

## EXPLANATORY NOTES TO PROCEDURE BYLAW

The provisions contained in the Procedure Bylaw fit into four different categories of legislative authority contained in the *Community Charter*.

The four categories of provision contained in the Procedure Bylaw are as follows:

1. **Mandatory** -- The provisions contained in this category are required by the *Community Charter*. Unless otherwise identified, all provisions in the bylaw are mandatory. Some mandatory provisions contain blanks for information to be added as specified;
2. **Optional** -- These are provisions which a council may choose not to include. For example, providing for special council meetings to be conducted electronically or having a council or council committee member attend a council meeting or council committee meeting through electronic or other communication facilities is an optional provision found at section 8 of the Procedure Bylaw;
3. **Mandatory with Required Content** -- The provisions contained in this category are required by the *Community Charter*, however, they are general in the *Community Charter* and must be particularized. For example, the requirement in the *Community Charter* to give notice of special meetings are general and should be particularized by specifying the specific locations in the municipality where copies of the notice must be posted or left;
4. **Mandatory with Optional Content** -- The provisions contained in this category are mandatory but their content is optional. For example, s. 124 of the *Community Charter* makes it mandatory for councils to establish general procedures to be followed by council and council committees in conducting their business and councils must establish the rules of procedure for their council meetings and their meetings of council committees. However, the *Community Charter* does not prescribe the specific details of those rules and procedures and therefore, although there should be some provision related to the general topic, the content is optional. These provisions are found at sections 13 to 29 of the Procedure Bylaw.

There are other rules which apply to council meetings and other bodies as prescribed in s. 93 of the *Community Charter* which are not contained in the Procedure Bylaw. These are powers which spring directly from the *Community Charter* and specify a rule or procedure where Council has no discretion. For example, the rules contained at sections 89 to 93 regarding open meetings are not repeated in the bylaw but may be appended to the bylaw for convenient reference as suggested in section 10 of the Procedure Bylaw. The sections relevant to a provision are indicated in a box in the left margin next to the section.

COUNCIL PROCEDURE BYLAW

A BYLAW OF \_\_\_\_\_ OF \_\_\_\_\_

Contents

	<u>Page</u>
PART 1 – INTRODUCTION .....	1
Title.....	1
Definitions.....	1
Application of rules of procedure .....	2
PART 2 – COUNCIL MEETINGS .....	2
Inaugural Meeting.....	2
Time and location of meetings.....	2
Notice of Council Meetings.....	3
Notice of special meetings.....	3
Electronic Meetings .....	4
PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR.....	5
PART 4 – COUNCIL PROCEEDINGS .....	5
<i>Community Charter</i> Provisions .....	5
Attendance of Public at Meetings .....	5
Minutes of meetings to be maintained and available to public.....	6
Calling meeting to order .....	6
Adjourning meeting where no quorum.....	7
Agenda .....	7
Order of proceedings and business.....	7
Late Items.....	8
Voting at meetings.....	8
Points of order .....	10
Conduct and debate .....	10
Motions generally .....	12
Motion to commit .....	12
Motion for the main question .....	12
Amendments generally.....	13
Reconsideration by Council Member.....	13
Privilege.....	14
Reports from committees .....	15
Adjournment .....	15

PART 5 – BYLAWS.....	15
Copies of proposed bylaws to Council members.....	15
Form of bylaws.....	15
Bylaws to be considered separately or jointly.....	16
Reading and adopting bylaws.....	16
Bylaws must be signed.....	16
PART 6 - RESOLUTIONS.....	17
Copies of resolutions to Council members.....	17
Form of resolution.....	17
Introducing resolutions.....	17
PART 7 - COMMITTEE OF THE WHOLE.....	17
Going into Committee of the Whole.....	17
Notice for COTW meetings.....	18
Minutes of COTW meetings to be maintained and available to public.....	18
Presiding members at COTW meetings and Quorum.....	18
Points of order at meetings.....	18
Conduct and debate.....	18
Voting at meetings.....	19
Reports.....	19
Rising without reporting.....	19
PART 8 – COMMITTEES.....	19
Duties of standing committees.....	19
Duties of select committees.....	20
Schedule of committee meetings.....	20
Notice of committee meetings.....	20
Attendance at Committee meetings.....	21
Minutes of committee meetings to be maintained and available to public.....	21
Quorum.....	21
Conduct and debate.....	21
Voting at meetings.....	22
PART 9 - COMMISSIONS <i>[Optional]</i> .....	22
Schedule of Commission meetings.....	22
Notice of Commission meetings.....	22
Minutes of Commission meetings to be maintained and available to the public.....	22
Quorum.....	23
Conduct and Debate.....	23
PART 10 – GENERAL.....	23

