

District of Barriere
REPORT TO COUNCIL
Request for Decision

Date: December 16, 2024	File: 530.20/Rpts
To: Council	From: Chief Administrative Officer
Re: Procedure Bylaw Refresh	
Recommendation: THAT Council gives first three readings to Council Procedure Bylaw No. 251.	

Purpose

For Council to consider giving first three readings to an update to Council Procedure Bylaw.

Background

Overall, the *Community Charter* (the “Charter”) requires the establishment of a Procedure Bylaw. Below is the excerpt from the Charter:

- 124 (1)A council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business.*
- (2)Without limiting the matters that may be dealt with under this section, a council must, by bylaw, do the following:*
- (a)establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted in accordance with Division 3 [Bylaw Procedures] of this Part;*
 - (b)establish rules of procedure for meetings of council committees;*
 - (c)provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;*
 - (d)provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice;*
 - (e)identify places that are to be public notice posting places for the purposes of section 94 [public notice];*
 - (f)establish the procedure for designating a person under section 130 [designation of member to act in place of the mayor];*
 - (g)establish the first regular council meeting date referred to in section 125 (1) [council meetings] as a day in the first 10 days of November following a general local election.*
- (3)A bylaw under this section must not be amended, or repealed and substituted, unless the council first gives notice in accordance with section 94 [public notice] describing the proposed changes in general terms.*

The District's first Bylaw after incorporation was the Procedures of Council Bylaw No. 1 which was established in December 2007. After a few amendments, the current Council Procedure Bylaw No. 100 was established in 2012 and received two minor amendments over the years since then; the first in 2018 to change the date of the inauguration date to November, and the second in 2021 due to the COVID-19 pandemic to permit Electronic Meetings.

Due to recommendation stemming from the responsible conduct for elected officials discussions facilitated by the UBCM working group and overall best practices for transparency and fairness, and due to the 12 year date of the Bylaw, staff took the opportunity to undertake a large refresh of the Bylaw instead of working with an amendment to it only. In doing so, recent Procedure Bylaws from Kamloops, West Kelowna, Penticton, and several others were used to determine the most appropriate and easy to read language when working on this refresh.

This refreshed Bylaw incorporates many of the new standards seen across the Province while equally codifying existing practices, and creating flexibility where needed, while equally strengthening the District's posture when it comes to potential Code of Conduct related issues.

Many parts of the original Bylaw have been retained; however, at times they were moved around for readability purposes, or at other times the language was only slightly updated to add a word or sentence for clarity.

Attached to this report is a clean version of the updated Bylaw (No. 251), a copy of the current Bylaw (No. 100) that shows all the changes (items removed are crossed out and highlighted in blue; items added or relocated are highlighted in orange), and a file that has more details on what was changed in each section and some basic reasoning behind it. The section's referenced in the report speak to the current Bylaw sections in the marked-up version of Bylaw No. 100.

Key Highlights

- The overall format of the Procedure Bylaw has received a minor overhaul. A few sections were moved to other areas for readability. Some sections were also combined under a single heading for the same purpose as often they belong together.
- The Bylaw received a gender-neutral update and previous references have been changed throughout.
- Equally this opportunity was taken to utilize the term "Presiding Member" for the majority of the Bylaw instead of the terms "Chair" or "Mayor". This would allow for better consistency with committees or in the event when the Mayor is not the presiding member at a meeting.
- Definitions were alphabetically ordered, some new ones were added, such as "Code of Conduct", "Notice Board", and the aforementioned "Presiding Member". Some were updated like the "Corporate Officer" to add "or their designate". The definitions for SILGA, UBCM, and FCM were removed given that no language throughout the Bylaw no longer references those organizations. A reference to the Community Charter and Local Government Act definitions were also added.
- Section 4 - The Charter allows, under s.120(2), that a council may establish the oath or solemn affirmation of office by bylaw. The proposed Oath of Office is attached as Schedule A. Updates to the oath of office include abiding by the statutes, bylaws, and policies which govern the City, and following the Council Code of Conduct Bylaw.
- Section 5/6/7 – Time and Notice of Meetings:
 - Language has been adjusted to align with requirements of the Charter, while also providing flexibility for Council to adjust the annual schedule as needed; for example, if it is a particular busy year for the District, Council could opt to have additional meetings; or at other times, reduce the number of meetings for efficiency purposes.

- The Meeting time was also adjusted to start at 5:30pm for each meeting. In this way the In-Camera portion of the meeting will be after the Regular Meeting and as such provides for greater transparency.
- References to Section 94.2 of the Charter were added, which would future proof this Bylaw if Council determines that a Bylaw for Alternate Notification was in order. This type of bylaw is being utilized in many municipalities to not just use the newspaper for notification purposes, but to also utilize electronic means or other avenues that Council deems as a suitable replacement to the newspaper.
- Notices for Special and Regular meetings were combined into one section.
- Annual Report Section 8 – Most municipalities are removing this from their Procedure Bylaws as it's not really a procedure for a Council meeting, and staff is fully aware of this requirement through legislation.
- Section 12 – Adjourning Meetings – expanded the scope to clarify that the Corporate Officer (CO) can cancel a meeting if the CO is aware that no quorum will be present. Also added a clause that Council meetings will end at 10pm, unless Council passes a unanimous resolution to continue.
- Section 13 – Electronic Meetings – a few additions were made to clarify what happens during technical difficulties (vote in the affirmative), verbal confirmation of all those that are participating online, and to allow for the Presiding Member to be online (with a unanimous vote of Council)
- Section 14 – Order of Proceedings
 - This section received updates to allow the CO to vary the order depending on the business at hand; but also, to streamline the flow of the meeting.
 - The order of business was also adjusted to streamline the Council meeting, and items that are related are grouped together like Council and Committee Reports.
 - A Section for Decisions from Registered Delegations has been added after the Mayor's Business. This would be the most appropriate location on the agenda for Council to deliberate the requests from earlier in the day (if they can be addressed on that day, depending on complexity), or from a previous meeting.
 - The CO is also authorized to set other Council agendas like the ones for Inaugural Meetings as necessary.
- Section 15/16 – Agenda and Late Items
 - Late Item approval is delegated to the CAO to determine if the matter is urgent. Council can still overrule this.
 - CAO and CO will establish the items on the agenda; while the CAO (or designate) will review the order of proceedings with the Presiding Member prior to the release of the agenda to all of Council. This allows for some last-minute tweaks to the order of the day, generally due to additional knowledge the Presiding Member may have.
- Section 17 – Delegations and Public Inquiries
 - For Delegations, detailed the list of required information and authorized staff to set the format of materials presented, set the maximum allocated time for 10 minutes (5 minutes is often too short), and allowed for Council to let a member of the public speak via unanimous resolution during the meeting outside of the Public Inquiries section.
 - Added an appeal mechanism if the CO denied adding a Delegation to the agenda. Subsequently adjusted appeal to Staff's decision to appropriate location.
 - Added a limit to delegations (3); clarified and codified items for not debating with Delegations; also, the Delegation section will be closed during elections.
 - For Public Inquiries and other Inquiry style items; added to allow up to 15min in total for members of the public to ask questions about items. Only 2 minutes per person is allowed.

- Similar as with delegations, public participation items on the agenda during elections will be suspended; however, media inquiries will be permitted.
- Section 19 – Proper Form – added requirements for providing contact information before being accepted. To be clear, anonymous items (or items that do not meet the requirements listed) submitted to Council would not be addressed by Staff or added to the agenda going forward.
- Section 20 – Referrals – Items addressed to Council but that were delegated to various departments would be send in a weekly summary email package to Council instead of each item individually. This allows for some structure and standard process.
- Part VI discusses the Form, procedure, and processes around bylaws and adopting bylaws.
 - Section 21 now stipulates that the Bylaw must be included in the agenda package to be considered by Council (unless a unanimous vote occurs)
 - Section 23 has the same content as before but was updated with current Local Government Act (LGA) sections and language more commonly used in Procedure Bylaws. Section 23.7 added language “providing that all outstanding conditions have been met. This provides the necessary flexibility to address other legislation (i.e. Transportation Act requirements) that may apply or sudden changes by the Province.
 - Also added Section 23.8 which will expire unfinished bylaws after 2 years, and 23.9 to allow the CO to make official consolidations of bylaws while also correcting typos, numbering, etc. in bylaws that are already adopted.
 - 24.1 removed the requirement for a seal for the adopted bylaws while also changing language that is more flexible for requires approvals that may occur.
- Part VIII focuses on Motions during a Council meeting
 - Section 26.2 was relocated from Section 34 for readability and ease of use
 - Section 28 on Consideration of Motions was entirely revamped to provide structure and a clear outline of the process. Most other municipalities have a section like this in their Bylaws to ensure a consistent process is followed.
 - Section 31 addresses reconsiderations of a matter, some updated were made to address the authority of the Mayor regarding reconsiderations which then provides better context to the following sections under this heading.
 - For Council to reconsider a motion, both, the mover and seconder of a motion to reconsider must have been on the prevailing side of the original motion or were not present at the meeting to initiate a reconsideration.
 - The timeline was changed to 30 days, same as the Mayor’s timeline.
 - If the reconsideration motion passes, then the matter is open for discussion again as if the original motion never happened.
 - A vote to reconsider a matter cannot be reconsidered.
 - The original sections 31.3 and 31.4 were removed as this can become problematic if a legal challenge is filed, and Council has to undo a Zoning Bylaw final reading and redo part of the process.
- Part IX is intended for the Rules of debate
 - Section 32.6 was added to codify current practice to speak on a topic more than once only with approval of the Chair
 - Section 32.7 - moved from 33.6 (was originally in wrong location) and added a time limit for each Council member on an item for 10 minutes
 - Section 32.8 added a reference to the Code of Conduct Bylaw in regard to general behaviour during a meeting.
 - Section 32.9 permits the Mayor or Presiding Member to remove a member of Council, that is considered as engaging in inappropriate conduct, from the meeting.

- Part X addresses Minutes of the Meetings and additional clarifications were added to what is recorded (members present and absent), the process of recording a declared conflict, or how changes for the minutes that are identified by members of Council are addressed. The CO is also authorized to make minor amendments to adopted minutes as required.
- Part XI speaks to Committee of the Whole (COTW) meetings. Section 36.3 was added to codify the current practice that the COTW had delegated authority by Council. Previously this was only a resolution of Council from 2013 which is no longer adequate.
- Schedule A includes a draft Oath of Office. This version was built using the Oath that Barriere has used in the past and adding or expanding on the original language. Several Oath of Office statement by other municipalities and regional districts were reviewed when formulating these statements to speak to the current responsibilities of a Council in more detail, for example the “stewardship of public assets” or “guiding the growth of a vibrant and sustainable District”. In regard to the responsible conduct discussions that Council is currently having, a sentence was also added to follow the Code of Conduct Bylaw as adopted by Council.

Summary

The Bylaw includes various updates to strengthen the district’s posture regarding responsible conduct, while also codifying current local and local government best practices. It is presented for first three readings at this time. Council can opt to only provide two readings as well to see if there is any feedback from the public on the bylaw once the postings in the paper and the website are made, before giving third reading at the January meeting. Final reading would then be in February.

Benefits or Impact

General

The Procedure Bylaw had the last general overhaul 12 years ago. Legislative changes and current practices around proper conduct have led some sections to be inconsistent with current requirements, procedures, or best practices.

Finances

N/A

Strategic Impact

N/A

Risk Assessment

Compliance: Community Charter, in particular s.120, s124-133, s135-140

Risk Impact: Low

Internal Control Process: Draft has been reviewed both internally and externally prior to delivery to Council.

Next Steps / Communication

- Two advertisements will be run in the local newspaper. Staff will also be posting on our website information on the proposed new Bylaw.
- If no changes are considered thereafter, the Bylaw would be presented for final reading at the January meeting of Council.

Attachments

- Procedure Bylaw 100 – showing changes (orange for new, blue for removed)
- Procedure Bylaw - change log
- New Procedure Bylaw No. 251 – showing the proposed final version

Recommendation

THAT Council gives first three readings to the Council Procedure Bylaw No. 251

Alternative Options

1. Council could choose to alter the proposed Bylaw further or recommend other changes.
2. Council could choose to not to continue with the update to the Procedure Bylaw.
3. Council could choose to only give 2 readings to the Bylaw at this time, provide third reading in January after hearing feedback from the public based on the advertisement, and final reading in February.

