



City of Kelowna
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Council Policy

Lobbyist Registry

ESTABLISHED September 11, 2023

Contact Department: Office of the City Clerk

Guiding Principle

A Lobbyist Registry promotes transparency by establishing registration and disclosure requirements for those seeking to influence a decision of Council. The public can access information about who is attempting to influence Council about development applications and other matters within the City's jurisdiction.

Purpose

To establish requirements for individuals and organizations to register with the City when communicating with members of Council for the purpose of influencing a Council decision and to establish appropriate disclosure provisions for the City to make that information available to the public. The Policy defines applicable lobbying activities, sets parameters for registering, and provides for public access to the Registry.

Application

Apart from the exemptions listed below, the Policy applies to all lobbyists engaging in lobbying of a Council member.

Definitions:

"Lobby" means to communicate verbally or in writing, or to meet with an elected official for the purpose of influencing a decision of Council.

"Lobbyist" means an individual, whether paid or voluntary, who lobbies an elected official regarding a matter within Council's jurisdiction. The lobbyist may represent individual interests or represent an organization, whether employed by that organization or on behalf of a different organization.

"Council member" means a member of Council of the City of Kelowna.

"City Clerk" means the person appointed as such by Council and includes their lawful designate.

"City" means the City of Kelowna.

Exemptions:

1. This policy does not apply to any of the following when acting in their official capacity:
 - a) Members of the Senate or House of Commons of Canada or their staff;
 - b) Members of the legislative assembly of a province or territory or their staff;
 - c) Employees of the government of Canada or of the government of a province or territory;
 - d) Members of a municipal council, regional district board, improvement district board, school district board, or other local government authority, or their staff; or
 - e) Employees of a municipality, regional district, improvement district, school district, or other local government authority.
2. This policy does not apply to a verbal or written communication:
 - a) Sent to all of Council through Mayor & Council correspondence;
 - b) Made as part of a Council meeting, public hearing, committee meeting, or similar proceeding where it is part of the public record;
 - c) Regarding a matter that is outside of the City's jurisdiction; or
 - d) Made in response to a written request from a Council member or the City of Kelowna for comment on a matter that would otherwise fall under the definition of lobby.

Policy Statements

1. A lobbyist must register with the City within 5 days of lobbying a Council member.

- a) The City Clerk may determine the appropriate form for registering.
 - b) A separate registration must be filed for each topic.
 - c) Each registration is considered active for six months, after which a new registration must be filed for lobbying activities.
2. Each registration must include the following information, as applicable:
 - a) Name;
 - b) Contact information;
 - c) Business or organization name;
 - d) Initial date of lobbying for that registration;
 - e) Topic of lobbying; and
 - f) Any other information deemed necessary by the City Clerk.
 3. The City Clerk will establish and maintain a registry with a record of all registrations submitted under this Policy.
 - a) The City Clerk may authorize persons in the Office of the City Clerk to perform any of the City Clerk's duties identified in this Policy.
 - b) The City Clerk may determine the appropriate form for the registry.
 - c) The Lobbyist Registry will be available for public inspection in the manner determined by the City Clerk.
 4. Registrations that are incomplete or do not otherwise comply with this Policy may not be accepted.
 - a) The City Clerk will make reasonable efforts to contact individuals whose registrations are not accepted.
 - b) The City Clerk will inform them of the reasons and provide them with an opportunity to file another registration.
 5. Those who are subject to the Policy and do not comply will be subject to progressive enforcement, including, but not limited to:
 - a) The City Clerk may contact the individual informing them of their obligations under this Policy and offering the opportunity to come into compliance within 5 days.
 - b) The City Clerk may inform Council of individuals or groups who are not in compliance with the Policy. A Council member may choose not to communicate with an individual or group until they are in compliance.
 - c) For development applications, if the subject property owner, applicant, or their representative is not in compliance with this Policy in relation to that application, Council may not consider their development application until they are in compliance.

Amendments

Resolution:
Replacing: