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1. Maple Ridge Council Procedure Amending Bylaw No. 6514-2007

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## **CORPORATION OF THE DISTRICT OF MAPLE RIDGE**

### **Annotated Version of Bylaw No. 6472-2007**

A Bylaw to Govern the Meetings of the Council and Committees of Council  
of the Corporation of the District of Maple Ridge

Words written in *italics* are statutory provisions from the *Community Charter* and they do not form part of this Bylaw and they are inserted for information purposes only and they can be changed from time to time as the statutory provisions may change without amendment of this Bylaw.

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**CORPORATION OF THE DISTRICT OF MAPLE RIDGE**

**Bylaw No. 6472-2007**

A Bylaw to Govern the Meetings of the Council and Committees of Council  
of the Corporation of the District of Maple Ridge

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WHEREAS section 124(1) of the *Community Charter* requires Council, by bylaw, to establish the general procedures to be followed by Council and Council committees in conducting their business;

AND WHEREAS Council has given notice of this Bylaw, pursuant to section 124(3) of the *Community Charter*;

NOW THEREFORE, pursuant to the above-recited and other authority, the Council of the Corporation of the District of Maple Ridge, in open meeting assembled, enacts as follows:

**PART 1 - INTRODUCTION**

**Name of Bylaw**

1. This Bylaw may be cited for all purposes as “**Maple Ridge Council Procedure Bylaw No. 6472-2007**”.

**Repeal**

2. Maple Ridge Council Procedure Bylaw No. 5871 – 1999, as amended, is hereby repealed in its entirety and Council policy number 3.07 (Delegation Policy) is hereby repealed.

**Definitions**

3. In this Bylaw:

“**Corporate Officer**” means the municipal employee appointed as the Corporate Officer under section 148 of the *Community Charter*;

“**Committee**” means a standing, select or other committee of Council, and includes the Committee of the Whole, whether or not the word is capitalized;

“**Council**” means the Council of the District of Maple Ridge;

“**District**” means the Corporation of the District of Maple Ridge;

“**Mayor**” means the Mayor of the District of Maple Ridge.

### **Incorporation of Definitions**

4. Unless otherwise defined in this Bylaw, the definitions used in the *Community Charter* and the *Local Government Act* and the *Interpretation Act* apply to this Bylaw.

### **Application of Bylaw**

5. The provisions of this Bylaw govern the proceedings of Council and each Committee, as applicable.

### **Robert's Rules of Order**

6. In cases not provided for under this Bylaw, the then most-current edition of Robert's Rules of Order applies to the proceedings of Council and each Committee, to the extent that those Rules are:
- (a) applicable in the circumstances; and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

### **Public Notice Posting Place**

*Community Charter, section 124(2)(e) - The Procedure Bylaw must identify places that are to be public notice posting places for the purposes of section 94.*

7. For the purpose of giving notices under section 94 of the *Community Charter*, the public notice posting place is the window in the west entrance to the lobby of the Municipal Hall.

## **COMPOSITION OF COUNCIL**

### **Members of Council**

*Community Charter, section 114(1) - The members of a municipal council are the mayor and the councillors.*

### **Incoming Mayor**

*Community Charter, section 119(3) - For the purpose of maintaining continuity in the office of mayor, if the incoming mayor has not taken office on the date referred to in subsection (1)(a), the previous mayor continues to hold office until the successor has taken office.*

**Less Than Quorum**

*Community Charter, section 119(4) - As a transitional measure, if, on the date referred to in subsection (1)(a), the number of incoming council members who have taken office is less than a quorum, until such a quorum has taken office the council consists of*

- (a) *the previous councillors, who continue in office until that time,*
- (b) *if applicable under subsection (3), the previous mayor, and*
- (c) *the incoming council members who have taken office.*

**PART 2 – REGULAR COUNCIL MEETINGS****First Regular Council Meeting**

*Community Charter, section 125(1) - The first regular Council meeting following a general local election must be on the day set by procedure bylaw.*

*Community Charter, section 124(2)(g) - [The procedure bylaw must] establish the first regular council meeting date referred to in section 125 (1) as a day in the first 10 days of December following a general local election.*

8. Following a general local election, the first regular Council meeting must be held on the first Monday in December in the year of the election.

**Postponement of First Regular Council Meeting**

*Community Charter, section 125(2) - If a quorum of Council members elected at the general local election has not taken office by the time referred to in subsection (1), the first regular Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.*

**Times and Dates of Regular Council Meetings**

*Community Charter, section 125(3) - After the first regular meeting, a council must meet*

- (a) *regularly in accordance with the applicable procedure bylaw, and*
- (b) *as it decides and as provided in this Act.*

9. Regular Council meetings for each year must be held in accordance with the schedule of dates and times adopted by Council prior to January 1<sup>st</sup> of each year.

