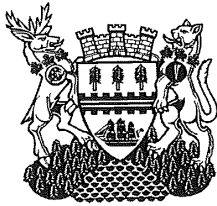


Considered at June 7, 2016 Special Council (COTW) Meeting

Council Agenda Information

☒ Committee of the Whole June 07, 2016

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City of Port Moody Report/Recommendation to Council

Date: May 26, 2016

File No. 01-0630-01

Submitted by: Corporate Services Department – Legislative Services Division

Subject: Policy for Proclamation Requests

Purpose / Introduction

To seek Council's direction on the development of a policy regarding requests for proclamations.

Recommended Resolution

THAT staff be directed to draft a policy based on Option 1 as recommended in the report dated May 26, 2016 from Corporate Services Department – Legislative Services Division regarding Policy for Proclamation Requests.

Background

A proclamation is an official public announcement or declaration given by Mayor and Council to formally recognize a special event, campaign, or organization for a certain day, week, or month. The City of Port Moody receives numerous proclamation requests, but does not have a policy in place for handling and processing those requests. The City's current practice is to place a proclamation request on a Council agenda for consideration. If a proclamation is made by resolution, a certificate is then sent to the requesting organization.

Discussion

Research indicates that practices for proclamation requests vary among municipalities. At the time of this report, approximately 50 municipalities throughout BC were surveyed. Of those surveyed, 22 municipalities responded, including the Lower Mainland Cities of Abbotsford, Burnaby, Langley, Maple Ridge, and White Rock, the Districts of Delta and West Vancouver, and the Township of Langley. Information was also obtained from municipal websites and from a report presented to Cranbrook Council on July 13, 2015 (**Attachment 1**). The table that follows is a summary of the findings:

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# of Municipalities	Proclamation Requests – Procedure, Practice, or Policy	
18	Do not issue proclamations.	(a) Letter is sent by City Clerk or Mayor's Executive Assistant acknowledging request and advising of policy. <i>100 Mile House, Abbotsford, Coldstream, Cranbrook, Delta, Maple Ridge, Nelson, and North Cowichan</i>
		(b) Request appears as Information Item on Council Agenda. <i>City of Langley, Township of Langley, Pitt Meadows, and White Rock</i>
		(c) Variation of (a) and (b), or unknown. <i>Elkford, Kimberley, Quesnel, Salmon Arm, Vernon, and West Vancouver</i>
7	Process and issue proclamation requests through the Mayor's office.	(a) Read aloud. <i>Bumaby</i>
		(b) Not read aloud. <i>Kelowna, Prince George, and Richmond</i>
		(c) Not known. <i>Comox, Courtney, and Saanich</i>
4	Place proclamation requests on Council agendas.	(a) Read aloud. <i>Powell River and Squamish</i>
		(b) Not read aloud.
		(c) Not known. <i>Port Alberni and Esquimalt*</i>
4	Require a representative to appear as a Delegation.	<i>Dawson Creek, Fort St. John, Kamloops, and Squamish</i>

**The information provided on this table differs from the information provided in Attachment 1 as it was provided by Esquimalt's Director of Corporate Services during the course of this research and is therefore accurate at the time of this report.*

In some municipalities, the process is dependent on certain criteria, such as, if:

- the request originates from a local, provincial, or national group;
- the request originates from a non-profit versus for-profit organization;
- it is a first-time versus repeat request;
- there is other important information contained within the request; and
- the requestor wants a framed certificate or picture.

Information gathered from the research indicates that most municipalities have a policy in place whereby proclamations are not issued. Reasons cited include:

- potential for controversy and litigation;
- possible perception of discrimination;
- proclamations and organizations need to be reviewed or investigated by City staff; and
- there is no statutory authority for making proclamations.

The Human Rights Commission has fined municipalities for refusing proclamations in the past. In 1995, the mayors of London and Hamilton, Ontario were found guilty of discrimination, and the cities were fined \$10,000 and \$5,000 respectively for refusing to proclaim Gay Pride Week. In BC, complaints were filed against the Cities of Kelowna and Terrace, and the Town of Oliver which resulted in lengthy debates, negative publicity, and legal costs. Similar complaints have been filed throughout Canada.

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In about half of the municipalities that do not issue proclamations, the information contained in the request is relayed to the public under the Correspondence Section of the Council agenda. It may also be posted to the municipality's website, and/or displayed on their bulletin board. Publishing this information makes the community aware of the special event, campaign, or organization without the municipality formally proclaiming it; however, publication of information can still be perceived as Council's endorsement or approval, and therefore, refusal may be considered discriminatory.

