



TOWN OF PORT MCNEILL

HERITAGE COMMISSION BYLAW NO. 707, 2021

A BYLAW TO ESTABLISH A TOWN OF PORT MCNEILL HERITAGE COMMISSION AND TO DELEGATE CERTAIN POWERS, DUTIES AND FUNCTIONS TO THE COMMISSION.

WHEREAS in accordance with Section 143 of the Community Charter, Council may establish and appoint a Commission to operate services;

WHEREAS in accordance with Section 154 of the Community Charter, Council may, by bylaw, delegate its power, duties and functions to another body established by Council;

WHEREAS Council is authorised to establish by bylaw a community heritage commission pursuant to Section 597 – Heritage Review, of the Local Government Act,

NOW THEREFORE Council of the Town of Port McNeill in open meeting assembled, enacts as follows:

1) Purpose and Mandate:

The Port McNeill Heritage Commission (the “Commission”) shall act in an advisory capacity for Council, in all matters pertaining to the operation of the Port McNeill Museum (the “Museum”), its Archive, associated Collections, and all matters of Community Heritage. The Commission shall operate the museum and archive services and work with other government agencies and civic groups, to develop a heritage strategy, focusing on sound museum and archive practices, the promotion of local history, and the identification of sites of local historical value.

The Commission will meet the following powers, duties and responsibilities:

- a) Develop and implement a heritage and museum strategy;
- b) Work with Museum and Town staff in:
 - i. Operating any building for the purpose of a museum or archival matters;
 - ii. Where appropriate, apply for grants, matching funds and other external sources of revenue to fund museum promotion, development and enhancement;

- iii. Spearheading or supporting specific projects that support heritage and the museum development, promote museum activities, and facilitate the enhancement of the Town's Heritage and the museum as a tourist destination;
 - iv. Administer annual budget in accordance with Town policies and procedures, as may be amended from time-to-time.
- c) Provide advice to Council on matters referred to them by Council of a policy nature or with respect to planning and development of the museum amenities and facilities;
 - d) Conduct research in any instance where it has been brought to the attention of the Commission that other buildings, structures or lands should be considered for historical designation and provide a report to Council on the matter.
 - e) Liaise with other Town advisory committees and commissions, community groups such as community associations, Harbour Advisory Group, Tourism Committee, Downtown Improvement Committee, the Chamber of Commerce, School District 85 or other groups who are dealing with heritage and museum promotion, development and enhancement or events that may be of interest and benefit to the community;
 - f) Hold an annual, publicly advertised meeting, where groups or individuals with ideas or concerns regarding museum promotion, development and enhancement are invited to present comments to the Commission;
 - g) Prior to the end of the calendar year, or after such date set the Town, submit an annual plan and detailed budget to Council for approval;
 - h) The Commission will report to Council at least once per calendar year to update Council on projects and initiatives. As the Town is responsible for all funds expended by the Commission, the agenda, minutes and expenditures will be made available to the municipal auditors.

2) Membership:

- a) The membership of the Commission shall be comprised of:
 - i. At least five (5) **voting** representatives from the community at large who have a documented interest or experience in the areas of heritage, museum promotion, museum operation or heritage and museum development.
 - ii. At least one (1) **non-voting** member of Council and or alternate appointed by Council, and,

- b) Additional **non-voting** members from various stakeholders to be requested on an “as-needed” basis, including, but not limited to:
 - i. Kwakiutl First Nation
 - ii. 'Namgis First Nation
 - iii. Local Governments within the Regional District of Mount Waddington
 - iv. North Island Heritage and Museum representatives
 - v. Supporting staff

3) Appointment and Term:

- a) Voting members of the Commission shall be appointed by Council resolution at the recommendation of the Commission for a two (2) year term expiring on June 30th;
- b) Members will have the option to continue for additional three (3) year terms if indicated in writing to the Corporate Officer prior to the expiration date of the original appointment and approved by Council;
- c) If a Commission member fails to attend three (3) consecutive meetings of the Commission, Council may revoke the appointment unless such absence is authorized by resolution of the Commission;
- d) Council may, at any time, revoke the appointment of a member of the Commission;
- e) Where a member resigns or otherwise ceases to be a member of the Commission, Council may appoint another qualified person to complete the balance of the term of the former member, upon recommendation from the Museum Commission;

4) Chairperson

A Chairperson shall be appointed by a majority of the Commission members at the first Commission meeting of each calendar year. In the absence of the appointed Chairperson an Acting Chairperson shall be appointed for each meeting by those members present. A member of Council may be appointed as a Chairperson or Acting Chairperson.

5) Staff Liaison

- a) The Chief Administrative Officer (“CAO”) may delegate staff to act as a Staff Liaison for the Commission to provide support and resources as needed, and as allowed by Council priorities and operational workload.
- b) The Commission does not direct the Staff Liaison, nor can they request other staff resources. Such requests must go through either the CAO or Council.

