

NO: R111

COUNCIL DATE: June 10, 2024

---

## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 6, 2024**

FROM: **General Manager, Corporate Services**

FILE: **0540-20**

SUBJECT: **Council Appointed Committee Recruitment for 2025**

---

## RECOMMENDATION

The Corporate Services Department recommends that Council:

1. Receive this report for information; and
2. Direct staff to advertise for public volunteer members for select committees, commissions, and boards as outlined in this report.

## INTENT

The purpose of this report is to request Council to direct staff to initiate recruitment for public volunteer members of select committees, commissions, and boards as outlined in this report. If Council is considering changes to the committees or their terms of reference, staff recommend this be done prior to commencing recruitment.

## DISCUSSION

On an annual basis, Council approves committee appointments comprised of members of the public and Council members. There are several types of committees as follows:

- Standing committees;
- Select committees;
- Statutory committees; and
- Task forces.

A review of the specific committees under each of the above categories and action that will be taken by staff on behalf of Council is discussed in the subsequent section of this report.

### Standing Committees

Section 141 (1) of the *Community Charter*, attached as Appendix "I", states that "The Mayor must establish standing committees for matters the Mayor considers would be better dealt with by committees and must appoint persons to those committees." Appointments to standing committees are made by the Mayor, and at least half of the members must be Council members.

There are currently two standing committees as follows:

- Finance Committee; and
- Audit Committee.

Finance Committee members are appointed for the Council term, expiring in 2026. Members are appointed to Audit Committee on a yearly basis by the Mayor.

### **Select Committees**

Section 142 (1) of the *Community Charter*, attached as Appendix "I", states that "A Council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council." Select committees are created to provide information, advice, and recommendations for consideration by Council and staff on specific issues of civic concern. These committees include citizen representatives appointed by Council and one or two Council members, as per their respective terms of reference.

There are currently seven select committees:

- Agriculture and Food Policy Advisory Committee;
- Arts and Culture Advisory Committee;
- Environmental and Climate Change Committee;
- Investment, Innovation and Business Committee;
- Livability and Social Equity Committee;
- Parks, Recreation and Sport Tourism Committee; and
- Public Safety Committee.

The current select committees and their terms of reference are attached as Appendix "II". Unless otherwise directed by Council, staff will commence the recruitment process for applications to fill vacant public volunteer positions.

### **Statutory Committees**

Statutory committees are also known as boards, commissions, or panels and are established by various legislation.

There are currently four statutory committees as follows:

- Surrey Public Library Board;
- Board of Variance;
- Parcel Tax Roll Review Panel; and
- Surrey Heritage Advisory Commission.

The establishing legislation for these statutory committees is attached as Appendix "III". Unless otherwise directed by Council, staff will commence the recruitment process for applications to fill vacant public volunteer positions.

## **Task Forces**

Task forces can be established by Council or by the Mayor to pursue specific projects and issues. Task Forces investigate a defined issue during a specific time period, report their findings to Council, and make recommendations to Council. Once their work is complete, the task force is disbanded.

The Focus Newton Task Force, established by Council on January 30, 2023, reported to Council at the April 22, 2024, Regular Council - Public Hearing meeting and is now disbanded. There are no task forces at this time.

## **Recruitment of Volunteer Members**

To ensure that the City is maximizing awareness of volunteer member opportunities, staff has significantly enhanced the City's advertising and outreach efforts to ensure a sufficient pool of qualified candidates. To this end, the enhanced process for the recruitment of public volunteer members for consideration of appointment to select committees, commissions, and boards will include broad outreach to the community including advertisement in newspapers, on the City's website, through social media, and through other targeted forms of communication as provided below:

The City will solicit applications for Committee membership from August 1, 2024 to October 31, 2024 as follows:

- The City's website includes information regarding the committee mandate, desired knowledge and qualifications if relevant, and information on how to apply. The website will be updated to reflect new recruitment campaign messaging, including more details on the role and influence of committees and descriptions of each.
- Application details and deadline will be communicated via email and in-person to current committee members whose terms end on December 31, 2024.
- A paid digital ad campaign will run on the City's various social channels using eye-catching photos and strategic campaign messaging targeted to specific committee audiences using a storytelling approach.
- eNews stories will be published in three digital City of Surrey newsletters, including Your City, Seniors News & Updates, and Surrey Libraries News & Updates with language tailored to those specific subscriber groups.
- Print ads will be updated with new images and messaging and will be placed in English and non-English newspapers including the Surrey Now-Leader, Peace Arch News, Cloverdale Reporter, Philippine Asian News Today, and Indo-Canadian Voice.
- Print posters will be displayed on Surrey library community boards.
- Pull up banner will be placed in the City Hall atrium with campaign messaging and a QR code leading to the website for more information.

- Radio ad and chat spots will be considered on Surrey-based radio channels with messaging translated into Punjabi.
- News channels on ethnic TV stations will be considered that cover content for Punjabi, East Asian, and Filipino audience.
- Transit shelter and digital billboard ads will be considered depending on space availability and decisions on whether campaign messaging would be effective for these mediums.

Staff will monitor the effectiveness of the above initiatives and implement changes to enhance their efficacy as required.

### **Legal Services Review**

This report has been reviewed by Legal Services.

### **CONCLUSION**

Based on the above discussion, it is recommended that Council direct staff to begin recruitment for public volunteer members to select committees, commissions, and boards as outlined in this report.

Joey Brar  
General Manager, Corporate Services

Appendix "I" – Section 141 and 142 of the Community Charter  
Appendix "II" – Terms of Reference for Select Committees  
Appendix "III" – Legislation for Statutory Committees

**COMMUNITY CHARTER**  
CHAPTER 26 [SBC 2003]

[includes 2024 Bill 16, c. 11 amendments (effective April 25, 2024)]

**Part 5: Division 4 – Committees, Commissions and Other Bodies**

**Standing committees of council**

141. (1) The mayor must establish standing committees for matters the mayor considers would be better dealt with by committee and must appoint persons to those committees.
- (2) At least half of the members of a standing committee must be council members.
- (3) Subject to subsection (2), persons who are not council members may be appointed to a standing committee.

2003-26-141.

**Select committees of council**

142. (1) A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.
- (2) At least one member of a select committee must be a council member.
- (3) Subject to subsection (2), persons who are not council members may be appointed to a select committee.

2003-26-142.

## **Terms of Reference for Select Committees**

<b>Agriculture and Food Policy Advisory Committee .....</b>	<b>2</b>
<b>Arts and Culture Advisory Committee .....</b>	<b>6</b>
<b>Environmental and Climate Change Committee .....</b>	<b>10</b>
<b>Investment, Innovation and Business Committee.....</b>	<b>14</b>
<b>Livability and Social Equity Committee .....</b>	<b>18</b>
<b>Parks, Recreation and Sport Tourism Committee .....</b>	<b>22</b>
<b>Public Safety Committee .....</b>	<b>26</b>

## AGRICULTURE AND FOOD POLICY COMMITTEE

### TERMS OF REFERENCE

#### 1. **Mandate**

The purpose of the Agriculture and Food Policy Committee (“AFPC”) is to establish liaison and maintain communication between the agricultural community and the City on agricultural issues.

#### 2. **Role**

The AFPC will:

- (a) Advise and make recommendations to Council on policies, procedures and bylaws that affect the agricultural community and impact agricultural viability within Surrey;
- (b) Consider and make recommendations to Council on any other matters referred to the Committee by Council;
- (c) Establish and maintain an effective channel of communication between Council, City staff, and the agricultural industry in Surrey;
- (d) Work in conjunction with staff regarding submissions to or from other levels of government (such as commenting on proposed Provincial or Federal legislation impacting the agricultural industry);
- (e) Review and make recommendations to Council regarding subdivisions, rezonings, and development applications in and adjacent to the Agricultural Land Reserve;
- (f) Review and comment from the agricultural viability perspective on issues, plans (including but not limited to the City’s Official Community Plan and Secondary Land Use Plans) as referred by staff;
- (g) Promote awareness and education of agricultural issues in Surrey;
- (h) Promote agricultural best practices for farm operations;
- (i) Promote opportunities for Agri-tourism, and associated value added agriculture in partnerships with private businesses, non-profit groups, and volunteers;
- (j) Promote urban food projects and make recommendations on policies and regulations that create a just and sustainable food system; and
- (k) Review the objectives of the AFPC every year, and to recommend changes, if any.

### 3. Membership

- (a) The Committee will consist of eleven (11) voting members, as follows:
- Two (2) members of City Council, appointed by Council for a two-year term. One member to be appointed as the Chair and the other member to be appointed as Vice Chair of the Committee;
  - Seven (7) volunteer 'farming representatives' who are Surrey residents ('farming representative' is defined as a farmer who derives at least 75% of his/her income from farming) with one volunteer 'farming representative' being from each of the following commodity groups: vegetable, blueberry, dairy, poultry, greenhouse, organic and small lot direct marketing;
  - One (1) volunteer representative from a food advocacy group; and
  - One (1) volunteer representative from the food processing industry.
- (b) The Committee may also include one (1) representative from the Environmental and Climate Change Committee as a voting member. If a member from the Environmental and Climate Change Committee is appointed to AFPC then the Committee will consist of twelve (12) voting members.
- (c) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council.
- (d) Volunteer members may serve for up to three (3) terms.
- (e) The Committee membership may include four (4) non-voting members:
- A representative from the Ministry of Agriculture;
  - A staff representative from the Agricultural Land Commission;
  - A faculty member from Simon Fraser University; and
  - A faculty member from Kwantlen Polytechnic University.

### 4. General Terms and Code of Conduct

- (a) Decorum and Debate: Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) Authority and Reporting: The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference ("TOR") approved by Council.



- (c) **Media/Social Media:** Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues. It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders, and members of the public. Any use of social media must, as with all other forms of communication, meet tests of credibility, privacy, authority, and accountability.
- (d) **Professionalism:** Committee members who engage in activities regarding the City of Surrey or Committee initiatives/projects and promotions are expected to maintain a respectful, constructive, and professional tone that maintains the brand consistency of the City of Surrey.
- (e) **Confidentiality:** All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part as their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honor and uphold the provisions as outlined within the Agreement.
- (f) **Surrey Residency Requirement:** All Committee volunteers must be a resident of Surrey. Vacancies will be filled through advertisement placed on social media and on the City website; applications received will be reviewed by Council.
- (g) **Conflict of Interest:** City policy regarding conflict of interest applies to all Committee members. A conflict-of interest exists if a Committee member is a director, member, or employee of an organization seeking to benefit from the City, or if the Committee member has a direct or indirect pecuniary(financial) interest in the outcome of committee deliberations. Committee members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict, and leave the room prior to any discussions, and must refrain from voting thereon.

Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term (s).

## **5. Meetings**

- (a) The Committee will generally meet monthly, at the call of the Chair or at a minimum of four times per year.
- (b) Quorum for a meeting of the Committee is a simple majority of the voting membership. Any member who is absent from three (3) or more meetings of the committee per year without reason satisfactory to the Committee Chair may be removed from the Committee by Council.
- (c) Community partners, subject matter experts or relevant guests may be invited at the call of the Chair.

- (d) Delegation requests will be directed to the City Clerk's Office and if approved by the Committee will be received at regular open meetings.
- (e) Minutes of meetings of the Committee will be recorded by the Legislative Services Division and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by Council of the recommendations.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Committee will identify a concise set of annual targets and objectives for each year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities, and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff and must contribute to the overarching goals for the City of Surrey.

## **7. Administration**

Staff assistance will be provided to the Committee, as necessary, by the General Manager, Planning & Development, the Legislative Services Division, and other staff, as required.

## **8. Authority**

### **(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Approved by Council January 30, 2023  
Updated by Council April 3, 2023

# ARTS & CULTURE ADVISORY COMMITTEE

## TERMS OF REFERENCE

### 1. Mandate

The purpose of the Arts & Culture Advisory Committee (the “Committee”) is to provide advice to Council regarding public art, visual and performing arts, community arts, special events, heritage, and cultural activities in Surrey; and to enhance Surrey's profile, community identity, and civic pride to achieve the benefits of being a vibrant and creative cultural community.

### 2. Role

The Committee will:

- Review and advise on the implementation of strategic plans adopted by Council, including: PRC 10-Year Strategic Plan, Public Art Master Plan, Surrey Music Strategy, and strategic plans of cultural institutions and operations,
- Review and advise on the implementation of the Public Art Policy (“PAP”) for the City of Surrey: Review Public Art Plans for various projects and review recommendations from selection panels for recommended artists and artworks or projects falling within the City’s responsibility, as a result of the PAP program;
- Consider proposed gifts, donations, bequests, de-accessions and loans of artworks, regarding the City’s public art collection;
- Consider and provide recommendation on development and implementation of private-sector public art and public/private partnerships for public art;
- Provide suggestions on strategies and services to enhance residents' awareness of and engagement in Arts & Culture services in the City;
- Review the policies, programs and initiatives of other arts and culture organizations to establish best practices to better serve Surrey’s diverse population;
- Provide input on strategies and services and identify opportunities that would enhance the capacity, sustainability and programming of not-for-profit and professional cultural organizations in Surrey;
- Assist staff to identify potential funding resources and develop strategies to overcome barriers to accessing resources from other orders of government and foundations to advance arts and culture in Surrey;
- Consider and make recommendations to Council on any other matters referred to the Committee by Council; and
- As directed, liaise, on behalf of Council, with the public and private agencies including senior governments, to encourage the provision of programs, services and support for arts and culture services.

