

# CORPORATION OF THE CITY OF NEW WESTMINSTER



## BYLAW NO. 7367, 2009

EFFECTIVE DATE: January 11, 2010

CONSOLIDATED FOR CONVENIENCE ONLY  
(February 17, 2016)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

| <u>AMENDMENT BYLAW</u> | <u>EFFECTIVE DATE</u> |
|------------------------|-----------------------|
| 7511, 2012             | March 5, 2012         |
| 7809, 2015 (8a)        | February 1, 2016      |

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 7367, 2011. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the Legislative Services Office

# CORPORATION OF THE CITY OF NEW WESTMINSTER

## **BYLAW NO. 7367, 2009**

### A Bylaw to Establish an Arts Commission for the City of New Westminster

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**A.** Section 143 of the Community Charter, authorizes a local government, by bylaw, to establish a Commission to advise local governments on relevant matters.

**B.** Residents of the City of New Westminster recognize that arts are integral to the City's identity and that they should be enhanced and enjoyed.

**C.** The Council of the City of New Westminster recognizes the need to effectively manage the City's arts through the creation of a Commission to assist in the management and implementation of local artistic and cultural pursuits.

THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

This Bylaw may be cited for all purposes as the "City of New Westminster Arts Commission Bylaw No. 7367, 2009"

#### **Title**

1. The Commission created by this Bylaw is an advisory commission of Council and shall be known as the "New Westminster Arts Commission" (hereafter referred to as the "Commission").

#### **Definitions**

2. (a) "**City**" means the Corporation of the City of New Westminster.  
(b) "**Council**" means the City Council of the City of New Westminster.

### **Purpose of the Commission**

3. The purpose of the Commission is to guide the City in overall decision making concerning arts. It shall provide support for arts and cultural activities by advising Council on matters within the mandate of the Commission or on those matters relating to arts which are from time to time referred to it by Council. Where appropriate, the Commission may make recommendations to Council respecting related matters.

### **Terms of Reference**

4. Sections 5 to 12 of this Bylaw shall form the Terms of Reference for the Arts Commission:

### **Mandate of the Commission**

5. As an advisory body to Council, the mandate of the Commission is to:
  - (a) advise City Council on criteria for the annual disbursement of funding for arts;
  - (b) encourage creativity and excellence in the artistic life of New Westminster;
  - (c) encourage inclusive diversity in the artistic life of the community;
  - (d) support New Westminster's arts organizations in both their achievements and challenges;
  - (e) advise on the provision of facilities for the creation and presentation of arts in New Westminster; and
  - (f) encourage opportunities for all New Westminster residents and visitors to enjoy and participate in arts activities.

## **Responsibilities of the Commission**

6. (a) The Commission shall carry out the necessary responsibilities and activities to fulfill the above mandate, as set out in section 4 including the following:
- (i) liaising with those organizations and bodies which assist in the arts activity;
  - (ii) developing and recommending priorities for: 1) planning and managing arts facilities 2) identifying the needs of New Westminster arts organizations that require operating space;
  - (iii) identifying additional sources of funding opportunities from public and private organizations and senior levels of government;
  - (iv) facilitating and assisting in arts projects or events within the City as requested; and
  - (v) with Council's approval, setting out an annual work plan and budget in accordance with the City's budget cycle.

## **Commission Membership**

- 7 (a) The Commission shall be composed of fourteen (14) voting members appointed by Council with the following representation:
- (i) the professional arts sector (1 person);
  - (ii) community based arts sector, non-profit (3 persons);
  - (iii) interested community members (6 persons, 1 of whom will be a youth between the ages of 13-21 if available);
  - (iv) New Westminster Arts Council (1 person);
  - (v) Education Sector (1 person);
  - (vi) Douglas College (1 person);
  - (vii) City Council (1 person).

- (b) Non-voting City staff liaisons to the Commission shall consist of:
  - (i) the City's Director of Parks and Recreation (or designate);
  - (ii) the Chief Librarian;
  - (iii) a City Recording Secretary to prepare agendas and take minutes of the meetings.
- (c) A temporary Non-Voting Community Member to the Commission for the term ending January 31, 2014 shall consist of the following:
  - (i) Special Advisor.
- (d) All members shall serve without remuneration.

### **Terms of Appointment**

#### **Bylaw No. 7809, 2015**

- 8. (a) Voting members shall be appointed by Council for a two year term, with member's terms being staggered, commencing on the first day of February after the appointment.
- (b) Voting members of the Commission (other than the Arts Council representative) may not serve more than three (3) consecutive terms however, after at least one year out of office that member may be re-appointed.
- (c) In the event of a vacancy, Council may appoint a person to fill the vacancy for the remainder of the term.

### **Selection of the Chair**

9. (a) The Councillor serving on the Commission shall be the Chair.
- (b) At the first meeting of the year, the Chair shall designate a member or members of the Commission to preside at meetings when he or she is absent.

### **Meeting Procedure**

10. (a) The Commission shall meet at the call of the Chair.
- (b) Commission meetings shall be open to the public, except that the Commission may by resolution exclude the public to consider a specific matter, if the matter before the Commission complies with the rules established in the Community Charter for closing a meeting.
- (c) Members of the public are not permitted to make a presentation or submission at a Commission meeting unless permission to do so has been given by the Chair.
- (d) The Chair shall rule on all points of order.
- (e) A quorum for the meeting shall be half the number of voting members plus one (seven members). If a quorum is not present within 30 minutes following the time at which the meeting was to commence, the Recording Secretary shall record the names of members present at the meeting and the meeting shall adjourn.
- (f) All Commission decisions must be made by resolution. Unless specifically provided for in this Bylaw, a resolution is adopted if a majority of the members present at the meeting vote in the affirmative.
- (g) A minimum of six (6) meetings of the Commission must be held each year.
- (e) Unless specifically provided in this Bylaw, the Commission shall be governed by the meeting procedures as set out in the City Council's Procedure Bylaw and its Rules of Order.

## **Attendance**

11. (a) Members shall advise the Recording Secretary of their intent to attend or to be absent from meetings.
- (b) Any member who is absent from three (3) consecutive meetings of the Commission, or in excess of one-third of all meetings over any six (6) month period without leave of absence from the Commission, or a reason satisfactory to the Commission, shall by Commission by resolution be recommended to Council for removal from the Commission.

## **General Provisions**

12. (a) The Commission may, when necessary, establish sub-committees or task forces of a permanent or temporary nature to provide investigatory or advisory assistance or to carry out specific tasks in support of Commission initiatives, provided that the Commission cannot delegate its mandate or responsibilities as set out in this Bylaw.
- (b) Expenditures of the Commission and its sub-committees will require a request to the Director of Finance and must be approved by Council.
- (c) The Commission may request persons with a particular expertise to make presentations before the Commission on matters relating to arts.

**Rescission**

13. "City of New Westminster Arts and Culture Commission, Bylaw No. 6459, 1998" and all amendments there to are hereby repealed.

GIVEN FIRST READING ON THIS 14 day of DECEMBER, 2009.

GIVEN SECOND READING ON THIS 14 day of DECEMBER, 2009.

GIVEN THIRD READING ON THIS 14 day of DECEMBER, 2009.

ADOPTED and the seal of the Corporation of the City of New Westminster affixed this 11 day of JANUARY, 2009. 2010

ACTING   
MAYOR LORRIE WILLIAMS  
  
CORPORATE OFFICER

**RICK PAGE, CORPORATE OFFICER**