not another Member has raised a point of order in connection with the motion.
- (3) When the Chairperson is required to decide a point of order:
  - i) first immediately suspend the debate;
  - ii) ask “What is your Point of Order?”;
  - iii) rule as to whether or not the point of order is valid; citing the applicable rule or authority, if required by another Member;
  - iv) another Member must not question or comment on the rule or authority cited by the Chairperson under subsection (2)(a);
  - v) the Chairperson may reserve the decision until the next Council meeting; and
  - vi) the Chairperson may direct the members to stand at ease (brief pause where members remain in their places until the Chairperson calls the meeting to order) while considering their decision.
- (4) If an appeal (disagreement with the ruling by the Chairperson) be taken by a member of the Council from the decision of the Presiding Member, the question will be immediately put, and decided without debate. "Will the Chair be sustained?" and the Chairperson will be governed by the vote of the majority of the other members of the Council then present, and the names of the members of the Council voting against the question "Will the Chairperson be sustained?" will be recorded on the minutes, and in the event of the votes being equal, the question will pass in the affirmative. The Chairperson will not be permitted to vote on an appeal of their decision hereunder.

- (5) If the Chairperson refuses to call the question "Will the Chairperson be sustained?" the Council will immediately appoint one of its members to preside temporarily, and the Chairperson temporarily appointed will proceed in accordance with (4) and in the event of the votes being equal, the question will pass in the affirmative.

### Conduct and Debate

22. (1) A member may speak to a question or motion at a Council meeting only if that member first addresses the Chairperson.
- (2) A member must address the Chairperson by that person's title followed by their surname: Mayor, Councillor, Deputy Mayor or Chairperson.
- (3) A member must address other non-Chairperson by the title of Councillor, Mayor or Committee Member followed by their surname.
- (4) No member may interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks, the Chairperson must call the member who, in the Chairperson's opinion, first spoke.
- (6) A member who is called to order by the Chairperson:
- (a) must immediately stop speaking;
  - (b) may explain their position on the point of order; and
  - (c) may appeal to Council for its decision on the point of order in accordance with the *Community Charter*.
- (7) Member at a Council Meeting:
- (a) must use respectful language;
  - (b) must not use offensive gestures or signs;
  - (c) must speak only in connection with the matter being debated;
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
  - (e) must adhere to the rules of procedure established under this bylaw and to the decision of the Chairperson and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), they may order the member to leave the member's seat and:
- (a) if the member refuses to leave, the Chairperson may cause the member to be removed by a peace officer or by the R.C.M.P.; and

- (b) if the member apologizes to the Council, Council, may, by resolution, allow the member to retake the member’s seat.
- (9) A member may require the motion being debated at a Council meeting to be read at any time during the debate, if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at the Council meeting:
  - (a) a member may speak no more than twice for a maximum of five (5) minutes per time in connection with the same question unless:
    - i. with the permission of Council by majority vote, or
    - ii. if the member is explaining a material part of a previous speech while introducing a new matter;
  - (b) the mover of the motion, after obtaining the floor from the Chairperson, will have the first opportunity to speak to the motion; and be permitted the opportunity of summation before the question is called.
- (11) The following rules apply to all persons attending a City meeting. This includes participants, staff, and Members of the public.

Members of the public may attend to observe open council meetings. A Member of the public at a meeting must maintain decorum at all times. Interruptions of any kind are not permitted while the meeting is in progress.

In accordance with Human Resources Policy No. 405 (Workplace Harassment), *“Every employee has the right to work in a respectful atmosphere that promotes equal opportunities and is free from harassment, bullying and discrimination.”*

City meetings are working meetings for Council and staff; as such, outbursts, shouting (questions or comments), clapping, and booing/heckling are not permitted. Members of the public must view the meeting from the designated gallery/seating area established for the public (area away from the Council / Committee Member table) in most circumstances there will be chairs set up.

Council meetings, unless Closed as per the provisions of the *Community Charter*, are open to all Members of the public. If the public have signs or placards, they must not contain profanity or disrespectful language. Those with signs and placards may display their signs from the back of the room in order to ensure the sightline of others observing the meeting are not blocked.

Members of the public who do not adhere to the meeting conduct, as outlined in this bylaw, will be given a compliance warning. If a Member of the public is unwilling to do so, as per the *Community Charter*, the City reserves the right to request or have a person removed from the meeting.

- (a) If, in the opinion of the Chairperson, a Member of the public has contravened section 11(a) the Chairperson may issue a warning to the

offender. A warning will consist of the following: The Chairperson will advise the offending individual or group of individuals the behavior is not in accordance with this bylaw. The offending individual(s) will be requested to provide their name and it will be noted in the meeting minutes (if name is not provided a description will be noted).

If the behavior continues, the Chairperson may, in accordance with the *Community Charter*, order that the offending individual or group is expelled from the meeting (c) Should the Chairperson determine expulsion from the meeting is required they will state the following:

“In accordance with the *Community Charter* Section 133, hereby order that (Persons Name or Description) be expelled from the meeting at this time due to the person acting improperly as follows: (state the offending behavior) thus interrupting the meeting proceedings.

If you do not leave the meeting at this time, the RCMP will be contacted and you will be escorted from these Council Chambers / City Hall.”

Motions

- 23. (1) A motion will be phrased in a clear and concise manner so as to express an opinion or achieve a result. When a motion has been moved by a member and seconded by another member, it is then a motion on the floor, and is deemed to be in the possession of Council, and such motion:
  - (a) must be recorded in the minutes;
  - (b) the mover of the motion, after obtaining the floor from the Chair, will have the first opportunity to speak to the motion;
  - (c) the mover of the main motion will be permitted the opportunity of summation before the question is called; and
  - (d) may only be withdrawn by the mover and seconder of the motion, with the consent of all the members present (any Member not in agreement must make this known by raising their hand to notify the Chairperson).
  
