

4. **Strengthening Representative Democratic Practices in Vancouver**

Submitted by: Councillor Hardwick

WHEREAS

1. In democratic theory, representatives are elected to represent the people within jurisdictional boundaries. So, representatives must know what their constituents think in order to best represent the 'will of the people';
2. Under the laws and traditions of Canada, the fundamental principles of representative democracy apply to the City of Vancouver, its elected Council, and the various legislative processes conducted by Council and the City on behalf of the city's constituents and within the City's jurisdictional and physical boundaries;
3. Municipal councils in British Columbia typically have full discretion to set policies, adopt bylaws, and establish direction for their communities, in accordance with legislation and other legal rules, and they do so within the established principles and traditions of representative democracy and consistent with the Canadian democratic tradition;<sup>1</sup>
4. The *Vancouver Charter* lays out the boundaries of the city, as well as the electoral process by which our representatives are elected, and responsibilities to the inhabitants of the City.
5. In a representative democracy, all eligible citizens have the right to participate, either directly or indirectly, in making the decisions that affect them, most commonly by voting in an election and/or by making their views known to their elected officials on issues of importance to them and their community, for example, at Public Hearings of Council;<sup>2</sup>

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<sup>1</sup> The City of Vancouver, as with other municipalities in British Columbia, is empowered to control land use and development within the city through a variety of processes and tools, and is also responsible for providing essential municipal infrastructure and services including drinking water, roads, fire protection, and sewage collection and treatment.

<https://www2.gov.bc.ca/gov/content/governments/local-governments/facts-framework/systems/municipalities?keyword=municipal>

<sup>2</sup> Sections 22 through 24 of the *Vancouver Charter*, under Division 5 (*Electors*), specifies the eligibility criteria for "resident electors" (i.e., those who live in the city) and "non-resident property electors" (i.e., the registered owner of real property in the city) to vote in a City of Vancouver election, all of whom must be, among other requirements and restrictions, 18 years of age or older on the day of registration or on the general voting day for the election, a Canadian citizen, and a resident of British Columbia for at least 6 months immediately before the day of registration or on the general voting day for the election.

6. In order to ensure that constituent and community feedback is fully, fairly, and transparently articulated and considered, it is incumbent in a representative democracy to ensure that the will of the people, as expressed by its constituents through the various feedback mechanisms and processes in place, is accurately and fairly presented;
7. To be effective stewards of the City and best represent constituents, members of a City Council must receive and consider feedback representing a wide range of views obtained through a variety of means and processes. Specifically:
  - in person (e.g. at public hearings and from delegations to Council)
  - on paper (e.g. letters, petitions)
  - online (e.g. emails, online petitions, social media)
8. Public Hearings are a quasi-judicial process of Council where, at the start of a public hearing, the City Clerk reads a summary of the application under consideration along with a summary of correspondence received. For example, the Clerk's opening statement variously takes the form of, "*The following correspondence has been received since referral to public hearing and prior to the close of the speakers list and receipt of public comments: x pieces of correspondence in support and x pieces of correspondence in opposition. This represents all correspondence up to 5:00 PM today.*";
9. The summary of correspondence presented at public hearings and for other Council processes is intended to quantify and convey the level support or opposition to a matter under consideration. Council is reliant on the quality and reliability of the summary information to ensure that the decision making process is sound and sufficiently representative in its scope;
10. Those persons wishing to address Vancouver City Council on a matter, either as a delegation to Council or at a Public Hearing, including through written correspondence, are currently not required to indicate or state where they live in the city, what their home address may be, or whether they may in fact reside in another municipality altogether;

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Section 38 of the *Vancouver Charter* under Division 5 (Qualifications for Office) lays out the requirements that must be met for holding office on Council or Park Board and states, among other criteria, that the person "must be an individual who is, or who will be on general voting day for the election, 18 years of age or older," a Canadian citizen, and "must have been a resident of British Columbia, as determined in accordance with section 25 [of the Charter], for at least 6 months immediately before the relevant time."

THEREFORE BE IT RESOLVED THAT individuals providing public feedback related to items of Council meetings, Standing Committees, and Public Hearings be requested to state the following:

- Their full name;
- Whether they are a resident of the City of Vancouver, or are non-resident, or if they are homeless; and

FURTHER THAT unregistered migrant and refugee residents are exempt from this policy.

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