



## REGULAR MEETING

For the **REGULAR MEETING** of Council to be held on November 21, 2022 at 7:00 pm in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

### 1. CALL TO ORDER

### 2. ADOPTION OF AGENDA

**Recommendation:**

THAT the Agenda for the Regular Council Meeting of November 21, 2022 be adopted.

### 3. MINUTES

**a) Recommendation:**

THAT the Minutes of the Special Council Meeting of October 24, 2022 be adopted.

(attached)

**b) Recommendation:**

THAT the Minutes of the Regular Meeting of October 24, 2022 be adopted.

(attached)

**c) Recommendation:**

THAT the Minutes of the Committee of the Whole Meeting of October 24, 2022 be adopted.

(attached)

### 4. REPORTS & RESOLUTIONS

**a) Report from the Director of Operations & Intergovernmental Relations Re: Council Notification – Purchases Update**

(attached)

**Recommendation**

THAT Council receive and file this report as provided.

**b) Report from the Director of Operations & Intergovernmental Relations Re: Request for Proposal 22-19 – Award CT Northern Contractors Alliance Limited Partnership**

(attached)

**Recommendation**

THAT Council award the City of Prince Rupert RFP 22-19 to CT Northern Contractors Alliance Limited Partnership (CTNCA).

**c) Report from the Planning Manager Re: Service Agreements – Award Graham Capital and Northern Contract Alliance**

(attached)

**Recommendation**

THAT Mayor and Council award the Rapid Housing Initiative contract to Graham Capital and Northern Contract Alliance.

**d) Report from Planner Re: Development Activity Report for October 2022**

(attached)

**Recommendation:**

THAT Council receive and file this report as provided.

**e) Report from the Chief Financial Officer & Deputy City Manager Re: 2022 Financial Variance Report**

(attached)

**Recommendation:**

THAT Council receive and file this report.

**f) Report from the Chief Financial Officer & Deputy City Manager Re: Authorizations for Short-Term Borrowing from the MFA**

**Recommendation**

THAT WHEREAS under Section 175 of the *Community Charter* a Council may incur a liability;

AND WHEREAS Council adopted the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022 on July 25, 2022;

THEREFORE BE IT RESOLVED THAT Council gives authorization to borrow from the Municipal Finance Authority (“MFA”) eight hundred and fifty thousand dollars (\$850,000) for the repair and rehabilitation of the failed section of waterline at the 300 block of McBride Street, repayment of which to be made over five (5) years with no provision for renewal.

**g) Committee Appointments**

(attached)

**Recommendation:**

THAT Council resolve to make committee appointments as follows:

THAT Council make appointment(s) to the Prince Rupert Airport Authority;

AND THAT Council make appointment(s) to the Prince Rupert Library Board;

AND THAT Council make appointment(s) to the Civic Awards & Recognition Working Group;

AND THAT Council make appointment(s) to the Performing Arts Centre;

AND THAT Council discontinue appointments to the Recreation Commission and rescind the City of Prince Rupert Recreation Commission Bylaw No. 3342, 2014;

AND THAT Council make appointment(s) to the Healthy Communities Committee;

AND THAT Council make appointment(s) to the board for Tourism Prince Rupert;

AND THAT Council make appointment(s) to the NDIT – Northwest Regional Advisory Committee;

AND THAT Council make appointment(s) to the BC Ferries & Central Advisory Committee.

**h) Report from the Corporate Administrator Re: Kaien Trails Society Request for Support**

(attached)

**Recommendation**

THAT Council direct staff to provide a letter of support to the Kaien Trails Society for their Cloudberry Trail project, as requested.

**i) Report from the Corporate Administrator Re: Tourism Prince Rupert**

(attached)

**Recommendation**

THAT Council direct staff to provide a letter of support to Tourism Prince Rupert for their Northern Development Initiative

**j) Report from the Corporate Administrator Re: Signing Authority**

(attached)

**Recommendation**

THAT Council rescinds all preceding resolutions regarding access and control of City of Prince Rupert bank accounts.

AND THAT Council designates the following members of Council to have signing authority and the following members of staff to have countersigning authority:

Account	Elected Signing Authority		Countersigning Authority
General	Mayor	Herb Pond	CFO Corinne Bomben
	Councillor	Nick Adey	CAO Robert Buchan
	Councillor	Wade Niesh	Fin Mngr Christine Yew Asst Fin Mngr Tristan Higginson
Cemetery	Mayor	Herb Pond	CFO Corinne Bomben
	Councillor	Barry Cunningham	CAO Robert Buchan
	Councillor	Reid Skelton-Morven	Fin Mngr Christine Yew Asst Fin Mgr Tristan Tigginson
US Dollar	Mayor	Herb Pond	CFO Corinne Bomben
	Councillor	Gurvinder Randhawa	CAO Robert Buchan
	Councillor	Teresa Forster	Fin Mngr Christine Yew Asst Fin Mngr Tristan Higginson

**k) Report from the Corporate Administrator Re: 2023 Appointment of Acting Mayors**

(attached)

**Recommendation**

THAT Council appoint and approve an Acting Mayor Schedule for the year 2023.

**l) Report from the Corporate Administrator Re: 2023 Council Meeting Schedule**

(attached)

**Recommendation**

THAT Council approve the 2023 Council Meeting Schedule as presented.

**5. BYLAWS**

**a) City of Prince Rupert Council Procedure Bylaw No. 3508, 2022.**

**Recommendation:**

THAT Council give First, Second and Third Readings to the City of Prince Rupert Council Procedure Bylaw No. 3508, 2022.

**b) City of Prince Rupert Trade or Business License Amendment Bylaw No. 3509, 2022; and City of Prince Rupert Ticket Information Amendment Bylaw No. 3510, 2022.**

(attached)

**Recommendation:**

THAT Council give first, second and third readings to the City of Prince Rupert Trade or Business License Amendment Bylaw No. 3509, 2022; and,

THAT Council give first, second and third readings to the City of Prince Rupert Ticket Information Amendment Bylaw No. 3510, 2022.

- 6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**
- 7. ADJOURNMENT**



## MINUTES

For the **SPECIAL MEETING** of Council held on October 24, 2022 at 5:00 p.m. in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Mayor L. Brain  
Councillor B. Cunningham  
Councillor W. Niesh  
Councillor N. Adey  
Councillor B. Mirau  
Councillor G. Gurvinder  
Councillor R. Skelton-Morven

**STAFF:** R. Buchan, City Manager / City Planner  
C. Bomben, Chief Financial Officer / Deputy City Manager  
R. Miller, Corporate Administrator / Director of Recreation

### 1. CALL TO ORDER

The Chair called the Special Meeting of Council to order at 5:00 p.m.

### 2. RESOLUTION TO EXCLUDE THE PUBLIC

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven that the meeting be closed to the public under Section 90 of the Community Charter to consider items relating to one or more of the following:

- 90.1 (c) labour relations or other employee relations; and,
- (k) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## MINUTES

For the **REGULAR MEETING** of Council held on October 24, 2022 at 7:00 p.m. in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, B.C.

**PRESENT:** Mayor L. Brain  
Councillor R. Skelton-Morven  
Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor B. Mirau

**STAFF:** R. Buchan, City Manager / City Planner  
C. Bomben, Chief Financial Officer / Deputy City Manager  
R. Miller, Corporate Administrator / Director of Recreation  
M. Pope, Planner  
D. Rajasooriar, Planner

### 1. CALL TO ORDER

The Chair called the Regular Meeting of Council to order at 7:01 p.m.

### 2. ADOPTION OF AGENDA

MOVED by Councillor Randhawa and seconded by Councillor Mirau THAT the Agenda for the Regular Council Meeting of October 24, 2022 be adopted as presented.

CARRIED

### 3. MINUTES

a) MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT the Minutes of the Special Council Meeting of October 3, 2022 be adopted.

CARRIED

b) MOVED by Councillor Randhawa and seconded by Councillor Mirau THAT the Minutes of the Regular Meeting of October 3, 2022 be adopted.

CARRIED

### 4. REPORTS & RESOLUTIONS

#### a) Report from the Director of Operations & Intergovernmental Relations Re: Major Projects Update

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh THAT Council receive and file the report as provided.

CARRIED

**b) Report from the Corporate Administrator Re: Council Resolutions Update to September 2022.**

**Recommendation**

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh THAT Council receive and file this report as provided.

CARRIED

**c) Report from the Chief Financial Officer Re: August 2022 Financial Variance Report.**

MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven THAT Council receive and file this report as provided.

CARRIED

**d) DVP-22-20 for 1153 Ambrose Avenue.**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council proceed with approval of DVP-22-20 for 1153 Ambrose Avenue and that the permit be amended to reflect that the unit is not a dwelling unit.

CARRIED

**e) Report from Planning Re: Development Activity Report for September 2022.**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council receive and file this report as provided.

CARRIED

**f) Report from Planning Re: Development Variance Permit #22-21 for 539 – 6<sup>th</sup> Avenue East.**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council proceed with the statutory notification process for DVP-22-21 for 539 – 6<sup>th</sup> Avenue West.

CARRIED

**g) Report from Planning Re: Development Variance Permit #22-22 for 1546 India Avenue.**

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven THAT Council proceed with the statutory notification process for DVP-22-22 for 1546 India Avenue.

CARRIED

**h) Report from Planning Re: Support for the 2022/23 BC Active Transportation Network Planning Grant.**

MOVED by Councillor Skelton-Morven and seconded by Councillor Randhawa THAT Council support the application for funding from the 2022/23 BC Active Transportation Network Planning Grant for the active transportation component of the City's transportation plan and for a detailed design of a reconfigured 2<sup>nd</sup> Avenue incorporation Active Transportation.

CARRIED



**h) Report from Planning Re: Extension of Housing Incentives.**

MOVED by Councillor Niesh and seconded by Councillor Randhawa THAT Council waive all fees for residential Rezoning, Development Permit, including Development Variance Permit and Building Permit applications outside the City Core that result in new residential units for one-year effective November 1, 2022 to November 1, 2023.