- (2) A Council member may make only the following motions, when the Council is debating a question. These motions are numbered; the higher number determines the type of motion that must be considered prior to the lower number motion. Each of the following motions are required to be seconded:

	<b>Motion/Purpose</b>	<b>Amendable</b>	<b>Debatable</b>	<b>Required Vote</b>
1	Postpone Indefinitely	Amendable	Yes	Majority
2	Amend	Amendable if primary	Yes	Majority
3	Refer (to someone or somewhere)	Amendable	Yes	Majority
4	Postpone Definitely/Defers (until	Amendable	Yes	Majority

	a certain time)			
5	Limit or Extend Debate	Amendable	No	2/3
6	End Debate and Amendments		No	2/3
7	Table (temporarily suspend consideration of an issue to address another topic). The Presiding Member would ask “For what reason?” and rule on it.		No	Majority

- (3) A member may request that a motion that is on the floor, be read for information, at any time during the debate.
- (4) Amendments will be put to the question in the reverse order to that in which they have been moved. An amendment will be only to the main motion and will be decided or withdrawn before the question is put to the vote on the main motion. Only one amendment will be considered by Council at a time. Council may amend an amendment by way of a sub-amending motion. No amendment will alter in a material way the principle embodied in the main motion but should merely vary its terms in one or more particulars.
- (5) A motion to refer the subject matter to a Committee, until it is decided, will preclude all amendment(s) of the main motion.
- (6) At any time after a question has been proposed, any member may "call for the question" and unless the Chairperson considers such request is an abuse of the Rules of Procedure or an infringement of the rights of minority the original question will immediately thereafter be put and decided without further debate.
- (7) Prior to the Question being called a member may request a motion to be read by either the Chairperson or the Director of Corporate Administration.
- (8) Motions that are not seconded will not be included in the meeting minutes.
- (9) A motion to conclude a meeting is not necessary. Following the completion of all agenda items the Presiding Member may state: “This meeting is now concluded.”

Amending Motions

- 24. (1) A member, other than the mover of a motion, may propose an amendment to a motion, and subject to the provisions regarding sub-amendments, that amendment must be disposed of before any subsequent amendments are proposed.
- (2) When an amendment to a motion has been moved and seconded, the Chairperson must, if requested by a member, state the original motion and the

amendment, and must permit debate only on the amendment.

- (3) If the amendment is defeated, debate may continue on the original motion, and if no further amendments are proposed, the Chairperson must call the question on the original motion.
- (4) If an amendment is adopted and no further amendments are proposed, the Chairperson must then call the question on the original motion, as amended.
- (5) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

#### Sub-Amendments of Motions

25. (1) A member may propose a sub-amendment to an amendment, and the provisions of Amending Motions apply, so far as applicable to sub-amendments.
- (2) A member may not propose a sub-amendment to a sub-amendment.
- (3) The Chairperson must call the question on a motion which has been amended, in the following order:
  - (a) a sub-amendment, if any;
  - (b) an amendment to the original motion; and
  - (c) the original motion.

#### Scope of Amendments and Sub-Amendments

26. The amendments may take the form of the deletion, addition, or substitution of words or figures, provided such deletions, additions, or substitution do not, in the opinion of the Chairperson, affect the original motion, the amendment, or the sub-amendment, whichever is applicable, to the extent that it is either:
  - (a) negated, or
  - (b) changed in such a way that either an alternative motion is proposed, or all reference to the original motion, the amendment, or the sub-amendment, whichever is applicable, is eliminated.

#### Bringing Back Adopted Motions

27. (1) A Member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.

- (2) A resolution or bylaw which was adopted may be brought back before Council by a motion to reconsider, rescind or amend something previously adopted, provided:
  - (a) Council has given due consideration to any actions taken by an officer, employee, or agent of the City; and
  - (b) the resolution or bylaw has not had the approval of the electors or the assent of the electors.
- (3) A motion to reconsider or rescind an adopted resolution or bylaw:
  - (a) may be made at the same meeting; and
  - (b) may only be made by a Member who voted in favour of it.
- (4) A motion to rescind or amend an adopted resolution or bylaw:
  - (a) may be made at a future meeting, by a Member giving notice under Notice of Motion at a regular Council meeting; and
  - (b) may be made by any Member, regardless of how they voted the first time.
- (5) A motion to reconsider:
  - (a) is debatable;
  - (b) if adopted, the resolution or bylaw shall be reopened for debate; and
  - (c) if reopened for debate, may be referred, amended, postponed, or voted on for a second time.
- (6) A motion to rescind:
  - (a) Is debateable; and
  - (b) If adopted, the motion is no longer applicable, and it would be in order to move a subsequent motion.
- (7) If a motion to reconsider or rescind something previously adopted is defeated twice within three (3) months, the same or substantially the same motion to rescind or amend may not be renewed for at least six (6) months, except if Council, by a two-thirds majority vote, permits such renewal.

#### Bringing Back Defeated Motions

28. (1) A motion to reconsider a defeated motion of City Council will only be applicable to the votes taken on main motions, resolutions or bylaws, and will not apply to votes on secondary motions, i.e. to postpone, to refer, to table and to amend.
- (2) A resolution or bylaw which was defeated may be brought back for consideration by a motion to reconsider or rescind something previously defeated, provided:
  - (a) Council has given due consideration to any actions taken by an officer, employee, or agent of the City.
- (3) A motion to reconsider or rescind a defeated resolution or bylaw:



- (a) may be made at the same meeting during which the resolution or bylaw was defeated
  - (b) may be made at the next regular Council meeting; and
  - (c) may only be made by a Council Member who voted against the resolution or bylaw (voted in favour), or who was not in attendance during the vote.
- (4) A motion to rescind a defeated resolution or bylaw:
- (a) may be made at a future meeting, by a Member giving notice under notice of motion at a regular Council meeting; and
  - (b) may be made by any Member, regardless of how they voted the first time.
- (5) A motion to reconsider:
- (a) is debatable
  - (b) if adopted, the resolution or bylaw shall be re-opened for debate; and
  - (c) if re-opened for debate, may be referred, amended, postponed or voted on for a second time.
- (6) A motion to rescind:
- (a) is debatable; and
  - (b) if adopted, the motion is no longer applicable, and it would be in order to move a subsequent motion.
- (7) If a motion to reconsider or rescind something previously defeated is defeated twice within three (3) months, the same or substantially the same motion to rescind or amend may not be renewed for at least six (6) month, except if Council by a two-thirds majority vote, permits such renewal.

#### Reconsideration Requested by the Mayor

29. (1) Without limiting the authority of council to reconsider a matter, the Mayor may require the council to reconsider and vote again on a matter that was the subject of the vote.
- (2) As restrictions on the authority under subsection (1):
- (a) the Mayor may only initiate a reconsideration under this section:
    - i) at the same council meeting as the vote took place; or
    - ii) within the 30 days following that meeting, and
  - (b) a matter may not be reconsidered under this section if:
    - i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the council, or

- ii) there has already been a reconsideration under this section in relation to the matter.
- (3) On a reconsideration under this section, the council
- (a) must deal with the matter as soon as convenient, and
  - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.

#### Notice of Motion

30. (1) A Notice of Motion, if forwarded to the Director of Corporate Administration’s office prior to the Council agenda deadline, will be placed on the upcoming regular meeting agenda under Motion and Notices of Motion with the requesting Member of Council’s name so they may introduce the motion for consideration at that time or at a future meeting; or
- (2) During the Motion and Notices of Motion portion of a regular or special meeting of the Council, any Council Member may give a “Notice of Motion” respecting an item which they intend to present at a future meeting, upon the Member being acknowledged by the Chairperson and the Notice of Motion being read to the meeting.

