

**VILLAGE OF PEMBERTON  
-COMMITTEE OF THE WHOLE MEETING AGENDA-**

**Agenda** for the **Committee of the Whole** of Council of the Village of Pemberton to be held **Tuesday, April 21, 2015 at 1:00 PM** in the Council Chambers, 1350 Aster Street. This is meeting No. 131.

*"This meeting is being recorded on audio tape for minute-taking purposes as authorized by the Village of Pemberton Audio recording of Meetings Policy dated September 14, 2010."*

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| <b>Time</b> | <b>Item of Business</b>  | <b>Page No.</b> |
|-------------|--|-----------------|
|             | <b>1. CALL TO ORDER</b>  |                 |
|             | <b>2. APPROVAL OF AGENDA</b>   |                 |
|             | <b>Recommendation: THAT</b> the agenda be approved as presented.   |                 |
|             | <b>3. BARN CONSULTATION REPORT – Dawn Johnson</b>  | <b>2</b>        |
|             | <b>Recommendation: See Report.</b>   |                 |
|             | <b>4. COUNCIL PROCEDURE BYLAW UPDATE</b>   | <b>89</b>       |
|             | <b>Recommendation: THAT</b> Committee of the Whole review the proposed draft procedure bylaw and provide direction to staff. |                 |
|             | <b>5. ADJOURNMENT</b>  |                 |

# Pemberton Downtown Barn

## Community Consultation and Research Findings

Prepared by Dawn Johnson  
April, 2015

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## 1.0 Executive Summary

While the building of the Pemberton Downtown Community Barn has recently come to a close, work remains to determine next steps to ensure this community amenity reaches its full potential. Currently Barn bookings and enquiries are being fielded by staff utilizing the Parks & Public Spaces Use Permit application process established by the Village of Pemberton in 2012. In 2014 it was identified that options should be explored to ensure the Barn was marketed effectively. In addition, it was suggested that in order for the Barn and site to reach its full potential, it may be advantageous for it to be managed by an outside community group under a separate organizational structure. Information on multiple organizational structures was researched and findings are presented.

Community consultation took place to determine if any existing community groups were willing to potentially take on the management of the Barn and site, or if individual community members were interested in forming a new group solely for the purpose of managing the Barn. This consultation process began in January 2015, as a result of initial interest expressed in August 2014. Public feedback regarding Barn use, management and event ideas were collected. Meetings took place with Village staff and the regional liquor inspector to garner more information. Current procedures and policies were reviewed and identified, and the direction of this project was confirmed. Findings are being presented to the Village Mayor and Council for information.

Although Village of Pemberton Mayor and Council will ultimately determine the next steps forward, recommendations identified in this report include the following:

- Raise current Barn booking fees to ensure administrative cost recovery.
- Implement a higher fee schedule for private bookings (i.e. weddings, larger events, etc) and commercial bookings (filming, trade shows, etc) to help build financial resiliency for the Barn (maintenance and/or event coordination).
- Further investigate community group insurance plans for Barn community events.
- Review existing Park & Public Spaces Use Permit Bylaw.
- Create Barn use guidelines.
- Keep Barn bookings through the Village of Pemberton for the time being.
- Should the Village commit to undertaking the facilitation of community and special events, hiring an events coordinator on a contract basis could be considered if deemed feasible. In addition to creating and implementing events, this coordinator could market the Barn to existing community groups and serve as a liaison between the Village and community at large.
- Instead of forming a new group to assist with administrative tasks associated with the Barn, volunteer efforts should focus on event creation and implementation.

## 2.0 Community Consultation

Three community consultations sessions have been held for the Pemberton Downtown Community Barn, including the session last August held by Caroline Lamont, former Manager of Development Services for the Village of Pemberton. The purpose of the community feedback sessions, as per Village guidance, was to: determine if any existing community groups were interested in managing the Barn; determine if any members of the community were interested in forming a new group to help fulfill the vision of the barn; garner feedback regarding programming, events, etc; and research and develop possible business and management models for the Barn facility for consideration.

Further outreach was undertaken to determine if existing community groups not present in the feedback sessions were interested in taking the management of the Barn under their current organizations structure.

The following summarizes the community consultation events:

- Forty-six (46) people attended three consultation events
- Fourteen (14) individuals engaged in one-on-one consultation
- Six (6) individuals provided feedback via email
- Thirty-one (31) community and individual members were personally invited to join a new Pemberton Community Barn Working Group with an invitation to have a presentation made to their group
- The Lions Club, Pemberton Art's Council, Signal Hill Parent Advisory Council, Pemberton Community Centre, Pemberton Farmers' Institute, Pemberton Farmers' Market and Pemberton Rotary have received presentations to their groups.
- Although contacted, no response has come from Lil'wat Nation or as of yet.

Despite significant community interest in the Barn, no community groups are able to take on the management of the Barn under their current organizations. It is clear that should consideration be given to evolving the administration, management and operation of the Barn away from the Village a new group will need to be formed. Several members of the community have stepped forward and registered their interest in forming a new group (Appendix A). As a key stakeholder, if this option is considered it would be appropriate that a Village of Pemberton Member of Council and/or a staff member be appointed to participate as a member of this group should it be formed. It is also hoped that members of Lil'wat Nation and a representative from the Squamish Lillooet Regional District would be interested in joining.

Input was collected from both individuals and community groups on programming and events, as well as feedback on how the Barn should be managed (Appendix B). Many ideas on programs, events and activities came forward but the conclusion was that implementing the majority of ideas would only be possible if there was an event coordinator to facilitate this work or if the Village had in-house capacity to do so. An overview of these different organizational structures is provided. Advantages and disadvantages have been identified (see below).

### 3.0 Current Structure

The Barn booking process currently happens through the Village of Pemberton Park and Public Spaces Use Permit Application (Appendix C), as established by the Parks and Public Spaces

Use Bylaw No. 707, 2012 and which is administered by the Executive Assistant/Emergency Program Coordinator. Additional application for use of the Barn may also occur under the Special Events Permit process depending on the number of participants or if the event is expected to incur extraordinary costs or resources to the Village (Appendix D).

Processes are currently in place to ensure that the booking of the Barn happens in a cohesive, concise, and professional manner that takes important considerations into account such as insurance requirements and liquor regulations for example.. The application review ensures that safety remains the highest priority, that adequate resources are in place to facilitate an event and that events are well planned both from the perspective of the event coordinator and the Village. After discussion with Village Staff (per comm. B. Falloon, 2015) it was found that the current process is working well and is not administratively difficult. It is estimated that simple applications require approximately 0.5 hours of administrative time, while more complicated applications are upwards of 2.0 hours total staff time. Since the Barn is a new addition to the park and public spaces inventory, it will require some time to understand the needs in relation to operations, planning and logistics.

When a Barn booking inquiry comes to the Village of Pemberton, applicants are directed to a link on the Village website. If needed, the applicant is referred to the Executive Assistant who advises on the permit application process, availability and additional steps as may be required.

Once completed, applications are received by the Village Executive Assistant for initial review. At that time, additional requirements maybe requested if they have not been submitted with the application or follow up may be needed if there are questions concerning the information in the application. Once the required information has been provided, the application is circulated internally for referral through the various Village departments to ensure all considerations have been taken into account; as well as to determine if any staff time or resources are required by departments (i.e. Public Works may be required to provide access to water or electricity, or may be required to move barriers for access prior to event etc.) (Appendix E). At that time, Department Managers may identify additional requirements that may need to be added to the terms & conditions depending on the event type, needs and requirements, such as ensuring a fire extinguisher is on hand. When all Departments have signed off, the applicant is notified of the approval, a permit is issued, and any additional terms and conditions are reiterated. It is recommended that applications are submitted a minimum of four (4) weeks prior to the event to allow for the review process to be conducted as well as to ensure all requirements have been met, such as providing copies of additional permits, site layout, safety plans etc. Village Staff recognize that event planning sometimes happens quickly and make every effort to respond efficiently and in a timely manner and will consider applications submitted that does not meet the recommended timeline.

To rent the Barn, there is a \$5.00 fee for organizations that are “for profit”. In addition, those groups that are for profit must hold a valid Village of Pemberton Business Licence. Charities and Community groups that have a Society or Non-Profit number are not required to pay the park permit fee. A \$300 refundable security deposit is required for all groups regardless of their status. The refundable deposit is only held if it is determined by the Village that there is damage which requires repairs or clean up (garbage) that requires work on the part of Village Staff. No fee structure has been set up for larger events such as private weddings, music concerts, etc and should be considered to ensure costs associated with these larger events are covered.

## 4.0 Proposed Business Models: Organizational Structure

Following community consultation, meetings with Village of Pemberton Mayor and Staff, and further research, four business models have been developed for consideration:

- 1). **The Barn management remains under the Village of Pemberton as it is currently.** The Village handles all bookings but does not seek to actively create, market, and execute major events in the short term.
- 2). The Barn management remains under the Village of Pemberton as it is currently. The Village handles all bookings, but **hires a part time Events Coordinator OR** facilitates the formation of a **Barn Working Group** to create, market, and execute events.
- 3). A new volunteer based **non-profit social enterprise organization** is formed, guided by the Barn Working Group and the Village. This group can seek funding in time.
- 4). A new volunteer based **Cooperative** is formed through new members of the Barn Working Group and the Village. This group can seek funding in time.

## 5.0 Defining the Differences: Social Enterprise, Non-Profit and Cooperatives

### 5.1 Social Enterprise

Social enterprises are revenue generating businesses that's core values include: people, planet, and profit (referred to as the 3 P's). Social enterprises can be operated by a for-profit or a non-profit enterprise. Many non-profits use social enterprise as a way to fund their organizations and to further their mandates. They are often society's response to wanting to make a positive impact in a changing world while realizing a profit. Social enterprises operated by non-profits receive tax exemptions and are required to work within the rules and regulations of the *Society Act*. Social enterprises operated by for-profit businesses often market themselves to customers looking to support positive change.

When first considering setting up the Barn as a social enterprise the idea seemed appealing. However, parameters of Barn rental need to be reconsidered to determine if this model would be a good fit. The nominal fee currently charged by the Village does not cover staff administrative time. However, it has been suggested that the Community Barn should remain free or very reasonably priced for community groups. It has also been suggested that private events such as weddings and private bookings should be limited in frequency and size due to noise concerns. The income potential of the Barn remains unknown until fee structures and parameters can be defined. Once there is a better understanding of earning potential, a clear vision of which business and management model would best apply will become apparent.

### 5.2 Non-Profit Organizations

Non-profit organizations exist to fulfill their mandates and abide by their specific bylaws under the *Society Act*. Any surplus revenues of non-profits are used to further their mandate or purpose, as opposed to being distributed to Directors. The non-profit landscape is diverse. Locally, examples include the Village of Pemberton, Pemberton Children's Centre, Stewardship,

Pemberton Society, Pemberton Farmers' Market Association, Pemberton & District Health Care Foundation, and many more.

### 5.3 Cooperatives

A Cooperative is a business organization owned and operated by a group of individuals for their mutual benefit. It is *“an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise”* (Social Enterprise World Forum). Cooperatives can be set up as both for-profit organizations (Credit Unions, grocery chains, and housing developments) or as non-profit organizations.

## 6.0 Weighing the Scales: Advantages and Disadvantages

### 6.1 (a) Maintain Current Structure

#### **ADVANTAGES:**

- No training required.
- No further funding required.
- The current system is functioning well.
- All Village Departments are aware of the current policies and procedures.
- Village acts as a bookings manager and the events creation and implementation is driven by the community as community time, resources, and volunteer capacity allows.
- liability risks are reduced (e.g. risks associated with being a liquor licensee).
- In time, resources used for facilitating the booking process can be evaluated.
- Village maintains control over the direction of the Barn until the vision is clear. The development of new policies and procedures can be addressed as information and events become apparent. If in time it is identified that the management needs to be handed over completely to a new community group or other entity, it can be done then.

#### **DISADVANTAGES:**

- Event creation and implementation are currently outside of the scope of work undertaken by the Village. Without the facility being actively marketed, there may be a perception that the facility is not being utilized to its maximum potential. That said, it should be noted that there have already been eleven (11) bookings and/or enquiries to use the Barn since January, 2015.

### 6.1 (b) Maintain Current Structure and Hire An Events Coordinator

#### **ADVANTAGES:**

- Village staff would be able to delegate some Barn related tasks to the coordinator and focus on other tasks.

- Village insurance will cover group liability for special Village events such as the Barn Dance, Spring Gala Event and proposed Friday Night Street Party Festivities that will spill over into the Barn should the Village choose to create and implement these events. Coordinator could be tasked with organizing these events which would serve as fundraisers for the Barn and assist in covering costs such as maintenance, repairs, group insurance (if sought), and project coordination fees.
- Funding applications for special events and capital improvements will be streamlined as they are coming directly from the Village and not an outside community group.
- The Coordinator position could expand in time and include coordination of events such as the proposed Friday Night Street festivities and evolve to encompass further parks and recreation tasks.
- The Village of Pemberton is already a non-profit organization so non-profit status would not have to be obtained.
- Funded concerted efforts will result in a faster realization of goals and objectives. Additional bookings and revision of policies/fee structure could help this initiative become more financially self-sustainable.

**DISADVANTAGES:**

- Financial considerations - the Village would have to budget for and hire a Coordinator

### 6.1 (c) Create a New Group to Help Guide the Barn Vision

**ADVANTAGES OF CREATING A NEW NON-PROFIT SOCIAL ENTERPRISE:**

- Relieve Village of some Barn related tasks.
- Village will not be responsible for costs associated with coordinating this initiative unless they choose to fund it.
- Funding applications from an independent non-profit with a specific mandate may be looked upon more favourably by funders/foundations.

**ADVANTAGES OF CREATING A NEW NON-PROFIT COOPERATIVE:**

- Membership based so this model could raise more funds. Members are also responsible to cooperatively undertake tasks associated with the barn. Members would include user groups. The Village would determine if membership is a requirement to use the Barn. Members could potentially split shared cost (in-kind or cash) for Barn administration, insurance, and other associated costs.
- Democratic processes allow for true community vision.
- Relieve Village of some Barn related tasks.
- Village will not be responsible for costs associated with coordinating this initiative.

**DISADVANTAGES OF CREATING A NEW NON-PROFIT SOCIAL ENTERPRISE OR A COOPERATIVE:**



### **Both Models:**

- The need for buy-in from a community who already heavily relies on volunteers.
- Volunteer based so this process will likely be drawn out. Efforts made on a volunteer basis are at the pace of the volunteer group.
- Risk of failure to meet objectives.
- Risk of volunteer burn out. It is a large task for a volunteer group to form the foundation of the organization as well as plan and execute events.
- Decisions would be made democratically by the Board of Directors. The Village of Pemberton would relinquish some control over the direction of the Barn.
- The Village staff may still have to oversee some policy and procedure administration, depending on how much is given over to the new group (e.g. if the group has only been tasked with creating, implementing and executing events, the Village would still need to manage the bookings).
- Community groups could become frustrated by the multiple stops associated with booking events as streamlining the process featured highly in the feedback sessions.
- Possibility for duplication of efforts. For example, the Village may have to field the same questions as the non-profit/cooperative.

### **Cooperatives:**

- Cooperatives are membership based and democratic rules apply - this may leave the Village of Pemberton with limited input as to the future direction of the Barn.
- Cooperatives require volunteer commitment and financial contributions from their members. In a small community with an already engaged and taxed population this could prove non-viable.

## 7.0 Special Considerations

### 7.1 Liquor Licensing

All Barn events that include the sale or service of alcohol require a Special Occasion License. They are evaluated on a case by case basis. While this application process is set to go on-line in the coming months, the current process involves picking up an application form from the liquor store and then submitting the form to the RCMP. Applications may then be reviewed at the Liquor Inspectors discretion. Additional considerations such as security plans, safety plans, and insurance policies may need to be in place. As this is a complex piece of legislation, it is best to advise interested parties to go through the process identified above, and not attempt to provide information that may be incorrect. This legislation is currently under revision with many (76) changes underway now and into the future. Special Occasion Licences can be issued to groups: up to two events per month to a maximum of 24 per year regardless of if the applicant is local government, non-profit, cooperative, social enterprise, etc.

Events involving liquor come with inherent risks - regardless of if the Village of Pemberton is executing the event as a Village initiative or if the event is being executed by an outside party who has obtained necessary licensing. The Village must ensure adequate liability insurance is in place as they are the property owners and therefore could be found liable in a court of law if an accident should occur. The involvement of liquor sales during Village initiated and implemented

events has further risks as the Village is taking on the role and responsibility of a licensee. It is advisable that the Village seeks legal advice regarding this matter and reviews current insurance policies should they initiate events involving alcohol.

The occupancy load for the Barn will need to be established by the Pemberton Fire Department. Determining this information will influence the type and size of events that can take place at the Barn.

A Community Alcohol Policy (CAP) was created in collaboration with the Village, the SLRD and Lil'wat Nation (Appendix F). The Village is currently working on incorporating the guidelines into the Parks & Public Spaces Use Permit and the Special Events Permit processes. This document provides recommended consistent guidelines for Special Occasion Licensed events which are being held in local government owned parks, public spaces and recreation facilities. The intent of the CAP is to ensure the safe distribution and consumption of alcohol on properties owned or operated by local authorities in order to reduce alcohol related concerns and issues, such as underage drinking. Additionally, the CAP is intended to be used as a tool to provide Event Organizers with necessary support required to hold responsible events.

Any events that include the sale of alcohol will require fencing, ideally six (6) feet high and constructed in such a way to keep people contained to a certain area. The Village may want to consider constructing or purchasing removable fencing to ensure aesthetic values are maintained and that could be rented by event organizers. Food focused events undertaken by a caterer with a liquor endorsement may prove easier to facilitate. However, fencing would still be required.

## 7.2 Special Considerations: Insurance

Village staff are currently investigating group insurance policies similar to those in place at the Pemberton Community Centre to facilitate Barn bookings for groups that don't have insurance coverage (B. Falloon, per comm). Currently, if the Village initiates and executes events at the Barn, then the Village insurance provider ensures coverage. However, should the event involve alcohol, the policy should be assessed to ensure adequate coverage has been obtained.

## 8.0 Next Steps

Regardless of which organizational structure is decided upon, the following steps have been identified to help move the Barn forward:

- Mayor and Council to determine business model.
- determine the occupancy load limit of the Barn (through the Fire Department)
- continue to identify constraints and opportunities in regards to liquor licensing on a case by case basis.
- seek legal advice to fully understand the risks and liabilities as well as ensure their current insurance policy is adequate should the Village initiate and execute events that involve the sale of alcohol (H. Glen, Liquor Inspector, per comm, 2015).
- This should be done by the Village even if they are considering handing the Barn management over to a new group, to ensure the best interests of the Village or protected.

**If a new non-profit is formed:**

- apply for non-profit status
- define the parameters of the group
- clarify a mission statement, terms of reference, values, bylaws and goals and create a strategic plan
- communicate policies and guidelines to existing community groups and invite them to host events and programs in the barn

**If a new non-profit cooperative is formed:**

- follow steps to create a non-profit cooperative
- define the parameters of the group
- clarify a mission statement, terms of reference, values, bylaws and goals and create a strategic plan
- communicate policies and guidelines to existing community groups and invite them to host events and programs in the Barn

**If a steering committee is formed and works in collaboration with an events coordinator:**

- define the parameters of the group and the coordinator
- clarify a mission statement, terms of reference, and goals
- communicate policies and guidelines to existing community groups and invite them to host events and programs in the Barn
- identify, create, facilitate and implement Village keystone events to raise seed funding for the Barn management
- explore and seek further funding opportunities to fulfill, fund and help execute this community vision

## 9.0 Conclusion

The Barn has not yet had time to evolve to a point where a clear vision has become apparent nor has the Village been able to determine the full spectrum of constraints and opportunities that may develop over time. While vision is undoubtedly beneficial, creating a vision too early could be prohibitive to the organic evolution of this space.

The current booking system is sufficient to see the Barn move forward in a manner that by nature, is reflective of the community. Currently, community groups and residents have already initiated events, programs, and projects held at the Barn (Appendix G). Allowing this process to unfold naturally, with the administrative support of the Village, will ultimately be creating a community supported vision. In time, the Barn management may require a revision of: resources; guidance; policies; rules and regulations, but for the moment it appears to be functioning. In addition, the Village of Pemberton has control over what happens in the Barn. Handing over a portion of that control would come with associated risks.

Despite initial hopes that the Barn could function as a social enterprise, booking fees that are low or non-existent make this virtually impossible. Council should consider implementing raising booking fees to cover Village administrative costs. Profits from larger events held at the Barn

could feed back into Village budgets and support a social enterprise model should that be deemed appropriate. No community group has come forward to manage the Barn, and forming a new group non-profit or non-profit cooperative specifically for this purpose has some drawbacks as identified above.

Keeping the booking structure with the Village and hiring an individual to coordinate and market events for the Barn could compliment the current organizational structure should the Village deem this option desirable and feasible. A list of potential granting opportunities that fund community events and initiatives has been identified (Appendix H). Alternatively, a working group formed by the individuals that have shown interest in the Barn (Appendix A) could aid in implementing events as volunteers in collaboration with the Village or independently.

Undoubtedly, the community of Pemberton and surrounding areas have an incredible opportunity ahead in this stunning amenity.

## Recommendations

The following recommendations are being suggested to Mayor and Council:

1. Further investigate community group insurance policies for Barn community events.
2. Village staff to review the existing Park & Public Spaces Permit Bylaw and amend if necessary.
3. Revise fee structure and determine rates for: community groups; non-profit/charities; private events; and commercial events.
4. Develop Barn Booking Guidelines (consider both internal and public documents).
5. Develop a list of supplies required for Barn events (ie, fencing, windscreens, staging, seating, etc) and consider applying for funding to purchase supplies.
6. Create Barn use guidelines and define parameters on events (how many weddings or larger events could be held per year, what are noise or event size restrictions, etc).
7. Keep Barn bookings through the Village of Pemberton Parks & Public Spaces Use Permit process for the time being and amend if deemed necessary.
8. Grow the list of grant programs (Appendix H) that could fund Barn initiatives and capital improvements.

## Appendices

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## Appendix A - Potential Barn Volunteers

| <b>Name</b>                        | <b>Organization</b>                 |
|------------------------------------|-------------------------------------|
| <b>Naheed Henderson</b>            | Mountain Stories                    |
| <b>Nidhi Raina</b> <sup>Text</sup> | Pemberton Farmer's Institute        |
| <b>Jake Stephanek</b>              | Pemberton Farmers' Market           |
| <b>Bill Reynolds</b>               | Men's Shed                          |
| <b>Sandy Rehaume</b>               | Pemberton Rotary                    |
| <b>Hillary Downing</b>             | Pemberton Valley Trails Association |
| <b>Fran Cuthbert</b>               | Pemberton Women's Institute         |
| <b>Jenna Dashney</b>               | n/a                                 |
| <b>Oriel Morrison</b>              | n/a                                 |
| <b>Marnie Simon</b>                | Pemberton Art's Council             |
| <b>Valerie Megeny</b>              | n/a                                 |

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## Appendix B. Community Consultation Findings

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| 5.0 How Should The Barn Be Managed?   | 6 |
| 6.0 How Can Our Community Fund the Ongoing Costs Associated with the Barn and Site? | 7 |

# Pemberton Downtown Barn Community Consultation Findings

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## 1.0 What Makes a Great Space?

- a collaborative efforts for a creative space
- arts, culture and creativity
- builds identity and strong social fabric for an innovative society with resilient solutions
- an achieved shared vision with multidimensional and diverse impact
- bring the history, heritage, and culture of the Pemberton Valley and surrounding area to town
- invites, celebrates, and incorporates First Nations people and their history with respect, integrity and openness - help to bridge the gap
- active and fun
- reflective of community values, ethics, morals
- representative of community groups, businesses, ethnic groups, ages, etc.
- year round and evening use
- founded on volunteerism but supported financially
- sense of community ownership
- access to toilets, power, water
- within walking distance/has public transportation options
- booking the facility is not difficult for the public (ie forms are simple and streamlined)
- functional and multipurpose
- protected from the elements
- community driven cultural hub
- an intimate space

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## 2.0 Programming Recommendations

- regular collective yard sales/flea markets
- BBQ's and other food based events that showcase local growers, producers and restaurants
- Pemberton Barn Dance/Ho Downs/Dances
- children's events (Father Daughter Dance, Square Dancing, Discos, Dance Parties for Youth)
- guest speaker series and workshops at/after the Farmers Market based on growing food, preserving, storing, educational talks on various nature based topics such as bee keeping, pruning fruit trees, crop rotations, etc.
- open mike night and prepared food dinners/beer garden at/after the Farmers' Market and at other times
- live potter wheel and art lesson/demonstrations (could be part of Farmers' Market)
- demonstrative and participatory activities, events and programs
- get away from the Barn being just for the Farmers' Market
- Winter Ball/Gala for Winter Fest
- music and art on a regular basis. Needs to be consistent to get buy in!
- work with the schools. Could it serves as a covered outdoor space for them to use during the winter? Physical Education? Arts? Acting?