Prepared by:

D. Drexler, Chief Administrative Officer

DISTRICT OF BARRIERE

BYLAW NO. 100

CONSOLIDATED - Amended by Bylaw No. 143 & 209

A BYLAW TO REGULATE THE MEETINGS OF THE
COUNCIL
AND THE CONDUCT
THEREOF

WHEREAS under section 124 of the *Community Charter* Council must establish procedures to be followed for the conduct of its business;

NOW, THEREFORE, the Council of the District of Barriere in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited for all purposes as "**COUNCIL PROCEDURE BYLAW NO.100**".

PART I -
GENERAL

2. Interpretation

In this Bylaw unless the context requires otherwise:

Acting Mayor means the Councillor designated to act in place of the Mayor when the Mayor is absent or otherwise unable to act for the applicable date.

Advisory Body means an advisory committee appointed by Council for the purpose of providing advice to Committees, Commissions and staff.

CAO means the Chief Administrative Officer for the District of Barriere or their designate.

Code of Conduct means the standards applicable to members of Council of the District of Barriere, as set out in the District of Barriere Code of Conduct Bylaw No. 250, as may be amended or replaced from time to time.

Commission means a municipal commission appointed by Council under Section 143 of the *Community Charter*.

Committee of the Whole means a committee of Council comprised of all members of Council.

Council means the Council of the District of Barriere.

Corporate Officer means the person responsible for corporate administration as set out under Section 147 of the *Community Charter*, or their designate.

Delegation(s) means any person wishing to appear as a speaker and/or make a presentation to Council, a Committee, Advisory Board, or Commission.

District means the District of Barriere.

District Council Chambers means Council Chambers located at the District Offices.

District Offices means District Offices at 4936 Barriere Town Road.

District Website means the information resource found at www.barriere.ca.

~~FCM means the Federation of Canadian Municipalities.~~

In-Camera Meeting means a meeting that is closed to the public in accordance with Sections 90 and 92 of the *Community Charter*.

Mayor means the Mayor of the District.

Member means a member of the Council.

Notice Board means the public notice board at the District Offices designated by the Corporate Officer for posting of legal notices and Council meeting information.

Parcel Tax Roll Review Panel means a panel consisting of at least 3 members appointed by Council under Section 204 of the *Community Charter* to consider complaints respecting the parcel tax roll and to authenticate the roll.

Presiding Member means the Member who has the authority to preside over a meeting as chairperson.

Public Notice Posting Place ~~means the Notice Board at the front entry of the District Offices~~ means the Notice Board and/or the District Website.

Quorum means:

- (1) In the case of Council, a majority of the number of members of which the council consists under the *Community Charter*; and
- (2) In the case of a committee or other body, a majority of the voting members appointed.

~~SILGA means Southern Interior Local Government Association~~

Standing Committee means a committee appointed by the Mayor under Section 141 of the *Community Charter* for matters the Mayor considers would be better dealt with by a Committee and at least half of the members must be Council members.

Select Committee means a committee appointed by Council under Section 142 of the *Community Charter* for a select purpose and to report its findings and opinion to the Council. At least one member of a select committee must be a Council Member

~~UBCM means the Union of British Columbia Municipalities~~

Unless otherwise defined in this bylaw, words used herein shall have the meanings defined in the *Community Charter* or the *Local Government Act*, as applicable.

3. Application of Rules of Procedure

- 3.1 The provisions of this Bylaw govern the proceedings of Council, Commissions, Standing Committees, Select Committees, the Committee of the Whole, and Advisory Bodies.
- 3.2 In cases not provided for under this Bylaw, the current edition of *Robert's Rules of Order*, apply to the proceedings of Council and Council Committees to the extent that those *Rules* are:
 - (a) applicable in the circumstances;
 - (b) not inconsistent with provisions of this Bylaw, the *Community Charter* or the *Local Government Act*.

PART II - COUNCIL MEETINGS

4. Inaugural Meeting

- 4.1 ~~Following a general local election, the first Council meeting will be held in the first ten days of November following a general local election.~~ An inaugural meeting of Council shall be held within the first ten (10) days of November, but no sooner than the third Monday following a general local election to allow time for judicial recount as specified in Section 149 of the *Local Government Act*.
- 4.2 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 Section 4.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.
- 4.3 The inaugural meeting shall be chaired by the Chief Administrative Officer or delegate until the Mayor and Councillors have completed signing their Oath of Office per the *Community Charter*.
- 4.4 The Oath of Office used by the District shall be as shown in Schedule "A" attached to and forming part of this bylaw.

5. Time and Location of Meetings

- 5.1 All Council meetings will take place within the District Council Chambers, except when Council resolves to hold meetings elsewhere and directs the Corporate Administration Department to give notice of the different meeting place by posting a notice of the change on the Public Notice Posting Place at least 24 hours prior to the time of the Council meeting.

~~5.2 Regular Council meetings will (when possible):~~

- ~~(a) be held on the first and third Monday of each month, with the exception of July and August in which only one meeting will be held on the third Monday of the month;~~
- ~~(b) where a Council meeting falls on a statutory holiday or occurs during a week in which Councillors are attending the FCM, UBCM or SILGA annual conferences are held, the meeting should be held on the following Monday.~~

~~(d) begin at 7:00 p.m.~~

- 5.2 Regularly scheduled meetings shall be held on the dates each year as established by a resolution of Council prior to December 15 of the preceding year, unless Council passes a resolution to cancel or alter a particular meeting, or the Corporate Officer determines that there is not sufficient business to be discussed to warrant the holding of a particular meeting.
- 5.3 Meetings shall be scheduled to begin at 5:30pm, typically on a Monday but subject to the dates selected per section 5.2.
- 5.4 Regular Council meetings may:
- (a) be cancelled by Council, provided that two consecutive meetings are not cancelled;
 - (b) be rescheduled by Council, provided the notice requirements set out in Section 127 and 94 of the *Community Charter* are met.

6. Notice of Council and Special Meetings

~~6.1 In accordance with Sections 127 and 94 of the *Community Charter*, Council must prepare and give notice annually, **generally at the first meeting in December**, 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 Place and on the District website.~~

~~6.2 Where revisions are necessary to the annual schedule of Regular Council meetings, the Corporate Officer must, as soon as possible, post a notice on the Public Notice Posting Place and the District website which indicates any revisions to the date, time and place or cancellation of a Regular Council meeting.~~

- 6.1. In accordance with Section 127 of the *Community Charter*, Council must prepare annually, 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 Place.
- 6.2 Council must give notice annually, in accordance with Section 94 or 94.2 [Bylaw to provide for alternative means of publication] of the *Community Charter*, of the time and location that the schedule of Regular Council meetings is available to the public.
- 6.3 All Council meetings shall take place at the District Council Chambers, unless Council passes a resolution to hold a particular meeting elsewhere, or the meeting is conducted by means of electronic or other communication facilities.
- 6.4 The Mayor or two members of Council, in accordance with the provisions of the *Community Charter*, may call a Special meeting of Council, which is any meeting other than a regularly scheduled meeting scheduled pursuant to this section or an adjourned meeting.
- 6.4.1 Committee-of-the-Whole meetings may be considered Special Meetings of Council and may be called in the same way, or scheduled by Council resolution.

7. Notice of Special Meetings

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*, a notice of the date, hour, and place of a Special Council meeting must be given at least 24 hours before the time of the meeting, by:

- (a) posting a copy of the notice on the Public Notice Posting Place ~~and the District website~~, and
- (b) emailing the notice to each Council Member.

7.2 The notice under Section 7.1 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

~~8. Annual Municipal Report~~

~~8.1 In accordance with Section 99 of the *Community Charter*, the Council must annually consider the Annual Municipal Report. The Corporate Officer must give notice, in accordance with Section 94 of the *Community Charter*, of the date, time and place when Council will consider:~~

- ~~(a) the annual report prepared under Section 98 of the *Community Charter*;~~
- ~~(b) submissions and questions from the public.~~

PART III - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

9. Acting Mayor

9.1 Council must, on an annual basis, from amongst its members, designate Councillors to serve on a rotating basis 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.

9.2 Each Councillor designated under Section 9.1 is responsible for fulfilling the duties of the Mayor in ~~his or her~~ their absence.

9.3 If both the Mayor and Acting Mayor are absent from a Council meeting, the next Member in succession on the rotating roster established under Section 9.1 shall preside at the Council meeting.

9.4 Other than at a Council meeting, if both the Mayor and the Acting Mayor are absent or otherwise unable to act, the next Member in succession on the rotating roster established under 9.1 shall be the Acting Mayor.

9.5 The Member designated under Section 9.1, 9.3 or 9.4 ~~has the same powers and duties as the Mayor~~ shall have the same powers and duties as the Mayor during a period of service as Acting Mayor.

PART IV - COUNCIL PROCEEDINGS

10. Attendance of Public at Meetings

- 10.1 Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- 10.2 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*.
- 10.3 Section 10 applies to all meetings of the bodies referred to in Section 93 of the *Community Charter* including Council committees, commissions, a Parcel Tax Roll Review Panel, a board of variance, or advisory bodies.
- 10.4 Notwithstanding Subsection 10.1, ~~the Mayor or the Acting Mayor may expel or exclude from a Council meeting a person in accordance with Section 133 of the *Community Charter*~~ if the Presiding Member feels a member of the public is acting improperly at a meeting, the Presiding Member may expel that person from the meeting or have the person removed by a peace officer in accordance with Section 133 of the *Community Charter*.

11. Calling Meeting to Order

- 11.1 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. The Presiding Member has, for that purpose, all the powers of, and is subject to, the same rules as the Mayor.

12. Adjourning Meeting ~~Where No Quorum~~

- 12.1 If there is no quorum of Council present within 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.
- 12.2 Notwithstanding section 12.1 if the Corporate Officer knows in advance that there will not be a quorum present for a regularly scheduled meeting, they may cancel the meeting and shall use reasonable efforts to provide public notice of the cancellation by posting notice to the Public Notice Posting Place.
- 12.3 Council Meetings shall adjourn no later than 10:00 p.m. unless an extension beyond that time is determined by unanimous vote of Members present.

~~1342.~~ Electronic Meetings and Electronic Participation of Members

- 13.1 Electronic Meetings are meetings where all members of Council or Committee participate electronically (e.g. videoconference, audioconference or telephone).

- 13.2 Electronic participation allows for a hybrid meeting where some members of Council or Committee attend in person, and other members attend by electronic means (e.g. telephone).
- 13.3 In accordance with Section 128 of the Community Charter, a member of Council or a Council Committee who is unable to physically attend a Council meeting or a Council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.
- 13.4 At the call of the Mayor, ~~Chair~~ **Presiding Member**, or two members of Council, a Regular, Special or Committee Meeting, may be held electronically in addition to special meetings already authorized under the Charter.
- 13.5 A meeting conducted under this Section is subject to the rules of procedural fairness of this Council Procedure Bylaw, ~~unless otherwise outlined in an Electronic Meetings Policy.~~
- 13.6 A meeting conducted under this Section, except for any part of the meeting that is closed to the public, the method must enable the public to hear, or watch and hear, the proceedings of the meeting and be able to participate during the appropriate section of the Agenda or at the call of the **Presiding Member**.
- 13.7. Council members participating by electronic means will be deemed to have voted in the affirmative on any and all motions made during technical interruptions and disconnections during the course of the Council meeting.
- 13.8 The Presiding Member must verbally confirm the response from any Council Member who is participating electronically to ensure the vote is recorded accurately.
- 13.9 In extenuating circumstances, the Presiding Member at a council meeting may participate electronically, with the unanimous vote of members present.

~~13. Adjourning Meeting Where No Quorum~~

~~13.1 If there is no quorum of Council present within 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.~~

14. Order of Proceedings and Business

14.1 ~~The Agenda for all Regular Council meetings contains the following matters generally in the order in which they are listed below:~~

The agenda for all regular Council meetings contains the following matters in the order in which they are listed below, however, where appropriate for timing or other reasons, the Corporate Officer may determine an alternative order or variation in the agenda:

- ~~Adoption of Agenda~~
- ~~Public Hearing~~
- ~~Adoption of Minutes~~
- ~~Consideration of Committee Recommendations~~
- ~~Petitions & Delegations~~
- ~~Bylaws~~
- ~~Staff Reports (unless directly associated with a specific agenda item)~~
- ~~Proclamations~~
- ~~Correspondence~~
 - ~~For information~~
 - ~~For action~~
- ~~Councillor's Report~~
- ~~Mayor's Report~~
- ~~Public Inquiries~~
- ~~Other Business~~
- ~~Notice of Motion~~
- ~~Closed Session (unless logical placement suggests otherwise)~~
- ~~Next Meeting~~
- ~~Adjournment~~

1. Adoption of Agenda
2. Public Hearing
3. Adoption of Minutes
4. Registered Delegations and Petitions
5. Unfinished Business from Previous Meetings
6. Staff Reports
7. Bylaws
8. Councillor's Business
 - 8.1 Councillor and Committee Reports
 - 8.2 Notice of Motion
9. Mayor's Business
 - 9.1 Mayor's Report
10. Decisions from Registered Delegations (if required)
11. Correspondence
 - 11.1 For Information
 - 11.2 For Action
12. Late Items
13. Public or Media Inquiries (can include items not on Agenda)
14. Closed Session (unless logical placement suggests otherwise)
15. Items Released from In-Camera
16. Adjournment

14.2 Notwithstanding the provisions under Section 14.1, it shall always be in order for the Council to vary the order in which business on the Agenda shall be dealt with by a majority vote of the members present.