CARRIED

**5. BYLAWS**

**a) Digby Island Ferry and Prince Rupert Airport Ground Transportation, Systems Tariffs, Fees and Charges Amendment Bylaw No. 3503, 2022.**

MOVED by Councillor Randhawa and seconded by Councillor Skelton-Morven THAT Council give Fourth & Final Reading to the City of Prince Digby Island Ferry and Prince Rupert Airport Ground Transportation, System Tariffs, Fees and Charges Amendment Bylaw No. 3503, 2022.

CARRIED

**b) Report from Planning Re: Prince Rupert Zoning Amendment Bylaw No. 3504, 2022 for Parking Specified Area.**

MOVED by Councillor Mirau and seconded by Councillor Randhawa THAT Council give First and Second Reading to the proposed Zoning Amendment Bylaw No. 3504, 2022 to waive parking requirements for new buildings with the exception of residential-only buildings, in the Parking Specified Area;

AND THAT Council direct staff to proceed to public hearing.

CARRIED

**6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

**7. ADJORNMENT**

MOVED by Councillor Randhawa and seconded by Councillor Mirau THAT the meeting be adjourned at 7:38 pm.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## COMMITTEE OF THE WHOLE MINUTES

For the **COMMITTEE OF THE WHOLE MEETING** of Council held on October 24, 2022 in the Council Chambers of City Hall, 424 – 3<sup>rd</sup> Avenue West, Prince Rupert, BC.

**PRESENT:** Mayor L. Brain  
Councillor R. Skelton-Morven  
Councillor W. Niesh  
Councillor G. Randhawa  
Councillor B. Cunningham  
Councillor N. Adey  
Councillor B. Mirau

**STAFF:**R. Buchan, City Manager / City Planner  
C. Bomben, Chief Financial Officer / Deputy City Manager  
R. Pucci, Director of Operations and Intergovernmental Relations  
M. Pope, Planner  
D. Rajasooriar, Planner

### 1. CALL TO ORDER

The Chair called the Committee of the Whole Meeting to order at 7 pm.

### 2. ADOPTION OF AGENDA

MOVED by Councillor Niesh and seconded by Councillor Skelton-Morven that the Agenda for the Committee of the Whole Meeting of October 24, 2022 be adopted as circulated.

CARRIED

### 3. QUESTION PERIOD FROM THE PUBLIC

### 4. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL.

### 5. ADJOURNMENT TO RECONVENE REGULAR COUNCIL MEETING.

MOVED by Councillor Skelton-Morven and seconded by Councillor Niesh that the meeting be adjourned at 7:01 p.m.

CARRIED

Confirmed:

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MAYOR

Certified Correct:

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CORPORATE ADMINISTRATOR



## REPORT TO COUNCIL

### Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: COUNCIL NOTIFICATION – PURCHASES UPDATE**

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#### REASON FOR REPORT:

As per the City of Prince Rupert's Purchasing Policy, Staff is required to notify the City Council on Purchases over \$100,000.00 dollars. Previously this was completed through memos from the Staff to Council. However, moving forward, the Staff will present this information periodically as a Report to Council for information purposes.

#### ANALYSIS:

As per the Purchasing Policy, please see below for recent and anticipated purchases over \$100,000.00.

- Water Treatment Project:
  - Overland Design – L&M Engineering – \$180,000.00 (ongoing)
  - Submarine Line – Great Pacific Engineering - \$418,418.00 (ongoing)
  - Project Management – Colliers – \$494,000.00 (ongoing)
  - Owners Engineer – Associated Engineering – \$439,000.00 (ongoing)
- 14<sup>th</sup> Street Retaining Wall – Broadwater Industries - \$185, 270.71 (ongoing)
- Equipment Purchase - Skidsteer – Brandt Tractor - \$119,000.00 (ordered)
- Industrial Site Ditching – Northern Sons Ltd. - \$121, 076.88 (complete)
- Bus Pull-out – Rupert Wood'n Steel - \$115,491.60 (ongoing)

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**COST:**

All procurement listed above was completed and Approved as per the City's Purchasing Policy.

**Report Prepared By:**

**Report Reviewed By:**

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Robert Buchan,  
City Manager



## REPORT TO COUNCIL

Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Richard Pucci, Director of Operations & Intergovernmental Relations

**SUBJECT: REQUEST FOR PROPOSAL 22-19 - AWARD CT NORTHERN CONTRACTORS ALLIANCE LIMITED PARTNERSHIP**

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### RECOMMENDATION:

**THAT Council Award the City of Prince Rupert RFP 22-19 to CT Northern Contractors Alliance Limited Partnership (CTNCA).**

### REASON FOR REPORT:

The current aging supervisory control and data acquisition (SCADA) system, which has been limped along for the past decade is in a semi-failure state and is causing daily communication issues. City staff have dealt with a constant lack of communication between the lift stations, booster station, pump house, and the Woodworth Dam the best they can; however, failure is imminent as parts are no longer available. This risk was recognized several years ago and a request for funds was incorporated into the City's successful grant application for water treatment.

### ANALYSIS

Before the closing time of 2:00 pm on September 15<sup>th</sup>, the City received 1 compliant proposal submission for the SCADA Radio Tower Installation RFP 22-19. The proposal submission was as follows:

<b>Company</b>	<b>Proposal</b>	<b>Lump Sum Price</b>
CTNCA	Compliant	\$1,563,852.60

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The purpose of this RFP was to seek a viable proponent to install 2 SCADA Radio Towers, one at Montreal Circle, and one on the crest of Shawatlan hill. New towers will vastly improve redundancy, the need to travel to Shawatlan, and allow direct communication with the Dam, Pump House, Booster Station, and all of the City's Lift Stations. This work is a requirement for the upgrade of the community's water system.

**COST:**

This Resolution supports the Council's Strategic Plan for Water Treatment and has no Annual Budget impact at this time as it is supported mostly by a Grant.

**CONCLUSION:**

**THAT Council Award the City of Prince Rupert RFP 22-19: Contractor Services to CT Northern Contractors Alliance Limited Partnership.**

Report Prepared By:

Report Reviewed By:

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Richard Pucci,  
Director of Operations &  
Intergovernmental Relations

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Robert Buchan,  
City Manager

# CITY OF PRINCE RUPERT

## REPORT TO COUNCIL

**DATE:** November 21, 2022  
**TO:** Dr. Robert Buchan, City Manager  
**FROM:** Myfannwy Pope, Planning Manager

**SUBJECT:** Service Agreements – Award Graham Capital and Northern Contract Alliance

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### **RECOMMENDATION:**

**That Mayor and Council Award the Rapid Housing Initiative Contract to Graham Capital and Northern Contract Alliance**

### **REASON FOR REPORT:**

In October 2022, the City released a Request for Expressions of Interest (RFEI) for a community housing solution. This RFEI was to seek a viable proponent to act as the project manager to carry the development of housing through the Rapid Housing Initiative. The RHI covers 100% of project development costs, so the award is a zero-cost agreement.

### **ANALYSIS:**

This RFEI ran in 2022 publically on BC Bid, with several proposals submitted with Graham Capital and CTNCA being the front runners on project management and development experience, as well as access to local contractors. All costs will be recovered through grant funding.

This project will help the affordable housing shortage in the City and address housing needs for key demographics as identified within our housing needs assessment and other reports on anticipated workforce.

### **COSTS AND BUDGET IMPACT:**

This Resolution supports the Council's Strategic Plan for Housing and has no Annual Budget impact.

### **CONCLUSION:**

**That Mayor and Council Award the Community Housing Solutions RFEI to Graham Capital and CTNCA**

Reviewed by the City Manager

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Myfannwy Pope  
Planning Manager

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Dr. Robert Buchan  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022

**TO:** Robert Buchan, City Manager

**FROM:** Daniel Rajasooriar, Planner

**SUBJECT: DEVELOPMENT ACTIVITY REPORT FOR OCTOBER 2022**

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#### **REASON FOR REPORT:**

This report summarizes development application activity in the City of Prince Rupert from October 2022. This report is intended to inform Council on applications that have been received and their status as of the end of October 2022.

#### **SUMMARY:**

The table below provides a summary of the applications that were approved, approved with amendment(s), rejected, in progress, on hold, discontinued, or lapsed as of the end of October 2022.

In terms of development permits, one was approved and one was in progress. In terms of development variance permits, one was approved with an amendment, two were in progress, and one lapsed. In terms of temporary use permits, one was approved with amendments and one lapsed. In terms of Official Community Plan and/or Zoning Bylaw amendments, three were in progress and three were on hold.



