



THE CORPORATION OF THE CITY OF ROSSLAND

NOTICE OF SPECIAL MEETING PURSUANT TO COMMUNITY CHARTER SECTION 126

AGENDA

**SPECIAL MEETING OF COUNCIL
CITY HALL COUNCIL CHAMBER
THURSDAY, DECEMBER 17, 2009
5:00 PM**

- (1) CALL TO ORDER**
- (2) ADOPTION OF AGENDA**
- (3) LEGISLATIVE MATTERS**

**Bylaw #2473 –
Delegation Bylaw**

(a) Bylaw #2473 – Delegation Bylaw No. 2473, 2009 re: a bylaw to delegate defined authorities to Officers of the City as provided in the Local Government Act. The following motions are for Council consideration;

- (i)** THAT Bylaw #2473 – Delegation Bylaw No. 2473, 2009, be read a first and second time.
- (ii)** THAT Bylaw #2473 – Delegation Bylaw No. 2473, 2009, be read a third time.

- (4) MAYOR AND COUNCIL REPORTS**
- (5) CLOSED MEETING RESOLUTION**

**Closed Meeting
Resolution**

a) THAT the proceedings of the remainder of the meeting of December 17, 2009 be closed to the public pursuant to section 90 (1)(g) of the *Community Charter*.

- (6) CLOSE OF MEETING**

Notice of the Special Meeting of Council, December 17, 2009, is hereby given on December 15, 2009.

Mayor

Corporate Officer

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2473

A BYLAW TO DELEGATE DEFINED AUTHORITIES TO OFFICERS OF THE CITY AS PROVIDED IN THE *COMMUNITY CHARTER, SBC 2003, c.26*

Citation

1. This Bylaw may be cited as “**Delegation Bylaw No. 2473, 2009**”.

Definitions

2. In this Bylaw

“**Act**” means the *Community Charter, SBC 2003, Chapter 26*, and the *Local Government Act*, as amended;

“**City**” means the Corporation of the City of Rossland;

“**Chief Administrative Officer**” (City Manager) means the person appointed by Council as Chief Administrative Officer and Chief Administrative Officer or his/her delegate as defined in the “City of Rossland Officers Bylaw No. 2472, 2009”;

“**Council**” means the elected council of the City of Rossland.

Delegation of Purchasing Power

3. Council hereby delegates to the Chief Administrative Officer all of the powers, duties and functions of Council under s. 176 (l) (a) of the *Local Government Act* to make agreements respecting the City's activities, works or services, but subject to the limitations on that delegated authority as set out in the City's purchasing policy.

Land Use Approval Delegation

4. Council hereby delegates to the Chief Administrative Officer all of the powers, duties and functions of the Council in respect of:
 - (a) development permits under s. 920 of the *Local Government Act*.

Reconsideration by Council

5. All of the following apply to any decision by a delegate under section 4:
- (a) any owner of property that is subject to a decision under section 5 who is dissatisfied with the decision is entitled to have the decision reconsidered by Council in accordance with this section;
 - (b) an owner who wishes to have a decision reconsidered by Council must apply for the reconsideration by delivering to the Corporate Officer, within 30 days after the decision is communicated in writing to the owner, a reconsideration application in writing, which must set out all of the following:
 - i) the name of the delegate who made the decision, the date of the decision and the nature of the decision;
 - ii) reasons why the owner wishes the decision to be reconsidered by Council;
 - iii) the decision the owner requests be made by Council, with brief reasons in support of the requested decision; and
 - iv) a copy of any materials considered by the owner to be relevant to the reconsideration by Council;
 - (c) a reconsideration application must be considered by Council at a regular meeting of Council held at least two weeks after the date on which the reconsideration application is delivered to the Corporate Officer;
 - (d) the Corporate Officer must:
 - (i) place each reconsideration application on the agenda for a regular meeting of Council in accordance with section 5(c);
 - (ii) give notice of each reconsideration by Council in accordance with any notice requirements in respect of the original application that are set out in the Development Procedures Bylaw or the Act; and
 - (iii) before each reconsideration by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered;
 - (e) in reconsidering a decision the Council must consider the material that was considered by the delegate in making the decision;
 - (f) at a reconsideration of a decision, the owner and any other person who is interested in the decision are entitled to be heard by Council;
 - (g) Council is entitled to adjourn a reconsideration of a decision; and
 - (h) after having reconsidered a decision, Council may either confirm the decision or may set aside the decision and substitute the decision of Council.

Delegation To Persons Holding Position

6. Where this Bylaw delegates a power, duty or function to a named position, the

delegation of the power, duty or function is to the person who from time to time holds the position and to any person who from time to time is the deputy of that person so appointed by the Chief Administrative Officer.

7. Repeal Of Existing Bylaw

(1) City of Rossland Delegation Bylaw No.2361, 2007 is hereby repealed.

8. Adoption Of Bylaw

(1) This Bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME
FINALLY ADOPTED

thisth day of , 2009
thisth day of , 2009
thisth day of , 2009
thisth day of , 2009

MAYOR

CORPORATE ADMINISTRATOR