14.3 The Corporate Officer may determine the business order, alternative order, or variation in the agendas for all other regulatory and Advisory Body meetings held by the District, such as, and not limited to Public Hearing, In-Camera, Committee of the Whole, and Inaugural meetings.

15. Agenda

- 15.1 Prior to each Council meeting the Corporate Officer shall prepare an Agenda setting out all items for consideration at that meeting.
- 15.2 The deadline for the public to submit items to the Corporate Officer for inclusion on the Council meeting Agenda shall be 1:00 p.m. on the ~~Wednesday~~ **Monday** preceding the meeting, unless otherwise approved by the CAO.
- 15.3 Items received in the Corporate Administration Department after the appropriate deadline in Section 15.2 shall be placed on the Agenda for consideration at the next Regular Council meeting, unless the item is introduced as a Late Item pursuant to Section 15.7 of this Bylaw.
- 15.4 Council Agendas will generally be available electronically online on the District Website to the members of the Council and the public **at least 72 hours** ~~three days~~ prior to Regularly Scheduled Council Meetings. Printed agendas will be available by request only.
- 15.5 Only those matters included on the Agenda shall be considered or dealt with at the Council meeting unless a new matter for consideration is properly introduced as a Late Item pursuant to Section 15.7 of this Bylaw.
- 15.6 In cases where documents are too unwieldy to be readily reproduced, they will be available for review on file in the Corporate Administration Department and noted on the Agenda.
- 15.7 **A late item may be approved for addition to an agenda by the CAO, or by resolution of Council, if the subject matter is of an urgent nature such that the item cannot be held to the next meeting of Council.**
- 15.8 **The CAO, with the Corporate Officer, shall establish items to be included in the agenda.**
- 15.9 **The CAO will review the order of proceedings with the Presiding Member prior to release of agendas to Council.**

members.

16. Late Items:

~~16.1 For the purposes of this section, the following terms are defined as: (a)~~

~~Essential Late Items:~~

~~These would include matters arising after the preparation of the Agenda and which, if not acted upon in a timely manner, would prejudice or compromise the District's position or the position of a constituent or group of constituents.~~

~~(b) Elective Late Items:~~

~~These would include matters which are purely administrative and require no background information to support them or provide additional information pertinent to items on the agenda.~~

~~(c) Deadlines:~~

~~The deadline for essential or elective items to be included as a late item for the agenda is 9:30 a.m. on the morning of the day of the Council meeting. Late Items shall be distributed to Council as far in advance of the commencement of the Council meeting as possible.~~

17. Delegations and Public Inquiries

Delegations:

- 17.1 ~~All delegations requesting permission to appear before Council shall submit a written request to address the members of Council, including a written brief outlining their intended presentation.~~

All delegations requesting permission to appear before Council shall submit a written request, which must include:

- a) the name, physical address, contact phone number or contact email address of the person(s) that will address Council;
- b) a description of the matter to be presented;
- c) a clear ask of Council, and proposed resolution; and
- d) a copy of all materials that will be discussed.

Staff is authorized to define the format that the materials under d) must be presented in, for example (but not limited to) PowerPoint or PDF format, maximum 10 slides, etc.

- 17.2 Any request to appear before Council shall be received, in writing, prior to the appropriate deadline stated in Section 15.2 in order to be placed as a new matter on the Council Agenda.
- 17.3 All delegations shall be afforded ~~five (5) minutes~~ **ten (10) minutes** to make their presentation and shall be restricted to the topic as included on their written submission, unless a longer period is agreed by a majority of members present.
- 17.4 A person, other than a Council Member or an officer or employee of the District, shall only address Council during a meeting if that person is providing a report or presentation that has been scheduled to the agenda for the meeting, or if Council has unanimously passed a resolution to hear from that person at that time.
- a. This section shall not limit participation during “Public or Media Inquiries” or other Public Inquiry sections that may be implemented from time to time. The same limitations would apply for other Public Inquiry sections as defined in s.17.12 & 17.13.
- 17.5 The Corporate Officer shall be granted the authority to:
- a. screen delegation requests and, if deemed appropriate, refuse to place a delegation on the Agenda if the issue is not within the mandate or jurisdiction of a Municipal Council. ~~In the event the delegation wishes to appeal the Corporate Officer’s decision, the information shall not be placed on the Agenda but shall be distributed under separate cover to Council for their consideration.~~
 - b. assign the delegation to a future Agenda if the next Council Meeting Agenda is deemed unsuitable by the Corporate Officer for any reasonable

reason.

17.6 Where a delegation has addressed Council on a particular issue, if a subsequent request is received from the same delegation to address Council on the same issue, and no new significant information is being provided, the Corporate Officer will be granted the authority to not place the item on the Agenda, but may circulate the request under separate cover as an item of general information.

17.7 An appeal may be made to the CAO where the Corporate Officer has rescheduled a Delegation to a later meeting or refused the Delegation entirely. In the event the delegation wishes to appeal the CAO's decision, the information shall not be placed on the Agenda but shall be distributed under separate cover to Council for their consideration.

~~17.8 The Mayor must not permit a delegation to address a meeting of the Council concerning 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 said bylaw.~~

Council shall not permit a Delegation to address Council during a Council meeting:

- a. regarding a bylaw in respect of which a Public Hearing will be, or has been, held as a pre-requisite to the adoption of the bylaw, or
- b. if the purpose is to address an issue which is before the Courts or on which Council has authorized legal action.

17.9 Members shall not engage in debate, except to ask clarifying questions or to correct incorrect information.

17.10 There will generally be a limit of three (3) delegations permitted at a given meeting, but the Corporate Officer shall have authority to adjust this number dependent on other items and timing needs for the rest of the agenda.

17.11 The "Registered Petitions and Delegations" section of all meetings shall be suspended from the close of the nomination period preceding a general local election or by-election until the meeting of Council following the election.

Public Inquiries:

17.12 All Public or Media Inquiries, as outlined in s. 14.1, shall be limited to two (2) minutes, no more than fifteen (15) minutes in total, be restricted specifically to asking questions, and shall not use the opportunity as a public speaking platform or they will be removed from the meeting in accordance with s. 10.4.

17.13 The Public Inquiry periods at Council meetings shall be suspended from the close of the nomination period preceding a general local election or by-election until the meeting of Council following the election. Only media inquiries are permitted during the Public or Media Inquiries period during that time.

18. Notice of Motion

- 18.1 Any Council Member may give a "Notice of Motion" respecting an item which ~~he or she intends~~ **they intend** to present by giving a written copy of such motion to the Corporate Officer during a meeting of the Council and upon the Member being acknowledged by the ~~Mayor~~ **Presiding Member** and the Notice of Motion being read at the meeting.
- 18.2 A copy of the motion presented under Section 18.1 shall appear in the Minutes of that meeting as a "Notice of Motion". The Corporate Officer shall place the motion on the Agenda of the next Council meeting, or other future meeting designated by the Member bringing forward the Notice of Motion, for consideration.

PART V- PETITIONS AND COMMUNICATIONS

19. Proper Form

- 19.1 All communications and petitions intended to be presented to Council shall be legibly written, typed or printed, signed by at least one person, and shall be dated and include a **contact name, physical address, mailing address**, contact phone number **or email address**, before being accepted.

20. Referrals

- 20.1 Communications addressed to Council which relate to matters that fall within the scope of responsibility of a particular District department may be referred by the Corporate Officer directly to that department.
- 20.2 If a matter is referred under Section 20.1, ~~an e-copy~~ **a consolidated digital weekly summary of the** communication shall be forwarded to each Member of the Council and to the appropriate Staff members. An acknowledgement may be provided to the writer on receipt of the communication, advising where the matter has been referred.
- 20.3 The Corporate Officer is granted the authority to forward correspondence items to the meeting considered to be most appropriate.
- 20.4 A right of appeal from any referral under Sections ~~19.1 and 19.3~~ **20.1 and 20.3** may be made to the CAO who shall determine the final disposition of the matter. As well, Council may refer any item of correspondence as it deems appropriate to the CAO for follow up.
- 20.5 All petitions or other written communications in which Council requests a report may be referred to the CAO by means of a formal motion.

PART VI - BYLAWS

21. Form of Bylaws

- 21.1 **A proposed bylaw may be introduced at a Regular Council meeting only if a copy of it is included in the final agenda package for the Council meeting, or all Council members unanimously agree to waive this requirement.**
- ~~21.1~~ **21.2** 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.

22. Bylaws to be Considered Separately or Jointly

22.1 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.

23. Reading and Adopting Bylaws

~~23.1 Every proposed bylaw shall receive three separate readings prior to its final adoption.~~

~~23.2 The first three readings of a bylaw may be given on the same day, except in the case of an Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at a Public Hearing.~~

~~23.3 An Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at Public Hearing may receive only first and second reading at the time of introduction.~~

~~23.4 Where the Council resolves to consider a bylaw clause by clause, such consideration shall be done at the second reading of the bylaw.~~

~~23.5 Where Council desires to amend a bylaw after third reading, with the exception of those specific provisions respecting an Official Community Plan designation bylaw or a Zoning bylaw, it may do so as follows:~~

~~(a) by motion to reconsider third reading and, if carried;~~

~~(b) by motion to amend the bylaw at third reading in accordance with the procedure set down in this bylaw;~~

~~(c) by motion to pass third reading of the bylaw as amended.~~

~~23.6 Despite Section 135(3) of the Community Charter, and in accordance with Section 890(9) of the Local Government Act, an Official Community Plan designation bylaw or a Zoning bylaw may be adopted at the same meeting at which the bylaw passed third reading.~~

23. Reading and Adopting Bylaws

23.1 The Presiding Member of a Council meeting may:

- (a) read, or 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;
- 23.2 The readings of the bylaw may be given by stating its title and object.
- 23.3 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter* and, if amended, a motion at third reading shall be “to give the bylaw third reading as amended”.
- 23.4 Subject to Part 14, Division 4 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.
- 23.5 In accordance with Section 135 of the *Community Charter* [requirements for passing bylaws], Council may give up to three readings to a proposed bylaw at the same Council meeting.
- 23.6 If Council wishes to amend a bylaw after third reading, with the exception of those specific provisions respecting an Official Community Plan designation bylaw or a Zoning bylaw, they may do so by:
- a. making a motion to rescind third reading; and if carried,
 - b. making a motion to amend the bylaw; and if carried,
 - c. making a motion to pass third reading of the bylaw as amended.
- 23.7 Despite section 135(3) of the *Community Charter* [requirements for passing bylaws], and in accordance with Part 14 Division 3 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 providing all outstanding conditions have been addressed.
- 23.8 All bylaws which have not completed the requirements to be adopted after a 2-year period may be deemed stale dated and closed.
- 23.9 The Corporate Officer is hereby authorized to consolidate one or more of the bylaws of the municipality pursuant to Section 139 [consolidation of bylaws] of the *Community Charter* for official use, and to make minor corrections to bylaws at third reading or once adopted including, but not limited to, typographical errors, sequential numbering errors, and grammatical errors.

Bylaws Must be Signed

- 24.1 After a bylaw is adopted, signed by the Corporate Officer and the Presiding Member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping with the following affixed to the bylaw:
- ~~(a) the District's corporate seal,~~
 - (b) the dates of its readings and adoption,
 - (c) the date of the Public Hearing, if applicable; and,
 - (d) the date of ~~required approvals~~ Ministerial approval or approval of the ~~electorate~~, if applicable.

PART VII - RESOLUTIONS

25. Copies of Resolutions to Council Members

- 25.1 A resolution may be introduced and considered at a meeting as long as it has been included as an item on the Council's printed Agenda or placed as a late item in accordance with Section 15.7 of this bylaw.

PART VIII-MOTIONS

26. Introduction of Motion and Voting at Meetings

- 26.1 Every motion must be moved and seconded before it is deemed to be in the possession of the Council. If a motion is not seconded, then the presiding Member shall move onto the next item on the Agenda without further discussion of that motion.