The Member of Council shall provide a written copy of the motion presented under this section the Director of Corporate Administration for inclusion in the Minutes of that meeting as a “Notice of Motion”. The Director Corporation Administration shall place the motion on the Agenda of the next regular or special council meeting, or other future meeting designated by the Member of Council by bringing forward the Notice of Motion, for consideration.

#### Reports from Committees

31. Council may take any of the following actions in connection with a recommendation(s) it receives from COTW or any of its Committees:
- (a) agree or disagree with the recommendation(s);
  - (b) amend the recommendation(s);
  - (c) refer the recommendation(s) to staff
  - (d) refer the recommendation(s) back to the originating committee or to another committee; or
  - (e) postpone consideration of the recommendation(s).

#### Communications to Council

32. (1) Communications intended to be presented to Council will:

- (a) be legibly written, typed or printed;
  - (b) signed by a least one person; and
  - (c) include the name and civic address for each person who has signed the communication.
- (2) All communications which require a report may be referred by Council to any Committee, the CAO or to staff by formal resolution by Council for such referral.
33. (1) A Council may continue a Council meeting after 10:30 p.m. only by an affirmative majority vote of Members present.
- (2) At the close of a meeting of Council or Committee, the Chairperson will state “This meeting is concluded” (motion to conclude is not necessary).

## **PART 5 – PUBLIC HEARINGS**

### Rules of Public Hearing/Meetings

34. (1) Public Hearings must be held in accordance with the *Local Government Act*. A statement outlining the meeting conduct will be read at the start of the public hearing for the evening by either the Presiding Member or the Director of Corporate Administration. The statement must include the following points:
- (a) each person wishing to address Council will be given a maximum of five (5) minutes to speak;
  - (b) in order to speak, one must be acknowledged first by the Chairperson;
  - (c) once all in attendance have had the opportunity to speak, the Chairperson will ask again for anyone wishing to speak to come forward. Those speakers who have already addressed Council may speak again; however, speakers should refrain from repeating information that they have already presented to Council; and
  - (d) At the end of the public hearing the Chairperson will conclude the Public Hearing (motion to conclude is not necessary)

## **PART 6 – BYLAWS**

### Copies of Proposed Bylaws to Council

35. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each member with the agenda or where circumstances prevented a copy of the bylaw from being delivered to each Member with the agenda, with an affirmative majority vote of Members present.

Form of Bylaws

36. A bylaw introduced at a Council meeting must:
- (a) be available in hard copy for review by Council;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number and
  - (d) be divided into sections.

Bylaws to be Considered Separately or Jointly

37. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the Chairperson or required by a member; or
  - (b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.

Reading and Adopting Bylaws

38. (1) The reading of a proposed bylaw may be given by stating its short title or by reference to the bylaw number provided a copy of the proposed bylaw has been included in the agenda.
- (2) First, second and third reading of the Bylaw may consist of debate upon the general principles of the Bylaw.
- (3) The bylaw may be given first and second reading or first, second and third readings in one (1) motion at the same Council meeting provided a copy of the proposed bylaw has been included in the agenda or hard copy has been placed on table for consideration.
- (4) The only motion required for the final adoption of a bylaw after consideration shall be “That Council give “bylaw title or number” final reading”, may be noted in this short form if included in the agenda or a hard copy has been placed on table.
- (5) A proposed bylaw may be amended at any time during the first three (3) readings unless prohibited by the *Community Charter*.
- (6) Unless otherwise provided, each reading of a proposed bylaw must receive the affirmative vote of a majority of Members present.
- (7) Notwithstanding the *Community Charter* and in accordance with the *Local Government Act*, Council may adopt a proposed official community plan or

zoning bylaw at the same meeting at which the plan or bylaw was given third reading.

- (8) The Director of Corporate Administration may consolidate one or more of the City's bylaws for convenience purposes.

#### Bylaws Must be Signed

39. After a bylaw is adopted, and signed by the Director of Corporate Administration and the Chairperson of Council at which it was adopted, the Director of Corporate Administration must have the bylaw placed in the City's records for safekeeping.

## **PART 7 – COMMITTEE OF THE WHOLE (COTW)**

40. (1) A COTW meeting can be called:
- (a) at any time by the Mayor; and
  - (b) at any time during a council meeting, Council may, by resolution, go into COTW.

#### Notice of Committee of the Whole Meetings

41. (1) Subject to subsection (2), a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by;
- a) posting a copy of the notice at the Public Notice Posting Place; and
  - b) leaving a copy of the notice for each member in the member's mailbox at City Hall; and
  - c) e-mailing Council.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 40 during a Council meeting for which public notice has been given pursuant to this Bylaw.

During a Council meeting, Council may resolve to go into a COTW by a resolution "...that the Council do now resolve itself into a Committee of the Whole." The Chairperson of the Council Meeting will release the Chair. The Chairperson of the COTW (the Deputy Mayor) will then assume control of the COTW meeting. When all matters referred to a COTW have been considered, a question will be called on a motion to revert back to the regular meeting.

#### Chairperson at COTW Meetings

42. The current Deputy Mayor will act as the Chairperson of COTW.

Conduct and Debate

43. The rules of the Council will be observed in Committee of the Whole, so far as may be applicable, except that the number of times that a Member may speak on any question will not be limited, and debate may occur prior to a motion being made.

## **PART 8 – COMMITTEES (INCLUDING COMMITTEE OF THE WHOLE WHERE NOT SPECIFICALLY ADDRESSED UNDER PART 7)**

Duties of Standing Committees

44. (1) Standing Committee members may consider, inquire into, report and make recommendations to Council on the following matters:
- (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are assigned by Council; and
  - (c) matters that are assigned by the Mayor.
- (2) Notwithstanding section 43 (1) Standing Committees consisting of all members of Council may deliberate on all matters in 43(1) but will forward only matters onto Council that pertain to Council policy, bylaws and legislated items for a decision of Council; all other matters will be handled at the Committee level.

Duties of Select Committees

45. (1) Select committees may consider, inquire into, report and make recommendations to Council about matters referred to committee by Council, the Chief Administrative Officer, Staff Liaison or items brought forward by Committee members that are described in the Committee's mandate / Terms of Reference.
- (2) Select committees must report and make recommendations to Council when directed by Council resolution.

Schedule of Committee Meetings

46. (1) At the first meeting after its establishment, a select committee will review and adopt the established regular schedule of meetings distributed by the Corporate Administration Office.