NO. xx-xxx

## COUNCIL PROCEDURE BYLAW

A BYLAW OF \_\_\_\_\_ OF \_\_\_\_\_

The Municipal Council of \_\_\_\_\_ of \_\_\_\_\_ enacts as follows:

### PART 1 – INTRODUCTION

#### Title

1. This Bylaw may be cited as the “COUNCIL PROCEDURE BYLAW NO. \_\_\_\_\_, 2004”.

#### Definitions

2. In this Bylaw,

“City” *[District, Town, Village, as applicable]* means the \_\_\_\_\_ of \_\_\_\_\_;

“City Hall” means \_\_\_\_\_ City Hall *[Town Hall, Village offices, etc., as applicable]* located at *[civic address]*, British Columbia;

[s. 94\(7\)](#)

*[optional]* “City Web Site” means the information resource found at an internet address provided by the City;

[s. 143](#)

*[optional]* “Commission” means a municipal commission established under s.143 of the *Community Charter*;

“committee” means a standing, select, or other committee of Council, but does not include COTW;

“COTW” means the Committee of the Whole Council;

“Corporate Officer” means the Corporate Officer for the City;

“Council” means the Council of the City *[District, Town, Village, as applicable]* of \_\_\_\_\_;

“Mayor” means the mayor of the City;

[s. 124\(2\)\(e\)](#)

“Public Notice Posting Places” means the *[option: notice board at City Hall, the City Website, etc.]*;

### Application of rules of procedure

- [s.124\(2\)\(a\) and \(b\)](#)
3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW *[optional: Commissions]* and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, *[option: the rules of Parliamentary procedure of the Canadian House of Commons or Bourinots Rules of Order]* apply to the proceedings of Council, COTW, and Council committees to the extent that those Rules are
- (a) applicable in the circumstances, and
- (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

### PART 2 – COUNCIL MEETINGS

#### Inaugural Meeting

Mandatory with Required Content

- [s.124\(2\)\(g\)](#)  
[s.125\(1\)](#)
4. (1) Following a general local election, the first Council meeting must be held on the first *[day of week]* in December *[must be within the first 10 days of December in accordance with s. 124(2)(g) of the Community Charter]* in the year of the election.
- [s.125\(2\)](#)
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

#### Time and location of meetings

Mandatory with Required Content

- [s.125\(2\)](#)
5. (1) All Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
- (a) be held on the *[first or second]* and *[third or fourth]* *[day of week]* of each month, and
- (b) begin at *[time]*;
- (c) be adjourned at *[time]* on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29;

- (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open following which is not a statutory holiday;
- (3) Regular Council meetings may:
  - (a) *[optional]* be cancelled by Council, provided that two consecutive meetings are not cancelled; and
  - (b) *[optional]* be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 days written notice,

### Notice of Council Meetings

Mandatory with Required Content

s.127(1)

- 6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before *[date]*, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must give notice annually on or before *[date]* of the time and duration that the schedule of regular Council meetings will be available beginning on *[date]* in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) *[optional]* Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

### Notice of special meetings

Mandatory with Required Content

s.127(2)

- 7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours *[option: could be a greater time period]* before the time of meeting, by
  - (a) posting a copy of the notice in the Council chambers at City Hall,
  - (b) posting a copy of the notice at the Public Notice Posting Places, and
  - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at City Hall.