### **Cancellation, Rescheduling and Postponement of Regular Council Meetings**

10. Before the time of a regular Council meeting, Council may:
- (a) cancel the meeting, or
  - (b) postpone the meeting and reschedule it to a different day and time.

### **Council Workshop**

11. A regular Council meeting may be a Council workshop which has as its primary purpose the review and discussion of policies and other matters of interest to Council, and the provisions of this Bylaw on regular Council meetings apply to Council workshops.

## **PART 3 – SPECIAL COUNCIL MEETINGS**

### **Nature of Special Council Meeting**

*Community Charter, section 125(4) - A special council meeting is a council meeting other than a regular meeting or an adjourned meeting.*

### **Calling of Special Council Meeting by Mayor**

*Community Charter, section 126 (1) - The mayor may call a special council meeting in his or her discretion.*

### **Calling of Special Council Meeting by Councillors**

*Community Charter, section 126(2) - Two or more council members may, in writing, request that the mayor call a special council meeting.*

- (3) *Two or more council members may themselves call a special council meeting if,
 
  - (a) *within 24 hours after receiving a request under subsection (2), no arrangements are made under subsection (1) for a special council meeting to be held within the next 7 days, or*
  - (b) *both the mayor and the person designated under section 130 [designation of member to act in place of mayor] are absent or otherwise unable to act.**
- (4) *If a special council meeting is called under subsection (3), the council members calling the meeting or the corporate officer must sign the notice under section 127 [notice of council meetings] in place of the mayor.*

**Cancellation of Special Council Meeting**

12. Before the time of a special Council meeting, the person or persons calling the meeting may by notice:
- (a) cancel the meeting, or
  - (b) postpone the meeting and reschedule it to a different day and time.

**PART 4 – ELECTRONIC COUNCIL MEETINGS**

**Authorization for Electronic Meetings**

*Community Charter, section 128 (1) - If this is authorized by procedure bylaw and the requirements of subsection (2) are met,*

- (a) *a special council meeting may be conducted by means of electronic or other communication facilities, or*
  - (b) *a special council meeting may be conducted by means of electronic or other communication facilities, or*
- (2) *The following rules apply in relation to a meeting referred to in subsection (1):*
- (a) *the meeting must be conducted in accordance with the applicable procedure bylaw;*
  - (b) *the facilities must enable the meeting's participants to hear, or watch and hear, each other;*
  - (c) *for a special council meeting referred to in subsection (1) (a),*
    - (i) *the notice under section 127 (2) [notice of special meetings] must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public, and*
    - (ii) *except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place;*
  - (d) *for a meeting referred to in subsection (1) (b), except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.*

- (3) *Members of council or a council committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.*

### **Electronic Special Council Meetings**

13. A special Council meeting may be conducted by means of electronic or other communication facilities in compliance with the statutory requirements for that meeting and notice of that meeting.

### **Member Participation by Electronic Communication**

14. One or more members of Council who are unable to attend a Council meeting may participate in the meeting by means of electronic or other communication facilities in compliance with the statutory requirements for that meeting, but the member presiding at that Council meeting must not participate electronically.

## **PART 5 – LOCATION OF COUNCIL MEETINGS**

### **Authorization for Meetings Outside Boundaries**

*Community Charter, section 134.1 (1) - If authorized under subsection (2), the following meetings, hearings and other proceedings may be held, and all powers, duties and functions may be exercised in relation to those proceedings, outside the boundaries of the municipality:*

- (a) *council meetings;*
- (b) *council committee meetings;*
- (c) *other public meetings conducted by or on behalf of the council or a council committee;*
- (d) *council hearings that are required by law or authorized by an enactment;*
- (e) *council proceedings in which a person is entitled under this Act to make representations to the council.*

(2) *A council may do either or both of the following:*

- (a) *by bylaw, provide that meetings, hearings or other proceedings referred to in subsection (1) may be held outside the boundaries of the municipality;*
- (b) *by resolution in a specific case, allow a meeting, hearing or other proceeding to be held outside the boundaries of the municipality.*

**Council Meetings at Municipal Hall**

15. All Council meetings must take place within Municipal Hall except when Council resolves to hold a meeting elsewhere within the District.

**Council Meetings Within Boundaries**

16. All Council meetings must take place within the boundaries of the District except when Council resolves to hold a Council meeting outside the boundaries.