- (2) Standing Committees meet as the need arises; items are brought forward by staff in accordance with the Committee mandate and agendas will be provided at the same time and means as the regular Council meeting agendas.

**Note:** Standing Committees that consist of all Members of Council in most cases will hold their meetings on the same days as regular Council meetings are scheduled (example: Land Use and Planning, Governance and Legislation, Finance and Audit Committee).

#### Agendas for Committee Meetings

47. (1) The deadline for submissions by the staff and by the public to the Committee Clerk or the Director of Corporate Services of items for inclusion on the Agenda for the Committee meeting must be by noon on the Wednesday prior to the Committee meeting.
- (2) If there are no agenda items for meeting received by noon on the day that is one (1) week prior to the meeting the Committee Clerk will inform the Chairperson, Council and staff Liaisons and will cancel the Committee meeting.

#### Notice of Committee Meetings

48. (1) Subject to subsection (2), after the Committee has reviewed the established regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Place; and
  - (b) providing a copy of the schedule to each Member of the Committee.
- (2) Where revisions are necessary to the annual schedule of Committee meetings, the Committee Clerk or the Director of Corporate Administration must post a notice and a revised schedule as soon as possible at the Public Notice Posting Place
- (3) The Committee Clerk or the Director of Corporate Administration must ensure a notice of the day, time and place of a meeting called under section 43 (2) is given or sent to all Members of the Committee at least 24 hours before the time of the meeting.

#### Attendance at Committee Meetings

49. (1) Members of the public may attend committee meetings that are not closed in accordance with the *Community Charter*, to observe only.

#### Presentations at Committee Meetings

50. (1) When deemed relevant to the discussion of a particular item of business under consideration by the Committee, the Chairperson may, with majority consent of those Committee members in attendance, give permission to a member of the public in attendance to speak to the item in question.
- (2) At Standing Committees meetings, where the members are comprised of all of Council, a presentation will be permitted regarding an item on the agenda where the presenter could outline the intent of an application or give professional insight to a subject matter. A presentation of this nature must not exceed 10 minutes unless agreed to by a majority of members present. In this case a notation will be made on the agenda to indicate that there is a Presentation expected.

#### Minutes of the Committee Meetings

51. Minutes of the proceedings of a Committee must be:
- (a) legibly recorded;
  - (b) certified by the Committee Clerk;
  - (c) open for public inspection in accordance with the *Community Charter*; and
  - (d) motions are to be recorded as recommendations that would be forwarded to Council for ratification, unless they are by a Standing Committee of Council that is comprised of all members of Council and the Terms of Reference states contrary, the Terms of Reference in this circumstance will be followed.

#### Conduct and Debate

52. (1) The rules of the Council procedure must be observed during Committee meetings, so far as is possible and unless as otherwise provided in this bylaw.
- (2) Persons attending a meeting of a Committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the Committee Members present.

#### Terms of Reference

53. Council must approve all of the City's Committee Terms of Reference.

## **PART 9 – GENERAL**

54. If any provision of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
55. A motion to censure may be used to express Council's indignation with a Council member's conduct regarding Council business. A motion of this nature would be used



only in extra-ordinary circumstances, where the principles of the Respectful Workplace Policy has not been adhered to, and will be:

- (a) seconded;
- (b) debatable;
- (c) amendable;
- (d) requires a majority vote;
- (e) and will be recorded in the Council meeting minutes.

56. “*The White Rock Council Procedure Bylaw, 2015, No. 2105*” and all amendment are hereby repealed.

RECEIVED FIRST READING on the	29 <sup>th</sup> day of	January, 2018
RECEIVED SECOND READING on the	29 <sup>th</sup> day of	January, 2018
RECEIVED THIRD READING on the	29 <sup>th</sup> day of	January, 2018
PUBLISHED in the Peace Arch News on the	9 <sup>th</sup> & 16 <sup>th</sup> days of	February, 2018
ADOPTED on the	19 <sup>th</sup> day of	February, 2018

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MAYOR

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DIRECTOR OF CORPORATE ADMINISTRATION

**THE CORPORATION OF THE  
CITY OF WHITE ROCK  
BYLAW 2232  
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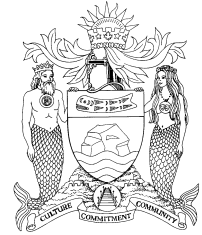
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THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** July 22, 2019  
**TO:** Governance and Legislation Committee  
**FROM:** Tracey Arthur, Director of Corporate Administration  
**SUBJECT:** City Policy and Select Bylaw Review

---

**RECOMMENDATION**

THAT the Governance and Legislation Committee receive for information the corporate report dated July 22, 2019 from the Director of Corporate Administration titled "City Policy and Select Bylaw Review".

---

**INTRODUCTION**

Following each local government election the City's policies and some select bylaws are brought forward to Council for an opportunity to review/update/revise and make the documents their own. This project is led by the Corporate Administration Department and is included as part of this Council's Strategic Priorities.

**ANALYSIS**

There are over 100 Council endorsed policies to support the operations and governance of the City of White Rock. To ensure the City's operations and governance are aligned with Council's vision, reviews are conducted to allow for updates and for the policies to be ratified by the current Council.

**Policies:**

Since November 2018, a number of policies have been reviewed and endorsed by the current Council. Staff are scheduling the balance of policies for Council's consideration this Fall/Winter in order to meet the Council Strategic Priorities deadline of December 31, 2019.

Appendix A (Status of City Policies) indicates which policies have been reviewed by current Council.

**Bylaws:**

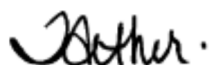
The City has many longstanding bylaws that, when required, have been updated through bylaw amendments. Bylaws are also created and brought forward as the need arises for Council consideration. Frequently referenced bylaws, when amended, are consolidated with the original bylaw (for convenience purposes) for ease of reference and are available for inspection on the City's website.

In addition to the City's Policy review, the Senior Management Team was requested to advise which bylaws should be reviewed/updated. The bylaw review will be a lengthy project as it requires much dedicated staff time and in many circumstances will require a review by the City's solicitor to ensure the bylaw is complete from all aspects and is defensible. Many of the bylaws have already been noted through facilitated Council discussions and at various meetings including Council. The list of bylaws, broken down by Department, is attached as Appendix B (Senior Management Team's Suggested Bylaws for review).

### **CONCLUSION**

This corporate report has been provided for information purposes. A review of all city policies and select bylaws is good practice to ensure the operations and governance of the city is up-to-date and compliant with Council's Strategic Priorities. This corporate report provides an update on what has been reviewed since Council's election, and what is anticipated to be brought forward. Staff anticipate having all policies before the Governance and Legislation Committee by the conclusion of 2019. The select bylaws will be forthcoming throughout the Council term.