### 3. **Membership**

The Arts & Culture Advisory Committee is a select committee established by Council with appointments by Council for a two-year term.

- (a) The Committee will consist of nine (9) voting members appointed by Council, as follows:
  - Two (2) members of City Council, appointed by Council for a two-year term with one member appointed as Chair and the other member appointed as Vice Chair;
  - Six (6) volunteer members who are City of Surrey residents; and
  - One (1) Indigenous representative.
- (b) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council.
- (c) Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council.

### 4. **General Terms and Code of Conduct**

- (a) **Decorum and Debate:** Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) **Authority and Reporting:** The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference ("TOR") approved by Council.
- (c) **Media/Social Media:** Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues. It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders, and members of the public. Any use of social media must, as with all other forms of communication, meet tests of credibility, privacy, authority, and accountability.
- (d) **Professionalism:** Committee members who engage in activities regarding the City of Surrey or Committee initiatives/projects and promotions are expected to maintain a respectful, constructive, and professional tone that maintains the brand consistency of the City of Surrey.
- (e) **Confidentiality:** All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part of their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honor and uphold the provisions as outlined within the Agreement.

- (f) **Surrey Residency Requirement:** All Committee volunteers must be a resident of Surrey. Vacancies will be filled through advertisement on social media and on the City website; applications received will be reviewed by Council.
- (g) **Conflict of Interest:** City policy regarding conflict of interest applies to all Committee members. A conflict-of interest exists if a Committee member is a director, member, or employee of an organization seeking to benefit from the City, or if the Committee member has a direct or indirect pecuniary (financial) interest in the outcome of committee deliberations. Committee members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict, and leave the room prior to any discussions, and must refrain from voting thereon. Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term (s).

## **5. Meetings**

- (a) The Arts & Culture Advisory Committee will generally meet monthly, at the call of the Chair or at a minimum of four times per year.
- (b) Quorum for a meeting of the Committee is a majority of the voting members. Any member who is absent from three (3) or more meetings of the committee per year without reason satisfactory to the Committee Chair may be removed from the Committee by Council.
- (c) Community partners, subject matter experts or relevant guests may be invited at the call of the Chair.
- (d) Delegation requests will be directed to the City Clerk's Office and if approved by the Committee will be received at regular open meetings.
- (e) Minutes of meetings of the Committee will be recorded by the Legislative Services Division and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by City Council of the recommendations.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Committee will identify a concise set of annual targets and objectives for each year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities, and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff and must contribute to the overarching goals for the City of Surrey.

**7. Administration**

Staff assistance will be provided to the Committee, as necessary, by the General Manager, Parks, Recreation & Culture Department and other staff, as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Amended by Council July 10, 2023

Approved by Council January 30, 2023

## ENVIRONMENT AND CLIMATE CHANGE COMMITTEE

### TERMS OF REFERENCE

#### 1. **Mandate**

The purpose of the Environment and Climate Change Committee (the “ECCC”) is to provide advice to Council on environmental sustainability issues and trends while promoting environmental awareness, education, and best practices throughout the City of Surrey (the “City”). Specifically, the ECCC will provide a local perspective and advice to Council with respect to achieving the City’s strategic goals, accompanying strategic directions and Sustainability Charter.

#### 2. **Role**

The ECCC will:

- (a) Provide assistance to Council with advice, comments and information on environmental issues referred by Council to the ECCC.
- (b) Receive and comment on issues related to the natural and built environment of the City that are brought to the attention of the ECCC by the citizens of Surrey and bring such issues to Council's attention.
- (c) Support the work of Council by advising them on environmental issues raised by the ECCC.
- (d) Promote public education and awareness of environmental issues.
- (e) Liaise with other civic committees to avoid duplication and to have a free flow of communication.
- (f) Carry out policy analysis and development for the City, when called upon to do so.
- (g) Make recommendations to Council, as necessary.

#### 3. **Membership**

- (a) The ECCC will consist of seven (7) voting members, as follows:
  - Two (2) members of Council, appointed by Council with one member appointed as Chair and the other member as Vice Chair of the ECCC for a two-year term.
  - Five (5) volunteer members who are City residents with experience and expertise in environmental matters (these residents do not need to be

representatives of particular agencies, organizations or interest groups); and

- (b) The ECCC may also include one representative from the Agriculture and Food Policy Committee (the “AFPC”) as a voting member. If a member from the AFPC is appointed to the ECCC, then the ECCC will consist of eight voting members.
- (c) Volunteer members will be appointed or re-appointed to the ECCC for a term of two years, except as otherwise determined by Council.
- (d) Volunteer members may serve for up to three terms on the ECCC, except as otherwise determined by Council.

#### 4. General Terms and Code of Conduct

- (a) Decorum and Debate: ECCC members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the ECCC mandate, and be respectful of others’ thoughts and opinions.
- (b) Authority and Reporting: The ECCC and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference (“ToR”) approved by Council.
- (c) Media/Social Media: Members of the ECCC are not permitted to speak to the media as representatives of the ECCC. ECCC members must strive to convey the public interest and remember that they represent the City; this means that they must be consistent with the City’s position on specific issues.

It is the policy of the City of Surrey to encourage clear and effective communication with all ECCC members, stakeholders and members of the public. Any use of social media must, as with all other forms of communication, meet tests of credibility, privacy, authority and accountability.

- (d) Professionalism: ECCC members who engage in activities regarding City or ECCC initiatives/projects and promotions are expected to maintain a respectful, constructive, professional tone that maintains the brand consistency of the City and follow the City’s Respectful Workplace Policy.
- (e) Confidentiality: All new ECCC members are required to sign a copy of the “Volunteer Services Confidentiality Agreement” as part as their general orientation. All returning ECCC members have previously signed a copy of the agreement and are expected to honour and uphold the provisions as outlined within the Agreement.
- (f) Surrey Residency Requirement: All ECCC volunteers must reside in the City. In the event that a ECCC member's primary place of residence changes to another municipality during the term of an appointment, the member must notify the



Chair and Administrative Assistant regarding change of address.

Depending on the length of appointment term remaining, the ECCC member may be asked to step down, thus creating a vacancy. Vacancies will be filled through advertisement placed in social media and on the website; applications received will be reviewed by Council.

- (g) Conflict of Interest: City policy regarding conflict of interest applies to all ECCC members.

A conflict of interest exists if an ECCC member is a director, member or employee of an organization seeking to benefit from the City or if the ECCC member has a direct or indirect pecuniary (financial) interest in the outcome of committee deliberations. ECCC members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict, and leave the room prior to any discussions and must refrain from voting thereon.

ECCC members are not permitted to directly or indirectly benefit from their participation on the ECCC during their tenure and for a period of 12 months following the completion of their term(s).

## 5. Meetings

- (a) Meetings will be held on monthly basis but not to occur during Council's recess periods.
- (b) Quorum for a meeting of the ECCC is a simple majority of the voting membership. Any member who is absent from three or more meetings of the ECCC per year without reason satisfactory to the ECCC may be removed from the ECCC by Council.
- (c) Only ECCC members and delegates can participate in the meetings.
- (d) Minutes of meetings of the ECCC will be recorded by the Legislative Services Department and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by Council.

## 6. Annual Work Plan

- (a) From a strategic approach, select committees are expected to identify a concise set of annual targets and objectives to be submitted to Council for endorsement each November for the following calendar year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the ECCC plans to achieve while supporting the work, priorities and underlying principles of the City.

- (b) The agreed upon Annual Work Plan will be executed by the ECCC, with the reasonable assistance of support staff, and must contribute to the overarching goals of the City and align with themes identified in the Sustainability Dashboard.

**7. Administration**

Staff assistance will be provided to the Committee, as necessary. One staff member from the Engineering Department will assist with the meetings and other staff, as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Approved by Council January 30, 2023

# INVESTMENT, INNOVATION, AND BUSINESS COMMITTEE

## TERMS OF REFERENCE

### 1. **Mandate**

The purpose of the Investment, Innovation, and Business Committee (the “Committee”) is to provide advice to Council on strategic and policy issues related to attracting investment to Surrey, stimulating innovation, building the local economy, and effectively collaborating with and supporting Surrey’s business community.

### 2. **Role**

The Committee will:

- Provide the City with advice on optimizing investment opportunities and addressing challenges;
- Recommend measures to enhance economic resilience within the local business community;
- Identify, leverage and celebrate new academic and industry innovation and research;
- Advise the City on issues related to business attraction, retention, and expansion;
- Provide advice on developing and attracting essential talent to support emerging industries in Surrey;
- Provide advice on how the City can increase collaboration with and support to the local business community;
- Serve as a connector between the City, business, industry and academia; and
- Consider and make recommendations to Council on any other matters referred to the Committee by Council.

### 3. **Membership**

The Investment, Innovation, and Business Committee is a select committee established by Council with appointments by Council for a two-year term.

- (a) The Committee will consist of eleven (11) voting members appointed by Council, as follows:

- Two (2) members of Council, for a two-year term, with one designated as Chair, and one designated as Vice Chair of the Committee;
  - Three (3) volunteer local business association representatives;
  - Three (3) volunteer local business leaders; and
  - One (1) volunteer representative from each of Surrey's three universities.
- (b) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council.
- (c) Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council.

#### **4. General Terms and Code of Conduct**

- (a) **Decorum and Debate:** Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) **Authority and Reporting:** The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference ("TOR") approved by Council.
- (c) **Media/Social Media:** Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues. It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders, and members of the public. Any use of social media must, as with all other forms of communication, meet tests of credibility, privacy, authority, and accountability.
- (d) **Professionalism:** Committee members who engage in activities regarding the City of Surrey or Committee initiatives/projects and promotions are expected to maintain a respectful, constructive, and professional tone that maintains the brand consistency of the City of Surrey.
- (e) **Confidentiality:** All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part as their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honour and uphold the provisions as outlined within the Agreement.

- (f) Conflict of Interest: City policy regarding conflict of interest applies to all Committee members. A conflict of interest exists if a Committee member is a director, member, or an employee of an organization seeking to benefit from the City, or if the Committee member has a direct or indirect pecuniary (financial) interest in the outcome of committee deliberations. Committee members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict, and leave the room prior to any discussions, and must refrain from voting thereon.

Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term(s).

## **5. Meetings**

- (a) Meetings will generally be held bi-monthly, or at the call of the Chair.
- (b) Meetings will be held at least four (4) times a year.
- (c) Quorum for a meeting of the Committee is a simple majority of the voting membership. Any member who is absent from three (3) or more meetings of the Committee per year without reason satisfactory to the Committee Chair may be removed from the Committee by Council.
- (d) Minutes of the meetings of the Committee will be recorded by the Legislative Services Division and be forwarded by the City Clerk to a Regular Council meeting as information.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Committee will identify a concise set of annual targets and objectives for each year. The Annual Work Plan must be in line with the TOR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities, and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff and must contribute to the overarching goals for the City of Surrey.

**7. Administration**

Staff assistance will be provided to the Committee, as necessary, by the General Manager, Investment & Intergovernmental Relations Department and other staff, as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Approved by Council January 30, 2023

## LIVABILITY AND SOCIAL EQUITY COMMITTEE

### TERMS OF REFERENCE

#### 1. **Mandate**

- (a) The purpose of the Livability and Social Equity Committee is to provide advice and recommendations to Council on social policies, programs and services that ensure connection, inclusion and social equity for the diverse communities in Surrey.

#### 2. **Role**

The Livability and Social Equity Committee will:

- (a) Provide a venue for the voices, experiences and recommendations of our diverse citizens, community groups and social service agencies and others and makes recommendations to Council.
- (b) Advise and make recommendations to Council on current and emerging issues related to liveability and social equity in the City.
- (c) Consider related social issues as may be referred by Council.

#### 3. **Membership**

- (a) The Committee will consist of nine (9) voting members, as follows:
  - Two (2) members of City Council, appointed by Council for a two-year term. One of these members must be appointed to serve as the Chair of the Committee and the other member appointed to serve as the Vice Chair of the Committee.
  - Seven (7) volunteer members who are City of Surrey residents with experience and expertise in social issues (these residents do not need to be representatives of particular agencies, organizations or interest groups).
- (b) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council.
- (c) Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council.