**PART 6 – PUBLIC NOTICE OF COUNCIL MEETINGS**

**Public Notice of Regular Council Meetings**

*Community Charter, section 127(1) - A council must*

- (a) make available to the public a schedule of the date, time and place of regular council meetings; and*
  - (b) give notice of the availability of the schedule in accordance with section 94 at least once a year.*
17. The schedule of dates, times and places of regular Council meetings for each calendar year shall be posted on the Public Notice Posting Place and published prior to December 31st of the preceding year.

**Public Notice of Special Council Meetings**

*Community Charter, section 127(2) - ... notice of a special council meeting must be given at least 24 hours before the time of the meeting by*

- (b) posting a copy of the notice at the Public Notice Posting Place.*

**Contents of Public Notice of Special Council Meeting**

*Community Charter, section 127(3) - The notice under subsection (2) must include the date, time and place of the meeting, describe in general terms the purpose of the meeting and be signed by the mayor or the corporate officer.*

**Public Notice of Electronic Special Council Meeting**

*Community Charter, section 128(2)(c)(i) - The notice under section 127 (2) must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public.*

**Council Waiver of Public Notice of Special Council Meeting**

*Community Charter, section 127(4) - Notice of a special council meeting may be waived by unanimous vote of all council members.*

18. Public notice of a special Council meeting may be waived by unanimous vote of all Council members.

**Public Notice of Changes to Council Meetings**

19. Where a regular Council meeting or a special Council meeting is cancelled or rescheduled, the Corporate Officer must, as soon as possible, whether before or after the time of the planned meeting, post a notice of such at the Public Notice Posting Place.

**PART 7 – COUNCIL NOTICE OF COUNCIL MEETINGS**

**Council Notice of Special Council Meetings**

*Community Charter, section 127(2) - Subject to subsection (4), notice 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 at the regular council meeting place, and*
- (c) leaving one copy for each council member at the place to which the member has directed notices be sent.*

**Contents of Council Notice of Special Council Meetings**

*Community Charter, section 127(3) - The notice under subsection (2) must include the date, time and place of the meeting, describe in general terms the purpose of the meeting and be signed by the mayor or the corporate officer.*

**Council Waiver of Notice to Council of Special Council Meetings**

*Community Charter, section 127(4) - Notice of a special council meeting may be waived by unanimous vote of all council members.*

**Council Notice of Changes to Council Meetings**

20. Where a regular Council meeting or special Council meeting is cancelled or rescheduled, the Corporate Officer must, as soon as possible, whether before or after the time of the planned meeting, post a notice of such at the regular Council meeting place, and leave a notice of such for each Council member at the place to which the member has directed notices be sent.

## **PUBLIC ATTENDANCE AT COUNCIL MEETINGS**

### **Attendance of Public at Council Meetings**

*Community Charter, section 89 (1) - A meeting of a council must be open to the public, except as provided in this Division.*

- (2) A council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.*

### **Attendance of Public at Electronic Meetings**

*Community Charter, section 128(2)(c)(ii) -Except for any part of a special council meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.*

*Community Charter, section 128(2)(d) - Where a member of council is participating in the meeting electronically, except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.*

### **Parts of Council Meetings That May Be Closed to the Public**

*Community Charter, section 90 (1) - A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:*

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;*
- (c) labour relations or other employee relations;*
- (d) the security of the property of the municipality;*
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*

- (g) *litigation or potential litigation affecting the municipality;*
- (h) *an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;*
- (i) *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- (j) *information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;*
- (k) *negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*
- (l) *discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];*
- (m) *a matter that, under another enactment, is such that the public may be excluded from the meeting;*
- (n) *the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);*
- (o) *the consideration of whether the authority under section 91 [other persons attending closed meetings] should be exercised in relation to a council meeting.*

### **Parts of Council Meetings That Must Be Closed to the Public**

*Community Charter, section 90 (2) - A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:*

- (a) *a request under the Freedom of Information and Protection of Privacy Act, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;*
- (b) *the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;*

- (c) *a matter that is being investigated under the Ombudsman Act of which the municipality has been notified under section 14 [ombudsman to notify authority] of that Act;*
  - (d) *a matter that, under another enactment, is such that the public must be excluded from the meeting.*
- (3) *If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.*

### **Other Persons Attending Closed Council Meetings**

*Community Charter, section 91(1) - If all or part of a meeting is closed to the public, the council may allow one or more municipal officers and employees to attend or exclude them from attending, as it considers appropriate.*

