



## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



# Council Procedures Bylaw No. 476, 2015

## Office Consolidation

This document is an office consolidation of Council Procedures Bylaw No. 476, 2015 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version Council Procedures Bylaw No. 476, 2015, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

### List of Amending Bylaws

Bylaw No.	Section	Description	Adopted
529	All	Various amendments	July 4, 2017
575	s.2 s.3 s.4 & 5	Council Meeting Schedule Electronic Meetings Sundry clerical amendments	

## Bylaw No. 476, 2015 Council Procedures 2015

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**THE VILLAGE OF LIONS BAY  
BYLAW NO. 476**

**Council Procedures**

The Council of the Municipality of the Village of Lions Bay deems it expedient to provide for Council meeting and Committee meeting procedures pursuant to the Community Charter Council, in open meeting assembled, enacts as follows:

**PART 1 – INTRODUCTION**

**TITLE**

1. This Bylaw may be cited as the “COUNCIL PROCEDURES BYLAW NO. 476, 2015”.

**SEVERABILITY**

2. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed portion.

**PREVIOUS BYLAW REPEAL**

3. Council Procedures Bylaw No. 453, 2012 is hereby repealed.

**DEFINITIONS**

4. In this Bylaw:

“Chair” means the Council Member identified to preside over Council proceedings;

“Committee” means a standing, select, or other Committee of Council, but does not include the Council Strategy Committee (CSC);

“Corporate Officer” means the Chief Administrative Officer of the Village or his or her delegate;

“Correspondence” means documentation submitted to the Village, either electronically or in hard copy, which:

- (a) is addressed specifically to Council or a majority of Council Members; or
- (b) that the Corporate Officer determines, based on the content, should be included as Council Correspondence.

“Committee Member” means a member of a Committee, as appointed by Council or the Mayor;

“Committee Meeting” means a meeting of a Select or Standing Committee of Council;

“Council” means the Council of the Village of Lions Bay;

“Council Meeting” means an Inaugural, Regular or Special Council Meeting, as the context requires;

“Council Member” means a member of Council, being the Mayor or a Councillor;

“Council Strategy Committee (CSC)” means a Committee of all council members, of which the Mayor and all Councillors are members for the purpose of strategic goal planning;

[Amended by Bylaw No. 529, 2017]

“Councillor” means a Council Member of the Village of Lions Bay, excluding the Mayor;

“Inaugural Council Meeting” means the Council Meeting at which the Mayor and Councillors elected at the most recent general local election are sworn in;

“Mayor” means the Mayor, but not the Acting Mayor, of the Village;

“Motion” means a formal proposal made by a Council Member at a Council Meeting whereby Council approves or orders a specified course of action;

“Municipal Hall” means the Village of Lions Bay Office located at 400 Centre Road, Lions Bay, BC, V0N 2E0;

“Point of Information” means the procedure pursuant to which a Council Member may ask the Chair to require further information on the subject being debated;

“Point of Order” means a procedure by which a Council Member interrupts another speaker to ask the Chair to rule on a procedural matter immediately;

“Public Notice Posting Places” means the notice boards at the Municipal Hall and Village post office as well as the Village website;

“Quorum” means:

- (a) in the case of Council, a majority of the number of Council Members of which the Council consists under the Community Charter; and
- (b) in the case of a Committee or other body, a majority of the voting Committee Members appointed.

“Recorder” means the staff member, contractor, Council Member or Committee Member assigned to take the minutes at a Council Meeting or Committee Council Meeting;

“Regular Council Meeting” means a Council Meeting of the Council, other than a Special or Inaugural Council Meeting, held under Part 2;

“Special Council Meeting” means a Council Meeting of the Council, other than a Regular or Inaugural Council Meeting, held under Part 2;

“Village” means the Municipality of the Village of Lions Bay;

“Village Website” means the information resource found at an internet address provided by the Village.

## **INTERPRETATION**

5. Reference in this Bylaw to:

- (1) A numbered Section or Part is a reference to the correspondingly numbered Section or Part of this Bylaw.
- (2) The plural is to be considered to be a reference also to the singular, unless the context otherwise requires.
- (3) A resolution or vote of Council is a reference to a resolution or vote passed by the affirmative vote of a majority of Council Members present and entitled to vote on the matter except as otherwise provided by the Community Charter or this or any other Bylaw of the Village.