#### 4. General Terms and Code of Conduct

- (a) Decorum and Debate: Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) Authority and Reporting: The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference (ToR) approved by Council.
- (c) Media / Social Media: Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues.

It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders and members of the public. Any use of social media must, as with all other forms of communication meet tests of credibility, privacy, authority and accountability.

- (d) Professionalism: Committee members who engage in activities regarding the City of Surrey or Committee initiatives / projects and promotions are expected to maintain a respectful, constructive, professional tone that maintains the brand consistency of the City of Surrey.
- (e) Confidentiality: All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part as their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honour and uphold the provisions as outlined within the Agreement.
- (f) Surrey Residency Requirement: all Committee volunteers must reside in the City of Surrey. In the event that a Committee member's primary place of residence changes to another municipality during the term of an appointment, the member must notify the Chair and Administrative Assistant regarding change of address.

Depending on the length of appointment term remaining, the Committee member may be asked to step down, thus creating a vacancy. Vacancies will be filled through advertisement placed on social media and on the website; applications received will be reviewed by Council.

- (g) Conflict of Interest: City policy regarding conflict of interest applies to all Committee members.

A conflict of interest exists if a Committee member is a director, member or employee of an organization seeking to benefit from the City or if the Committee



member has a direct or indirect pecuniary (financial) interest in the outcome of committee deliberations. Committee Members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict and leave the room prior to any discussions and must refrain from voting thereon.

Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term(s).

## **5. Meetings**

- (a) Meetings will be held at the call of the Chair.
- (b) Quorum for a meeting of the Committee is a majority of the voting members. Any member who is absent from three (3) or more meetings of the Committee per year without reason satisfactory to the Committee may be removed from the Committee by Council.
- (c) Minutes of meetings of the Committee will be recorded by the Legislative Services Department and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by City Council.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Livability and Social Equity Committee will identify a concise set of annual targets and objectives to be submitted to Council for endorsement each November for the following calendar year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff, and must contribute to the overarching goals of the City of Surrey and align with themes identified in the Sustainability Charter.

## **7. Staff Assistance**

Staff assistance will be provided to the Committee, as necessary, by staff of the Community Services Department and other staff as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Approved by Council January 30, 2023

# PARKS, RECREATION & SPORT TOURISM COMMITTEE

## TERMS OF REFERENCE

### 1. Mandate

The purpose of the Parks, Recreation & Sport Tourism Committee (the “Committee”) is to provide advice to Council on strategies and activities related to parks, recreation, diversity, inclusion, sport tourism and seniors' services in Surrey.

### 2. Role

The Committee will:

- Review and advise on the implementation of the Parks, Recreation & Culture Department’s Strategic Plan and other related Council adopted Strategic Plans;
- Provide suggestions on strategies and services to enhance residents' awareness of and engagement in Parks and Recreation services in the City;
- Review and recommend a schedule of annual fees and charges for various Parks, Recreation and other community services to Council for approval;
- Recognize the important relationship between the City and the community-based Seniors Services Sector, and support these partnerships where possible;
- Review the policies, programs and initiatives of other organizations to establish best practices to better serve Surrey’s diverse population;
- Provide input on strategies and services and identify opportunities that would enhance the capacity, sustainability and programming of sport tourism event hosting opportunities, not-for-profit and professional organizations in Surrey;
- Assist staff to identify potential funding resources and develop strategies to overcome barriers to accessing resources from other orders of government and foundations to advance Surrey;
- Consider and make recommendations to Council on any other matters referred to the Committee by Council; and
- Liaise, on behalf of Council, with the public and private agencies including senior governments, to encourage the provision of programs, services and support for parks and recreation services.

\*For clarity, the scope of this work includes parks, recreation, diversity, sport tourism and seniors’ opportunities as well as a broad range of activities undertaken by the City in support of the social well-being of all the City’s residents.

### 3. **Membership**

The Parks & Recreation Committee is a select committee established by Council with appointments by Council for a two-year term.

- (a) The Committee will consist of nine (9) voting members appointed by Council, as follows:
  - Two (2) members of City Council, with one appointed as Chair and the other appointed as Vice Chair.
  - Six (6) volunteer members who are City of Surrey residents; and
  - One (1) Surrey Schools Trustee as a voting member.
- (b) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council
- (c) Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council.

### 4. **General Terms and Code of Conduct**

- (a) **Decorum and Debate:** Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) **Authority and Reporting:** The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference ("TOR") approved by Council.
- (c) **Media/Social Media:** Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues. It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders, and members of the public. Any use of social media must, as with all other forms of communication, meet tests of credibility, privacy, authority, and accountability.
- (d) **Professionalism:** Committee members who engage in activities regarding the City of Surrey or Committee initiatives/projects and promotions are expected to maintain a respectful, constructive, and professional tone that maintains the brand consistency of the City of Surrey.
- (e) **Confidentiality:** All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part as their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honor and uphold the provisions as outlined within the Agreement.

- (f) **Surrey Residency Requirement:** All Committee volunteers must be a resident of Surrey. Vacancies will be filled through advertisement placed on social media and on the City website; applications received will be reviewed by Council.
- (g) **Conflict of Interest:** City policy regarding conflict of interest applies to all Committee members. A conflict-of interest exists if a Committee member is a director, member, or employee of an organization seeking to benefit from the City, or if the Committee member has a direct or indirect pecuniary(financial) interest in the outcome of committee deliberations. Committee members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict, and leave the room prior to any discussions, and must refrain from voting thereon. Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term (s).

## **5. Meetings**

- (a) The Parks, Recreation & Sport Tourism Committee will generally meet monthly, at the call of the Chair or at a minimum of four times per year.
- (b) Quorum for a meeting of the Committee is a majority of the voting members. Any member who is absent from three (3) or more meetings of the committee per year without reason satisfactory to the Committee Chair may be removed from the Committee by Council.
- (c) Community partners, subject matter experts or relevant guests may be invited at the call of the Chair.
- (d) Delegation requests will be directed to the City Clerk's Office and if approved by the Committee will be received at regular open meetings.
- (e) Minutes of meetings of the Committee will be recorded by the Legislative Services Division and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by Council of the recommendations.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Committee will identify a concise set of annual targets and objectives for each year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities, and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff and must contribute to the overarching goals for the City of Surrey.

**7. Administration**

Staff assistance will be provided to the Committee, as necessary, by the General Manager, Parks, Recreation & Culture Department and other staff, as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

Approved by Council January 30, 2023

## **PUBLIC SAFETY COMMITTEE**

### **TERMS OF REFERENCE**

#### **1. Mandate**

- (a) The Public Safety Committee will advise Council on strategic and policy issues pertaining to the City's provision of public safety programs that engage our residents and businesses in order to increase feelings of safety, quality of life, and prevent and reduce crime.

#### **2. Role**

The Public Safety Committee will:

- (a) Bring together representatives from City departments including Community Services and Bylaws, the RCMP, the Surrey Fire Service and partner agencies to ensure collaboration and best-practices in public safety and crime prevention programs.
- (b) Support priority populations by focusing on specific populations to ensure they receive timely, effective, and holistic services via an integrated service delivery approach (e.g. Surrey Mobility and Resiliency Table – SMART; Children and High Risk Youth Table – CHART) that promotes their safety and wellbeing.
- (c) Cooperate and liaise with groups in the development of creating community-engaged programs to prevent crime and enhance safety.
- (d) Receive regular updates from the Surrey RCMP and the Surrey Fire Service on key initiatives.
- (e) Liaise, on behalf of Council, with senior governments, to encourage the provision of related programs and services for Surrey residents that respond to persistent social and community safety challenges.
- (f) Consider related issues as may be referred by Council.

#### **3. Membership**

- (a) The Committee will consist of seven (7) voting members, as follows:
  - Two (2) members of Council, appointed by Council for a two-year term, with one member to serve as the Chair and the other member to serve as the Vice Chair of the Committee.
  - Five (5) volunteer members who are City of Surrey residents or an individual who has demonstrated a long term connection to the City of Surrey, with experience and expertise in policing and public safety matters (these residents do not need to be representatives of particular agencies, organizations or interest groups).

- (b) Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council.
- (c) Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council.

#### 4. **General Terms and Code of Conduct**

- (a) **Decorum and Debate:** Committee members must devote the necessary time and effort to prepare for meetings, arrive at meetings on time, provide feedback in keeping with the Committee mandate, and be respectful of others' thoughts and opinions.
- (b) **Authority and Reporting:** The Committee and its members will not represent themselves as having any authority beyond that delegated in the Terms of Reference (ToR) approved by Council.
- (c) **Media / Social Media:** Members of the Committee are not permitted to speak to the media as representatives of the Committee. Committee members must strive to convey the public interest and remember that they represent the City of Surrey; this means that they must be consistent with the City's position on specific issues.

It is the policy of the City of Surrey to encourage clear and effective communication with all Committee members, stakeholders and members of the public. Any use of social media must, as with all other forms of communication meet tests of credibility, privacy, authority and accountability.

- (d) **Professionalism:** Committee members who engage in activities regarding the City of Surrey or Committee initiatives / projects and promotions are expected to maintain a respectful, constructive, professional tone that maintains the brand consistency of the City of Surrey.
- (e) **Confidentiality:** All new Committee members are required to sign a copy of the "Volunteer Services Confidentiality Agreement" as part as their general orientation. All returning Committee members have previously signed a copy of the agreement and are expected to honour and uphold the provisions as outlined within the Agreement.
- (f) **Surrey Residency Requirement:** all Committee volunteers must reside in the City of Surrey. In the event that a Committee member's primary place of residence changes to another municipality during the term of an appointment, the member must notify the Chair and Administrative Assistant regarding change of address.

Depending on the length of appointment term remaining, the Committee member may be asked to step down, thus creating a vacancy. Vacancies will be filled through advertisement on social media and on the website; applications received will be reviewed by Council.



- (g) Conflict of Interest: City policy regarding conflict of interest applies to all Committee members.

A conflict of interest exists if a Committee member is a director, member or employee of an organization seeking to benefit from the City or if the Committee member has a direct or indirect pecuniary (financial) interest in the outcome of committee deliberations. Committee Members who have a conflict of interest with a topic being discussed must declare that they have a conflict of interest, describe the nature of the conflict and leave the room prior to any discussions and must refrain from voting thereon.

Committee members are not permitted to directly or indirectly benefit from their participation on the Committee during their tenure and for a period of twelve (12) months following the completion of their term(s).

## **5. Meetings**

- (a) Meetings will be held at the call of the Chair.
- (b) Quorum for a meeting of the Committee is a simple majority of the voting membership. Any member who is absent from three (3) or more meetings of the Committee per year without reason satisfactory to the Committee may be removed from the Committee by Council.
- (c) Minutes of meetings of the Committee will be recorded by the Legislative Services Department and be forwarded by the City Clerk to a Regular Council meeting as information and, where recommendations are included in the minutes, for consideration by Council.

## **6. Annual Work Plan**

- (a) From a strategic approach, the Public Safety Committees will identify a concise set of annual targets and objectives to be submitted to Council for endorsement each November for the following calendar year. The Annual Work Plan must be in line with the ToR and must outline specific targets as to what the Committee plans to achieve while supporting the work, priorities and underlying principles of the City of Surrey.
- (b) The agreed upon Work Plan will be executed by the Committee, with the reasonable assistance of support staff, and must contribute to the overarching goals of the City of Surrey and align with themes identified in the Sustainability Dashboard.

**7. Staff Assistance**

Staff assistance will be provided to the Committee, as necessary, by:

- Staff of the Surrey Fire Service, the Surrey RCMP and the Community Services and Corporate Services Departments; and
- Other staff as required.

**8. Authority**

**(Select Committee – Advisory Committee)**

- (a) Section 142 (1) of the Community Charter states that “A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.”;
- (b) This Committee is a select committee appointed by Council; and
- (c) The proceedings of the Committee are to be conducted in public unless the subject matter being considered falls within an applicable subsection of Section 90 of the Community Charter.

*Approved by Council: January 30, 2023  
Revised: November 20, 2023*

**Legislation for Statutory Committees**

**Library Act .....2**  
**Legislation for Parcel Tax Roll Review Panel ..... 22**  
**Surrey Board of Variance Establishment By-Law, 2010, No. 17282..... 29**  
**Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282.....35**

**LIBRARY ACT**  
**[RSBC 1996] CHAPTER 264**  
**Part 1 — Introductory Provisions**

**Definitions**

1 In this Act:

"**aboriginal government**" means an aboriginal organization exercising governmental functions;

"**elector**" has the meaning it has in the *Local Government Act*;

"**electoral participating area**" means an area that

(a) is within a service area for the service of participation in a regional library district under Part 3 of this Act, and

(b) is all or part of an electoral area as defined in the *Local Government Act*;

"**integrated public library system**" means an integrated public library system the operation of which is continued under section 60;

"**library board**" means,

(a) in Part 2, the library board of a municipal library,

(b) in Part 3, the library board of a regional library district,

(c) in Part 4, the library board of a public library association, and

(d) in Part 5, a library board referred to in paragraph (a), (b) or (c), and includes

(e) a federated library board in sections 46 to 48, 50, 51 and 53 to 55, and

(f) an integrated public library system in sections 46 to 51;

"**library federation**" means a federation established by agreement under section 49;

"**municipal library**" means a library established under section 3;

"**net taxable value of land and improvements**" means net taxable value of land and improvements for hospital district purposes under section 26 (3) of the *Hospital District Act*;

"**newspaper**" has the meaning it has in the *Community Charter*;

"**population**" means the population determined under section 22;

"**public library**" includes a municipal library, a regional library district, a public library association and an integrated public library system;

"**public library association**" means a public library association continued under section 31;

"**regional library district**" means a regional library district established under section 14.