- (2) *If all or part of a meeting is closed to the public, the council may allow a person other than municipal officers and employees to attend,*
- (a) *in the case of a meeting that must be closed under section 90 (2), if the council considers this necessary and the person*
    - (i) *already has knowledge of the confidential information, or*
    - (ii) *is a lawyer attending to provide legal advice in relation to the matter, and*
  - (b) *in other cases, if the council considers this necessary.*

### **Requirements Before Council Meeting Is Closed**

*Community Charter, section 92 - Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting,*

- (a) *the fact that the meeting or part is to be closed, and*
- (b) *the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.*

## **PART 8 – MINUTES OF COUNCIL MEETINGS**

*Community Charter, section 124(2)(c) - [The Procedure Bylaw must] provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes.*

### **Minutes of Council Meetings**

21. Minutes of the proceedings of Council must be
- (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer, and
  - (c) signed by the Mayor or other member who presided at the meeting.

### **Minutes of Closed Meetings**

*Community Charter, section 91(3) - The minutes of a meeting or part of a meeting that is closed to the public must record the names of all persons in attendance.*

### **Minutes of Electronic Meetings**

22. The Corporate Officer shall record in the minutes the members present including those participating electronically.

### **Minutes Available to the Public**

*Community Charter, section 97(1) - The following municipal records, or copies of them, must be available for public inspection:*

- (b) *all minutes of council meetings, other than a meeting or part of a meeting that is closed to the public.*
23. Minutes or portions of minutes of Council meetings that are available to the public must be open for public inspection at Municipal Hall during its regular office hours.

## **PART 9 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

### **Designation of Member to Act in Place of Mayor**

*Community Charter, section 124(2)(f) - [The Procedure Bylaw must] establish the procedure for designating a person under section 130.*

*Community Charter, section 130 (1) - The council must, in accordance with its applicable procedure bylaw, provide for the designation of a councillor 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 mayor is vacant.*

*Community Charter, section 130 (2) - If both the mayor and member designated under subsection (1) are absent from a council meeting, the members present must choose a member to preside.*

### **Annual Designation**

24. On or before January 1st of each year, Council must, from amongst its members, designate for defined periods of that year members 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.
25. Each Councillor designated under section 24 must fulfill the responsibilities of the Mayor in his or her absence.

### **Absence of Mayor**

26. The Mayor shall preside at Council meetings and if the Mayor is absent, the member designated to act in place of the Mayor shall preside at the meeting and if that member should be absent, the meeting shall be presided over by the next member, following the rotation established in section 24, who is present at the meeting.

### **Powers of Presiding Council Member**

*Community Charter, section 130 (3) - The member designated under subsection (1) or chosen under subsection (2) has the same powers and duties as the mayor in relation to the applicable matter.*

## **PART 10 – CALLING MEETING TO ORDER**

### **Calling Meeting to Order**

27. As soon after the time specified for a Council meeting a quorum is present, the Mayor, or other member presiding at the meeting under section 26, shall call the Council meeting to order.

## **PART 11 – QUORUM**

### **Quorum for Conducting Business**

*Community Charter, section 129(1) - Subject to an order under subsection (3) or (4), the quorum is a majority of the number of members of the council provided for under section 118.*

### **Acts Done By Quorum**

*Community Charter, section 129(2) - The acts done by a quorum of council are not invalid by reason only that the council is not at the time composed of the number of council members required under this Act.*

### **Less Than Quorum**

*Community Charter, section 129(3) - If the number of members of a council is reduced to less than a quorum, the minister may either*

- (a) order that the remaining members of the council constitute a quorum until persons are elected and take office to fill the vacancies, or*
  - (b) appoint qualified persons to fill the vacancies until persons are elected and take office to fill them.*
- (4) The municipality may apply to the Supreme Court for an order under subsection (5) if, as a result of section 100 [disclosure of conflict], the number of council members who may discuss and vote on a matter falls below*
- (a) appoint qualified persons to fill the vacancies until persons are elected and take office to fill them.*
  - (b) the number of council members required to adopt the applicable bylaw or resolution.*
- (5) On an application under subsection (4), the court may*
- (a) order that all or specified council members may discuss and vote on the matter, despite sections 100 [disclosure of conflict] and 101 [restrictions on participation], and*
  - (b) make the authority under paragraph (a) subject to any conditions and directions the court considers appropriate.*
- (6) An application under subsection (4) may be made without notice to any other person.*

### **Continued Meeting where No Quorum**

28. If there is no quorum of Council present within fifteen minutes of the scheduled time for a Council meeting, or a quorum is lost during a meeting, the Corporate Officer must record the names of the members present, and those absent, and all business on the agenda for that meeting not dealt with at that meeting is incorporated in the agenda for the next meeting.

