
REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 943, 2001

A Bylaw to Establish Advisory Planning Commissions

WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of establishing Advisory Planning Commissions under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw may be cited as Regional District of Central Okanagan "Advisory Planning Commissions Bylaw".**

Mandate

2. a) The mandate of the Advisory Planning Commission (APC) is to provide the Board, it's Committees and staff advice on policy changes for consideration of the Board on Regional Planning related issues with an emphasis on how those issues might impact the community. The APC will consider and advise on matters referred to it, including land use issues, the preparation and adoption of official community plans and proposed bylaws or permits under Part 26 of the Local Government Act.
- b) All suggestions and recommendations submitted by the APC shall be duly considered by the Area Director and Regional Board.

Establishment

3. Four (4) Advisory Planning Commissions are hereby established for the following Electoral areas established on Schedule "A":
Electoral Area "G" North Advisory Planning Commission
Electoral Area "G" South Advisory Planning Commission
Electoral Area "I" Advisory Planning Commission
Electoral Area "Westbank" Advisory Planning Commission
4. a) Each Advisory Planning Commission (APC) shall be comprised of not less than three (3), nor more than seven (7) of which 2/3 shall be a resident of the Electoral Area established for the APC. A Director of the Regional District, officer or employee is not eligible to be a member of the APC but may attend any meeting of the Commission in a resource capacity.
- b) All appointments to an Advisory Planning Commission shall be appointed by resolution of the Regional Board after considering any recommendation by the Area Director for said APC.
- c) All members of the APC shall be appointed for a term of two (2) years or until a successor is appointed. Such appointments shall be made so that no more than three (3) members' terms end in the same year.

- d) A member who is absent from three (3) consecutive or five (5) in twelve (12) consecutive meetings of the Commission shall be declared to have resigned at the end of the third or fifth such meeting, as the case may be, except for reasons of illness or leave from the Commission.
- e) A vacancy created by a death, resignation or absence shall be reported to the Regional Board by the Chair of the Commission. The Regional Board shall appoint a replacement for the unexpired term of the former member.

Rules of Procedure

- 5.
 - a) Each Commission may meet annually in January at an inaugural meeting held at the Regional District offices, following the appointment of new members. The first order of business is to call the meeting to order and the selection of a Chair during which the past Secretary shall preside. The second order of business shall be to elect a Vice Chair and Secretary. The third order of business shall be establishing a meeting schedule (time and date), and meeting place for the year.
 - b) Each Commission may meet as per the established schedule, providing there is sufficient material, after the inaugural meeting as determined by the schedule.
 - c) The Commission shall meet for a special meeting at the call of the Chair or in his or her absence, the Vice Chair or three (3) members.
 - d) Should the Commission require the services of a recording secretary, the Regional District will pay that person a fee of up to \$100.00 per meeting. A recording secretary cannot be a member of the Commission.
 - e) Notice of a meeting together with an agenda and all available information shall be delivered (via mail, e-mail or fax) to each APC member with copies to the Director of Planning Services by the Friday prior to the meeting. The Director of Planning shall post a notice of the meeting at the Regional District office.
 - f) An applicant for an amendment to a plan, bylaw, or issue of a permit shall be notified the Friday prior to the meeting at which the Commission will consider their application.
 - g) A quorum of an APC is a majority (1/2) of the total Commission membership and is required for the purpose of conducting business of the Commission.

Conduct of Meetings

- 6. The Chair or in his/her absence, the Vice Chair shall preside at all meetings and shall be guided by the following:
 - a) The order of business shall be established by the agenda except that additional items may be added to the agenda by a majority vote of those members present.
 - b) All decisions of the Commission shall be made by majority vote of all members present, a member who abstains from voting will be deemed to have voted in the affirmative and on a tie vote the question shall be defeated.