**Purposes of this Act**

2 The purposes of this Act are

(a) to encourage the extension and use of public library service throughout British Columbia,

(b) to enable the delivery of public library service in British Columbia by

- (i) providing for the establishment and operation of municipal libraries, regional library districts and library federations, and
  - (ii) allowing existing public library associations and integrated public library systems to continue to operate, and
- (c) to support improvements in public library service.

## Part 2 — Municipal Libraries

### How a municipal library is established

- 3 (1) A municipality may, by bylaw, establish a municipal library.
- (2) A municipal library may be established under subsection (1) in a municipality served by a public library association, but only if the association has requested the municipality to assume responsibility for providing library service in the municipality.
- (3) [Repealed 2003-52-157.]

### Role and status of the library board

- 4 (1) A municipal library is to be managed by a library board called the "[insert name of municipality] Public Library Board".
- (2) The members of the library board and their successors in office are a corporation with the powers and duties given in this Part.

### How the library board is appointed

- 5 (1) The municipal council must appoint the members of the library board at the first meeting of the municipal council after the coming into force of the bylaw establishing the municipal library.
- (2) The library board is to consist of an uneven number of members, not fewer than 5 or more than 13, selected as follows:
  - (a) one from the municipal council;
  - (b) the remainder from people who are residents or electors of the municipality and who are not members of the municipal council or employees of the municipality or library board.
- (3) All subsequent regular appointments are to be made each December at the first regular meeting of the municipal council.
- (4) Before selecting anyone under subsection (2) (b), the municipal council must invite applications for membership by publishing a notice in a newspaper.
- (5) A vacancy arising during the term of an appointment is to be filled, for the remainder of the term, by an appointment made at the first meeting of the municipal council after the vacancy arises.
- (6) If an appointment is not made at the time specified in this section, the appointment must be made as soon as convenient.

### Term of office

- 6 (1) The member appointed to the library board from the municipal council holds office for one year, or for the remainder of the year for which the appointment is made.
- (2) One half of the members first appointed to the library board under section 5 (2) (b) hold office for a term of one year, and the others hold office for a term of 2 years.
- (3) All subsequent regular appointments under section 5 (2) (b) are for terms of 2 years.

- (4) A member is eligible for reappointment, but no member may serve for more than 8 consecutive years.
- (5) The term of office of a member continues until a successor is appointed unless the member is removed for cause.
- (6) On receiving a report from the library board, the municipal council may remove a member of the library board for cause, including if the member
  - (a) fails to attend 3 consecutive regular meetings of the library board without its written approval,
  - (b) becomes an employee of the municipality or of the library board, or
  - (c) ceases to be a resident or elector of the municipality.

### **Election of chair and vice chair**

- 7 (1) The library board must elect a chair and a vice chair at its first meeting in each year after appointments are made to the library board.
- (2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.
- (3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all rules applicable to the chair.

### **Regular and special meetings of library board**

- 8 (1) The library board must meet at regular intervals at least 6 times a year.
- (2) A majority of all the members of the library board is a quorum.
- (3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 2 days before the meeting and stating in the notice the purpose of the meeting.

### **General powers and duties of library board**

- 9 The library board
  - (a) may make rules for managing its business and for regulating the use of its facilities and services by the public,
  - (b) may appoint any committees of its members that it considers necessary to carry out its business,
  - (c) must appoint a chief librarian,
  - (d) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
  - (e) may lease land or buildings for library purposes, but only with the prior approval of the municipal council,
  - (f) may acquire personal property for library purposes and dispose of personal property,
  - (g) may contract, for a term of not more than 5 years, for professional or other services for library purposes,

- (h) may sue and be sued,
- (i) may have a common seal and may alter or change it, and
- (j) must prepare an annual report in the form approved by the minister and must send copies of the report to the minister.

### **Budget and financing**

- 10** (1) On or before March 1 in each year, the library board must prepare and submit to the municipal council its annual budget for providing library service in the municipality.
- (2) The municipal council must approve, with or without amendment, the budget submitted to it under subsection (1).
- (3) At the request of the library board, the municipal council may approve an amendment to the approved budget.
- (4) The municipal council must include in the municipality's annual budget a sum sufficient to finance the library board's approved budget.
- (5) The municipality must pay to the library board the sum included in the annual budget and the payments must be made on the dates scheduled by the library board and the municipality.

### **Expenditures and financial statements**

- 11** (1) The library board has, subject to the approved budget, exclusive control over the expenditure of
  - (a) all money provided by the municipal council for library purposes,
  - (b) all money given to the library board,
  - (c) the revenue derived from any source, including
    - (i) fees,
    - (ii) fines, and
    - (iii) money recovered by the library board for detention, damage or loss of library materials, and
  - (d) all money received by the library board under an agreement to provide library service.
- (2) The library board must provide to the municipality annual financial statements that have been audited in the same manner and at the same time as the financial statements of the municipality.

### **Powers and duties of chief librarian**

- 12** The chief librarian
  - (a) has general supervision and direction of the municipal library and its staff,
  - (b) is the secretary to the library board, and
  - (c) has the powers and duties the library board assigns to the chief librarian from time to time.

### **Abolition of municipal library and dissolution of library board**



- 13 (1) A municipal council may only abolish a municipal library by bylaw adopted with the assent of the electors.
- (2) On adoption of a bylaw under subsection (1), the library board is dissolved.
- (3) When the library board is dissolved, the assets of the library board are vested in the municipality and any liabilities or obligations of the library board are assumed by the municipality.

### **Part 3 — Regional Library Districts**

#### **How a regional library district is established**

- 14 (1) Two or more municipalities and one or more regional districts each representing one or more electoral participating areas may, by bylaw, enter into an agreement to request the Lieutenant Governor in Council to establish a regional library district.
- (2) When the agreement is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.
- (3) After receiving the agreement, the Lieutenant Governor in Council may establish a regional library district comprising
  - (a) the area within each municipality that is a party to the agreement, and
  - (b) the electoral participating areas of each regional district that is a party to the agreement.

#### **Role and status of the library board**

- 15 (1) A regional library district is to be managed by a library board called the "[insert name] Regional Library District Board".
- (2) The members of the library board and their successors in office are a corporation with the powers and duties given in this Part.

#### **How the library board is appointed**

- 16 (1) The library board is to consist of a representative of each municipality and regional district that is a party to the agreement to establish the regional library district.
- (2) A municipal council must, by resolution,
  - (a) appoint one of its members to be a member of the library board, and
  - (b) appoint another of its members as an alternate member to serve on the library board if the member appointed under paragraph (a) is absent or unable to act.
- (3) If there is more than one electoral participating area in the regional library district, the regional district board must, by resolution,
  - (a) appoint from among the directors of the electoral participating areas a member of the library board, and
  - (b) appoint another of the directors of the electoral participating areas as an alternate member to serve on the library board if the member appointed under paragraph (a) is absent or unable to act.
- (4) If there is only one electoral participating area in a regional library district,

- (a) the director of the electoral participating area is a member of the library board, and
- (b) the alternate director of the electoral participating area is the alternate member on the library board if the director of the electoral participating area is absent or unable to act.

### **When members are appointed**

- 17 (1) Each municipal council and each regional district board must appoint its representative and alternate representative at the first meeting of the municipal council or regional district board after the regional library district is established under section 14 (3).
- (2) All subsequent regular appointments must be made each December at the first meeting of the municipal council or regional district board.
- (3) A vacancy arising during the term of an appointment is to be filled, for the remainder of the term, by an appointment made at the first meeting of the municipal council or regional district board after the vacancy arises.
- (4) If an appointment is not made at the time specified in this section, the appointment must be made as soon as convenient.

### **Term of office**

- 18 (1) A member of the library board holds office for a term of one year, or for the remainder of the year for which the appointment is made.
- (2) A member is eligible for reappointment, but no member may serve for more than 8 consecutive years.
- (3) The term of office of a member continues until a successor is appointed unless the member is removed for cause.
- (4) A municipal council or regional district board may remove its representative on the library board for cause, including if the representative fails to attend 3 consecutive regular meetings of the library board without the written approval of the library board.

### **Election of chair and vice chair**

- 19 (1) The library board must elect a chair and a vice chair at the first meeting in each year.
- (2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.
- (3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all the rules applicable to the chair.

### **Regular and special meetings of library board**

- 20 (1) The library board must meet at regular intervals at least 4 times a year.
- (2) A majority of all the members of the library board is a quorum.
- (3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 5 days before the meeting and stating in the notice the purpose of the meeting.

### **General powers and duties of library board**

## 21 The library board

- (a) may make rules for managing its business and for regulating the use of its facilities and services by the public,
- (b) may appoint any committees of its members that it considers necessary to carry out its business,
- (c) must appoint a chief librarian,
- (d) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
- (e) may acquire land and lease or construct buildings for library purposes,
- (f) may dispose of land or buildings,
- (g) may acquire personal property for library purposes and dispose of personal property,
- (h) may contract, for a term of not more than 5 years, for professional or other services for library purposes,
- (i) may sue and be sued,
- (j) may have a common seal and may alter or change it, and
- (k) must prepare an annual report in the form approved by the minister and must send copies of the report to the minister.

### **How population is determined**

- 22 (1) For the purposes of sections 23 and 24, the minister is to determine the population of an area by compiling the population figures for the most recent year for which figures are available for that area.
- (2) In determining population the minister may take into account any changes in the boundaries of an area and may use
  - (a) information or estimates provided by the Minister of Finance,
  - (b) information in the most recently available Census of Canada, and
  - (c) other information the minister considers relevant.

### **Voting on expenditures**

- 23 (1) On questions involving the expenditure of money,
  - (a) each member of the library board has one vote, plus one additional vote for each complete 1 000, after the first 1 000, of the population of the municipality represented by the member or of the electoral participating areas of the regional district represented by the member, and
  - (b) a majority of the weighted votes cast decides those questions, unless a proposal is adopted under subsection (2).
- (2) If at least 2/3 of the municipalities and regional districts represented on the library board adopt a proposal on the number of votes each representative on the library board has on questions involving the expenditure of money, the proposal binds all the municipalities and regional districts represented on the library board.

(3) A proposal adopted under subsection (2) may be changed or cancelled by a resolution adopted by at least 2/3 of the municipalities and regional districts represented on the library board.

### **Sharing the cost of library service**

24 (1) In this section, "**converted value of land and improvements**" means the converted value of land and improvements within the meaning of the *Community Charter*.

(2) The cost of providing library service must be apportioned

(a) 1/2 on the basis of the converted value of land and improvements of each municipality and of the electoral participating areas of each regional district, represented on the library board, and

(b) 1/2 on the basis of the population of each municipality and of the electoral participating areas of each regional district, represented on the library board, unless a proposal is adopted under subsection (3).

(3) If at least 2/3 of the municipalities and regional districts represented on the library board adopt a proposal on apportioning the cost of providing library service, the proposal binds all the municipalities and regional districts represented on the library board.

(4) A proposal adopted under subsection (3) may be changed or cancelled by a resolution adopted by at least 2/3 of the municipalities and regional districts represented on the library board.

### **Budget and financing**

25 (1) In each year the library board must prepare and approve a budget for providing library service in the next financial year.

(2) Before March 1 of the year for which the budget is approved, the library board must provide a copy of the budget to each of the municipalities and regional districts represented on the library board.

(3) The approved budget must show the share of the cost of providing library service that was apportioned under section 24 to each of the municipalities and regional districts represented on the library board.

(4) The secretary to the library board must provide to each of the municipalities and regional districts represented on the library board a certificate of the amount shown under subsection (3) in the budget for that municipality or regional district.

(5) Each municipality and regional district represented on the library board must pay the amounts certified under subsection (4) to the library board in equal installments on March 1, June 1, September 1 and December 1 of each year.

(6) The library board may borrow money needed to meet its current expenditures if the amount borrowed

(a) is not more than 50% of the revenue the library board is to receive from all sources in the current year to cover those expenditures, and

(b) is repaid when the anticipated revenue is received.