## **APPLICATION OF RULES OF PROCEDURE**

6. (1) The provisions of this Bylaw govern the proceedings of Council, CSC 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, 11th edition, apply to the proceedings of Council, CSC, and Committees to the extent they 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**

7. (1) Following a general local election, the Inaugural Council Meeting must be held on the first Tuesday in the month following a general election.

- (2) If a Quorum of Council Members elected at the general local election has not taken office by the date of the Council Meeting referred to in Section 7(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**

8. (1) All Council Meetings must take place within the Council Chambers of the Municipal Hall except when Council resolves to hold Council Meetings elsewhere. Except in the case of a Council Meeting outside Municipal boundaries, Council may pass a Resolution to hold a Council Meeting outside of Municipal Hall at the commencement of that Council Meeting. Meetings, hearings or other proceedings referred to in Section 134.1 (1) may be held outside the boundaries of the Village of Lions Bay.
- [Amended by Bylaw No. 529, 2017]
- (2) Regular Council Meetings must:
- (a) be held at least once each month, excepting August;
- [Amended by Bylaw No. 575, 2020]
- (b) begin at 7:00 p.m.; and
- (c) be adjourned by 10:00 p.m. on the day scheduled for the Council Meeting unless Council resolves to proceed beyond that time in accordance with Section 40(1).
- (3) Regular Council Meetings may:
- (a) be cancelled by a resolution of Council, provided that two consecutive Council Meetings are not cancelled; or
- (b) be rescheduled to a different day, time and place by Council resolution, provided the Corporate Officer is given at least 2 days written notice.
- [Amended by Bylaw No. 529, 2017]
- (4) When a Regular Council Meeting date is cancelled or rescheduled pursuant to section 8(3) notice shall be provided in accordance with Sections 9(2) and 9(3).
- [Amended by Bylaw No. 529, 2017]

## **NOTICE OF REGULAR COUNCIL MEETINGS**

9. (1) The Corporate Officer must, at Public Notice Posting Places, annually before January 31 post a schedule of the dates, times and places of Regular Council Meetings.
- [Amended by Bylaw No. 575, 2020]
- (2) The Council may cancel or reschedule a Regular Council Meeting under Section 8 (3) or call a Special Council Meeting under Section 10. The Corporate Officer must, as soon as practicable;

- (a) post a notice at the Public Notice Posting Places which indicates revisions to the date, time and place of a Regular Council Meeting or cancellation of a Regular Council Meeting; and
  - (b) revise the schedule referred to in Section 9(1).
- (3) Subject to Section 9(2) the Corporate Officer must give public notice of a Regular Council Meeting at least 24 hours before the date of the Council Meeting.
- (4) If the agenda for a Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the Community Charter on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed. Nothing herein precludes Council from passing a resolution to close a Regular Meeting and stating the basis for doing so, notwithstanding failure to provide advance notice.

[Amended by Bylaw No. 529, 2017]

## **NOTICE OF SPECIAL MEETINGS**

10. (1) A Special Council Meeting may be called in compliance with applicable enactments.
- (2) Except where notice of a Special Council Meeting is waived by unanimous vote of all Council Members as required under the Community Charter, a notice of the date, time, and place of a Special Council Meeting must be given at least 24 hours before the time of Council Meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places;
  - (b) leaving one copy of the notice for each Council Member in the Council Member's mailbox at Municipal Hall; and
  - (c) contacting each Council Member by telephone (or leaving a recorded message) or by email to their municipal email address.
- (3) The notice under Section 10(2) must describe in general terms the purpose of the Council Meeting.
- (4) If the agenda for the Special Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the Community Charter on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed. Nothing herein precludes Council from passing a resolution to close a Special Meeting and stating the basis for doing so, notwithstanding failure to provide advance notice.