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## 3.0 Constraints and Opportunities

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### 3.1 Constraints

- needs a stage and perhaps seating
- fencing for beer gardens
- focal point within barn to be more intimate
- it needs somewhere to store items (chairs, tables, etc)
- must be respectful of the wishes of Elements residents and other neighbours
- need to consider noise bylaws
- bathroom access - even across the street might be too far
- the red tape needs to be limited. Needs some work to remove real or perceived barriers for rental
- don't want to compete with Community Centre and local businesses
- insurance on events is a big issue - need to look at group insurance
- needs an outdoor fire pit/fireplace like the one at the Olympic Plaza
- needs a community sound system available for community events
- all these things need organizing and cost money

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### 3.2 Opportunities

- bring the Pemberton farmers back to the local market by having a program where by they can drop off their produce to sell and have a volunteer run a table - separate from the Farmers' Market.
- "bike in" movie nights in the summer months
- turn it into a recreational facility in the off seasons - pump track and skate park (there's temporary installations out there), ice rink, climbing wall, curling, covered playground in the winter
- host Mountain Story series ([www.mtnstory.com](http://www.mtnstory.com))
- monthly artisan market in summer
- yoga and fitness classes
- seasonal photo/art challenge, like the Deep Winter Challenge but adapt it for Pemberton!
- this can be our version of the Pemberton town square/plaza
- Oktoberfest and community Thanksgiving dinners
- set up a bar at events to help fund Barn initiatives
- children's festival or children's events monthly
- bike and ski swap
- after school clubs: skating, outdoor chess/checkers set
- kids nature based permanent outdoor play structures
- games and fun things to draw kids in and keep parents there
- invite community groups to all host one event/year in the barn
- interpretive signage about the Barn - how did it come to be? History of the Pemberton Valley? First Nations history?
- summer long canoe/totem carving exhibition, carver could be on site at Farmers' Market and the piece could be hoisted up on pulley system when not being worked on (like at the S.L.C.C.)



- communal cob oven/cooking facilities so people can come and gather there for a simple meal
- more evening programming
- weddings to bring in revenues
- Christmas carolling
- regular outdoor choir sessions/karaoke
- A business/town sponsored scavenger hunt that engages local businesses. People start and finish at the Barn and get a prize, like cookies and hot chocolate. They have something like this at Lost Lake in Whistler. Encourages local economic growth.
- boules, pétanque, ball hockey, and bocci
- “White” dinners where everyone dresses in white
- First Nations events - Salmon BBQ, eco-cultural destination, community celebration
- investigate opportunities with SLCC and Lil’wat Nation
- start and finish for recreation races or just community rides followed by a BBQ, or a Barn hosted pizza and pint night
- wood working and carving workshops hosted by Seniors and others
- bat house/bird house building workshops
- Canada Day celebration tied in with the Community Centre festivities
- host a Spud Valley French Fry Cart
- Food Trucks! Street Food Festivals! We need to figure out how to circumvent the red tape to make this happen. Pemberton's version of the BBQ Championships?
- bake off’s, soup off’s, and iron chef challenges
- potato festival!!!! Or garlic festivals!
- opportunity to create a Pemberton Alpine Academy and host it out of the Community Barn. An organization like this exists in Chamonix and Tailgate Alaska. The idea has been pitched to Whistler Blackcomb but no uptake. In partnership with Arc’Tyrex. It would involve hosting those that are leaders in their mountaineering field ie. ice climbers, mountaineers, backcountry skiers, etc (locals and non locals, but strong community consultation needs to happen with locals before this would go ahead). Possible partners include: Mountain Life, Coast Range Heliskiing, Extremely Canadian, Coast Mountain Guides, Mountain Stories, Tyax, Backcountry Adventures, Canadian Snowmobile. Alpine courses would be offered during the day and at night, you would have speaker series, films, Q and A with world renowned athletes. beer and wine, dinner, etc. Could include packages with Whistler Blackcomb. During the day in the Barn, you could have an expo village with sponsors there from skidoo, Petzel, Gortex, Tourism Pemberton, Tourism B.C., Patagonia, etc. This festival would have a very strong backcountry education component. During the day, participants can go on inexpensive field trips that are subsidized by sponsors. Key contact to get this off the ground is Gus Cormack. Possible people to look at helping organize event: JD Hare, Naheed Henderson. Tailgate Alaska: <http://tailgatealaska.com>
- 24 hours of Pemberton Adventure Race to start and finish in the Barn. Possible routes up to Tenquille via Mackenzie Basin, down near the Hurley, out through the Lillooet River back to the Barn. Could be amazing!
- combine flea markets with Farmers’ Market or a representative from Pemberton Farms (see above idea on co-operative idea) to bring in new people. Can have specific themes - baby, toddler, (in cooperation with Growing Great Children), tools, gear swaps, etc.
- “Feast of the Field” events that are promoted on a regional tourism level. These could be ticketed events, with local caterers. Pay one fee, sample amongst many tables.
- tie into Whistler band schedule
- dinner theatres
- Straw Hat Theatre - get on circuits of established tours

- Barn events do not have to be Whistler scale/size/grandeur
- Friday night Jam nights! Prepared food and open mike, bar
- regular rtsan and flea market on Saturdays
- have artists and actors present their works - think regional
- focus on 2-4 key events and ideas a year and work off that
- create canvas wind breaks for the backs of stalls. This could be a school art project, and would help keep wind down
- build a communal oven for bread baking, calzone/pizza nights, pizza nights,
- build an outdoor kitchen equipped with a canning barrel ([cityfruit.org](http://cityfruit.org))
- potlatches
- live seasonal cooking demonstrations
- best dressed table competitions and musical dinner theatre
- reinvigorate the Pemberton Fall Fair: sheep shearing contest, bring in chickens and other live animals like they used to do for 4H. Have biggest pig contest, biggest pumpkin, cucumber, etc. Bring back the pioneer feel and elements of historical fall fairs. Potato sack races for kids, pie eating contest, 3 legged races, egg on spoon race, etc. This has the makings for a regional destination event.

---

#### 4.0 How Can We Unsure that our Collective Community Vision is Sustainable?

- strategic planning and create a vision statement
- create working documents that are updated every so often
- funded and well planned
- identify annual events that for key fundraisers, eg. Spud Valley Harvest Moon Dance, Barn Dance, funds from Pemberton Festival, fund allocation/arts and entertainment budget from Village of Pemberton.
- we need to “add to the pie and not take away” in terms of being respectful of community businesses
- invite ALL user groups!
- draw on events such as Iron Man, Pemberton Festival, etc for seed funding opportunities
- needs to be consistent, regardless of turnout!
- find the niche that is Pemberton, do not try to copy what Whistler is doing
- can have regional draw: Sea to Sky and beyond

---

#### 5.0 How Should The Barn Be Managed?

- Village should hire an events co-ordinator
- start a separate non-profit and apply for funding through the Community Opportunities and Initiative Fund
- Village needs to maintain fiscal responsibility for the long term maintenance of the Barn and site
- a percentage of event profits should go toward Barn management
- keep red tape down = keep costs down

- educate the public on booking process, keep the process streamlined
- this is a Village asset and needs to be managed/maintained as such in order to protect the investment. Maintenance fees and administrative fees need to be carried by VoP.
- a community group could manage the Barn but the costs should be covered by the Village. It is going to need a new roof in 10 years, it needs to be stained every couple of years. This should remain the responsibility of the Village, and not be shouldered by community groups who already do so much in Pemberton.
- create a cooperative, perhaps as a “Friends Of” charity group. Potential to tee up with the Mens Shed? Members pay in, maybe the barn has profit share on events? Every community group could be represented through membership. Pay an annual membership fee and in return can book events. User fees should also apply. This would reduce the amount of paperwork required perhaps to use the space?
- use the Pemberton Community Centre to book the barn. They are open on weekends, already have a system in place, and are staffed.

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## 6.0 How Can Our Community Fund the Ongoing Costs Associated with the Barn and Site?

- community grants
- set up cooperative
- Village should set aside money from their budget
- turn the Barn into a Bingo hall a couple times a year!
- Barn Dance and Spring Gala should be annual events that benefit the Barn
- do 50/50 cash draws and silent auctions at keystone fundraisers
- keep fees low for usage, but then a percentage of funds raised should go towards the Barn.
- Slow food Cycle and Pemberton Festival present opportunities to fundraise
- Pancake breakfasts and after parties for Slow Food Cycle and Pemberton Festival
- Pemberton Festival funds!
- How can the town of Pemberton better benefit from Pemberton Festival? We need to capture people in town. Partner with local restaurants to capitalize on seeing results here and not in Whistler. Perhaps we could have a pre-festival acoustic concert at the Barn. How are we, as a community, going to make the Pemberton Fest activities accessible to locals who cant afford to buy tickets? A couple of free Pemberton events at the Barn?

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Appendix C. Park & Public Spaces Permit Application



## PARK & PUBLIC SPACES PERMIT APPLICATION

\*\*\*\*For Community Events in Parks & Public Spaces\*\*\*\*

*Completed applications and applicable documentation must be submitted, and all requirements met, a minimum of **4 weeks prior** to the event. If the application is submitted less than 4 weeks prior to the event, or the requirements have not been met, there will be no guarantee that a Park & Public Spaces Permit will be issued.*

### ORGANIZATION INFORMATION

Type of Group:

- Community Group      Non-Profit Reg. #: \_\_\_\_\_  
 Commercial Group  
 Other : \_\_\_\_\_

|                   |
|-------------------|
| <b>Permit No.</b> |
| 2015-P _____      |

Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 \_\_\_\_\_ Cell: \_\_\_\_\_  
 \_\_\_\_\_ Email: \_\_\_\_\_

### CONTACT INFORMATION

Organization Contact:

On-site Contact:

Name: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### EVENT INFORMATION

Event Name: \_\_\_\_\_ Estimated Attendance: \_\_\_\_\_

Date(s): \_\_\_\_\_ to \_\_\_\_\_

Park Requested:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Airport – East Taxiway                | <input type="checkbox"/> Airport Park          | <input type="checkbox"/> Alder Street Park |
| <input type="checkbox"/> Frontier Street South (Train Station) | <input type="checkbox"/> Frontier Street North | <input type="checkbox"/> Foughberg Park    |
| <input type="checkbox"/> Lot 12 – Skate/BMX Park               | <input type="checkbox"/> One Mile Lake         | <input type="checkbox"/> Pioneer Park      |
| <input type="checkbox"/> Tennis Court (Creekside)              | <input type="checkbox"/> Underhill Park        | <input type="checkbox"/> Water Park        |
| <input type="checkbox"/> Zurcher Park                          | <input type="checkbox"/> Other: _____          |  |

### START & FINISH TIMES

**DAY 1**     Date: \_\_\_\_\_

**DAY 2**     Date: \_\_\_\_\_

|            | START |  | FINISH |
|------------|-------|--|--------|
| Set-up:    | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |
| Event:     | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |
| Tear-down: | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |

|            | START |  | FINISH |
|------------|-------|--|--------|
| Set-up:    | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |
| Event:     | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |
| Tear-down: | _____ | <input type="checkbox"/> AM<br><input type="checkbox"/> PM | _____  |

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# PARK & PUBLIC SPACES PERMIT APPLICATION

## EVENT DETAILS (If required, attach an additional piece of paper):

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## PROPOSED ACTIVITIES (include entertainment, food & beverage services, etc.):

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## ON-SITE SERVICES

- |                                    |                                      |  |
|------------------------------------|--------------------------------------|--|
| <input type="checkbox"/> Emergency | <input type="checkbox"/> Garbage     | <input type="checkbox"/> Recycling                     |
| <input type="checkbox"/> Security  | <input type="checkbox"/> Washrooms   | <input type="checkbox"/> Porta-potties                 |
| <input type="checkbox"/> Water     | <input type="checkbox"/> Electricity | <input type="checkbox"/> Parking / Alternative parking |

## DOCUMENTATION INCLUDED WITH APPLICATION

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Site / Layout Map      | <input type="checkbox"/> MOT Approvals    | <input type="checkbox"/> Special Event Insurance    |
| <input type="checkbox"/> Safety / Security Plan | <input type="checkbox"/> Sign Permit      | <input type="checkbox"/> Special Occasion Licence   |
| <input type="checkbox"/> Business Licence       | <input type="checkbox"/> VCH Food Permits | <input type="checkbox"/> Gateway Banner Application |

## SECURITY DEPOSIT RELEASE

Upon approval of the release of the security deposit:  **Return Cheque by mail, or**  
 **Contact Organizer for pick up**

- The following obligations must be met prior to the release of the security deposit:
- Clean-up has been completed and the named Park/ Space has been returned to its pre-event state.
  - All signage, temporary structures etc. have been removed.
  - Garbage and debris has been satisfactorily removed.
  - Public Washrooms have been left in a satisfactory condition.



## PARK & PUBLIC SPACES PERMIT APPLICATION – Terms & Conditions

### TERMS & CONDITIONS

1. That the Organizers understand that this permission shall not be construed as permission to hold an annual event, and those future events will also require approval of the Village.
2. That the Organizers provide a refundable damage/clean-up security deposit prior to event and that failure to clean up will result in the forfeiture of the deposit and other clean-up costs will be charged to the event Organizer.
3. That the Organizers provide a copy of "Event" Insurance for bodily injury and property damage, in the amount of \$2,000,000 each occurrence naming the Village of Pemberton as an additional named insured.
4. That the Organizers arrange for necessary Emergency Services to be on site during the event.
5. That the Organizers arrange for necessary approvals from the RCMP.
6. That the Organizers arrange for necessary approvals and permits from the Ministry of Transportation and Infrastructure.
7. That arrangements be made to provide adequate parking or that an alternate location be arranged for parking.
8. Should public washrooms not be available, or the washrooms available are not adequate to accommodate the number of attendees, the Organizers must provide sufficient portable toilets required for the total number of estimated attendees.
9. If there are food services at the event, the Organizers must provide a Food Permit for to the Health Inspector.
10. If signage or advertisement is required, that the Organizers make a Gateway banner application, sign permit application and/or round-about sign board booking and associated fees paid.
11. If alcohol is being served at the event, a valid liquor license as per RCMP guidelines and confirmation that Liquor Liability is included in the insurance coverage - at the same time as the Certificate of Insurance.
12. That the Organizers provide Society or Non-Profit number, or any request to have fees waived is granted prior to the fees being waived.
13. That the Organizers hold a valid Village of Pemberton Business License if the event Organizers are a for profit organization.
14. That the Organizers will ensure that all clean-up has been completed and that the named Park is returned to its pre-event state no later than noon on: \_\_\_\_\_.

### FEES

Refundable Deposit: \$300.00 For Profit Fee: \$5.00 Non-Profit: No Fee

### PAYMENT & CANCELLATION POLICY

1. Full payment is required at the time of permit issue.
2. Submit any requests to have fees waived with the Park & Public Spaces Permit Application. Include your Society or Non-Profit Number. Only registered Non-Profit groups will be approved. All other applications will be referred to staff and/or Council for approval.
3. Village of Pemberton staff must receive written notice of cancellation at least 14 days prior to the event for a refund of fees less the \$25 non-refundable booking fee. Events cancelled with less than 14 days prior to the event will not receive a refund.
4. There are no refunds due to poor weather conditions.

### ORGANIZER'S ACKNOWLEDGMENT

*By signing below, I acknowledge that I have read and understand the above terms & conditions and payment & cancellation policy of the Park and Public Spaces Permit application.*

**X**

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\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# SPECIAL EVENT SAFETY PLAN

|  |   |
|--|---|
| <b>GROUP NAME</b>  |   |
| <b>MAIN CONTACT NAME<br/>PHONE &amp; EMAIL</b>   |   |
| <b>ONSITE CONTACT CELL</b>   |   |
| <b>LOCATION</b>  |   |
| <b>ANTICIPATED ATTENDANCE</b>  |   |
| <b>EVENT ITINERARY<br/>Inc. Set up and breakdown</b>                                       |   |
| <b>WILL THERE BE HIGH RISK<br/>ACTIVITIES?</b>   | Propane Use    YES    NO<br>Fireworks        YES    NO<br>Open Flame      YES    NO<br>Other? Please Specify: |
| <b>WILL ALCOHOL BE SERVED?<br/>Please provide copy of<br/>Serving It Right Certificate</b> | YES    NO   |
| <b>WILL FOOD BE SERVED?<br/>Please provide copy of Food<br/>Safe Certificate</b>           | YES    NO   |
| <b>NUMBER OF SAFETY<br/>OFFICERS/FIRST AID<br/>ATTENDANTS</b>                              |   |
| <b>WILL THE EVENT BE GATED?</b>  | YES    NO<br>If Yes, what procedures will be followed?  |
| <b>SITE PLAN SUBMITTED?<br/>Please attach.</b>   | YES    NO   |
| <b>TRAFFIC PLAN SUBMITTED?<br/>Please attach.</b>  | YES    NO   |



## RISK MITIGATION: What Steps will be taken if the following takes place

|  |                              |
|--|------------------------------|
| <b>LOST CHILD</b>  |                              |
| <b>THEFT</b>   |                              |
| <b>MEDICAL EMERGENCY</b>                                     |                              |
| <b>FIRE EMERGENCY</b>  |                              |
| <b>HAVE THE BELOW BEEN CONTACTED REGARDING YOUR EVENT?</b>   |                              |
| <b>RCMP</b>  | YES NO If no, specify reason |
| <b>AMBULANCE</b>   | YES NO If no, specify reason |
| <b>PEMBERTON FIRE RESCUE</b>                                 | YES NO If no, specify reason |
| <b>PEMBERTON SEARCH &amp; RESCUE</b>                         | YES NO If no, specify reason |
| <b>DESCRIBE THE ACCESS ROUTE FOR EMERGENCY VEHICLES?</b>     |                              |
| <b>WHERE IS THE RESPONSE CENTRE FOR EMERGENCY PERSONNEL?</b> |                              |

**Site plans should include the following:**

- Locations of events/tents
- Fire Hydrants/connections
- First Aid Stations
- Parking, Loading/Unloading Zones
- Washrooms
- Activities taking place during event
- Location of barricades (if applicable)

**Questions?**  
**Contact the Village Office at**  
**604.894.6135 or**  
**admin@pemberton.ca**

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Appendix D. Special Event Permit Application



## SPECIAL EVENT PERMIT APPLICATION

The Village of Pemberton Special Events Bylaw 750, 2014 prohibits the holding of a Special Event without a Permit under the Bylaw. This form must be completed fully and submitted to the Chief Administrative Officer, or his designate, for the Village of Pemberton (VoP) in order to obtain a Special Event Permit. Application for Permit must be submitted:

- a) For Minor Events: at least 60 days prior
- b) For Major Events: at least 180 days

Please refer to Bylaw for complete details.

### APPLICANT/ORGANIZATION

Full Legal Name: \_\_\_\_\_

Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_ Cell: \_\_\_\_\_

\_\_\_\_\_ Email: \_\_\_\_\_

**Attach a copy of Corporate Registry Document (company information, address, location, directors etc)**

### EVENT MANAGEMENT CONTACT

Event Lead: \_\_\_\_\_ Additional Contacts: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Affiliated Organizations: \_\_\_\_\_ Affiliated Sponsors: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### EVENT INFORMATION

Event Name: \_\_\_\_\_ Estimated Attendance: \_\_\_\_\_

Nature of Event: \_\_\_\_\_

Location of Event (Physical Address): \_\_\_\_\_

Registered Property Owner Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

Zoning: \_\_\_\_\_ Legal Description: \_\_\_\_\_

\*If the event is being held on more than one parcel of land, please list additional properties by attachment to this application.

Personal information contained in this Application form is collected under the *Freedom of Information Protection Act* and will only be used for the purpose of responding to your request.

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## SPECIAL EVENT PERMIT APPLICATION

### EVENT INFORMATION CON'T

Date(s): \_\_\_\_\_ Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Admission Charged  Yes  No Ticket Price: \_\_\_\_\_

### LIABILITY/EVENT INSURANCE

Applicant must provide an “occurrence basis” proof of Personal Injury and Property Damage Liability Insurance for a minimum of \$5,000,000 coverage per occurrence, naming the owner and any occupier or promoter and include the Village of Pemberton with a Cross Liability or Severability of Interests clause. If the nature of the proposed event creates an unusual risk of injury to participants or spectators additional insurance coverage may be required. Please attach copies of insurance documents.

### REQUIRED APPROVALS

The applicant must include written approvals by any or all of the stakeholders/agencies as outlined in the Special Events Guideline that are potentially relevant to ensuring public health and safety and the avoidance of nuisance, hazards and other adverse effects. Please refer to the Special Events Guideline for details of the information that may be required. The Applicant is responsible for all costs to provide these documents.

### APPLICATION FEES

Minor Event (less than 1000 attendees): \$200.00

Major Event (over 1000 attendees): \$300.00

Plus:

2000 – 10,000 attendees @ \$100 per thousand

10,000 – 20,000 attendees @ \$200 per thousand

20,000 and up attendees @ \$300 per thousand

**Major Event Examples:**

3000 attendees = \$300 + \$300 = \$600

13000 attendees = \$300 + \$2900 = \$3200

23,000 attendees = \$300 + \$7200 = \$7500

A security deposit is required; please refer to the Special Events Bylaw No. 750, 2014 Section 8 for the details and amounts. Full payment for fees and deposits are due when the application is submitted to the Village Office.

### DOCUMENTS REQUIRED CHECKLIST

- |   |  |
|---|--|
| <input type="checkbox"/> Special Event Required Approvals<br><input type="checkbox"/> Proof of Insurance<br><input type="checkbox"/> VoP Sign Permit (or application)<br><input type="checkbox"/> Site Plan<br><input type="checkbox"/> Emergency Management Plan | <input type="checkbox"/> Corporate Registry (Event Management)<br><input type="checkbox"/> VoP Business License (or application)<br><input type="checkbox"/> Proof of Notification to Neighbors<br><input type="checkbox"/> Temporary Use Permit (if applicable)<br><input type="checkbox"/> Traffic Management Plan |
|---|--|

**\*See Special Event Guideline for additional information that may be required.**



## SPECIAL EVENT REQUIRED APPROVALS/DOCUMENTATION

*\*The Applicant is responsible for all costs and for providing supporting documentation prior to the required agency approval (please see attached Special Event Guideline Form):*

### VANCOUVER COASTAL HEALTH APPROVAL

Print Name & Position

Signature

Date Authorized

Comments:

### VCH MEDICAL CARE PLAN REVIEW

Print Name & Position

Signature

Date Authorized

Comments:

### OFFICER IN CHARGE OF RCMP APPROVAL (OR DESIGNATE)

Print Name & Position

Signature

Date Authorized

Comments:



## SPECIAL EVENT REQUIRED APPROVALS/DOCUMENTATION

### MINISTRY OF TRANSPORTATION & INFRASTRUCTURE APPROVAL

*(if access is from or near an arterial Highway)*

Print Name & Position

Signature

Date Authorized

Comments:

### MOTI SIGN PERMIT APPROVAL (if required)

Print Name & Position

Signature

Date Authorized

### MINISTRY OF FORESTS, LANDS, AND NATURAL RESOURCE OPERATIONS (if access will be from a forest service road and/or if located adjacent to or within a wildfire assessment area if applicable)

Print Name & Position

Signature

Date Authorized

Comments:

### AGRICULTURAL LAND COMMISSION (if applicable)

Print Name & Position

Signature

Date Authorized

Comments:



## SPECIAL EVENT REQUIRED APPROVALS/DOCUMENTATION

### BC SAFETY AUTHORITY – ELECTRICAL & GAS (if required)

Print Name & Position

Signature

Date Authorized

Comments:

### BC SAFETY AUTHORITY –AMUSEMENT PARK (if required)

Print Name & Position

Signature

Date Authorized

Amusement Device Contractors License:

Operating Permits (required for each device):

**\*If more than one device please list out and attach to this form**

Comments:

### OFFICE OF THE FIRE COMMISSIONER (if applicable)

Print Name & Position

Signature

Date Authorized

Comments:



## SPECIAL EVENT REQUIRED APPROVALS/DOCUMENTATION

### VILLAGE OF PEMBERTON FIRE CHIEF (OR DESIGNATE)

Print Name & Position

Signature

Date Authorized

Comments:

### VILLAGE OF PEMBERTON PUBLIC WORKS MANAGER APPROVAL (OR DESIGNATE)

Print Name & Position

Signature

Date Authorized

Comments:

### VILLAGE OF PEMBERTON BUILDING INSPECTION/COMPLIANCE

Print Name & Position

Signature

Date Authorized

Comments:





## SPECIAL EVENT REQUIRED APPROVALS/DOCUMENTATION

### VILLAGE OF PEMBERTON EMERGENCY PROGRAM COORDINATOR

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Print Name & Position

---

Signature

---

Date Authorized

Comments: \_\_\_\_\_

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### VILLAGE OF PEMBERTON DEVELOPMENT SERVICE DEPARTMENT

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Print Name & Position

---

Signature

---

Date Authorized

Comments: \_\_\_\_\_

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## SPECIAL EVENT CONSENT/INDEMNITY/ACKNOWLEDGEMENT

### APPLICANT CONSENT

I/ we being the registered owner(s) of the land described as the Location of Event \_\_\_\_\_  
 (Physical Address) consent to the holding of the above special event; and by signing here have agreed to the special event as outlined in the Application; and acknowledge their responsibility for the costs referred to in Sections 5 and 8 of Bylaw No. 750, 2014.

|             |          |                  |             |
|-------------|----------|------------------|-------------|
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |

### INDEMNITY

I/we being the Applicant and Registered Owner agree to indemnify the Village from and against all law suits, damages, losses, costs or expenses which the Village may incur by reason of the use of the Site by the Applicant and Owner for the Special Event referred to in this Application in respect of any loss, damage or injury sustained by the Applicant, Owner or by any person while on the Site for the purpose of attending the Special Event or by reason of non-compliance by the Applicant or Owner with the laws of British Columbia or by reason of any defect in the site, including all costs and legal costs, assessed on a solicitor and client basis, and disbursements. This indemnity shall survive the completion or earlier termination of the Special Event.

**Registered Property Owner (s)**

|             |          |                  |             |
|-------------|----------|------------------|-------------|
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |

Witness to Registered Owner(s) Signature

|             |          |                  |             |
|-------------|----------|------------------|-------------|
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |
|-------------|----------|------------------|-------------|

**Applicant**

|             |          |                  |             |
|-------------|----------|------------------|-------------|
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |
|-------------|----------|------------------|-------------|

Witness to Applicant Signature

|             |          |                  |             |
|-------------|----------|------------------|-------------|
| <i>Name</i> | <b>X</b> | <i>Signature</i> | <i>Date</i> |
|-------------|----------|------------------|-------------|



## SPECIAL EVENT CONSENT/INDEMINITY/ACKNOWLEDGEMENT

### ACKNOWLEDGEMENT

By Signing below the applicant agrees to obey the Village of Pemberton Special Events Bylaw 750, 2014, by being solely responsible to pay all fees, deposits, policing, clean-up & other cost. You contractually agree, by signing this application form, with the Village of Pemberton to comply with the conditions of Bylaw 750, 2014 by obtaining a Permit.

#### Applicant

|                                |                  |             |
|--------------------------------|------------------|-------------|
| _____                          | <b>X</b>         | _____       |
| <i>Name</i>                    | <i>Signature</i> | <i>Date</i> |
| Witness to Applicant Signature |                  |             |
| _____                          | <b>X</b>         | _____       |
| <i>Name</i>                    | <i>Signature</i> | <i>Date</i> |

## SPECIAL EVENT PERMIT GUIDELINES

**The information requirement guidelines listed are intended ONLY as a useful tool for applicants of a Village of Pemberton Special Events Permit Application. Reliance on this information alone may not ensure agency or Village approval. Depending on the nature of event, the requirements listed below may vary or may not be applicable.**

*Please contact individual agencies, via the attached contact list, and submit as much information as possible to assist both the Village and the outside agencies with the review of your application so it may be processed in a timely manner.*

### VILLAGE OF PEMBERTON

Submit a Site Plan and Building Plan (for indoor and outdoor events) clearly addressing the following:

- Site Access/Ingress/Egress
- Event Layout and Locations that include:
  - Staging (including change rooms and catering facilities)
  - Vendor Booths
  - First Aid Care and Facilities
  - Port-a-Potties
  - Size and number of portable fire extinguishers
  - Other fire protection equipment
  - Security personnel location
  - Hazardous Activities/Locations
  - Camping sites
  - Ticket Booths
  - Provision of barricade and signage equipment
  - Bike Storage/Lock up area

Emergency Management Plan

Noise Management Plans (please refer to Village of Pemberton Noise Regulation Bylaw No. 699,2012)

Solid and Liquid Waste Management Plans

- Disposal of grey and black water
- Provision of drinking water (provision agreement with the Village of Pemberton as required)

Signage Plan – On and Off site

Parking, Traffic and Transportation Plans

- Shuttle, Bus, and Transportation infrastructure such as bus stops/hubs
- Off-street parking of motor vehicles as defined in the *Motor Vehicle Act*
- Traffic control on and around the site, including access routes for emergency vehicles
- Parade (if relevant) information requirements:
  - Number & Type of vehicles participating
  - Route (attach map)
  - Start/End Time
  - Music? Entertainment?

Vendor Listing Information

- Attach a list of businesses & current business licenses – including owner information, address, contact numbers etc, for businesses attending in the following categories:
  - Food and beverage products to be sold for profit or gain
  - Products to be sold for profit or gain, other than food and beverage

Village of Pemberton Temporary Use Permit Approval

SLRD Temporary Use Permit Approval

Letters of Support from Adjacent Property Owners

Village of Pemberton applications required:

- Business Licence
  Sign Permit
  Gateway Banner

## SPECIAL EVENT PERMIT GUIDELINES

### VANCOUVER COASTAL HEALTH

[https://www.vch.ca/your\\_environment/food\\_safety/permits/](https://www.vch.ca/your_environment/food_safety/permits/)

Drinkable Potable Water Supply

Washrooms & Other Sanitation Facilities

- Numbers of Facilities
- Locations
- Maintenance Plan
- Sewerage Pump and Hauler Details

Solid Waste Collection & Removal and Recycling Facilities

Food & Drink Storage, Dispensing, Preparation & Use

Other Public Health Act Requirements/best practice guidelines

Emergency Medical Facilities

### RCMP

Policing and other necessary Security on & around the site

Traffic Control on and around the site including barricades

Access Routes for Emergency Vehicles

Provision of Police & Security Command Post

Prevention of Excessive Noise & Dust

Hours of Operations

Other requirements deemed advisable by the RCMP

### MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

If access is from or near an arterial Highway a site plan that includes the following (as required):

- Access Routes on and off the highway to the Ministry's standards
- Off-street parking of motor vehicles as defined in the *Motor Vehicle Act*
- Traffic control on and around the site, including access routes for emergency vehicles
- Provision of barricade and signage equipment
- Parade information as listed under the Village of Pemberton requirements
- Shuttle, Bus, and transportation options including schedules

### BC LIQUOR CONTROL & LICENSING

<http://www.bcliquorstores.com/special-occasion-licence>

Complete the BCLC forms/applications and submit for their approval



Box 100 | 7400 Prospect Street  
Pemberton BC V0N 2L0  
P: 604.894.6135 | F: 604.894.6136  
Email: [admin@pemberton.ca](mailto:admin@pemberton.ca)  
Website: [www.pemberton.ca](http://www.pemberton.ca)

## AGENCY CONTACT INFORMATION

*Please contact individual agencies as required for information related to their own requirements; and submit as much information as possible to assist both the Village, and the outside agencies, with the review of your application so it may be processed in a timely manner.*

### VILLAGE OF PEMBERTON

Administration, Planning, Public Works, Building  
7400 Prospect Street  
PO Box 100  
Pemberton, BC V0N 2L0  
Phone: 604-894-6135  
Fax: 604-894-6136  
Email: [admin@pemberton.ca](mailto:admin@pemberton.ca)  
Website [www.pemberton.ca](http://www.pemberton.ca)

#### Fire Department

Fire Chief, Russell Mack  
Phone: 604-894-6135  
Cell: 604-935-9098  
Fax: 604-894-6136  
Email: [rmack@pemberton.ca](mailto:rmack@pemberton.ca)

#### Emergency Program Coordinator

Bettina Falloon  
Phone: 604-894-6135  
Fax: 604-894-6136  
Email: [bfalloon@pemberton.ca](mailto:bfalloon@pemberton.ca)

### VANCOUVER COASTAL HEALTH

[https://www.vch.ca/your\\_environment/food\\_safety/permits/](https://www.vch.ca/your_environment/food_safety/permits/)

Whistler Health Care Centre  
4380 Lorimer Road  
Whistler, B.C. V0N 1B4  
Phone: 604-932-4911 or 604-932-3202  
Fax: 604-932-6953  
E-mail: [environmental.health@vch.ca](mailto:environmental.health@vch.ca)

Environmental Health Officers  
James Whalen  
Phone: 604-935-5318  
Email: [james.whalen@vch.ca](mailto:james.whalen@vch.ca)  
Gurinder Saini  
Phone: 604-935-5317  
Email [gurinder.saini@vch.ca](mailto:gurinder.saini@vch.ca)

### RCMP – PEMBERTON DETACHMENT

Phone: 604-894-6634  
Fax: 604-894-6604

### MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Jesse Morwood  
Area Manager  
Phone: 604-898-5786  
Fax: 604-898-4376  
Email: [Jesse.Morwood@gov.bc.ca](mailto:Jesse.Morwood@gov.bc.ca)

Village of Pemberton  
Committee of the Whole  
Meeting No. 130  
Tuesday, April 21, 2015  
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## AGENCY CONTACT INFORMATION

### BC LIQUOR CONTROL & LICENSING

<http://www.bcliquorstores.com/special-occasion-licence>  
<http://www.pssg.gov.bc.ca/lclb/apply/special/index.htm>

Liquor Inspector – Holly Glenn  
1366 Aster Street  
Phone: 604-894-5623

### MINISTRY OF FORESTS

<http://bcwildfire.ca/LegReg/>  
[www.bcwildfire.ca](http://www.bcwildfire.ca)

Rod Allen  
Forest Protection Officer – Pemberton Fire Zone  
Phone: 604-898-2124  
Cell: 604-905-9324  
Email: [rod.allen@gov.bc.ca](mailto:rod.allen@gov.bc.ca)

Rob Dombowsky  
Forest Protection Technician – Pemberton Fire Base  
Phone: 604-894-5401  
Cell: 604-815-8256  
Email: [Rob.Dombowsky@gov.bc.ca](mailto:Rob.Dombowsky@gov.bc.ca)

Rob Fraser  
Senior Protection Officer-Aviation-Coastal Fire Centre  
Phone: 250-951-4243  
Cell: 250-203-1135  
Email: [Rob.D.Fraser@gov.bc.ca](mailto:Rob.D.Fraser@gov.bc.ca)

### BC SAFETY AUTHORITY

<http://safetyauthority.ca/>  
BC Safety Authority Contact Centre  
Phone: 1-866-566-7233  
Email: [info@safetyauthority.ca](mailto:info@safetyauthority.ca)

### AGRICULTURAL LAND COMMISSION

<http://www.alc.gov.bc.ca/>  
133-4940 Canada Way  
Burnaby, BC V5G 4K6  
Phone: 604-660-7000  
Fax: 604-660-7033  
Email: [alcburnaby@victoria1.gov.bc.ca](mailto:alcburnaby@victoria1.gov.bc.ca)

## AGENCY CONTACT INFORMATION

### OTHER LOCAL GOVERNMENTS

Squamish Lillooet Regional District  
PO Box 219 1350 Aster Street  
Pemberton, BC V0N 2L0  
Phone: 604-894-6371  
Fax: 604-894-6526  
Email: [info@slrd.bc.ca](mailto:info@slrd.bc.ca)  
[www.slrd.bc.ca](http://www.slrd.bc.ca)

Lil'Wat Nation  
PO Box 602  
Mount Currie, BC V0N 2K0  
Phone: 604-894-6115  
Fax: 604-894-6841  
Email: [info@lilwat.ca](mailto:info@lilwat.ca)  
[www.lilwat.ca](http://www.lilwat.ca)



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Appendix E. Park & Public Spaces Permit Application - Internal  
Circulation

**PARK & PUBLIC SPACES PERMIT - For Office Use**

Event: \_\_\_\_\_

Date(s): \_\_\_\_\_

Park: \_\_\_\_\_

Organizer Name: \_\_\_\_\_

Contact Ph.: \_\_\_\_\_


Application Received By: \_\_\_\_\_ on: \_\_\_\_\_

**Permit No.**

2015-P \_\_\_\_\_

**APPROVAL**

*Prior* to issuing a Park and Public Spaces Permit, in addition to the requirements listed on the Requirements Checklist and Referral forms, ensure the following requirements are met:

- Permit Fee received?
- Security Deposit received?  Cash or  Cheque # \_\_\_\_\_
- Cheque Requisition Form - filled out
- Signed and dated copy of the Park and Public Spaces Permit Terms & Conditions by Organizer?
- Signed and dated copy of the Park and Public Spaces Permit Requirements Checklist by Organizer?
- Copy of Event Insurance naming the VOP as an additional named insured? Finance to Initial 

**Parks and Public Spaces Permit**

All of the above requirements have been met, and a Park & Public Spaces Permit can be issued for this application:

\_\_\_\_\_  
*Authorised by*

\_\_\_\_\_  
*Date Issued*

**P  
E  
R  
M**

Event Name: [Abstract]



Box 100 | 7400 Prospect Street  
 Pemberton BC V0N 2L0  
 P: 604.894.6135 | F: 604.894.6136  
 Email: admin@pemberton.ca  
 Website: [www.pemberton.ca](http://www.pemberton.ca)

IT  
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Issued to: \_\_\_\_\_

Valid from: \_\_\_\_\_ to \_\_\_\_\_

Located at: \_\_\_\_\_

*Use of the Parks / Public Spaces is subject to the terms, conditions and requirements outlined in the Park and Public Spaces Permit. Please have permit onsite for the period above.*

\_\_\_\_\_  
 Permit Issue Date

\_\_\_\_\_  
 Issued By

## PARK & PUBLIC SPACES PERMIT - Referral

|                        |                                     |                                |                        |
|------------------------|-------------------------------------|--------------------------------|------------------------|
| <b>Event :</b>         | <b>[Abstract]</b>                   | <b>Permit No.:</b>             | <b>2015-P Permit #</b> |
| <b>DEV SERVICES</b>    | Approved: _____<br><i>signature</i> | <b>OR</b> Review Not Required: | <i>initials</i>        |
| <b>Comments:</b>       |                                     |                                |                        |
|                        |                                     |                                |                        |
| <b>BUILDING</b>        | Approved: _____<br><i>signature</i> | <b>OR</b> Review Not Required: | <i>initials</i>        |
| <b>Comments:</b>       |                                     |                                |                        |
|                        |                                     |                                |                        |
| <b>BYLAW</b>           | Approved: _____<br><i>signature</i> | <b>OR</b> Review Not Required: | <i>initials</i>        |
| <b>Comments:</b>       |                                     |                                |                        |
|                        |                                     |                                |                        |
| <b>FIRE PREVENTION</b> | Approved: _____<br><i>signature</i> | <b>OR</b> Review Not Required: | <i>initials</i>        |
| <b>Comments:</b>       |                                     |                                |                        |
|                        |                                     |                                |                        |

Village of Pemberton  
 Committee of the Whole  
 Meeting No. 130  
 Tuesday, April 21, 2015  
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**RETURN COMPLETED FORM TO RECEPTION**



|                       |           |                  |                                   |                 |
|-----------------------|-----------|------------------|-----------------------------------|-----------------|
| <b>Emergency Mgmt</b> | Approved: | <i>signature</i> | <b>OR</b> Review Not<br>Required: | <i>initials</i> |
| <b>Comments:</b>      |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
| <b>PUBLIC WORKS</b>   | Approved: | <i>signature</i> | <b>OR</b> Review Not<br>Required: | <i>initials</i> |
| <b>Comments:</b>      |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
| <b>FINANCE</b>        | Approved: | <i>signature</i> | <b>OR</b> Review Not<br>Required: | <i>initials</i> |
| <b>Comments:</b>      |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
| <b>ADMINISTRATION</b> | Approved: | <i>signature</i> | <b>OR</b> Review Not<br>Required: | <i>initials</i> |
| <b>Comments:</b>      |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
| <b>CAO</b>            | Approved: | <i>signature</i> | <b>OR</b> Review Not<br>Required: | <i>initials</i> |
| <b>Comments:</b>      |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |
|                       |           |                  |                                   |                 |

## PARK & PUBLIC SPACES PERMIT - Requirements Checklist

Event :     [Abstract]     Permit No.:     2015-P    

After review of this Park & Public Spaces Permit application, it has been determined that the requirements marked and written below must be met prior to a permit being issued:

- Any available or relevant information regarding the proposed event (including maps of proposed layout, routes for races/parades, signage or banners etc.).
- If necessary, related Village of Pemberton applications (i.e. sign permit application).
- A copy of "Event" Insurance for bodily injury and property damage, in the amount of \$2,000,000 for each occurrence naming the Village of Pemberton as an additional insured.

**RETURN COMPLETED FORM TO RECEPTION**



Box 100 | 7400 Prospect Street  
Pemberton BC V0N 2L0  
P: 604.894.6135 | F: 604.894.6136  
Email: admin@pemberton.ca  
Website: [www.pemberton.ca](http://www.pemberton.ca)

- If necessary, evidence that arrangements have been made to have Emergency Services on site during the event.
- If necessary, evidence that appropriate approvals have been obtained from the RCMP.
- If necessary, evidence that appropriate approvals and permits have been obtained from the Ministry of Transportation and Infrastructure.
- Evidence that arrangements have been made to provide adequate parking or that an alternate location has been arranged for parking.
- If necessary, evidence that arrangements have been made to provide sufficient portable toilets required for the total number of estimated attendees.
- If there is food service at the event, either by hiring the services of a catering company or preparing and servicing food yourself, the Organizers must provide a Food Permit from to the Health Inspector.
- If applicable, Gateway banner application, sign permit application, round-about sign board booked and associated fees collected.
- If applicable, a valid liquor license and confirmation that Liquor Liability is included in the insurance coverage must be provided.
- If applicable, Society or Non-Profit Number or written requests to have fees waived.
- If the operator of the event is a for profit organization, a Village of Pemberton Business License is required.

**REFERRAL COMMENTS / REQUIREMENTS**

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**ORGANIZER’S ACKNOWLEDGMENT**

*By signing below, I acknowledge that I have read and agree to the above Park & Public Spaces Permit requirements.*

|             |                  |             |
|-------------|------------------|-------------|
| <i>Name</i> | <i>Signature</i> | <i>Date</i> |
|-------------|------------------|-------------|

---

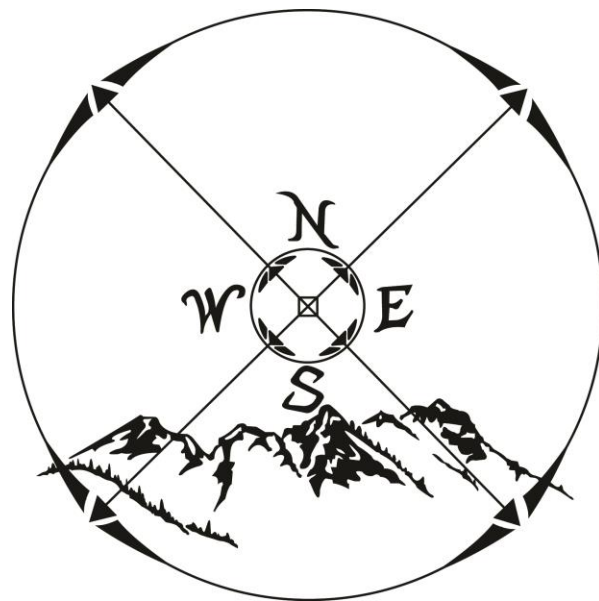
Appendix F. Community Alcohol Policy for the Village of Pemberton,  
Lil'wat Nation and Squamish Lillooet Regional District Area C

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# Community Alcohol Policy for the Village of Pemberton, Lil'wat Nation and Squamish Lillooet Regional District Area C

---

**Submitted by Winds of Change  
May 23, 2014**



**Prepared by:** Margaret Forbes, MPA, Community Alcohol Policy Coordinator

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**These four winds of change are united by our healing vision, which is:**

“We are neighbours, friends and relatives working together to reduce the harmful effects of drugs and alcohol on our communities. We respect our differences and find strength in the common goal of a healthy and safe environment for our children and families.”

**The winds of change are blowing through the valley. The wind brings a vision of a healthy and safe future together.**  
**Winds of Change: A Healing Vision (2003)**



## **Winds of Change Community Alcohol Policy Steering Committee**

Sheldon Tetreault, Chair, Winds of Change Committee  
 Daniel Sailland, CAO, Village of Pemberton  
 James Linklater, Councilor, Village of Pemberton  
 Bettina Falloon, Executive Assistant/Emergency Program Coordinator, Village of Pemberton  
 Curt Walker, Senior Administrator, Lil'wat Nation  
 Joanne John, Councilor, Lil'wat Nation  
 Angela Barth, Recreation Service Manager, Squamish Lillooet Regional District  
 Margaret Forbes, Coordinator, Community Alcohol Policy

We would like to extend our thanks to the following individuals who contributed to the development of the Community Alcohol Policy recommendations:

**Village of Pemberton**  
**Lil'wat Nation**  
**Squamish Lillooet Regional District**  
**Tourism Pemberton**  
**Pemberton Chamber of Rotary Club of Pemberton**  
**BC Liquor Inspection Branch Pemberton**  
**Lil'wat Nation Culture and Recreation Committee**

**Commerce**  
**Vancouver Coastal Health**  
**Mount Currie Health Centre**  
**RCMP Pemberton Detachment**  
**Lil'wat Elders**  
**Mount Currie Rodeo Committee**

## 1 Introduction

Winds of Change, a collaborative public policy initiative of the Lil'wat Nation, Village of Pemberton and Squamish Lillooet Regional District (SLRD) Area C to reduce the harm associated with drug and alcohol misuse, is pleased to submit this Community Alcohol Policy (CAP) for the management of special occasion licensed (SOL)<sup>1</sup> events in local government-owned parks and recreation facilities in the Village of Pemberton, Lil'wat Nation and SLRD. This CAP supports and recognizes the importance of SOL events in enhancing quality of life, tourism, culture, and recreation, and in providing economic benefits to the local economy; while also supporting accountability and responsibility. The intent of the CAP is to provide consistent guidelines for SOL events leading to the safe distribution and consumption of alcohol on properties owned or operated by the Village of Pemberton, Lil'wat Nation Band and SLRD Area C (the "Communities"). The implementation of the CAP is intended to reduce alcohol related concerns and issues, such as under age consumption; inappropriate use and liability related to alcohol on local government properties. The CAP is also intended to provide Event Organizers with the necessary support required to hold responsible SOL events.

Winds of Change works to reduce the harms associated with drug and alcohol misuse, and to promote healthy lifestyle choices as an alternative. This alcohol policy is an evidence-based policy tool that is aligned with these goals. The following is contained in this policy:

- Harmonized guidelines for the application and hosting of an event with alcohol that ensures alcohol becomes a responsible part of a social function, rather than the reason for it.
- Clear and consistent management procedures for serving alcohol that reduce local liability and enhance community safety.
- Designations of properties and events where alcohol may or may not be served that considers: consumers, abstainers, adults, youth and families.
- Designation and definitions of the roles and responsibilities for the Local Governments and Event Host, including a designated staff person for each community.
- Prevention of harm reduction strategies for alcohol related concerns that are evidence based.
- Signage requirements.
- Penalties for infractions and enforcement strategies.

---

<sup>1</sup> See the glossary located in Appendix I at the end of this report for definitions.

- Through the provision of policy support and implementation planning assistance, to encourage event hosts to obtain Special Occasion permits and licensing and utilize local government owned facilities and properties for events.

## 1.1 Policy Background

Winds of Change were awarded funds from BC Healthy Communities to develop a Community Alcohol Policy (CAP) for Pemberton, Lil'wat Nation and SLRD Area C, in support of a new initiative by the province of British Columbia. Similar harm reduction policies have been instituted in many Canadian municipalities, most recently by Prince George, Boston Bar First Nation, Fort St James and Kitimat in BC. In Ontario, where similar policies have been in existence for a longer period of time there has been opportunity to study their impact. Such policies have been found to effectively reduce liability exposure and the risk associated with alcohol at events where alcohol is served. These risks include:

- Liability actions and increased insurance premiums.
- Personal injury.
- Charges against the Local Government and SOL holder.
- Complaints by offended parties.
- Loss of revenue due to decreased participation at events.
- Increased public concern regarding alcohol consumption.
- Vandalism.
- Loss of insurability should risk assessment escalate.

## 1.2 A Community Informed Policy Approach

To develop the CAP, Winds of Change sought input from the local community through a consultation process that included:

- A widely disseminated online survey that received 249 visits and 146 completed responses by community members.
- Interviews with 42 key community informants from such sectors as: health and social service workers, local service groups and event organizers, the tourism and business community, and law enforcement. Individual and grouped interviews were also conducted.