<b>File No.</b>	<b>Location</b>	<b>Proposal Description</b>	<b>Date Received</b>	<b>Status</b>	<b>Date of Decision</b>
<b>DP-22-20</b>	515 3 <sup>rd</sup> Avenue West	Application to have a sign.	September 26, 2022	Approved	October 19, 2022
<b>DP-22-21</b>	2250 Bellis Road	Application to have a sign.	October 26, 2022	In Progress	N/A*  *The application has since been approved on November 4 <sup>th</sup> 2022.
<b>DVP-22-11</b>	938 Alfred Street	Application to have a front yard area maximum fence height variance to accommodate a proposed fence.	May 16, 2022	Lapsed	N/A
<b>DVP-22-20</b>	1153 Ambrose Avenue	Application to have an accessory building height variance to accommodate a proposed accessory building.	August 10, 2022	Approved with Amendment	October 24, 2022

<b>DVP-22-21</b>	539 6 <sup>th</sup> Avenue West	Application to have a rear property line setback variance and a side property line setback variance to accommodate an existing/proposed second-storey alteration.	September 23, 2022	In Progress*  *Before Council on November 21, 2022 for final consideration.	N/A
<b>DVP-22-22</b>	1546 India Avenue	Application to have a maximum lot coverage variance, a rear property line setback variance, and a side property line setback variance to accommodate a proposed attached garage.	September 28, 2022	In Progress*  *Before Council on November 21, 2022 for final consideration.	N/A
<b>TUP-21-03</b>	1502 2 <sup>nd</sup> Avenue West	Application to temporarily have a container located in a backyard.	September 27, 2021	Lapsed	N/A
<b>TUP-22-03</b>	191 Metlakatla Road	Application to temporarily have a shipwrecking yard and store, handle, and sell scrap material on the subject property.	July 21, 2022	Approved with Amendments	October 3, 2022

<b>ZBLA-21-01</b>	712-714 McKay Street	Application to rezone from R2 to RM2.	April 7, 2021	On Hold*  *The application is on hold until the applicant provides additional documentation.	N/A
<b>ZBLA-22-01</b>	1307-1309 Sloan Avenue	Application to rezone from R2 to RM1.	January 20, 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
<b>ZBLA-22-02</b>	542 8 <sup>th</sup> Avenue East	Application to rezone from R2 to RM2.	January 31, 2022	On Hold*  *The application is on hold in consideration of a Zoning Bylaw amendment proposal.	N/A
<b>ZBLA-22-03</b>	125 3 <sup>rd</sup> Avenue East	Application to rezone from C5 to P1.	March 23, 2022	In Progress*  *With Council.	N/A

<p><b>ZBLA-22-05</b></p>	<p>N/A</p>	<p>Omnibus Zoning Bylaw Amendment. Section 1 covers twelve items including the addition and alteration of definitions, permitted uses within existing zones, and signage regulations, as well as the removal of the Marina District Zone from the section for Industrial Zones and the consequent renumbering. Section 2 covers accessory dwelling units including the proposed permitting of lock-off suites in multi-family buildings and secondary suites in duplexes.</p>	<p>April 25, 2022</p>	<p>In Progress* *With Council.</p>	<p>N/A</p>
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<b>ZBLA-22-07</b>	N/A	Zoning Bylaw Amendment to remove parking requirements in a specified area.	October 25, 2022	In Progress* *With Council.	N/A
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**Report Prepared By:**

**Report Reviewed By:**

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Daniel Rajasooriar,  
Planner

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Robert Buchan,  
City Manager



## **REPORT TO COUNCIL**

### **Regular Meeting of Council**

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Corinne Bomben, Chief Financial Officer/Deputy City Manager

**SUBJECT: SEPTEMBER 2022 FINANCIAL VARIANCE REPORT**

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#### **REASON FOR REPORT:**

**That Council receives this report for information purposes.**

#### **OPERATING BUDGET**

Overall, operating revenues and expenses are on track with budget and trends in line with expectations for the year.

#### **UTILITIES BUDGET**

Most utility funds are on track except for the Water Utility. The general water expenses are higher than would be expected at this time of year. The reasons are continued water breaks and overtime required.

#### **CAPITAL & SPECIAL PROJECTS**

Capital projects will be finishing up for the year with incomplete portions being rolled over into 2023. Costs will continue to grow as invoices on various tasks come in.

The McBride water repair was completed in October and final costs are not reflected in the attachment to this report given the timing difference. It is expected that the repair work will be overbudget by approximately 15% in part due to high cost of aggregates and the additional engineering and geotechnical work necessary considering it is a highway. The overage can be funded through the use of funds for projects budgeted but not started.

The Woodworth Lake Dam was also completed in October. Final costs will be recorded once invoices are received from the owners engineering representative.

**Report Prepared By:**

**Report Reviewed By:**

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Corinne Bomben  
Chief Financial Officer/Deputy City Manager

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Robert Buchan,  
City Manager

Attachments:

- Department Variance Report;
- Utilities Variance Report;
- Capital Purchases and Capital Works Report



<b>CITY OF PRINCE RUPERT</b>					
Sept 2022 Departmental Report					
	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>2022</b>	<b>Budgeted</b>	
<b>REVENUES</b>	<b>Actual (\$)</b>	<b>Actual (\$)</b>	<b>Budget (\$)</b>	<b>Amount Left (\$)</b>	<b>% Left</b>
Airport Ferry	265,404	728,306	875,000	(146,694)	(16.77)
Cemetery	121,549	129,859	149,000	(19,141)	(12.85)
Cow Bay Marina	187,841	327,821	257,000	70,821	27.56
Development Services	606,460	542,218	565,000	(22,782)	(4.03)
Economic Development	17,000	25,000	70,000	(45,000)	(64.29)
FD 911	62,549	58,357	92,000	(33,643)	(36.57)
FD Fire Protective Services	1,588	7,873	5,000	2,873	57.46
Finance	18,159	15,255	15,000	255	1.70
Fiscal Revenues	7,183,111	5,002,382	8,269,000	(3,266,618)	(39.50)
Information Technology	-	-	1,000	(1,000)	(100.00)
Parks	32,170	5,400	-	5,400	N.A.
PW Engineering	13,414	2,269	5,000	(2,731)	(54.62)
PW Common cost	63,164	63,944	35,000	28,944	82.70
RCMP	87,119	56,271	101,000	(44,729)	(44.29)
Rec. Centre Arena	59,125	140,775	204,000	(63,225)	(30.99)
Rec. Centre Civic Centre	104,081	234,509	254,000	(19,491)	(7.67)
Rec. Centre Community Services	-	-	3,000	(3,000)	(100.00)
Rec. Centre Pool	159,054	293,089	373,000	(79,911)	(21.42)
Transit	128,442	131,366	201,000	(69,634)	(34.64)
Victim Services	50,991	53,374	83,000	(29,626)	(35.69)
Watson Island	-	-	400,000	(400,000)	(100.00)
	9,161,221	7,818,068	11,957,000	(4,138,932)	(34.62)
Property Taxes	22,845,416	23,627,172	23,638,000	(10,828)	(0.05)
Appropriated Surplus- COVID 19 Safe Restart Grant	-	-	850,000	(850,000)	(100.00)
Capital Works- Funding from PR Legacy	-	-	200,000	(200,000)	(100.00)
Capital Works- Funding from Grants	-	-	60,000	(60,000)	(100.00)
Capital Works- Funding from Appr. Surplus	-	-	110,000	(110,000)	(100.00)
Capital Works- Fundinf from Reserves	-	-	150,000	(150,000)	(100.00)
Capital Purchases- Funding from PRLegacy	-	-	1,147,000	(1,147,000)	(100.00)
Capital Purchases- Funding from Grants	5,420,000	4,000,000	12,423,000	(8,423,000)	(67.80)
Capital Purchases- Funding from Appr. Surplus	-	-	431,000	(431,000)	(100.00)
Capital Purchases- Fundinf from Reserves	-	-	5,400,000	(5,400,000)	(100.00)
Capital Purchases- Funding from Borrowing	-	-	26,300,000	(26,300,000)	(100.00)
Special Projects- Funding from PR Legacy	-	-	150,000	(150,000)	(100.00)
Special Projects- Funding from Grants	-	56,752	148,000	(91,248)	(61.65)
Special Projects- Funding from Appr. Surplus	-	-	310,000	(310,000)	(100.00)
	37,426,637	35,501,992	83,274,000	(47,772,008)	(57.37)

<b>CITY OF PRINCE RUPERT</b>					
Sept 2022 Departmental Report					
	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>2022</b>	<b>Budgeted</b>	
<b>EXPENDITURES</b>	<b>Actual (\$)</b>	<b>Actual (\$)</b>	<b>Budget (\$)</b>	<b>Amount Left (\$)</b>	<b>% Left</b>
Airport Ferry	1,438,269	1,668,580	2,403,000	734,420	30.56
Cemetery	207,368	222,621	300,000	77,379	25.79
Civic Properties	207,500	230,928	405,000	174,072	42.98
Corporate Administration	564,691	849,811	958,000	108,189	11.29
Cow Bay Marina	174,747	250,423	247,000	(3,423)	(1.39)
Development Services	921,348	829,739	1,358,000	528,261	38.90
Economic Development	120,487	164,688	211,000	46,312	21.95
FD 911	503,163	428,524	612,000	183,476	29.98
FD Fire Protective Services	2,895,473	3,367,976	4,445,000	1,077,024	24.23
FD Emergency Measures	23,107	22,332	42,000	19,668	46.83
Finance	644,962	776,050	1,082,000	305,950	28.28
Finance Cost Allocation	(465,000)	(465,000)	(465,000)	-	-
Fiscal Expenditures	2,420,651	2,629,661	2,823,000	193,339	6.85
Governance	252,958	275,242	407,000	131,758	32.37
Grants	1,384,608	1,467,735	1,640,000	172,265	10.50
Information Technology	408,971	450,290	588,000	137,710	23.42
Parks	771,240	797,883	1,295,000	497,117	38.39
PW Engineering	365,207	397,332	723,000	325,668	45.04
PW Common Cost	3,304,677	3,395,097	4,859,000	1,463,903	30.13
Allocation of Common Cost	(3,071,481)	(3,065,290)	(4,719,000)	(1,653,710)	35.04
PW Vehicles	813,470	909,213	1,623,000	713,787	43.98
PW Vehicle Cost Allocation	(1,117,775)	(1,206,391)	(1,623,000)	(416,609)	25.67
RCMP	4,418,442	5,197,099	6,540,000	1,342,901	20.53
Rec. Centre Arena	277,912	322,895	441,000	118,105	26.78
Rec. Centre Civic Centre	1,080,464	1,293,036	1,802,000	508,964	28.24
Rec. Centre Community Services	5	752	3,000	2,248	74.93
Rec. Centre Pool	1,002,341	1,056,601	1,506,000	449,399	29.84
Roads	1,576,174	1,625,413	2,319,000	693,587	29.91
Transit	451,624	541,473	745,000	203,527	27.32
Victim Services	89,553	108,711	165,000	56,289	34.11
Watson Island	373,400	282,922	400,000	117,078	29.27
Transfer to Reserves	-	787,500	1,650,000	862,500	52.27
Special Projects	-	339,604	823,000	483,396	58.74
Capital Purchases	1,054,720	2,158,117	45,916,000	43,757,883	95.30
Capital Works	1,142,294	1,149,033	1,750,000	600,967	34.34
	24,235,570	29,260,600	83,274,000	54,013,400	64.86