[Amended by Bylaw No. 529, 2017]



## **ELECTRONIC MEETINGS**

11. (1) Provided the conditions set out in the Community Charter are met:
- (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities;
  - (b) a Council or Committee Member who is unable to attend at a Regular or Special Council Meeting or a CSC Meeting, as applicable, may participate, including voting, in the Meeting by means of electronic or other communication facilities.
- (2) The chair at a Regular or Special Council Meeting, or CSC Meeting, must not participate electronically.
- (3) All Council members or Committee members or Committee members, other than the Chair of the meeting, may participate simultaneously at a meeting under s. 11(1)(b)  
[Amended by Bylaw No. 575, 2020]
- (4) A Regular or Special Council Meeting or CSC Meeting will not be cancelled due to the unavailability, failure or malfunction of electronic or communications facilities, as long as a Quorum still exists.
- (5) Staff, consultants and other invited persons may participate at a meeting under Section 11.  
[Amended by Bylaw No. 529, 2017]

## **ANNUAL MEETING**

12. The Corporate Officer must give notice of the Council Meeting or other public meeting in respect of which Council has resolved to consider:
- (a) the annual report prepared under the Community Charter; and
  - (b) submissions and questions from the public;
- By giving public notice by:
- (a) posting notice of the date, time and place of such meeting in the Public Notice Posting Places; and
  - (b) publishing notice of the date, time and place of such meeting in accordance with the Community Charter.

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

13. Annually at the Inaugural Council Meeting, Council must, from amongst the Council Members, designate Councillors to serve as the Council Member responsible for acting in the place of the Mayor ("Acting Mayor") when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
14. Each Councillor designated under Section 13 must fulfill the responsibilities of the Mayor in his or her absence and has the same powers and duties as the Mayor in relation to the applicable matter.
15. If both the Mayor and the Council Member designated under Section 13 are absent from the Council Meeting, the Council Members present must choose a Councillor to preside at the Council Meeting.

## **PART 4 – COUNCIL PROCEEDINGS**

### **COMMUNITY CHARTER PROVISIONS**

16. Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 and Division 2 of Part 5.

### **ATTENDANCE OF PUBLIC AT MEETINGS**

17.
  - (1) Except where the provisions of Section 90 of the Community Charter apply, all Council Meetings must be open to the public.
  - (2) Before closing a Council Meeting or part of a Council Meeting to the public, Council must pass a resolution in a public Council Meeting in accordance with Section 92 of the Community Charter.
  - (3) This section applies to all Council Meetings of the bodies referred to in Section 93 of the Community Charter, including without limitation:
    - (a) Council Strategy Committee;
    - (b) Standing and Select Committees;
    - (c) Parcel Tax Review Panel; and
    - (d) Board of Variance.
  - (4) Despite Section 17(1), the Mayor, or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13, may expel or exclude from a Council Meeting a person in accordance with Section 27(4) of this bylaw.

### **MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC**

18.
  - (1) Minutes of the proceedings of Council must:

- (a) be legibly recorded, with decisions and action items clearly noted;
  - (b) generally reflect the nature of business which occurred;
  - (c) be certified as correct by the Corporate Officer; and
  - (d) be signed by the Mayor, or other Council Member presiding at the Council Meeting, and the Corporate Officer once adopted by Council.
- (2) Verbatim transcription of statements and commentary will not be captured in the official minutes. Persons addressing Council, either as a Delegation or during participatory periods of the Council Meeting, may provide the Recorder with a transcript of their comments at the Council Meeting, for inclusion with the filing of the official Agenda package. Documents will not be received after the Council Meeting has concluded.
- (3) Subject to Section 18 (4), and in accordance with the Community Charter, minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.
- [Amended by Bylaw No. 575, 2020]
- (4) Section 18(3) does not apply to minutes of a meeting or that part of a meeting from which persons were excluded under Section 90 of the Community Charter.
- (5) Council Meetings and CSC Meetings other than portions closed pursuant to Section 90 of the *Community Charter*, shall be audio recorded and posted to the municipal website as an audio file. Recordings of other meetings shall not be made public and are strictly for the assistance of the recording secretary.

[Amended by Bylaw No. 529, 2017]

#### **CALLING MEETING TO ORDER**

19. (1) As soon after the time specified for a Council Meeting as there is a Quorum present, the Chair must call the Council Meeting to order.
- (2) If a Quorum of Council is present but neither the Mayor nor the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 attend within 15 minutes of the scheduled time for a Council Meeting:
- (a) the Corporate Officer must call to order the Council Members present; and
  - (b) the Council Members present must choose a Council Member to preside at the Council Meeting until:
    - i) either the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives; or
    - ii) the end of the Council Meeting.

- (3) If the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives after commencement of a Council Meeting, he or she will assume the role of Chair upon arrival.