### **Expenditures and financial statements**

- 26 (1) The library board has, subject to the approved budget, exclusive control over the expenditure of
- (a) all money provided to it for library purposes by the municipalities and regional districts represented on the library board,
  - (b) all money given to the library board,
  - (c) the revenue derived from any source, including
    - (i) fees,
    - (ii) fines, and
    - (iii) money recovered by the library board for detention, damage or loss of library materials, and
  - (d) all money received by the library board under an agreement to provide library service.
- (2) The library board must
- (a) prepare annual financial statements to be audited by the auditors appointed by the library board, and
  - (b) provide a copy of the audited financial statements to the municipalities and regional districts represented on the library board.

### **Powers and duties of chief librarian**

- 27 The chief librarian
- (a) has general supervision and direction of the regional library district and its staff,
  - (b) is the secretary to the library board, and
  - (c) has the powers and duties the library board assigns to the chief librarian from time to time.

### **Extension of regional library district**

- 28 (1) A municipality or regional district may, by bylaw, enter into an agreement with the library board to extend the regional library district to include the municipality or the electoral participating areas within the regional district.
- (2) When the agreement is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.
- (3) When the agreement is approved by the Lieutenant Governor in Council, the area within the municipality or the electoral participating areas within the regional district, as the case may be, become part of the regional library district.
- (4) At its first meeting after the agreement is approved or as soon afterward as convenient, the municipal council or the regional district board that entered into the agreement must appoint its representative as a member of the library board under section 16 (2) or (3).

### **Withdrawal from regional library district**

- 29 (1) A municipality or regional district may withdraw from a regional library district only by bylaw adopted with the assent of the electors.
- (2) No vote to obtain assent may be taken after October 1 in any year.

- (3) If a bylaw under subsection (1) is adopted, the municipality or regional district must send a copy of the bylaw to the minister for presentation to the Lieutenant Governor in Council.
- (4) If the Lieutenant Governor in Council approves of the municipality or regional district withdrawing from the regional library district, the area within the municipality or the electoral participating areas within the regional district ceases to form part of the regional library district on January 1 after the date of approval.
- (5) If the Lieutenant Governor in Council approves of the municipality or regional district withdrawing from the regional library district, the library board may enter into an agreement with the municipality or regional district to transfer to it a reasonable share of library assets, including library materials.
- (6) If the share of library assets is not agreed on by January 1 after the date of approval, the library board must submit the matter for determination by one arbitrator appointed under the *Commercial Arbitration Act* and that *Act* applies to the dispute.

### **Disestablishment of regional library district by agreement**

- 30 (1) The municipalities and regional districts represented on the library board may, by bylaw, enter into an agreement for disestablishing the regional library district and winding up the library board.
- (2) When an agreement under subsection (1) is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.
- (3) An agreement under subsection (1) has no effect until it is approved by the Lieutenant Governor in Council.
- (4) The Lieutenant Governor in Council may approve the disestablishment of the regional library district and, in the order or any subsequent order, may provide for winding up the library board on any terms and conditions the Lieutenant Governor in Council considers advisable.

## **Part 4 — Public Library Associations**

### **Existing public library associations continued**

- 31 (1) A public library association that was incorporated before, and provided library service until, August 26, 1994 is continued, and the association may continue to provide library service in the locality for which it was formed.
- (2) A public library association has the powers and duties given to a library board under this Part.

### **Who can become a member**

- 32 On application and subject to the rules of the public library association, the following are eligible to become members of a public library association:
  - (a) residents in the locality for which the association was formed;
  - (b) residents in an area in which library service is provided by the association by agreement.

### **Who cannot vote or hold office**

- 33 No member under 18 years of age and no employee of a public library association is eligible to be elected to hold office in, or to vote at meetings of, the association.

## **Continuation and role of the library board**

- 34 (1) The board of management of a public library association is continued as the library board of the association.
- (2) The library board is responsible for managing the library of the public library association and for exercising and performing on behalf of the association the powers and duties given in this Part.

## **Composition of the library board**

- 35 (1) The library board is to consist of
- (a) not fewer than 5 or more than 9 members, elected by the members of the public library association from among themselves, and
  - (b) any person appointed to be a member of the library board by a municipal council or regional district board under subsection (2).
- (2) A local government that provides assistance to the public library association by way of a grant may
- (a) appoint a representative from the council or from the directors of the participating areas to be a member of the library board for the financial year in which the grant or contribution is made, and
  - (b) dismiss the appointee, with or without cause, and appoint another.

## **Elections and term of office of members**

- 36 (1) Elections to the library board must be held each January or as soon afterward as is convenient.
- (2) In the first election after August 26, 1994,
- (a) if the number of elected members is even, 1/2 of them hold office for a term of one year, and the others hold office for a term of 2 years, and
  - (b) if the number of elected members is uneven, a bare majority of them hold office for a term of one year, and the others hold office for a term of 2 years.
- (3) All subsequent elections are for terms of 2 years.
- (4) A member is eligible for re-election or reappointment to the library board, but no member may serve for more than 8 consecutive years.
- (5) The term of office of an elected member continues until a successor is elected.
- (6) A vacancy arising during the term of office of an elected member is to be filled, for the remainder of the term, by an appointment made by the library board at the first meeting after the vacancy arises or as soon afterward as is convenient.
- (7) The library board
- (a) may remove an elected member for cause, including if the member fails to attend 3 consecutive regular meetings of the library board without its written approval, and
  - (b) must remove an elected member who ceases to be eligible to hold office in or to be a member of the public library association.

## **Election of chair and vice chair**

- 37 (1) The library board must elect a chair and a vice chair at the first meeting after the elections to the library board and annually after that.
- (2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.
- (3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all rules applicable to the chair.

## **Regular and special meetings of library board**

- 38 (1) The library board must meet at regular intervals at least 6 times a year.
- (2) A majority of all the members of the library board is a quorum.
- (3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 2 days before the meeting and stating in the notice the purpose of the meeting.

## **General powers and duties of library board**

- 39 The library board
- (a) may make rules for holding meetings of the public library association and for managing the association,
  - (b) may make rules for managing the business of the board and for regulating the use of its facilities and services by the public,
  - (c) may appoint any committees of its members that it considers necessary to carry out its business,
  - (d) must appoint a chief librarian,
  - (e) may raise funds to support the public library association,
  - (f) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
  - (g) may lease land or buildings for library purposes or dispose of land or buildings acquired before August 26, 1994, but only with the prior approval of the minister,
  - (h) may acquire personal property for library purposes and dispose of personal property,
  - (i) may contract, for a term of not more than 5 years, for professional or other services for library purposes,
  - (j) may sue and be sued in the name of the public library association,
  - (k) may have a common seal and may alter or change it,
  - (l) must prepare an annual report in the form approved by the minister and must send copies of it to the minister, and
  - (m) must maintain a record of the members of the public library association.



## **Budget, expenditures and financial statements**

- 40 (1) In each year the library board must prepare and approve a budget for providing library service.
- (2) The library board has, subject to the approved budget, exclusive control over the expenditure of
- (a) all money raised by or grants or contributions provided to the public library association,
  - (b) all money given to the public library association,
  - (c) the revenue derived from any source, including
    - (i) fees,
    - (ii) fines, and
    - (iii) money recovered by the library board for detention, damage or loss of library materials, and
  - (d) all money received by the public library association under an agreement to provide library service.
- (3) The library board must
- (a) prepare annual financial statements in accordance with generally accepted accounting principles,
  - (b) provide a copy of the financial statements for inspection by the members of the public library association at or before the annual general meeting, and
  - (c) provide a copy of the financial statements to any municipality or regional district that is eligible under section 35 to make an appointment to the library board.

## **Powers and duties of chief librarian**

- 41 The chief librarian
- (a) has general supervision and direction of the library and its staff,
  - (b) is the secretary to the library board and to the public library association, and
  - (c) has the powers and duties the library board assigns to the chief librarian from time to time.

## **Request to municipality to take over library**

- 42 (1) A public library association may, by a vote of at least 1/2 of the members present at an annual meeting of the association or at a special meeting of the association called for the purpose, request the municipality in which the library of the association is located to assume responsibility for providing library service in the municipality.
- (2) No request may be made under subsection (1) after October 1 in any year.

## **Dissolution if municipal library established or regional library district established or extended**

- 43 (1) If, after receiving a request under section 42 from a public library association, a municipality adopts a bylaw under section 3 establishing a municipal library, the association is dissolved as soon as the bylaw takes effect.

(2) If, after an agreement is made under section 14 or 28, a municipality or part of a regional district in which the library of a public library association is located becomes part of a regional library district, the association is dissolved as soon as the agreement takes effect.

### **Dissolution of public library association by minister**

- 44 The minister may, by order, dissolve a public library association on the date specified in the order if
- (a) the association, by a vote of at least 1/2 of the members present at an annual meeting of the association or at a special meeting of the association called for the purpose, requests the minister to dissolve the association,
  - (b) the association has fewer than 50 voting members,
  - (c) the library board has not met for 6 months or has not provided library service for 6 months, or
  - (d) the library board has not complied with this *Act* or the regulations.

### **Transfer of assets on dissolution**

- 45 (1) When a public library association is dissolved under section 43 or 44, its assets are vested in and its liabilities and obligations are assumed by
- (a) the municipality in which the library of the association is located, or
  - (b) the regional district in which the library of the association is located if the library is not located in a municipality.
- (2) The minister may direct the Registrar of Companies to cancel the certificate of incorporation of a public library association as of the date of its dissolution under section 43 or 44.

## **Part 5 — General**

### **Free basic public library service**

- 46 (1) A library board must not charge for
- (a) admission to any part of a building used for public library purposes, or
  - (b) using library materials on library premises.
- (2) A library board must allow residents and electors of any area served by the library board to do the following free of charge:
- (a) borrow library materials that are normally lent by the library and that belong to prescribed categories of library materials;
  - (b) use reference and information services as the library board considers practicable.
- (3) A library board may charge fees for services not required to be provided free of charge under this section, including for the use of services described in subsection (2) by anyone who is not a resident or elector of an area served by the library board.

### **Enforcement of library rules**

- 47 A library board may
- (a) impose fines for breaches of the library rules,

- (b) suspend library privileges for breaches of the library rules, or
- (c) exclude from the library anyone who behaves in a disruptive manner or damages library property.

## Agreements

- 48** (1) Subject to subsection (2), a library board may enter into a written agreement to cooperate in the provision of library services with one or more of the following:
- (a) another library board;
  - (b) a municipality;
  - (c) a regional district;
  - (d) an aboriginal government;
  - (e) a board of school trustees;
  - (e.1) a francophone education authority as defined in the *School Act*;
  - (f) an institution under the *College and Institute Act*;
  - (g) the board of governors of a university;
  - (h) the minister;
  - (i) a prescribed body.
- (2) Before entering into an agreement under subsection (1), the library board of a municipal library must obtain the approval of the municipality that established the municipal library.
- (3) An agreement under this section may provide as follows:
- (a) for the appointment of one or more members to the library board of a municipal library by a municipality, regional district or aboriginal government that enters into the agreement with that library board;
  - (b) for the appointment of one or more members to the library board of a public library association by an aboriginal government that enters into the agreement with that library board.
- (4) Members appointed by agreement under this section are additional to those appointed to the library board under any other provision of this *Act* and members appointed under this section may vote at meetings of the library board.
- (5) An agreement under this section must be consistent with this *Act* and the regulations.
- (6) A library board may spend money available from its budget for the purposes of an agreement under this section.

## Library federations

- 49** (1) Two or more library boards may enter into a written agreement to establish a library federation.
- (2) An agreement under subsection (1) has no effect until it is approved by the minister.
- (3) An agreement under subsection (1) must include terms
- (a) establishing a plan for the cooperative provision of library service,

- (b) establishing a federated library board,
- (c) establishing a procedure for adopting bylaws,
- (d) establishing requirements for membership in the library federation,
- (e) relating to the budget of the library federation, and
- (f) providing for disestablishing the library federation, distributing its assets and assigning its liabilities.

(4) A federated library board has the power and capacity of a corporation under the *Interpretation Act* and, in addition, may acquire and dispose of real property.

### **Unserved areas**

- 50 (1) The minister may provide library service to individuals and communities that, in the minister's opinion, are unable to obtain public library service.
- (2) For the purpose of subsection (1), the minister may enter into an agreement with a library board, including an agreement under which a library board extends free library service to residents of a reserve as defined in the *Indian Act (Canada)*.

### **Director of public library service**

- 51 (1) The minister must designate as director of public library service a person who is appointed under the *Public Service Act* and is a qualified librarian.
- (2) The director of public library service is responsible, under the direction of the minister, for administering this *Act* and promoting the improvement and extension of public library service throughout British Columbia.
- (3) Without limiting subsection (2), the director of public library service may
- (a) apportion money annually appropriated by the Legislature for grants to help library boards and to help public bodies that are engaged in promoting library service and improving library service,
  - (b) impose conditions for the payment of grants, and
  - (c) refuse or reduce a grant to a library board or public body that does not comply with a condition imposed under paragraph (b).