As a result, local community interests and concerns informed the CAP, thus ensuring it will address local community needs. CAP policy development included a review of both existing local policies surrounding special events and Provincial liquor licensing laws for Special Occasions. Existing local government by-laws<sup>2</sup> and provincial legislation governs the use of public spaces and the management of licensed Special Occasions. This policy is aligned with those existing policies. The CAP also incorporates prevention strategies to mitigate liability risk and to enhance community health and safety. The CAP is not

intended to stand in the way of the responsible drinking that occurs at community events, but to strengthen the existing Special Events Bylaws<sup>2</sup>. To this end existing policies such as the Provincial liquor licensing laws and local special event bylaws are consolidated to enhance understanding and compliance by organizations and individuals wishing to become SOL event organizers. Other additional recommendations to address community liability and incorporate prevention strategies were based on research into evidence gathered from other communities where Alcohol Policies have been adopted and studied, and from expert reports in the field of addiction research both in British Columbia and in other parts of the country.

### 1.3 Community Background

The Village of Pemberton, Mount Currie Indian Reserve home of the Lil'wat Nation and SLRD Area C are located in the Coast Mountain Range of British Columbia. According to recent 2011 census data Pemberton has a population of 2,369 and Lil'wat Nation has a population of 1,306. The SLRD Area C surrounds both communities and has a population of 1,804 (Stats Canada, 2011).

Major tourism events like the Pemberton Slow Food Cycle draw thousands to the community, and showcase the local agriculture in this picturesque community, by encouraging families and individuals to spend the day cycling to local farms and sampling their wares. The cycling day ends with Augustfest, presented by the Pemberton Rotary, in Pioneer Park that is host to a number of activities including a beer garden. Other major events include the Lil'wat Celebration Pow Wow, a showcase of the community's traditional culture, and Pemberton's MADE, an event showcasing local art, music and dance. And recently, the return of the Pemberton Music Festival, a large licensed outdoor weekend concert event expected to draw a large crowd of music fans to the area. In summary, the communities currently host a mix of special events some of which include alcohol sales through an SOL and some that do not.

Several service groups and sporting associations are active within the local communities. Mount Currie Rodeo Committee hosts an annual Rodeo that is popular within the local community. The Rodeo features traditional Rodeo events, family friendly activities and an evening dance. Slow pitch baseball tournaments, mountain bike races, cross country ski races and football tournaments are the centerpiece of many other local events. Large events hosted in the nearby community of Whistler, such as Ironman Canada, have also drawn athletes and their families to explore and train in these communities.

Encouraging healthy lifestyle choices and providing a safe and enjoyable environment for locals and those visiting is a community priority in Pemberton, Lil'wat Nation and SLRD Area C. Ensuring that children and families have a variety of events that model these priorities is an important aspect of event planning in all three local communities. The CAP is viewed as a means to ensure these priorities are met.

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<sup>2</sup> "Village of Pemberton Special Events Bylaw 750, 2014"; Lil'wat Nation Band Policy # 02 Special Event Policy V1, Village of Pemberton 2012, and SQUAMISH-LILLOOET REGIONAL DISTRICT BYLAW NO. 1247-2012

## 1.4 Winds of Change Background

Winds of Change began as a joint drug and alcohol task force for Pemberton and Lil'wat Nation following a tragedy in 2002 that had a significant impact on both communities. In 2003, a report was released entitled *Winds of Change: Healing Vision*<sup>3</sup>. The local communities committed to the report's recommendation to address their alcohol and drug issues through a harm reduction approach. This was the basis of a unique partnership between two communities working from very different cultures, histories and jurisdictional frameworks: the Village of Pemberton (a municipality) and Lil'wat Nation (a First Nation). As noted in the 2003 report, the "differences in the culture and history of our communities makes the six kilometers that separate us seem insignificant in comparison. The reality is that our communities have not often found common ground on which to walk." However, a common commitment of concern and care for the safety of their children and the health of their families and the concern over the negative impacts of drugs and alcohol has united these two communities. The desire to reduce the harms associated with alcohol and drug use has motivated concerned stakeholders and local government in these two communities to contribute to the Winds of Change Committee. SLRD Area C has since joined the Committee.

Winds of Change have undertaken several projects to improve the health of the Communities. This most recent undertaking, the CAP, is closely aligned with the goals found in the guiding document. These include: encouraging community groups to promote community cohesion through the sponsoring of events that promote healthy activities, and build awareness and opportunities for leisure, recreation and cultural events locally. They are also committed to raising awareness around the risks associated with underage drinking, over-consumption, binge drinking, and drinking-and-driving. As noted in the 2003 report, the Committee believes educating the community about the risks is "the cornerstone to creating a healthier community". The guiding document also includes recommendations for joint awareness programs and policies to promote these goals and calls on local leadership (Council, Band or Boards and other community leaders) to take action to reduce the harms associated with alcohol and drugs.

## 1.5 Outcomes of Community Consultation

As noted, 146 respondents completed a survey about the Community Alcohol Policy. The survey addressed issues and concerns specific to community alcohol at licensed events, issues in the community and the policy itself. A summary of the survey results follows:

- Overall community support for the CAP in all communities was strong from key informants interviewed and survey respondents. 66.7% from all communities surveyed, responded in support of the CAP. 11% of respondents did not support the policy and 24% were unsure or still had questions. These numbers did not change significantly when individual community data was isolated.

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<sup>3</sup> Report can be found at: <http://www.pemberton.ca/residents/winds-of-change/>

*"As a community it is our responsibility to create a healthy culture for ourselves and our families. We cannot rely on others to make this happen."* **Survey Respondent Comment**

*"My concern about the policy is that it will be too harsh, too big. Groups like us are trying to run events with alcohol wouldn't want to see barriers to that. Concern about it being restrictive."* **Service Group Key Informant**

- 51% of survey respondents felt their community invested enough in events where alcohol was not the focus. Almost 29% felt it did not and almost 20% were unsure. These numbers varied only slightly between communities.

Community differences were observed in a question that asked what changes respondents would like to see in community policies towards alcohol.

- The majority of the community of Pemberton and SLRD Area C respondents, 55% and 45%, wished to see less restrictive alcohol policies, with 18% and 33 % unsure and 20% and 19% choosing the other response and suggesting that a policy target identified alcohol issues such as: underage drinking, awareness and education, public intoxication and drinking and driving. Key Informants interviewed favoured changes to the provincial liquor laws that allowed for Festival licensing at events, rather than beer gardens where the only activity was drinking.
- Lil'wat Nation respondents alternately 60% wanted to see more restrictions in the community regarding alcohol use and serving at events. In Lil'wat Nation the response appeared to be driven by the lack of community sanctioned licensed events. Alcohol use currently occurs in unlicensed settings mostly at house parties and community events such as ball tournaments and rodeos. Key Informants and survey respondents felt that controls at events where alcohol was being consumed would be helpful. Many key informants interviewed reported that they currently did not attend community events where alcohol was consumed.

The following identifies a broad range of potential community issues and the highest identified level of concern identified by the survey respondents from all communities, when asked to rate how concerned they are with the choices:

1. Very concerned I don't think the issue is being addressed;
2. Concerned I think more could be done;
3. Concerned but I think the issue is being addressed; and
4. No concern in my community

The highest response for each issue is noted

| <b>Issue/ Concerns</b>    | <b>Most Selected Response</b>                | <b>% of Respondents</b> |
|---------------------------|--|-------------------------|
| <b>Underage Drinking*</b> | <i>Concerned, I think more could be done</i> | <b>44%</b>              |

|  |  |              |
|--|--|--------------|
| <b>Vandalism</b>                                   | <i>Concerned, I think more could be done</i>                     | <b>42.3%</b> |
| <b>Injuries or risk of injuries due to alcohol</b> | <i>Concerned, I think more could be done</i>                     | <b>41.4%</b> |
| <b>Unlicensed Drinking BYOB*</b>                   | <i>No concern about this issue</i>                               | <b>40.9%</b> |
| <b>Public Intoxication</b>                         | <i>Very Concerned I don't think the issue is being addressed</i> | <b>38%</b>   |
| <b>Bootlegging*</b>                                | <i>Very Concerned I don't think the issue is being addressed</i> | <b>38%</b>   |
| <b>Alcohol Sales to Minors</b>                     | <i>Very Concerned I don't think the issue is being addressed</i> | <b>37.5%</b> |
| <b>Drinking and Driving*</b>                       | <i>Concerned, I think more could be done</i>                     | <b>35%</b>   |
| <b>Fights/ Scuffles due to alcohol*</b>            | <i>Concerned, I think more could be done</i>                     | <b>30.7</b>  |
| <b>Liability concerns</b>                          | <i>Concerned, I think more could be done</i>                     | <b>30.7%</b> |
| <b>Alcohol Noise-Out of control parties*</b>       | <i>No concern about this issue</i>                               | <b>29%</b>   |

There was some significant community difference when individual communities were isolated. Lil'wat Nation Survey respondents identified more concern and the majority of their ratings (more than 50% of respondents) was *Very Concerned I don't think the issue is being addressed* for each of the responses identified with an \*. The community also had an increased percentage of respondents who were *Very concerned* about Public Intoxication and Alcohol Sales to Minors. A summary of the Survey can be found in Appendix VI at the end of this document.

## 1.6 Health and Safety

No specific health related statistics could be found that would have accurately reflected the local community. Within the community consultation; however, references were made to health and safety concerns attributed to alcohol. For example: **An Elder from Lil'wat Nation** noted in the following quote:

*"I think of my main concerns is so many of our people have died from liver sclerosis. But a lot of the fundraising that occurs on the reserve is serving shooters, they have shooter bars. I know some of them try to do it on the quiet. But those people are at risk with the strong alcohol. Not only with their liver, but with other people's safety, especially and their own."*

Many individuals identified drinking and driving as a concern, and some noted that they had lost friends to drinking and driving. As well, family violence was also noted as a



concern that was partially attributed to alcohol over consumption, as is evident in this quote by a **Lil'wat Nation Key Informant**:

*"Alcohol can also be a contributing factor to family violence, drinking and driving, break and enter the majority are due to drinking. Domestic violence (domestic violence incidents) I see all the time due to alcohol."*

Communities that Care is an active community mobilization project within communities in the Sea to Sky Corridor focused on creating healthier communities, schools, families and individuals. Communities that Care relies on the efforts of a community board made up of concerned stakeholders from the non-profit, health and education sectors and volunteer groups. The project focuses on six specific problems: substance abuse, delinquency, teenage pregnancy, academic difficulty, violence, and depression/anxiety. Recently Communities that Care released a new report summarizing their findings from their 4th community assessment based on survey findings local youth in grades 6, 8, 10, 11, and 12. Of note to the CAP: binge drinking has emerged as a concern for youth corridor wide, as has low perceived risk of substance use. This group has also raised concerns about alcohol use patterns of adults that children and youth observe and the influence that has on future development of drinking patterns in the community.

The following is a chart of annual local law enforcement statistics with data from crimes that could potentially be attributed to alcohol in the communities.

| <b>Crime Statistic</b>  | <b>RCMP-Pemberton<br/>2012<sup>4</sup></b>                     | <b>Mount Currie- Stl'atl'imx<br/>Tribal Police<br/>2012<sup>5</sup></b> | <b>RCMP-SLRD<br/>Area C<br/>2013<sup>6</sup></b> |
|-------------------------|--|---|--|
| <b>Impaired Driving</b> | <b>8</b>   | <b>47</b>   | No data available                                |
| <b>Assault</b>          | <b>25</b> (Common Assault)<br><b>4</b> (Assault with a weapon) | <b>117</b>  | <b>5</b>   |
| <b>Noise Complaints</b> | no data available  | <b>91</b> (Causing a disturbance)                                       | <b>6</b>   |

<sup>4</sup> Data obtained from report to Pemberton Council in Minutes of Meeting # 1327 of Council of the Village of Pemberton, March 5, 2013.

<sup>5</sup> Data obtained from Stl'atl'imx Tribal Police Service 2012-2013 Annual Report  
Found online at: [http://www.stlatlimxpolice.ca/uploads/8/0/5/7/8057209/stps\\_annual\\_report\\_2012-2013.pdf](http://www.stlatlimxpolice.ca/uploads/8/0/5/7/8057209/stps_annual_report_2012-2013.pdf)

<sup>6</sup> Data obtained from Whistler/Pemberton RCMP SLRD Area C 2013 General Crime Statistics presented to Electoral Area Directors Committee April 14, 2014.

|                              |                   |             |                   |
|------------------------------|-------------------|-------------|-------------------|
| <b>Causing a disturbance</b> |                   |             |                   |
| <b>Detained in Custody</b>   | <b>184</b>        | <b>127</b>  | No data available |
| <b>Liquor Violations</b>     | No data available | <b>210</b>  | No data available |
| <b>Total Calls</b>           | <b>1502</b>       | <b>1342</b> | <b>412</b>        |

In summary, in supporting Winds of Change, the Communities have committed to a harm reduction approach to lessen the harmful impacts of alcohol and drugs. The majority of key informants interviewed and respondents to the recent CAP Survey support this approach as well. The community consultation findings indicated that community members in all three communities involved in the study felt more could be done to address alcohol related issues and concerns. Anecdotal health and wellness concerns and recent crime statistics, when reviewed with the community consultation findings, would support this CAP initiative. It holds promise, based on the impact it has had in other communities across Canada as a tool for addressing some of the problems associated with overconsumption of alcohol, underage drinking and local government exposure to liability risk; while still supporting licensed events in the community.

## 2 Designation of Properties and Events

By designating events and facilities as eligible or not eligible for alcohol consumption, the CAP aims to promote a healthy and balanced perception and use of alcohol in the community. The sale or consumption of alcohol in public places is prohibited unless permitted under the authority of a Special Occasion License (SOL).

### 2.1 Designation of a staff member to identify suitability for SOL Events

It is recommended that Senior Administration in each community designate a staff member to coordinate the review of community owned and operated properties and facilities and complete Examples of Detailed Facilities and Property Information and Requirements Form (found in Appendix II) to determine the following:

- Suitability of location for hosting a licensed event.
- Time available for hosting the event. Noting that the LCLA states maximum hours for an indoor event are 9:00am-2:00am the following day, and 9:00am to 10:00pm for an outdoor event unless the Liquor Control and Licensing Branch gives special permission to extend the above hours.
- Type of licensed events allowed at the location based on the summary of SOL type events (See Appendix I).
- Area of the property or facility available for licensing.

- Event size (# of attendees) based on building code restrictions for a gathering within the facility.
- Detailed drawing of the facility or property.

Community members interested in hosting SOL Events should easily access completed Property and Facility Forms to help facilitate their planning.

## 2.2 Criteria for evaluating suitability of a location for SOL Events

- I. When evaluating the suitability of a location for a SOL it is important to consider whether the location can accommodate a large group. What is the history of the location? Have licensed events been successfully held in the location in the past? If not, were licensed events held that presented problems at the location? Would clearer guidelines aid in addressing these problems?

**For example**, the Pemberton Community Center and Pioneer Park are principal locations for events in the Village of Pemberton. The Rodeo Grounds is a principal location for community dances in Lil'wat. Both locations were purposely built to accommodate a large group.

- II. Identification of potential hazards or risks that may be present at a location needs to be considered when designating a property or facility as eligible for a SOL. It is important to provide clear recommendations based on the Event Management guidelines contained within this document to address potential hazards and risks at locations deemed eligible for a SOL; as well as, to help ensure they are addressed within the SOL Event Plan.

**For example**, during the community consultation, concern was raised about the lack of alternative transportation for attendees at the end of the night, especially for events held in the Village of Pemberton and at more remote outdoor areas in the Communities following SOL community events, due to the risk of attendees driving while impaired.

In addition, the outdoor facilities at the Rodeo Grounds in Lil'wat Nation were noted to have inherent security and monitoring challenges that increased the risk of unlicensed drinking, underage drinking and overconsumption. Carefully planned guidelines and enforcement planning would be needed to address these risks.

- III. From a harm reduction perspective, it is important to have a balance of properties available to the community to host SOL Events. This will ensure an alternative to historically unlicensed events such as: large private celebrations or parties, sporting events and other unlicensed gatherings where the potential is high for alcohol related concerns such as: overconsumption, underage drinking, personal injury, and drinking and driving. A licensed event provides the necessary controls and prevention strategies to mediate some of these risks and concerns.

This balance of properties should include both outdoor and indoor facility locations eligible for SOL Events. It also requires a balance of venues that accommodate large public events and small family gatherings and celebrations, such as weddings. At this time Lil'wat Nation has no centrally located indoor facility designated to host licensed events; this increases the risk of unlicensed parties and celebrations and alcohol related concerns. When designating SOL eligible facilities this will need to be considered.

### 2.3 Rationale for Not Designating a Facility or Property Eligible for SOL Events

During the community consultation, community members in each of the Communities sought a balance of licensed and unlicensed events. Community consultations indicated a strong interest in events that supported the community interest in health and wellness. Community members were divided with regard to whether community gatherings should be licensed. Concern about youth underage drinking and choice for those who choose to abstain from alcohol and a history of overconsumption at some events, were arguments for limiting events eligible for licensing. It should also be noted that properties that have historically been ineligible for SOL Events that have a history of illegal drinking such as public parks, lake areas and motor sport trails will require clear messages.

**For example,** One Mile Lake Park is a popular park with a large lake area and extensive trail system. The lake poses a drowning hazard especially to a person impaired by the effects of alcohol. The extensive trail system make monitoring event attendees a safety challenge. In addition, this location has a history of unlicensed drinking according to the RCMP and allowing licensed events would send a mixed message.

The following is a rationale to consider when determining if a property or facility is eligible for an SOL:

- It is dangerous to mix alcohol with outdoor recreational activities in general.
- Players drinking illegally at sports fields or other areas can injure themselves or others during a sports activity and when driving home.
- It is dangerous to mix water sport and motor sport activities with alcohol because of a higher risk of drinkers injuring themselves on rocks and other obstructions, or drowning or the higher likelihood of rider error.
- There is a history of illegal drinking, underage drinking and vandalism on waterfront and park sites outside of Pemberton Village Centre, and at the train station and gazebo sites in the Village Centre.
- Indoor events are easier to supervise than outdoor areas, where more supervision is required.
- Events in unbounded outdoor areas are more difficult to supervise because the surrounding area must also be supervised.
- Arena dressing room, sports fields and bleacher areas are not eligible for Special

Occasion Licensing events; however there is a history of alcohol consumption by some individuals and/or groups. Due to both the message this sends to youth teams using the same facility and risk of drinking and driving, and potential injury it is better to encourage teams to move to a licensed establishment or private home to socialize through monitoring and signage.

- It is preferable that the teams move to a licensed venue in the community or private home where alcohol is legally consumed.
- Promotes the community values of healthy lifestyle options, local youth are not observing consumption behaviours that contradict alcohol laws.

*"Softball diamond, similar to hockey beer league, we know that there has been some things that have happened following a softball game or someone gets into a car drives away. And yeah it's a family event and who wants to go there when someone has cans of beer all over the seats, it leads to other things, the language."* **Lil'wat Nation Key Informant**

**NOTE:** There can be some flexibility in property and facility designations.

**For example,** a clause in the CAP policy such as the following could allow for flexibility:

Events may be held in non-designated or otherwise ineligible areas at the discretion of the Senior Administration and/or local Council, Band or Board, as long as the Liquor Control and Licensing Act (LCLA) or SOL regulations are not contravened. Any person or organization wishing to hold a licensed event in a location not listed in this CAP, or in a location listed as ineligible, must obtain written permission from the Designated Staff for that community, 60 days in advance of the event. This may include any local government owned building, or any local government owned open space, greenway and parkland. The Village of Pemberton, Lil'wat Nation and SLRD Area C reserves the right to refuse an Event Organizer permission to hold an event on local government property.

## 2.4 Events Not Eligible for Alcohol

Due to the harm reduction and health and wellness priorities within each of the Communities, the following events should be designated as not eligible for alcohol use under the authority of a Special Occasion License:

- I. Events involving and intended for youths or minors, where the majority of participants are under the legal drinking age.
- II. Traditional First Nations Cultural Events, such as the Annual Pow Wow.

### **Rationale:**

*"I think sports and culture have their guidelines themselves. They don't mix (referring to alcohol and sporting and cultural events)."* **Key Informant Lil'wat Nation Recreation Committee**

- The local communities share a strong commitment for healthy lifestyle options.
- Children enjoy participating in Special Occasions with their parents.
- Alcohol-free events provide a positive example to children and youth that it is possible to have fun without the use of alcohol.
- Non-consumption by participating adults provides a positive example for young people.
- Minor sports banquets and Family Day events are intended for young people and families.
- Adults supervise and drive young people to and from these events.

### 3 CAP Policy Recommendations

The following local government and event organizer responsibilities and management practices are a combination of existing provincial laws governing licensed events, based on the Liquor Control and Licensing Act in the Province of BC (LCLA), and existing community Special Event Permit Bylaws. In addition to these requirements, evidence based harm reduction, prevention and liability mitigation strategies successfully utilized by communities across Canada have been included. Local law enforcement and the Control and Licensing Branch review and approve all legal requirements described below; these legal requirements are identified within this document by (LCLA).

#### 3.1 Designation of Roles

##### 3.1.1 Role of Local Government Staff

- I. During an initial enquiry into use of a Local Government property for a SOL event, it is the responsibility of Local Government Staff to:
  - Provide written information to the Event Organizer, which identifies the conditions, requirements, and operating procedures of the CAP upon request.
  - Complete an Event Checklist (see Appendix III) to ensure the Event Organizer has been made aware of the requirements under the CAP upon permit application.
- II. When an application for a Special Occasion Permit is submitted for a SOL Event, a Senior Administrator, or delegate for the property in question, will approve or reject the application and use of Local Government property for the event involving alcohol, based upon compliance with CAP requirements. The Village of Pemberton, Lil'wat Nation Band or SLRD Area C may add conditions at their sole discretion, as advisable for the particular property or event.
- III. The Local Government Senior Administrator or delegate may, in writing, waive minor specific requirements of serving alcohol or other minor requirements of the CAP, if no such waiver effectively relieves the Event Organizer, the SOL holder, alcohol caterer or Event Workers from their legal obligations under the Liquor Control and Licensing Act (LCLA). Examples of such minor waivers that may be considered are having wine served to tables in bottles, or the use of real glasses for weddings or similar receptions.

- IV. Local Government, as the owner of the property, is responsible for the property upkeep and repairs and can be held liable for incidents that occur on the property at SOL events, if they are deemed to have not shown sufficient consideration and oversight of the event or if they haven't maintained the facility in a way that could have prevented the accident. A CAP can help reduce this liability by demonstrating clear consideration of the health and well being of SOL attendees.  
Example: Handrails that are insufficient for people who are intoxicated. In *Niblock v. Pacific National Exhibition (1981) 30 BCLR 20 (SC)* the court awarded in favour of Niblock who was injured in a fall while intoxicated due to insufficient handrails in a PNE building.

### 3.1.2 Role of the Event Organizer

The Event Organizer is the contact person for a Special Occasion Licence, and as such an Event Organizers can be held liable for injuries and damages arising from breach of agreement with the Local Government, the Community Alcohol Policy and/or contravention of the Liquor Control and Licensing Act. The Event Organizer must comply with the LCLA and all of the provisions outlined in the CAP. The Event Organizer must complete and sign the CAP agreement form (See Appendix IV), and ensure compliance by all other persons involved in the event. The Village of Pemberton, Lil'wat Nation and SLRD Area C reserves the right to vary or introduce additional conditions, depending on the facility or event type, at its absolute discretion.

- I. The Event Organizer is responsible for the organization, planning, set up, management, monitoring and control of the event and must remain on site throughout the event. (LCLA)
- II. The Event Organizer must obtain a Special Occasion Permit from the Local Government where the event is to be held. (LCLA)
- III. As the contact person it is the Event Organizer's responsibility to ensure the following conditions:
  - a. The conditions and requirements laid out in the LCLA, and this CAP must be followed;
  - b. Event Workers, including the Event Organizer, must be properly trained. This includes ensuring that all paid workers serving alcohol and the Event Organizer have Serving It Right training (LCLA). For complete details regarding Serving it Right training and requirements, see Section 4.3;
  - c. Local Government Facilities or premises must be properly inspected and returned vacant and in proper condition. If damage has been incurred to Local Government property, it is the responsibility of the Event Organizer to report and disclose any damages to the Senior Administration or their delegate.
- III. The Event Organizer has a duty to report to the Senior Administrator, or delegate any incident that involves the following:
  - a. Bodily injury or property damage during, or related to the event;
  - b. Where Liquor Inspectors under the LCLA have made a report;
  - c. Any LCLA or CAP violations that the Organizer is aware of;

- b. The safety and sobriety of people attending the event must be properly monitored, including those people turned away because of intoxication; (LCLA)
- IV. Access to the premises must be controlled at all times; (LCLA)
- V. Impaired individuals are to be prevented from driving, and safe transportation options must be provided as per Section 5.1; (LCLA)
- VI. Police or other Emergency Services must be contacted in the case of emergencies;
- VII. Minors will not be served or allowed to consume alcohol, or gain access into age restricted areas. (LCLA)
- VIII. Parents or Guardians of minors found intoxicated at an event must be contacted. If no parent or guardians are available to collect the youth, the local police must be notified.

### 3.2 Management Practices

Clearly defined, key management practices for use before, during and after events are intended to ensure that event hosts are aware of, and are meeting their duties required by law. Responsible, moderate drinking practices are reinforced through the provision of appropriate operational procedures, control, training, signage, education, and safe practices.

**An event checklist is available to monitor to assist the event organizer in monitoring these expectations.**

#### 3.2.1 Events where Alcohol is provided at No Charge

Even at private events when alcohol is provided at no charge, the event must have Serving it Right (SIR) trained event workers. Responsible service is always required, whether alcohol is sold or provided at no charge.

#### 3.2.2 Insurance

Event Organizers must purchase Special Occasion liability insurance that indemnifies the Local Government approving the event from any and all claims in connection with an event involving alcohol service on Municipal or Band property.

The insurance policy must specifically name that alcohol will be served, include information regarding alcohol service, and identify the name and date of the event. Private Special Occasions require a minimum of \$2 million in liability insurance, and Public Special Occasions require a minimum of \$5 million, unless otherwise specified by the Local Government. Original proof of purchase must be provided to the Local Government Senior Administrator, or delegate at least 7 business days prior to the event. Minimum insurance requirements and provisions may be amended at any time at the absolute discretion of the Village of Pemberton, Lil'wat Nation or SLRD Area C.

**Note:** While ensuring that an organizer is properly insured may lessen liability risk, but it may not nullify it and the courts can choose to disregard clauses stating that the local



government is absolved from responsibility. As noted earlier, having a CAP in place and ensuring buildings are inspected and repaired regularly can assist in minimizing liability exposure.

### Rationale

- By insisting on insurance, permit holders will be impressed with the reality of civil litigation.
- Potentially risky groups may be discouraged from sponsoring events since they may be unable to obtain insurance.
- Damage awards have dramatically increased in recent years. Multi-million dollar damage claims are commonplace in cases of serious, permanent injuries.
- Case law indicates that judges and juries are sympathetic towards the injured parties. Council, Band or Board, along with rental groups, can be held jointly liable and could end up paying the predominant share of an award to a plaintiff should the sponsor be uninsured or have insufficient assets or insurance.
- Local Governments can be held jointly liable and could end up paying the predominant share of an award to a plaintiff should the sponsor be uninsured.

### 3.2.3 Server Trained Event Staff (LCLA)

In order to be eligible to rent a local government facility, the Event Organizer must obtain *Serving it Right: The Responsible Beverage Service Program\** (SIR)<sup>7</sup>, a brief course in safe liquor service. The purpose of SIR is to make people aware of their responsibilities when serving alcohol to guests or patrons. There is a fee and a short test that can be completed by correspondence or online to obtain a certificate. The Event Organizer must also provide a list of event workers who have SIR training at least two weeks prior to the event to the municipal representative.

*"I think that a lot of it is having trained people serving the alcohol. Knowing when someone needs to stop due to intoxication."* **Lil'wat Nation Key Informant**

### Rationale:

- Reducing the risk of litigation requires not only the components of policy and procedures, but also appropriately trained supervisors and servers who can recognize and address signs of intoxication in event attendees.
- This practice permits the municipal representative to verify that the designated number of event workers is server trained.
- Reducing the risk of liability requires not only the components of the policy, but also the recruitment of informed and skilled event workers.
- The Council, Band or Board is morally obliged to inform volunteers of the potential for litigation and to provide them with the tools to avoid such action.

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<sup>7</sup> Information about Serving it Right Training can be found in the Glossary in Appendix I

- Trained supervisors and servers are aware of their responsibilities and are more likely to intervene before problems occur.

### 3.3 Ticket Sales

Tickets must be purchased from a designated ticket seller and redeemed at the bar; maximum four (4) tickets per purchase per person. There must be a minimum of two SIR trained people of legal drinking age or older designated to sell tickets. Unused tickets must be redeemable for cash on demand at any time during the event, to a maximum of four (4) tickets per person. (Attendees can purchase no more than two drinks per person at the bar at one time.)

#### Rationale:

- Selling tickets slows down the rate of consumption, as people are required to make two stops before getting each set of drinks.
- Allows ticket-sellers to assess sobriety without having to serve as well, and could prevent confrontations at the bar.
- Ticket sellers are less likely than servers to feel pressured or to provide favours to ticket buyers such as a free drink.
- By limiting number of tickets per purchase, event workers are provided with additional opportunities to verify the sobriety of patrons as the event progresses.
- This provides another line of defense for the Council, Band or Board in the prevention of intoxication.
- This reduces the buying of rounds that can contribute to excessive drinking.
- Redeeming unused tickets for cash could help avoid a confrontation with a patron who may be nearing intoxication but who wishes to purchase additional drinks to get his/her "money's worth".

### 3.4 Door/Entrance/ Exit Monitoring (LCLA)

For Public Special Occasions and Community Events where it is anticipated there will be 200 (LCLA requires this at 500) or more attendees there is a need to:

- Monitor for underage access;
- Prevent outside alcohol from entering the event; or
- Prevent the entrance of intoxicated, unruly or disruptive persons and/or remove persons who become intoxicated, unruly or disruptive or who present a safety risk to others.

There must be licensed door staff (paid or volunteer) that will be responsible for this task. Servers, bartenders or other individuals who check identification or count patrons to ensure that the event is not overcrowded are not expected to perform tasks associated with the security of the event and are not considered to be security workers. Individuals

providing door security must be licensed under the BC Security Services Act<sup>8</sup>. Having door monitoring at all exits can prevent attendees from bringing in outside liquor to the event. In addition, this ensures that those attending the event have been monitored at the door and are not underage, intoxicated or known troublemakers, and that underage participants attending family events do not leave or arrive through an unsupervised access area in order to consume alcohol in another location.

**Rationale:**

- Controlling the door ensures that those attending the event are not underage, intoxicated or known troublemakers; and therefore, reduces the likelihood of problems occurring.
- Controlling the door ensures that the event is not overcrowded.
- When two people monitor the door, each worker has a backup should someone be refused admission. A lone door supervisor could feel personal pressure to admit a close friend or relative who should be refused admission.

### 3.5 Security Monitors (LCLA)

Open areas at events of 200 attendees or more, must be monitored and roving security personnel should be used to identify and communicate potential concerns. A floor supervisor must be available upon request to ticket sellers who require assistance in managing a person who is refused a sale. Floor monitors must be licensed security personnel. The size of the event and location will dictate the number of security staff and event must have. They are responsible for the following tasks:

- Monitoring the activities during the event;
- Ensuring that exits are used appropriately;
- Ensuring that event participants do not participate in unsafe activities;
- Ensuring that participants do not smuggle in alcohol;
- Ensuring that underage people do not enter the event via the exit doors; and
- Ensuring that ticket sellers have backup should they encounter hostility when refusing to sell to those approaching intoxication or who object to a limit on ticket sales.

**Rationale:**

- Having available a floor supervisor ensures that ticket sellers have backup should they encounter hostility when refusing to sell to those approaching intoxication or who object to a limit on ticket sales.
- Events that are not focused on alcohol service are lower risk to cause community problems.
- Large festivals and events seeking licensed service should be prepared to shoulder

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<sup>8</sup> Please see the Contacts/More Information section at the end of this booklet or go to [www.pssg.gov.bc.ca/industry/legislation/docs/licensingpolicy.pdf](http://www.pssg.gov.bc.ca/industry/legislation/docs/licensingpolicy.pdf).

additional security costs to ensure that patrons leaving the event are aware of bylaws against noise and public drinking. In larger events, one bonded licensed and insured security staff should be provided for every 50 event attendees. Dependent upon the event, establish a family area with 'no-alcohol service' within the event.

- Ratios of security/event employees to event attendees should be dependent upon multiple levels of risk assessment, including age of event goers, time, location, and associated context (i.e. snowboard festival with youth attendees vs. Jazz festival).

*"Having either RCMP or Tribal quite visible seems to help".* **Lil'wat Nation Key Informant Comment**

*"Well I think one of the things would be that they would have to hire their own security. But the security workers worry about their safety at these types of events. I know there are some security workers that go to Whistler and they are not really the law and I have no idea how much our people have respect for them. But, if they were to hire security to assist when they are closing the event down. And, I think right now the security workers going rate is \$15 to \$18 per hour. So we could build that in as one of their requirements. Have 3 security on site to assist in the clearing of the grounds."* **Lil'wat Nation Key Informant**

*"With the barbeque, because it was controlled with hired security, and RCMP controlled the outside, and they communicated with each other. We had a couple issues the inherent problems when someone showed up drunk or whatever he was on but they were dealt with."* **Pemberton Service Group Key Informant**

### 3.5.1 Coat Check System

A coat check system must be in place at events where there is a risk of uncontrolled alcohol coming into the event from the outside, and will be put in place at the discretion of Local Government.

#### **Rationale:**

- This will deter participants from sneaking or smuggling in their own alcohol.
- This provides supervisors with the opportunity to verify that participants leaving the event are not intoxicated.

### 3.5.2 No Last Call Announced

There will be no last call announced or signal indicating the bar is closing at events held in Local Government properties. Entertainers / Dee Jays must be informed that there is to be no last call.

#### **Rationale**

- Last call usually results in high and rapid consumption at closing time and will result in high blood alcohol levels that may peak after the event and lead to impaired driving and other issues.
- Entertainers and DJs often announce last call without being requested to do so.

### 3.5.3 License Holder (event sponsor) is not to Consume Alcohol

The Event Organizer or designate identified on the SOL permit must be in attendance for the duration of the event, and must not drink. They are expected to be responsible for making decisions regarding the operation of the event.

*"I don't think it is hard to have a fun well run event, but the people running it have to take it seriously and not drink."* **Quote from Pemberton Service Group Key Informant**

#### Rationale:

- If the permit holder had been consuming an intoxicating substance and an incident were to occur at the event, s/he would be less likely to identify and respond to a problem and it could be difficult to demonstrate to investigators, trial lawyers or jurors that there had been a commitment to the "duty to control"\*.
- Although police will be called if a situation becomes risky, it is the responsibility of the Special Occasion License holder to ensure the proper management of an event.

### 3.5.4 Police Notification

Police are to be notified by permit holder or municipal representative before situation is out of control. Situations that require third party involvement such as: police notification or attendance, emergency response etc., should be forwarded to local government on the appropriate incident reporting form. The incident form is provided in the "party kit"<sup>9</sup> provided to Event Organizers.

#### Rationale:

- Although police will be called if a situation becomes risky, it is the responsibility of the permit holder to ensure the proper management of an event so as not to require police assistance.
- Most licensed events are held on Friday or Saturday night, which is prime time for other occurrences requiring police attention. This could result in a slower response time by police.
- Early notification of potential problems will facilitate the ability of the police to plan their availability should they be required.

### 3.5.5 Workers to Not Consume Alcohol

The Event Organizer, bartenders, servers and security monitors, both paid and volunteer, will not consume alcohol or be under the influence of alcohol while on duty during the event. All of the above must be 19 years of age or older. Workers both paid and volunteer may consume alcohol after their work responsibilities have ended for the day.

<sup>9</sup> A 'party kit' is provided to the Event Organizer and should contain, event checklist, required signage, ICBC designated driver kit, incident documenting form, and any other materials that may aid the Event Organizer in hosting a responsibly run event. It is expected that this kit be returned with any necessary paperwork within the week following the event.

**Rationale:**

- If event workers were permitted to consume alcohol, they would be less likely to identify and respond to a problem. It could be difficult to demonstrate to investigators, trial lawyers or jurors that there had been a commitment to the “duty to control”.

**3.5.6 Workers Must be Clearly Identifiable**

All event workers are to wear approved highly visible identification.

**Rationale:**

- This enables participants to quickly identify and alert an event worker when in need of assistance or to report a problem.

**3.5.7 Specified Ratio of Workers to Participants**

Bartenders, Security Monitors and Professional Security Workers are the responsibility of the Event Organizer. Minimum guest to Event Worker ratios must be met, however, the Village of Pemberton, Lil'wat Nation and SLRD Area C and the Event Organizer will work together to determine the final number and types of Event Workers required to ensure safety and security at the event. If the event is anticipated to host 500 or more attendees the RCMP must also approve the event plan (LCLA). The Village of Pemberton, Lil'wat Nation and SLRD Area C reserves the right to alter the minimum number of Event Workers required at any event. Minimum Guest to Event Worker ratios is as follows:

**Rationale:**

- A greater number of workers ensures that proper supervision can be exercised at all levels, including door supervision, floor supervision, ticket selling and bartending.

### Private Special Licensed Event

| Number of Guests | Bartenders | Door Monitors | Security Monitors | Professional Security |
|------------------|------------|---------------|-------------------|-----------------------|
| Up to 50         | 1          | 0             | 0                 | 0                     |
| 50 to 99         | 1          | 0             | 1                 | 0                     |
| 100-199          | 2          | 0             | 1                 | 0                     |
| 199-299          | 3          | 0             | 2                 | 0                     |
| 300-399          | 4          | 0             | 4                 | 0                     |
| 400-499          | 6          | 0             | 6                 | 0                     |

### Public Special Licensed Events

| Number of Guests | Bartenders | Door Monitors | Security Monitors | Professional Security* |
|------------------|------------|---------------|-------------------|------------------------|
| Up to 50         | 1          | 0             | 0                 | 0                      |
| 50 to 99         | 2          | 0             | 1                 | 0                      |
| 100-199          | 2          | 0             | 2                 | 0                      |
| 199-299**        | 3          | all exits     | 4                 | 0                      |
| 300-399**        | 4          | all exits     | 6                 | 2                      |
| 400-499**        | 6          | all exits     | 8                 | 3                      |

\* For additional people add one Professional Security Worker per 100 people (ie: 500-599 guests must have 4 Professionals, 600-699 must have 5 Professionals).

\*\* Events over 200 people must have professional Security Monitors at every exit point as per Policy Directive No. 09-05.

### 3.5.8 ID Presented for Purchase of Alcohol/ Youth Admission Restrictions (LCLA)

Persons under the legal drinking age may not be admitted to licensed social events held after 8:30pm, being held in local government owned facilities, except in the case of a family occasion such as a wedding or anniversary celebration. Ticket takers are to refuse entry to any underage person appearing to be intoxicated, and are required to notify the Event Organizer or security to notify the intoxicated youths parent or guardian, or if unavailable, local law enforcement.

Servers are not permitted to serve liquor to anyone under 19 years of age. It is the responsibility of the Event Organizer, security, ticket sellers and servers to ensure that minors do not access liquor at the event. When checking the age of a guest or patron you must ask for two pieces of ID:

- **The first piece of identification** must be issued by a government agency (e.g. a passport or driver's license), and include the person's name, signature, birth date and picture.
- **The second piece of identification** must include the holder's name (e.g. a credit card, Social Insurance Card or Care Card), and include the person's signature and/or picture.

If the person cannot produce two pieces of acceptable identification, you must not serve them liquor

*"I think the monitoring is really important I don't like going to these events when I see minors there. We don't want to set it as a norm that is how we operate in Lil'wat Nation. We don't want to set a precedence, and want this addressed when a minor shows up. Younger youth that are totally intoxicated and no one is doing anything, I don't like seeing this if I attend an event."* **Lil'wat Nation Key Informant**

### 3.5.9 Restricted Youth Admittance to Adult SOL Events (weddings, anniversary parties, excepted) (LCLA)

When alcohol is available, persons under the legal drinking age must not be admitted to social events after 8:30pm, except in the case of a family occasion, such as a wedding or an anniversary. No alcohol should be served or provided to minors.

In the case of daytime licensed events, such as adult tournaments and special community events, underage youth have permission to enter outdoor licensed areas, as long as they are accompanied by a parent or guardian.

Ticket takers are to refuse entry to any underage person appearing to be intoxicated and notify the Event Organizer or security to assess potential risks, and where possible, follow the community protocol of notifying a parent or guardian, and if none can be reached notifying the police.

*"It is also important to get the message out to the parents and educate them of what is acceptable and what their legal liabilities are"* <sup>Key</sup> **Informant Comment**

#### **Rationale:**

- There is a high risk of underage consumption when youth are admitted to licensed events.
- Legal drinking age youth may provide alcohol to their underage friends.
- This practice increases the Local Government's liability risk.
- At family events, such as weddings and anniversaries, it would be difficult to prohibit youth admission, and renters would like all family members to participate.

### 3.5.10 Whole Site Licensing (LCLA)

The newly developed Whole Site Licensing Policy that has recently been included within the LCLA should be considered in Event Organizer Plans. Things to consider when an Event Organizer is planning a whole site licensed event:

- It is worth considering that sites that have whole site licensing, as opposed to beer gardens, must prove that they ensure the safety of individuals throughout the whole site



- Some form of perimeter fencing should be included in the event plan
- There should be proof that they can uphold and maintain their legal responsibilities. Example: How they will ensure that there is no under age drinking at family events.
- Some insurance agents report that whole site licensing is likely to lead to an increase in insurance costs for events, as they perceive an increase in risk at these events.

Note: If whole site licensing is something that interests a large number of SOL event organizers then it may be worth drawing up a checklist of issues for them to consider prior to applying for the SOL, this will ensure that the application process is transparent, the site is safe and could reduce their insurance premiums.

## 3.6 Prevention Strategies

### 3.6.1 Safe Transportation Provision (e.g. designated driver etc.) (LCLA)

The Event Organizer must implement a safe transportation strategy that could include a designated driver program, alternative transportation options, and sober driver spot-check awareness reinforced by signs. This applies to not only cars and trucks, but also all motorized vehicles including boats, snow machines, all-terrain vehicles, etc.

#### **Safe Transportation Strategy Recommendations:**

**A Safe Ride Home Plan must be submitted in writing to the Community at least seven business days prior to the event.** A Safe Ride Home Plan should include elements such as:

- Detailed plans for notifying local law enforcement no later than thirty days prior to the date of the event to ensure they have back up enforcement. This also allows them to have in place Sober Driver Spot Checks if they deem it necessary.
- The names of the person(s) that will use a personal vehicle to drive impaired participants to a place of safety;
- Clear identification of designated driver(s) from non-drinking participants. ICBC offers a free Designated Drivers Kit for SOL events that can aid with identification.
- Hiring or recruiting volunteers outside of event attendees to provide safe rides home.
- Requesting a friend, relative, or taxi to assist a potentially intoxicated person.
- Promoting alternative transportation services such as a taxi. The promotion of a taxi service alone is not a substitute for a safe ride home strategy. Sponsors must ensure other forms of transportation are also available.
- Provision of transportation, such as shuttles or taxi vouchers.

- Communication through signage and an announcement indicating what transportation is available, pre-communication with taxi companies to maximize their presence outside the event venue, and provision of taxi vouchers for event attendees to be given if deemed necessary.

Event Organizer, security staff and other event workers are responsible for warning any intoxicated person that the police will be called should they attempt to get behind the wheel of a vehicle. Event organizers must immediately notify local law enforcement if an impaired driver is observed leaving the event, including individuals that have been refused entry to the event due to intoxication.

The Event Organizer must remain on the premises at least until all attendees have left the property.

#### **Rationale:**

- An impaired driver leaving an alcohol-related event poses a great public safety and liability risk.
- Ensuring that event participants have safe transportation when leaving a social event reduces the risk of liability.
- Awareness of police spot-checks for impaired drivers raises the possibility of probable apprehension.

*"I think definitely with drinking and driving a lot of concern. Any of our deaths related to alcohol a lot have been around drinking and driving." Lil'wat Nation Key Informant*

*"There were challenges with transportation that is going to come up again and again in our community." SLRD Key Informant*

*"I do know that they have had issues with overconsumption and that there is always the concern about how do we ensure people are not drinking and driving when we don't have transit available specifically around events." SLRD Key Informant*

### **3.6.2 Plastic or Paper Cups (disposable-no glass, no bottles)**

All bottles must be retained within the bar area; all drinks must be served in paper or plastic cups.

#### **Rationale:**

The use of paper/plastic cups is advantageous because:

- If a drink is dropped, paper and plastic cups do not break and create a hazard.
- Individuals might be less hesitant to ask for a "light" drink if their choice remained "anonymous" in a plastic/paper cup; and/or
- If a patron becomes belligerent, a broken bottle cannot be used as a weapon.

### 3.6.3 Provision of Food (LCLA)

Food must be provided throughout the event. Chips, peanuts and other snacks do not qualify as food. Food provided does not need to be a full meal, but food should minimally consist of sandwiches, cheese, vegetables and dip adequate for the number of people attending.

#### Rationale:

- High-protein foods help to slow down the absorption of alcohol into the bloodstream and therefore reduce the risk of intoxication.
- Salty food increases the rate of alcohol consumption and can lead to intoxication.

### 3.6.4 Alcohol Sales and Purchasing Requirements (LCLA)

The permit holder must ensure that only standard drinks will be served. (LCLA)

A Canadian standard drink is 17.05 ml or 13.45 g of pure alcohol.

Each of the following is 1 standard drink:

- 341 ml/12 oz. of beer, cider or cooler;
- 142 ml/5 oz. of wine; and
- 43 ml/1.5 oz. of spirits

All liquor purchased for a special occasion must be approved under the SOL and bought from a Government Liquor Store or other authorized outlet. Substitutes and supplementary alcohol will not be permitted. All Liquor receipts must be required to be available upon request. (LCLA)

### 3.6.5 No Excessive Drinking Activities (LCLA)

No practices are allowed that encourage increased consumption, e.g. oversize drinks, double shots, shooter bars, pitchers of beer, drinking contests, volume discounts.

#### Rationale:

Consumption of non-standard drinks makes it difficult for staff to monitor consumption.

### 3.6.6 Non-Alcoholic Drinks Available (tea, coffee, soft drinks) (LCLA)

Non-alcohol drinks must be available at no charge or at a cost that is 40% lower than that of drinks containing alcohol. Drinking water must be available free of charge. Designated drivers should receive at no charge non-alcohol drinks. Where wine is provided with a meal, a no-alcohol substitute, such as ginger ale or sparkling fruit juice, must be provided.

**Rationale:**

- The availability of no-alcohol drinks supports the designated driver program and ensures that abstainers feel included in the event.
- Non-alcohol drinks provide alternate ‘spacer rounds’ and help to prevent intoxication.
- The availability of a no alcohol alternative at weddings ensures that children and abstainers are included in toasting the celebrants.

**3.6.7 Redeem Unused Drink Tickets**

Unused drink tickets are to be redeemable for cash at any time during the event to a maximum of four (4) tickets per person.

**Rationale:**

- Most participants will not exercise this option.
- This practice could help avoid a confrontation with a patron who may be nearing intoxication but who wishes to purchase additional drinks to get his/her “money’s worth”.

*"If you are still selling like that and it is getting close to the end, you're going to have a problem on your hands if people can't cash them (tickets) in, if you are not going to refund them, then they will want their drinks. And you can't serve past that hour and you've got angry people and binge drinking. So it is not a smart way to (allow tickets to be redeemed) or it is going to create problems for you."* **Enforcement Key Informant**

**3.6.8 No Alcohol Advertising at Facilities Frequented by Youth (e.g. Beer Company umbrellas, clocks, posters in arenas, etc.)**

In all municipal facilities where children and youth are allowed entry, advertising and posters that promote the use of alcohol are prohibited.

**Rationale:**

- Alcohol advertising is designed to encourage and promote the consumption of alcohol. Since it is illegal for people under the age of 19 to consume these products, it is preferable not to use alcohol advertising in areas frequented by young people.
- Promotion of alcohol products is inconsistent with providing a positive example to underage participants who use recreational facilities.

**3.7 Signage Requirements (posters/ signs describing regulations and rationale)**

Signage will reinforce Local Government regulations around alcohol. SOL event signs will clarify service standards and safety concerns, and work to promote responsible use of alcohol. Local Government signs will clearly identify areas where alcohol is not permitted and engage the community in addressing alcohol related issues.

### 3.7.1 Signage Requirements for SOL Events

The Event Organizer must post signage for the event as required under the guidelines of the LCLA and this CAP. Any signage concerning event rules must be posted in required areas for the duration of the event.

The required SOL event signs, with the exception of the SOL Permit and Accountability signs, will be provided by each Community in English to the facility renter(s) (see Appendix V for sample signage). If the event participants do not understand English, the Event Organizer must post the contents of the sign translated into the language(s) of the majority of the participants, as well as the English sign. The content of the signs and where to post at every event are identified in the proceeding sections:

#### 3.7.2 No Last Call

A sign will be located at the bar area and entrance to the facilities designated eligible for a SOL in a size appropriate to the facility and space used, indicating that there will be no last call before the closing of the bar. **Example:** *"There will be no last call"*.

