

CITY OF ROSSLAND

SUSTAINABILITY COMMISSION BYLAW, 2009

Bylaw No. 2442, 2009

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WHEREAS Council deems it necessary to establish by bylaw a Commission to oversee implementation and ongoing management of the City of Rossland's Vision to Action Strategic Sustainability Plan;

THEREFORE The Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

**PART I – INTERPRETATION**

**1. Interpretation**

1.1 This Bylaw may be cited as “Sustainability Commission Bylaw, 2009”.

1.2 Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, *Local Government Act*, or any successor legislation shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

1.3 In this Bylaw:

“Chair” means the Chair of the Commission appointed under section 4.1(h) of this Bylaw;

“City Administrator” means a person designated as such by Council;

“City Hall” means the Rossland City Hall;

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

“Commission” means the Rossland Sustainability Commission established under section 2.1 of this Bylaw;

“Commissioner” means a member of the Commission;

“Council” means the Council of the City;

“Focus Area Task Forces” means groups of volunteers appointed by the Sustainability Commission to research and make recommendations to Council to accomplish the focus area goals as outlined in the Strategic Sustainability Plan as prioritized by Council;

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- “Manager” means the person appointed Manager by the City Administrator from time to time, on the recommendation of the Commission;
- “Mayor” means the Mayor of the City;
- “Visions to Actions Strategic Sustainability Plan” means the final document that resulted from a community sustainability planning process adopted by Council;
- 1.4 In this Bylaw the singular shall include the plural and the masculine includes the feminine gender.
- 1.5 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 1.6 If any portion of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

**PART II – THE ROSSLAND SUSTAINABILITY COMMISSION**

**2. Establishment of the Commission**

- 2.1 A Commission to be officially known as the “Rossland Sustainability Commission” is hereby established. The Commission shall report to and be under the direct supervision of Council.
- 2.2 The Commissioners shall not be liable in their personal capacity for any debt or liability of the Commission.

**3. Duties and Powers Delegated to the Commission**

- 3.1 The Commission shall assist Council to implement the Visions to Action Strategic Sustainability Plan except as may be provided in this Bylaw, the *Community Charter* or the *Local Government Act*, and subject to:
- a. the Commission’s compliance with policies established by Council from time to time;
  - b. the Commission’s compliance with written instructions sent in the form of a memorandum from Council to the Chair from time to time; and

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- c. the Commission obtaining Council's approval for strategies and long-term decisions to be implemented by the Commission.
- 3.2 The Commission shall have the following duties and responsibilities:
- a. make recommendations on any matters submitted to it by Council;
  - b. maintaining the Visions to Action process;
  - c. appointing Focus Area Task Forces including the appointments of the Task Force Chairs;
  - d. developing Focus Area Task Force Terms of Reference, which will include but not be limited to:
    - a preamble that describes what the Focus Area Task Forces are intended to do;
    - appoint five members to each of the Focus Area Task Force's. Additional members, may be appointed t the Focus Area Task Force's by the Commission at the recommendation of the Focus Area Task Force's
    - a clear statement in the terms of reference that the Focus Area Task Force is the team leading an accountable, participatory, community-wide process, providing an opportunity for a broad cross-section of Rosslanders to participate;
    - Focus Area Task Force's Terms of Reference will require the approval of Council.
  - e. coordinating Focus Area Task Force work plans, priorities and recommendations to Council;
  - f. monitoring the progress of implementation of the Visions to Action Strategic Sustainability Plan and reporting progress to City Council, City Staff and the Community;
  - g. the commission, engaging in an annual evaluative assessment process and reporting its findings to Council at a working meeting of Council. This process is to include:
    - a written summary of results and budget;

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- debriefing with Council during which Council and the Sustainability Commission can review, which strategies were successful or unsuccessful;
  - recommending changes that will improve the function of the Sustainability Commission and Focus Area Task Forces.
- h. liaising between the Focus Areas Task Forces, City Council and Staff on matters regarding Visions to Action Strategic Sustainability Plan;
- i. leading the implementation of a city-wide sustainability monitoring mechanism which will include a system for measurement;
- j. liaising between the City and the community and ensuring two-way communication on matters regarding implementation of the Visions to Action Strategic Sustainability Plan;
- k. undertake all actions required to achieve the policy guidance provided by Council;
- l. implement a communications strategy between the Commission and the public;
- 3.3 The Commission shall prescribe its own rules, providing they are not inconsistent with its enabling statute, establishment bylaw, the *Local Government Act*, *Community Charter* or Council policy, and the Council's Procedure Bylaw. The Commission may rely also for reference upon Roberts Rules of Order.
- 3.4 Members will not misrepresent themselves as having any authority beyond that delegated by Council. All Commission members will be required to adhere to the communications strategy adopted by the Commission as required in section 3.2.1. when dealing with discussions and draft reports.
- 3.5 No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission.
- 3.6 The Commission shall not authorize any expenditures in excess of those provided or in the Commission's budget, as approved by Council, unless the excess expenditures receive Council's prior approval.
- 3.7 The Manager, under the direction of the Commission, will:

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- a. develop a strategic plan setting out goals, objectives and priorities for their first year of operation. The strategic plan is to be developed within three (3) months of the first meeting of the Commission.
  - b. annually update the strategic plan of the Commission with the date for the annual updates being set by the Commission.
- 3.8 In accordance with the City's budgeting cycle, policies and guidelines:
- a. the Manager shall prepare an annual operating budget, for the Commission under the direction of the Commission; and
  - b. the Commission shall submit their budget referred to in section 3.8(a) to the Manager of Finance.
- 3.9 The annual operating budget, referred to in 3.8, must not be inconsistent with:
- a. the funding to operate the Commission and implement the strategic initiatives; and
  - b. the priorities set out in the Commission's strategic plan.