<b>CITY OF PRINCE RUPERT</b>					
September 2022 Utilities Report					
	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>2022</b>	<b>Budgeted</b>	
<b>Utilities</b>	<b>Actual (\$)</b>	<b>Actual (\$)</b>	<b>Budget (\$)</b>	<b>Amount Left (\$)</b>	<b>% Left</b>
<b>Water</b>					
Operating Revenue	2,755,367	2,864,218	3,058,000	(193,782)	(6.34)
Funding from PR Legacy- Capital Works	-	5,300,000	5,300,000	-	-
Funding from PR Legacy- Debenture Debt Payment	-	492,653	560,000	(67,347)	(12.03)
Funding from LT Debt- MFA	5,658,880	1,046,234	850,000	196,234	23.09
Funding from Reserves- Capital Works	-	2,843,805	9,450,000	(6,606,195)	(69.91)
Funding from Appropriated Surplus- Capital Works	-	230,000	805,000	(575,000)	(71.43)
Less: Capital Works	(6,075,460)	(9,739,778)	(17,097,000)	7,357,222	43.03
Net Revenue	2,338,787	3,037,132	2,926,000	111,132	3.80
Operating Expenditure	1,791,581	2,449,565	2,926,000	476,435	16.28
Surplus /(Deficit)	547,206	587,567	-	587,567	-
<b>Sewer</b>					
Operating Revenue	2,495,307	2,562,087	2,715,000	(152,913)	(5.63)
Funding from Grants- Capital Works	87,000	-	400,000	(400,000)	100.00
Funding from App Surplus- Capital Works	710,535	234,468	1,261,000	(1,026,532)	100.00
Funding from Reserves- Capital Works	-	1,302	100,000	-	100.00
Less: Capital Works	(1,361,091)	(769,244)	(2,825,000)	2,055,756	72.77
Net Revenue	1,931,751	2,028,613	1,651,000	377,613	22.87
Operating Expenditure	1,170,369	961,591	1,651,000	689,409	41.76
Surplus/(Deficit)	761,382	1,067,022	-	1,067,022	-
<b>Solid Waste</b>					
Operating Revenue	3,052,594	4,002,732	4,599,000	(596,268)	(12.97)
Funding from Debenture Debt (MFA)- Capital Works	6,581,660	-	-	-	-
Funding from Accruals- Capital Works	-	2,219,837	3,675,000	(1,455,163)	100.00
Funding from Reserves- Capital Works	-	850,000	3,976,000	(3,126,000)	100.00
Funding from CWF (Gas Tax)- Capital Works	604,390	1,000,000	1,130,000	(130,000)	100.00
Less: Capital Purchases	-	-	(1,500,000)	1,500,000	100.00
Less: Capital Works	(7,186,055)	(4,136,844)	(7,381,000)	3,244,156	(43.95)
Net Revenue	3,052,589	3,935,725	4,499,000	(563,275)	(12.52)
Operating Expenditure	2,231,121	3,353,221	4,499,000	1,145,779	25.47
Surplus /(Deficit)	821,468	582,504	-	582,504	-

<b>CITY OF PRINCE RUPERT</b> September 2022 Capital Purchases Budget Variance Report	Budget	Actual	Variance
<b>Special Projects</b>	823,000	339,604	483,396
<b>Waterfront Landing</b>	10,900,000	25,394	10,874,606
<b>Ferry Dock &amp; Pontoons Repair</b>	175,000	67,594	107,406
<b>Recreation</b>	200,000	-	200,000
<b>RCMP Bulding</b>	26,100,000	396,226	25,703,774
<b>Civic Properties</b>	6,500,000	1,574,496	4,925,504
<b>Fire Department</b>	1,381,000	-	1,381,000
<b>Land Acquisition</b>	50,000	63,165	(13,165)
<b>Watson Island</b>	185,000	-	185,000
<b>Public Works</b>	425,000	31,242	393,758
<b>Solid Waste</b>	1,500,000	-	1,500,000
<b>Total</b>	<b>\$ 48,239,000</b>	<b>\$ 2,497,721</b>	<b>\$ 45,741,279</b>

<b>CITY OF PRINCE RUPERT</b> September 2022 Capital Works Budget Variance Report	Budget	Actual	Variance
<b>General Operating</b>	\$ 1,750,000	\$ 1,149,033	\$ 600,967
<b>Water Utility</b>	\$ 17,097,000	\$ 9,739,778	\$ 7,357,222
<b>Sewer Utility</b>	\$ 2,825,000	\$ 769,244	\$ 2,055,756
<b>Solid Waste Utility</b>	\$ 7,381,000	\$ 4,136,844	\$ 3,244,156
<b>Total</b>	<b>\$ 29,053,000</b>	<b>\$ 15,794,899</b>	<b>\$ 13,258,101</b>



## REPORT TO COUNCIL

Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Corinne Bomben, Chief Financial Officer/Deputy City Manager

**SUBJECT: AUTHORIZATION FOR SHORT-TERM BORROWING FROM THE MFA**

---

### **RECOMMENDATION:**

**THAT WHEREAS** under Section 175 of the *Community Charter* a Council may incur a liability; and,

**WHEARAS** Council adopted the 2022 Five Year Financial Plan Amendment Bylaw No. 3498, 2022, on July 25<sup>th</sup> 2022,

**THEREFORE, BE IT RESOLVED** that Council gives authorization to borrow from the Municipal Finance Authority (MFA) \$850,000 (eight hundred and fifty thousand dollars) for the repair and rehabilitation of the failed section of waterline at the 300 Block of McBride Street, repayment of which to be made over five (5) years with no provisions for renewal.

### **REASON FOR REPORT:**

The MFA requires a borrowing resolution be passed by Council which makes up part of the loan application documents.

### **BACKGROUND:**

In June of this year, the watermain under McBride Street broke causing significant disruption and damage. The watermain needed to be replaced and roadway above dug up and re-surfaced.

**ANALYSIS:**

As was outlined in the report accompanying the 2022 Five Year financial Plan Amendment Bylaw, funding to finance the repair included \$850,000 of short-term debt through the MFA.

**COST:**

The estimated annual repayment is \$200,000 based on current MFA short-term rates. The repayment of the debt was proposed through dividends from the City’s wholly owned subsidiary, Prince Rupert Legacy Inc.

**CONCLUSION:**

This resolution gives authority to borrow from the MFA for the cost of the McBride Street repair and rehabilitation.

**Report Prepared By:**

**Report Reviewed By:**

\_\_\_\_\_  
Corinne Bomben  
Chief Financial Officer/Deputy City Manager

\_\_\_\_\_  
Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosamaria Miller, Corporate Administrator

**SUBJECT: REQUEST FOR SUPPORT**

---

#### **RECOMMENDATION:**

**THAT Council directs staff to provide a letter of support to Kaien Trails Society for their Cloudberry Trail Project, as requested.**

#### **REASON FOR REPORT:**

The City of Prince Rupert has received a request for support from the Kaien Trails Society ("Society"). Their request outlines that the Prince Rupert Port Authority ("PRPA") has requested that the Society show additional community support for the first phase of the Cloudberry Trail project. Sean Carlson of the Society has provided some background info.

*The overall Cloudberry Trail Project is to build a multi-use pathway that will connect the Prince Rupert Civic Centre with the Butze Rapids and Tall Trees Trail Heads. The pathway will have a finished width of 3m to enable safe, bi-directional travel for pedestrians and cyclists. The overall project has a \$5M price tag.*

*For the first phase of the project, we are planning to build the segment that parallels Highway 16 E between the intersections of Wantage Road and Prince George St. This will provide an alternative to using the shoulder of the highway. Users will either be able to go out and back along the pathway (similar to what's been the case for many years in Terrace for their separated path along the highway), or to loop back into Prince Rupert via Prince George St.*

*The Government of Canada has committed \$500,000 through the Canada Community Revitalization Fund, with that funding expiring on March 31, 2023. PRPA committed \$500,000 to the entire project on the basis that we could raise all \$5M. With the deadline to spend the CCRC funding, we've proposed to PRPA to unlock their \$500,000 for the first phase of the project. To do this though, they've requested that we submit additional supporting information to show that the first phase of the project still meets Kaien Trails' objectives of improving safety and accessibility.*

Attached is a map showing the different segments of the pathway.

**Report Prepared By:**

**Report Reviewed By:**

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Rosamaria Miller,  
Corporate Administrator

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Dr. Robert Buchan,  
City Manager



Overview Map:  
Cloudberry and Red Light District  
Concept Trail Alignments



**Legend**

**Concept Trail Alignments:**

- Cloudberry Trail
- Climb and Connector Mountain Bike Trail
- Green Flow Mountain Bike Trail
- Blue Flow Mountain Bike Trail

**Amenities:**

- P Parking Lots

*\*Other established trails not shown.*

YELLOWHEAD HWY

Proposed RLD Staging Area

Cloudberry Trail Access Point

CLouDBERRY TRAIL - OPTION 2  
CLouDBERRY TRAIL - OPTION 1

1 | 2

TO PRINCE RUPERT DOWNTOWN

2 | 3

1

Prince Rupert Recreation Complex  
Proposed Cloudberry Staging Area #1



Butze Rapids Existing Staging Area

Proposed Cloudberry Staging Area #2 / Tall Trees Staging Area

3

CLouDBERRY TRAIL



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosamaria Miller, Corporate Administrator

**SUBJECT: REQUEST FOR SUPPORT**

---

#### **RECOMMENDATION:**

**THAT Council direct staff to provide a letter of support to Tourism Prince Rupert for their Northern Development Initiative Trust (“NDIT”) application for the development of new visitor merchandise, as requested.**

#### **REASON FOR REPORT:**

Tourism Prince Rupert has applied to NDIT to support the development of new visitor merchandise (apparel, pins, totes, etc.).