#### **ADJOURNING MEETING WHERE NO QUORUM**

20. If there is no Quorum of Council present within 15 minutes of the scheduled time for a Regular Council Meeting the Corporate Officer must:
- (a) record the names of the Council Members present and those absent and adjourn the Council Meeting until the next scheduled Council Meeting; and
  - (b) place all business on the agenda that is not dealt with at that Regular Council Meeting on the agenda for the next Regular Council Meeting.
21. If a Quorum of Council is lost during a Council Meeting, the Corporate Officer must record the names of the Council Members present and those absent, and temporarily adjourn the Council Meeting until a Quorum is present. If a Quorum does not reconvene, Section 20 will apply.

#### **AGENDA**

22. (1) Prior to each Council Meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that Council Meeting, noting the options and recommendations, if any, for each item on the agenda.
- (2) The deadline for submissions to the Corporate Officer of items for inclusion on the Council Meeting agenda must be noon on the Thursday prior to the Council Meeting. Electronic submissions are to be emailed to [agenda@lionsbay.ca](mailto:agenda@lionsbay.ca).
- (3) The Corporate Officer must make the agenda available to the Council Members and the public at least 24 hours before a regular Council Meeting, except with respect to any part of the meeting that is closed to the public, in which case the agenda shall only be provided to Council members.
- [Amended by Bylaw No. 529, 2017]
- (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 24.

#### **ORDER OF PROCEEDINGS AND BUSINESS**

23. (1) Unless otherwise resolved by Council, the agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below:
- (a) Adoption of Agenda
  - (b) Public Participation
  - (c) Delegations (requests to address Council)
  - (d) Receipt and Approval of Minutes

- (e) Business Arising from the Minutes
- (f) Unfinished Business
- (g) Reports
- (h) Resolutions
- (i) Bylaws
- (j) Correspondence
- (k) New Business
- (l) Public Questions & Comments
- (m) Closed Council Meeting (when applicable)
- (n) Reporting Out from Closed Meeting (when applicable)
- (o) Adjournment

[Amended by Bylaw No. 529, 2017]

- (2) Particular business at a Council Meeting must in all cases be taken in the order in which it is listed on the agenda unless otherwise resolved by Council.

#### **LATE ITEMS**

- 24. (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 the agenda is approved.
- (2) If Council makes a resolution under Section 24(1), information pertaining to late items must be distributed to the Council Members and the Recorder.

#### **VOTING AT MEETINGS**

- 25. (1) The following procedures apply to voting at Council Meetings:
  - (a) when debate on a matter is closed, the Chair must put the matter to a vote of Council Members. For the purpose of this section and subsequent sections 'put' or 'putting' refers to putting the Motion to a vote.
  - (b) when Council is ready to vote, the Chair must put the matter to a vote by stating:
 

"All in favour?" and then "Opposed?" Council Members will indicate their preference by show of hands when the question is called.
  - (c) when the Chair is putting the matter to a vote under Sections 25(1)(a) and (b) a Council Member must not:
    - (i) cross or leave the room, or
    - (ii) interrupt the voting procedure under Section 25(1)(b) unless the interrupting Council Member is raising a Point of Order;
  - (d) after the Chair puts the question to a vote under Section 25(1)(b), a Council Member must not speak to the question or make a Motion concerning it;

- (e) the Chair's decision about whether a question has been finally put is conclusive;
  - (f) whenever a vote of Council on a matter is taken, each Council Member present shall signify their vote by raising their hand; and
  - (g) the Chair must declare the result of the voting by stating whether the Motion has been carried or not.
26. Abstention from voting and tie votes are deemed to affect voting as follows:
- (a) Any Council Member present who does not indicate their objection shall be deemed to have voted in the affirmative on the question; and
  - (b) If the votes of the Council Members present at a Council Meeting at the time of the vote are equal for and against a Motion, the Motion is defeated.

#### **PUBLIC PARTICIPATION**

27. (1) Council shall hold a ten minute public participation period or until speakers have concluded, whichever comes first, at the beginning of each Council Meeting, except the Inaugural Meeting.
- (2) Members of the public shall address their questions through the Chair who shall answer if possible, or refer to another Council Member or to staff for answer or subsequent research.
- (3) Each address must be limited to two minutes.
- (4) All persons addressing Council are expected to adhere to the Public Guidelines which are appended to this Bylaw.