26.2 The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed, the Presiding Member may summarize the motion and must put the matter to a vote.
- (b) Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;
- (c) after the Presiding Member finally puts the question to a vote under paragraph (a), a Member must not speak to the question or make a motion concerning it;
- (d) the Presiding Member's decision about whether a question has been finally put is conclusive;
- (e) whenever a vote of the Council is taken for any purpose, each Member present and voting shall signify their vote upon the question, openly and individually by raising their hand, and the Presiding Member shall declare the motion carried or defeated as the case may be;
- (f) A Member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.
- (g) If the votes of the members present at the meeting at the time of the vote are equal for and against a matter, the motion is defeated and the Presiding Member must declare this result.
- (g) no vote shall be taken in a Council meeting by ballot or by any other method of secret voting.

27. Recording of Motions in Minutes:

- 27.1 The names of those who voted against the motion shall be entered in the minutes.
- 27.2 Notwithstanding Section 27.1, motions that have been withdrawn as per Section 29 of this Bylaw, or did not receive a Secunder and therefore not considered, by Council, shall not be recorded in the Minutes.

27.3 The names of the members who moved and seconded a motion presented to may be recorded in the Minutes.

28. Consideration of Motions

~~28.1 When any motion is under consideration, no other motion shall be received, except a motion to amend, refer, lay on the table or postpone.~~

28.1 While Council is considering a question, only the following motions may be made:

- a. to refer the question to committee or staff,
- b. to amend the motion,
- c. to lay on the table (until later in the meeting),
- d. to postpone indefinitely or to a certain time,
- e. to move the previous question, or
- f. to adjourn

28.2 A motion to move (or “call”) the previous question (28.1.e) must be dealt with before any other amendments are made to the motion on the main question, and if the motion on the previous question is decided in the negative *Council* may again debate the main question or proceed to other business.

- a. A motion to move the previous question (28.1.e) requires a seconder and needs a two- thirds majority to cut off debate.

28.3 Motions made under section 28.1.c to 28.1.e are not amendable nor debatable.

28.4 Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Member.

28.5 A Council Member may without notice move to amend a motion that is being considered at a Council meeting.

28.6 A proposed amendment to the main motion must be relevant to the main motion and not have the effect of negating or rejecting the main motion.

28.7 A proposed amendment must be reproduced in writing by the mover if requested by the Presiding Member.

28.8 A proposed amendment must be decided or withdrawn before the motion being considered on the main question is put to a vote.

28.9 An amendment may be amended only once.

28.10 A motion to amend that has been defeated by a vote of Council cannot be proposed again.

29. Withdrawal of Motions

29.1 After a motion has been made and seconded, it shall be deemed to be in the possession of the Council, but the motion may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the

mover has the consent of the seconder.

30. Appeal Ruling of ~~the Chair~~ Presiding Member

- 30.1 Whenever the ~~Chair~~ Presiding Member is of the opinion that a motion is contrary to the rules and privileges of the Council, the ~~Chair~~ Presiding Member shall apprise the members thereof without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the ~~Chair~~ Presiding Member may be appealed by the other members of Council then present as per Section 30.2 of this bylaw.
- 30.2 On an appeal by a Council Member from the decision of the ~~Chair~~ Presiding Member, the question shall be immediately put by ~~them~~ ~~him or her~~, and decided without debate "Shall the ~~Chair~~ Presiding Member be sustained?" and the ~~Chair~~ Presiding Member shall be governed by the vote of the majority of the Council members then present, excluding ~~themselves~~ ~~himself or herself~~. In the event of the votes being equal, the question shall pass in the affirmative.
- 30.3 If the ~~Chair~~ Presiding Member refuses to put the question "Shall the ~~Chair~~ Presiding Member be sustained?", the Council shall immediately appoint a ~~Chair~~ Presiding Member pro tem. ~~He or she~~ They shall proceed in accordance with Section 30.2 of this bylaw. A resolution or motion carried under this Section is binding.

31. Reconsideration

- 31.1 The Mayor may require Council to reconsider and vote again on a matter that was the subject of a vote, in accordance with Section 131 of the *Community Charter*.
- a) The Mayor may initiate reconsideration at the same meeting as the vote took place, or within 30 days following that meeting.
- 31.2 A vote on a matter ~~motion/resolution~~ which was adopted or defeated may be reconsidered by Council provided that the ~~matter~~ ~~resolution~~ has not had the assent of the electors, has not been reconsidered under this Section or Section 131 of the *Community Charter*, and has not been acted upon by an officer, servant or agent of the Municipality.

Such a reconsideration motion:

- (a) must be brought forward and seconded by Members ~~by a member~~ who voted on the prevailing side of the motion ~~or were not present at the meeting~~;
- ~~(b) may be seconded by any member,~~
- (c) must be brought forward ~~within thirty (30) days~~ ~~at the next meeting~~ of Council following the original vote;
- (d) must receive a majority vote of Council for ~~the matter to be open for discussion~~ ~~again~~ ~~it to be adopted~~;
- (e) if defeated, and the outcome being that the resolution is preserved unchanged, the same resolution may not be brought back before Council for six (6) months from the date of the latest vote, except with consent of two-thirds of all the members of Council.

31.3 A vote to reconsider a matter, whether affirmative or negative, must not be reconsidered.

~~31.2 Each resolution or reading of a bylaw may be reconsidered under the provisions of Section 31.1~~

~~31.3 Notwithstanding section 31.2, once a bylaw is finally adopted, it may not be reconsidered except in accordance with Section 131 of the Community Charter.~~

~~31.4 Notwithstanding section 31.2, resolutions for third reading or final adoption of an Official Community Plan Bylaw or Zoning Bylaw shall not be reconsidered.~~

PART IX - RULES OF DEBATE

32. Decorum in Debate

- 32.1 Every Council Member who wishes to speak to any question or motion shall raise their hand, wait to be recognized by the ~~Mayor~~ Presiding Member and shall address themselves to the ~~Mayor~~ Presiding Member.
- 32.2 Members of Council shall address the Presiding Member ~~Chair~~ as "Mr. Mayor, "Madam Mayor", or "Your Worship" or "Mr. or Madam Acting Mayor", or "Mr. or Madam Chair" as the case may be, and shall refer to each other as "the Mayor" or "Councillor ", as the case may be.
- 32.3 Members of staff shall be addressed as Mr., Mrs., or Ms. or else shall be referred to by their official title.
- 32.4 Any questions addressed to staff shall be put through the ~~Chair~~ Presiding Member to the CAO ~~Chief Administrative Officer~~ who shall refer the matter to the appropriate staff representative if necessary.
- 32.5 When two or more Council Members desire to speak at the same time, the ~~Chair~~ Presiding Member shall name the Member who shall have the floor.
- 32.6 Members of Council shall seek permission of the Presiding Member to speak more than once in connection with a single question, except to explain a material part of a previous speech, to reply to debate on a substantive motion which the Member has made, or to introduce new information.
- 32.7 No Council Member shall speak longer than a total of ten (10) minutes to a question without the permission of the Presiding Member to any matter other than the question in debate or reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.
- 32.8 ~~A member speaking at a Council meeting must at all times use respectful language, must not use offensive gestures or signs.~~ While in a Council meeting, a Member must comply with the Code of Conduct Bylaw as amended or replaced from time to time, must speak only in connection with the matter being debated, and may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded.
- 32.9 Despite section 10 of this bylaw, the Mayor or Presiding Member at a Council meeting may expel and exclude from any Council meeting a person, including another Council Member, which the Mayor or Presiding Member considers is

engaging in inappropriate conduct.

32.10 When the ~~Chair~~ Presiding Member is of the opinion that there has been sufficient debate, the Presiding Member ~~he~~ may put the question.

33. ~~Chair~~ Presiding Member - Questions of Order

33.1 When a Council Member is speaking, no other Member may interrupt the speaker except to raise a point of order.

33.2 The ~~Chair~~ Presiding Member may call any Council Member to order while that Member is speaking.

33.3 When such action is taken, the ~~Chair~~ Presiding Member shall immediately suspend the debate, and the Council Member in question shall refrain from speaking until the point of order is determined by the ~~Chair~~ Presiding Member, whose ruling is subject to an appeal by the Council Members.

33.4 Should any Council Member resist or disobey the decision of the ~~Chair~~ Presiding Member, the Members may order the Member in question to leave ~~their his or her~~ seat for that meeting, and in the event of ~~their his~~ refusing to do so, the ~~Chair~~ Presiding Member may order that the Member be removed from the meeting.

33.5 In the event of satisfactory apology being made by the offending Member, the Council may, by vote of the majority, permit the Member to resume ~~their his or her~~ seat forthwith.

~~33.6 No Council member shall speak to any matter other than the question in debate or reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.~~

33.7 No Council Member shall resist the rules of the Council nor disobey the decision of the ~~Chair~~ Presiding Member on points of order or practice, or upon the interpretation of the rules of the Council.

33.8 Any Council Member may require the question being debated to be read for ~~their his or her~~ information at any period of the debate, but shall not do so in order to interrupt a Member speaking.

33.9 When the question under consideration contains more than one recommendation, any Member may request, by motion, that the vote upon each recommendation shall be taken separately and the Council Members shall decide by majority vote of the Members present how such vote shall be taken.

34. Voting at Meetings

~~34.1 The following procedures apply to voting at Council meetings:~~

~~(a) when debate on a matter is closed, the Presiding Member may summarize the motion and must put the matter to a vote.~~

~~(b) Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;~~

- ~~(c) after the Presiding Member finally puts the question to a vote under paragraph (a), a member must not speak to the question or make a motion concerning it;~~
- ~~(d) the Presiding Member's decision about whether a question has been finally put is conclusive;~~
- ~~(e) whenever a vote of the Council is taken for any purpose, each member present and voting shall signify their vote upon the question, openly and individually by raising their hand, and the Chair shall declare the motion carried or defeated as the case may be;~~
- ~~(f) A member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.~~
- ~~(g) If the votes of the members present at the meeting at the time of the vote are equal for and against a matter, the motion is defeated and the Mayor must declare this result.~~
- ~~(g) no vote shall be taken in a Council meeting by ballot or by any other method of secret voting.~~

PART X-MINUTES

35. Adoption and Distribution

- 35.1 Minutes of the proceedings of Council, Committees, and Commissions must be legibly recorded, certified as correct by the Corporate Officer and signed by the Mayor or other Member presiding at the meeting. Minutes of Advisory Bodies may be signed off by the **Presiding Member Chair** of that Advisory Body.
- 35.2 Prior to adoption, the Corporate Officer shall distribute a copy of all Minutes of Council meetings to each Member of Council.
- 35.3 Whenever possible, Minutes of a given meeting shall be adopted at the next Council meeting or Committee/Commission meeting, as appropriate.
- 35.4 In accordance with Section 97 of the *Community Charter*, Minutes of the proceedings of Council/Committees and Commissions must be available for public inspection at the District of Barriere offices during its regular office hours.
- 35.5 Section 35.4 of this bylaw 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*.
- 35.6 The names of all members of Council present and absent shall be recorded in the meeting minutes.
- 35.7 If a Member has declared a conflict of interest pursuant to the *Community Charter*, the reason the Member is not participating in the discussion of the matter, and the time at which they left the room and returned, will be recorded in the minutes.
- 35.8 The Corporate Officer is authorized to make minor amendments to approved minutes including, but not limited to, typographical errors, sequential numbering errors, and grammatical errors.

- 35.9 An error or omission in the minutes may be identified by a Member of Council orally and rectified by resolution. Depending on the scale of amendment the adoption of the minutes may be postponed to the next meeting.

PART XI - CONDUCT OF COMMITTEE BUSINESS

36. Committee of the Whole

- 36.1 The Committee of the Whole shall meet on an as needed basis.
- 36.2 The Acting Mayor shall act as ~~Chair~~ **Presiding Member** of the Committee of the Whole, unless otherwise determined by the Mayor.
- 36.3 **As per the Community Charter Section 154 (1) (a), Council is delegating administrative powers to the Committee of the Whole.**

37. Schedule of Meetings

- 37.1 At its first meeting after its establishment a Commission, Committee, or Advisory Body must establish a regular schedule of meetings.
- 37.2 The **Presiding Member** ~~Chair~~ of a Commission, Committee, or Advisory Body may call a meeting in addition to the scheduled meetings or may cancel a meeting.

