

Staff Report to Council

Administrative Services

FILE: 01-0530-01/19

DATE: July 16, 2019

Date of Meeting – July 30, 2019

TO: Mayor and Council

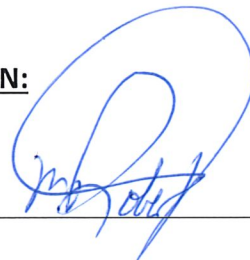
FROM: Kate Barchard, Corporate Officer

SUBJECT: Council Procedure Bylaw – Proposed Amendments

RECOMMENDATION(S): THAT Council:

- A. Direct Staff to prepare a new Council Procedure Bylaw for initial readings at the September 17, 2019 Regular Meeting of Council, incorporating feedback received from Council at the July 30, 2019 Regular Meeting; OR
- B. Other.

CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:



PURPOSE

To provide Council the opportunity to consider changes to their Procedure Bylaw.

☐ Information Report

☒ Direction Report

☐ Decision Report

DISCUSSION

Background:

With recent changes to the City's governance and committee structure, and the implementation of the Engagement & Priorities Committee, Council's Procedure Bylaw requires a series of amendments. Due to the extent of the proposed changes, Staff is recommending a repeal and replacement of the bylaw in its entirety.

This process provides a good opportunity for Council to review their Procedure Bylaw to consider additional changes that they would like to see incorporated into the new version. In order to facilitate the process, Staff has prepared a Procedure Bylaw 'WORKING DOCUMENT' for discussion; please see Attachment A.

Legislation:

As outlined in s. 124 of the Community Charter, a local government must have a bylaw, typically referred to as the 'Procedure Bylaw' or 'Council Procedure Bylaw', which establishes the general procedures to be followed by Council and its committees in conducting their business.

According to the Community Charter, a municipality's Procedure Bylaw must address the following matters:

- a) Rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted;
- b) Rules of procedure for meetings of council committees;
- c) Rules for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;
- d) Provision for advance public notice respecting the time, place and date of council committee meetings and procedures for giving that notice;
- e) Identification of 'public notice posting places';
- f) Procedures for designating an Acting Mayor; and
- g) Rules for the inaugural meeting of council following a general local election.

Proposed Changes:

Minor Edits

The following minor changes have been made throughout the Working Document in Attachment A. These changes have not been highlighted as they do not change the intent or overall meaning of the procedures:

- h) Simplified language (replaced 'shall' with 'will'; replaced 'notwithstanding' with 'despite'; etc.);
- i) Corrected spelling mistakes;
- j) Corrected grammatical errors;
- k) Re-worded subsections to enhance clarity, with no change to intent;
- l) Removed repetitive language; and
- m) Removed reference to 'Council in Committee' and replaced it with 'Engagement and Priorities Committee'.

Key Changes:

Recommended changes of significance have been incorporated into the Working Document and highlighted for Council's review and consideration using the following colour coding:

 = new  = modified  = general consent

Some of the suggested changes include:

- a) Updated/new definitions
- b) Introduction of general consent for certain decisions, including:
 - suspension of rules
 - changing the order in which items are taken up during a meeting
 - allowing for friendly amendments
 - as it pertains to conduct and debate that violate the Council Code of Conduct (see section 24.9)
 - withdrawal of a motion that has been moved and seconded
- c) The addition of the City's website to the description of 'public notice posting places'
- d) Updated details under 'Time & Location of Meetings' to reflect recent decisions re: meeting frequency (i.e. two regular meetings/one EPC meeting per month)
- e) Inclusion of language to allow for a fully electronic meeting in the event of an emergency
- f) Clarified process for Council members to get items onto the agenda
- g) Question and Comment Period protocol
- h) Expanded section on minutes
- i) Reference to Code of Conduct
- j) Reference to Committee Policy (will be coming to Council in Sept)
- k) New section on conflict of interest
- l) New information pertaining to EPC

Questions for Council:

While reviewing the Working Document, please consider the following questions:

1. Is there unclear language that could be improved?
2. Did you notice any inconsistencies, errors, omissions?
3. Do you see a need for section 27 [Notice of Motion] in light of section 16.2 [submitting agenda items]?
4. Are there other changes that you would like to see?

Next Steps:

Once staff have compiled Council's feedback on the Working Document, a new bylaw will be prepared, incorporating any requested changes, for initial readings at the September 17, 2019 regular meeting.

Relevant Policy, Bylaw or Legislation:

In order to limit the size of this Staff Report, access to the related legislation is being provided via hyperlink instead of printed copies.