**PART 12 – AGENDA AND ORDER OF BUSINESS****Preparation of Agenda**

29. Prior to each Council meeting, the Corporate Officer must prepare an agenda setting out the items for consideration at that meeting.

**Distribution of Agenda**

30. The Corporate Officer must make the agenda available to the members of Council at least twenty-four hours prior to a regular Council meeting.

**Order of Proceedings and Business**

31. Except at Council workshops, business at a Council meeting must be taken up in the order listed below (to the extent applicable) unless otherwise resolved by Council:

- (a) Call to order;
- (b) Opening prayers;
- (c) Introduction of additional agenda items;
- (d) Approval of the agenda;
- (e) Receipt and adoption of minutes;
- (f) Presentations at the request of Council;
- (g) Delegations;
- (h) Unfinished business;
- (i) Correspondence;
- (j) Bylaws, with corresponding staff reports;
- (k) Committee reports and recommendations
- (l) Staff reports not related to bylaws under consideration;
- (m) Release of items from Council meetings that were closed to the public;
- (n) Mayor's report;
- (o) Councillors' reports;
- (p) Other matters deemed expedient;

- (q) Notices of motions and matters for introduction at future meetings; ;
- (r) Question period;
- (s) Adjournment.

## **PART 13 – VOTING AT COUNCIL MEETINGS**

### **Voting By Majority**

*Community Charter, section 123(1) Unless otherwise provided, a motion on a bylaw or resolution, or on any other question before council, is decided by a majority of the council members present at the meeting.*

### **One Vote**

*Community Charter, section 123(2) - Each council member has one vote on any question.*

### **Voting Mandatory**

*Community Charter, section 123(3) - Each council member present at the time of a vote must vote on the matter.*

### **Deemed Affirmative Voting**

*Community Charter, section 123(4) - If a council member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.*

### **Tie Vote**

*Community Charter, section 123(5) - If the votes of the members present at a council meeting at the time of the vote are equal for and against a motion, the motion is defeated.*

### **Affirmative Votes**

*Community Charter, section 123(6) - A requirement under an enactment for an affirmative vote of a specified portion of all members of a council means an affirmative vote of that portion of the number of members of which the council consists under section 118.*

### **Voting at Closure of Debate**

32. When debate on a matter is closed, the presiding member must put the matter to a vote of Council members.

**Voting By Show of Hands**

33. When the Council is ready to vote, the presiding member must ask for a show of hands of Council members, indicating those in favour and those opposed.

**Prohibited Actions During Voting**

34. After the presiding member finally puts the question to a vote, a member must not speak to the question or make a motion concerning it.
35. The presiding member's decision about whether a question has been finally put is conclusive.

**Results of Voting**

36. The presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

**Recording of Votes**

37. The Corporate Officer must record in the minutes of a meeting the name of any member who voted in the negative on any question.

**PART 14 – CONDUCT**

**Presiding Member to Preserve Order**

*132 (1) The mayor or the member presiding at a council meeting must preserve order and decide points of order that may arise, subject to an appeal under this section.*

**Expulsion from Meetings**

*Community Charter, section 133(1) - If the person presiding at a council meeting considers that another person at the meeting is acting improperly, the person presiding may order that the person is expelled from the meeting.*

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

**Interruptions**

38. No member may interrupt a member who is speaking except to raise a point of order.
39. If more than one member begins to speak at the same time, the presiding member must call on the member who, in the presiding member's opinion, first spoke.

**Respectful Behaviour**

40. Members speaking at a Council meeting
- (a) must use respectful language,
  - (b) must not use offensive gestures or signs,
  - (c) must speak only in connection with the matter being debated,
  - (d) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member, subject to section 132 of the *Community Charter*;
  - (e) who are called to order by the presiding member must immediately stop speaking.

**PART 15 – DEBATE****Reading of Question**

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

**Motions Generally**

42. Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.

**Motions During Consideration of a Question**

43. A Council member may make only the following motions, when the Council is considering a question:
- (a) to defer consideration;
  - (b) to refer to committee;
  - (c) to amend;
  - (d) to withdraw; or
  - (e) to adjourn.
44. A motion made under clause 43(a) is not amendable and debate is limited to setting the meeting at which the motion will be considered.

**Separate Votes**

45. Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member and agreed by the majority of members present.