38. Notice of Meetings

- 38.1 After the Commission, Committee, or Advisory Body has established the regular schedule of meetings, including the times, dates and places of the meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the applicable Public Notice Posting Place ~~and the District website.~~
 - (b) providing a copy of the schedule to each member of the Commission, Committee, or Advisory Body.
- 38.2 Where revisions are necessary to the annual schedule of Commission, Committee or Advisory Body meetings, as soon as possible a notice must be posted at the applicable Public Notice Posting Place ~~and District website~~ which indicates any revisions to the date, time and place or cancellation of a meeting.

39. Minutes of Meetings

- 39.1 Minutes of Committee of the Whole, Commissions, Standing, or Select Committees must be maintained and available to public and:
- (a) legibly recorded,
 - (b) certified as correct by the Corporate Officer,
 - (c) signed by the Mayor or Member presiding at the meeting, and
 - (d) open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.
 - (e) Subsection 39.1(d) does not apply to minutes of a Commission, Standing, or Select Committee meeting from which persons were

excluded under Section 90 of the *Community Charter*.

40. Quorum

- 40.1 The quorum for a Committee of the Whole, Standing, Select, or Advisory Committee or Commission is a majority of all of its members.
- 40.2 If a Committee/Commission member misses more than 3 meetings in a row, Council may rescind ~~their his or her~~ appointment at any time and appoint another person in place of the person whose appointment was rescinded.

41. Conduct and Debate

- 41.1 The rules of the Council procedure must be observed during Standing or Select Committees, Commission, or Advisory Body meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- 41.2 Council members may attend any meetings of a Standing or Select Committee, Commission, or Advisory Body and may participate in discussions; however, only members who have been appointed, or an alternate member attending in the absence of an appointed committee member, may introduce or vote on the proceedings.
- 41.3 The Mayor shall be an ex-officio voting member of all Committees and Commissions and, when in attendance, shall possess all the rights, privileges, powers and duties of other members. ~~The Mayor He~~ shall not be considered, if absent, when determining a quorum.

42. Delegations

- 42.1 When a person or a group of persons wish to appear as a delegation before a Standing or Select Committee, Commission, or Advisory Body on a matter within the jurisdiction of the Committee, they shall be subject to the requirements set out in this bylaw.

43. Recommendations

Standing or Select Committee, Commission, or Advisory Body recommendations shall be subject to the approval of the Council, except where the Standing, Select, Committee of the Whole, or Advisory Committee has been delegated administrative power by the Council.

PART XII - GENERAL

- 44. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- 45. Any one or more of the rules and orders contained in this bylaw may be temporarily suspended by an affirmative vote of the majority of all Council members.
- 46. District of Barriere Council Procedure Bylaw No.0001, 2007” and its amendments are hereby repealed.
- 47. This bylaw may not be amended, repealed or substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter*.

READ A FIRST TIME this 9th day of January, 2012

READ A SECOND TIME this **23rd** day of **January, 2012**

READ A THIRD TIME this **23rd** day of **January, 2012**

Notice of intention to proceed with this bylaw was published on the **16th** day of **January, 2012** and the **23rd** day of **January, 2012** in the Star Journal newspaper, circulating in the District of Barriere, pursuant to Section 94 of the Community Charter.

ADOPTED this 6th day of February, 2012

Original signed by _____
Mayor, Bill Humphreys

Original signed by, _____
Chief Administrative Officer, Colleen Hannigan

SCHEDULE “A” – OATH OF OFFICE

OATH OF OFFICE

CANADA

PROVINCE OF BRITISH COLUMBIA

DISTRICT OF BARRIERE

I, (name of elected official), do (swear, solemnly affirm) that:

I am qualified to hold the office of (Mayor, Councillor) for the District of Barriere to which I have been elected.

I have not, by myself or by any other person, knowingly contravened the Local Government Act respecting vote buying or intimidation in relation to my election to this office.

As required by the Community Charter, I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of that matter nor vote in respect of the matter.

I will faithfully, and with integrity, perform the duties of my office and will not allow any private interest to influence my conduct in public matters.

I will abide by the statutes, bylaws and policies that govern the District and promote openness, accountability, collaboration, and responsible leadership.

I will provide stewardship of the public assets through the development and evaluation of the District’s policies and programs; and

I will make well-informed and transparent decisions, prioritizing the best interests and well-being of the entire community while guiding the growth of a vibrant and sustainable District.

I affirm, ascribe to, and agree to follow the District of Barriere Code of Conduct Bylaw No. 250 adopted by the District Council of the District of Barriere, as amended or replaced from time to time.

(Sworn, Affirmed) before me)
in the District of Barriere)
in the Province of British Columbia)
this ____ day of _____, _____.)

Corporate Officer (or as defined in the
Community Charter S. 120)

Elected Official

Procedure Bylaw – Change Log

Throughout:

- Gender Neutral terms
- Renamed Chief Administrative Officer to CAO throughout
- Renamed Chair and Mayor where applicable to Presiding Member
- Renamed Council Member to “Member” where applicable

Definitions:

- Alphabetically ordered
- Added
 - o Acting Mayor – provided a definition of Acting Mayor
 - o Code of Conduct Definition – Bylaw Link
 - o CAO – did not exist previously
 - o Delegations – provide a definition
 - o Notice Board – added a definition with the intend that the Corporate Officer can designate the location of the board
 - o Presiding Member – references to Chair and Mayor (where appropriate) were replaced with this term throughout the Bylaw.
 - o
- Updated:
 - o Corporate Officer – added “or their designate”
 - o Public Posting Notice Place – updated to include website, now a single term can be used for the Posting Place
 - o Quorum – provide broader definition including committees and other bodies of Council
- Removed:
 - o FCM – no longer needed
 - o SILGA – no longer needed
 - o UBCM – no longer needed

Council Meetings

- 4.1 - Inaugural meeting – added language that allows for judicial recount period
- 4.3 - Chairing of inaugural meeting by CAO or designate
- 4.4 - Oath of Office as included in Schedule A – this section established the attached Oath as the one to be used for Barriere.

Time and Location:

- 5.2 replaced - schedule set by Council each year, was first and third Monday of each month (provides flexibility), December 15 is deadline each year as per Community Charter for public notice of schedule.
- added 5.3. – set time to 5:30pm from 7:00pm (allows for In-Camera to be after Regular meeting) typically on Monday but linked to schedule in 5.2

Procedure Bylaw – Change Log

Notice of Council Meetings:

- Entire Section 6 replaced
- Added language to
 - o 6.2 allows for an Alternate Public Notification Bylaw (S.94.2 of Community Charter)
 - o 6.3 meetings to be at Council Chambers, unless Council determines another location
 - o 6.4 to allow Mayor or two members of Council to call a special meeting (including COTW)

Notice of Special Meeting

- 7.1 – removed District website (included in Posting Place definition).

Annual Municipal Report:

- 8 - This section was removed. Not necessarily a Council Procedure. Not needed as staff is fully aware of legislation. Renumbering required afterwards.

Acting Mayor :

- 9.5 - Minor clarification added under 9.5 “during the period of service”

Attendance at Public Meeting

- Modified Section 10.4 to include stronger language for removal of a person from Council Chambers, including removal by a peace officer. Key as well is change to “Presiding Member”

Adjourning meetings

- 12.1 - Relocated for readability – was S.13
- Added section 12.2 that allows the CO to cancel the meeting ahead of time if no quorum
- Added section 12.3 to adjourn meetings at 10pm. Council can unanimously decide to continue.

Electronic Meetings

- 13.5 - Removed Electronic Meetings Policy (does not exist)
- Added 13.7 – voting in favour if there are tech difficulties, ensures the meeting can continue just in case
- Added 13.8 – confirmation of votes from online participants
- Added 13.9 – generally presiding member is physically present. This language allows the presiding member to be online (unanimous vote of members in attendance to allow for this)

Order of Proceedings

- 14.1 - Updated language that allows variations to agenda order based on business at hand and allows Corporate Officer to amend accordingly
- 14.1 - Changed the default order of agenda items, notable items:
 - o Swapped Staff Reports and Bylaws – allows for some staff to leave after their reports are complete (if they choose to)
 - o Added a section as “Unfinished Business from Previous meetings”

Procedure Bylaw – Change Log

- Removed Proclamations – This is not common anymore and has some risk, removal is recommended. Also, Community Support policy could include ways on supporting such requests without a “proclamation” from Council.
- Moved Councillor and Mayor reports ahead of correspondence
- Moved committee reports and notice of motion under Councillor report
- Added Decisions from Delegations (if required), to Mayor’s Report
- Added 14.3 to allow the CO to set agendas for other meetings and vary their structure as needed

Agendas

- 15.2 - Changed the deadline to receive information from the public for the agenda to Monday (was Wednesday) – allows more time to clarify items or do research before the Council meeting if needed.
- 15.4 - Council agenda availability change to “at least 72 hours” (so, Friday at 530pm) for posting on website. Allows for some future flexibility to possibly provide agendas to Council earlier.
- 15.7 – included late item language to remove Section 16 in its entirety
- 15.8 – added language regarding establishing items to be on the agenda and responsibility
- 15.9 – added language for review of the agenda order of business with the Presiding Member prior to the release of the agenda to Council. Codifying existing practice.

Delegations and Public Inquiries

- Added Public Inquiries to overall topic

Delegations:

- 17.1 - updated language to be more specific about information needed (name, address, clear ask/resolution, materials). Also added authority for Staff to define format for materials to ensure that it works with District technologies etc.
- 17.3 – increased to 10 minutes. 5 minutes is often too short and 10 provides enough time for the delegation to share their materials.
- 17.4 – added language to allow Council (by unanimous resolution) to hear from a member of the public outside of the allotted slot on the agenda. Not limiting participation during those agenda items intended for public inquiries
- 17.7 – added an option for an appeal process if delegation was denied. Appeal to CAO first.
- 17.8 – updated language regarding delegation in regards to items that require a public hearing or if it’s a matter in the courts
- 17.9 – intent for Council is to not debate with the public, just clarify items or correct information
- 17.10 – limit of 3 delegations per meeting, Corporate Officer has authority to adjust as needed
- 17.11 – closing delegation and petition section during election or byelection

Public Inquiries – how the public gets to interact with Council

- 17.12 – 2min max, all items on the agenda and otherwise, not a speaking platform, asking questions only
- 17.13 – no public inquiries during election season, except for media.

Procedure Bylaw – Change Log

Proper Form

- 19.1 – for Petitions and other Communication, included requirement for physical address, contact name, mailing address, and option for contact email. Essentially no anonymous communication is allowed.

Referrals

- 20.2 – changed e-copy for each item to “consolidated weekly summary”; allows for staff to collect information and send a single package to Council with important information.

Bylaws – Form

- 21.1 – added clause regarding a bylaw must be included in agenda to be discussed at a meeting. Allowance for waiving of this requirement by Council.
- 21.2 – more important that the final version is printed (not the “introduced” one) in this manner and includes the items listed.

Readings and Bylaws Adoption

- 23 – replaced entirely to include updated language, updated LGA legislation, same context is maintained except for sections detailed below.
- 23.7 – for flexibility, added language “providing that all outstanding conditions have been met (ie. “Transportation Act” or other Provincial directives as implemented from time to time)
- 23.8 – added an expiry clause for bylaws that are incomplete
- 23.9 – added an option for the CO to officially consolidate bylaws, and also make minor corrections as those are discovered.

Singed Bylaws

- 24.1.a - Removed corporate seal requirement – not needed
- 24.1.d – changed to “required approvals” – more flexibility as legislation and directives change

Introduction of Motions and Voting at Meetings

- 26 - Added “voting At Meetings” for readability (combining for readability) – was S.34 previously

Consideration of Motions

- 28 – entire section replaced with more details on how motions are debated, referred, postponed, how amendments would be addressed, etc.
 - o Provides structure and clear outline on process, if required

Reconsideration of Motion

- 31.1 – added regarding the authority of the Mayor and to provide context.
- 31.2 – changed language to focus on the “matter” that a decision needs to be reconsidered for
- 31.2.a+b – consolidated into one line, changed to allow members who were not present to request reconsideration, both mover and seconder would need to have been on prevailing side of motion
- 31.2.c – expanded to 30 days, same as authority of Mayor

Procedure Bylaw – Change Log

- 31.2.d – if a reconsideration motion is passed, essentially the “matter” is open for discussion as if the adoption of the original resolution never happened. A subsequent motion is required regarding the original matter.
- 31.3 – a vote on a reconsideration motion can not be reconsidered.
- Original 31.2-31.4 are removed. Most municipalities have this removed as there is legislation that governs this, so no Bylaw is needed to specify those steps.