#### **DELEGATIONS**

28. (1) A maximum of three (3) delegations will be permitted at a Regular Council Meeting. Council may, by unanimous decision, allow additional delegations if the subject matter is deemed to be urgent or time-sensitive.
- (2) Council may, by resolution, allow an individual or a delegation to address Council at a Council Meeting on any subject within the jurisdiction of Council provided written application on a prescribed form has been received by the Corporate Officer by noon on the Thursday prior to the Council Meeting. Each address must be limited to ten minutes unless a longer period is agreed to by unanimous vote of those Council Members present.
- (3) Where written application has not been received by the Corporate Officer as prescribed in Section 28(2), an individual or delegation may address the Council Meeting if approved by the unanimous vote of the Council Members present provided the maximum number of delegations has not been met.

- (4) Council must not permit a delegation to address a Council Meeting of the Council:
  - (a) regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw;
  - (b) if the purpose is to address an issue which is before the courts or on which Council has authorized legal action; or
  - (c) if the purpose or subject of the delegation is beyond the jurisdiction of Council; except as otherwise permitted by Council.
- (5) The Corporate Officer may schedule delegations to another Council Meeting or advisory body as deemed appropriate according to the subject matter of the delegation or if the maximum delegations has been reached for the Council Meeting.
- (6) 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.
- (7) Delegation requests must include:
  - (a) the full particulars of the subject matter;
  - (b) the proposed action, within the jurisdiction of the Village, which the delegation wishes the Village to take in response to the submission;
  - (c) the names and addresses of the person(s) or the organization comprising the delegation; and
  - (d) the name, address and telephone number of the designated speaker(s).

[Amended by Bylaw No. 529, 2017]

## **CORRESPONDENCE**

- 29. Any person wishing his or her Correspondence to be received by Council at a regular Council Meeting shall provide it in accordance with the deadline noted in section 22(2).

## **POINTS OF ORDER**

- 30. (1) Without limiting the Chair's duty under the Community Charter, the Chair 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 Chair is required to decide a Point of Order:
  - (a) the Chair must cite the applicable rule or authority if requested by another Council Member;
  - (b) another Council Member must not question or comment on the rule or authority cited by the Chair under Section 30(2)(a); and
  - (c) the Chair may reserve the decision until the next Council Meeting.

## **CONDUCT AND DEBATE**

- 31. (1) A Council Member may speak to a question or Motion at a Council Meeting only if that Council Member first addresses the Chair.
- (2) Council Members must address the Chair by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Council Members must address other non-presiding Council Members by the title Councillor.
- (4) No Council Member may interrupt a Council Member who is speaking except to raise a Point of Order.
- (5) If more than one Council Member speaks the Chair must call on the Council Member who, in the Chair's opinion, first spoke.
- (6) Council Members who are called to order by the Chair:
  - (a) must immediately stop speaking;
  - (b) may explain their position on the Point of Order; and
  - (c) may appeal to Council for its decision on the Point of Order in accordance with Section 132 of the Community Charter.
- (7) Council 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 Chair and Council in connection with the rules and points of order.
- (8) If a Council Member does not adhere to Section 31(7), the Chair may order the Council Member to leave their seat, and, if the Council Member refuses to leave, the Chair may cause the Council Member to be removed by a peace officer from their seat.
- (9) A Council 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 Council Member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council Meeting:
  - (a) A Council Member may speak more than twice in connection with the same question only:
    - (i) with the permission of Council; or
    - (ii) if the Council Member is explaining a material part of a previous speech without introducing a new matter; or
    - (iii) to ask a question pertinent to the matter under debate.
  - (b) A Council Member who has made a substantive Motion to Council may reply to the debate;
  - (c) A Council Member who has moved an amendment, the previous question, or an instruction to a Committee may not reply to the debate;
  - (d) A Council Member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of Council.

## **MOTIONS GENERALLY**

- 32. (1) Council may debate and vote on a Motion only if it is first moved 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 a unanimous affirmative vote of Council.
- (3) A Council Member may make only the following Motions when Council is considering a question:
  - (a) to approve minutes;
  - (b) to refer to a Committee;
  - (c) to amend;
  - (d) to lay on the table;

- (e) to postpone indefinitely;
- (f) to postpone to a certain time;
- (g) to move the previous question;
- (h) to adjourn.

[Amended by Bylaw No. 529, 2017]

- (4) A Motion made under Sections 32(3)(d) to (h) 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 FOR THE MAIN QUESTION**

- 33. (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 Council Member 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, Council may again debate the question, or proceed to other business.