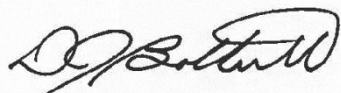
Respectfully submitted,



Tracey Arthur  
Director of Corporate Administration

### **Comments from the Chief Administrative Officer:**

This corporate report is provided for information.



Dan Bottrill  
Chief Administrative Officer

Appendix A – Status of City Policies

Appendix B – Senior Management Team's Suggested Bylaws for Review

**APPENDIX A: STATUS OF CITY POLICIES****Green = Reviewed by our Current Council****100 Series still to be reviewed:** 101, 103, 107-110, 112, 117, 120-125, 128-132, 136, 146, 151**100 Series numbers that are repealed/unassigned:** 102, 104, 113, 115, 116, 118, 121, 127  
139-141, 148-150, 152

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 101	Corporate Vision, Mission, and Values	June 2015
No. 103	Council Policy Development	June 2015
No. 105	Council Orientation	January 2019
No. 106	Council Remuneration and Expenses	July 2019
No. 107	Correspondence Received by the City	February 2017
No. 108	Deputy Mayor	June 2015
No. 109	Proclamations	June 2015
No. 110	Council/Committee Minutes	June 2015
No. 111	Order of Proceedings and Business for Council Meeting Agendas	January 2019
No. 112	Freedom of the City	June 2015
No. 114	Council Goals/Priorities/Strategic Planning Process	January 2019
No. 117	Annual Reports for Select Committees	June 2015
No. 119	Communication Between Mayor and Council and City Staff	January 2019
No. 120	Code of Conduct for Committee Members	June 2015
No. 122	Invitations to Mayor and Council	June 2015
No. 123	Committee Member Feedback Opportunity	June 2015
No. 124	Verbal Submissions – Attendance At Conventions, Conferences, Education/Training	June 2015
No. 125	White Rock Outstanding Canadians on the Peninsula Legacy Program	April 2018

No. 126	Chief Administrative Officer (CAO) Annual Performance Review	January 2019
No. 128	Sub-Committee / Committees Composed of Council Members Only	June 2015
No. 129	City News	July 2015
No. 130	Operational Communications Objective	July 2015
No. 131	City Website	July 2015
No. 132	Communication of Council Decisions	July 2015
No. 133	Internal Handling Media Requests	January 2019
No. 134	Press Releases	January 2019
No. 135	Recognition and Strategic Messages	February 2019
No. 136	Managing the City of White Rock's Social Media Presence	July 2015
No. 137	Terms of Reference - Economic Investment Committee	July 2019
No. 138	Terms of Reference - Environmental Advisory Committee	April 2019
No. 142	Terms of Reference – Governance and Legislation Committee	January 2019
No. 143	Terms of Reference – Cultural Advisory Committee	January 2019
No. 144	Terms of Reference – Tour de White Rock	January 2019
No. 145	Terms of Reference – Finance and Audit Committee	January 2019
No. 146	Use of City Flag Pole	June 2018
No. 147	Terms of Reference – Public Art Advisory Committee	May 2019
No. 151	Use of Elected Official Office - Official Title Policy	June 2016
No. 153	Terms of Reference – Sea Festival Planning Committee	January 2019
No. 154	Terms of Reference – Intergovernmental and First Nation Affairs Committee	January 2019
No. 155	Terms of Reference – Land Use and Planning Committee	January 2019



No. 156	Terms of Reference – Parking Task Force	June 2019
No. 157	Terms of Reference – Water Community Advisory Panel	June 2019
No. 158	Terms of Reference – Seniors Advisory Committee	February 2019
No. 159	History and Heritage Committee	February 2019
No. 160	Marine Drive Task Force	June 2019
No. 161	No Policy Endorsed for 161 – in progress.	
No. 162	Dogs on Promenade Task Force	July 2019

**200 Series still to be reviewed:** 200, 201, 203, 207, 213-215

**200 Series numbers that are repealed/unassigned:** 204, 208, 210-212

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 200	General Administration	September 2015
No. 201-01	Coat of Arms and City Logo	February 2017
No. 202	Naming of City Facilities	June 2019
No. 203	Commemorative Recognitions in City Parks	September 2015
No. 205	Corporate Sponsorships	June 2019
No. 207	Distribution of City Lapel Pins	September 2015
No. 209	Employee Parking at City Facilities	June 2019
No. 213	Corporate Process Regarding Requirement to E-mail Records and Back Up Data Schedule	September 2015
No. 214	City Cell Phone Usage	September 2015
No. 215	Sister Cities and Friendship City Relationships	February 6, 2017

**300 Series still to be reviewed:** 301, 307, 310, 316, 318-324

**300 Series numbers that are repealed/unassigned:** 303-306, 308-309, 311-315, 320-321

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 301	Procurement Policy	September 2015
No. 302	Grants-In-Aid	February 2019
No. 307	Accumulated Surplus Fund	September 2015
No. 310	Investment Policy	September 2015
No. 316	Insurance Coverage for Contractors	September 2015
No. 317	Municipal Property Tax Exemptions	June 2019
No. 318	Temporary Parking Privileges (in Designated Pay Parking Areas)	November 2013
No. 319	Complimentary Parking for Veterans	September 2015
No. 322	Emergency Expenditures	September 2015
No. 323	Financing of Lane Paving Projects	September 2015
No. 324	Grant Opportunities – Infrastructure	May 2017

**400 Series still to be reviewed: 401, 403, 405**

**400 Series numbers that are repealed/unassigned: 402**

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 401	City Employee Recognition Program	July 2015
No. 403	Exempt Compensation	July 2015
No. 404	Employee Code of Conduct	December 2018
No. 405	Respectful Workplace	January 2014

**500 series to be reviewed: All.**

**500 Series numbers that are repealed/unassigned: 500-503, 506-507,**

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 504	Towing of Unauthorized Vehicles	April 2013
No. 505	Existing Accessory Bed & Breakfast Establishments	April 2009
No. 508	Secondary Suites	April 2013
No. 509	Development Approval Procedures City Owned Public Space	April 2013
No. 510	Criteria for Type 2 Tree Removal Requests on Private Lands	April 2013
No. 511	Density Bonus / Amenity Contribution Policy	June 2017
No. 512	Official Community Plan Consultation Policy	November 2016
No. 513	Secondary Stoves in Dwelling Units	June 2017
No. 514	Tenant Relocation Policy	June 2018