1. Community Charter -
http://www.bclaws.ca/civix/document/id/complete/statreg/03026_00
 - a. Division 2 – Council Proceedings
 - b. Division 3 – Bylaw Procedures
 - c. Division 4 – Committees, Commission, and other Bodies
2. Pitt Meadows Procedure Bylaw No. 2690 - <https://www.pittmeadows.ca/city-hall/bylaws-policies/bylaws/procedure-bylaw-no-2690>
3. Delegations Before Council Policy C010 - <https://www.pittmeadows.ca/city-hall/bylaws-policies/policies/c010>
4. Distribution of Agendas and Minutes Policy C039 - <https://www.pittmeadows.ca/city-hall/bylaws-policies/policies/c039>
5. Council Code of Conduct Policy C100 - <https://www.pittmeadows.ca/city-hall/bylaws-policies/policies/c100>

COUNCIL STRATEGIC PLAN ALIGNMENT

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Corporate Excellence | <input type="checkbox"/> Economic Prosperity | <input type="checkbox"/> Community Livability |
| <input type="checkbox"/> Transportation & Infrastructure | <input type="checkbox"/> Not Applicable | |

FINANCIAL IMPLICATIONS

- | | |
|--|--|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Budget Previously Approved |
| <input type="checkbox"/> Other | <input type="checkbox"/> Referral to Business Planning |

There are no financial implications associated with this report.

PUBLIC PARTICIPATION

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

As per s. 124(3) of the Community Charter, Council must give public notice before amending, repealing or replacing their Procedure Bylaw. This notice will be given after first, second and third reading, before the Bylaw comes back to Council for adoption.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

SIGN-OFFS**Written by:**

Kate Barchard, Corporate Officer

Reviewed by:

Mark Roberts, Chief Administrative Officer

ATTACHMENT(S):

A. Working Document – Proposed Procedure Bylaw

COUNCIL PROCEDURE BYLAW
WORKING DOCUMENT

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PART I – INTRODUCTION

1. Citation

- (1) This Bylaw may be cited as the 'Council Procedure Bylaw No. XX, 2019'.

2. Repeal

- (1) Bylaw No. 2690, 2015, cited as 'City of Pitt Meadows Procedure Bylaw', and all amendments, are hereby repealed.

3. Definitions

- (1) In this Bylaw, unless the context otherwise requires:
- (a) **"Acting Mayor"** means the member appointed or selected by Council to act in the absence of the Mayor.
 - (b) **"Agenda"** means the list of items and order of business for a meeting.
 - (c) **"Chair"** is the person presiding at a meeting.
 - (d) **"City"** means the City of Pitt Meadows.
 - (e) **"City Hall"** means Pitt Meadows City Hall located at 12007 Harris Road, Pitt Meadows, British Columbia.
 - (f) **"City Website"** means the information resource found at an internet address provided by the City.
 - (g) **"Committee"** means a standing, select or other committee of Council, excluding the Engagement and Priorities Committee.
 - (h) **"Corporate Officer"** means the Corporate Officer for the City.
 - (i) **"Council"** means the Council of the City of Pitt Meadows.
 - (j) **"EPC"** means Engagement and Priorities Committee, which is a committee of the whole of Council.

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- (k) **"General consent"** means an informal way of taking a vote, used only for routine and non-controversial decisions, usually of a procedural nature, e.g. "Is there any objection to extending the time for this speaker by two minutes? Seeing no objection, the time is so extended."
- (l) "Mayor" means the Mayor of the City.
- (m) "Member" is a member of Council.
- (n) **"Meeting schedule"** means the annually published schedule of regular Council meetings and EPC meetings.
- (o) "Point of Order" is the raising of a question by a member to call attention to any departure from the Procedure Bylaw or rules of order.
- (p) **"Public notice posting places"** means the notice board located in the City Hall lobby area and the City website.
- (q) **"Quorum"** means:
 - (i) For a meeting of Council or the EPC, a majority of the members of Council;
 - (ii) For a committee meeting, a majority of the voting members appointed.
- (r) **"Robert's Rules of Order" or "RONR"** means Robert's Rules of Order Newly Revised, current edition.
- (s) "Unanimous" means all members of Council.

4. Application of Rules of Procedure

- (1) The provisions of this Bylaw govern the proceedings of Council, the Engagement and Priorities Committee ("EPC"), and all other standing, select, and advisory committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, the most recently published edition of Robert's Rules of Order Newly Revised (RONR) applies to the proceedings of Council, EPC, standing committees, and other advisory

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committees to the extent that those rules are:

- (a) applicable in the circumstances;
 - (b) not inconsistent with provisions of this Bylaw; and
 - (c) not inconsistent with the Community Charter or other applicable enactments.
- (3) The failure of Council to observe the provisions of this Bylaw shall not affect the validity of resolutions passed or bylaws enacted by Council as long as they are not contrary to any Act or other statute.
- (4) If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the validity of the remaining portions of this Bylaw.
- (5) **A reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.**

5. Suspension of Rules

- (1) Any one or more of these procedures may be temporarily suspended by **general consent** or a majority vote of members present, except procedures which:
- (a) require unanimous consent of Council; or
 - (b) cannot be suspended without violating the provisions of the Community Charter or the Local Government Act.