s.127(3)

- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

**Electronic Meetings**

Optional

s. 128

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met,
- (a) a special Council meeting may be conducted by means of *[option: visual and audio]* or *[option: audio]* electronic or other communication facilities if:
- (i) *[option: the Mayor requires];*
- (ii) *[option: the Council requires];*
- (iii) *[option: other];* or
- (b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting, as applicable, may participate in the meeting by means of *[option: visual and audio]* or *[option: audio]* electronic or other communication facilities, if:
- (i) *[option: the meeting is a] [option: regular, special and/or committee meeting];*
- (ii) *[option: the member is unable to attend because \_\_\_\_\_];*
- (iii) *[option: other].*
- (2) *[Option:]* The member presiding at a special council or council committee meeting must not participate electronically.
- (3) *[Option:]* No more than *[option: 2]* members of council at one time may participate at a council meeting under section 8(1)(b).
- (4) *[Option:]* No more than *[option: 2]* members of a Council Committee at one time may participate at a Council Committee meeting under s.8(1)(b).
- (5) *[Option: Other considerations or requirements such as receipt of agendas or information by member participating electronically, attendance by staff at electronically held special meetings, or failure of technology during a meeting, etc.]*

### PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

s. 130

Mandatory with required content

9. (1) Annually [Option: in \_\_\_\_\_, may specify a specific month such as December or January], Council must from amongst its members designate Councillors to serve on a rotating basis [Option: “designate a Councillor to serve”] as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.

### PART 4 – COUNCIL PROCEEDINGS

#### Community Charter Provisions

Optional

10. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [Council Proceedings]. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

#### Attendance of Public at Meetings

s. 89

11. (1) Except where the provisions of section 90 of the *Community Charter* [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.

s. 92

- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* [requirements before Council meeting is closed].

s. 93

- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
- (a) COTW,
- (b) standing and select committees,

- (c) parcel tax review panel,
  - (d) board of variance,
  - (e) *[option: advisory bodies such as advisory planning commission],*
  - (f) *[option: Commissions such as parks and recreation commission].*
- (4) Despite section 11(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 21(8).

s. 133

### Minutes of meetings to be maintained and available to public

s.124(2)(c)

12. (1) Minutes of the proceedings of Council must be
- (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer, and
  - (c) *[optional]* signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

s.97(1)(b)  
s.97(2)

- (2) Subject to subsection 12(3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.

s.97(1)(b)

- (3) Subsection 12(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.

#### Mandatory with optional content - Sections 13-29

[Optional content: s. 124(1) and (2)(a) and (b) of the Community Charter make it mandatory for a Council to establish the general rules of procedure for Council meetings and Council Committee meetings. The content of the rules of procedure are not prescribed. Therefore, although it is necessary to set out the rules governing council procedure, their specific content is discretionary. Sections 13-29 of this Bylaw are only one example of provisions governing rules of procedure.]

### Calling meeting to order

s.124(1)  
s.124(2)(a)

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place

of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.

- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 do not attend within *[option:15 minutes]* of the scheduled time for a Council meeting:
  - (a) the Corporate Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

### **Adjourning meeting where no quorum**

14. If there is no quorum of Council present within *[option: 15 minutes]* of the scheduled time for a Council meeting, the Corporate Officer must
  - (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

### **Agenda**

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be *[time]* on the *[day of week]* prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public on the *[day of week]* afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17.

### **Order of proceedings and business**

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Approval of agenda;

- (b) Adoption of minutes;
  - (c) Introduction of late items;
  - (d) Public and statutory hearings, and third reading or adoption of bylaws where applicable after each hearing;
  - (e) Delegations – requests to address Council;
  - (f) Report of Chief Administrative Officer;
  - (g) Unfinished business;
  - (h) Correspondence;
  - (i) Reports of committees, COTW and Commissions;
  - (j) Resolutions;
  - (k) Bylaws;
  - (l) Question Period;
  - (m) New business;
  - (n) Adjournment.
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### **Late Items**

17. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 17(1), information pertaining to late items must be distributed to the members.

### **Voting at meetings**

18. (1) The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:  
  
"Those in favour raise your hands." and then "Those opposed raise your hands." or; "Vote either in favour or opposed using the automated voting system."
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not

- (i) cross or leave the room,
  - (ii) make a noise or other disturbance, or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
  - (e) the presiding member's decision about whether a question has been finally put is conclusive; and
  - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand *[option: or by pushing the appropriate button on any automated voting system being used at the Council meeting]*; and
  - (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative;

### **Delegations**

19. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application on a prescribed form has been received by the Corporate Officer by *[time]* on the  *[day of week]*  prior to the meeting. Each address must be limited to 5 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the

information must be distributed under separate cover to Council for their consideration.

### Points of order

s. 132

20. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion
- (a) if the motion is contrary to the rules of procedure in this bylaw, and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

### Conduct and debate

21. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-presiding members by the title Councillor.
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member
- (a) must immediately stop speaking,
  - (b) may explain their position on the point of order, and

s. 132

- (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.

(7) Members speaking at a Council meeting

- (a) must use respectful language,
- (b) must not use offensive gestures or signs,
- (c) must speak only in connection with the matter being debated,
- (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
- (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.

s. 133(1)

(8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and

- (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
- (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

s. 133(2)

(9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.

(10) The following rules apply to limit speech on matters being considered at a Council meeting:

- (a) a member may speak more than once in connection with the same question only
  - (i) with the permission of Council, or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;

- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

### **Motions generally**

22. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:
- (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely;
  - (e) to postpone to a certain time;
  - (f) to move the previous question;
  - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

### **Motion to commit**

23. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

### **Motion for the main question**

24. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:

- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
- (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

### **Amendments generally**

25. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
  - (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
  - (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
  - (5) An amendment may be amended once only.
  - (6) An amendment that has been negated by a vote of Council cannot be proposed again.
  - (7) A Council member may propose an amendment to an adopted amendment.
  - (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
    - (a) a motion to amend a motion amending the main question;
    - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
    - (c) the main question.

### **Reconsideration by Council Member**

<i>Mayor's right of reconsideration found at <a href="#">s.131</a> of the Community Charter</i>
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26. (1) Subject to subsection (5), a Council member may, at the next Council meeting,

- (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
  - (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
  - (4) A vote to reconsider must not be reconsidered.
  - (5) Council may only reconsider a matter that has not
    - (a) had the approval or assent of the electors and been adopted,
    - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*,
    - (c) been acted on by an officer, employee, or agent of the City.
  - (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
  - (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

### **Privilege**

- 27. (1) In this section, a matter of privilege refers to any of the following motions:
  - (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council;
  - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.

- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

### Reports from committees

28. Council may take any of the following actions in connection with a resolution it receives from COTW:
- (a) agree or disagree with the resolution;
  - (b) amend the resolution;
  - (c) refer the resolution back to COTW;
  - (d) postpone its consideration of the resolution.

### Adjournment

29. (1) A Council may continue a Council meeting after *[time]* only by an affirmative vote *[option: of 2/3]* of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

Mandatory with optional content except s.34 which is mandatory
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### Copies of proposed bylaws to Council members

- |             |   |
|-------------|---|
| s.124(2)(a) | 30. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least <i>[option: 24 hours]</i> before the Council meeting, or all Council members unanimously agree to waive this requirement. |
|-------------|---|

### Form of bylaws

31. A bylaw introduced at a Council meeting must:
- (a) be printed;

- (b) have a distinguishing name;
- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose;
- (e) be divided into sections;

### **Bylaws to be considered separately or jointly**

32. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the presiding member or requested by another Council member, or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

### **Reading and adopting bylaws**

33. (1) The presiding member of a Council meeting may
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- s.135(2) (4) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (5) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

### **Bylaws must be signed**

- s.135(6) 34. After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the

s.148(a)

Corporate Officer must have it placed in the City's records for safekeeping  
*[option: and endorse upon it:]*

s.148(f)

- (a) *[option: the City's corporate seal],*
- (b) *[option: the dates of its readings and adoption; and],*
- (c) *[option: the date of Ministerial approval or approval of the electorate if applicable].*

## PART 6 - RESOLUTIONS

Mandatory with optional content

### Copies of resolutions to Council members

s.124(1)(a)

35. A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least *[option: 24 hours]* before the Council meeting, or all Council members unanimously agree to waive this requirement.