*Tourism Prince Rupert proposes to develop new visitor merchandise for the 2023 visitor season. This will include the development of shirts, hats, totes, pins, patches, and sweaters. We have recently executed a search for a new creative agency to deliver our annual marketing materials including our visitor guide, maps, brochures, and advertising campaigns - all of which falls inside our normal marketing activities. However, we also asked the agency, Loki Creative, to supply a quote for the development of new community merchandise, as this represents a significant gap in our community's visitor offers.*

*Tourism Prince Rupert has never engaged in the development, production, or sale of merchandise. This would be an entirely new marketing, and potential revenue, stream for our organization. For years, we have heard from visitors, in particular cruise passengers, how they are searching for Prince Rupert apparel or souvenirs to bring home. With the return of cruise to Prince Rupert in 2022, it's the perfect time to develop new offerings in response to these gaps identified by visitors, in order to keep growing our tourism sector.*

*This project will include the cost of the initial graphic design for all of the materials, as well as the cost to develop an online e-commerce platform on our newly developed website, developed with support from NDIT. We will also offer the merchandise for sale locally in our Visitor Centre and in partnership with local gift stores, and therefore will need to purchase the point of sale hardware. We will budget for the upfront cost to purchase all of the merchandise separately, as*

*this will in all hopes be recouped with the sale, as well as the monthly costs to maintain the Shopify point of sale system, as this will become part of routine operations.*

There is no cost to the City in their support of this application.

**Report Prepared By:**

**Report Reviewed By:**

\_\_\_\_\_  
Rosamaria Miller,  
Corporate Administrator

\_\_\_\_\_  
Dr. Robert Buchan,  
City Manager



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosamaria Miller, Corporate Administrator

**SUBJECT: SIGNING AUTHORITY RESOLUTION**

---

#### RECOMMENDATION:

**THAT Council rescinds all preceding resolutions regarding access and control of City of Prince Rupert bank accounts.**

**AND THAT Council designates the following members of Council to have signing authority and the following members of staff to have countersigning authority:**

<u>Account</u>	<u>Elected Signing Authority</u>		<u>Countersigning Authority</u>
General	Mayor Councillor Councillor	Herb Pond Nick Adey Wade Niesh	CFO Corinne Bomben CAO Robert Buchan Fin Mngr Christine Yew Asst Fin Mngr Tristan Higginson
Cemetery	Mayor Councillor Councillor	Herb Pond Barry Cunningham Reid Skelton-Morven	CFO Corinne Bomben CAO Robert Buchan Fin Mngr Christine Yew Asst Fin Mgr Tristan Tiggison
US Dollar	Mayor Councillor Councillor	Herb Pond Gurvinder Randhawa Teresa Forster	CFO Corinne Bomben CAO Robert Buchan Fin Mngr Christine Yew Asst Fin Mngr Tristan Higginson

#### REASON FOR REPORT:

To ensure the continuation of municipal business, the Signing Authorizations for the Northern Savings Credit Union General, US Dollar, and Cemetery Account should be updated and new signing authorities designated.

Current Signing Authorities include past council members Lee Brain and Blair Mirau.

**CONCLUSION:**

By passing the resolution, Council will update the bank signing authority with current elected officials.

**Report Prepared By:**

**Report Reviewed By:**

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Rosamaria Miller,  
Corporate Administrator

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Dr. Robert Buchan,  
City Manager

CITY OF PRINCE RUPERT  
REPORT TO COUNCIL  
Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosa Miller, Corporate Administrator  
**SUBJECT:** **2023 APPOINTMENT OF ACTING MAYORS**

---

**RECOMMENDATION:**

**THAT Council appoint and approve an Acting Mayor Schedule for the year 2023.**

**REASON FOR REPORT:**

Mayor and Council must, in accordance with Section 130 of the *Community Charter* and the City of Prince Rupert's Council Procedure Bylaw, designate Councillors to serve on a rotating basis as Acting Mayor to act in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.

**CONCLUSION:**

**THAT Council appoint and approve an Acting Mayor Schedule for the year 2023 and post as required.**

**Report Prepared by:**

**Report Reviewed by:**

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Rosa Miller,  
Corporate Administrator

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Robert Buchan,  
City Manager

Attachment:

- 2023 Acting Mayor Schedule



## Acting Mayor Schedule 2023

January	2023	Councillor Cunningham
February	2023	Councillor Skelton-Morven
March	2023	Councillor Niesh
April	2023	Councillor Forster
May	2023	Councillor Randhawa
June	2023	Councillor Adey
July	2023	Councillor Cunningham
August	2023	Councillor Skelton-Morven
September	2023	Councillor Niesh
October	2023	Councillor Forster
November	2023	Councillor Randhawa
December	2023	Councillor Adey

CITY OF PRINCE RUPERT  
REPORT TO COUNCIL

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosa Miller, Corporate Administrator

**SUBJECT: 2023 COUNCIL MEETING SCHEDULE**

---

**RECOMMENDATION:**

**THAT Council approve the 2023 Council Meeting Schedule as presented.**

**REASON FOR REPORT:**

Council must, as per Sections 127 and 94 of the *Community Charter* and the City of Prince Rupert's Council Procedure Bylaw, publish a meeting schedule of the date, time and place of Regular Council Meetings.

**BACKGROUND:**

Meetings are scheduled in accordance with the Council Procedure Bylaw.

Regular Council meetings typically begin at 7:00 p.m. and the public is always welcome to attend. Committee of the Whole Meetings will be scheduled as part of the 2<sup>nd</sup> Regular meeting of the month and will be conducted in accordance with the City of Prince Rupert Council Procedure Bylaw.

All Regular Council Meetings take place in Council Chambers on the Second floor at City Hall, 424-3<sup>rd</sup> Avenue West unless otherwise stated.

**CONCLUSION:**

**That Council approve the 2023 Council Meeting Schedule as presented.**

**Report Prepared by:**

**Report Reviewed by:**

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Rosa Miller,  
Corporate Administrator

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Robert Buchan,  
City Manager

Attachments:

- Council Meeting Schedule for 2023; and
- Advertisement - 2023 Scheduled Council Meetings





	Council Meeting				
	Statutory Holiday				
	NCLGA				
	FCM				
	UBCM				

# 2023

## Council Calendar

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	22	22	23	24	25
26	27	28				

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	22	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosamaria Miller, Corporate Administrator

**SUBJECT: COUNCIL PROCEDURE BYLAW**

---

#### RECOMMENDATION:

**THAT Council give first, second and third readings to the City of Prince Rupert Council Procedure Bylaw No. 3508, 2022.**

#### REASON FOR REPORT:

The existing Council Procedure Bylaw, with amendments, was originally created in 2005 with subsequent amendments from 2013 and 2018.

In order to ensure procedural accuracy it is necessary to update the bylaw to reflect up-to-date process and procedures to ensure all meetings of Council meet the requirements set out in the *Community Charter*.

**Report Prepared By:**

**Report Reviewed By:**

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Rosamaria Miller,  
Corporate Administrator

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Dr. Robert Buchan,  
City Manager

# CITY OF PRINCE RUPERT

## COUNCIL PROCEDURE BYLAW NO. 3508

### A BYLAW TO GOVERN MEETINGS OF THE COUNCIL OF THE CITY OF PRINCE RUPERT

---

**WHEREAS** Section 194 of the Community Charter, SBC 2003, Chapter 26, authorizes Council to, by bylaw, impose fees payable in respect of services of the City or the exercise of its authority to regulate, prohibit or impose requirements;

**AND WHEREAS** the Community Charter, SBC 2003, Chapter 26, authorizes Council to adopt and amend bylaws relating to the providing of services or the exercise of its authority to regulate, prohibit or impose requirements;

**NOW THEREFORE** the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

## PART 1 – INTRODUCTION

### Title

1. This Bylaw may be cited as the “Council Procedure Bylaw No. 3508, 2022”.

### Definitions

2. In this Bylaw:

“City” means the City of Prince Rupert;

“City Hall” means Prince Rupert City Hall located at 424 Third Avenue West, Prince Rupert, British Columbia;

“City Website” means the information resources found at an internet address provided by the City, the current home landing page located at [www.princerupert.ca](http://www.princerupert.ca);

“Committee” means a standing, select, or other committee of Council, it does not include the COW;

“COW” means the Committee of the Whole Council, which includes the Mayor and all Councillors;

“Corporate Administrator” means the Corporate Officer for the City defined in Section 148 of the *Community Charter* and the Deputy in the absence of the Corporate Administrator;

“Council” means the Council of the City of Prince Rupert;

“Mayor” means the Mayor (of acting Mayor in the Mayor’s absence) of the City;

“Member” means the Mayor or Councillor in relation to Council, or for committees an appointed individual;

“Motion” means a formal proposal made by a Member at a meeting of Council or committee that directs an approval or a specified course of action (also, see Resolution);

“Public Notice Posting Places” means the notice board(s) at City Hall and the City Website;

“Question” means the subject matter of a motion except where referring to public question period;

“Quorum” means a majority of the number of members of which the council consist of under the *Community Charter*; and, in the case of a committee or other body, a majority of the voting members appointed;

“Resolution” means a formal determination made by Council that approves or orders a specified course of action (also see Motion).

### **Application of rules of procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council and COW meetings of Council.
- (2) In cases not provided for under this Bylaw, Robert’s Rules of Order apply to those proceedings of Council, COW and Council Committees to the extent that those Rules are:
  - a. Applicable in the circumstances; and,
  - b. Not inconsistent with provisions of this Bylaw or the *Community Charter*.
- (3) The rules of procedure contained in this Bylaw except those that are governed by statutory provisions, may be temporarily suspended, by unanimous vote of all members present.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural Meeting**

4. (1) Following a general local election, the first Council meeting must be within the first 10 days of November in accordance with s. 124(2)(g) of the Community Charter in the year of the election.
- (2) If a quorum of council members elected at the General Local Election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Administrator and held as soon as reasonably possible after a quorum has taken office.