**Amendments**

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

**PART 16 – POINTS OF ORDER****Deciding Points of Order**

*Community Charter, section 132 (1) - The presiding member at a Council meeting must preserve order and decide points of order that may arise, subject to an appeal under this section.*

**Raising Points of Order**

47. A member may raise a point of order at any time, whereupon the presiding member must:
- (a) interrupt the matter under consideration;
  - (b) interrupt a member who had been speaking;
  - (c) ask the member raising the point of order to state the substance of and the basis for the point of order; and
  - (d) rule as to whether or not the Point of Order is valid.

**Appeals of Points of Order**

*Community Charter, section 132 (2) - On an appeal by a council member from a decision of the presiding member under subsection (1), the question as to whether the presiding member is to be sustained must be immediately put by the presiding member and decided without debate.*

*(3) As exceptions to section 123 [general voting rules],*

- (a) the mayor or other presiding member may not vote on a motion under subsection (2),*
- (b) the motion passes in the affirmative if the votes are equal, and*
- (c) the mayor or other presiding member must be governed by the result.*

*(4) If the mayor or presiding member refuses to put the question under subsection (2),*

- (a) the council must immediately appoint another member to preside temporarily,*
- (b) that other member must proceed in accordance with subsection (2), and*
- (c) a motion passed under this subsection is as binding as if passed under subsection (2).*

## **PART 17 – RECONSIDERATION OF A MOTION**

### **Mayor May Require Council Reconsideration of a Matter**

*Community Charter, section 131(1) - Without limiting the authority of a council to reconsider a matter, the mayor may require the council to reconsider and vote again on a matter that was the subject of a vote.*

- (2) As restrictions on the authority under subsection (1),*
  - (a) the mayor may only initiate a reconsideration under this section*
    - (i) at the same council meeting as the vote took place, or*
    - (ii) within the 30 days following that meeting, and*
  - (b) a matter may not be reconsidered under this section if*
    - (i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the council, or*
    - (ii) there has already been a reconsideration under this section in relation to the matter.*
- (3) On a reconsideration under this section, the council*
  - (a) must deal with the matter as soon as convenient, and*
  - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.*
- (4) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.*

### **Council Member Request for Reconsideration**

48. (a) A member who voted with the majority either for or against a motion may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding, including the defeat of a motion, if the resolution, motion or proceeding has not been acted upon irreversibly by an officer, employee or agent of the municipality.
- (b) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within 6 months except by way of a new and substantially different motion.

## **PART 18 – DELEGATIONS**

**6514-2007**

### **Delegations**

49. Requests to appear as a delegation before a meeting of Council, Advisory Committee or Advisory Commission, must be submitted to the office of the Corporate Officer at least one week prior to the preferred meeting.
50. Requests must be in writing, by email, fax or mail, and include the subject matter and the name of the spokesperson(s).
51. Delegations will not be heard at regular meetings of Council on the following:
- (a) Official Community Plan Bylaws or Zoning Bylaws, including amendments to either such bylaws, which have received first reading and which have not yet been adopted, defeated, or abandoned;
  - (b) matters on which the District has commenced prosecution and on which judgement has not been rendered;
  - (c) the promotion of commercial products or services which have no connection to the business of the District; and
  - (d) publicly tendered contracts or proposal calls for the provision of goods and services for the District, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or District staff.
52. The provisions of Section 51(a) do not apply where a second or subsequent Public Hearing is to be held on an Official Community Plan or Zoning Bylaw or amendments to such bylaws, whichever is the case.

53. The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
54. If the request is granted by the Corporate Officer, or by Council in the case of a consultation, the Corporate Officer will contact the delegation to confirm attendance at the requested meeting or make alternate arrangements.
55. A maximum of three delegations will be permitted at any Council or Committee meeting.
56. If a delegation wishes to appear at consecutive meetings, the delegation will be approved only if no more than two delegations are scheduled for the later meeting.
57. Delegations will be required to abide by the following general rules:
  - (a) Delegations will be allowed a maximum of 10 minutes to make their presentation, excluding the time taken for questions posed by Council, unless Council or the Committee agrees to extend the time limit.
  - (b) A delegation intending to use audio and/or audio-visual equipment must advise the Corporate Officer prior to the Council meeting, on the understanding that the District will assist with, but not be responsible for, the provision of the necessary equipment;
  - (c) A delegation to Council must not speak disrespectfully of any person, and where in the opinion of the Chair, a delegation has done so, the Chair may ask the delegation to withdraw the offensive remarks;
  - (d) If the delegation refuses to withdraw remarks considered by the Chair to be offensive, or refuses to abide by the rules for delegations, or the instructions of the Chair, the Chair may terminate the presentation and direct the delegation to vacate the speaker's podium and return to the public seating area;
  - (e) Where a delegation refuses to comply with such direction, the Chair may order the expulsion and exclusion of the delegation from the meeting, as permitted in Part 5, Div 2, Sec 133(1) of the *Community Charter*.
  - (f) If the offending delegation apologizes, Council may permit the delegation to either continue their presentation or to remain in the public seating area whichever Council considers appropriate in the circumstances.
58. Delegations will be allowed a maximum of 10 minutes to make their presentation unless Council or the Committee agrees to extend the time limit.