- c) When a Commission is considering an amendment to a plan, bylaw or issue of a permit the applicant is entitled to attend the meeting of the Commission and be heard.
- d) When a Commission is considering an amendment initiated by the Regional District and not a third party, the secretary may conduct a telephone poll or solicit e-mails from Commission members in response to the referral. The secretary shall record the comments and votes of the Commission members, which are to be included in the next set of minutes following the referral.
- e) Except as otherwise provided for in this bylaw, meetings of the APC must be open to the public. A Commission meeting or part of a Commission meeting may be closed to the public if the subject matter being considered is related to one or more of the matters referred to in Section 242.2 of the *Local Government Act*.
- f) Before a meeting or part of a meeting is closed to the public, the Commission must state by resolution the fact that the meeting is to be closed, and the reason stated under Section 242.2 of the *Local Government Act* on which the meeting or that portion of the meeting is to be closed.
- g) If a Commission member attending a meeting of the APC considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of a matter because the Commission member has a direct or indirect pecuniary interest in the matter or for any other reason, the member must declare this and state the general nature of why he or she considers this to be the case.
- h) After making the declaration in accordance with Section 6(f), the Commission member:
 - i) Must not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;
 - ii) Must immediately leave the meeting or the part of the meeting during which the matter is under consideration, and;
 - iii) Must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.
- i) When the Commission member's declaration is made under section 6(f)
 - i) The person recording the minutes of the meeting must record the member's declaration, the reasons given for it, and the time of the member's departure from the meeting room, and if applicable, the member's return, and;
 - ii) The person presiding at the meeting must ensure that the member is not present at the meeting at the time of any vote on the matter;

Minutes

- 7. Minutes shall be taken by the Secretary or Recording Secretary of all meetings of the Commission and shall;
 - a) Record the motion and voting on all resolutions;
 - b) Be secured at the Regional District office and signed by the Chair of the APC as the true record of the decisions and by the person taking the minutes;

- c) Be distributed to the Regional District (to the attention of the Director of Planning Services) who will distribute them to the Regional Board within seven (7) days of the meeting.
- d) Be subject to correction at the next meeting of the Commission;
- e) Be made available to the public upon request.

Remuneration

- 8. Members shall serve without remuneration, but may be paid reasonable and necessary expenses that were directly out of the performance of their duties. Regional Board Policy defines these expenses, which are amended from time to time.

Repeals

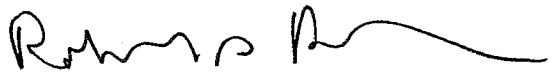
- 9.
 - a) That Bylaw No. 318 cited as the Regional District of Central Okanagan Advisory Planning Commission Bylaw, 1987 be repealed;
 - b) That Bylaw No. 495 cited as the RDCO Advisory Planning Commission Amendment Bylaw No 495, 1992 be repealed;
 - c) That Bylaw No. 609 cited as the RDCO Advisory Planning Commission Amendment Bylaw be repealed;
 - d) That Bylaw No. 685 cited as the RDCO Advisory Planning Commission Amendment Bylaw be repealed;
 - e) That Bylaw No. 719 cited as the RDCO Electoral Area 'G' North Advisory Planning Commission Bylaw No. 719, 1997 be repealed;
 - f) That Bylaw No. 720 cited as the RDCO Electoral Area 'G' South Advisory Planning Commission Bylaw No. 720, 1997, be repealed;
 - g) That Bylaw No. 745 cited as the RDCO Electoral Area 'G' North Advisory Planning Commission Amendment Bylaw No. 745, 1997 be repealed;
 - h) That Bylaw No. 795 cited as the RDCO Advisory Planning Commission Amendment Bylaw No. 795, 1998 be repealed;
 - i) That Bylaw No. 816 cited as the RDCO Electoral Area 'G' North Advisory Planning Commission Amendment Bylaw No. 816, 1999 be repealed; and
 - j) That Bylaw No. 817 cited as the RDCO Electoral Area 'G' South Advisory Planning Commission Amendment Bylaw No. 817, 1999 be repealed.