### **Time and location of meetings**

5. (1) All Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere. Except in the case of a meeting outside of City boundaries, Council

may pass the resolution to hold a meeting outside of City Hall at the commencement of that meeting.

(2) Regular Council shall establish annually by resolution a schedule of regular meetings and meetings will normally:

- (a) be held on the second and fourth Mondays of each month unless otherwise scheduled by Council resolution;
- (b) begin at 7:00 p.m.;
- (c) be adjourned at 11:00 p.m. at the latest on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29;
- (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open following which is not a statutory holiday.

(2) Regular Council meetings may:

- (a) be cancelled by Council;
- (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Administrator is given at least 2 days written notice and the Corporate Administrator will post a notice of the change; and,
- (c) be recessed by the Mayor for a short period with a statement of approximate time the meeting will be reconvened.

### **Notice of Council Meetings**

6. (1) In accordance with section 127 of the Community Charter [notice of council meetings], Council must approve annually on or before January 30th a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public including posting it at the Public Notice Posting Places.

(2) In accordance with section 127 of the Community Charter [notice of council meetings], Council must give notice annually on or before January 30th of the time and duration that the schedule of regular Council meetings will be available in accordance with section 94 of the Community Charter.

(3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Administrator must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

(4) The Corporate Administrator need not give public notice of a cancelled or rescheduled meeting in respect of which Council has resolved to exclude the public.

### **Notice of special meetings**

7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the Community Charter, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by s.127(2) s.127(1):
  - (a) posting a copy of the notice in the Council Chambers at City Hall,
  - (b) posting a copy of the notice at the Public Notice Posting Places, and
  - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at City Hall or forwarding an electronic copy for each member to a City provided electronic device.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Administrator.

### **Cancelled, Rescheduled, or Called Regular Meetings**

8. The Council may by resolution:
  - (1) Cancel or reschedule any regular meeting;
  - (2) Change the time or location for holding the meeting; or
  - (3) Call an additional regular meeting at the time and place stipulated in the Council resolution.

### **Electronic Meetings and Council Participation Electronically**

9. Council are authorized by this Procedure Bylaw to participate electronically in meetings, as per Section 128(3) of the Community Charter, subject to the requirements of that Section.
10. (1) Provided the conditions set out in subsection 128(2) of the Community Charter [electronic meetings and participation by members] are met, a Special or Closed Council meeting may be conducted by means of audio, audio/visual or audio electronic communication facilities provided:
  - (a) The Presiding Member does not participate electronically; and
  - (b) In the case of an interruption in the communication link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether or not the link can be reestablished. If communications are not reestablished, the meeting will resume without the electronic participant(s) as long as there is quorum present.
- (2) Provided the conditions set out in section 128 of the Community Charter are met, Committee members who are unable to attend a Council Committee meeting may participate in the meeting by electronic means.

### **Annual Meeting**

11. The Corporate Administrator must give notice of the Council meeting or other public meeting in respect of which Council has resolved to consider:

(1) The annual report prepared under section 98 of the Community Charter, and s.127(3) s. 128

(2) Submissions and questions from the public;

(3) By giving notice by:

(a) Posting notice of the date, time and place of the annual meeting in the public notice posting places, according to the City's Public Notice Bylaw 3500; and

(b) Publishing notice of the date, time and place of the annual meeting in accordance with section 94 of the Community Charter.

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

12. (1) Annually, in December, Council must from amongst its members designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.

(2) Each Councillor designated under section 12(1) must fulfill the responsibilities of the Mayor in his or her absence.

(3) If both the Mayor and the member designated under section 12(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.

(4) The member designated under section 12(1) or chosen under section 12(3) has the same powers and duties as the Mayor in relation to the applicable matter.

### **PART 4 – COUNCIL PROCEEDINGS**

#### **Community Charter Provisions**

13. Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [Council Proceedings]. Application of Rules in This Part to Other Bodies

14. In addition to applying to Council meetings, this Part also applies to meetings of the following (note: other Parts of this Bylaw may also apply to these bodies as applicable):

(1) Committee of the Whole (COW);

(2) Standing committees;

- (3) Select committees;
- (4) An advisory body established by Council;
- (5) A municipal commission;
- (6) A body that under the Community Charter or other Act may exercise the powers of the City or Council; s. 130 s. 93
- (7) The Board of Variance;
- (8) A body prescribed by Provincial Regulation.

### **Attendance of Public at Meetings**

- 15. (1) Except where the provisions of section 90 of the Community Charter [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the Community Charter [requirements before Council meeting is closed], which includes the reason for the closed meeting as described in section 90 of the Community Charter.
- (3) Despite section 15(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 12 may expel or exclude from a Council meeting a person in accordance with section 19.

### **Attendance at Closed Meetings**

- 16. (1) Council may allow one (1) or more City officers or employees to attend, or may choose to exclude them from attending closed meetings, as it considers appropriate.
- (2) Council may allow a person other than a City officer or employee to attend closed meetings, if Council considers it necessary and if the person already has knowledge of confidential information or is a lawyer attending to provide legal advice in relation to the matter.
- (3) The minutes of closed meetings must record the names of all persons in attendance.

### **Resolution Required Before Closed Meeting**

- 17. Before a closed meeting is held, Council must state by Resolution passed in a public meeting, the fact that the meeting or part thereof is to be closed, and the basis under the applicable sections of the Community Charter under which the meeting or part thereof is to be closed.

### **Bylaws and Closed Meetings**

- 18. Council must not vote on the reading or adoption of a bylaw at a closed meeting.



## **Expulsion from Meetings**

19. (1) If the Mayor considers another person at the meeting is acting inappropriately, the Mayor may order that the person is expelled from the meeting.
- (2) If the person expelled does not leave the meeting, a peace officer may enforce the order under subsection (1) as if it were a Court Order.

## **Minutes of meetings to be maintained and available to public**

20. (1) Minutes of the proceedings of Council must be:
  - (a) legibly recorded;
  - (b) certified as correct by the Corporate Administrator; and
  - (c) signed by the Mayor or other member presiding at the meeting.
- (2) City staff are authorized to amend the wording of Council's motions provided the intent of the motion is not altered.
- (3) The minutes of previous meeting and reports of committees may, by resolution of Council, be received into the record.
- (4) Subject to subsection 21(3), and in accordance with section 97(1)(b) of the Community Charter [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (5) Subsection 20(4) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the Community Charter [meetings that may be closed to the public].

## **Calling meeting to order**

21. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 11 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 12 are not present at the time at which the meeting is scheduled to begin:
  - (a) the Corporate Administrator must call to order the members present, and
  - (b) by resolution the Council members present must choose a member to preside at the meeting.

(c) Upon arrival the Mayor or Councillor designated as the member responsible for acting in the place of Mayor will take the chair and preside. Adjourning meeting where no quorum

22. If there is no quorum of Council present within 30 minutes of the scheduled time for a Council meeting, the Corporate Administrator must:

- (1) record the names of the members present, and those absent; and
- (2) adjourn the meeting until the next scheduled meeting.

## **Agenda**

23. (1) Prior to each Council meeting, the Corporate Administrator must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

(2) When preparing the agenda prior to the meeting, the Mayor, Chief Administrative Officer or Corporate Administrator may in their discretion:

(a) vary the order set out in section 23;

(b) delete agenda headings if there is not business under those items.

(3) The deadline for complete submissions to the Corporate Administrator of items for inclusion on the Council meeting Agenda must be 12:00 noon on the Monday prior to the meeting.

(4) The Corporate Administrator must make the agenda available to the members of Council and the public on the Friday prior to the meeting.

(5) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 25.

## **Order of proceedings and business**

24. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below, however, where appropriate for timing or other reasons, the Corporate Administrator may determine an alternative order or variation in the agenda:

(a) Call to Order;

(b) Introduction of late items;

(c) Approval of agenda;

(d) Recess to Committee of the Whole - To hear all delegations and applicable staff presentations

(e) Reconvene Regular Meeting;

- (f) Public comment regarding agenda items
- (g) Consent Agenda<sup>1</sup>
  - 1. Adoption of Council minutes
  - 2. Committee and Board Minutes and Reports
  - 3. Staff Reports for information purposes (No action required)
  - 4. Correspondence (No action required)
  - 5. Release of Closed Meeting items;
- (h) Committee and Board Recommendations;
- (i) Correspondence, Council decision requested;
- (j) Staff Reports;
- (k) Recess to Closed Meeting as required;
- (l) Public and statutory hearings 6:00 p.m.;
- (m) Reconvene Regular Meeting;
- (n) Readings or adoption of bylaws where applicable where required, and approval of permits;
- (o) Land Matters;
- (p) Notice of Motion;
- (q) Business Arising;
- (r) Council Round Table & Public Question Period;
- (s) Adjournment.

(2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### **Late Items**

25. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.

(2) If the Council makes a resolution under section 24(1), information pertaining to late items must be distributed to the members.

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<sup>1</sup> Consent Agenda: Council may approve the Consent Agenda through resolution. Once moved and seconded, any member may request that any item be removed from the consent agenda and discussed and decided separately, the balance of the items would be voted on together for approval. Each item removed from the Consent Agenda will be debated and voted on by Council separately.

(3) The member must, when making the request, inform the Council of the general nature of the business and the reason for urgent consideration.