Decorum in debate

- 32.6 – new section added – allows the Presiding Member to manage the debate and limit how often a member can speak to a question.
- 32.7 – relocated from 33.6 - added a total length of 10min for each member per item. Chair has ability to allow further debate.
- 32.8 – language change to reference the Code of Conduct Bylaw
- 32.9 – added, to allow the Presiding Member to remove a Councillor that’s inappropriate

Question of Order

- 33.6 – moved to 32.7 as it was in terms of speaking to a question.

Voting at Meetings – s.34 was moved to S. 26

Minutes – Adoption

- 35.6 – added – names of Members are recorded and if Member is absent – codifying current practice
- 35.7 – added – conflict of interest – recording in minutes – codifying current practice
- 35.8 – added – authority for the CO to make minor corrections to minutes
- 35.9 – added – if an amendment to the minutes is needed, adoption may not occur until the next meeting.

Committee of the Whole

- 36.3 – added – authorizing COTW to make administrative decisions. (previous Council resolution only, not allowed, must be a bylaw; previous resolution: “That Council delegate administrative power to the Committee of Whole” from Jan 21, 2013)

Committee – Notice of Meetings

- 38.1 – updated Posting Place (which already includes the website)

Schedule A – Oath of Office

- Updated to reflect current standards, similar language used by other municipalities or regional District that use a distinguished Oath of Office to address current responsibilities in more details, i.e. stewardship of public assets; and sustainability of the community.
- Includes language that specifically highlights the Code of Conduct Bylaw.



THE CORPORATION OF THE DISTRICT OF BARRIERE
DRAFT - COUNCIL PROCEDURE BYLAW NO. 251

A bylaw to govern meetings of the Council of the District of Barriere.

The Council for the District of Barriere, in open meeting lawfully assembled, **ENACTS** as follows:

1. Citation

This bylaw may be cited as the “**DRAFT - Council Procedure Bylaw No. 251**”

PART I - GENERAL

2. Definitions

In this bylaw, unless the context otherwise requires:

- 2.1. **Acting Mayor** means the Councillor designated to act in place of the Mayor when the Mayor is absent or otherwise unable to act for the applicable date;
- 2.2. **Advisory Body** means an advisory committee appointed by Council for the purpose of providing advice to Committees, Commissions and staff.
- 2.3. **CAO** means the Chief Administrative Officer appointed by Council for the District of Barriere, or their designate;
- 2.4. **Code of Conduct** means the standards applicable to members of Council of the District of Barriere, as set out in the District of Barriere Code of Conduct Bylaw No. 250, as may be amended or replaced from time to time.
- 2.5. **Commission** means a municipal commission appointed by Council under Section 143 of the Community Charter.
- 2.6. **Committee of the Whole** means a committee of Council comprised of all members of Council.
- 2.7. **Corporate Officer** means the person responsible for corporate administration as set out under Section 147 of the Community Charter, or their designate.
- 2.8. **Council** means the municipal council of the District of Barriere;
- 2.9. **Delegation** means any person wishing to appear as a speaker and/or make a presentation to *Council*, a Committee, or Commission;
- 2.10. **District** means the District of Barriere.
- 2.11. **District Council Chambers** means Council Chambers located at the District Offices.

- 2.12. **District Offices** means District Offices at 4936 Barriere Town Road.
- 2.13. **District Website** means the information resource found at www.barriere.ca.
- 2.14. **In-Camera Meeting** means a meeting that is closed to the public in accordance with Sections 90 and 92 of the Community Charter.
- 2.15. **Mayor** means the Mayor of the District.
- 2.16. **Member** means:
- 2.16.1. in the case of Council, a member of Council, including the Mayor; or
 - 2.16.2. in the case of an Advisory Board, Committee, or Commission, a person appointed by Council to sit on that Advisory Board, Committee, or Commission.
- 2.17. **Notice Board** means the public notice board at the District Offices designated by the Corporate Officer for posting of legal notices and Council meeting information.
- 2.18. **Parcel Tax Roll Review Panel** means a panel consisting of at least 3 members appointed by Council under Section 204 of the Community Charter to consider complaints respecting the parcel tax roll and to authenticate the roll.
- 2.19. **Presiding Member** means the Member who has the authority to preside over a meeting as chairperson.
- 2.20. **Public Notice Posting Place** means the Notice Board and/or the District website.
- 2.21. **Quorum** means:
- 2.21.1. In the case of Council, a majority of the number of members of which the council consists under the Community Charter; and
 - 2.21.2. (2) In the case of a committee or other body, a majority of the voting members appointed.
- 2.22. **Standing Committee** means a committee appointed by the Mayor under Section 141 of the Community Charter for matters the Mayor considers would be better dealt with by a Committee and at least half of the members must be Council members.
- 2.23. **Select Committee** means a committee appointed by Council under Section 142 of the Community Charter for a select purpose and to report its findings and opinion to the Council. At least one member of a select committee must be a Council Member

3. Unless otherwise defined in this bylaw, words used herein shall have the meanings defined in the Community Charter or the Local Government Act, as applicable.

4. Application of Rules of Procedure

- 4.1. The provisions of this Bylaw govern the proceedings of Council, Commissions, Standing Committees, Select Committees, the Committee of the Whole, and Advisory Bodies.

- 4.2. In cases not provided for under this Bylaw, the current edition of Robert's Rules of Order, apply to the proceedings of Council and Council Committees to the extent that those Rules are:
 - 4.2.1. applicable in the circumstances;
 - 4.2.2. not inconsistent with provisions of this Bylaw, the Community Charter or the Local Government Act.

PART II – COUNCIL MEETINGS

5. Inaugural Meeting

- 5.1. An inaugural meeting of Council shall be held within the first ten (10) days of November, but no sooner than the third Monday following a general local election to allow time for judicial recount as specified in Section 149 of the Local Government Act.
- 5.2. 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 Section 5.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.
- 5.3. The inaugural meeting shall be chaired by the Chief Administrative Officer or delegate until the Mayor and Councillors have completed signing their Oath of Office per the Community Charter.
- 5.4. The Oath of Office used by the District shall be as shown in Schedule “A” attached to and forming part of this bylaw.

6. Time and Location of Meetings

- 6.1. All Council meetings will take place within the District Council Chambers, except when Council resolves to hold meetings elsewhere and directs the Corporate Administration Department to give notice of the different meeting place by posting a notice of the change on the Public Notice Posting Place at least 24 hours prior to the time of the Council meeting.
- 6.2. Regularly scheduled meetings shall be held on the dates each year as established by a resolution of Council prior to December 15 of the preceding year, unless Council passes a resolution to cancel or alter a particular meeting, or the Corporate Officer determines that there is not sufficient business to be discussed to warrant the holding of a particular meeting.
- 6.3. Meetings shall be scheduled to begin at 5:30pm, typically on a Monday but subject to the dates selected per section 6.2.

6.4. Regular Council meetings may:

- 6.4.1. be cancelled by Council, provided that two consecutive meetings are not cancelled;
- 6.4.2. be rescheduled by Council, provided the notice requirements set out in Section 127 and 94 of the Community Charter are met.

7. Notice of Council and Special Meetings

- 7.1. In accordance with Section 127 of the Community Charter, Council must prepare annually, 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 Place.
- 7.2. Council must give notice annually, in accordance with Section 94 or 94.2 [Bylaw to provide for alternative means of publication] of the Community Charter, of the time and location that the schedule of Regular Council meetings is available to the public.
- 7.3. All Council meetings shall take place at the District Council Chambers, unless Council passes a resolution to hold a particular meeting elsewhere, or the meeting is conducted by means of electronic or other communication facilities.
- 7.4. The Mayor or two members of Council, in accordance with the provisions of the Community Charter, may call a Special meeting of Council, which is any meeting other than a regularly scheduled meeting scheduled pursuant to this section or an adjourned meeting.
 - 7.4.1. Committee-of-the-Whole meetings may be considered Special Meetings of Council and may be called in the same way, or scheduled by Council resolution.
- 7.5. Except where notice of a Special meeting is waived by unanimous vote of all Council members under Section 127(4) of the Community Charter, a notice of the date, hour, and place of a Special Council meeting must be given at least 24 hours before the time of the meeting, by:
 - 7.5.1. posting a copy of the notice on the Public Notice Posting Place, and
 - 7.5.2. emailing the notice to each Council Member.
- 7.6. The notice under Section 7.5 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

PART III - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

8. Acting Mayor

- 8.1. Council must, on an annual basis, from amongst its members, designate Councillors to serve on a rotating basis 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.

- 8.2. Each Councillor designated under Section 8.1 is responsible for fulfilling the duties of the Mayor in their absence.
- 8.3. If both the Mayor and Acting Mayor are absent from a Council meeting, the next Member in succession on the rotating roster established under Section 8.1 shall preside at the Council meeting.
- 8.4. Other than at a Council meeting, if both the Mayor and the Acting Mayor are absent or otherwise unable to act, the next Member in succession on the rotating roster established under 8.1 shall be the Acting Mayor.
- 8.5. The Member designated under Section 8.1, 8.3 or 8.4 shall have the same powers and duties as the Mayor during a period of service as Acting Mayor.

PART IV - COUNCIL PROCEEDINGS

9. Attendance of Public at Meeting

- 9.1. Except where the provisions of Section 90 of the Community Charter apply, all Council meetings must be open to the public.
- 9.2. 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.
- 9.3. Section 9 applies to all meetings of the bodies referred to in Section 93 of the Community Charter including Council committees, commissions, a Parcel Tax Roll Review Panel, a board of variance, or advisory bodies.
- 9.4. Notwithstanding Subsection 9.1, if the Presiding Member feels a member of the public is acting improperly at a meeting, the Presiding Member may expel that person from the meeting or have the person removed by a peace officer in accordance with Section 133 of the Community Charter.

10. Calling the Meeting to Order

- 10.1. 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 8 must take the chair and call such meeting to order. The Presiding Member has, for that purpose, all the powers of, and is subject to, the same rules as the Mayor.

11. Adjourning Meetings

- 11.1. If there is no Quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
 - 11.1.1. record the names of the members present and those absent; and,
 - 11.1.2. adjourn the meeting until the next scheduled meeting.

- 11.2. Notwithstanding section 11.1 if the Corporate Officer knows in advance that there will not be a Quorum present for a regularly scheduled meeting, they may cancel the meeting and shall use reasonable efforts to provide public notice of the cancellation by posting notice to the Public Notice Posting Place.
- 11.3. Council Meetings shall adjourn no later than 10:00 p.m. unless an extension beyond that time is determined by unanimous vote of Members present.

12. Electronic Meetings and Electronic Participation of Members

- 12.1. Electronic Meetings are meetings where all members of Council or Committee participate electronically (e.g. videoconference, audioconference or telephone).
- 12.2. Electronic participation allows for a hybrid meeting where some members of Council or Committee attend in person, and other members attend by electronic means (e.g. telephone).
- 12.3. In accordance with Section 128 of the Community Charter, a member of Council or a Council Committee who is unable to physically attend a Council meeting or a Council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.
- 12.4. At the call of the Mayor, Presiding Member, or two members of Council, a Regular, Special, or Committee Meeting, may be held electronically in addition to special meetings already authorized under the Charter.
- 12.5. A meeting conducted under this Section is subject to the rules of procedural fairness of this Council Procedure Bylaw.
- 12.6. A meeting conducted under this Section, except for any part of the meeting that is closed to the public, the method must enable the public to hear, or watch and hear, the proceedings of the meeting and be able to participate during the appropriate section of the Agenda or at the call of the Presiding Member.
- 12.7. Council members participating by electronic means will be deemed to have voted in the affirmative on any and all motions made during technical interruptions and disconnections during the course of the Council meeting.
- 12.8. The Presiding Member must verbally confirm the response from any Council Member who is participating electronically to ensure the vote is recorded accurately.
- 12.9. In extenuating circumstances, the Presiding Member at a council meeting may participate electronically, with the unanimous vote of members present.

13. Order of Proceedings and Business

- 13.1. The agenda for all regular Council meetings contains the following matters in the order in which they are listed below, however, where appropriate for timing or other reasons, the Corporate Officer may determine an alternative order or variation in the agenda:

- 13.1.1. Adoption of Agenda
 - 13.1.2. Public Hearing
 - 13.1.3. Adoption of Minutes
 - 13.1.4. Registered Delegations and Petitions
 - 13.1.5. Unfinished Business from Previous Meetings
 - 13.1.6. Staff Reports
 - 13.1.7. Bylaws
 - 13.1.8. Councillor's Business
 - 13.1.8.1. Councillor and Committee Reports
 - 13.1.8.2. Notice of Motion
 - 13.1.9. Mayor's Business
 - 13.1.9.1. Mayor's Report
 - 13.1.10. Decisions from Registered Delegations (if required)
 - 13.1.11. Correspondence
 - 13.1.11.1. For Information
 - 13.1.11.2. For Action
 - 13.1.12. Late Items
 - 13.1.13. Public or Media Inquiries (can include items not on Agenda)
 - 13.1.14. Closed Session (unless logical placement suggests otherwise)
 - 13.1.15. Items Released from In-Camera
 - 13.1.16. Adjournment
- 13.2. Notwithstanding the provisions under Section 13.1, it shall always be in order for the Council to vary the order in which business on the Agenda shall be dealt with by a majority vote of the members present.
- 13.3. The Corporate Officer may determine the business order, alternative order, or variation in the agendas for all other regulatory and Advisory Body meetings held by the District, such as, and not limited to Public Hearing, In-Camera, Committee of the Whole, and Inaugural meetings.

