

## DISTRICT OF LAKE COUNTRY

### BYLAW 830

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#### **A BYLAW TO ESTABLISH A PUBLIC ART ADVISORY COMMISSION AND TO DELEGATE CERTAIN POWERS, DUTIES AND FUNCTIONS TO THE COMMISSION**

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WHEREAS in accordance with Section 143 of the Community Charter, Council may establish and appoint a commission to operate services;

WHEREAS in accordance with Section 154 of the Community Charter, Council may, by bylaw, delegate its power, duties and functions to another body established by Council;

NOW THEREFORE Council of the District of Lake Country in open meeting assembled, enacts as follows:

#### **SECTION 1 – TERMS OF REFERENCE**

##### **1) Purpose and Mandate:**

In general, the Public Art Advisory Commission (PAAC) (the “Commission”) is formed to advise the District of Lake Country (the “District”) Council on issues pertaining to art, culture and heritage.

- a) The Commission will meet the following powers, duties and responsibilities:
- b) Spearhead or support specific projects that promote art, culture and heritage;
- c) Provide advice to Council on matters referred to them by Council of a policy nature or with respect to planning and development of art, culture, heritage areas and facilities. Referrals will not involve operational matters;
- d) Liaise with other community groups such as the ward community associations, Heritage and Cultural Society or special interest groups who are dealing with art, cultural, or heritage matters concerning public property or events that may be of interest and benefit to the community as a whole;
- e) Co-ordinate the display of art works in the Municipal Hall and other public places in co-operation with the District;
- f) Advise Council through the Planning and Development Department on the creation of design guidelines for the aesthetic quality and features of development within Lake Country;
- g) Advise Council on aesthetic features and design guidelines for individual development applications at the request of the Director of Planning and Development;
- h) Advise Council on the acquisition of public art, either through donation or fundraising;
- i) Advise on art, cultural and heritage matters referred to it by Council;

- j) Hold an annual, publically-advertised meeting, where groups or individuals with ideas or concerns respecting art, culture or heritage are invited to present comments to the Commission;
- k) Complete special projects related to public art or aesthetic concerns for the District, such as creating a banner, or establishing guidelines for signage;
- l) Submit and have authority to administer an annual plan and budget as approved by Council.

## **2) Membership:**

- a) The voting membership of the Commission shall be comprised of at least eight (8) and not more than fourteen (14) members that are representatives from the community at large who have a documented interest or experience in the areas of art, culture or heritage;
- b) At least two (2) members of Council will be appointed by Council as voting members.

## **3) Appointment and Term:**

- a) Voting members of the Commission shall be appointed by Council resolution for a two (2) or three (3) year term expiring on June 30th;
- b) Members will have the option to continue for additional three (3) year terms if indicated in writing to the Corporate Officer prior to the expiration date of the original appointment and approved by Council;
- c) If a Commission member fails to attend three (3) consecutive meetings of the Commission, Council may revoke the appointment unless such absence is authorized by resolution of the Commission;
- d) Council may, at any time, by a vote of two-thirds of its members, revoke the appointment of a member of the Commission;
- e) Where a member resigns or otherwise ceases to be a member of the Commission, Council may appoint another qualified person to complete the balance of the term of the former member;
- f) The Commission Recording Secretary shall notify the Corporate Officer by January 31 of each year of expiration dates and immediately if a vacancy occurs;
- g) Vacancies on the Committee will be referred to the Nominating Committee for a recommendation as per Nominating Committee Policy 11.120.

## **4) Chairperson**

A Chairperson shall be appointed by a majority of the Commission members at the first Commission meeting of each calendar year. In the absence of the appointed Chairperson an Acting Chairperson shall be appointed for each meeting by those members present. A member of Council may be appointed as a Chairperson or Acting Chairperson.

**5) Staff Liaison**

- a) The Chief Administrative Officer may delegate senior staff to act as a Staff Liaison for the Commission to provide support and resources as needed, and as allowed by Council priorities and operational workload.
- b) Commissions do not direct the Staff Liaison, nor can they request other staff resources. Such requests must go through either the Chief Administrative Officer or Council.

**6) Commission Recording Secretary**

The Commission Recording Secretary provides the following functions for the Commission:

- a) Prepares, distributes and publically posts notices of Commission meetings and their agendas in collaboration with the Commission Chairperson;
- b) Records and signs the minutes of the Commission meeting;
- c) Ensures that minutes are available as an official record, available for public information and distributed to Council and other District Commissions;
- d) Notifies the Corporate Officer of membership expiration dates and vacancies.