## **Voting at meetings**

26. (1) The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
- (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating something similar to: "Those in favour raise your hands." and then "Those opposed raise your hands."
- (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not:
  - (i) cross or leave the room, unless excused as a result of not being entitled to vote under the Community Charter or if excused by Council;
  - (ii) make a noise or other disturbance; or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) if requested by a member, Council must vote separately on each distinct part of a motion that is under consideration;
- (e) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it, except to defer the motion (there is no debate or discussion on a deferral) or to refer the item back to staff which will supersede the main motion and must be voted on first;
- (f) the presiding member's decision about whether a question has been finally put is conclusive; and
- (g) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand, failure for a member to raise their hand in favour or opposed, abstaining from voting, is considered to be a vote in favour (affirmative); and
- (h) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative and the result will be recorded in the Minutes as "CARRIED UNANIMOUSLY", "CARRIED" or "DEFEATED" as circumstances dictate;
- (i) the names of those who vote negative, against a question, shall be entered into the Minutes.

## **Delegations**

27. (1) Delegations or persons wishing to appear before Council to present briefs or submissions may be received by Council at the meeting (typically COW) provided that written notice on a prescribed form including the subject matter is delivered to the Corporate Administrator seven (7) days in advance of the preparation of the agenda for that particular meeting, and the Mayor shall have the authority to determine if the said subject matter warrants the delegation to come before Council at that particular meeting and may determine at which meeting of Council such delegation may appear and be heard.
- (2) Each address must be limited to five (5) minutes. Groups defined as a community partner (e.g. other government agencies) delegations must be limited to ten (10) minutes no more than twice per year.
- (3) The Council may waive strict compliance of the time limit by unanimous vote of those members present.
- (4) To be considered each submission must include:
  - (a) The name and address of the person(s) that will address Council;
  - (b) A description of the matter to be presented;
  - (c) The request being made and the reason(s) for making the request;
  - (d) Summary of current and proposed legislation and policy relevant to the request; and
  - (e) A copy of all materials that will be discussed.
- (5) A maximum of three (3) delegations will be scheduled per COW meeting.
- (6) A maximum of two (2) delegations will be heard on any given issue; up to one (1) in favour and up to one (1) opposed in any calendar year.
- (7) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- (8) A delegation must not be permitted if the purpose is to address an issue which is before the courts or on which Council has authorized legal action.
- (9) The Corporate Administrator may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (10) The Mayor or Corporate Administrator may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Administrator's decision, the information must be distributed under separate cover to Council for their consideration.
- (11) In the event that the Mayor has refused permission for a delegation or person to appear and be heard by Council at any meeting thereof, Council may, if the subject matter of the brief or submission to be presented by such delegation or person is germane to the business

then before Council, by affirmative vote permit such delegation or person to appear before it and be heard.

(12) Only delegations on the agenda may speak to new items; public may speak to items on the agenda.

(13) If there is no business for the COW then the Mayor or Corporate Administrator may waive the meeting.

## **Petitions**

28. Petition requests must include:

(1) The name and address of the petition presenter;

(2) The complete petition;

(3) The name and address and signature of each person who has signed the petition;

(a) Petitions form part of the public record and the names and addresses of the petitioners are considered germane to the topic and will be published on the city website as part of the agenda package;

(b) Organizers of petitions must inform those who sign a petition that their names and addresses may become public.

## **Points of order**

29. (1) Without limiting the presiding member's duty under section 132(1) of the Community Charter [authority of presiding member], the presiding member must apply the correct procedure to a motion

(a) if the motion is contrary to the rules of procedure in this bylaw, and

(b) whether or not another Council member has raised a point of order in connection with the motion.

(2) When the presiding member is required to decide a point of order (a) the presiding member must cite the applicable rule or authority if requested by another Council member, (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and (c) the presiding member may reserve the decision until the next Council meeting.

## **Conduct and debate**

30. (1) The Chair shall at all times conduct the manner and order of speaking to ensure that each member is allowed equal opportunity to speak.

(2) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.

(3) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Chair.

(4) Members must address other non-presiding members by the title Councillor.

(5) It shall be in order for officers and employees of the City, upon receiving permission from the presiding member to do so, to comment on matters before Council, and in so doing they shall direct their comments to the presiding member and shall confine themselves to the question before Council.

(6) No member must interrupt a member who is speaking except to raise a point of order.

(7) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.

(8) Members who are called to order by the presiding member

(a) must immediately stop speaking,

(b) may explain their position on the point of order, and

(c) may appeal to Council for its decision on the point of order in accordance with section 132 of the Community Charter [authority of presiding member].

(9) Members speaking at a Council meeting

(a) must use respectful language,

(b) must not use offensive gestures or signs,

(c) must speak only in connection with the matter being debated,

(d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded or reconsidered, and

(e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.

(10) If a member does not adhere to subsections (8) and (9), the presiding member may order the member to leave the member's seat, and

(a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat , and

(b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

(11) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.

(12) The following rules apply to limit speech on matters being considered at a Council meeting:

- (a) a member may speak more than once in connection with the same question only
  - (i) with the permission of Council, or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

### **Motions generally**

31. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.

(2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's approval through the notice of motion process per subsection (6) below.

(3) A Council member may make only the following motions, when the Council is considering a question:

- (a) to refer to committee;
- (b) to amend;
- (c) to lay on the table;
- (d) to postpone indefinitely;
- (e) to postpone to a certain time;
- (f) to move the previous question;
- (g) to adjourn.

(4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.

(5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.



- (6) Notice of Motion Process: Members may give notice of motion respecting an item which the Councillor intends to present by giving a copy of such motion to the Corporate Administrator during a meeting of Council and upon the member being acknowledged by the Chair and the Notice of motion being read. Alternatively, the member may submit the notice of motion ahead of time to the Corporate Administrator who will circulate to the rest of Council if time permits prior to the meeting.

A copy of the motion may be distributed to each member of Council and shall appear in the minutes of meeting referred to in Section 30 (6) above as a notice of motion. The Corporate Administrator shall place the motion and any supporting materials, which the member presenting the motion should provide, on the agenda of the next Council meeting or other future meeting designated by the member bringing forward the notice of motion for consideration.

### **Motion to commit**

32. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

### **Motion for the main question**

33. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.

(2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:

- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
- (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business. Amendments generally

34. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.

(2) An amendment may propose removing, substituting for, or adding to the words of an original motion.

(3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.

(4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.

(5) An amendment may be amended once only.

(6) An amendment that has been defeated by a (negative) vote of Council cannot be proposed again.

- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

### **Reconsideration by Council Member**

- 35. (1) Subject to subsection (5), a Council member who voted with the majority either for against a motion may, at the next Council meeting,
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
  - (c) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (2) A vote to reconsider must not be reconsidered.
- (3) Council may only reconsider a matter that has not
  - (a) had the approval or assent of the electors and been adopted
  - (b) been reconsidered under subsection (1) or section 131 of the Community Charter [mayor may require Council reconsideration of a matter],
  - (c) been acted on irreversibly by an officer, employee, or agent of the City.
- (4) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within six months except by way of a new and substantially different motion.
- (5) Subject to applicable enactments, the Council may by resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading with or without amendment.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.

- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the Community Charter [mayor may require Council reconsideration of a matter] is as valid and has the same effect as it had before reconsideration.

## **Privilege**

35. (1) In this section, a matter of privilege refers to any of the following motions:

- (a) fix the time to adjourn;
- (b) adjourn;
- (c) recess;
- (d) raise a question of privilege of the Council;
- (e) raise a question of privilege of a member of Council.

(2) A matter of privilege must be immediately considered when it arises at a Council meeting.

(3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

## **Reports from committees**

36. Council may take any of the following actions in connection with a resolution it receives from COW or any committee, task force or other body appointed by Council:

- (a) agree or disagree with the resolution, support or deny support;
- (b) amend the resolution;
- (c) refer the resolution back to COW or committee, etc.;
- (d) postpone its consideration of the resolution.

## **Adjournment**

37. (1) A Council may continue a Council meeting after 11 p.m. only by unanimous affirmative vote of the Council members present.

(2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion. (3) Subsection (2) does not apply to either of the following motions:

- (a) a motion to adjourn to a specific day;
- (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

### Copies of proposed bylaws to Council members

38. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement. Form of bylaws
39. A bylaw introduced at a Council meeting must: be printed; have a distinguishing name; have a distinguishing number; contain an introductory statement of purpose; be divided into sections if applicable. Bylaws to be considered separately or jointly
40. Council must consider a proposed bylaw at a Council meeting either: separately when directed by the presiding member or requested by another Council member, or jointly with other proposed bylaws in the sequence determined by the presiding member. Reading and adopting bylaws
41. (1) The presiding member of a Council meeting may
  - (a) have the Corporate Administrator read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter and, if amended, a motion at third reading shall be “to give the bylaw third reading as amended”.
- (4) Subject to section 882 of the Local Government Act [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the Community Charter [requirements for passing bylaws], Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the Community Charter [requirements for passing bylaws], and in accordance with section 890(9) of the Local Government Act [public hearings], Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.
- (7) All bylaws which have not completed the requirements to be adopted after a 2- year period may be deemed stale dated and closed.
- (8) The Corporate Administrator is hereby authorized to consolidate one or more of the bylaws of the municipality pursuant to Section 139 [consolidation of bylaws] of the Community Charter.

## **Bylaws must be signed**

42. After a bylaw is adopted, and signed by the Corporate Administrator and the presiding member of the Council meeting at which it was adopted, the Corporate Administrator must have it placed in the City's records for safekeeping and endorse upon it: the City's corporate seal, the dates of its readings and adoption; and, the date of Ministerial approval or approval of the electorate if applicable.

## **PART 6 - RESOLUTIONS**

### **Form of resolution**

43. A resolution introduced at a Council meeting must be printed and have a distinguishing number and once voted on in the affirmative becomes effective from the date and time passed.

## **PART 7 - COMMITTEE OF THE WHOLE (COW)**

### **Going into Committee of the Whole**

44. (1) At any time during a council meeting, Council may by resolution go into COW.  
  