### **AMENDMENTS GENERALLY**

- 34. (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 decided or withdrawn before the Motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may be amended once only.
- (5) No Motion to amend a Motion may be made if the amendment negates the Motion which would be amended.
- (6) If any Council Member states that a proposed amendment to a Motion would negate that Motion, the Chair must immediately rule whether that would be the case. The ruling may be appealed to Council as if the ruling were on a Point of Order.
- (7) An amendment that has been defeated by a vote of Council cannot be proposed again at a given Council Meeting.

- (8) A Council Member may propose an amendment to an adopted amendment.
- (9) The Chair 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 Section 34 (9)(a) is positive; [Amended by Bylaw No. 575, 2020]
  - (c) the main question.

### **RECONSIDERATION OF AN ADOPTED OR APPROVED BYLAW, RESOLUTION OR PROCEEDING**

- 35. (1) Without limiting the authority of the Council to reconsider a matter:
  - (a) the Mayor may require the Council to reconsider and vote again on a matter that was the subject of a vote; and
  - (b) a Council Member who voted in the majority with respect to a matter may move that the Council reconsider and vote again on the matter, provided that the Council shall not reconsider and vote again on the matter unless the motion for reconsideration is passed.
- (2) As restrictions on the authority under section 35 (1):
  - (a) the Mayor, or Council Member who voted in the majority, may only initiate a reconsideration under this section at the same Council meeting as the vote took place or within 30 days of that meeting; and
  - (b) a matter may not be reconsidered under this section if:
    - (i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the Council; or
    - (ii) there has already been a reconsideration under this section in relation to the matter.
- (3) On a reconsideration under section 35 (1), the Council:
  - (a) shall deal with the matter as soon as convenient;

- (b) shall consider whether any contracts have been entered into or legal positions adopted as a result of the original decision; and
  - (c) has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (4) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration:
- (a) the bylaw or resolution is of no effect and is deemed to be repealed; and
  - (b) the rejected bylaw or resolution shall not be reintroduced for further reconsideration by the Council for a period of six (6) months, except upon an affirmative vote of the Council of at least two-thirds (2/3) of the votes cast.
- (5) Where a person is entitled under an enactment to have the Council reconsider a matter that has been decided pursuant to a delegation of authority by the Council:
- (a) the person may invoke this right by
    - (i) giving written notice of the request for reconsideration to the Corporate Officer within 30 days of the impugned decision, and
    - (ii) setting out in the request for reconsideration,
      - (A) the name of the delegate who made the decision, the date of the decision and the decision made;
      - (B) the factual details of the matter decided by the delegate;
      - (C) the bases upon which the Council should reconsider the decision and a clear statement as to the decision sought from the Council;
      - (D) any other information or documents which the person seeking reconsideration considers relevant; and
      - (E) whether the person wishes to speak to the matter upon reconsideration by the Council, in which case the person shall have no more than 10 minutes allotted;
  - (b) the Corporate Officer shall, upon receipt of a request for reconsideration pursuant to this section:

- (i) subject to Section 22 (2), set the matter down on the Agenda of the following Regular Meeting, to be heard following any Delegations appearing before the Council on that date, if any;
- (ii) provide public notice of the request for reconsideration of the decision by the Council, if the original decision of the delegate required that public notice be given;
- (iii) obtain from the delegate who rendered the decision and provide to the Council and to the person requesting reconsideration:
  - (A) the factual details of the matter decided by the delegate,
  - (B) the bases upon which the delegate rendered the decision; and
  - (C) any other information or documents which the delegate considers relevant to the original decision;
- (c) the Corporate Officer is not required to provide copies of information or documents under Section 23 (5) (b) (iii) to the person requesting reconsideration where such information has previously been provided to the person requesting reconsideration.
- (d) the Council shall:
  - (i) receive all of the information submitted for reconsideration pursuant to this section;
  - (ii) if requested, hear any oral submissions of the person requesting reconsideration or his or her agent or legal counsel;
  - (iii) be entitled to ask, through the Chair of the meeting, any questions of the person or of the delegate who rendered the original decision;
  - (iv) unless an adjournment is required for the purpose of obtaining legal counsel, forthwith decide the matter; and
  - (v) provide the person with oral reasons for the decision, from which there shall be no appeal, subject only to a contrary act or regulation.
- (e) Following reconsideration, the Council may confirm the decision of the delegate, or set aside the decision of the delegate and substitute the decision of the Council.

