This Bylaw has been consolidated for Convenience only and includes all Amendments to the text up to:
January 5, 2023

BYLAW NO. 2339

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

BYLAW NO. 2339

A Bylaw to establish Advisory Planning Commissions and to provide remuneration of expenses for members of Advisory Planning Commission Bylaw No. 2339, 2006

WHEREAS the Local Government Act provides a REGIONAL BOARD to establish one or more Advisory Planning Commissions, and provides for the remuneration of expenses of Commission members;

AND WHEREAS the REGIONAL BOARD deems it desirable to establish Advisory Planning Commission(s) for each Electoral Area within the Regional District Okanagan-Similkameen;

AND WHEREAS it is deemed expedient to provide for the payment of expenses incurred by members of the Advisory Planning Commissions;

NOW THEREFORE the REGIONAL BOARD of the Regional District Okanagan-Similkameen in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1.0 TITLE

1.1 This Bylaw may be cited for all purposes as the **"Advisory Planning Commission Bylaw No. 2339, 2006."**

1.2 In this Bylaw:[i]

a) **"Commission"** means an advisory planning commission.

b) **"Board"** means the Regional District of Okanagan-Similkameen Board of Directors.

c) **"Regional District"** means the Regional District of Okanagan-Similkameen.

2.0 ESTABLISHMENT

[i] Amendment Bylaw No. 2339.02, 2018 – adopted October 18, 2018.

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2.1 One Commission may be established for each of the electoral areas shown on attached Schedule 'A'.[ii]

3.0 ROLE OF COMMISSION

3.1 The role of the Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Part 14 of the *Local Government Act*.[iii]

3.2 The Commission is bound by the Regional District Code of Ethics.

4.0 MEMBERSHIP OF THE COMMISSION

4.1 The Board, by resolution, shall appoint members to Commission on the recommendation of the Electoral Area Director.

4.2 At least two-thirds of the members of a Commission for an Electoral Area shall be residents of that electoral area.

4.3 In making appointments to the Commission, the Board shall attempt to ensure that the membership is balanced to represent a cross-section of the people and geographic zones in its jurisdiction.

4.4 The Commission shall consist of a maximum of 12 members to be appointed from time to time by the Board.

4.5 Commission appointments shall be made by the Board for terms of up to four (4) years to run concurrent with the Board term, and no term of appointment shall extend beyond the four (4) year term of the Electoral Area Director unless re-appointed by the Board. [iv]

4.6 In the event of the resignation or death of a member of the Commission, the Board may appoint, by recommendation of the Electoral Area Director, a successor to serve the balance of the term of appointment.

4.7 An Electoral Area Director, Alternate Director, Regional District employee or officer are not eligible to be members of the Commission but may attend a meeting of the Commission in a resource capacity.

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[ii] Amendment Bylaw No. 2339.02, 2018 – adopted October 18, 2018.
[iii] Amendment Bylaw No. 2339.02, 2018 – adopted October 18, 2018.
[iv] Amendment Bylaw No. 2339.01, 2015 – adopted January 8, 2015.

4.8 If any member of a Commission is continuously absent from three (3) consecutive meetings of an APC, unless due to illness or some other unavoidable reason that is temporary in nature, their appointment may be rescinded by the Board.[v]

5.0 CHAIR OF COMMISSION

5.1 The Commission shall elect one of its members as Chair, another as Vice-Chair to act in the absence of the Chair, and a Secretary to take minutes of the meetings (or minutes may be taken by a minute taker not a member of the Commission) and record expenses as well as to perform such other secretarial duties as may be required by the Commission. The Chair, Vice-Chair and Secretary shall hold these positions for one year or until their successors are elected, which shall take place at the first meeting of each new year.

5.2 The Chair of the Commission shall be responsible for the execution of documents on behalf of the Commission, including the signing of minutes.

5.3 In the absence of the Chair and Vice-Chair or Secretary, the Commission shall elect from the members present a temporary Chair or Secretary for the purpose of that meeting only.