**600 series to be reviewed: All.**

**600 Series numbers that are repealed/unassigned: 601-602, 605, 609-610**

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 600	Roads/Road Allowance	April 2013
No. 603	Inspection and Maintenance of Sidewalks and Roadways	April 2013
No. 604	Ditch Elimination	September 2015
No. 606	Banners Over City Streets	April 2013
No. 607	Heritage Trees	September 2000
No. 608	Traffic Calming	June 2015
No. 611	Tree Management on City Lands	July 2016
No. 612	Dangerous Tree Removal	June 2015
No. 613	Sweeping and Cleaning	June 2015
No. 614	Roads Inspection and Maintenance	June 2015
No. 615	Curbs Inspection and Maintenance	June 2015
No. 616	Parking Lot Inspection and Maintenance	June 2015
No. 617	Street Lights	June 2015
No. 618	Centre Lines, Lane Lines, Crosswalks and Stop Bars – Inspection and Maintenance	June 2015
No. 619	Street Lights	June 2015
No. 620	Traffic Control Signage and Signals	June 2015
No. 621	Equipment Maintenance	June 2015
No. 622	Polychlorinated Biphenyls (PCB's)	June 2015
No. 623	Insect and Pest Control – Private Lands	June 2015
No. 624	Asbestos	June 2015
No. 625	Chemical and Hazardous Materials	June 2015

No. 626	Bridges Inspection and Maintenance	June 2015
No. 627	Public Open Spaces Inspection and Maintenance	June 2015
No. 628	Snow and Ice Control	June 2015
No. 629	Retaining Wall Systems	June 2015
No. 630	Facilities Inspection and Maintenance	June 2015
No. 631	Facilities Lighting	June 2015
No. 632	Sanitary Sewers	June 2015
No. 633	Storm Drainage System	June 2015
No. 634	White Rock Pier	June 2015
No. 635	Beach Access Inspection and Maintenance	June 2015
No. 636	Sports Fields	June 2015
No. 637	Sports Courts	June 2015
No. 638	Playgrounds and Equipment	June 2015
No. 639	Public Recreational Pathways	June 2015
No. 640	Insect and Pest Infestation on City Lands	June 2015
No. 641	Latecomers Policy	November 2015

**700 series to be reviewed: All.**

**700 Series numbers that are repealed/unassigned: 700-703**

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 704	Beer Garden/Public Function Liquor Licences	July 2015
No. 705	Museum/Archives	July 2015
No. 706	Pier (Special Events)	July 2015
No. 707	Fee Waiver Policy	July 2015
No. 708	Community Public Art	July 2015
No. 709	Arena Facility Inspection and Maintenance	June 2015



**800 Series to be reviewed: All.**

<b>POLICY NO.</b>	<b>POLICY NAME</b>	<b>LAST AMENDED</b>
No. 800	Video Surveillance / Recording at Civic Properties	February 2018

**APPENDIX B: Senior Management Team's Suggested Bylaws for Review**

---

**Engineering and Municipal Operations**

<b>BYLAW NO.</b>	<b>BYLAW NAME</b>	<b>COMMENTS</b>
1831	Tree Management Bylaw, 2008, No. 1831	In progress
1529	Street and Traffic Bylaw, 1999, No. 1529	How encroachments are dealt with.
2298	Fees and Charges Bylaw, 2019, No. 2298	Increase fees and fines for highway use violations
2203	White Rock Sidewalk Use Agreement Bylaw, 2017, No. 2203	Administered by Engineering
396	Sewer Connection and Rental Charges Bylaw, 1970, No. 396	
2117	Water Services Bylaw, 2015, No. 2117	

**Financial Services**

<b>BYLAW NO.</b>	<b>BYLAW NAME</b>	<b>COMMENTS</b>
1529	Street and Traffic Bylaw, 1999, No. 1529	
1216	White Rock Parking Metre Bylaw, 1990, No. 1216	
1186	White Rock Land Sale Reserve Fund Establishment Bylaw, 1989, No. 1186	Housekeeping Updates
947	Machinery and Equipment Depreciation Reserve Fund Establishment Bylaw, 1984, No. 949	Housekeeping Updates
820	White Rock Capital Works, Machinery and Equipment Reserve Fund Establishment Bylaw, 1981, No. 820	Housekeeping Updates
2112	Development Cost Charges Bylaw, 2015, No. 2112	Cannot be conducted until the OCP review is complete.

**Human Resources:**

<b>BYLAW NO.</b>	<b>BYLAW NAME</b>	<b>COMMENTS</b>
2057	White Rock Fire Protection Bylaw, 2014, No. 2057	
TBD	Respectful Workplace Bylaw	

**Planning and Development Services**

<b>BYLAW NO.</b>	<b>BYLAW NAME</b>	<b>COMMENTS</b>
2000	White Rock Zoning Bylaw, 2012, No. 2000	Ongoing
1510	White Rock Business Licence Bylaw, 1997, No. 1510	
1923	White Rock Sign Bylaw, 2010, No. 1923	
1831	Tree Management Bylaw, 2008, No. 1831	In progress
2203	White Rock Sidewalk Use Agreement Bylaw, 2017, No. 2203	Administered by Engineering

**Recreation and Culture**

<b>BYLAW NO.</b>	<b>BYLAW NAME</b>	<b>COMMENTS</b>
675	White Rock Parks Regulation Bylaw, 1977, No. 675	

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
 15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



**POLICY TITLE: DISTRIBUTION OF CITY LAPEL PINS**

**POLICY NUMBER: ADMIN - 207**

<i>Date of Council Adoption:</i> December 14, 2009	<i>Date of Last Amendment:</i> September 14, 2015
<i>Council Resolution Number:</i> 2009-590, 2013-082, 2015-309	
<i>Originating Department:</i> Administration	<i>Date last reviewed by the Governance and Legislation Committee:</i> July 27, 2015

**Policy:**

To be eligible for free City lapel pins, a group or individual must be involved in an activity which promotes the City of White Rock. Permitted distribution of City of White Rock lapel pins (stock permitting) are as follows:

1. Events outside the City (other than sports-related activities):

- a) For individuals – first 56 pins free; additional pins at cost plus applicable taxes.
- b) For groups – first 25+8 pins free; additional pins at cost plus applicable taxes.

2. Events outside the City (sports-related activities):

Up to 25 pins per team member of a sports team that are requesting pins for trading at sporting events (where distribution of the pins is deemed advantageous)

3. Events hosted in the City:

- a) When the Mayor has been invited to speak and greet visiting participants, each participant may receive one pin at no cost;
- b) When the Mayor is not speaking and welcoming participants, pins shall be available at cost plus applicable taxes.

Additional pins can be purchased at cost plus applicable taxes.