## **PART 19 – BYLAWS**

*Community Charter, section 124(2)(a) - [The Procedure Bylaw must] 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 of this Part.*

### **Form of Bylaws**

59. Every bylaw must be presented in written form before it is introduced for consideration by Council.

### **Majority Votes**

*Community Charter, section 123 (1) - Unless otherwise provided, a motion on a bylaw or resolution, or on any other question before council, is decided by a majority of the council members present at the meeting.*

### **Three Readings**

*Community Charter, section 135 (1) - Before a bylaw is adopted by a council, it must be given 3 readings by the council.*

*(2) Subject to this section and the applicable procedure bylaw, a bylaw may be given up to 3 readings at one meeting of council.*

60. Unless there is a statutory requirement for an approval or other act to be completed before a reading of a bylaw, a bylaw may be given up to 3 readings at one meeting of Council.

### **Form of Bylaw Readings**

61. The only motion required for the reading of a bylaw shall be:

“THAT (short title of bylaw) be given first reading (or first and second readings, or first, second and third readings).”

62. The only motion required for the adoption of a bylaw shall be:

“THAT (short title of bylaw) be adopted.”

### **Timing of Bylaw Adoption**

*Community Charter, section 135 (3) - There must be at least one day between the third reading and the adoption of a bylaw.*

**Timing of Bylaw Approvals**

*Community Charter - section 135(4)*

*(4) If this or another Act requires that a bylaw receive*

*(a) approval of the Lieutenant Governor in Council, a minister or the inspector, or*

*(b) approval of the electors or assent of the electors,*

*the approval or assent must be obtained after the bylaw has been given third reading and before it is adopted.*

*(5) If a bylaw is subject to both requirements referred to in subsection (4), the approval referred to in subsection (4) (a) must be obtained before the bylaw is submitted for the approval or assent referred to in subsection (4) (b).*

**Bylaws must be Signed and Filed**

*Community Charter, section 135(6) - Once a bylaw is adopted,*

*(a) the council member presiding at the meeting at which it was adopted, and*

*(b) the corporate officer must sign the bylaw.*

**Timing of Bylaws Coming into Force**

*Community Charter, section 136 - A bylaw comes into force on the later of*

*(a) the date it is adopted by council, and*

*(b) a date set by the bylaw.*

**Storage of Bylaws**

63. After a Bylaw is signed, the Corporate Officer must have it placed in the District's records for safekeeping.

## **PART 20 – COMMITTEE OF THE WHOLE, STANDING & SELECT COMMITTEES**

*Community Charter, section 124(2)(b) - [The Procedure Bylaw must] establish rules of procedure for meetings of council committees.*

### **Authority for Standing Committees**

*Community Charter, section 141 (1) - The mayor must establish standing committees for matters the mayor considers would be better dealt with by committee and must appoint persons to those committees.*

*(2) At least half of the members of a standing committee must be council members.*

*(3) Subject to subsection (2), persons who are not council members may be appointed to a standing committee.*

### **Appointments to Standing Committees**

64. The Mayor shall appoint the members of each standing committee that the Mayor establishes.

### **Select Committees**

*Community Charter, section 142 (1) - A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council.*

*(2) At least one member of a select committee must be a council member.*

*(3) Subject to subsection (2), persons who are not council members may be appointed to a select committee.*

### **Rescinding Appointments**

*Community Charter, section 144 - The authority to appoint under this Division includes the authority to rescind the appointment at any time and appoint another person in place of the person whose appointment was rescinded.*

### **Committee of the Whole**

65. All members of the Committee of the Whole must be Council members and all members of Council are members of the Committee of the Whole.

### **Presiding Member of Committee of the Whole Meetings**

66. The Mayor or if the Mayor is absent, the member acting in place of the Mayor, is the presiding member of the Committee of the Whole.

### **Chairperson of Standing Committees**

67. The members of each standing committee shall appoint a chairperson and vice-chairperson to preside at meetings in the absence of the chairperson and in the event of the absence of both the chairperson and vice-chairperson, the committee members in attendance shall choose one of their members to preside at that meeting.