READ A FIRST TIME this 15th day of October, 2001

READ A SECOND TIME this 15th day of October, 2001

READ A THIRD TIME this 15th day of October, 2001

RECONSIDERED AND ADOPTED this 15th day of October, 2001



Chairman



Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 943 as read a third time by the Regional District of Central Okanagan the 15th day of October, 2001

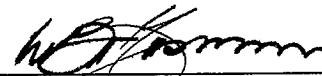
Dated at Kelowna, this 16th day of October, 2001



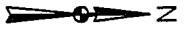
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 943 which was Reconsidered and Adopted by the Regional District of Central Okanagan on the 15th day of October, 2001

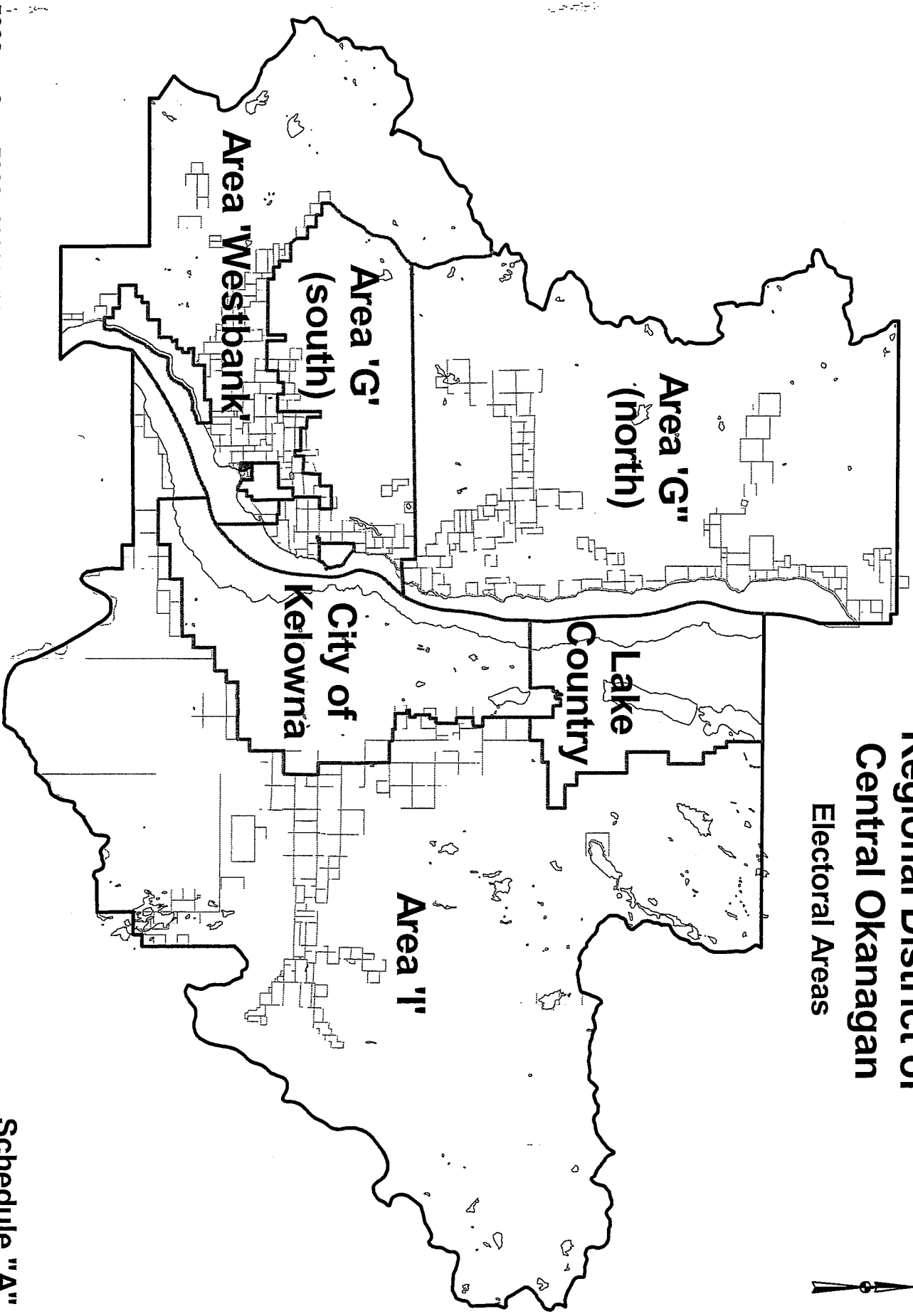
Dated at Kelowna, this 16th day of October, 2001



Director of Corporate Services



**Regional District of
Central Okanagan
Electoral Areas**



**Schedule "A"
Bylaw #943**