6) Commission Recording Secretary

Under the supervision of the Corporate Officer, the Commission Recording Secretary provides the following functions for the Commission:

- a) Prepares, distributes and publicly posts notices of Commission meetings and their agendas in collaboration with the Commission Chairperson;
- b) Records and signs the minutes of the Commission meeting;
- c) Ensures that minutes are available as an official record, available for public information and distributed to Council and other Town Commissions;
- d) Notifies the Corporate Officer of membership expiration dates and vacancies by January 31 of each year.

7) Conflict of Interest

Commission members must abide by the conflict-of-interest provisions of the Community Charter and Town Council Procedures Bylaw as amended from time to time. If a Commission member attending a meeting of the Commission considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of a matter because the member has a direct or indirect pecuniary interest in the matter, or for any other reason, the member must declare this and state the general nature of why he or she considers this to be the case and immediately leave the meeting or the part of the meeting during which the matter is under consideration.

8) Reporting to Council

- a) Recommendations of the Commission must be adopted by Commission resolution prior to presentation to Council;
- b) As directed by the CAO, recommendations of the Commission will be submitted to Council in the form of a staff report;
- c) Referrals to the Commission from Council and/or CAO shall be dealt with, in the form of a recommendation to Council, within 30 days of the referral unless otherwise noted or extended by Council or the CAO;
- d) The Commission shall report to Council at least once in each calendar year in April or May to update Council and the public as to their projects, upcoming events and any other relevant issues that may concern them.

9) Agendas

- a) An agenda for every meeting of the Commission shall be prepared by the Chairperson in collaboration with the Commission Recording Secretary;
- b) Public notice of Commission meetings indicating the time, place and date of the meeting, must be posted at least 48 hours before a Commission meeting by posting in the Municipal Hall foyer and on the Town of Port McNeill website. At least 24 hours before a Commission meeting, a copy of the Commission meeting agenda must be posted at the posting locations and copies provided to the members of the Commission pursuant to Town of Port McNeill Council Procedures Bylaw 679, 2017, as amended from time to time;
- c) A matter which is not on the adopted agenda for a meeting shall not be considered at the meeting except with the approval of the majority of the Commission members present.

10) Minutes

- a) Minutes of each Commission meeting will be recorded by the Commission Recording Secretary and will only record resolutions of the Commission.
- b) Minutes shall be adopted at the next meeting of the Commission, and once adopted shall be signed by the Chairperson and the Commission Recording Secretary;
- c) Minutes of the Commission shall be provided to the Corporate Officer within five (5) days of a Commission meeting;
- d) Minutes will be secured at the Municipal Hall, posted on the District's website and distributed to Council and other Town Commissions for information.

11) Meetings Procedures

- a) The Chairperson shall be responsible for scheduling of meetings, presentation of reports to
 - i. Council, when required, and be the chief liaison with the Town Staff Liaison;
- b) The Commission shall meet as it deems necessary if there are matters to be considered or as referrals from Council or the CAO may require;

- c) The Commission may receive and consider representation from such individuals, groups or organizations as it considers appropriate and consistent with the duties of the Commission;
- d) Commission meetings shall be open to the public and held at the Municipal Hall unless otherwise legislated or provided for in the District's Council Procedure Bylaw as amended from time to time;
- e) All decisions of the Commission shall be by majority vote. Recommendations that are in accordance with the Council approved annual Museum Operating Budget and Marketing Plan can be approved by the Commission.
- f) Recommendations that are outside of the Council approved annual Museum Operating Budget and Marketing Plan must be brought forward to Council for consideration. In those cases, a Report to Council shall be prepared by the Staff Liaison or delegate, outlining the recommendations of the Commission, including the background information and/or reports that have been provided to the Commission.

12) Quorum

- a) A majority of the voting members, or a minimum of three (3) members of the Commission shall constitute a quorum;
- b) If there is no quorum present within 30 minutes after the time appointed for the meeting, the names of the members present shall be recorded, and the meeting shall stand adjourned.

13) Remuneration and Expenses

Commission members shall serve without remuneration but may be paid reasonable and necessary expenses that are directly related to the performance of their duties and in accordance with Town policies.

14) Effective Date

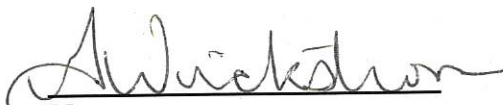
This bylaw shall come into effect on the date of its final adoption.


Read a first time the 23 day of November 2021

Read a second time the 23 day of November 2021

Read a third time the 14 day of December 2021

Reconsidered, finally passed, and adopted the 11 day of January 2022


Mayor


Corporate Officer

Certified to be a true and correct copy of Bylaw No. 707, 2021 as adopted.


Corporate Officer