**7) Conflict of Interest**

Commission members must abide by the conflict of interest provisions of the Community Charter and District Council Procedures Bylaw as amended from time to time. If a Commission member attending a meeting of the Commission considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of a matter because the member has a direct or indirect pecuniary interest in the matter, or for any other reason, the member must declare this and state the general nature of why he or she considers this to be the case and immediately leave the meeting or the part of the meeting during which the matter is under consideration.

**8) Reporting to Council**

- a) Recommendations of the Commission must be adopted by Commission resolution prior to presentation to Council;
- b) Recommendations of the Commission will be submitted to Council in the form of a staff report containing the proposed recommendation;
- c) The Staff Liaison is responsible for preparing the staff report and presenting the report to Council along with the Chairperson, if required;
- d) Referrals to the Commission from Council and/or staff shall be dealt with, in the form of a recommendation to Council, within 30 days of the referral unless otherwise noted or extended by Council or District staff;

- e) The Commission shall report to Council at least once in each calendar year in April or May to update Council and the public as to their projects, upcoming events and any other relevant issues that may concern them.

## 9) Agendas

- a) An agenda for every meeting of the Commission shall be prepared by the Chairperson in collaboration with the Commission Recording Secretary;
- b) Public notice of Commission meetings indicating the time, place and date of the meeting, must be posted at least 72 hours before a Commission meeting by posting in the Municipal Hall foyer and on the District of Lake Country website. At least 24 hours before a Commission meeting, a copy of the Commission meeting agenda must be posted at the posting locations and copies provided to the members of the Commission (pursuant to District of Lake Country Council Procedures Bylaw 487, 2004);
- c) A matter which is not on the adopted agenda for a meeting shall not be considered at the meeting except with the approval of the majority of the Commission members present.

## 10) Minutes

- a) Minutes of each Commission meeting will be recorded by the Commission Recording Secretary and will only record resolutions of the Commission as required by the Community Charter;
- b) Minutes shall be adopted at the next meeting of the Commission, and once adopted shall be signed by the Chairperson and the Commission Recording Secretary;
- c) Minutes of the Commission shall be provided to the Corporate Officer within five (5) days of a Commission meeting;
- d) Minutes will be secured at the District office, posted on the District's website and distributed to Council and other District Commissions for information.

## 11) Meetings Procedures

- a) The Chairperson shall be responsible for scheduling of meetings, presentation of reports to Council, when required, and be the chief liaison with the District Staff Liaison;
- b) The Commission shall meet on a quarterly basis or as it deems necessary if there are matters to be considered or as referrals from Council or staff may require;
- c) The Commission may receive and consider representation from such individuals, groups or organizations as it considers appropriate and consistent with the duties of the Commission;
- d) Commission meetings shall be open to the public and held at the District office unless otherwise legislated or provided for in the District's Council Procedure Bylaw as amended from time to time;

- e) When the Commission is discussing proposed amendments to a plan, bylaw or issue of a permit, the Commission will advise the applicant of the meeting date and time and provide the applicant with the right to attend the meeting and be heard.

## 12) Quorum

- a) A majority of the voting members, or a minimum of four (4) members of the Commission shall constitute a quorum;
- b) If there is no quorum present within 30 minutes after the time appointed for the meeting, the names of the members present shall be recorded and the meeting shall stand adjourned.

## 13) Remuneration and Expenses

Commission members shall serve without remuneration, but may be paid reasonable and necessary expenses that are directly related to the performance of their duties and in accordance with District policies.

## SECTION 2 - REPEAL

1. District of Lake Country Public Art Advisory Commission Bylaw 480, 2004 and all amendments thereto are hereby repealed.

## SECTION 3 - CITATION

2. This bylaw may be cited as "Public Art Advisory Commission Bylaw 830, 2012".

READ A FIRST TIME this 26<sup>th</sup> day of June, 2012.

READ A SECOND TIME 26<sup>th</sup> day of June, 2012.

READ A THIRD TIME this 26<sup>th</sup> day of June, 2012.

ADOPTED this 3<sup>rd</sup> day of July, 2012.

Original signed by James Baker  
Mayor

Original signed by Reyna Seabrook  
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as "Public Art Advisory Commission Bylaw 830, 2012" as adopted by Council on the 3<sup>rd</sup> day of July, 2012.

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Dated at Lake Country, BC

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Corporate Officer