14. Agenda

- 14.1. Prior to each Council meeting the Corporate Officer shall prepare an Agenda setting out all items for consideration at that meeting.
- 14.2. The deadline for the public to submit items to the Corporate Officer for inclusion on the Council meeting Agenda shall be 1:00 p.m. on the Monday preceding the meeting, unless otherwise approved by the CAO.
- 14.3. Items received in the Corporate Administration Department after the appropriate deadline in Section 14.2 shall be placed on the Agenda for consideration at the next Regular Council meeting, unless the item is introduced as a Late Item pursuant to Section 14.7 of this Bylaw.
- 14.4. Council Agendas will generally be available electronically online on the District Website to the members of the Council and the public at least 72 hours prior to Regularly Scheduled Council Meetings. Printed agendas will be available by request only.

- 14.5. Only those matters included on the Agenda shall be considered or dealt with at the Council meeting unless a new matter for consideration is properly introduced as a Late Item pursuant to Section 14.7 of this Bylaw.
- 14.6. In cases where documents are too unwieldy to be readily reproduced, they will be available for review on file in the Corporate Administration Department and noted on the Agenda.
- 14.7. A late item may be approved for addition to an agenda by the CAO, or by resolution of Council, if the subject matter is of an urgent nature such that the item cannot be held to the next meeting of Council.
- 14.8. The CAO, with the Corporate Officer, shall establish items to be included in the agenda.
- 14.9. The CAO will review the order of proceedings with the Presiding Member prior to release of agendas to Council.

15. Delegations and Public Inquiries

Delegations

- 15.1. All delegations requesting permission to appear before Council shall submit a written request, which must include:
 - 15.1.1. the name, physical address, and contact phone number or contact email address of the person(s) that will address Council;
 - 15.1.2. a description of the matter to be presented;
 - 15.1.3. a clear ask of Council, and proposed resolution; and
 - 15.1.4. a copy of all materials that will be discussed.

Staff is authorized to define the format that the materials under d) must be presented in, for example (but not limited to) PowerPoint or PDF format, maximum 10 slides, etc.
- 15.2. Any request to appear before Council shall be received, in writing, prior to the appropriate deadline stated in Section 14.2 in order to be placed as a new matter on the Council Agenda.
- 15.3. All delegations shall be afforded ten (10) minutes to make their presentation and shall be restricted to the topic as included on their written submission, unless a longer period is agreed by a majority of members present.
- 15.4. A person, other than a Council Member or an officer or employee of the District, shall only address Council during a meeting if that person is providing a report or presentation that has been scheduled to the agenda for the meeting, or if Council has unanimously passed a resolution to hear from that person at that time.
 - 15.4.1. This section shall not limit participation during “Public or Media Inquiries” or other Public Inquiry sections that may be implemented from time to time. The

same limitations would apply for other Public Inquiry sections as defined in s.15.12 & 15.13.

- 15.5. The Corporate Officer shall be granted the authority to:
 - 15.5.1. screen delegation requests and, if deemed appropriate, refuse to place a delegation on the Agenda if the issue is not within the mandate or jurisdiction of a Municipal Council.
 - 15.5.2. assign the delegation to a future Agenda if the next Council Meeting Agenda is deemed unsuitable by the Corporate Officer for any reasonable reason.
- 15.6. Where a delegation has addressed Council on a particular issue, if a subsequent request is received from the same delegation to address Council on the same issue, and no new significant information is being provided, the Corporate Officer will be granted the authority to not place the item on the Agenda, but may circulate the request under separate cover as an item of general information.
- 15.7. An appeal may be made to the CAO where the Corporate Officer has rescheduled a Delegation to a later meeting or refused the Delegation entirely. In the event the delegation wishes to appeal the CAO's decision, the information shall not be placed on the Agenda but shall be distributed under separate cover to Council for their consideration.
- 15.8. Council shall not permit a Delegation to address Council during a Council meeting:
 - 15.8.1. regarding a bylaw in respect of which a Public Hearing will be, or has been, held as a pre-requisite to the adoption of the bylaw, or
 - 15.8.2. if the purpose is to address an issue which is before the Courts or on which Council has authorized legal action.
- 15.9. Members shall not engage in debate, except to ask clarifying questions or to correct incorrect information.
- 15.10. There will generally be a limit of three (3) delegations permitted at a given meeting, but the Corporate Officer shall have authority to adjust this number dependent on other items and timing needs for the rest of the agenda.
- 15.11. The "Registered Petitions and Delegations" section of all meetings shall be suspended from the close of the nomination period preceding a general local election or by-election until the meeting of Council following the election.

Public Inquiries:

- 15.12. All Public or Media Inquiries, as outlined in s. 13.1, shall be limited to two (2) minutes, no more than fifteen (15) minutes in total, be restricted specifically to asking questions, and shall not use the opportunity as a public speaking platform or they will be removed from the meeting in accordance with s. 9.4.
- 15.13. The Public Inquiry periods at Council meetings shall be suspended from the close of the nomination period preceding a general local election or by-election until the

meeting of Council following the election. Only media inquiries are permitted during the Public or Media Inquiries period during that time.

16. Notice of Motion

- 16.1. Any Council Member may give a "Notice of Motion" respecting an item which they intend to present by giving a written copy of such motion to the Corporate Officer during a meeting of the Council and upon the Member being acknowledged by the Presiding Member and the Notice of Motion being read at the meeting.
- 16.2. A copy of the motion presented under Section 18.1 shall appear in the Minutes of that meeting as a "Notice of Motion". The Corporate Officer shall place the motion on the Agenda of the next Council meeting, or other future meeting designated by the Member bringing forward the Notice of Motion, for consideration.

PART V- PETITIONS AND COMMUNICATIONS

17. Proper Form

- 17.1. All communications and petitions intended to be presented to Council shall be legibly written, typed or printed, signed by at least one person, and shall be dated and include a contact name, physical address, mailing address, contact phone number or email address, before being accepted.

18. Referrals

- 18.1. Communications addressed to Council which relate to matters that fall within the scope of responsibility of a particular District department may be referred by the Corporate Officer directly to that department.
- 18.2. If a matter is referred under Section 18.1, a consolidated **digital** weekly summary of the communication shall be forwarded to each Member of the Council and to the appropriate Staff members. An acknowledgement may be provided to the writer on receipt of the communication, advising where the matter has been referred.
- 18.3. The Corporate Officer is granted the authority to forward correspondence items to the meeting considered to be most appropriate.
- 18.4. A right of appeal from any referral under Sections 18.1 and 18.3 may be made to the CAO who shall determine the final disposition of the matter. As well, Council may refer any item of correspondence as it deems appropriate to the CAO for follow up.
- 18.5. All petitions or other written communications in which Council requests a report may be referred to the CAO by means of a formal motion.

PART VI - BYLAWS

19. Form of Bylaws

- 19.1. A proposed bylaw may be introduced at a Regular Council meeting only if a copy of it is included in the final agenda package for the Council meeting, or all Council members unanimously agree to waive this requirement.
- 19.2. A bylaw must:
 - 19.2.1. be printed;
 - 19.2.2. have a distinguishing name;
 - 19.2.3. have a distinguishing number;
 - 19.2.4. contain an introductory statement of purpose;
 - 19.2.5. be divided into sections.

20. Bylaws to Consider Separately or Jointly

- 20.1. Council must consider a proposed bylaw at a Council meeting either:
 - 20.1.1. separately when directed by the Presiding Member or requested by another Council Member; or,
 - 20.1.2. jointly with other proposed bylaws in the sequence determined by the Presiding Member.

21. Reading of Bylaws

- 21.1. The Presiding Member of a Council meeting may:
 - 21.1.1. read, or have the Corporate Officer read, a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - 21.1.2. request a motion that the proposed bylaw or group of bylaws be read;
- 21.2. The readings of the bylaw may be given by stating its title and object.
- 21.3. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter and, if amended, a motion at third reading shall be "to give the bylaw third reading as amended".
- 21.4. Subject to Part 14, Division 4 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.
- 21.5. In accordance with Section 135 of the Community Charter [requirements for passing bylaws], Council may give up to three readings to a proposed bylaw at the same Council meeting.
- 21.6. If Council wishes to amend a bylaw after third reading, with the exception of those specific provisions respecting an Official Community Plan designation bylaw or a Zoning bylaw, they may do so by:

- 21.6.1. making a motion to rescind third reading; and if carried,
 - 21.6.2. making a motion to amend the bylaw; and if carried,
 - 21.6.3. making a motion to pass third reading of the bylaw as amended.
- 21.7. Despite section 135(3) of the Community Charter [requirements for passing bylaws], and in accordance with Part 14 Division 3 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 providing all outstanding conditions have been addressed.
- 21.8. All bylaws which have not completed the requirements to be adopted after a 2-year period may be deemed stale dated and closed.
- 21.9. The Corporate Officer is hereby authorized to consolidate one or more of the bylaws of the municipality pursuant to Section 139 [consolidation of bylaws] of the Community Charter for official use, and to make minor corrections to bylaws at third reading or once adopted including, but not limited to, typographical errors, sequential numbering errors, and grammatical errors.

22. Bylaws must be signed

- 22.1. After a bylaw is adopted, signed by the Corporate Officer and the Presiding Member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping with the following affixed to the bylaw:
- 22.1.1. the dates of its readings and adoption,
 - 22.1.2. the date of the Public Hearing, if applicable; and,
 - 22.1.3. the date of required approvals, if applicable.

PART VII - RESOLUTIONS

23. Copies of Resolutions to Council Members

- 23.1. A resolution may be introduced and considered at a meeting as long as it has been included as an item on the Council's printed Agenda or placed as a late item in accordance with Section 14.7 of this bylaw.

PART VIII - MOTIONS

24. Introduction of Motion and Voting at Meetings

- 24.1. Every motion must be moved and seconded before it is deemed to be in the possession of the Council. If a motion is not seconded, then the presiding Member shall move onto the next item on the Agenda without further discussion of that motion.
- 24.2. The following procedures apply to voting at Council meetings:
- 24.2.1. when debate on a matter is closed, the Presiding Member may summarize the motion and must put the matter to a vote.
 - 24.2.2. Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;

- 24.2.3. after the Presiding Member finally puts the question to a vote under Section 24.2.1, a Member must not speak to the question or make a motion concerning it;
- 24.2.4. the Presiding Member's decision about whether a question has been finally put is conclusive;
- 24.2.5. whenever a vote of the Council is taken for any purpose, each Member present and voting shall signify their vote upon the question, openly and individually by raising their hand, and the Presiding Member shall declare the motion carried or defeated as the case may be;
- 24.2.6. A Member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.
- 24.2.7. If the votes of the members present at the meeting at the time of the vote are equal for and against a matter, the motion is defeated and the Presiding Member must declare this result.
- 24.2.8. no vote shall be taken in a Council meeting by ballot or by any other method of secret voting.

25. Recording of Motions in Minutes

- 25.1. The names of those who voted against the motion shall be entered in the minutes.
- 25.2. Notwithstanding Section 25.1, motions that have been withdrawn as per Section 27 of this Bylaw, or did not receive a Secunder and therefore not considered, by Council, shall not be recorded in the Minutes.
- 25.3. The names of the members who moved and seconded a motion presented may be recorded in the Minutes.

26. Considerations of Motions

- 26.1. While Council is considering a question, only the following motions may be made:
 - 26.1.1. to refer the question to committee or staff,
 - 26.1.2. to amend the motion,
 - 26.1.3. to lay on the table (until later in the meeting),
 - 26.1.4. to postpone indefinitely or to a certain time,
 - 26.1.5. to move the previous question, or
 - 26.1.6. to adjourn
- 26.2. A motion to move (or "call") the previous question (26.1.5) must be dealt with before any other amendments are made to the motion on the main question, and if the motion on the previous question is decided in the negative Council may again debate the main question or proceed to other business.
 - 26.2.1. A motion to move the previous question (26.1.5) requires a seconder and needs a two-thirds majority to cut off debate.