Over the past five years, the City of Port Moody issued, on average, more than 20 proclamations per year. In the first five months of 2016, the City has made 13 proclamations. As the City does not have a Proclamation Policy, most proclamation requests appear on Council agendas and are subsequently approved. However, questions have arisen regarding the City's process, and concerns have been expressed regarding its ambiguity and the City's lack of clearly defined criteria for proclamation approval. To address these concerns, staff recommend developing a policy to formalize the process for proclamations. The following are options for consideration:

Option 1

Development of a policy whereby the City of Port Moody does not make or issue official proclamations. Legislative Services Division to acknowledge requests and advise requestors of the City's policy.

Option 2

Development of a policy whereby the City of Port Moody does not make or issue official proclamations. Proclamation requests to be listed under the Council Correspondence section of the Council agenda for information only.

Option 3

Development of a policy whereby the Mayor's office receives and handles proclamation requests. The policy to include clearly defined criteria for approval.

Option 4

Development of a policy whereby proclamation requests are included on Council agendas for approval in Council meetings, and not read aloud. The policy to include clearly defined criteria for approval.

Option 5

Development of a policy whereby proclamation requests are included as delegations on Council agendas when presented by an individual, group, or organization.

The benefits of making and issuing proclamations do not outweigh the risks, considering the potential controversy, possible human rights litigation, possible perception of discrimination, staff time and administrative costs associated with processing requests, and the lack of statutory authority to issue proclamations. As such, staff are recommending Option 1.

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Other Options

THAT staff be directed to provide more information as directed.

THAT the report dated May 26, 2016 from Corporate Services Department – Legislative Services Division regarding Policy for Proclamation Requests be received for information.

Financial Implications

There are no financial implications associated with this report.

Communications / Civic Engagement

Communications and civic engagement are not required.

Council Strategic Plan Objectives

The development of a Proclamation Policy aligns with Council's 2015-2018 Strategic Plan Objective of Service Excellence by providing the community with a clearly defined policy on the City's process for handling proclamation requests.

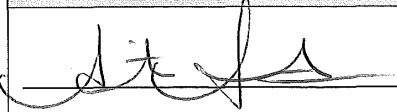
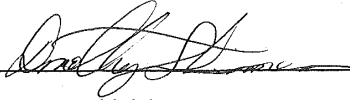
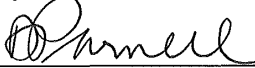

Attachments:

1. City of Cranbrook Report Recommendation dated July 8, 2015 regarding Proclamation Policy.

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Prepared by:	Reviewed by:
 Anita Andreychuk Committee Clerk	 Supervisor (initials): Dorothy Shermer  Department Head (initials): Angie Parnell
Reviewed for Form and Content / Approved for Submission to Council:	
City Manager's Comment/Concurrence  for City Manager	

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(8.2)


MOUNTAINS OF OPPORTUNITY
CRANBROOK

Report Recommendation

TITLE/SUBJECT:	Proclamation Policy	PAGE:	Page 1 of 4
		FILE NO:	0340.50
DEPARTMENT:	Corporate Services	Cross Ref:	0630.20
COUNCIL DATE:	July 13, 2015		Regular Council
SUBMITTED BY:	<i>M. K. [Signature]</i>	DATE:	08 July 2015
DEPARTMENT HEAD:	<i>Maryse Legoux</i>	DATE:	
APPROVED BY CAO:	<i>[Signature]</i>	DATE:	5/26/15

PURPOSE:

To seek Council's direction on development of a policy regarding requests for proclamations.

RECOMMENDATION BY: Staff

That Council direct staff to prepare a Proclamation Policy for the City of Cranbrook whereby the City does not make official proclamations and any requests received will not be placed on a Regular Council Agenda. Requesters to be advised of the City's policy.

ALTERNATIVE:

1. That Council direct staff to prepare a Proclamation Policy for the City of Cranbrook whereby the City does not make official proclamations. Requests received will be listed under the Correspondence section of the Regular Council Agenda to be received for information only. Requesters to be advised of the City's policy
2. That Council direct staff to prepare a Proclamation Policy for the City of Cranbrook whereby the City will only consider proclamations presented or endorsed by a local individual, chapter, group or organization. Requests will be delivered directly to the Mayor's office for approval and signature and will not appear on a Regular Council Agenda.
3. That Council direct staff to prepare a Proclamation Policy for the City of Cranbrook whereby the City will only consider proclamations coming from a local individual, chapter, group or organization. Requests to be considered by Council and will appear on a Regular Council Agenda.
4. Council direct staff to draft a policy regarding Proclamations with a different option than listed above.