### Form of resolution

36. A resolution introduced at a Council meeting must be printed and have a distinguishing number.

### Introducing resolutions

37. (1) The presiding member of a Council meeting may:
- (a) have the corporate officer read the resolution; and
  - (b) request a motion that the resolution be introduced.

## PART 7 - COMMITTEE OF THE WHOLE

*[Optional: However if COTW meetings are conducted must establish rules of procedure, the taking and certifying of minutes and providing for advance notice of meetings in accordance with s.124(2)(b), (c) and (d) of the Community Charter]*

### Going into Committee of the Whole

38. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COTW.

### Notice for COTW meetings

s.124(2)(d)

39. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours *[option: could be a greater time period]* before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at City Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 38, during a Council meeting for which public notice has been given under section 6 or 7.

s.124(2)(c)  
s.145

### Minutes of COTW meetings to be maintained and available to public

s.97(1)(c)

40. (1) Minutes of the proceedings of COTW must be
- (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) *[optional]* signed by the member presiding at the meeting, and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

### Presiding members at COTW meetings and Quorum

41. (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

### Points of order at meetings

42. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

### Conduct and debate

43. The following rules apply to COTW meetings:
- (a) a motion is not required to be seconded;

- (b) a motion for adjournment is not allowed;
- (c) a member may speak any number of times on the same question;
- (d) a member must not speak longer than a total of 10 minutes on any one question.

### **Voting at meetings**

44. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

### **Reports**

45. (1) COTW may consider reports and bylaws only if
- (a) they are printed and the members each have a copy, or
  - (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

### **Rising without reporting**

46. (1) A motion made at a COTW meeting to rise without reporting
- (a) is always in order and takes precedence over all other motions,
  - (b) may be debated, and
  - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 38(1), the Council meeting must resume and proceed to the next order of business.

## **PART 8 – COMMITTEES**

### **Duties of standing committees**

s. 141

47. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:

- (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are assigned by Council;
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are assigned by Council or the Mayor,
    - (i) as required by Council or the Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

#### **Duties of select committees**

s. 142

48. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

#### **Schedule of committee meetings**

49. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

#### **Notice of committee meetings**

s.124(2)(d)

50. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the committee.

- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 49(2) to be given to all members of the committee at least *[option: 12 hours]* before the time of the meeting.

#### **Attendance at Committee meetings *[Optional]***

- 51. Council members who are not members of a committee may attend the meetings of the committee.

#### **Minutes of committee meetings to be maintained and available to public**

[s.124\(2\)\(c\)](#)  
[s.97\(1\)\(c\)](#)

- 52. Minutes of the proceedings of a committee must be
  - (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) *[optional]* signed by the chair or member presiding at the meeting, and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

#### **Quorum**

- 53. The quorum for a committee is a majority of all of its members.

#### **Conduct and debate**

- 54. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

## Voting at meetings

55. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

## PART 9 - COMMISSIONS

Optional
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s. 143 s. 145
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### Schedule of Commission meetings

56. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

### Notice of Commission meetings

57. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates and places of the Commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, the *[option: Corporate Officer]* must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called under section 56(2) to be given to all members of the Commission at least *[option: 12 hours]* before the time of the meeting.

### Minutes of Commission meetings to be maintained and available to the public

58. Minutes of the proceedings of a Commission must be:
- (a) legibly recorded;
  - (b) *[optional]* certified by the *[option: Corporate Officer or]*,

