

PUBLIC HEARING PROTOCOL

PURPOSE:

To provide guidelines for the procedures of and the participation including by electronic means in Public Hearings of Council.

PROTOCOL:

All persons who believe that their interest in property is affected by a proposed bylaw, permit or other matter referred to a Public Hearing must be afforded a reasonable opportunity to be heard or to provide written submissions. Rules of procedure at the Public Hearing shall be in accordance with this protocol, except as modified by the Chair of the Public Hearing as considered necessary, pursuant to the authority granted under section 465(3) of the *Local Government Act*.

The usual **Order of Business at a Public Hearing** will proceed as follows for each project:

- Introduction of the bylaw(s), permit(s) or application(s) and summary of correspondence received by the City Clerk
- Additional information from staff
- Opportunity for presentation by the applicant
- Verbal submissions from persons who believe their interest in property is affected (submissions by electronic means first followed by submissions by in person attendees)
- Questions from Council
- Declaration by the Chair to close the public hearing on the subject project.

Participation in the Public Hearing by Electronic Means:

A member of Council, an applicant or member of the public wishing to speak who is unable to attend a Public Hearing in person, may participate in the Public Hearing by electronic means (audio, visual or other communication facilities). If an applicant or member of the public intends to participate via electronic means, they must register no later than the time specified in the Public Hearing notice with the Office of the City Clerk. Applicants or members of the public participating via electronic means will be responsible for ensuring that they have the technical means to do so.

Attendees participating in the Public Hearing via electronic means will ensure that their location is conducive to a formal meeting, including a background free from unnecessary or inappropriate visual and auditory noise; no movements, images, items or sounds that may interfere with clarity of speech or that would create a distraction for others.

Advance Registration for the Speakers' List (if applicable):

For Public Hearings where a large number of speakers is anticipated, the Mayor may establish advance registration for the speakers' list. Persons wishing to speak must either

register in person on the speakers' list at the Public Hearing venue or if they intend to participate via electronic means, register no later than the time specified in the Public Hearing notice with the Office of the City Clerk. Speakers participating via electronic means will be heard first followed by in person speakers in the order in which their names appear on the speakers' list.

Conduct of the Public Hearing:

Each speaker including the applicant will be allowed up to five minutes to address Council regarding the project under consideration. Each speaker is required to state his/her name and address for the record.

Council members who are asking questions of a speaker shall limit themselves to seeking clarification or additional information directly related to the project under question, and shall avoid engaging the speaker in debate on the merits of the project.

Written submissions received prior to the Public Hearing shall be circulated to Council and recorded as part of the official record by the City Clerk. Submissions received during the Public Hearing will form part of the official record.

An audio visual recording of Public Hearings is broadcast by live video streaming and archived on Delta's website.

If a member of the general public is disrupting a meeting, the Chair may order that such person be removed from the venue and/or may order that the Public Hearing be recessed until the matter has been dealt with.

If there is no one present to speak to a proposed project, Council may hear an introduction of the matter, ask relevant questions and then move that the hearing on that project be closed.

When the Chair considers that reasonable opportunity has been provided for all who wished to make submissions and be heard, and there are no other projects to be considered, the Chair may call for a motion to terminate the Public Hearing.

Once the hearing for a project is closed, Council may not receive additional information from the applicant or the public regarding any of the bylaws, permits or other applications that were the subject of the Public Hearing, unless it is prepared to hold another Public Hearing. Council may receive clarification for an issue raised at the Public Hearing, however, Council may not receive any new information until after final adoption of the bylaws and/or approval of the project.

*Adopted by Council Resolution on September 13, 2013.
Amended by Council Resolution on December 12, 2022.*