##### **Rationale:**

- This sign indicates clearly to participants that the local government is committed to safe serving practices and that last minute "stocking up" would not be facilitated.
- Last call usually results in high and rapid consumption; and thus, high blood alcohol levels that may peak after an event and lead to impaired driving or other incidents.
- This sign reduces conflict with patrons.

#### 3.7.3 Licensed Areas

Signage clearly outlining those areas in Local Government facilities and parks, except those designated eligible for SOL, be clearly designated by signs as areas where alcohol is not permitted.

##### **Rationale:**

- While these areas, such as outdoor parks, arena dressing rooms and bleacher areas, have never been eligible for Special Occasion Permit events, there is a history of alcohol consumption by some. This specific notation is intended to serve notice that illegal consumption of alcohol will no longer be tolerated.

#### 3.7.4 Service Guidelines

During events where alcohol is to be served, a sign outlining service regulations must be posted in a prominent location within each bar or other designated areas as indicated below:

### 3.7.4.1 Ticket Sale Limits

A sign must be posted at the alcohol ticket sales table outlining the ticket purchase limits. It should read, "Maximum four ticket per purchase per person; ticket sales end thirty minutes prior to bar closing."

#### Rationale:

- This sign supports the ticket sellers who are responsible for enforcing the ticket sales regulations.
- This sign reduces conflict with patrons.

### 3.7.4.2 Proof of Age

**Signs posted near entrances to designated S.O.L. areas** which read: "In (community name) you must be 19 years of age or older to attend a Special Occasion Licensed Event. Two pieces of I.D. with one being photo identification (Passport, Provincial ID or Driver's Licence) will be required as proof of age."

You may wish to add: "Exceptions may be made in the case of a family occasion such as a wedding or an anniversary; however alcohol must not be served to people under the legal drinking age".

**Posted at front entrance where tickets are taken.** "All ticket holders must provide 2 pieces of ID and one must include a photo. The only photo ID accepted is a valid Driver's Licence, Provincial ID Card or Passport."

#### Rationale:

- This sign informs participants that door supervisors are authorized to request identification from participants who wish admission but appear to be under the legal drinking age.
- Ideal locations for this sign are: at the entrance, to provide support to staff screening for underage people; and in the bar area, to provide support to bar staff.

### 3.7.5 SOL Permit (LCLA)

The SOL permit is the responsibility of the Event Organizer, and must be posted along with any special exemption letter specific to the event, in a visible area for the duration of the event.

*"It is kind of hard to do, we get them to put up signs two drinks per person, I.D. signs so people know and are not blindsided, and washrooms in public places put up signs there. I know in Whistler at the night clubs they have posters in the bathrooms as a result of a couple of young men who froze to death, community knew the people. It really hit home to a lot of people. So, they put up posters in the guys bathroom saying "Who's got your back?" Women tend to do*

*that more, stick together more; they have done that for the guys now I thought that was awesome."* **SOL Enforcement Key Informant Comment**

### 3.7.6 SOL Accountability

It is the responsibility of the Event Organizer to post a wall sign, 11" x 14" minimum size, at main exits and in bar areas. The sign will name the sponsor of the event that they comply with and support all regulations and laws surrounding alcohol service. This sign must also inform participants of where they can direct any concerns they have regarding the event, and provide the address and telephone numbers for the following:

- Band, Board or Council Administration.
- Local law enforcement.
- Liquor Control and Licencing Board (LCLB).

#### **Rationale:**

- This sign informs the participants that there is a procedure for lodging complaints even if enforcement personnel are not present at the event.

### 3.7.7 Communication Plan to Minimize Disturbances

Events Organizers need to provide a solid communication strategy that minimizes the impact the event has on the facility and neighborhood. This must include displaying signage that asks event attendees to respect the neighborhood and act in a courteous manner when leaving the event area.

### 3.7.8 Fetal Alcohol Spectrum Disorder

This sign must be posted in a visible area in the women's washroom in all facilities where alcohol is served in order to inform participants of the risks of fetal alcohol syndrome, an irreversible condition which can result in physical and mental abnormalities at birth. The sign should state, "*Give your baby a good start: If you are pregnant or nursing your baby, please do not drink alcohol.*"

#### **Rationale:**

- Alcohol is harmful to the fetus and to children.
- Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effect (FAE) are totally preventable.

### 3.7.9 Designated Driver and R.I.D.E Awareness

A sign will be posted in all facilities designated as eligible for SOL events, thanking designated drivers for their contribution to the health and safety of their friends and the community at large. E.g. "We appreciate our Designated Drivers and thank them for their

contribution to the health and safety of their friends and the community. In recognition of your contribution, we are pleased to offer you free coffee and soft drinks.”

In addition, a notice reminding event participants to drive sober and to ask about the Safe Ride Home program must be posted at event entrances and exits. E.g. “DRIVE SOBER: The local law enforcement will be conducting spot checks after this event to thank sober drivers.”

*"I think definitely with drinking and driving a lot of concern. Any of our deaths related to alcohol a lot have been around drinking and driving."* **Key Informant Comment**

#### **Rationale:**

- This sign encourages positive behaviour and highlights strategies for ensuring a safe ride home.
- A Designated Driver Program is an important part of a safe transportation strategy; providing recognition indicates appreciation of their important role. Sponsors must provide free non-alcohol beverages for designated drivers.
- A spot check sign politely informs participants that the police regularly conduct roadside sobriety spot checks. Consequently, drivers are aware of the possibility of apprehension should they be considering drinking and then driving.

#### **3.7.10 Statement of Intoxication**

A wall sign must be located in the bar areas. E.g. “The Council, Band or Board of (name community) strives to provide facilities for the enjoyment of all members of the community. Servers are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication. Low-alcohol beverages, coffee, soft drinks, and food items are available.”

#### **Rationale:**

- Signs provide authoritative support to servers and supervisors should they have to refuse service to consumers approaching the point of intoxication.
- This message should be consistent with the measures that require a sufficient quantity of low-alcohol beverages.
- A positive message will reinforce the perception that the CAP is a desirable asset to the community and reinforce that becoming intoxicated is not a desirable community norm.

#### **3.7.11 Community Outreach Signage**

Signs that engage the community in addressing alcohol related issues must be posted in identified problem areas. Local Governments may choose to post the following signage in identified areas, such as sports fields and change rooms, on bulletin boards or in other prominent locations at a non-designated property in their community.



## 4 Actions to Enforce

### 4.1 Outline Procedures for Handling Infractions

A violation of this policy occurs when the SOL holder fails to comply with the conditions of the LCLA or this CAP. Violators of this policy will face a variety of possible consequences, from verbal and/or written warnings up to and including violators being prohibited from use of any or all Local Government facilities, depending on the severity of the infraction. Local Law Enforcement and the Bylaw Officer can assist Local Governments to enforce bylaws by being present at times when events are ending, and monitoring through unannounced spot checks during an event.

#### Immediate procedures

The event workers must report any infraction of this policy to the designated Local Government staff as soon as possible; within 24 hours of the occurrence, or by the start of the next working day, and must complete an incident report form detailing the infraction.

The event staff must report any infraction of this policy to police whenever they believe such action is required.

*"It would take some work to get it going, probably a couple of years of putting all those checks and balances in then you would see the pay offs. Cause nothing is perfect to start with, people will question it, really watch them see what is working, not working, and now with our special occasion program we have the opportunity to penalize people with monetary fines, we never had that opportunity before, so that is a big change and it is a good change. Exposure to cost versus risk."* **Enforcement Key Informant Comment**

*"The abuse of alcohol has been on reserve for a long time... The people will not be very happy to change their drinking habits, it can't be zero tolerance from the start."* **Survey Respondent Lil'wat Nation**

*"I think that would work most if we had it all written down, each person is responsible, let everyone know, what they are responsible for, what if something happens they are liable, be charged if they don't do it, education. Don't just call it education call it what it is in our world, education doesn't sound like you have to do it. Let it be known that you are going to be held accountable, call it what it is responsibility. If someone gets hurt, you are going to be held responsible. But we have to lay it out, this is what will happen you will be charged, if that is not in, there then it is loose words."* **Lil'wat Nation Key Informant**

#### Rationale:

- It is important that a clear set of guidelines be developed, and that penalties for failure to comply with the policy be consistently applied.

- This practice ensures that user groups and participants recognize the policy as being fair, consistent and enforced when required.

## 4.2 Short-term Penalties for Policy Violations

- The designated Local Government representative must close down an event when there are CAP infractions that are not corrected by the permit holder.
- When participants are found to be consuming alcohol in restricted areas, such as sports fields, the municipal representative will intervene and request that the illegal drinking cease. If the illegal drinking continues, police will be called.
- The Local Government Senior Administrator or delegate will review all reported infractions. The Event Organizer and Event Sponsor will be notified in writing of the resulting consequences. If an event is terminated due to a CAP infraction, there will be no financial compensation by the District.
- A warning will be issued describing the problem and the consequences of repeating this behaviour.
- Depending on the nature and severity of the infraction, the damage deposit may be withheld. The decision to withhold damage deposit will be made by the Local Government Senior Administrator, or delegate.
- Infractions include, but are not limited to:
  - Breach of CAP or SOL regulations; ☒
  - Inadequate security or Safe Ride Home plan;
  - Failure to provide non-alcoholic beverages or adequate security and event workers;
  - Failure to post appropriate signage;
  - Dangerous or disorderly conduct related to the event;
  - Failure to provide proper information to the appropriate governing body;
  - Damage to Local Government facility.
- If a warning has been issued, Event Organizers or Sponsors must meet in person with the Local Government Senior Administrator, or delegate, to detail plans for ensuring rules will be followed in the future, before subsequent Special Occasion Permits.
- Event Sponsors and Event Organizers must meet specific criteria outlined by the Senior Administrator, or delegate, for approval of subsequent events.
- Permission to host a subsequent event will be at the complete discretion of the Council, Band or Board and Senior Administration.
- Deposit amounts may be increased at the discretion of the Local Government designate when prior infractions have occurred that resulted in substantial property damage costs, or when the risk or damage from the event is high.

### Rationale:

- Individuals or groups who refuse to comply with the CAP need to be made aware that consequences will be invoked if necessary.

- Those who contravene the CAP present a high risk of incurring liability not only for themselves, but also for the Council, Band or Board.

### 4.3 Long-term Penalties for Policy Violations (1 year or longer)

#### Long Term Consequences

When a permit holder contravenes the CAP a second time following a warning, the permit holder and sponsoring group will be prohibited from renting municipally owned facilities for a minimum period of one year.

Should a permit holder, team or group contravene the CAP a second time, they will be permanently barred from renting municipally-owned facilities unless the decision is overturned through appeal to Council, Band or Board.

Event workers who contravene the CAP will be required to obtain further server training.

Should an event worker contravene the CAP a third time, s/he will be permanently barred from working at future events.

#### Rationale:

- Repeated infractions indicate that the individual or group refuse to comply with the CAP.
- Some groups will test the CAP. It is important to apply the penalties consistently.
- Those groups who repeatedly contravene the CAP present a high risk of incurring liability not only for themselves, but for the Council, Band or Board.

## 5 Policy Support and Implementation

### 5.1 Implementation Plan

Each local government will develop it's own bylaws or addendums to existing Special Occasions Permits that incorporate the CAP Policy recommendations. To do this it is recommended that a staff member be appointed in each of the three communities, to oversee the implementation of the CAP. It would be beneficial for these staff designates to meet regularly to ensure consistency and allow for sharing of resources during the development, implementation, and evaluation phases of the CAP.

To ensure consistency in communication and coordination of SOL events and the CAP within the three communities, the provincial body that oversees SOL's, the Liquor Licensing and Control Branch (LCLB) recommends that local governments consider forming a Committee to Approve Public Events or (CAPE). LCLB policies are currently undergoing a number of significant changes. Establishing a CAPE would aid in supporting the implementation of the new alcohol policies occurring both provincially and locally.

Additionally, newly appointed individuals responsible for implementing CAP policies would benefit from the expertise of those responsible for reviewing and approving SOL's based on the LCLA, including local law enforcement and the local Liquor Inspections representative. It would also allow both groups to communicate directly when reviewing event application for approvals, thus streamlining this process for applicants. It is not anticipated that establishing a CAPE will have a large impact on the time of those participating following the initial set up. Based on feedback from local law enforcement, at this time there are fewer than ten applications for Special Event Licenses reviewed each year by the Communities.

An excerpt from the Special Occasions Policy Manual (2014) compiled by the LCLB with more information about establishing and determining the role of a CAPE in the community can be found in Appendix VI.

### 5.1.1 SOL Events Coordination

When applying to hold an event that serves alcohol on Local Government property, the Event Organizer must sign the CAP agreement form (see Appendix IV) to verify that they have received, read, understand, and will strictly observe and ensure compliance with the controls and policy regulations outlined in the CAP. As part of a support plan to aid Event Organizers with expectations and guidelines specific to the CAP, Local Government staff will:

- Provide and complete a checklist to ensure that applicants receive correct and consistent information regarding the SOL event.
- Provide Event Organizers with a package, which includes the necessary information and appropriate forms needed to comply with the CAP and to apply for permission to hold an SOL event on local jurisdiction property.
- Develop and provide a "SOL Party Kit" that includes regularly used signage, information, etc., to aid in the Event Organizer with the hosting of SOL's.

### 5.1.2 Community Support

Within the community consultation for the development of the CAP two themes came up during key informant interviews and in the surveys around overall community education around responsible drinking awareness and potential liability risks to party hosts at non licensed events. The next two sections are meant to address these themes and would be the responsibility of the local governments and/ or Winds of Change to address outside of SOL events.

### 5.1.3 Canadian Safe Drinking Guidelines

*"The education component is really lacking in our community and I think I would like to encourage a lot more of that."* **Pemberton Key Informant Comment**

To encourage and raise awareness about responsible drinking, information will be made visible in pamphlet or poster form in public buildings identifying the Canadian Safe Drinking Guidelines.

Canadian Safe Drinking Guidelines encourage people to reduce their risk and raise awareness about high-risk situations to avoid. (A pamphlet can be found in Appendix VII)

## 5.2 Awareness Around Liability

*"I know one person when she has house parties when she sees underage come she just orders them out. If we had, more people thinking that way instead of letting anybody come and drink in the house." **Lil'wat Nation Key Informant***

Ready-made or specifically prepared materials around liability risk and ways to minimize the risk can be made available at local community buildings, such as pamphlets and posters, to outline liability risks when hosting a party. Websites that provide information and guidelines for private party hosts around mitigating risk when hosting parties for adults and teenagers can be added to the Winds of Change Wellness Almanac as a resource for Community members.

## 5.3 Policy Monitoring and Review

Given the multi-jurisdictional intent unique to this CAP, Winds of Change will be the committee responsible for monitoring and reviewing the CAP's effectiveness and spearheading changes, with the support of the Local Governments involved.

Winds of Change is a joint committee, with representation from the Village of Pemberton, Lil'wat Nation and SLRD Area C as the local governments referred to in this CAP. Winds of Change's harm reduction mandate in support of addressing local drug and alcohol issues position it as an effective evaluator.

This CAP will be reviewed, and when necessary, updated annually either as part of a routine review by the Winds of Change Committee, or as required based on changes in liquor regulations, Local Governments needs or other relevant matters. Council, Band or Board or Senior Administrators can initiate a call for review by contacting the Winds of Change Chair with that request.

The community issues questions within the CAP Development Community Consultation Survey (Available on request to Winds of Change) should be revisited at regular intervals (suggested every 3 years) to track perception of reductions in local issues and concerns, as part of the evaluation process. Community crime and health statistics can also be compared as part of a more formal CAP evaluation.



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## Appendix G. Pemberton Barn Bookings 2015

January 16-18 - Winterfest - had reserved Barn as back-up location in the event of weather related issues. Ended up not using as they were able to host event on January 25th

January 19-Feb 3 -Royal Canadian Legion - Curling Rink - did not happen due to weather temps.

Feb 3-5 - Pemberton Canoe Association - Oranges Fundraiser

April 12 - Pemberton & Whistler Library - Bat House Workshop

May 1 - Sea to Sky School District - 24 Hour Drum

May 23 - Pemberton Valley Senior Society - Pemberton Seniors Flea Market

June 13 - Signal Hill Pac - Father Daughter Dance

June 19 - October 16 - Pemberton Farmers Market - every Friday (13 weeks)

June 20 - Barnburner Productions - Barnburner Triple

July 4 - Pemberton Valley Senior Society - Pemberton Seniors Flea Market

August 29 - Pemberton Valley Senior Society - Pemberton Seniors Flea Market

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## Appendix H. Potential Funding Opportunities

Vancouver Foundation Arts and Culture Grants/Community Impact Grants  
<https://www.vancouverfoundation.ca>

Community Foundation of Whistler - Pemberton Endowment Fund  
<http://www.whistlerfoundation.com>

Whistler Blackcomb Foundation  
<http://www.whistlerblackcombfoundation.com/funding.html>

BC Hydro Donations and Sponsorships Programs  
[https://www.bchydro.com/community/aboriginal\\_relations/key\\_initiatives/donations\\_sponsorships.html](https://www.bchydro.com/community/aboriginal_relations/key_initiatives/donations_sponsorships.html)

Province of British Columbia Gaming Grant  
<https://www.gaming.gov.bc.ca/grants/index.htm>

Building Communities Through Arts and Heritage - Local Festivals  
<http://www.pch.gc.ca/eng/1267799042836>

Department of Canadian Heritage Canada Arts Presentation Fund  
<http://www.pch.gc.ca/eng/1267553110077>

Department of Canadian Heritage Canada Cultural Investment Fund  
<http://www.pch.gc.ca/eng/1268609659093>

UBCM Strategic Priorities Fund and Community Works Fund (Capacity Building - finishing touches on barn - oven, fencing, etc?)  
<http://www.ubcm.ca/EN/main/funding/renewed-gas-tax-agreement/strategic-priorities-fund.html>

Project specific funds from Health Canada:  
<http://www.phac-aspc.gc.ca/fo-fc/opportunities-occasions-eng.php>



**Date:** April 21, 2015  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Sheena Fraser, Manager of Corporate & Legislative Services  
 Paige MacWilliam, Legislative Assistant  
**Subject:** Council Procedure Bylaw Update

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**PURPOSE**

The purpose of this report is to present for the Committee of the Whole's review and consideration an updated draft Procedure Bylaw to replace the current *Council Procedure Bylaw No. 656, 2011* and its amendments.

**BACKGROUND**

In accordance with the *Community Charter, Section 124*, Municipalities are required to pass a procedure bylaw that regulates Council meetings and their conduct, as well as the procedure that is to be followed for passing bylaws.

The current *Procedure Bylaw No. 656*, was passed in 2011. The bylaw has since been amended twice:

- *Bylaw No. 687, 2012*, removed Section 5 (ii) (d) that stipulated if a council meeting was to fall on the Tuesday after a statutory holiday, the Council meeting shall be held on the next Tuesday the Village Office is open that is not a statutory holiday.
- *Bylaw No. 737, 2013*, provided conditions for council members participating electronically in council or committee meetings.

The consolidated Council Procedure Bylaw is attached as **Appendix A**.

It is common practice for a newly elected Council to review their Procedure Bylaw and make changes that may be required to meet with changes in legislation, for administrative purposes or to provide clarity in process should it be deemed necessary or appropriate by Council. As such, at Regular Council Meeting No. 1385, held on December 16<sup>th</sup>, 2014, Council passed the following resolution:

*Moved/Seconded*

**THAT** Council direct staff to bring forward an updated Council Procedure Bylaw for review and consideration at a Committee of the Whole to be held in January.

**CARRIED**

Due to competing priorities review and revision of the Procedure Bylaw was postponed from January until April.

## **DISCUSSION & COMMENTS**

Although the current procedure bylaw has been amended twice since it was adopted in 2011, there are some housekeeping matters that need to be addressed due the implementation of new legislation and structural changes within the organization:

- Referencing to *Freedom of Information and Protection of Privacy Act*
- Adding additional definitions in Introduction
- Updating staff titles and responsibilities throughout
- Providing more clarity around definitions of terms, procedures and titles used throughout the bylaw

Amending or revising the procedure bylaw provides an opportunity to review all aspects of the existing procedure to see where more precise language and detail can be provided. This process is useful not only for Council but for Staff as well as the Procedure Bylaw is the guiding document by which all meetings of Council shall be conducted.

Staff has prepared a draft bylaw for the Committee of the Whole's review and discussion (**Appendix B – Draft Procedure Bylaw**).

The draft procedure bylaw was developed through review of the example procedure bylaw provided by the Ministry of Community, Sport and Cultural Development and the Ombudsperson's report on Open Meetings Best Practices, as well as procedure bylaws from various other municipalities: Bowen Island, Highlands, Mission, Nanaimo, Port Alberni, Rossland, District of Squamish, Squamish-Lillooet Regional District, Vernon, and the Resort Municipality of Whistler. When reviewing other municipalities' bylaws consideration was given as to the year in which the bylaw was adopted to ensure samples were as current as possible.

Revisions to the following elements of the existing bylaw have been proposed for consideration and are included in the draft procedure bylaw:

- **Cancelling or Postponing Council meetings** – procedure for cancelling or postponing regular council meetings (not currently included).
- **Scheduling Special Meetings** – procedure for Mayor or Council members to call special meetings of council (not currently included).
- **Confidential Matters** – clarity around the legislative requirements pertaining to business of a confidential nature that may be considered in meetings closed to the public (currently captured by reference to section 90 of the *Community Charter* in the *Attendance of Public at Meetings* section).
- **Electronic Participation at Meetings** – additional detail on Council meeting procedures when Council members choose to participate by electronic means. Options to consider include limiting participation by electronic means to just special meetings and limiting the number of times per calendar year that a Council member may attend a meeting by electronic means.
- **Release of In Camera Resolutions/Minutes** – information on when and how Council will decide on bringing forward to the public in camera meeting decisions (not currently included).
- **Order of proceedings** – proposed change to the order of proceedings of Council meetings. Options to consider include moving *In Camera* to be the first item of

business to enable council to *Rise with Report* in a timely manner; providing more detail on bringing forward bylaws and committee meeting business for administrative clarity; and including *Decision on late business* as an agenda item to ensure Council resolves whether or not to include late business items.

- **Notice of motion** – details on how notice of motion will be given and addressed during council meetings (not currently included).
- **Delegations** – update the process for applying to appear as a delegation before Council and making decisions on requests from delegations.
- **Reconsideration by Mayor** – add information on the Mayor's authority to reconsider resolutions and bylaws granted by section 131 of the *Community Charter* (currently captured by reference to section 131 of the *Community Charter* in *Reconsideration by Council Member* section).
- **Adjournment** – add process for proceeding beyond prescribed length of Council meeting (not currently included).
- **Form of Bylaws** – include information on the form of bylaw to be introduced at Council meetings for administrative clarity (not currently included).
- **Committee of the Whole Procedures** – establish rules of procedure for Committee of the Whole as required by section 124 (a) (b) (c) and (d) of the *Community Charter* (not currently included, but required by legislation if Committee of the Whole is used).
- **Commissions** – stipulate that rules of procedure for Commission meetings is set out in establishment bylaws and reflect rule of procedure for Regular Council meetings as set out in the procedure bylaw (not currently included).

Review of the procedure bylaw also provides an opportunity to change the dates and times of scheduled Regular Council meeting, if Council so chooses.

To make changes to any aspect of the Council meeting procedures outlined in *Procedure Bylaw No. 656*, including any of the proposed revisions listed above, Council must provide notice of its intent to do so prior to giving first reading and subsequently adopting the bylaw. The estimated timeline for passing a procedure bylaw, including notification requirements (see Communications), is approximately six (6) weeks.

## **COMMUNICATIONS**

If Council chooses to amend, or repeal and substitute *Council Procedure Bylaw No. 656*, notice must be given in accordance with section 124 (3) of the *Community Charter* which states:

*A bylaw under this section must not be amended, or repealed and substituted, unless the council first gives notice in accordance with section 94 [public notice] describing the proposed changes in general terms.*

Notice must be posted in public notice posting places and published for two (2) consecutive weeks in a newspaper that is distributed at least weekly. In this regard, should Council determine it is appropriate to bring forward a new Council Procedure Bylaw notice will also be posted at the Village Notice Boards, on the Village website, via the eNews and Facebook Page and depending on the timing included in either the Doorstep Digest or the Pemberton Page .

## **LEGAL CONSIDERATIONS**

Council is required by Section 124 of the *Community Charter* to establish a procedure bylaw. If Council would like to make changes to the existing *Procedure Bylaw No. 656*, Council may pass a bylaw to amend the existing bylaw, or repeal the existing bylaw and replace it with a new procedure bylaw but only after notice has first been given as noted above.