**4. Appointment of Commissioners**

- 4.1 The Commission shall be comprised of the following membership:
- a. up to four citizen representatives appointed by Council;
  - b. Chairs of the Focus Area Task Forces, as appointed by the Commission;
  - c. the Mayor and one Council member appointed by the Mayor and one alternate Council member appointed by the Mayor. The alternate Council member will attend Commission meetings in the absence of the Mayor or Council member;
  - d. the City Administrator or the City Administrator's designate;
  - e. the Manager.

**4.2 Procedural Rules**

- a. all members of the Commission will have voting rights with the exception of the City Administrator or his designate and the Manager.

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- b. the terms of appointment will be in accordance with the Council Committee Policy 0137, and;
    - 1. the term of appointment is one year
    - 2. an individual can serve for up to four consecutive one year terms;
    - 3. when considering re-appointments for a consecutive term, commission stability and membership continuity will be considered;
    - 4. all members remain in office until their respective successors are appointed; and
  - c. The Commission Chair will be appointed by the Mayor.
  - d. Council may, by an affirmative vote of the majority of Council, remove a Commissioner from office at any time.
  - e. Upon the resignation, the removal from office or the death of any Commissioner during his or her term of office, Council shall appoint a successor in accordance with the provisions by which the vacating Commissioner was appointed, and the successor shall serve for the remainder of the term of the departed Commissioner.
  - f. A Commissioner who misses two consecutive Commission meetings without leave of the Commission is automatically removed from the Commission
- 5. Quorum**
- 5.1 A quorum of the Commission shall be a simple majority of the voting members.

**PART III – MEETINGS**

- 6. Deputy-Chair**
- 6.1 The Commission shall meet a minimum of three times per year or more often as may be required.
  - 6.2 At the first formal meeting of the Commission, the Commissioners shall elect one of the Commissioners as the Deputy-Chair of the Commission.

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6.3 The Deputy-Chair shall serve an indeterminate term, and his or her successor shall be elected in accordance with the provision by which the vacating Deputy-Chair was elected.

6.4 The Deputy-Chair shall:

- a. chair Commission meetings when the Chair is unable to attend; and
- b. assume such duties as may be assigned to him or her by the Chair.

**7. Commission Meeting Agenda Preparation**

7.1 Prior to each Commission meeting, the Chair and the Manager must prepare an agenda of all items to be considered by the Commission, such agenda will be copied to Council and the Commission must proceed in the order set out, unless that order is varied by the Commission.

**8. Notice of Commission Meetings**

8.1 At least one week prior to a meeting of the Commission, Commissioners will receive from a city staff member appointed by the City Administrator a meeting agenda setting out all items for consideration accompanied by an information package.

8.2 At least one week before a meeting of the Commission, a city staff member appointed by the City Administrator must notify the public of the time, place and date of the meeting by way of posting an agenda in the public notice posting place at City Hall.

**9. Location and Time of Commission Meetings**

Commission meetings will be held in accordance with section 6.1 at a time and location as determined by the Commission. Generally Commission meetings will be held at City Hall.

**10. Attendance of Public at Meetings**

10.1 Except where the provisions of section 90 of the *Community Charter* apply, all Commission meetings shall be open to the public.

10.2 Where the Commission wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with section 92 of the *Community Charter*.

**11. Meetings**

- 11.1 The Chair or Deputy Chair, when present, shall preside at all meetings of the Commission using the rules as determined under Sec. 3.3 to govern the meeting.
- 11.2 Every question submitted to a meeting shall be decided by a majority of the Commissioners present.

**12. Delegations**

- 12.1 All delegations requesting permission to appear before the Commission shall submit a written request to the Commission, including a written synopsis clearly outlining their topic.

**13. Opening Procedures**

- 13.1 At the hour set for a Commission meeting to commence, and provided that a quorum is present, the Chair shall call the meeting to order.
- 13.2 If, within fifteen minutes after the time appointed for the meeting to commence:
  - a. there is no quorum present; and
  - b. the Chair was not notified that a Commissioner will be late for the meeting,the Chair shall ask the Manager to record the names of the Commissioners present and then adjourn the meeting.

**14. Minutes**

- 14.1 Minutes of the proceedings of the Commission shall be legibly recorded by the Manager. The minutes shall be certified as correct by the Chair or other Commissioner presiding at the meeting, or at the next meeting at which they are adopted. A copy shall be forwarded to the Deputy City Clerk for inclusion on City Council's Agenda as an information item.

**15. Repeal**

Bylaw #2428 and any amendments thereto are hereby repealed.

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READ A FIRST TIME	this 23 <sup>rd</sup> day of February, 2009
READ A SECOND TIME	this 23 <sup>rd</sup> day of February, 2009
READ A THIRD TIME	this 23 <sup>rd</sup> day of February, 2009
ADOPTED	this 9 <sup>th</sup> day of March, 2009

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Mayor

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Clerk