6.0 MEETINGS OF COMMISSION

6.1 A decision of the Commission shall be made by a majority of the members present at a meeting. All members of the Commission, including the Chair, must vote on every question unless they have declared a conflict and left the meeting. Any member who abstains from voting will be deemed to have voted in the affirmative and on a tie vote the question shall be defeated.

6.2 Three (3) members of a Commission shall be deemed to be a quorum. If a quorum is not present within 30 minutes after the time fixed for a meeting, the Commission shall stand adjourned until the next regular or special meeting.[vi]

6.3 A schedule of regular Commission meetings for the forthcoming year, including time, date and place shall be established by the Regional District Board at its Inaugural Meeting.[vii]

6.4 The Regional District Board, the Chair of an APC or the majority of the members of a Commission may call a special meeting of the Commission. A special meeting called by

[v] Amendment Bylaw No. 2339.04, 2021 – adopted October 7, 2021.
[vi] Amendment Bylaw No. 2339.04-a, 2023 – adopted January 5, 2023.
[vii] Amendment Bylaw No. 2339.04-a, 2023 – adopted January 5, 2023.

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the Regional District Board may be a joint meeting involving APCs from multiple electoral areas.[viii]

6.5 Notice of the Commission agenda and notice of time, date and place of a special meeting shall be provided in accordance with the APC Policy.

6.6 Meetings of the Commission shall be held in a public facility, by means of electronic or other communication facilities, or by a combination of both.[ix]

6.7 With rare exception, and unless otherwise authorized pursuant to Section 90 of the *Community Charter,* meetings of the Commission must be open to the public. The Regional District will identify these matters for the Commission and refer these matters as they arise.

6.8 The Commission shall permit applicants / agents of Development Applications referred to it by the Regional District Commission meeting(s) to attend the Commission meeting, and shall permit them to be heard and be present for the decision. The applicants / agents will be contacted by the Regional District for the purpose of advising the date, time and location of the Commission meeting at which they will be heard and permitted to be present for decisions.

6.9 Where not otherwise covered in this bylaw, the rules governing Commission meetings shall be those of the APC Policy and Regional District Procedure Bylaw.

7.0 MINUTES

7.1 The Secretary shall keep minutes of meetings (or minutes may be taken by a minute taker not a member of the Commission) and a record of expenses and shall perform such other secretarial duties as may be required by the Commission.

7.2 The Secretary shall forward the minutes of the meeting to the Regional District in accordance with the APC Policy. The minutes of the Commission shall be made public after they have been received by the District.

8.0 COMMISSION EXPENDITURES

8.1 Commission expenditures shall be charged to the Electoral Area Planning budget and may include hall rentals, minute taking by a minute taker not a Commission member, postage, photocopying, long distance telephone calls, faxes and mileage at a rate established by the Board incurred by members in the performance of their Commission duties.

[viii] Amendment Bylaw No. 2339.04-a, 2023 – adopted January 5, 2023.
[ix] Amendment Bylaw No. 2339.03, 2021 – adopted July 8, 2021.

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8.2 Commission members shall not be remunerated for their duties.

8.3 The Commission shall not incur any expenses beyond the amount budgeted by the Board.

9.0 REPEAL

9.1 "Advisory Planning Commission Bylaw No. 2153, 2002" and amendments thereto are hereby repealed.

Read a FIRST AND SECOND TIME this 6th day of July, 2006.