Section 124 of the *Community Charter* lists the matters that must be dealt with by the procedure bylaw:

- (a) establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted in accordance with Division 3 [Bylaw Procedures] of this Part;
- (b) establish rules of procedure for meetings of council committees;
- (c) provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;
- (d) provide for advance public notice respecting the time, place and date of council committee meetings and establish the procedures for giving that notice;
- (e) identify places that are to be public notice posting places for the purposes of section 94 [public notice];
- (f) establish the procedure for designating a person under section 130 [designation of member to act in place of the mayor];
- (g) establish the first regular council meeting date referred to in section 125 (1) [council meetings] as a day in the first 10 days of December following a general local election.

Reference to the applicable sections of legislation have been added throughout the draft procedure bylaw (Appendix B – Draft Procedure Bylaw).

## **IMPACT ON BUDGET & STAFFING**

The cost associated with posting notice in the Newspapers will be approximately \$350 - \$400 depending on specifications of the advertisement. The review of procedure bylaw has been incorporated into staff time of the Corporate & Legislative Services Department.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

The above noted project has been incorporated into the daily routine of the Corporate & Legislative Services department and can be accommodated. Review and update of the Council Procedure Bylaw is recommended to address several amendments for housekeeping purposes.



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Sheena Fraser  
Manager of Corporate & Legislative Services

## **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

A review of this Procedure Bylaw has no impact on other jurisdictions.

## **ALTERNATIVE OPTIONS**

The alternative option for consideration is to continue to operate Council meetings in accordance with the existing *Council Procedure Bylaw No. 656, 2011* and its amendments.

## **POTENTIAL GOVERNANCE CONSIDERATIONS**

This initiative supports the Village's Strategic Priorities 2015, particularly the Village's Strategic Priority of Good Governance.

*The Village is committed to citizen engagement, being an open and accountable government, and fiscal responsibility.*

## **RECOMMENDATIONS**

**THAT** Committee of the Whole review the proposed draft procedure bylaw and provide direction to staff.

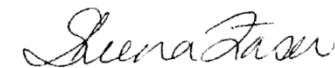
### **Attachments:**

Appendix A - Consolidated Procedure Bylaw  
Appendix B - Draft Procedure Bylaw



Paige MacWilliam  
Legislative Assistant

### **MANAGER:**



Sheena Fraser  
Manager of Corporate & Legislative Services

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**



Nikki Gilmore  
Chief Administrative Officer

# Procedure Bylaw VILLAGE OF PEMBERTON



## **BYLAW No. 656, 2011**

**Office Consolidation: November 26, 2014**

This document is an office consolidation of The Village of Pemberton Council Procedures Bylaw No. 656, 2011 (adopted March 1<sup>st</sup>, 2011) and subsequent amendments adopted by the Village Council.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application the original bylaws should be consulted.

The Village of Pemberton will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of the Village of Pemberton Council Procedure Bylaw 656, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the Village Office or by contacting us at: [admin@pemberton.ca](mailto:admin@pemberton.ca)

**THE VILLAGE OF PEMBERTON  
BYLAW NO. 656, 2011  
COUNCIL PROCEDURE BYLAW**

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**WHEREAS** the Council of the Village of Pemberton must by bylaw regulate Council meetings and their conduct, and must by bylaw provide for the procedure that is to be followed in passing bylaws, pursuant to Section 124 (1) of the *Community Charter*.

**THEREFORE BE IT RESOLVED** that the Municipal Council of the Village of Pemberton enacts a Procedure Bylaw as follows:

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**PART 1 – INTRODUCTION**

**1. Title**

This Bylaw may be cited as the “**COUNCIL PROCEDURE BYLAW NO. 656, 2011**”.

**2. Definitions**

“Chief Administrative Officer” means the Chief Administrative Officer for the Village;

“Chair” means the Mayor, Acting Mayor or other Member who is chairing a meeting.

“Committee” means a standing, select, or other committee of Council;

“Corporate Officer” means the Chief Administrative Officer or a person designated by Council by name of office or otherwise to act in the place of the Corporate Officer;

“Council” means the Council of the Village of Pemberton;

“Council Chambers” means the premises located at 1350 Aster Street, Pemberton, B.C.;

“Delegation” means a person or persons chosen to represent others and/or an individual



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“Mayor” means the Mayor of the Village;

“Public Notice Posting Places” means the notice board at the Village Office at 7400 Prospect Street, the Post Office at 7431 Prospect Street and on the Village Website;

“Village” means the Village of Pemberton;

“Village Office” means the premises located at 7400 Prospect Street, Pemberton, B.C.;

### **3. Application of rules of procedure**

- i. The provisions of this Bylaw govern the proceedings of Council, and all standing and select committees of Council, as applicable.
- ii. In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council, 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*.

## **PART 2 – COUNCIL MEETINGS**

### **4. Inaugural Meeting**

- i. Following a general local election the first Council meeting must be held within the first ten (10) days of December following the general election.
- ii. 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 Officer and held as soon as reasonably possible after a quorum has taken office.

### **5. Time and location of meetings**

- i. All Council meetings must take place within the Village except when Council resolves to hold meetings elsewhere.
- ii. Regular Council meetings must
  - (a) be held on the first and third Tuesday of each month (except January in which regular council meetings will be held the second and fourth Tuesday), and

**THE VILLAGE OF PEMBERTON  
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COUNCIL PROCEDURE BYLAW**

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- (b) begin at 7:00 p.m. and 9:00 a.m. respectively, unless Council otherwise resolves;
- (c) be adjourned no later 11:00 p.m. and 12:00 (noon) respectively on the day scheduled for the meeting unless Council resolves to proceed beyond that time;
- ~~(d) when such meeting falls on a Tuesday after a statutory holiday, the Council meeting shall be held on the next Tuesday that the Village Office is open that is not a statutory holiday;~~ (Bylaw 687/Adopted January 24th, 2012)
- (e) notwithstanding clause (a) above, there shall not be a meeting during the month of August unless Council otherwise resolves.
- (f) Be held in Council Chambers, the Community Centre or the Village Office unless Council otherwise resolves.

#### **6. Notice of Council Meetings**

- i. In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 1 each year, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- ii. In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 1 of the time and duration that the schedule of regular Council meetings will be available beginning on that date in accordance with section 94 of the *Community Charter*.
- iii. If revisions are necessary to the annual schedule of the Regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places and publish in the newspaper to indicate any revisions to the date, time, duration and place of, or cancellation of a Regular Council Meeting.

#### **7. Notice of special meetings**

- i. 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 twenty-four (24) hours before the time of meeting, by
  - (a) posting a copy of the notice at the Public Notice Posting Places, and

**THE VILLAGE OF PEMBERTON  
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- (b) providing the notice and the agenda electronically by email as well as providing a copy of both for each Council member in the Council member's mailbox at the Village Office as requested.
- ii. The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

**8. Electronic Meetings**

- ~~i. Provided the conditions set out in subsection 128(2) of the *Community Charter* are met a special Council meeting may be conducted by means of audio electronic or other communication facilities.~~
- ~~ii. The member presiding at a special council must not participate electronically.~~
- ~~iii. No more than two (2) members of council at one time may participate at a special council meeting when electronic or other communications facilities is being used by another member under section 8(1).~~

Replaced by Bylaw 737/Adopted September 3<sup>rd</sup>, 2013

- i. Provided that all of the conditions set out in subsection 128 (2) of the *Community Charter* are met, and subject to paragraph (ii) of this Section, a member of council or of a council committee, other than the presiding member, who is unable to attend at any council or committee meeting, as applicable, may participate in the meeting by means of electronic or other communications facilities.
- ii. As a limit on paragraph( i), no more than two (2) members of Council or a committee may participate at any one meeting by way of electronic or other communications facilities.

**PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

**9. Appointment of Acting Mayor**

- i. 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.

**THE VILLAGE OF PEMBERTON  
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- ii. Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- iii. If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- iv. The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4 – COUNCIL PROCEEDINGS**

### **10. Attendance of Public at Meetings**

- i. Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- ii. 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*.
- iii. This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) Standing and Select Committees,
  - (c) Parcel Tax Review Panel,
  - (d) Board of Variance.
- iv. Despite section 10(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 20(8).

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

- i. Minutes of the proceedings of Council must be:
  - (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer or designate, and
  - (c) signed by the Mayor or other member presiding after adoption of the minutes.
- ii. With exception to the Mayor and Councillor reports only the motions and actions of Council (action minutes) will be recorded.

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- iii. Subject to subsection 11(3), and in accordance with section 97(1)(b) of the *Community Charter* minutes of the proceedings of Council must be open for public inspection at the Village Office during its regular office hours.
- iv. Subsection 11(2) 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*.

**12. Calling meeting to order**

- i. 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 9 must take the Chair and call such meeting to order.
- ii. 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 9 do not attend within twenty (20) minutes of the scheduled time for a Council meeting:
  - (a) the Chief Administrative Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

**13. Adjourning meeting where no quorum**

- i. If there is no quorum of Council present within twenty (20) minutes of the scheduled time for a Council meeting, the Chief Administrative Officer or designate must:
  - (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

**14. Agenda**

- i. Prior to each Council meeting, the Chief Administrative Officer must prepare an Agenda setting out all the items for consideration at that meeting.
- ii. The deadline for submissions by the public to the Manager of Administrative Services of items for inclusion on the Council meeting Agenda is 12:00 p.m. on the Wednesday prior to the meeting.

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- iii. The Chief Administrative Officer must make the agenda available to the members of Council on the Friday afternoon prior to the meeting.
- iv. The Chief Administrative Officer must make the agenda available to the members of the public no later than the Monday at noon prior to the meeting.
- v. 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 16. Materials relating to late items presented at a Council meeting shall be distributed to the Corporate Officer, the Recording Secretary and all senior staff in attendance.

**15. Order of proceedings and business**

- i. The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Call to order
  - (b) Approval of Agenda
  - (c) Adoption of Minutes
  - (d) Business Arising from the minutes
  - (e) Delegations – requests to address Council
  - (f) Reports
    - Committee reports
    - Staff
    - Mayor
    - Councillor
  - (g) Bylaws
  - (h) Correspondence
    - for action
    - for information
  - (i) New business
  - (j) Notice of Motion
  - (k) Question Period
  - (l) In Camera
  - (m) Rise and Report
  - (n) Adjournment
- ii. 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.

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**16. Late Items**

- i. 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.
- ii. If the Council makes a resolution under section 16(1), information pertaining to late items must be distributed to the members.

**17. Petitions and Communications (Correspondence)**

- i. Every communication, including petitions and communications (correspondence) presented to Council must be legibly written or printed, signed and contain a return address. Unsigned email correspondence will be accepted if it contains the name of the author, return mailing and civic address, and telephone number.
- ii. Every petition or communication (correspondence) for a Council meeting must be delivered to the Corporate Officer by 12 noon on the Wednesday prior to a regular meeting.

**18. Voting at meetings**

- i. 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:

"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:

leave the room,

make a noise or other disturbance, or

interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
  - (d) 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;

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- (e) the presiding member's decision about whether a question has been finally put is conclusive; and
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand;
- (g) if a vote is not unanimously in favour the presiding member must ask the opposing member if they wish their vote and name is to be recorded in opposition and the recording secretary with be so instructed.
- (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;

**19. Delegations**

- i. The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application has been received by the Manager of Administrative Services by noon on the Wednesday prior to the meeting. Each address must be limited to ten (10) minutes with a question period of five (5) minutes for a total of fifteen (15) minutes unless a longer period is agreed to by unanimous vote of those members present.
- ii. Where written application has not been received by the Manager of Administrative Services as prescribed in section 18(1), an individual or delegation may address the meeting if approved by the majority vote of the members present.
- iii. 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.
- iv. The Chief Administrative Officer may schedule a maximum of two (2) delegations to any Council meeting provided the Manager of Administrative Services shall have received a written request explaining the subject matter to be discussed with Council no later than the Wednesday at noon prior to the scheduled Council meeting;
- v. The Chief Administrative Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- vi. The Chief Administrative Officer 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 Chief Administrative



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Officer's decision, the information must be distributed under separate cover to Council for their consideration.

**20. Points of order**

- i. Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, 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.
- ii. 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.

**21. Conduct and debate**

- i. A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- ii. Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- iii. Members must address other non-presiding members by the title Councillor.
- iv. No member must interrupt a member who is speaking except to raise a point of order.
- v. If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- vi. 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

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- (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
  
- vii. 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, 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.
  
- viii. If a member does not adhere to subsection (7), 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.
  
- ix. 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.
  
- x. 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
    - (a) with the permission of Council, or
    - (b) 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 may speak to a question, or may speak in reply, for longer than a total time of ten (10) minutes only with the permission of Council.

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**22. Motions generally**

- i. Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- ii. 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 permission.
- iii. 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, or the question;
  - (g) to adjourn.
- iv. A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- v. 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.

**23. Motion to commit**

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

**24. Motion for the main question**

- i. In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- ii. 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.

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**25. Amendments generally**

- i. Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- ii. An amendment may propose removing, substituting for, or adding to the words of an original motion.
- iii. A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- iv. 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.
- v. An amendment may be amended once only.
- vi. An amendment that has been negated by a vote of Council cannot be proposed again.
- vii. A Council member may propose an amendment to an adopted amendment.
- viii. 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.

**26. Reconsideration by Council Member**

- i. Subject to subsection (5), a Council member 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 twenty-four (24) hours following its adoption.
- ii. A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- iii. Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.

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- iv. A vote to reconsider must not be reconsidered.
- v. 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*,
  - (c) been acted on by an officer, employee, or agent of the Village.
- vi. The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- vii. A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

## **PART 5 – BYLAWS**

### **27. Copies of proposed bylaws to Council members**

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 twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **28. Reading and adopting bylaws**

- i. The presiding member of a Council meeting may
  - (a) have the Chief Administrative Officer read a synopsis of each proposed bylaw, and then
  - (b) request a motion that the proposed bylaw be read;
- ii. The readings of the bylaw may be given by stating its title and object.
- iii. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- iv. Subject to section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- v. In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.

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- vi. Despite section 135(3) of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

**29. Bylaws must be signed**

After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council, the Corporate Officer must have it placed in the Village's records for safekeeping.

**PART 6 - RESOLUTIONS**

**30. Copies of resolutions to Council members**

A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

**PART 7 -- COMMITTEES**

**31. Duties of standing committees**

- i. 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 assigned by Council;
  - (c) matters that are assigned by the Mayor.
- ii. Standing committees must report and make recommendations to Council at all of the following times on matters that are assigned by Council or the Mayor;
  - (a) as required by Council or the Mayor, or
  - (b) at the next Council meeting if the Council or Mayor does not specify a time.

**32. Duties of select committees**

- i. Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.

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- ii. Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

**33. Notice of committee meetings**

- i. Notice and Agenda of committee meetings, including the times, dates and places of the meetings must be given by:
  - a. posting a notice of the meeting at the Public Notice Posting Places; and
  - b. providing a copy of the notice and agenda by email (electronically) to each member of the committee at least twenty-four (24) hours prior to the meeting.
  - c. providing a copy of the notice and agenda by email (electronically) to each member of the council at least twenty-four (24) hours prior to the meeting.

**34. Minutes of committee meetings to be maintained and available to public**

Minutes of the proceedings of a committee must be:

- a. legibly recorded,
- b. certified by the Corporate Officer or his/her designate and the presiding member, and
- c. open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

**35. Quorum**

The quorum for a committee is a majority of all of its members.

**36. Conduct and debate**

- i. The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- ii. Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

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**37. Voting at meetings**

- i. Council members attending a meeting of a committee of which they are not a member must not vote on a question.
- ii. The Mayor is a ex officio member of all Committees and therefore is entitled to vote on any matter before the Committee.

**PART 8 – GENERAL**

**38. Validity of the Bylaw**

- i. 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.
- ii. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

**39. Repeal**

Village of Pemberton Council Procedure Bylaw No. 625, 2009 is hereby repealed.

**READ A FIRST TIME** this 18<sup>th</sup> day of January, 2011

**READ A SECOND TIME** this 18<sup>th</sup> day of January, 2011

**READ A THIRD TIME** this 18<sup>th</sup> day of January, 2011

**RESCINDED THIRD READING** this 1<sup>st</sup> day of February, 2011

**AMENDED AND READ A THIRD TIME** this 15<sup>th</sup> day of February, 2011

**RECONSIDERED, FINALLY PASSED and ADOPTED** this 1<sup>st</sup> day of March, 2011

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Jordan Sturdy, Mayor

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Lonny Miller, Corporate Officer

Village of Pemberton  
Committee of the Whole  
Meeting No. 130  
Tuesday, April 21, 2015  
112 of 142



**DRAFT**  
**Procedure Bylaw**  
**VILLAGE OF PEMBERTON**



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**EXPLANATORY NOTES TO PROCEDURE BYLAW**

The provisions contained in the Procedure Bylaw fit into four different categories of legislative authority contained in the *Community Charter*.

The four categories of provision contained in the Procedure Bylaw are as follows:

1. **Mandatory** -- The provisions contained in this category are required by the *Community Charter*. Unless otherwise identified, all provisions in the bylaw are mandatory. Some mandatory provisions contain blanks for information to be added as specified;
2. **Optional** -- These are provisions which a council may choose not to include. For example, providing for special council meetings to be conducted electronically or having a council or council committee member attend a council meeting or council committee meeting through electronic or other communication facilities is an optional provision found at section 8 of the *Procedure Bylaw*;
3. **Mandatory with Required Content** -- The provisions contained in this category are required by the *Community Charter*, however, they are general in the *Community Charter* and must be particularized. For example, the requirement in the *Community Charter* to give notice of special meetings are general and should be particularized by specifying the specific locations in the municipality where copies of the notice must be posted or left;
4. **Mandatory with Optional Content** -- The provisions contained in this category are mandatory but their content is optional. For example, s. 124 of the *Community Charter* makes it mandatory for councils to establish general procedures to be followed by council and council committees in conducting their business and councils must establish the rules of procedure for their council meetings and their meetings of council committees. However, the *Community Charter* does not prescribe the specific details of those rules and procedures and therefore, although there should be some provision related to the general topic, the content is optional. These provisions are found at sections 13 to 29 of the *Procedure Bylaw*.

There are other rules which apply to council meetings and other bodies as prescribed in s. 93 of the *Community Charter* which are not contained in the *Procedure Bylaw*. These are powers which spring directly from the *Community Charter* and specify a rule or procedure where Council has no discretion. For example, the rules contained at sections 89 to 93 regarding open meetings are not repeated in the bylaw but may be appended to the bylaw for convenient reference as suggested in section 10 of the *Procedure Bylaw*. The sections relevant to a provision are indicated in a box in the left margin next to the section.

**Commented [sf1]:** NOTE: For information only, bylaw specifications provided by the Ministry of Community, Sport and Cultural Development

**VILLAGE OF PEMBERTON**  
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**WHEREAS** the Council of the Village of Pemberton must by bylaw regulate Council meetings and their conduct, and must by bylaw provide for the procedure that is to be followed in passing bylaws, pursuant to Section 124 (1) of the *Community Charter*.

**THEREFORE BE IT RESOLVED** that the Municipal Council of the Village of Pemberton enacts a Procedure Bylaw as follows:

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**PART 1 – INTRODUCTION**

**1. Title**

This Bylaw may be cited as the “**COUNCIL PROCEDURE BYLAW NO. \_\_\_\_\_, 2015**”.

**2. Definitions**

“Chief Administrative Officer” means the Chief Administrative Officer for the Village;

“Chair” means the Mayor, Acting Mayor or other Member who is chairing a meeting.:-

“Commission” means a municipal commission established under s. 143 of the *Community Charter*;

“Committee” means a standing, select, or other committee of Council established under the *Community Charter*;

“Committee of the Whole” means a committee comprised of all Council Members of the Village of Pemberton to consider and recommend to Council on matters of the Village’s business. The Committee sits in a deliberative rather than a legislative capacity, for informal debate and preliminary consideration of matters awaiting action;

“Corporate Officer” means the ~~Chief Administrative Officer~~ the person designated by Council the responsibility of corporate administration pursuant to section 148 of the *Community Charter*. ~~Corporate officer for the village of Pemberton or a person designated by Council by name of office or otherwise to act in the place of the Corporate Officer;~~

“Council” means the governing and executive body of the ~~Council~~ of the Village of Pemberton constituted as provided in the *Community Charter*;

“Councillor” means a duly elected member of the Council ~~Councillor~~ of the Village of Pemberton;

“Council Chambers” means the premises located at 1350 Aster Street, Pemberton, B.C. ~~or the Village Office, 7400 Prospect Street;~~

\_\_\_\_\_ “Delegation” means an individual or group who wishes to bring information to Council or Committee of the Whole on a topic specified on a Request to Appear as a Delegation Form; ~~person or persons chosen to represent others and/or an individual~~

s. 143

s. 94(7)

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“Inaugural Meeting” means the first meeting of the newly elected Council at which the members elected at the most recent general local election are sworn in or are meeting for the first time after the swearing in ceremony.

“In Camera” means a meeting of the Village of Pemberton Council, committees or commissions which is closed to the public pursuant to the provisions of s. 90 of the *Community Charter*.

“Mayor” means the Mayor of the Village of Pemberton;

s. 124(2)(e)

“Public Notice Posting Places” means the notice board at the Village Office at 7400 Prospect Street, the Post Office at 7431 Prospect Street and on the Village Web Site;

“Special Council Meeting” means a meeting of the Council other than a Regular or Inaugural Meeting.

“Swearing In Ceremony” means the event at which the newly elected members of Council take the oath of office. This could take place at the Inaugural Meeting or at a different time and place prior to the Inaugural meeting of Council.

“Village” means the Village of Pemberton;

“Village Office” means the premises located at 7400 Prospect Street, Pemberton, B.C.;

s. 94(7)

“Village Web Site” means the information resource found at an internet address provided by the Village.

### **3. Application of rules of procedure**

s. 124(2)(a)  
and (b)

- i. The provisions of this Bylaw govern the proceedings of Council, and all standing ~~and~~ select committees and commissions of Council, as applicable.
- ii. In cases not provided for under this Bylaw, the then most current edition of ~~The New~~ Robert's Rules of Order, 2nd edition, 1998, applies to the proceedings of Council, ~~and Council~~ committees and commissions to the extent that those Rules are
  - (a) applicable in the circumstances, and
  - (b) ~~not in~~ consistent with provisions of this Bylaw or the *Community Charter*.

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**PART 2 – COUNCIL MEETINGS**

**4. Inaugural Meeting**

Mandatory with Required Content

s.124(2)(a)  
s.125(1)

i. Following a general local election the first Council meeting must be held ~~on the first Tuesday of December~~~~November, within the first ten (10) days of December, following the general election.~~

Commented [PM2]: NOTE: There is a requirement to specify the day of the week the inaugural meeting will be held.

s.125(2)

ii. 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 (i), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

**5. Date, Time and location of meetings**

Mandatory with Required Content

s.125(2)

i. All Council meetings must take place ~~at the Council Chambers~~ within the Village except when Council resolves to hold meetings elsewhere.

ii. Regular Council meetings ~~must:~~

(a) ~~be held on Tuesdays the dates and times shall be established by Council resolution before December 15<sup>th</sup> of each year for the subsequent year~~~~be held on the first and third Tuesday of each month (except January in which regular council meetings will be held the second and fourth Tuesday), and~~

Commented [sf3]: NOTE: There is no requirement to establish the date, time or location in the actual bylaw. This can be established yearly by Council Resolution.

~~(b) begin at 7:00 p.m. and 9:00 a.m. respectively, unless Council otherwise resolves;~~

~~(b) be adjourned no later than three (3) hours~~~~than 11:00 p.m. and 12:00 (noon) respectively after being called to order unless on the day scheduled for the meeting unless~~ Council resolves to proceed beyond that time ~~in accordance with section 27;~~

~~(c) when such meeting falls on a Tuesday after a statutory holiday, the Council meeting shall be held on the next Tuesday that the Village Office is open that is not a statutory holiday; (Bylaw 687/Adopted January 24th, 2012)~~

Commented [PM4]: NOTE: This section was repealed in in Bylaw 687, and will be deleted.

(c) notwithstanding clause (a) above, there shall not be a meeting during the month of August unless Council otherwise resolves.

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- (d) Be held in Council Chambers, ~~the Community Centre~~ or the Village Office unless Council otherwise resolves.
- iii. Regular Council meetings may:
- (a) Be cancelled or postponed to a different day, time and place by Council by resolution, provided that two consecutive meetings are not cancelled; and
- (b) Be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least two (2) days' written notice.
- iv. Special Meetings, being a meeting other than a statutory, regular or adjourned meeting, may:
- (a) Be called by Council at a Regular meeting of Council;
- (b) Be called by the Mayor at his or her discretion at any time;
- (c) Be requested by two or more Council Members, in writing to the Mayor, Chief Administrative Officer and Corporate Officer. If the Mayor or Acting Mayor is absent or unable to act, or for any reason neither have arranged within twenty-four (24) hours after receiving a request under this section then two or more members of Council may themselves call for a Special Meeting to be held within the next seven (7) days.

