



## POLICY-PROCEDURE MANUAL

### **PUBLIC HEARING POLICY**

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Prepared By	Authorized By	Date of Issue or Revision
Kiona Enders, Director of Corporate Administration	Council	December 06, 2021

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Any person who believes their interests are affected by a proposed bylaw has an opportunity to address Council at a public hearing in a timely and orderly fashion.

Pursuant to Part 14 of the *Local Government Act*, a municipality is able to set a procedure for public hearings.

#### **Privacy**

Please note that the opinions expressed orally and any presentations you submit to the District of Kitimat will be webcast live and recorded to form part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda. The District of Kitimat considers your address relevant to this matter and will disclose this personal information as it informs Council's consideration of your opinion in relation to the subject Bylaw and is authorized under section 26(c) and 26(g) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Your phone number and email will not be disclosed. For more information on FOIPPA, please contact the Corporate Officer at [dok@kitimat.ca](mailto:dok@kitimat.ca).

#### **Live Streaming and Recordings**

The District of Kitimat will record and live stream all its Public Hearings unless notice has been provided otherwise. Public Hearings, held during a Regular Meeting, will be provided to CityWest community television channel or an alternate, who may broadcast the meeting to their preferred schedule.

Recordings of Public Hearings are uploaded and available on the District website. The current year plus two additional years are available.

#### **Guidelines**

Everyone wishing to speak will receive an opportunity to do so. There is no limit on the number of speakers, or on the ability for any one individual to speak, provided that the policy guidelines are adhered to.

In order for this process to be conducted in a fair and equitable manner, Council may choose to implement reasonable guidelines.

The Chair may direct the use of a speaker's list to record the name and address of anyone wishing to speak at the Public Hearing. In this case, speaker's participating electronically can pre-register in advance. Registration will be done on a first come basis. For a speaker attending in person, registration will be done at the Public Hearing on a first come basis. In the event of two speaker's lists, the Chair will call for comments alternating between the two lists in groups of one or more. A speaker is not required to pre-register in order to speak.

The owner and/or applicant will be provided the opportunity to speak first. The owner and/or applicant is limited to five (5) minutes. The owner and/or applicant will be given the opportunity to clarify points raised or respond to questions after members of the public have spoken.

Members of the public are limited to five (5) minutes each. Speakers who have not completed their presentations within the allotted time will be provided additional opportunities to speak after all other speakers have had an opportunity to speak.

Speakers should address their comments and questions to the bylaw(s) under consideration. While the speaker may be provided an opportunity to create the context for their comments, the Chair may exercise their discretion to determine if the speaker is on topic. The Chair may require the speaker to address the bylaw(s) under consideration raising new points or yield the microphone to the next speaker.

Those in attendance at the Public Hearing will refrain from applause, or other expressions of emotion, whether in favour of, or opposition to, any particular application or argument. Council is committed to ensuring that all people who speak at a Public Hearing are treated in a fair and respectful manner.

### **Submitting Written Comments**

Written submissions are accepted in the manner set out in the Notice of Public Hearing. Written submissions received before 4:00 p.m. on the Wednesday prior to the Public Hearing will form part of the agenda. Written submissions received on or before 5:00 p.m. on the day of the meeting may be read aloud at the Public Hearing by staff.

Written submissions received at the Public Hearing may be read by the person submitting or a member of staff. These submissions will follow the time guidelines noted above. Depending on the length of the written submission, the Chair may impose limits on the length of time allowed to a particular submission. Electronic presentations, such as a PowerPoint presentation, will be at the discretion of the Chair. Council may adjourn a public hearing to a later date to consider these submissions.

### **Participation in Person**

Speakers may attend in person at the time and place designated on the Notice of Public Hearing.

### **Participation Electronically**

Where authorized, a person may participate electronically. A person participating electronically is not required to provide comment and may observe the public hearing.

Electronic Participation and Electronic Meetings are subject to Part 2 – Municipal Government of the *Kitimat Municipal Code*, which incorporates the Procedural aspects of the District of Kitimat Council, Committees, Commissions and Other Bodies.

Electronic Participation and Electronic Meetings must be authorized by this Part of the Kitimat Municipal Code.

Part 2 – Municipal Government of the *Kitimat Municipal Code* sets standard requirements for Electronic Participation and Electronic Meetings.

As a matter of etiquette the following should be adhered to:

The District of Kitimat uses WebEx to conduct electronic meetings. In the event of a lost connection, staff will attempt to assist the person in relinking, but the hearing will not recess if the connection cannot be established.

The public will mute audio and video devices except when providing comment to Council during a Public Hearing. The Corporate Officer, or designate, may mute the public except as noted above. The Corporate Officer, or designate, will assist the public to mute audio and video as required.

Members of public that have questions or difficulties accessing the electronic platforms will be directed to the Corporate Officer or designate for assistance.

### **Authority to Edit, Interrupt and Remove**

The District of Kitimat Corporate Officer or Chief Administrative Officer has the authority to cut video-feed, have existing video edited, and to have a member attending by video conference muted, to remove or disrupt any comments or actions that are profane, slanderous, harassing in nature, or violates any valid regulation or law including the *Copyright Act* and *Freedom of Information and Protection of Privacy Act*.