City Pins are ordered, stored and dispersed by the Executive Assistant to the Mayor and Chief Administrative Officer.

**Rationale:**

To provide general guidance for staff in regard to the distribution of free City of White Rock lapel pins.



**POLICY TITLE: VIDEO SURVEILLANCE / RECORDING AT CIVIC PROPERTIES**

**POLICY NUMBER: INFORMATION TECHNOLOGY - 800**

<i>Date of Council Adoption: October 6, 2014</i>	<i>Date of Last Amendment: September 14, 2015</i>
<i>Council Resolution Number: 2014-310, 2015-309</i>	
<i>Originating Department: Information Technology / Administration</i>	<i>Date last reviewed by the Governance and Legislation Committee: July 27, 2015</i>
	<i>Corresponding Staff Directive: IT 800</i>

**POLICY**

To establish guidelines for the use of video surveillance / recording equipment to enhance the security of properties, objects and activities and the personal safety of persons that are in, on or near facilities owned or occupied by the City of White Rock.

Staff from Information Technology (IT) in conjunction with members of the City of White Rock Senior Management team or designates are authorized to make video surveillance recordings as a tool for safety, security of persons and City facilities and to assist in the enforcement of unlawful activity. When cameras are installed they will not be located in areas that would constitute an invasion of privacy.

All video recording equipment is to be located in a locked room only accessible, as necessary, to the following staff authorized personnel:

- IT;
- Bylaw Enforcement Officers; and
- Members of the Senior Management Team or designate where facilities under their responsibility include a video surveillance camera.
- Manager in charge of Facilities or designate

Authorized personnel should access the video recording equipment only as reasonably necessary to operate or maintain the equipment or to view or retrieve images captured by the equipment when necessary. If, in the opinion of authorized personnel, any video recording includes evidence of unlawful activity, a copy of that video recording may be provided to a Peace Officer.

## **SIGNAGE**

All areas placed under video surveillance shall ~~post~~ be posted with signage clearly indicating its use and any other information required under the *Freedom of Information and Protection of Privacy Act*, ~~to be prominently displayed. Signage will include the following information: the video surveillance is authorized under the *Freedom of Information and Protection of Privacy Act* for the purpose of deterring or detecting unlawful activity and will include the contact information of the IT Manager for information regarding the surveillance.~~

## **USE OF THE VIDEO SURVEILLANCE**

Use of the video surveillance will primarily, but not exclusively, be used as a tool to provide personal safety and to deter and/or record unlawful activity.

## **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY**

Requests for access to video recordings by persons other than a peace officer or those already identified as authorized personnel in ~~the system procedure~~ this policy shall be processed as formal FOI/Privacy requests under the *Freedom of Information and Protection of Privacy Act*.

## **POLICY AUTHORITY:**

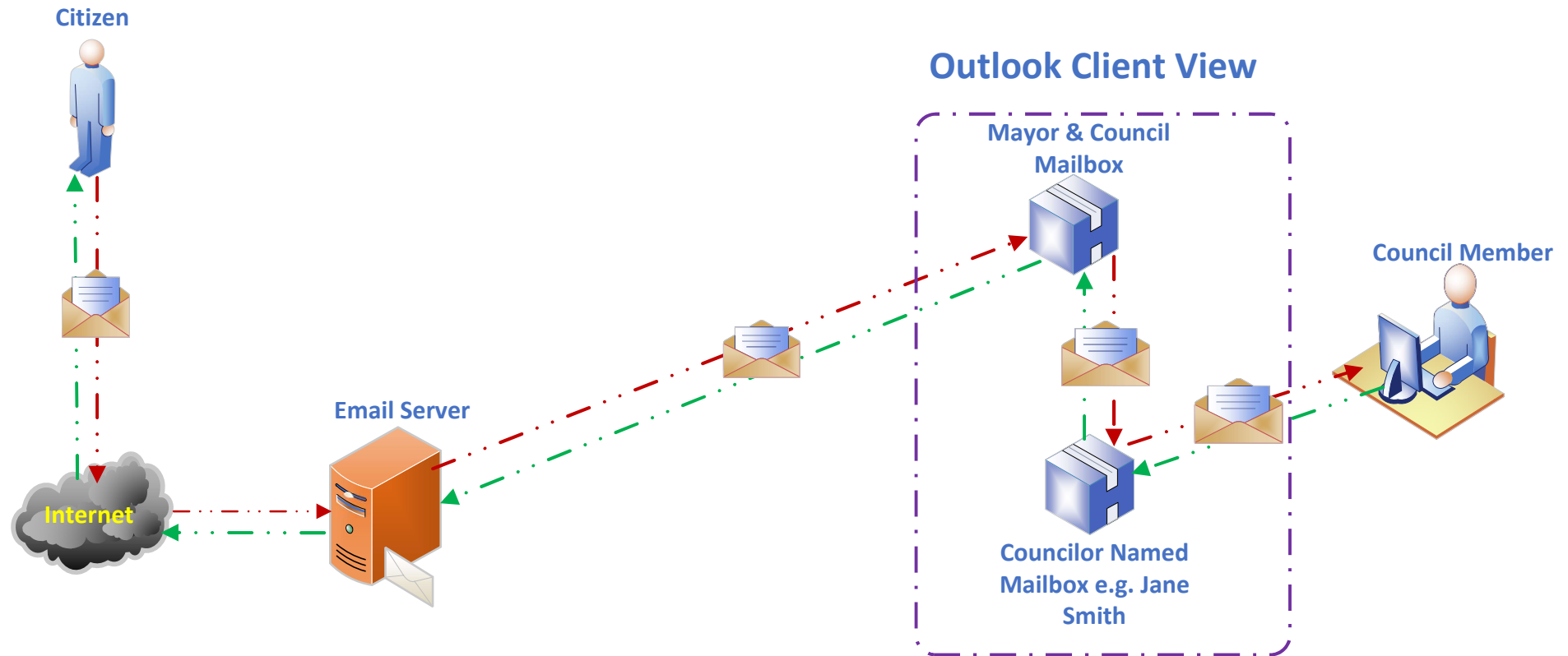
The *Community Charter, Local Government Act, Occupiers' Liability Act* and the *Freedom of Information and Protection of Privacy Act*. Video surveillance will be used only in accordance with the provisions of this policy and the above noted legislation.

## **RATIONALE:**

To clarify the purpose and use of video surveillance recordings by the City of White Rock.