### **Advisory bodies**

- 52 (1) The minister may establish one or more bodies to advise the minister on matters relating to this *Act*.
- (2) The minister may appoint, or provide for the manner of appointment of, the members of a body established under this section and may set the terms of reference for those bodies.
- (3) The members of any body established under this section are entitled to be reimbursed for reasonable travelling and out of pocket expenses necessarily incurred by them in performing their duties under this *Act*, and may be paid for their services an amount determined by the Lieutenant Governor in Council.

### **Conflict of interest**

- 53 (1) A member of a library board who has a direct or indirect pecuniary interest in a matter considered at a meeting of the library board
- (a) must declare that he or she has a pecuniary interest in the matter,
  - (b) must not take part in the discussion and is not entitled to vote on any question respecting the matter,
  - (c) must leave the meeting, and
  - (d) must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question respecting the matter.
- (2) Subsection (1) does not apply
- (a) if the matter relates to expenses payable to one or more members of the library board in relation to their duties as members, or
  - (b) if the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter.
- (3) A person who contravenes subsection (1) is disqualified from continuing to hold office as a member of the library board unless the contravention was done through inadvertence or because of an error in judgment made in good faith.

### **Protection against lawsuits**

- 54 (1) No action for damages may be brought against an existing or former member, officer or employee of a library board or against a person acting under the direction of the library board for
- (a) anything said or done or omitted to be said or done in the performance or purported performance of a duty or the exercise of a power, or
  - (b) any alleged neglect or default in the performance or purported performance of a duty or exercise of a power.
- (2) No action for the debts or obligations of a library board may be brought against an existing or former member, officer or employee of a library board or a person acting under the direction of the library board.
- (3) Subsections (1) and (2) do not provide a defence if
- (a) the member, officer, employee or person acting under the direction of the library board has, in relation to the conduct that is the subject of the action, been guilty of dishonesty, gross negligence or malicious or wilful misconduct, or
  - (b) the cause of action is libel or slander.
- (4) This section does not absolve a library board from vicarious liability for anything said or done or omitted to be said or done by, or for any neglect or default of, an individual referred to in subsection (1), for which the library board would have been vicariously liable had this section not been in force.

### **Reimbursement of expenses**

- 55 (1) The members of a library board are not entitled to be paid by the library board for their services but may be reimbursed by it for reasonable travelling and out of pocket expenses,

including child care expenses, necessarily incurred by them in performing their duties under this *Act*.

(2) A library board may not reimburse a member for any expenses if another body reimburses the member for the expenses or pays the expenses.

### **Power to make regulations**

56 The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

## **Part 6 — Transitional Provisions**

### **Existing municipal libraries**

57 The following libraries are deemed to have been established under section 3 as municipal libraries and this *Act* applies to them:

(a) any library that was established by a municipality before August 26, 1994 as the library for that municipality;

(b) any library that was deemed, by the Library Act, R.S.B.C. 1979, c. 235, to be a municipal public library.

### **Existing regional library districts**

58 (1) In this section "regional library district" means

(a) Fraser Valley Regional Library District,

(b) Okanagan Regional Library District, or

(c) Vancouver Island Regional Library District.

(2) The Lieutenant Governor in Council may, by regulation,

(a) require any regional district within a regional library district to participate, by bylaw, in the regional library district for the purpose of replacing the school districts or parts of school districts within the regional district that form part of the regional library district,

(b) designate a service area of the regional district to replace those school districts or parts,

(c) specify a period within which a bylaw must be adopted by a regional district to accomplish the purpose set out in paragraph (a), and

(d) provide for any other matter necessary to accomplish the purpose set out in paragraph (a).

(3) A regional library district, as modified under subsection (2), is deemed to have been established under section 14 and this *Act* applies to the regional library district.

### **Existing federated public library system**

59 A federated public library system that was established before, and continued until, August 26, 1994 is deemed to have been established under section 49 of this *Act* as a library federation and this *Act* applies to that federated public library system.

### **Existing integrated public library system**

- 60 A regional district that was operating an integrated public library system as a local service before August 26, 1994 may continue to operate the system, subject to this *Act* and to the terms and conditions contained in letters patent or any bylaws respecting that system.

### **No power to establish integrated public library system**

- 61 (1) A regional district that was given the power to establish and operate an integrated public library system as a local service and that did not establish an integrated public library system before August 26, 1994 may not establish or operate an integrated public library system.
- (2) Despite subsection (1) and the repeal of section 788 (1) (f) of the *Municipal Act*, R.S.B.C. 1979, c. 290, by section 66 of the *Library Act*, S.B.C. 1994, c. 31, a regional district that, before August 26, 1994, exercised the power referred to in that subsection by way of a contribution to the cost of library service may continue to exercise the power in that way, subject to this *Act* and the terms and conditions contained in letters patent or any bylaws respecting the service.

### **Existing regional district service to provide libraries**

- 62 Despite the amendment of section 788 (1) (e) of the *Municipal Act*, R.S.B.C. 1979, c. 290, by section 66 of the *Library Act*, S.B.C. 1994, c. 31, a regional district that exercised the power to provide libraries as a local service may continue to exercise that power by way of a contribution to the cost of library service, subject to this *Act* and the terms and conditions contained in letters patent or any bylaws respecting the service.

# COMMUNITY CHARTER

*Published by Quickscribe Services Ltd.*

Printed on: May. 27, 2024, 11:45am

**Important:** Printing multiple copies of a statute or regulation for the purpose of distribution without the written consent of Quickscribe Services Ltd. is strictly prohibited.

Quickscribe offers a convenient and economical updating service for those who wish to maintain a current collection of hard copy legislation. Go to [www.quickscribe.bc.ca/hardcopy/](http://www.quickscribe.bc.ca/hardcopy/) for more details.



**COMMUNITY CHARTER**  
CHAPTER 26 [SBC 2003]

[includes 2024 Bill 16, c. 11 amendments (effective April 25, 2024)]

**Part 7: Division 4 – Parcel Taxes**

**Parcel tax bylaw**

- 200.** (1) A council may, by bylaw, impose a parcel tax in accordance with this Division to provide all or part of the funding for a service.
- (2) A bylaw under subsection (1) must do the following:
- (a) state the service for which the tax is imposed;
  - (b) state the years for which the tax is imposed;
  - (c) identify the parcel tax roll under this Division that is to be used to impose the tax;
  - (d) state the basis on which the tax is to be imposed, as referred to in section 202 (2) [*basis of taxation for parcel taxes*];
  - (e) impose the tax in accordance with subsection (3).
- (3) A bylaw under subsection (1) must impose the parcel tax as follows:
- (a) in the case of a tax to be imposed on the basis provided under section 202 (2) (a) [*single amount per parcel*], by establishing the amount to be paid as tax;
  - (b) in the case of a tax to be imposed on the basis provided under section 202 (2) (b) or (c) [*taxable area or taxable frontage*], by establishing either
    - (i) the rate of tax to be paid per unit of taxable area or taxable frontage, or
    - (ii) rates of tax to be paid for different ranges of taxable area or taxable frontage.
- (4) The municipality must make available to the public, on request, a report respecting how amounts or rates were determined for the purposes of subsection (3).
- (5) In each year that a parcel tax is imposed under this Division, it is deemed to be imposed on January 1 of the year, unless expressly provided otherwise by the bylaw under subsection (1).

2003-26-200.

**Property subject to parcel tax**

(AM)  
Dec  
01/07

- 201.** (1) Unless otherwise permitted under this or another Act, a parcel tax under this Division must be imposed on all parcels within the municipality, other than those that are exempt from the tax.
- (2) In the case of a service that is provided to land or improvements, a parcel tax under this Division may be imposed only on parcels that have the opportunity to be provided with the service, whether or not they are in fact being provided with the service.
- (3) A bylaw under section 200 [*parcel tax bylaw*] may provide for waiving or reducing the tax if the owner or a previous owner of the parcel has
- (a) provided all or part of the service at the owner's expense, or

- (b) already paid towards the cost of the service on terms and conditions specified in the bylaw.

2003-26-201; 2007-14-201 (B.C. Reg. 354/2007).

### Parcel tax roll for purpose of imposing tax

202. (1) A council may, by bylaw, direct the preparation of a parcel tax roll for the purposes of imposing a parcel tax.
- (2) A bylaw under subsection (1) must establish the basis on which a parcel tax may be imposed using the parcel tax roll, which may be on the basis of one or more of the following:
- (a) a single amount for each parcel;
  - (b) the taxable area of the parcel;
  - (c) the taxable frontage of the parcel.
- (3) If the bylaw provides a basis under subsection (2) (b) or (c), it must establish how the taxable area or taxable frontage of a parcel is to be determined, subject to the following:
- (a) the methods for determination must be based on the physical characteristics of the parcel and may be different for parcels having different classes of physical characteristics;
  - (b) the basis established for parcels having one class of physical characteristics must be fair and equitable as compared with the basis established for parcels having other classes of physical characteristics.

2003-26-202.

### Content of parcel tax roll

203. (1) A parcel tax roll must set out the following:
- (a) the parcels on which the tax is to be imposed;
  - (b) the name and address of the owner of each parcel;
  - (c) unless the tax is imposed on the basis of a single amount for each parcel, the taxable area or the taxable frontage of each parcel, as applicable;
  - (d) if the name of a holder of a registered charge is included on the assessment roll under section 4 of the *Assessment Act* for a parcel, the name and address of that person.
- (2) The collector may correct errors on the parcel tax roll at any time before the roll is authenticated under section 206.
- (3) Once it has been prepared by the collector, the parcel tax roll must be available for public inspection.
- (4) If requested by an owner, the collector must amend a parcel tax roll that is to be available for public inspection by omitting or obscuring the address of the owner or other information about the owner in order to protect the privacy or security of the owner.
- (5) A request under subsection (4) continues to apply to other parcel tax rolls under this Division until the request is rescinded.

2003-26-203.

### Parcel tax roll review panel

204. (1) Before a parcel tax is imposed for the first time, a parcel tax roll review panel must consider any complaints respecting the parcel tax roll and must authenticate the roll in accordance with this Division.

COMMUNITY CHARTER

(SUB)  
Jun  
02/22

- (2) For the purposes of this Division, the council must
- (a) appoint at least 3 persons as the members of the parcel tax roll review panel,
  - (b) establish the time and, if applicable, place for the sitting of the panel,
  - (c) determine whether the sitting will be conducted by means of electronic or other communication facilities, and
  - (d) publish notice of the sitting in accordance with section 94 *[public notice]*.

(ADD)  
Jun  
02/22

- (2.1) A notice under subsection (2) (d) must state the following:
- (a) the time and, if applicable, place of the sitting of the review panel;
  - (b) if the sitting is conducted by means of electronic or other communication facilities, the way in which the sitting is to be conducted by those means.
- (3) At least 14 days before the date set for the sitting of the parcel tax roll review panel, the collector must mail to the owner of every parcel of land that is to be taxed a notice stating
- (a) the service in relation to which the parcel tax is to be imposed,
  - (b) the taxable area or the taxable frontage, if applicable,
  - (c) the time and, if applicable, place of the first sitting of the review panel,

(SUB)  
Jun  
02/22

(ADD)  
Jun  
02/22

- (c.1) if the first sitting of the review panel is conducted by means of electronic or other communication facilities, the way in which the first sitting is to be conducted by those means, and
- (d) that the parcel tax roll is available for inspection at the municipal hall during its regular office hours.

2003-26-204; 2022-15-11.

**Review panel to hear complaints  
and make corrections**

205. (1) Subject to subsection (2), a person may make a complaint to the parcel tax roll review panel on one or more of the following grounds:
- (a) there is an error or omission respecting a name or address on the parcel tax roll;
  - (b) there is an error or omission respecting the inclusion of a parcel;
  - (c) there is an error or omission respecting the taxable area or the taxable frontage of a parcel;
  - (d) an exemption has been improperly allowed or disallowed.
- (2) A complaint must not be heard by the parcel tax roll review panel unless written notice of the complaint has been given to the municipality at least 48 hours before the time set for the first sitting of the review panel.
- (3) The parcel tax roll review panel may direct the correction of the parcel tax roll respecting any matter referred to in subsection (1).
- (4) As a limit on subsection (3), a correction that would
- (a) include a parcel on the parcel tax roll that had not been included before, or
  - (b) increase the taxable area or taxable frontage of a parcel on the parcel tax roll
- must not be directed until 5 days after notice has been mailed to the owner of the parcel.
- (5) The notice under subsection (4) must state
- (a) the intention of the parcel tax roll review panel,
  - (b) the time and, if applicable, place set for the panel to give its direction, and

(SUB)  
Jun  
02/22

COMMUNITY CHARTER

- (c) if the direction is given by means of electronic or other communication facilities, the way in which the direction is to be given by those means.