[Amended by Bylaw No. 529, 2017]

## **PRIVILEGE**

36. (1) In this section, a matter of privilege refers to any of the following Motions:
- (a) to fix the time to adjourn;
  - (b) to adjourn;
  - (c) to recess;
  - (d) to raise a question of privilege of the Council; and
  - (e) to raise a question of privilege of a Council Member.
- (2) A matter of privilege must be immediately considered when it arises at a Council Meeting.
- (3) For the purposes of Section 36(2), a matter of privilege listed in Section 36(1) has precedence over those matters listed after it.

## **PUBLIC QUESTIONS & COMMENTS**

37. During Public Questions and Comments, a person may address Council for a maximum of two minutes on a topic/topics which have already been subject to discussion at the Council Meeting.
38. A question may be referred by Council to staff for subsequent response. In special circumstances Council may permit, by resolution, a person to address Council with a public question or comment earlier in the Council Meeting.
39. Section 27(4) applies during Public Questions & Comments.

## **ADJOURNMENT**

40. (1) Council may continue a Council Meeting:
- (a) from 10:00 p.m. to 10:30 p.m. only by an affirmative vote of a majority of the Council Members present; and
  - (b) from 10:30 p.m. to another specified time only by a unanimous vote of all 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 Council Meeting by the same Motion.
- (3) Section 40(2) does not apply to either of the following Motions:
- (a) a Motion to adjourn to a specific day; or

- (b) a Motion that adds an opinion or qualification to a preceding Motion to adjourn.

## **PART 5 – BYLAWS**

### **COPIES OF PROPOSED BYLAWS TO COUNCIL MEMBERS**

41. 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 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement, including by way of unanimous adoption of it in the agenda.

### **FORM OF BYLAWS**

42. A bylaw introduced at a Council Meeting must:
- (1) be printed;
  - (2) have a distinguishing name;
  - (3) have a distinguishing number;
  - (4) contain an introductory statement of purpose; and
  - (5) be divided into sections.

### **BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY**

43. Council must consider a proposed bylaw at a Council Meeting either:
- (1) separately when directed by the Chair or requested by another Council Member; or
  - (2) jointly with other proposed bylaws in the sequence determined by the Chair.

### **READING AND ADOPTING BYLAWS**

44. (1) The Chair of a Council Meeting may request the Corporate Officer to provide a verbal synopsis of each proposed bylaw reading.
- (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, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council Members present.

- (5) In accordance with the Community Charter Council may give up to three readings to a proposed bylaw at the same Council Meeting.
- (6) Subject to this bylaw and any enactments, Council may give up to three readings of a bylaw in a single Motion.
- (7) Unless expressly authorized by statute, Council may not adopt a bylaw at the same Council Meeting at which it gives third reading.
- (8) Despite Section 135(3) of the Community Charter and in accordance with Section 890(9) of the Local Government Act Council may adopt a proposed official community plan or zoning bylaw at the same Council Meeting at which the plan or bylaw passed third reading.

#### **RECONSIDERATION OF PART OR ALL OF A BYLAW**

- 45. Subject to applicable enactments, Council may by resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading with or without amendment.

#### **BYLAWS MUST BE SIGNED**

- 46. After a bylaw is adopted, it must be signed by the Corporate Officer and the Chair of the Council Meeting at which it was adopted. The Corporate Officer must then have the bylaw placed in the Village's records for safekeeping.

#### **PART 6 – RESOLUTIONS COPIES OF RESOLUTIONS TO COUNCIL MEMBERS**

- 47. A resolution may be introduced at a Council Meeting only if a copy of it has been delivered to each Council Member at least 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement.

#### **FORM OF RESOLUTION**

- 48. A resolution introduced at a Council Meeting must be printed and have a distinguishing number.

#### **INTRODUCING RESOLUTIONS**

- 49. The Chair may:
  - (a) have the Corporate Officer read the resolution; and
  - (b) request a Motion that the resolution be introduced.