- 26.3. Motions made under section 26.1.3 to 26.1.5 are not amendable nor debatable.
- 26.4. Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Member.
- 26.5. A Council Member may without notice move to amend a motion that is being considered at a Council meeting.
- 26.6. A proposed amendment to the main motion must be relevant to the main motion and not have the effect of negating or rejecting the main motion.
- 26.7. A proposed amendment must be reproduced in writing by the mover if requested by the Presiding Member.
- 26.8. A proposed amendment must be decided or withdrawn before the motion being considered on the main question is put to a vote.
- 26.9. An amendment may be amended only once.
- 26.10. A motion to amend that has been defeated by a vote of Council cannot be proposed again.

27. Withdrawal of Motions

- 27.1. After a motion has been made and seconded, it shall be deemed to be in the possession of the Council, but the motion may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.

28. Appeal Ruling of Presiding Member

- 28.1. Whenever the Presiding Member is of the opinion that a motion is contrary to the rules and privileges of the Council, the Presiding Member shall apprise the members thereof without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the Presiding Member may be appealed by the other members of Council then present as per Section 28.2 of this bylaw.
- 28.2. On an appeal by a Council Member from the decision of the Presiding Member, the question shall be immediately put by them, and decided without debate "Shall the Presiding Member be sustained?" and the Presiding Member shall be governed by the vote of the majority of the Council members then present, excluding themselves. In the event of the votes being equal, the question shall pass in the affirmative.
- 28.3. If the Presiding Member refuses to put the question "Shall the Presiding Member be sustained?", the Council shall immediately appoint a Presiding Member pro tem. They shall proceed in accordance with Section 28.2 of this bylaw. A resolution or motion carried under this Section is binding.

29. Reconsideration

29.1. The Mayor may require Council to reconsider and vote again on a matter that was the subject of a vote, in accordance with Section 131 of the Community Charter.

29.1.1. The Mayor may initiate reconsideration at the same meeting as the vote took place, or within 30 days following that meeting.

29.2. A vote on a matter which was adopted or defeated may be reconsidered by Council provided that the matter has not had the assent of the electors, has not been reconsidered under this Section or Section 131 of the Community Charter, and has not been acted upon by an officer, servant or agent of the Municipality.

Such a reconsideration motion:

29.2.1. must be brought forward and seconded by Members who voted on the prevailing side of the motion or were not present at the meeting;

29.2.2. must be brought forward within thirty (30) days of Council following the original vote;

29.2.3. must receive a majority vote of Council for the matter to be open for discussion again;

29.2.4. if defeated, and the outcome being that the resolution is preserved unchanged, the same resolution may not be brought back before Council for six (6) months from the date of the latest vote, except with consent of two-thirds of all the members of Council.

29.3. A vote to reconsider a matter, whether affirmative or negative, must not be reconsidered.

PART IX – RULES OF DEBATE

30. Decorum in Debate

30.1. Every Council Member who wishes to speak to any question or motion shall raise their hand, wait to be recognized by the Presiding Member and shall address themselves to the Presiding Member.

30.2. Members of Council shall address the Presiding Member as "Mr. Mayor, "Madam Mayor", or "Your Worship" or "Mr. or Madam Acting Mayor", or "Mr. or Madam Chair" as the case may be, and shall refer to each other as "the Mayor" or "Councillor ", as the case may be.

30.3. Members of staff shall be addressed as Mr., Mrs., or Ms. or else shall be referred to by their official title.

30.4. Any questions addressed to staff shall be put through the Presiding Member to the CAO who shall refer the matter to the appropriate staff representative if necessary.

- 30.5. When two or more Council Members desire to speak at the same time, the Presiding Member shall name the Member who shall have the floor.
- 30.6. Members of Council shall seek permission of the Presiding Member to speak more than once in connection with a single question, except to explain a material part of a previous speech, to reply to debate on a substantive motion which the Member has made, or to introduce new information.
- 30.7. No Council Member shall speak longer than a total of ten (10) minutes to a question without the permission of the Presiding Member to any matter other than the question in debate or reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.
- 30.8. While in a Council meeting, a Member must comply with the Code of Conduct Bylaw as amended or replaced from time to time, must speak only in connection with the matter being debated, and may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded.
- 30.9. Despite section 9 of this bylaw, the Mayor or Presiding Member at a Council meeting may expel and exclude from any Council meeting a person, including another Council Member, which the Mayor or Presiding Member considers is engaging in inappropriate conduct.
- 30.10. When the Presiding Member is of the opinion that there has been sufficient debate, the Presiding Member may put the question.

31. Presiding Member – Questions of Order

- 31.1. When a Council Member is speaking, no other Member may interrupt the speaker except to raise a point of order.
- 31.2. The Presiding Member may call any Council Member to order while that Member is speaking.
- 31.3. When such action is taken, the Presiding Member shall immediately suspend the debate, and the Council Member in question shall refrain from speaking until the point of order is determined by the Presiding Member, whose ruling is subject to an appeal by the Council Members.
- 31.4. Should any Council Member resist or disobey the decision of the Presiding Member, the Members may order the Member in question to leave their seat for that meeting, and in the event of their refusing to do so, the Presiding Member may order that the Member be removed from the meeting.
- 31.5. In the event of satisfactory apology being made by the offending Member, the Council may, by vote of the majority, permit the Member to resume their seat forthwith.
- 31.6. No Council Member shall resist the rules of the Council nor disobey the decision of the Presiding Member on points of order or practice, or upon the interpretation of the rules of the Council.

- 31.7. Any Council Member may require the question being debated to be read for their information at any period of the debate, but shall not do so in order to interrupt a Member speaking.
- 31.8. When the question under consideration contains more than one recommendation, any Member may request, by motion, that the vote upon each recommendation shall be taken separately and the Council Members shall decide by majority vote of the Members present how such vote shall be taken.

PART X – MINUTES

32. Adoption and Distribution

- 32.1. Minutes of the proceedings of Council, Committees, and Commissions must be legibly recorded, certified as correct by the Corporate Officer and signed by the Mayor or other Member presiding at the meeting. Minutes of Advisory Bodies may be signed off by the Presiding Member of that Advisory Body.
- 32.2. Prior to adoption, the Corporate Officer shall distribute a copy of all Minutes of Council meetings to each Member of Council.
- 32.3. Whenever possible, Minutes of a given meeting shall be adopted at the next Council meeting or Committee/Commission meeting, as appropriate.
- 32.4. In accordance with Section 97 of the Community Charter, Minutes of the proceedings of Council/Committees and Commissions must be available for public inspection at the District of Barriere offices during its regular office hours.
- 32.5. Section 32.4 of this bylaw 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.
- 32.6. The names of all members of Council present and absent shall be recorded in the meeting minutes.
- 32.7. If a Member has declared a conflict of interest pursuant to the Community Charter, the reason the Member is not participating in the discussion of the matter, and the time at which they left the room and returned, will be recorded in the minutes.
- 32.8. The Corporate Officer is authorized to make minor amendments to approved minutes including, but not limited to, typographical errors, sequential numbering errors, and grammatical errors.
- 32.9. An error or omission in the minutes may be identified by a Member of Council orally and rectified by resolution. Depending on the scale of amendment the adoption of the minutes may be postponed to the next meeting.

PART XI – CONDUCT OF COMMITTEE BUSINESS

33. Committee of the Whole

- 33.1. The Committee of the Whole shall meet on an as needed basis.
- 33.2. The Acting Mayor shall act as Presiding Member of the Committee of the Whole, unless otherwise determined by the Mayor.
- 33.3. As per the Community Charter Section 154 (1) (a), Council is delegating administrative powers to the Committee of the Whole.

34. Schedule of Meetings

- 34.1. At its first meeting after its establishment a Commission, Committee, or Advisory Body must establish a regular schedule of meetings.
- 34.2. The Presiding Member of a Commission, Committee, or Advisory Body may call a meeting in addition to the scheduled meetings or may cancel a meeting.

35. Notice of Meetings

- 35.1. After the Commission, Committee, or Advisory Body has established the regular schedule of meetings, including the times, dates and places of the meetings, notice of the schedule must be given by:
 - 35.1.1. posting a copy of the schedule at the applicable Public Notice Posting Place.
 - 35.1.2. providing a copy of the schedule to each member of the Commission, Committee, or Advisory Body.
- 35.2. Where revisions are necessary to the annual schedule of Commission, Committee or Advisory Body meetings, as soon as possible a notice must be posted at the applicable Public Notice Posting Place and District website which indicates any revisions to the date, time and place or cancellation of a meeting.

36. Minutes of Meetings

- 36.1. Minutes of Committee of the Whole, Commissions, Standing, or Select Committees must be maintained and available to public and:
 - 36.1.1. legibly recorded,
 - 36.1.2. certified as correct by the Corporate Officer,
 - 36.1.3. signed by the Mayor or Member presiding at the meeting, and
 - 36.1.4. open for public inspection in accordance with Section 97(1)(c) of the Community Charter.
 - 36.1.5. Subsection 36.1.4 does not apply to minutes of a Commission, Standing, or Select Committee meeting from which persons were excluded under Section 90 of the Community Charter.

37. Quorum

- 37.1. The Quorum for a Committee of the Whole, Standing, Select, or Advisory Committee or Commission is a majority of all of its members.
- 37.2. If a Committee/Commission member misses more than 3 meetings in a row, Council may rescind their appointment at any time and appoint another person in place of the person whose appointment was rescinded.

38. Conduct and Debate

- 38.1. The rules of the Council procedure must be observed during Standing or Select Committees, Commission, or Advisory Body meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- 38.2. Council members may attend any meetings of a Standing or Select Committee, Commission, or Advisory Body and may participate in discussions; however, only members who have been appointed, or an alternate member attending in the absence of an appointed committee member, may introduce or vote on the proceedings.
- 38.3. The Mayor shall be an ex-officio voting member of all Committees and Commissions and, when in attendance, shall possess all the rights, privileges, powers and duties of other members. The Mayor shall not be considered, if absent, when determining a Quorum.

39. Delegations

- 39.1. When a person or a group of persons wish to appear as a delegation before a Standing or Select Committee, Commission, or Advisory Body on a matter within the jurisdiction of the Committee, they shall be subject to the requirements set out in this bylaw.

40. Recommendations

- 40.1. Standing or Select Committee, Commission, or Advisory Body recommendations shall be subject to the approval of the Council, except where the Standing, Select, Committee of the Whole, or Advisory Committee has been delegated administrative power by the Council.

PART XII - GENERAL

- 41. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- 42. Any one or more of the rules and orders contained in this bylaw may be temporarily suspended by an affirmative vote of the majority of all Council members.
- 43. District of Barriere Council Procedure Bylaw No.100” and its amendments are hereby repealed.
- 44. This bylaw may not be amended, repealed or substituted unless Council first gives notice in accordance with Section 94 of the Community Charter.

Read a first, second, and third time by the Municipal Council this ____ day of _____, 202__.

Notice of intention to proceed with this bylaw was published on the ____ day of _____, **202__** and the ____ day of _____, **202__** in the Star Journal newspaper, circulating in the District of Barriere, pursuant to Section 94 of the Community Charter.

Adopted this ____ day of _____, 202__.

Mayor

Corporate Officer

SCHEDULE “A” – OATH OF OFFICE

OATH OF OFFICE

CANADA

PROVINCE OF BRITISH COLUMBIA

DISTRICT OF BARRIERE

I, (name of elected official), do (swear, solemnly affirm) that:

I am qualified to hold the office of (Mayor, Councillor) for the District of Barriere to which I have been elected.

I have not, by myself or by any other person, knowingly contravened the Local Government Act respecting vote buying or intimidation in relation to my election to this office.

As required by the Community Charter, I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of that matter nor vote in respect of the matter.

I will faithfully, and with integrity, perform the duties of my office and will not allow any private interest to influence my conduct in public matters.

I will abide by the statutes, bylaws and policies that govern the District and promote openness, accountability, collaboration, and responsible leadership.

I will provide stewardship of the public assets through the development and evaluation of the District’s policies and programs; and

I will make well-informed and transparent decisions, prioritizing the best interests and well-being of the entire community while guiding the growth of a vibrant and sustainable District.

I affirm, ascribe to, and agree to follow the District of Barriere Code of Conduct Bylaw No. 250 adopted by the District Council of the District of Barriere, as amended or replaced from time to time.

(Sworn, Affirmed) before me)
in the District of Barriere)
in the Province of British Columbia)
this ____ day of _____, _____.)

Corporate Officer (or as defined in the
Community Charter S. 120)

Elected Official