(SUB)  
Jun  
02/22

- (6) The following sections of the *Assessment Act* apply in relation to the hearing of complaints by a parcel tax roll review panel:
  - (a) section 32 (3), (4) and (5) [*complaints by local government or assessor*];
  - (b) section 33 (3) [*contents of notice of complaint*];
  - (c) section 35 (1) (b) and (c) and (2) [*notice of hearing to complainant*];
  - (d) section 37 [*notice of withdrawal of complaint*];
  - (e) section 38 (2) (a), (7) (a) and (b) and (9) [*review panel procedures*];
  - (f) section 40 [*burden of proof*].

(SUB)  
Jun  
02/22

- (7) In applying a section of the *Assessment Act* referred to in subsection (6) of this section,
  - (a) a reference to a complaint is to be read as a reference to a complaint under subsection (1) of this section,
  - (b) a reference to the assessment roll is to be read as a reference to a parcel tax roll,
  - (c) a reference to the assessor is to be read as a reference to the collector,
  - (d) a reference to a review panel is to be read as a reference to a parcel tax roll review panel, and
  - (e) a reference to a property is to be read as a reference to a parcel.

2003-26-205; 2022-15-12.

(ADD) **Daily schedule of review panel**

Jun  
02/22

- 205.1 (1) The daily schedule of matters for review and consideration by a parcel tax roll review panel, as set by the collector, must be posted
  - (a) at the place where the parcel tax roll review panel is to meet, if sittings of the parcel tax roll review panel are conducted in person, or
  - (b) at the public notice posting places, if sittings of the parcel tax roll review panel are conducted by means of electronic or other communication facilities.
- (2) The parcel tax roll review panel must deal with complaints and collector recommendations in accordance with the daily schedule referred to in subsection (1) unless the parcel tax roll review panel considers a change in the daily schedule necessary or desirable in the circumstances.
- (3) For the purposes of subsection (2), the chair of the parcel tax roll review panel may adjourn the sittings of the parcel tax roll review panel
  - (a) from day to day or from time to time, and
  - (b) if the sittings of the parcel tax roll review panel are conducted in person, from place to place within the geographic area of the parcel tax roll review panel's jurisdiction.

2022-15-13.

**Authentication of parcel tax roll**

- 206. (1) The chair of the parcel tax roll review panel must review the parcel tax roll to confirm that the directed corrections have been made and must report this to the review panel.
- (2) After receiving the report, the review panel must confirm and authenticate the parcel tax roll by certificate signed by a majority of its members.

- (3) Within 10 days after a parcel tax roll is authenticated, the collector must mail notice of the decision made by the parcel tax roll review panel, or of its refusal to adjudicate the complaint made, to
  - (a) the owner of the property to which the decision relates, and
  - (b) the complainant, if the complainant is not the owner.
- (4) Notice under subsection (3) must include a statement that the decision may be appealed to the Supreme Court in accordance with section 207.

2003-26-206.

### Appeal to Supreme Court from review panel decision

207. (1) A decision of the parcel tax roll review panel may be appealed to the Supreme Court by a person entitled to notice under section 206 (3) or by the municipality.
- (2) In order for a person entitled to notice to appeal a decision, within 10 days after the notice is mailed or otherwise delivered to the person, the person must serve on the municipality a written notice of intention to appeal that
  - (a) is signed by the person, or by the person's solicitor or an agent authorized in writing, and
  - (b) sets out the grounds of appeal.
- (3) In order for the municipality to appeal a decision, within 10 days after the date on which the parcel tax roll is authenticated, it must serve a written notice as described in subsection (2) on the property owner affected by the appeal and, if applicable, on the complainant.
- (4) The court must set a date for hearing the appeal, notice of which must be given to the municipality, the property owner and, if applicable, the complainant.
- (5) On an appeal under this section,
  - (a) the collector must produce before the court the parcel tax roll and all records in that officer's possession affecting the matter, and
  - (b) the court must hear the appeal, including evidence given on oath before it, in a summary manner.
- (6) The court may adjourn the hearing of an appeal under this section and defer judgment in its discretion, but so that all appeals may be determined within 30 days from the authentication of the parcel tax roll by the parcel tax roll review panel.
- (7) If an appeal is not decided within the time referred to in subsection (6), the decision of the parcel tax roll review panel stands.
- (8) A decision of the Supreme Court under this section may be appealed on a question of law to the Court of Appeal with leave of a justice of the Court of Appeal.

2003-26-207.

### Updating the parcel tax roll

208. (1) The collector may amend the parcel tax roll in relation to a matter referred to in section 205 (1) [*grounds for complaints to review panel*] on receiving a request under subsection (2) or on the collector's own initiative.
- (2) A person who owns a parcel included on a parcel tax roll may request that the roll be amended under this section respecting a matter referred to in section 205 (1), but only in relation to the person's own property.
- (3) In each year after the first year in which a parcel tax is imposed, the municipality must publish in accordance with section 94 [*public notice*] a notice indicating the following:

(AM)  
Feb  
28/22

- (a) the parcel tax roll is available for inspection at the municipal hall during its regular office hours;
  - (b) a person who owns a parcel included on the parcel tax roll may request that the roll be amended respecting a matter referred to in section 205 (1) [*complaints to review panel*], but only in relation to the person's own property;
  - (c) the time by which a request must be made in order to be considered for that year.
- (4) A request under subsection (2) must be made in writing to the municipality before the time specified in the notice.
  - (5) Notice of an amendment, or a refusal to make an amendment requested under subsection (2), must be mailed to the owners of parcels in relation to which the amendment was made or the request received, and for the purposes of sending notices to these owners, section 205 (4) and (5) [*notice of sitting by review panel*] applies.
  - (6) A person who is an owner referred to in subsection (5) may make a complaint on one or more of the grounds set out in section 205 (1) [*complaints to review panel*], but only in relation to the person's own property.
  - (7) A complaint under subsection (6) is made by giving written notice of the complaint to the municipality within 30 days after the date on which the notice under subsection (5) was delivered.
  - (8) If a municipality receives a complaint in accordance with subsection (7), it must establish a parcel tax roll review panel to deal with the complaint, and for these purposes sections 205 to 207 [*review panel process*] apply.
  - (9) A parcel tax roll review panel under subsection (8) only has authority to amend the parcel tax roll in relation to parcels in respect of which a complaint under subsection (6) has been made.
  - (10) If no complaints under subsection (6) are received, the parcel tax roll as it is amended under subsection (1) is deemed to have been authenticated by a parcel tax review panel.

2003-26-208; 2021-30-6 (B.C. Reg. 17/2022).

### Validity of parcel tax roll

209. Subject to amendment under section 207 [*appeal to Supreme Court*] and despite any omission, defect or error in procedure, in a parcel tax roll, in a notice or in the omission to deliver a notice,
- (a) the initial parcel tax roll, as authenticated by the parcel tax roll review panel, is valid and binding on all parties concerned until amended under section 208 [*updating the parcel tax roll*], and
  - (b) any subsequent parcel tax roll prepared under section 208 that is authenticated or deemed to be authenticated by a parcel tax roll review panel under that section is valid and binding on all parties concerned until any further amendments are made under that section.

2003-26-209.

CITY OF SURREY

BY-LAW NO. 17282

A by-law to provide for the establishment  
of a Board of Variance.

.....

**As amended by By-law: 19485, 01/22/18**

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY 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 BY-LAW PROVISIONS.

WHEREAS the City Council of the City of Surrey has adopted Zoning By-laws, being "Surrey Zoning By-law, 1979, No. 5942" and "Surrey Zoning By-law, 1993, No. 12000";

AND WHEREAS pursuant to Section 899 of the *Local Government Act* there shall be established, by bylaw, a Board of Variance (the "Board");

NOW, THEREFORE, the City Council of the City of Surrey ("Council"), in open meeting assembled, ENACTS AS FOLLOWS:

**ESTABLISHMENT**

1. The Board, established by previous by-laws of the City, is continued and shall consist of five (5) members appointed by Council.
2. Subject to Section 3, each member of the Board shall hold office for a term of three (3) years or until the member's successor is appointed.
3. Council may rescind an appointment to the Board at any time.
4. A majority of the Board is a quorum.
5. In the event of the death, resignation or removal from office of a member of the Board, the remaining members shall constitute the Board until the appointment of a successor.

6. Members of the Board shall not receive compensation for their services other than allowances for actual expenses reasonably and necessarily incurred in the performance of their duties. Council shall include in its annual budget the funds necessary to pay for the costs of the Board.
7. The members of the Board must elect one of their members as Chair on an annual basis. The Chair may appoint a member of the Board as acting chair to preside in the absence of the Chair.

### **APPEAL PROCESS & FEES**

8. The Board shall hear and determine applications as specified under Section 901 and Section 902 of the *Local Government Act*.
9. Any person who wishes to exercise the right of application before the Board shall deposit with the City Clerk a notice of application which shall state the description of the property which is the subject of the application, the grounds of application, supporting documentation, and contact information of the applicant or applicant's agent.
10. A notice of application received less than twenty (20) days prior to the next scheduled hearing of the Board will be considered at the subsequent hearing of the Board.
11. Every person submitting a notice of application to the Board shall pay to the City, at the time of application, the application fee as set out in Schedule E of "Surrey Fee Setting By-law, 2001, No. 14577", as amended (the "Fee Setting By-law"). A notice of application will not be processed or referred to the Board unless and until proof of payment has been provided to the City Clerk.
12. An application may only be deferred once at the request of the applicant. Subsequent requests for deferment will require payment of the application fee by the applicant as set out in Schedule E of the Fee-Setting By-law.



13. Rebates of a portion of the application fee shall be made according to the following conditions:
  - (a) After a notice of application has been received, but prior to initiation of the public notification process, a 90% rebate shall be made to the person who paid the application fee if an appeal to the Board is unnecessary, or if an appeal is withdrawn.
  - (b) After a notice of application has been received, and following commencement of the public notification process, but prior to the hearing of an application by the Board, a 50% rebate shall be made to the person who paid the application fee if an appeal to the Board is unnecessary, or if an appeal is withdrawn.
  - (c) After the hearing of an application, the applicant is not entitled to a rebate of the application fee.

#### **SECRETARY DUTIES**

14. The Secretary to the Board (the "Secretary") shall be appointed by the City Clerk. In addition to recording the decisions of the Board at its meetings, the Secretary shall:
  - (a) receive notices of application and present them to the Board;
  - (b) cause such notices of application or of meetings of the Board to be published or served as directed by the Board or its Chair;
  - (c) prepare, maintain and preserve the minute book and other business of the Board;
  - (d) notify applicants and City officials, in writing, of the decisions of the Board; and
  - (e) perform such other duties as are customary to the office of the Secretary.
15. The Secretary shall examine the notices of application as submitted and may request applicants to furnish further information as may be necessary for the proper understanding of the nature of the application.
16. The Secretary shall notify the Chair and Board members of a notice of application one week prior to the hearing of the application. Five business days notice of the hearing shall be mailed or otherwise delivered by the Secretary:

- (a) to the applicant, directed to the contact information described in the notice of application; and
- (b) to the owners and occupiers of the properties adjacent to the subject property, including those across dedicated rights-of-way and highways.

## **CONDUCT OF HEARING**

- 17. At the hearing of an application, the Board shall act in good faith and fairly listen to both sides before arriving at a decision. The parties shall be given a chance to correct any statement made at the hearing and contradict it if prejudicial to their view. All hearings and deliberations of the Board shall be open to the public except those hearings or portions of hearings that are closed to the public under the provisions of Section 90(i) of the *Community Charter*.
- 18. The Board shall make its decision based on the written application materials placed before the Board by the Secretary, as well as on the written and verbal submissions presented at the hearing.
- 19. Before reaching a decision on the application before it, the Board may require further information and may defer the hearing from time to time as the Board may deem advisable.
- 20. The applicant may request deferral of the hearing if the applicant notifies the Secretary of such request prior to the hearing and the Board may grant a deferral.
- 21. In the event of an applicant failing to appear at the hearing of the application and no deferral having been requested, or in the event of the applicant being present at the hearing and failing to proceed with the application when called upon by the Secretary to do so, the application may be considered or deferred at the discretion of the Board.
- 22. The applicant may withdraw the application appeal by a written request filed with the Secretary at any time prior to the hearing or may withdraw the application orally at the hearing.