#### **PART 7 – COUNCIL STRATEGY COMMITTEE**



## **GENERAL PROVISIONS**

- 50. A Council Strategy Committee is a Committee of which the Mayor and all Councillors are members. All members of the Council Strategy Committee must be Council Members.
- 51. Council Strategy Committee Council Meetings will be held in the Municipal Hall Council Chambers unless otherwise resolved by Council.
- 52. The applicable rules of procedure as set out in this bylaw shall apply to Council Strategy Committee Council Meetings.

## **PART 8 – COMMITTEES**

### **COMMITTEE MEETING PROCEDURES**

- 53. At all meetings of Standing Committees established by the Mayor and Select or other Committees established by the Council, the applicable Rules of Procedure, as set out in this Bylaw, shall apply.

### **DUTIES & AUTHORITY**

- 54. Committees will undertake review into matters as directed by Council.
  - 55. Unless the following matters are established by the Mayor or by Council, Committees are required to establish as soon as practicable once the Committee has been struck and member appointments made:
    - (a) a Committee Terms of Reference in accordance with the purposes for which the Committee was established;
    - (b) a monthly or annual meeting schedule; and
    - (c) for standing or select committees, an elected official as the Chair of the Committee.
- [Amended by Bylaw No. 529, 2017]
- 56. Committees operate exclusively in an advisory capacity by making recommendations to Council. Committees do not have the authority to direct staff nor to authorize expenditures or enter into contracts or agreements on behalf of the Village.

### **NOTICE OF MEETINGS**

- 57. Committees are required to give public notice of meetings by posting a copy of the agenda in the Public Notice Posting Place at least 24 hours in advance of each Committee meeting.

### **MINUTES OF MEETINGS**

58. Minutes of the proceedings of a Committee must be:
- a) legibly recorded;
  - b) certified as correct by Committee consensus;
  - c) signed by the Committee Chair once adopted; and
  - d) open for public inspection in accordance with section 97(1)(c) of the Community Charter.

#### **PUBLIC PARTICIPATION**

59. Section 27(4) of this Bylaw shall apply to public participation at Committee meetings.

#### **MAYOR A MEMBER OF ALL COMMITTEES**

60. The Mayor is an ex-officio member of all Committees and is a voting member to the Committees of which the Mayor is appointed.

### **PART 9 – GENERAL**

#### **IRREGULARITY**

61. The failure of Council to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.

#### **WAIVER**

62. Where all Council Members are present at a Council Meeting, the absence of a call for such a Council Meeting or failure to give notice to all or any Council Member will not render the Council Meeting invalid if the unanimous consent of those Council Members present is obtained prior to transacting any business.

### **PART 10 – SCHEDULES**

Schedule A: Public Guidelines

NOTICE given in accordance with sections 94 and 124(3) of the Community Charter by way of posting notices in the Public Notice Posting Places on December 17, 2014.

<b>READ A FIRST TIME</b>	<b>January 6, 2015</b>
<b>READ A SECOND TIME</b>	<b>May 5, 2015</b>
<b>READ A THIRD TIME</b>	<b>June 2, 2015</b>
<b>RESCINDED THIRD READING</b>	<b>June 16, 2015</b>
<b>READ A THIRD TIME</b>	<b>July 7, 2015</b>
<b>ADOPTED</b>	<b>July 21, 2015</b>

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**Mayor**

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**Corporate Officer**

**Certified a true copy of  
Bylaw No. 476, 2015 as adopted.**

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**Corporate Officer**

## **SCHEDULE A:**

### **Public Guidelines**

Speakers wishing to take part in Public Participation and Public Question periods must enter their name onto the Speakers' List prior to the commencement of the Council Meeting.

Council will begin and end Council Meetings with public participation of up to ten minutes each, with each person who wishes to speak allocated a maximum of two minutes.

The Council Member or staff member responsible for timing speakers will provide approximately 30 seconds' notice to the speaker.

When the timer sounds, the speaker may complete their sentence within a few seconds, and then must leave the podium. Any questions asked during the two minute segment will be captured by the Recorder.

A respectful decorum is expected at all Council Meetings and Committee Meetings.

A person acting improperly may be asked to leave the Council Meeting, consistent with Section 133 of the *Community Charter*.

#### Expulsion from Council Meetings

133 (1) If the person presiding at a Council Meeting considers that another person at the Council Meeting is acting improperly, the person presiding may order that the person is expelled from the Council Meeting.

(2) If a person who is expelled does not leave the Council Meeting, a peace officer may enforce the order under subsection (1) as if it were a court order.