



City of Kelowna
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Council Policy

Circulation of Correspondence to Council

ESTABLISHED September 9, 2013

Contact Department: Office of the City Clerk

Guiding Principle

Council may receive correspondence from the public on various community issues regarding a wide variety of topics, including those related to a public hearing, Council meeting, or legislated forms of petitioning. The *Community Charter* regulates the alternative approval process, business improvement area, local area service as well as petition requirements. The *Local Government Act* and Council Procedure Bylaw No. 9200 regulate public hearing correspondence.

Purpose

To define the processes related to the circulation of correspondence to Council.

Application

This policy applies to all correspondence to Council, including items that are a part of a specific public process or regular contact with Council on various community issues.

Definitions

“Correspondence” means any written communication, including a petition, letter, email, fax, or another form of written expression, intended for Mayor or Council.

Policy Statements

1. Correspondence received is subject to the *Freedom of Information and Protection of Privacy Act*.
2. Council is provided with correspondence in a timely manner. Correspondence received as a result of Public Notification for Council Meeting or from statutory or informal notice will be provided as a part of a Council agenda package.
3. A petition under *Community Charter* s. 82 must include the full name and residential address of each petitioner. All other correspondence must include at least the sender’s name and municipality or area of residence.
4. Non-Development Correspondence
 - a) A member of the public may submit written correspondence for Council information or consideration directly through the Mayor’s office or mayorandcouncil@kelowna.ca
 - i. Correspondence received will be acknowledged, when applicable, and circulated to Council through the Mayor and Council Correspondence system.
 - ii. Updates or additional correspondence will be added to the correspondence file if further action is required.
 - b) A general petition must include
 - i. a statement that explains the specific area of interest for the petition and the position or request;
 - ii. the petition organizer and a contact phone number and email address; and
 - iii. a space for each petitioner to include the information outlined in Section 3, plus their printed name, signature, and date the petition was signed.
5. Development Correspondence
 - a) The Office of the City Clerk will give public notification according to Development Application and Heritage Procedures Bylaw No. 12310.
 - b) For an application being considered at a Tuesday meeting or a public hearing, the Office of the City Clerk will circulate to Council and make available to the public at the meeting any written comments that were received during the public notification period, including
 - i. correspondence from an individual that only outlines the writer’s position;

- ii. correspondence from a group, including an association, that outlines the group's position, reports the number of members in the group, the date of the meeting at which the position was discussed, and the number of members in attendance at the meeting; or
 - iii. correspondence, whether individual or group, that purports to contain third-party information or is commentary in nature.
- 6. Alternative Approval Process (AAP) or Business Improvement Area (BIA) Petition Submission
 - a) A petition form will be accepted in paper, fax or electronic format and must
 - i. be submitted on the Council-approved petition form;
 - ii. follow the requirement of the legislation as outlined on the petition form; and
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council.
 - b) A result during the open petitioning period will not be provided to staff, Council or a member of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
 - c) Once a petition is submitted, the petition or a signature cannot be removed.
- 7. Local Area Service Petition Submission
 - a) A petition form will be accepted in paper, fax or electronic format and must
 - i. be submitted on the petition form created by City staff;
 - ii. follow the requirement of the legislation as outlined on the petition form; and
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council.
 - b) A result during the open petitioning period will not be provided to staff, Council or a member of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
 - c) Once a petition is submitted, the petition or a signature cannot be removed.

Amendments

Last Revised: 24/04/15
Replacing: R596/13/09/09