23. An applicant appearing before the Board shall have the right to be represented by counsel.
24. The decision in writing of all or of a majority of the members of the Board is the decision of the Board.
25. The decision of the Board shall be mailed or otherwise delivered by the Secretary to the applicant, directed to the contact information described in the application, and shall be deemed good and sufficient notification of the Board's decision.
26. In the event of the Board members being equally divided, the application shall be disallowed.
27. At the conclusion of the hearing, the Board may render its decision or may adjourn the application and render its decision at a subsequent meeting.
28. The decision, and the reasons for the decision, of the Board shall be recorded in writing by the Secretary, and the Secretary shall provide the written decision and written reasons for the decision to the applicant and City officials.
29. If an application is allowed by the Board:
  - (a) the Board may set a time within which the lawful construction of the building, structure or manufactured home park must be completed and the construction is not completed within that time; or
  - (b) if that construction is not substantially started within two (2) years of the Board's decision, or within a longer or shorter time period established by the Board in its decision,then the permission or exemption granted by the Board shall terminate and the provisions of the applicable by-law or section of the *Local Government Act*, as the case may be, shall apply.
30. All decisions of the Board are final and binding except as provided for in Section 902(3) of the *Local Government Act*.
31. "Surrey Board of Variance By-law, 2004, No. 15317", as amended, is hereby repealed.

32. This By-law may be cited for all purposes as "Surrey Board of Variance Establishment By-law, 2010, No. 17282".

PASSED FIRST AND SECOND READINGS on the 15th day of November, 2010.

PASSED THIRD READING, AS AMENDED on the 29th day of November, 2010

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 13th day of December, 2010.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

h:\by-laws\reg bylaws\byl reg 17282.docx

SURREY HERITAGE ADVISORY COMMISSION

CITY OF SURREY

BY-LAW NO. 13282

As amended by By-laws: 13563, 11/02/98; 14621, 02/04/02; 14924, 02/17/03; 15100, 07/24/03; 17108, 01/25/10; 17229, 07/29/10; 17347; 01/24/11; 17666, 11/05/12; 18324, 12/01/14

A By-law to establish a Surrey Heritage Advisory Commission

.....

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY 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 BY-LAW PROVISIONS.

WHEREAS pursuant to Section 953 of the *Local Government Act*, R.S.B.C. 1996, c.323, the Council of the City of Surrey (hereinafter called the "Council") may, by by-law, establish a community heritage commission (hereinafter called the "Commission");

AND WHEREAS the City of Surrey's heritage is an integral part of its identity; to be discovered, preserved and enjoyed;

AND WHEREAS the residents of City of Surrey have identified through the Future Surrey process the importance of "preserving and promoting our heritage sites and history";

AND WHEREAS the effective management of the City of Surrey's heritage resources requires the attention of all parties to ensure their preservation for future generations;

AND WHEREAS in the by-law establishing the Commission, there shall be set out:

- I The Name of the Commission
- II The Terms of Reference of the Commission
- III The Composition of the Commission
- IV The Manner of Appointment
- V The Procedures Governing the Operation of the Commission
- VI General Provisions

NOW, THEREFORE, the City Council of the City of Surrey (the "City"), in open meeting assembled, ENACTS AS FOLLOWS:

**PART I THE NAME OF THE COMMISSION**

The Commission is an advisory commission of Council and shall be known as the "Surrey Heritage Advisory Commission".

---

## **PART II THE TERMS OF REFERENCE OF THE COMMISSION**

### **1. Purpose**

The purpose of the Commission is:

- (a) to advise Council on heritage matters as outlined in its mandate;
- (b) to advise Council on heritage matters referred to it by Council; and
- (c) to provide support for heritage activities as directed or endorsed by Council.

### **2. Mandate**

- (a) The advisory mandate of the Commission shall be:
  - (i) to advise Council on matters dealing with the creation and maintenance of a Heritage Register (as defined in the *Local Government Act*), which identifies heritage features and heritage properties and details their heritage value or heritage character;
  - (ii) to advise Council on the designation by by-law of a feature or property, in whole or in part, interior or exterior, as a City heritage site and the terms and conditions of such designation;
  - (iii) to advise Council on expenditures related to financial assistance or compensation to feature owners or property owners for maintenance or preservation of a designated heritage feature or property as authorized by By-law No. 15099;
  - (iv) to advise Council on the recognition of significant heritage features or heritage properties through the installation of markers, plaques and cairns;
  - (v) to advise Council on the recognition of individual or corporate achievements in the area of heritage preservation and awareness through the presentation of Heritage in the City Awards;
  - (vi) to review information and recommendations prepared by City staff concerning all proposed heritage preservation tools and strategies for properties and features included in the Heritage Register, and to advise Council accordingly;
  - (vii) to review information and recommendations prepared by City staff on matters related to Heritage Conservation Covenants, Heritage Conservation Areas and Heritage Revitalization Agreements (all as defined in the *Local Government Act*), and to advise Council accordingly;
  - (viii) to advise Council on all matters relating to heritage conservation as referred to the Commission by Council; and

- 
- (ix) to advise Council and to provide comments on the heritage aspect of development applications involving sites with heritage designations and sites on or proposed to be on the Heritage Register.
- (b) The support mandate of the Commission shall be:
- (i) to support awareness of and appreciation for the City's heritage by developing and promoting information related to the City's heritage in a variety of formats and media;
  - (ii) to support heritage activities and heritage programs undertaken by the City or community organizations in the areas of environmental preservation and interpretation, built preservation and interpretation and cultural preservation and interpretation; and
  - (iii) to support activities undertaken by the City related to awareness and preservation of significant heritage features or heritage property in the City.

### **PART III THE COMPOSITION OF THE COMMISSION**

- 3. The Commission shall consist of a total of six members, of which up to two members may be members of Council. The Commission may also have an alternate member appointed to the Commission to sit as a voting member.
- 4. In making appointments, Council may consider the interests, skills and expertise necessary to carry out the Commission's mandate.
- 5. In making appointments, Council may consider a balance of technical expertise and knowledge of the community.
- 6. All of the citizen appointees of Commission shall be resident electors (as defined by the *Local Government Act*) of the City.

### **PART IV THE MANNER OF APPOINTMENT**

- 7. Prior to the appointment of the members of the Commission, the City Clerk shall, on behalf of Council, advertise for citizens interested in serving on the Commission.
- 8. Council shall review the applications and shall appoint the members of the Commission by resolution of Council.
- 9. The Mayor may appoint up to two members of Council to attend Commission meetings, to vote on motions of the Commission and to provide liaison between the Commission and the Council.

---

**PART V THE PROCEDURES GOVERNING THE OPERATION OF THE COMMISSION**

**10. Term of Appointment**

- (a) The term of appointment of a member/alternate of the Commission shall be for two years dating from January 1st to December 31st two years later.
- (b) A member/alternate of the Commission shall not serve more than three consecutive terms, provided however, that after at least one year out of office that member may be re-appointed.
- (c) Notwithstanding Section 10.(b), the Commission, by Recommendation to Council may request that Council, by Resolution, provide for an exception to the maximum term to allow a Member to serve an additional term.
- (d) All appointed members/alternate shall remain members until their successors have been appointed.
- (e) In the event of the resignation or death of an appointed member, Council shall appoint a new member to fill such vacancy for the unexpired balance of the term of the incumbent.

**11. Chair**

- (a) One member of City Council shall be appointed annually by the Mayor to serve as the Chair of the Commission.
- (b) The Commission shall select a vice-Chair from among its members on an annual basis.

**12. Meetings**

- (a) The Commission shall meet regularly.
- (b) The Chair and City staff shall prepare the agendas for the Commission meetings.
- (c) The Legislative Services Department shall record the minutes of the meetings of the Commission and submit the minutes to Council for its information.
- (d) The Commission shall submit its recommendations to Council for Council's consideration and approval, accompanied by the Commission's records and any other information that the Commission may consider relevant.
- (e) The Chair, or any three members, may call a special meeting by giving three days' written notice to all members, stating the purpose of the meeting.
- (f) A quorum for the meeting shall be a majority of the members of the Commission. A recommendation of a quorum shall be considered that of the full Commission.



- 
- (g) Council shall be advised of any member who misses three consecutive meetings or three meetings within a six month period. Council shall consider the impact of the absences and shall fill the vacancy by reappointing the member or appointing a new member to fill the balance of the unexpired term.
  - (h) Meetings of the Commission shall be conducted in accordance with the procedures set out in Part 17 of the Council Procedure By-law, 1999, No. 13600, as amended.

### **13. Budget**

- (a) The Commission shall submit to the Finance, Technology & Human Resources Department for Council's consideration and approval a proposed budget of its anticipated expenditures and revenues for the next fiscal year by September 30th of each year.
- (b) The Commission budget may include an amount for heritage preservation and maintenance grants for designated heritage features or heritage properties as authorized by City of Surrey Heritage Sites Financial Assistance By-law, 2003, No. 15099.
- (c) Any grants recommended for approval by the Commission must receive a 2/3 majority vote of Council, in accordance with s. 183.1 of the "*Local Government Act*".

### **Expenditures**

- (d) Attendance at conferences and related travel must be approved by Council, and expenses approved for payment must not exceed City policy.
- (e) Expenditures of the Commission may include expenditures for items such as recognition projects, memberships, subscriptions, supplies, and projects/events necessary to fulfill its mandate. Minor expenditures, up to and including \$2,500 shall be approved by the Commission and referred to the City Clerk to authorize payment.
- (f) The Commission, with Council's approval, may solicit and receive funds for special projects relevant to its mandate. In such cases, a separate budget shall be established by the Commission and approved by Council to manage such funds.

### **14. Staff Support and Attendance**

- (a) Technical, administrative and advisory information, services and support shall be provided to the Commission by City staff as required.
- (b) The Legislative Services Department shall designate an Administrative Assistant to provide administrative support.
- (c) The Parks, Recreation & Culture Department shall designate a professional liaison who shall attend meetings of the Commission and shall provide liaison and support services to the Commission as outlined in Section 16 (d), as required.

- 
- (d) The Planning and Development Department shall designate a professional liaison who shall attend meetings of the Commission and shall provide liaison and support services to the Commission as outlined in Section 16 (e), as required.
  - (e) The Engineering Department shall designate a professional liaison who shall attend meetings of the Commission as required and shall provide liaison and support services to the Commission as outlined in Section 16 (f), as required.

**15. Roles**

- (a) The Council representative shall:
  - (i) provide liaison between the Commission and Council;
  - (ii) speak to Commission recommendations at Council meetings to augment information for Council decisions; and
  - (iii) have the power to vote on motions of the Commission.
- (b) The Chair shall:
  - (i) liaise with the Administrative Assistant for the preparation of agendas for meetings;
  - (ii) liaise with the Administrative Assistant for the coordination and facilitation of support services required of City staff;
  - (iii) send correspondence on behalf of the Commission;
  - (iv) send invitations or announcements on behalf of the Commission;
  - (v) liaise with representatives of other heritage commissions and societies;
  - (vi) chair Commission meetings to ensure the efficient conduct of Commission business; and
  - (vii) review the minutes of Commission and authorize the forwarding of the unapproved minutes to Council.
- (c) The City Clerk shall designate an Administrative Assistant (the "Administrative Assistant") to:
  - (i) record the minutes of the regular meetings of the Commission;
  - (ii) prepare minutes of regular Commission meetings and forward the minutes to Council;
  - (iii) liaise with the Chair to prepare and distribute agendas for meetings;
  - (iv) prepare the correspondence of the Commission and keep records related to the activities of the Commission;

- 
- (v) advertise vacancies on the Commission;
  - (d) The General Manager, Parks, Recreation & Culture Department shall designate an appropriate liaison to:
    - (i) facilitate Commission efforts to increase public awareness of and appreciation for the City's built, natural and cultural heritage;
    - (ii) advise and inform the Commission and liaise with the Engineering Department (Facilities Management Division) on maintenance standards and preservation works related to designated heritage public properties or park sites operated or managed by the Parks, Recreation & Culture Department;
    - (iii) preserve, arrange and provide public access to records and documents related to Surrey's heritage inventory and Heritage Register; and
  - (e) The General Manager, Planning and Development Department, shall designate an appropriate liaison to:
    - (i) maintain the Heritage Register and provide information and recommendations on properties and features proposed to be included in the Register;
    - (ii) liaise with the Administrative Assistant;
    - (iii) advise the Commission on the status of development applications involving sites with heritage designation and sites on or proposed to be on the Heritage Register and liaise with staff to ensure that the recommendations as adopted by Council with respect to the protection of the heritage sites, buildings, or trees are implemented; and
  - (f) The General Manager, Engineering Department, shall designate an appropriate liaison to:
    - (i) facilitate Commission efforts to protect the City's built, natural and cultural heritage when public works are being conceived, designed, constructed, operated, or maintained; and

## **PART VI      General Provisions**

- 16. "Surrey Heritage Advisory Committee Establishment By-law, 1989, No. 9949", as amended, is hereby repealed.
- 17. This By-law shall be cited for all purposes as the "Surrey Heritage Advisory Commission Establishment By-law, 1997, No. 13282.

PASSED THREE READINGS on the 24th day of November, 1997.

---

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of December, 1997.

D.W. MCCALLUM \_\_\_\_\_ MAYOR

D.B. KENNY \_\_\_\_\_ CLERK