# Option A

ON TABLE - JULY 22, 2019  
GOVERNANCE AND LEGISLATION COMMITTEE  
ITEM 4



In this option, all email messages sent to the Mayor and Council email address will be automatically forwarded to a *distribution list* comprised of all the members of the council. This means the email messages will show up in the Councilor Named mailbox with a To: address of [whiterockcouncil@whiterockcity.ca](mailto:whiterockcouncil@whiterockcity.ca)

When replying to a message, you must choose the *Reply To All* option to ensure the rest of the council is cc'd on the response. The email will show as coming from the Councilor Named mailbox and NOT the [whiterockcouncil@whiterockcity.ca](mailto:whiterockcouncil@whiterockcity.ca)

ON TABLE - JULY 22, 2019  
GOVERNANCE AND LEGISLATION  
COMMITTEE  
ITEM 8

# Marine Drive Liquor Licencing: *Issues and Options*

**WHITE ROCK**  
*My City by the Sea!*

*July 22, 2019*





# Existing Licencing Context

## Food Primary & Liquor Primary Establishments on Marine Drive

- Pages 34-35 of LUPC Agenda: licenced establishments & hours
- Food Primaries typically open until 12 AM
  - patio hours, music typically not restricted through Provincial licencing
- Liquor Primaries (2): 1 AM (pending); 2 AM
  - patio hours can be restricted; live/DJ music
- **Key Principle:** *balance business viability with the high quality of life on Marine Drive*

# Issues

- outdoor patios open past 10-11pm & late night live music can create noise issues for adjacent/nearby residents:
  - Noise complaints related to the West Beach Bar and Grill - attributed to outdoor patio area being used, music being played until (or close to) 12 AM.
  - West Beach owner has recently responded by closing patio at 10 PM & ending live music at 11:30 PM.
- disturbances & disorderly conduct near the Oceanside Lounge. These issues are seen as related to Oceanside's later liquor service hours, relative to other establishments.
  - Oceanside owner & agent has contacted staff & indicated they want to be engaged in finding a solution to this issue.

# Option 1

## Consider Suspension of Business Licences

- engage owners & seek cooperation
- if issues & violations continue, consider business licence suspension
  - requires Council resolution to re-instate

# Option 2

## Request Amendments to Provincial Liquor Licences

- Council consideration of sending request to Provincial LCRB ('Branch') to:
  - Amend West Beach Food Primary licence to regulate patio use & music hours
  - Amend Oceanside Lounge Liquor Primary licence to new hours (1 AM latest)
- If Option 2 chosen, staff note consultation with the Branch should be undertaken to help determine process moving forward

# Option 3

## Set Consistent Business Hours in Business Licence Bylaw

- broader approach to liquor licencing on Marine Drive
- consistent patio, music, liquor service hours that reflect most current businesses
  - support waterfront businesses, minimize nuisances & disturbances
- **three potential components:**
  1. patio hours 11PM Fri-Sat; 10 PM Sun-Thu.
  2. 1 AM end of liquor service
  3. amplified live/DJ music ends one hour prior to end of liquor service
- prior to considering any amendment, staff recommend consultation with:
  - businesses, BIA, SSCC, Marine Drive Task Force, residents

# Next Steps

- Bylaw Enforcement continue as required, to seek compliance
- If Committee endorses Option 3, staff will report back to Committee with proposed process for gathering public input prior to considering any amendments

# Recommendations

That Governance and Legislation Committee:

1. Receive this report for information; and
2. Direct staff to bring forward proposed amendments to the Business Licence Bylaw, to add new regulations as outlined in 'Option 3' in this report (and/or as directed by Committee).



**WHITE ROCK**  
*My City by the Sea!*



ON TABLE - JULY 22, 2019  
GOVERNANCE AND LEGISLATION  
COMMITTEE  
ITEM 9

# Proposed Updates: *Vacation Rental Regulations*

**WHITE ROCK**  
*My City by the Sea!*

*July 22, 2019*



# Council Resolutions

## January 28, 2019 Council resolutions:

THAT Council:

- directs staff to prepare a corporate report with options on amending Section 5 of the City's Zoning Bylaw to address Short-Term Rentals in the City of White Rock and that staff use an aggregator, such as AirDNA, to ensure all properties listed for rent are identified in the search, and;
- authorizes the corporate report include options included in the newly adopted bylaw on short term rentals by the City of Victoria (requiring a responsible person must be identified to the City and they must be available to be onsite within two (2) hours if the owner of the owner is not present).

# Current Regulations

## **'Accessory Vacation Rental' (*Vacation Rental or Short Term Rental*)**

- Need to comply with section 5.8 Zoning Bylaw (since 2013, updated 2018)
- Requires business licence (**Business Licence Bylaw**) to operate

# Bylaw Enforcement & Current Status

- 'Sharing' economy tourist accommodation vs. neighbourhood/rental impacts
- Since 2017, via on-line searches & complaint responses - 115 listings discontinued
- Some of those investigated had existing licences, were in the process of getting licences, or are offering rentals longer than 30 days
- **25 current business licences issued for vacation rentals**
  - 7 building permits in process (to legalize suites for vacation rentals)
  - 2 building permits awaiting review (to legalize suites for vacation rentals)

# Emerging Approaches

1. Renting non-primary residences (with higher licencing fees)
2. On-line tracking companies ([Air DNA](#))
3. Provincial Taxation of Vacation Rentals
4. Increased Fines for Hosting Illegal Rentals in Stratas

# Potential Updates to Regulations

1. Updating Definitions in City Bylaws ('Short Term Rentals')
2. Adding Responsible Person & Contact Information Clauses
3. Adding '>30 days' Regulations to Zoning Bylaw Section 5.5 (Secondary Suites)
4. Requiring Business Licence Numbers in Advertisements
5. Increasing Business Licence Fees

# Initiatives Already Underway

1. Raising Public Awareness – what is permitted, what isn't
2. Increasing Bylaw Enforcement Officer resources for 'monitor and compliance' efforts
3. Requiring Business Licence Holders to display business licence numbers
4. Increasing fines for Bylaw violations (currently \$150)
  - i. \$500 for first offence;
  - ii. \$1,000 for second offence; and
  - iii. \$2,000 for third and subsequent offence.

# Recommendations

Pending feedback & direction from Governance and Legislation Committee, staff recommend that Committee:

1. Receive this report for information; and
2. Direct staff to bring forward proposed amendments to the Zoning & Business Licence Bylaws, to add new regulations outlined in the corporate report and/or as directed by Committee.



A photograph of a long pier extending into the ocean at dusk. The pier is illuminated by a series of streetlights with arched tops, creating a warm glow against the darkening sky. The water in the foreground is dark with white foam from waves breaking. The pier's structure is made of dark wood or metal, and it recedes into the distance. The overall mood is serene and coastal.

**WHITE ROCK**  
*My City by the Sea!*