### **Calling Committee Meetings**

68. Committee of the Whole meetings for each year must be held in accordance with the schedule of dates and times adopted by the Committee prior to January 1st of each year.
69. A meeting of a standing and select committee may be called by the chairperson, or in the absence of the chairperson, by the vice-chairperson, or by a majority of the members of the committee.

### **Committee Member Notice of Committee Meetings**

70. If a standing or select committee has established a regular schedule of committee meetings, a copy of that schedule must be provided to each member of the committee, by email or other manner that the member has directed that notices be sent.
71. If a special meeting of a standing or select committee has been called or if there is a change to a regular meeting, the meeting may not be held unless at least 24 hours advance notice of that meeting has been sent to each committee member, by email or other manner that the member has directed that notices be sent.
72. Notice of a committee meeting may be waived by unanimous consent of all the members of that committee.

### **Public Notice of Committee Meetings**

*Community Charter, section 124(2)(d) - [The Procedure Bylaw must] provide for advance public notice respecting the time, place and date of council committee meetings and establish the procedures for giving that notice.*

73. For Committee of the Whole and any other committee that has established a regular schedule of committee meetings, the chairperson of the committee must give public notice of the schedule, including the times, dates and places of the committee meetings, by posting a copy of the schedule at the Public Notice Posting Place.
74. If a special meeting of a committee has been called or if there is a change to a regularly scheduled committee meeting, the chairperson is responsible to give at least 24 hours advance public notice, including the time, date, place and general purpose in the case of a special meeting by posting at the Public Notice Posting Place.

75. Public notice of a committee meeting may be waived by unanimous consent of all the members of that committee.

### **Location of Committee Meetings**

*Community Charter, section 134.1 (1) - If authorized under subsection (2), the following meetings, hearings and other proceedings may be held, and all powers, duties and functions may be exercised in relation to those proceedings, outside the boundaries of the municipality:*

*(b) council committee meetings;*

*(c) other public meetings conducted by or on behalf of the council committee;*

*(2) A council may do either or both of the following:*

*(a) by bylaw, provide that meetings, hearings or other proceedings referred to in subsection (1) may be held outside the boundaries of the municipality;*

*(b) by resolution in a specific case, allow a meeting, hearing or other proceeding to be held outside the boundaries of the municipality.*

### **Committee Meetings Within Boundaries**

76. Committee meetings may take place outside the boundaries of the District.

### **Electronic Attendance at Committee Meetings**

77. Sections 13 and 14 of this Bylaw apply to committee meetings.

### **Public Attendance at Committee Meetings**

***The provisions of the Community Charter for public attendance at Council Meetings also apply to Committee Meetings. See page 13.***

### **Voting Rules for Committee Meetings**

*Community Charter, section 123(7) - The voting rules established by this section also apply to council committees.*

78. A motion on a resolution, or on any other question before a committee, is decided by a majority of the committee members present at the meeting.
79. Each committee member has one vote on any question.
80. Each committee member present at the time of a vote must vote on the matter.

81. If a committee member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.
82. If the votes of the members present at a committee meeting at the time of the vote are equal for and against a motion, the motion is defeated.
83. Council members attending a meeting of a committee of which they are not a member must not vote on a question unless the Council member is an alternate to a committee member.

### **Reconsideration**

84. Committees are not limited in their ability to reconsider resolutions or other proceedings.

### **Minutes of Committee Meetings to be Maintained and Available to Public**

*Community Charter, section 145 (1) - Subject to subsection (2), the rules established by procedure bylaw respecting the taking of minutes at council committee meetings apply to meetings of other bodies referred to in section 93.*

*(2) The rules referred to in subsection (1) do not apply*

*(a) if a procedure bylaw provides for other procedures for the taking of minutes by one or more bodies referred to in that subsection,*

*(b) if the body is exempted by regulation, or*

*(c) to the extent they are modified by regulation.*

85. The provisions of this Bylaw respecting minutes of a Council meeting apply to minutes of the proceedings of a Committee, except that minutes of a Committee meeting must be certified and signed by the person who chaired that meeting.

### **Quorum**

86. The quorum for a committee is a majority of all of its members unless otherwise stated in the bylaw establishing the committee.

### **Conduct and Debate**

87. The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw or in the bylaw establishing the committee.

**PART 21 – GENERAL**

**Severance**

88. If any section, subsection, clause or other part 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.

**Amendment of This Bylaw**

*Community Charter, section 124(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.*