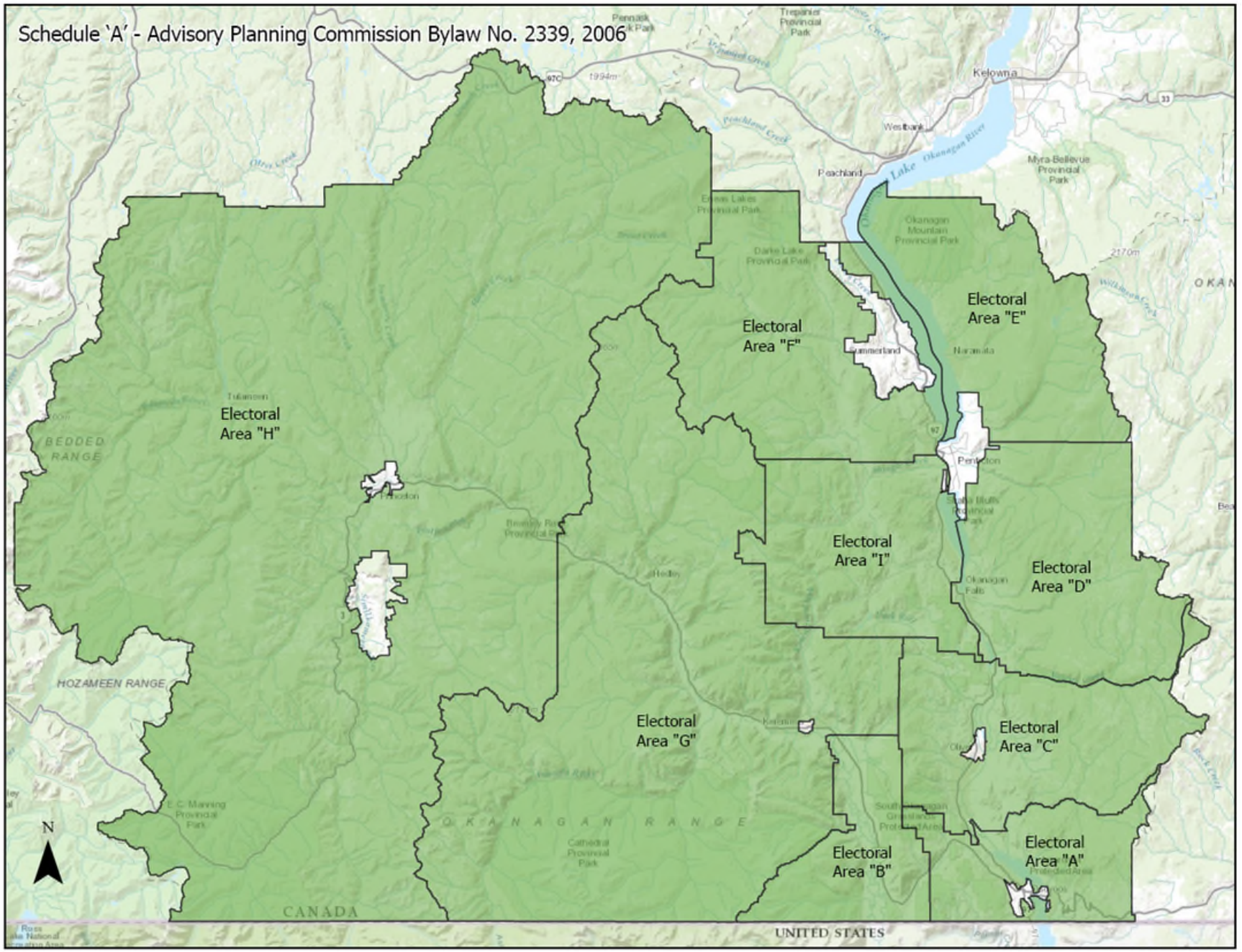
Read a THIRD TIME this 6th day of July, 2006.

ADOPTED this 6th day of July, 2006.

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Chair Director of Administration Services

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Schedule 'A' - Advisory Planning Commission Bylaw No. 2339, 2006
Electoral Area "H"
Electoral Area "F"
Electoral Area "E"
Electoral Area "I"
Electoral Area "D"
Electoral Area "G"
Electoral Area "C"
Electoral Area "B"
Electoral Area "A"
Kelowna
Penticton
Summerland
Peachland
Westbank
Oliver
Osoyoos
Princeton
Tulameen
Keremeos
Okanagan Falls
Naramata
Myra-Bellevue Provincial Park
Okanagan Mountain Provincial Park
Darke Lake Provincial Park
Ellis Creek Provincial Park
Bromley Rock Provincial Park
Cathedral Provincial Park
E.C. Manning Provincial Park
South Okanagan Grasslands Protected Area
Skaha Bluffs Provincial Park
BEDDED RANGE
HOZAMEEN RANGE
OKANAGAN RANGE
CANADA
UNITED STATES
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