

**DATE**

The following was adopted as Policy by Resolution No. 2023-12-208 at the Regular Council Meeting on December 5, 2023.

**Amendments:**

Date	Resolution No.	Summary of Amendment

**PURPOSE**

The Community Charter recognizes a municipal council as a governing body that is democratically elected, autonomous, responsible and accountable. Every **Council Member** has responsibilities, including considering the well-being and interests of the community as a whole. Council engages with community members in relation to a broad range of matters. **Developers** seek access to **Council Members** to discuss development applications and the community expects these **Interactions** to be transparent and in the public interest.

The purpose of this policy is to establish guidelines for members of Council when interacting with a **Developer** regarding a **Development Application** or prospective development application, to protect the integrity of the decision-making process.

**POLICY**

**1. APPLICATION**

- 1.1 This policy applies to **Council Members** at all stages of the **Development Application** process, regardless of whether an application has or has not been submitted.
- 1.2 This policy does not apply to a Council meeting or public hearing, as regulated by Council Procedure Bylaw 1105, 2019, the *Community Charter* and the *Local Government Act*.

**2. DEFINITIONS**

**Council Member** means a member of Council of the District of Lake Country.

**Developer** means a property owner or applicant, including their agent or representative, seeking a **Development Application** approval or a prospective **Development Application** approval and includes a **Lobbyist** acting on behalf of a **Developer**.

**Development Application** means an application within the scope of Development Approval Procedures Bylaw Number 1133, 2021.

**Interaction** means an engagement regarding a **Development Application** matter, including meeting face-to-face, virtually, by email or by telephone. It does not include social obligations normally part of a **Council Member's** typical responsibilities.

**Lobbyist** means an individual, whether paid or voluntary, whether representing individual interests or organization interests, whether employed by that organization or another organization, who lobbies an elected official regarding a matter within Council's jurisdiction related to Development Applications.

### 3. INTERACTION GUIDELINES

- 3.1 A **Council Member** should be aware of applicable legislation, bylaws and policies relevant to interacting with **Developers** or **Lobbyist**, including:
- (a) *Community Charter*;
  - (b) Code of Conduct and Ethics Policy 203, 2022.
- 3.2 A **Council Member** must approach all decisions with an open mind and must reserve making a decision until all information has been presented at a Council meeting.
- 3.3 A **Council Member** should avoid being perceived as being too familiar with a **Developer** or **Lobbyist**.
- 3.4 A **Council Member** is not required to meet, correspond or otherwise interact with a **Developer** or **Lobbyist**.
- 3.5 A **Council Member** may ask another **Council Member** to participate in an **Interaction** with a **Developer** or **Lobbyist**.
- 3.6 The maximum number of **Council Members** in attendance for an **Interaction** with a **Developer** or **Lobbyist** must be less than the number of members that makes a quorum of Council (4).
- 3.7 A face-to-face **Interaction** with a **Council Member** should take place at Municipal Hall or at the property that is the subject of a development application.
- 3.8 A **Council Member** must receive approval from the Mayor and the Chief Administrative Officer prior to attending an **Interaction** with District staff and a **Developer** or **Lobbyist**.
- 3.9 A **Council Member** may request information from staff regarding a **Development Application** or subject property prior to an **Interaction** with a **Developer** or **Lobbyist**.
- 3.10 When having an **Interaction** with a **Developer** or **Lobbyist**, a **Council Member** should state that:
- (a) any opinions expressed are personal and do not represent the views of Council, except where a Council resolution has been passed;
  - (b) a decision will only be made after all relevant material has been prepared and considered at a Council meeting; and
  - (c) any materials provided or records created are subject to the *Freedom of Information and Protection of Privacy Act*.

### 4. INTERACTION DURING DEVELOPMENT APPLICATION PROCESS

- 4.1 A **Council Member** is not permitted to correspond or interact with a **Developer** or **Lobbyist** or a member of the public regarding a **Development Application** after the conclusion of a Public Hearing and before the relevant bylaw is adopted.

- 4.2 A **Council Member** may have an **Interaction** with a **Developer** or **Lobbyist** about a Development Permit or Development Variance Permit application that is associated with an Official Community Plan or Zoning Bylaw amendment application, **after** the conclusion of a Public Hearing and **before** the relevant bylaw is adopted, **so long as** the information shared at the **Interaction** does not address land use, density or other zoning considerations.
- 4.3 A **Council Member** may discuss what is publicly known about a prospective **Development Application** with the general public.
- 4.4 A **Council Member** should not attend a public information session held by a **Developer** or a **Lobbyist**. Council will receive a summary of the public consultation in the report to Council.

*Original Signed by Mayor Ireland*

Mayor

*Original Signed by Reyna Seabrook*

Corporate Officer