

Meetings: Selected Topics

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Introduction

- The powers, duties, and functions of a municipality are to be exercised and performed by the elected municipal council, through the adoption of a resolution or bylaw at a duly constituted and held meeting.
- Regional district boards are subject to same requirement (*Local Government Act, s. 226*).

Notice of the Meeting

- A municipality must make publicly available a schedule of the “date, time and place of regular council meetings” (*Community Charter, s. 127(2)*).
- At least 24 hours notice must be given for special meetings, including the purpose of the meeting (*CC, s. 12*).

Meetings Open to the Public

- All council meetings must be open to the public except as provided in Division 3 of Part 4 of the *Community Charter*.
- What does “open to the public” mean?
 - Is it sufficient if some members of the public can attend or must everyone who wants to attend be accommodated despite space limitations?
- Public hearings should have space for all.

Closing a Meeting

- A resolution must be adopted stating why the meeting is being closed (*CC*, s. 92).
- Resolution should include a brief explanation of why a subsection under section 90 of *Community Charter* applies.
- Information discussed at a closed meeting is subject to confidentiality requirements.

Open Meetings are Required for...

- Censure of council member
 - CC, s. 90(1)(c) applies to “labour and other employee relations” – not elected officials.
 - Other sections could possibly apply.
- Remedial Action Requirements
 - Not litigation, not a “private” matter.
- Business Licence Suspension/Revocation
 - Quasi-judicial decision of community concern.

Controlling Decorum at Meetings

- Section 133 of the *CC* gives the presiding member the power to expel persons at council meetings.
- Note:
 - Power does not include committee and other meetings.
 - Could conceivably be applied to councillors.
 - Must be a measured response with fair warning.

Controlling Decorum at Meetings

- Decorum could also be regulated under the broad power of council to “do anything necessary or conducive to the exercise or performance of any power, duty or function conferred on a council or municipality by this or any other enactment.” (CC, s. 114(4))
- Example: *Port Coquitlam (City) v. Osberg*.

Electronic Meeting Requirements

- Suspension of open meeting rule due to Covid has ended.
- Bill 10 allows for open council and committee meetings to be held by electronic means if authorized by the applicable procedure bylaw.
- Facilities must be provided at which the public may hear, or watch and hear, the meeting.

Electronic Meeting Requirements

- Hybrid Meetings
 - Not permitted – but electronic could be a proxy.
- Public Hearings
 - May be held electronically (*LGA*, s. 465(1.1)).
- Board of Variance
 - May be held electronically (*LGA*, s. 541(2) and 543(3)).
- Meetings of other bodies are excluded.

Questions?