(2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COW. Notice for COW meetings
45. (1) Subject to subsection (2) a notice of the day, hour and place of a COW meeting must be given at least 24 hours before the time of the meeting by:
  - (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at City Hall or forwarding an electronic copy for each member to a City provided electronic device or email.
- (2) Subsection (1) does not apply to a COW meeting that is called, in accordance with section 45, during a Council meeting for which public notice has been given under section 6 or 7.

### **Minutes of COW meetings to be maintained and available to public**

46. (1) Minutes of the proceedings of COW must be
  - (a) legibly recorded,
  - (b) certified by the Corporate Administrator,

- (c) open for public inspection in accordance with section 97(1)(c) of the Community Charter [other records to which public access must be provided].

### **Presiding members at COW meetings and Quorum**

- 47. (1) The Mayor or Acting Mayor shall preside in COW.
- (2) The quorum of COW is the majority of Council members.

### **Points of order at meetings**

- 48. The presiding member must preserve order at a COW meeting and, subject to an appeal to other members present, decide points of order that may arise. Conduct and debate
- 49. The following rules apply to COW meetings:
  - (1) a member may speak any number of times on the same question;
  - (2) a member must not speak longer than a total of five (5) minutes on any one question.Voting at meetings
- 50. (1) Votes at a COW meeting must be taken in accordance with section 25. (2) The presiding member must declare the results of voting.

### **Reports**

- 51. (1) COW may consider reports only if
  - (a) they are printed and the members each have a copy, or
  - (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) The COW's reports to Council must be presented by the Corporate Administrator at the next regular Council Meeting unless otherwise directed by Council or in cases where additional information is required for Council to consider a motion.

## **PART 8 – COMMITTEES**

### **Appointment of Committees except Standing Committees and Other Bodies**

- 52. Council shall appoint at all representatives on committees and all boards, commissions, or other bodies to which the City is entitled to appoint representatives except standing committees. Standing Committees
- 53. 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. At least half of the members of a standing committee must be Council members. The Mayor shall be an ex officio of each standing committee. Duties of Standing Committees

54. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters
- (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are referred by Council;
  - (c) matters that are referred by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are referred by Council or assigned by the Mayor;
    - (i) as required by Council or the Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

### **Select Committees**

55. Council may establish and appoint Select Committees to consider and enquire into any matter and to report their findings and opinions to Council. At least one member of a Select Committee must be a Council member.

### **Duties of Select Committees**

56. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council. (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time. Advisory Committees
57. Council may establish and appoint advisory committees to consider and make recommendations on matters set out in the committee's terms of reference or matters referred by Council and to report their findings and opinions only to Council unless otherwise specifically authorized in writing by Council. Schedule of committee meetings
58. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings to be held at City Hall unless otherwise stated in the terms of reference for the committee.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

### **Notice of committee meetings**

59. (1) Subject to subsection (2) after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:

(a) posting a copy of the schedule on the City's website; and

(b) providing a copy of the schedule to each member of the committee.

(2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Administrator must, as soon as possible, post a notice at the Public Notice Posting Places and/or the City's website which indicates any revisions to the date, time and place or cancellation of a committee meeting.

(3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 59(2) to be given to all members of the committee at least 24 hours before the time of the meeting. Attendance at Committee meetings

60. Council members who are not members of a committee may attend the meetings of the committee. Minutes of committee meetings to be maintained and available to public

61. (1) Minutes of the proceedings of a committee must be

(a) legibly recorded,

(b) certified as correct and signed by the committee secretary once approved by the committee, and

(c) open for public inspection in accordance with section 97(1)(c) of the Community Charter [other records to which public access must be provided].

(2) Sections (a), (b) and (c) shall only apply to meetings of the following, unless this bylaw provides for other procedures for taking of minutes by one or more bodies referred to in this subsection, the body is exempted by regulation, or to the extent they are modified by regulations:

(a) an advisory body, standing or select committee established by Council;

(b) a municipal commission established under section 143 of the Community Charter;

(c) a body that under the Community Charter or any other Act may exercise the powers of Council;

(d) (d) the Board of Variance;

(e) a parcel tax review panel established under section 204 of the Community Charter; and

(f) a body prescribed by regulation.



**Quorum**

62. The quorum for a committee is a majority of all of its members unless otherwise noted in the terms of reference for that committee.

**Conduct and debate**

63. (1) The rules and procedures of Council defined in this bylaw must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.  
Voting at meetings

64. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

**PART 9 – GENERAL**

65. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

66. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the Community Charter [public notice].

**Repeal**

Council Procedure Bylaw No. 3092 and all amendments thereto are hereby repealed upon adoption of this bylaw.

Read a First time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Second time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Third time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Administrator



## REPORT TO COUNCIL

### Regular Meeting of Council

**DATE:** November 21, 2022  
**TO:** Robert Buchan, City Manager  
**FROM:** Rosamaria Miller, Corporate Administrator  
**SUBJECT: BYLAW AMENDMENTS NO. 3509 & 3510**

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#### RECOMMENDATION:

**THAT Council give first, second and third readings to the City of Prince Rupert Trade or Business License Amendment Bylaw No. 3509, 2022.**

**THAT Council give first, second and third readings to the City of Prince Rupert Ticket Information Bylaw Amendment No. 3510, 2022.**

#### REASON FOR REPORT:

In June 2022 Council passed the Business Regulations & Licensing Bylaw No. 3476, 2021. Amendments are required to both the Ticket Information Bylaw and the Trade and License Bylaw in order to bring all three bylaws in line for enforcement purposes.

The Business Regulations & Licensing Bylaw No. 3476, 2021 was created in an effort to protect the health and safety of residential tenants in Prince Rupert through three mechanisms and relies on the development of business licenses for landlords renting out units for multi-family dwellings. This requires a reflection of the license fees in the accompanying Trade or Business License Bylaw.

The Business Regulations & Licensing Bylaw identifies municipal ticketing as one form of enforcement under this bylaw. As such, an amendment is required to include offenses under the bylaw as indicated in the attachment.

**Report Prepared By:**

**Report Reviewed By:**

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Rosamaria Miller,  
Corporate Administrator

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Dr. Robert Buchan,  
City Manager

# CITY OF PRINCE RUPERT

## CITY OF PRINCE RUPERT TRADE OR BUSINESS LICENCE AMENDMENT BYLAW NO. 3509, 2022

A BYLAW TO AMEND THE PRINCE RUPERT TRADE OR BUSINESS LICENCE BYLAW NO.  
2426, 1982

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**WHEREAS** the Community Charter, SBC 2003, Chapter 26, authorizes Council to adopt and amend bylaws relating to the providing of services or the exercise of its authority to regulate, prohibit or impose requirements;

**NOW THEREFORE** the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

1. Division 1, Section 18) a) is amended as indicated in Attachment 1 to align the definition of Apartment Houses with the application of licences under the Business Regulation and Licensing (Rentals) Bylaw No. 3476, 2021.
2. Division 4, Code 1501 of the Trade or Business Licence Bylaw No. 2426 is amended as indicated in Attachment 2 to reflect new costs outlined in the Business Regulations and Licensing (Rentals) Bylaw No. 3476, 2021 for rental unit licensing.
3. This Bylaw may be cited as **“City of Prince Rupert Trade or Business Licence Bylaw No. 3509, 2022”**.

Read a First time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Second time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Third time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Administrator

ATTACHMENT 1

Existing	Proposed
<p>18 (a) Apartment Houses: includes any premises containing four or more rental units (not being a lodging house, hotel or motel as defined herein) designed, used or occupied as a home of persons living independent of each other.</p>	<p>18 (a) Apartment Houses: includes any premises containing rental units (not being a lodging house, hotel or motel as defined herein) designed, used or occupied as a home of persons living independent of each other. This does not apply to Single Family Dwelling Units, Two Family Dwelling Units or the secondary suites (if any) of those units, as defined in the City of Prince Rupert Zoning Bylaw No. 3462, 2021.</p>

ATTACHMENT 2

Existing	
1501 Apartments per unit	\$6.00
Proposed	
1501 Apartments per unit	\$17.00

# CITY OF PRINCE RUPERT

## CITY OF PRINCE RUPERT TICKET INFORMATION AMENDMENT BYLAW NO. 3510, 2022

A BYLAW TO AMEND THE TICKET INFORMATION BYLAW NO. 2783, 1992

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**WHEREAS** the Community Charter, SBC 2003, Chapter 26, authorizes Council to adopt and amend bylaws relating to the providing of services or the exercise of its authority to regulate, prohibit or impose requirements;

**NOW THEREFORE** the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

1. Schedule "A" of the Ticket Information Bylaw No. 2783, 1992 is amended as indicated in Attachment 1 of this bylaw to include the Business Regulation and Licensing Bylaw No. 3476, 2021.
2. Addition of Schedule "K" as indicated in Attachment 2 of this Bylaw to add municipal ticket penalties for violation of the Business Regulation and Licensing Bylaw No. 3476, 2021.
3. This Bylaw may be cited as "**City of Prince Rupert Ticket Information Amendment Bylaw No. 3510, 2022**".

Read a First time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Second time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Read a Third time this \_\_\_\_ day of \_\_\_\_\_, 2022.

Final Consideration and Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Administrator

ATTACHMENT 1

SCHEDULE "A"

**Add:**

Column 1

**Designated Bylaws**

10. City of Prince Rupert Business  
Regulations & Licensing Bylaw (Rentals)  
Bylaw No. 3476, 2021

Column 2

**Designated Bylaw Enforcement Officers**

License Inspector  
Building Inspector

ATTACHMENT 2

SCHEDULE "K"

City of Prince Rupert

Business Regulations & Licensing Bylaw (Rentals) Bylaw No. 3476, 2021

Column 1

Column 2

Column 3

**OFFENCE COMMITTED**

**BYLAW SECTION NO.**

**FINE**

Failure to comply with a written notice requirement issued by the Inspector by a time specified in the notice.

9 b)

First Offence

\$500

Subsequent Offences

\$1000