**6. Notice of Regular Council Meetings** Mandatory with Required Content

s.127(1)

- i. In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 1 each year, a schedule of the dates, times and places of Rregular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- ii. In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 1 of the time and duration that the schedule of Rregular Council meetings will be available beginning on that date in accordance with section 94 of the *Community Charter*.
- iii. If revisions are necessary to the annual schedule of the Regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places and publish in the newspaper to indicate any revisions to the date, time, duration and place of, or cancellation of a Regular Council Meeting.



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**7. Notice of special meetings**

Mandatory with Required Content

- i. 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 twenty-four (24) hours before the time of meeting, by:
  - (a) posting a copy of the notice at the Public Notice Posting Places, and
  - (b) providing the notice and the agenda electronically by email as well as providing a copy of both for each Council member in the Council member's mailbox at the Village Office as requested.
- ii. The notice under subsection (i) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

~~ii.~~ iii. Notice of any Meeting called under Section 5 (iv) will be signed by the Members calling the Meeting, or by the Corporate Officer in place of the Mayor.

**8. Confidential Matters**

- i. As stated in the *Community Charter*, matters deemed to be of a confidential nature may be considered in a meeting closed to the public (in camera) if the subject matter being considered relates to one or more of the following:
  - (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
  - (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
  - (c) labour relations or other employee relations;
  - (d) the security of the property of the municipality;
  - (e) 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;

s.127(2)

s.127(3)

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- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
  - (g) litigation or potential litigation affecting the municipality;
  - (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council;
  - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
  - (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;
  - (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];
  - (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
  - (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (b);
  - (o) the consideration of whether the authority under section 91 [other persons attending closed meetings] should be exercised in relation to a Council meeting.
- ii. A part of a Council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) a request under the *Freedom of Information and Protection of Privacy Act* in relation to the matter;
  - (b) the consideration of information received and held in confidence relating to negotiations between the municipality

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and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

- (c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 [ombudsman to notify authority] of that *Act*;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- iii. If the only subject matter being considered at a Council meeting is one or more matters referred to in subsection (i) or (ii), the applicable subsection applies to the entire meeting.
- iv. Before a meeting or part of a meeting is closed to the public, Council must state by resolution that the meeting is to be closed and the basis on which the meeting is closed.

**8.9. Electronic Participation at Meetings** Optional

- i. ~~Provided the conditions set out in subsection 128(2) of the *Community Charter* are met a special Council meeting may be conducted by means of audio electronic or other communication facilities.~~
- ii. ~~The member presiding at a special council must not participate electronically.~~

~~No more than two (2) members of council at one time may participate at a special council meeting when electronic or other communications facilities is being used by another member under section 8(1).~~

Replaced by Bylaw 737/Adopted September 3<sup>rd</sup>, 2013

**Commented [sf5]:** NOTE: This section was amended as per BL 737 – this section would be deleted and replaced with the proposed wording below.

s. 128

- i. Provided that all of the conditions set out in subsection 128 (2) of the *Community Charter* are met, and subject to paragraph (ii) of this Section, a member of council or of a council committee or commission, other than the presiding member, who is unable to attend at any council, ~~or committee~~ committee, commission or special e meeting, as applicable, may participate in the meeting by means of electronic or other communications facilities.
- ii. As a limit on ~~paragraph section~~ (i), -no more than two (2) members of Council, committee or commission ~~or a committee~~ may participate at

**Commented [sf6]:** NOTE: Council may wish to consider limiting participation by electronic means to just Special meetings or a combination as is felt appropriate.

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any one meeting by way of electronic or other communications facilities.

- iii. In instances where the Mayor will participate in a meeting electronically, the Council member designated to act in place of the Mayor shall preside. In absence of the designate, the member present shall elect from among themselves a presiding member for that meeting;
- iv. Where a meetings is held under this section the facilities must enable the public to hear, or see and hear, the participation of the member or members participating electronically unless the meeting is closed pursuant to section 90 of the Community Charter;
- v. Members of Council who are participating in a meeting under this section are deemed to be present at the meeting;
- vi. Council members may not attend by electronic means more than a maximum of four (4) meetings as identified in this section per calendar year;

**Commented [sf7]:** NOTE: Section 125 (5) (a) & (b) of the Community Charter establishes that a Council Member is disqualified from holding office if that member is absent from Council meetings for a period of 60 consecutive days or 4 consecutive regularly scheduled meetings.

**PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

**9.10. Appointment of Acting Mayor**

Mandatory with Required Content

s. 130

- i. 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 for the subsequent year.
- ii. Each Councillor designated under section 109(i4) must fulfill the responsibilities of the Mayor in his or her absence.
- iii. If both the Mayor and the member designated under section 910(i4) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting pursuant to section 12 (ii).
- iv. The member designated under section 109(i4) or chosen under section 910(iii3) has the same powers and duties as the Mayor in relation to the applicable matter.

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**PART 4 – COUNCIL MEETING PROCEEDINGS**

**10.11. Attendance of Public at Meetings**

- s. 89 i. Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- s. 92 ii. 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*.
- s. 93 iii. This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) Committee of the Whole
  - (b) Standing and Select Committees,
  - (c) Parcel Tax Review Panel,
  - (d) Board of Variance,
  - (d) Advisory bodies as established by Council.
- s. 133 iv. Despite section 10(~~14~~), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 109 may expel or exclude from a Council meeting a person in accordance with section 2~~10 (viii)(8)~~.

**11.12. Minutes of meetings to be maintained and available to public**

- s.124(2)(c) i. Minutes of the proceedings of Council and its Committees and Commissions must be:
  - (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer or designate, and
  - (c) signed by the Mayor or other member presiding after adoption of the minutes.
- ii. Minutes of the proceedings of Council and its committees and commissions shall record:
  - (a) The place, date and time of meeting;
  - (b) The names of the Presiding Member or members and record of the attendance of members;

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(c) Motions of the meeting without note or comment.

- ~~iii.~~ With exception to the Mayor and Councillor reports only the motions and actions of Council (action minutes) will be recorded.
- ~~iv.~~ Subject to subsection 124(v~~3~~), and in accordance with section 97(1)(b) of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at the Village Office during its regular office hours.
- v. Subsection 124(iv) ~~2~~) 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.

s.97(1)(b)  
s.97(2)

s.97(1)(b)

**13. Release of In Camera (Closed) Meeting Items**

- i. At the first Regular Meeting of Council after a Closed Meeting, the Mayor shall announce the decisions made in the Closed Meeting that Council has determined by resolution are no longer confidential matters, and that this include which Councillors declared conflict in a closed matter when brought forward to the public.
- ii. Biannually, the Corporate Officer shall bring to the attention of the Council those items that were dealt with in a Closed Meeting and have not been released for public information. Council shall then determine by resolution which items are no longer confidential matters and announce the decisions at the next Regular Meeting of Council.

Mandatory with optional content - Sections 14-28  
[Optional content: s. 124(1) and (2)(a) and (b) of the Community Charter make it mandatory for a Council to establish the general rules of procedure for Council meetings and Council Committee meetings. The content of the rules of procedure are not prescribed. Therefore, although it is necessary to set out the rules governing council procedure, their specific content is discretionary.]

**12-14. Calling meeting to order**

- i. 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 9 must take the Chair and call such meeting to order.

s.124(1)  
s.124(2)(a)

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- ii. 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 109 do not attend within twenty (20) minutes of the scheduled time for a Council meeting:
  - (a) the ~~Chief Administrative Officer~~Corporate Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

**Commented [sf8]:** NOTE: This time may be changed at Council's discretion. Some communities set this at 10 minutes or 15 minutes. There is no indication of anything longer than 20 minutes.

**13.15. Adjourning meeting where no quorum**

- i. If there is no quorum of Council present within twenty (20) minutes of the scheduled time for a Council meeting, the ~~Chief Administrative Officer~~Corporate Officer or designate must:
  - (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

**14.16. Agenda**

- i. Prior to each Regular Council meeting, the ~~Chief Administrative~~Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.
- ii. The deadline for submissions by the public to the ~~Manager of Administrative Services~~Corporate Officer of items for inclusion on the Regular Council meeting Agenda is 12:00 p.m. on the Wednesday prior to the meeting.
- iii. The ~~Chief Administrative Officer~~Corporate Officer must make the agenda available to the members of Council on the Friday afternoon prior to the meeting.
- iv. The ~~Chief Administrative~~Corporate Officer must make the agenda available to the members of the public no later than the Monday at noon prior to the meeting.
- v. Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced and approved as a late item pursuant to section 186. Materials relating to late items presented at a Regular Council meeting shall be distributed to the Corporate Officer, ~~Chief Administrative Officer,~~ the Recording Secretary and all senior staff in attendance.

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**45:17. Order of proceedings and business**

- i. The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:

Call to order

Approval of Agenda

In Camera (Closed)

Rise with Report

Adoption of Minutes

Business Arising from the Minutes

Regular Meeting

Committee of the Whole

Committee Minutes – for Information

Delegations – requests to address Council Reports

- Committee reports
- Staff
- Mayor
- Councillor

Bylaws

- First and second Reading
- First, Second and Third Reading
- Third Reading
- Adoption

Correspondence

- for action
- for information

Decision on New-Late Business

Late Business

Notice of Motion

Question Period

In-Camera

Rise and Report

Adjournment

**Commented [sf9]:** NOTE: The order and content of the agenda is at the discretion of Council and is not prescribed by legislation. The track changes are proposed for consideration.

**Commented [sf10]:** NOTE: Moving In Camera to be the first item of business is being suggested to enable Council to Rise with Report in a timely manner.

**Commented [sf11]:** EX: Finance Cttee, Emergency Planning & Operations Cttee

**Commented [sf12]:** NOTE: This breakdown is being suggested for administrative clarity



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- ii. 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.

**16.18. ~~ew~~Late ItemsLate Business**

- i. An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the ~~late item~~ **business** is approved by Council at the time allocated on the Agenda for such matters.
- ii. If the Council makes a resolution under section 176 (~~4~~) to deal with a matter at the same meeting it is introduced, information pertaining to the ~~late business item~~ **business** must be distributed to the members.

**19. Notice of Motion**

- Any Council member may give a “Notice of Motion” respecting an item which he or she intends to present by giving a copy of such motion to the Corporate Officer during a meeting of Council. Upon the member being acknowledged by the Chair and the Notice of Motion being read to the meeting, such motion shall appear in the minutes of that meeting as a Notice of Motion and must be placed on the agenda of the next Regular Council Meeting or other future meeting designated by the member bringing forward the Notice of Motion for consideration-:-

**Commented [PM13]:** NOTE: The current Procedure Bylaw does not establish the process by which a Notice of Motion may be introduced. This section has been added for guidance.

**17.20 Petitions and ~~Communications~~ (Correspondence)**

- i. ~~Every communication, including P~~ **petitions and communications (correspondence)**, presented to Council must be legibly written or printed, signed and contain a return address **and telephone number**. Unsigned email correspondence will be accepted if it contains the name of the author, return mailing and civic address, and telephone number. All communication presented to Council will be subject to Freedom of Information and Protection of Privacy Act.
- ii. Every petition or ~~communication~~ **(correspondence)** for a Council meeting must be delivered to the Corporate Officer by 12 noon on the Wednesday prior to a regular meeting.

**18.21 Voting at ~~M~~meetings**

- i. 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;

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- (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:  
  
"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:  
  
leave the room,  
  
make a noise or other disturbance, or  
  
interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) 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;
- (e) the presiding member's decision about whether a question has been finally put is conclusive; and
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand;
- ~~(f)~~(g) Should any member refrain from voting when any question is put, the member shall be regarded as having voted in the affirmative and the members vote shall be counted accordingly;
- ~~(g)~~(h) if a vote is not unanimously in favour the presiding member must ask the opposing member if they wish their vote and name ~~is~~ to be recorded in opposition and the recording secretary will ~~th~~ be so instructed ~~;~~;
- ~~(h)~~(i) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative ~~;~~;

**19-22 Delegations**

- i. The Council may, by resolution, allow Persons or groups of persons wishing to appear as a delegation before Council shall advise the Corporate Officer in writing by noon on the seventh day prior to the date of the meeting. This request must include the name, address and telephone number of the person who wishes to speak on behalf of the delegation and the purpose of the presentation. Written submission that will form part of the presentation must be provided at the time of the application.

**Commented [sf14]:** NOTE: In accordance with Section 123 (4) of the Community Charter

**Commented [sf15]:** There has been discrepancy with respect to the timeline by which a request to appear before Council must be submitted. The Bylaw established requests to be in by noon the Wednesday prior to a meeting whereas practice had established 14 days. As well, Committee of the Whole or other Committee meetings may be scheduled outside the regular Tuesday meeting day; therefore, the wording of this section has been revised for consideration in order to provide flexibility and to assist with agenda preparation (ie: timing).

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~~(a) an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application has been received by the Manager of Administrative Services Corporate Officer by noon on the Wednesday prior to the meeting.~~

- ~~ii.~~ Each address must be limited to ten (10) minutes with a question period of five (5) minutes for a total of fifteen (15) minutes unless a longer period is agreed to by unanimous vote of those members present.
- ~~iii.~~ Where written application has not been received by the ~~Manager of Administrative Services~~ **Corporate Officer** as prescribed in section ~~18(1), 19 (i)~~, an individual or delegation may address the meeting if approved by the majority vote of the members present.
- ~~iii.~~~~iv.~~ 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 prerequisite to the adoption of the bylaw.
- ~~iv.~~~~v.~~ The ~~Chief Administrative~~ **Corporate** Officer may schedule a maximum of two (2) delegations to any Council meeting. ~~Delegations shall be placed on the agenda on a first come basis; provided the Manager of Administrative Services shall have received a written request explaining the subject matter to be discussed with Council no later than the Wednesday at noon prior to the scheduled Council meeting;~~
- ~~v.~~~~vi.~~ The ~~Chief Administrative~~ **Corporate** Officer may schedule delegations to another Council meeting, ~~a committee~~ or advisory body ~~or ask staff to address the delegate's issue~~ as deemed appropriate according to the subject matter of the delegation.
- ~~vii.~~ The ~~Chief Administrative~~ **Corporate** Officer may ~~decline~~ **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 ~~Chief Administrative~~ **Corporate** Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- ~~viii.~~ ~~Council shall not act on a request from a delegation until the next regular meeting, unless consent by two-thirds vote of Council present is given to consider the matter following the delegation presentation.~~
- ~~ix.~~ ~~A delegate may not speak on an issue that is the subject of a staff report not yet presented to a Council meeting.~~

**Commented [sf16]:** These two clauses are current practice and are being added to ensure clarity

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~~v-x.~~

**20.23 Points of order**

s. 132

- i. Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, 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.
- ii. 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 (ii)(a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

**Commented [sf17]:** NOTE: As per Ministry sample bylaw and current to VOP

**21.24 Conduct and debate**

- i. A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- ii. Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- iii. Members must address other non-presiding members by the title Councillor.
- iv. No member must interrupt a member who is speaking except to raise a point of order.
- v. If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- vi. 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*

s. 132

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*Charter.*

- vii. 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, 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.
- viii. If a member does not adhere to subsection (vii), 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.
- ix. 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.
- x. 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
    - (a) with the permission of Council, or
    - (b) 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 may speak to a question, or may speak in reply, for longer than a total time of ten (10) minutes only with the permission of Council.

s. 133(1)

s. 133(2)

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**2225. Motions Generally**

- i. Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- ii. 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 permission.
- iii. 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, or the question;
  - (g) to adjourn.
- iv. A motion made under subsections (iii)(c) to (g) is not amendable or debatable.
- v. 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.

**Commented [sf18]:** NOTE: Council may consider deleting this section as it is addressed in section 19 Notice of Motion

**Commented [sf19]:** NOTE: Refers to temporarily setting aside a pending motion (to take care of something else deemed urgent)

**2326. Motion to Commit**

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

**Commented [sf20]:** NOTE: A Motion to Commit provides for a matter to be referred to Committee of the Whole or other Council Committee's as established.

**24-27 Motion for the main question**

- i. In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- ii. 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.

**Commented [sf21]:** NOTE: As per Ministry sample bylaw and current to VOP

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**25-28 Amendments generally**

- i. Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- ii. An amendment may propose removing, substituting for, or adding to the words of an original motion.
- iii. A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- iv. 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.
- v. An amendment may be amended once only.
- vi. An amendment that has been **negated** by a vote of Council cannot be proposed again.
- vii. A Council member may propose an amendment to an adopted amendment.
- viii. 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.

*Mayor's right of reconsideration found at s.131 of the Community Charter*

**26-29 Reconsideration by Mayor**

- i. In accordance with section 131 of the *Community Charter*, the Mayor may at the same council meeting as the vote took place or at any time within thirty (30) days after the adoption or rejection of any bylaw, resolution or proceeding, return same for consideration by Council subject to the following:

- (a) It has not had the assent of the electors;
- (b) It has not already been reconsidered by Council;
- and

**Commented [sf22]:** NOTE: As per Ministry sample bylaw and current to VOP

**Commented [sf23]:** NOTE: This word is accepted and means to reject; refuse to accept or veto. For example: "the bill was negated by 130 votes to 129"

**Commented [sf24]:** NOTE: This has been introduced to the Bylaw to reflect the legislation.

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- (c) It not has been acted upon by any Officer, employee or Agent of the Village.
- ii. In returning matters for council's reconsideration the Mayor may state the reasons or objections, which will be recorded in the minutes. Council shall as soon thereafter as convenient, consider the reasons or objections and either:
  - (a) Reaffirm the Bylaw, resolution or proceedings; or
  - (b) Reject the bylaw, resolution or proceedings.
- iii. Bylaws and resolutions that are rejected after reconsideration are deemed to be absolutely vetoed, rescinded and repealed, and are of no force or effect whatsoever, and shall not be reintroduced for a period of six (6) months except with the unanimous consent of Council.
- iv. A bylaw, resolution, or proceeding that is reaffirmed under section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration

**27-30 Reconsideration by Council Member**

- i. Subject to subsection (~~v~~5), a Council member 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 twenty-four (24) hours following its adoption.
- ii. A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- iii. Council must not discuss the main matter referred to in subsection (~~4~~i) unless a motion to reconsider that matter is adopted in the affirmative.
- iv. A vote to reconsider must not be reconsidered.
- v. 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*.<sup>4,5</sup>



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- (c) been acted on by an officer, employee, or agent of the Village.
- vi. The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- vii. Bylaws and resolutions that are rejected after reconsideration are deemed to be absolutely vetoed, rescinded and repealed, and are of no force or effect whatsoever, and shall not be reintroduced for a period of six (6) months except with the unanimous consent of Council.
- viii. A bylaw, resolution, or proceeding that is reaffirmed under subsection (i4) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

**31. Adjournment**

- i. Council may continue a council meeting after three (3) hours only by an affirmative vote.

Mandatory with optional content except s.35 which is mandatory

**PART 5 – BYLAWS**

**32. Copies of proposed bylaws to Council members**

- i. 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 twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

s.124(2)(a)

**2833. Form of Bylaws**

- i. A bylaw introduced at a council meeting must;
  - (a) ~~\_\_\_\_\_~~ a) Be printed;
  - (b) ~~\_\_\_\_\_~~ b) Have a distinguishing name;
  - (c) ~~\_\_\_\_\_~~ c) Have a distinguishing number;
  - (d) ~~\_\_\_\_\_~~ d) Contain an introductory state of purpose;
  - (e) ~~\_\_\_\_\_~~ e) Be divided into sections.

Commented [sf25]: NOTE: As per Ministry sample bylaw and current to VOP

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**29-34 Reading and adopting bylaws**

- i. The presiding member of a Council meeting may
  - (a) have the ~~Chief Administrative~~Corporate Officer read a synopsis of each proposed bylaw, and then
  - (b) request a motion that the proposed bylaw be read.;
- ii. The readings of the bylaw may be given by stating its title and object.
- iii. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- iv. 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.
- v. 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.
- vi. Despite section 135(3) of the *Community Charter*, 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.

**29-35 Bylaws must be signed**

- i. After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council, the Corporate Officer must have it placed in the Village's records for safekeeping and endorse upon it:-
  - (a) The Village's Corporate Seal;
  - (b) The dates of its readings and adoption; and
  - ~~(a)~~(c) The date of Ministerial Approval or Approval of the Electorate as applicable.

s.135(2)

s.135(6)

s.148(a)

s.148(f)

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**PART 6 – RESOLUTIONS**

Mandatory with optional content

**30.36 Copies of resolutions to Council members**

s.124(1)(a)

A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

[Optional: However if COTW meetings are conducted must establish rules of procedure, the taking and certifying of minutes and providing for advance notice of meetings in accordance with s.124(2)(b), (c) and (d) of the Community Charter]

**PART 7 – COMMITTEE OF THE WHOLE**

**37. Notice for COTW meetings**

s.124(2)(d)

i. A notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the Public Notice Posting Places; and
- (b) providing the notice and agenda electronically by email as well as providing a copy of both for each Council Member in the Council member's mailbox at the Village Office as requested.

**38. Minutes of COTW meetings to be maintained and available to public**

s.97(1)(c)

s.124(2)(c)

s.145

i. (1)–Minutes of the proceedings of COTW must be

- (a) legibly recorded,
- (b) certified by the Corporate Officer,
- (c) signed by the member presiding at the meeting, and
- (d) open for public inspection in accordance with section 97(1)(c) of the Community Charter.

**39. Presiding members at COTW meetings and Quorum**

- ii. i. The Mayor shall preside the COTW if present, 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 10 must take the Chair and call the meeting to order.

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ii. ~~(2)~~—The quorum of COTW is the majority of Council members.

**40 Points of order at meetings**

i. ~~The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.~~

**41 Conduct and debate**

i. ~~The rules of procedure of the Council shall be observed in the COTW, so far as may be applicable, except that:~~

(a) ~~a member may speak any number of times on the same question; and~~

(b) ~~No member shall speak continuously for more than five (5) minutes to a question;~~

**42 Voting at meetings**

i. ~~(1)~~—~~Votes at a COTW meeting must be taken by a show of hands if requested by a member.~~

ii. ~~The presiding member must declare the results of voting.~~

**43 Adjournment**

i. ~~When all matters referred to COTW have been considered a motion to terminate and report to Council shall be adopted.~~

**PART 78 -- COMMITTEES**

**3144. Duties of standing committees**

- s. 141
- i. 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 assigned by Council;
    - (c) matters that are assigned by the Mayor.
  - ii. ~~Standing committees must report and make recommendations to Council through the minutes, at all of the following times on matters that are assigned by Council or the Mayor;~~
  - iii. ~~(a) as required by Council or the Mayor, or~~

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~~iv. (b) at the next Council meeting if the Council or Mayor does not specify a time.~~

**32.45 Duties of select committees**

s. 141

- i. Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- ii. Select committees ~~must~~ report and make recommendations to Council ~~through their minutes. at the next Council meeting unless Council specifies a different date and time.~~

**33.46 Notice of committee meetings**

s.124(2)(d)

- i. Notice and Agenda of committee meetings, including the times, dates and places of the meetings must be given by:
  - (a) posting a notice of the meeting at the Public Notice Posting Places; and
  - (b) providing a copy of the notice and agenda electronically by email ~~(electronically)~~ to each member of the committee at least twenty-four (24) hours prior to the meeting.

**34.47 Minutes of committee meetings to be maintained and available to public**

s.124(2)(c)  
s.97(1)(g)

- i. Minutes of the proceedings of a committee must be:
  - (a) legibly recorded,
  - (b) certified by the Corporate Officer or his/her designate and the presiding member, and
  - (c) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

**35.48 Quorum**

The quorum for a committee is a majority of all of its members.

**36.49 Conduct and debate**

- i. The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- ii. Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

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**37-50 Voting at meetings**

- i. Council members attending a meeting of a committee of which they are not a member must not vote on a question.
  
- ii. The Mayor is ~~an~~ ex officio member of all Committees and therefore is entitled to vote on any matter before the Committee.

**PART 9 - COMMISSIONS** Optional

- i. The procedures for governing conduct of Commissions shall be set out within the Commissions establishing bylaw and shall reflect the Council Meeting Proceedings as noted in Part 4 of this Bylaw as amended from time to time.

**PART 8-10 – GENERAL**

**3851. Validity of the Bylaw**

- i. 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.
  
- ii. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

**39-52 Repeal**

- i. Village of Pemberton Council Procedure Bylaw No. 656, 2011 and its amendments 25, 2009 is hereby repealed.

NOTICE OF INTENTION TO CONSIDER Council Procedures Bylaw No. \_\_\_\_\_, 2015 WAS PUBLISHED IN THE Pique Newsmagazine on \_\_\_\_\_ and \_\_\_\_\_ AND IN THE Whistler Question on \_\_\_\_\_ and \_\_\_\_\_.

**READ A FIRST TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**READ A SECOND TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**READ A THIRD TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Mike Richman  
Mayor

\_\_\_\_\_  
Sheena Fraser  
Corporate Officer