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BUDGETARY IMPACT:

Nil

POLICY IMPLICATION:

Nil

BACKGROUND INFORMATION:

At the Regular meeting of Council on June 22, 2015 Council approved a resolution directing City Staff to prepare a policy regarding proclamations for Council review, discussion and consideration. Proclamations are primarily ceremonial documents signed by the Mayor which are used to create public awareness, acknowledgement and recognition for a variety of causes.

Research from several other local governments indicates there are different practices being utilized. See table below for a brief summary of options:

LOCAL GOVERNMENT	POLICY/PROCESS
City of Richmond	Un-adopted Administrative procedure "2009 City & Event Protocol" Proclamation requests go directly to the Mayor's office for approval and do not appear on a Council agenda.
Township of Esquimalt	No formal policy. Varied process – if a proclamation request is received which has been approved in the past, it is formatted and provided to the Mayor for signature and posting. Does not appear on a Council Agenda. For new proclamation requests, a draft unsigned proclamation is presented to Council as an agenda item, if approved, then is signed by the Mayor and posted.
City of Fort St. John	Official Policy – requests for proclamations will only be considered when such proclamation is presented or endorsed by a local individual, group or organization.
City of Dawson Creek	Official Policy – authorizes the Mayor to proclaim and sign all proclamations sent to the City provided that the request is coming from a local representative of the organization making the request.
City of Courtenay	Official Policy – authorizes the Mayor to proclaim on behalf of the City. Rejected requests may be appealed to Council.
City of White Rock	Official Policy – City does not make official proclamations. Requests will be listed under the correspondence section of the Council Agenda indicating the event or cause. These agenda items are for information only. Requestors are sent a letter to notify of the City's policy. Policy rationale: given potential controversy and litigation, making official proclamations should be avoided. Many types of requests could come forward and if the practice is to make proclamations, it would be difficult to turn any away without it being viewed as discriminatory.
District of Elkford	Official Policy – The District of Elkford does not issue proclamations
City of Kimberley	Official Policy – The City of Kimberley does not issue proclamations

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City of Kamloops	Official Policy – proclamations are only considered if there is representation from the local chapter of an organization or group present at the Council meeting to speak to the proclamation. Groups/individuals are expected to speak to Council regarding the proclamation to provide a brief overview of the event or day of interest.
City of Kelowna	<p>Official Policy Guidelines – proclamations are issued to local charitable and non-profit organizations to increase public awareness of their cause and/or to promote fundraising activities, to support major sporting, cultural and entertainment programs significant to the city and civic initiatives. Consideration is given to requests by provincial or national organizations if the request is in the general community or public interest. Proclamations are not approved if they serve to benefit personal, private or commercial interests, cover matters of political controversy, ideological or religious beliefs, matters of individual conviction, or that advocate against human rights and freedoms under the <i>Charter</i>.</p> <p>Proclamations are considered at the discretion of the Mayor and will not be read aloud or presented during a Council meeting.</p>
City of Vernon	Resolution of Council – "City Council abolish the practice of issuing proclamations"
City of Abbotsford	Official Policy – City of Abbotsford does not issue proclamations
City of Salmon Arm	Official Policy – requests for proclamations are not honoured
District of Squamish	<p>District Procedure Bylaw – Council may issue a proclamation to recognize a non-profit organization or charitable organization or cause on a specific day, week, or month that has District-wide importance.</p> <p>Bylaw requires a local representative to attend the Council meeting at which time Council will consider the proclamation.</p>
District of 100 Mile House	Official Policy – The District of 100 Mile House will not issue proclamations and/or declarations

In the one year-period from June 2014 to June 2015, Council approved 38 proclamations from a variety of different agencies, both local and outside the region.

In reviewing the practices of other local governments, and the direction given by Council to develop a policy around proclamations, staff provides the following options for Council's consideration:

1. Development of a policy whereby the City does not make official proclamations and any requests received will not be placed on a regular Council agenda. Requesters to be advised of the City's policy.
2. Development of a policy whereby the City does not make official proclamations. Requests received will be listed under the Correspondence section of the regular Council agenda to be received for information only. Requesters to be advised of the City's policy

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3. Development of a policy whereby the City will only consider proclamations presented or endorsed by a local individual, chapter, group or organization. Requests will be delivered directly to the Mayor's office for approval and signature and will not appear on a regular Council agenda.
4. Development of a policy whereby the City will only consider proclamations coming from a local individual, chapter, group or organization. Requests to be considered by Council and will appear on a regular Council agenda.

Administration recommends option 1. Given the potential controversy and human rights litigation, making official proclamations should be avoided. Many types of requests could come forward and if the practice is to make proclamations, selective issuance could be deemed as discriminatory, and contrary to human rights legislation.

Administration is seeking Council direction to move forward with the development of a policy for the City.

ATTACHMENTS:

Nil