PART 2 – COUNCIL MEETINGS

6. Inaugural Meeting

- (1) Following a general local election, the first Council meeting will be held on the first Tuesday in November in the year of the election.
- (2) In accordance with s. 125(2) of the Community Charter [*Council meetings*], if a quorum of Council members elected at the general local

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election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

7. Time and Location of Meetings

- (1) Subject to subsection (2), Council meetings will take place within City Hall.
- (2) Council may meet at a location other than City Hall, provided that notice of the alternate location is posted at the public notice posting places in accordance with Section 8 *[notice of Council meetings]*.
- (3) Regular Council meetings will:
 - (a) be held on Tuesday evenings in accordance with the annual meeting schedule as approved by Council each year;
 - (b) be held approximately twice monthly, except during the month of August;
 - (c) begin at 7:00 P.M.;
 - (d) be adjourned at 11:00 P.M. on the day scheduled for the meeting, unless Council resolves to proceed beyond that time as per section 33.
- (4) Despite Subsection (3), Council may:
 - (a) cancel a regular Council meeting, provided that two consecutive meetings are not canceled; or
 - (b) reschedule a regular Council meeting to a different day, time and/or place.

8. Notice of Council Meetings

- (1) In accordance with s. 127 of the Community Charter *[notice of Council meetings]*, Council will:
 - (a) prepare annually, on or before January 31 of each year, a meeting

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schedule of the dates and times of regular Council meetings and EPC meetings;

- (b) make the meeting schedule available to the public by posting it at the public notice posting places; and
- (c) give notice of the availability of the meeting schedule on or before January 31 of each year, in accordance with s. 94 of the Community Charter [*requirements for public notice*].

- (2) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer will, as soon as possible, post a notice at the public notice posting places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

9. Notice of Special Meetings

- (1) Except where notice of a special meeting is waived by unanimous vote of all Council members under s. 127(4) of the *Community Charter* [*notice of Council meeting*], the Corporate Officer will give notice of the date, time, and place of a special Council meeting at least 24 hours before the time of the meeting, by:
 - (a) posting a copy of the notice at the public notice posting places; and
 - (b) providing notice to each Council member via email.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

10. Electronic Meetings and Voting

- (1) Provided the conditions set out in Section 128 (2) of the *Community Charter* [electronic meetings and participation by members] are met:
 - (a) a special Council meeting to deal with an urgent matter may be conducted by means of electronic or other communication

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facilities.

- (b) a member of Council who is unable to attend a Council meeting, EPC meeting or other standing committee meeting may participate in the meeting by means of electronic or other communication facilities, if:
 - (i) the member is unable to attend because of illness, absence due to conferences, workshops, or vacation outside the local area, or other reasons as approved by the Mayor; or
 - (ii) there is an emergency situation that negates the ability to attend City Hall.
- (2) Unless there is an emergency as identified under subsection 10(1)(a) or 10(1)(b)(ii), the Chair at a Council, EPC or other standing committee meeting must not participate electronically and, if required to attend electronically, the Chair will pass the chairing responsibilities to another Council member as designated under section 11 [Acting Mayor].
- (3) Receipt of agendas or information by a member participating electronically may be facilitated through electronic means.
- (4) Every effort will be made to ensure technology is running during an electronic meeting, but no guarantees can be made that the technology will not fail. Should failure occur, the members attending electronically who no longer have contact will be noted as leaving the meeting.
- (5) Despite subsection (1), a member shall not exercise the option to participate electronically in a Council, EPC or other standing committee meeting more than four (4) times per calendar year, unless there are extenuating circumstances, in which case approval would be required by the majority of Council members.
- (6) No more than three (3) members of Council at one time may participate electronically at a Council, EPC or other standing committee meeting unless there is an emergency as identified under 10(1)(a) or 10(1)(b)(ii).
- (7) A member who wishes to attend a meeting electronically must provide

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notice to the Corporate Officer of their intent no less than four hours in advance of the meeting.

- (8) Members of Council who participate electronically will be noted in the minutes as having participated electronically.

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

11. Acting Mayor

- (1) At the inaugural Council meeting following an election, Council must by resolution appoint Councillors to serve on a rotating basis, in alphabetical order by surname, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) The Acting Mayor must fulfill the responsibilities of the Mayor in their absence.
- (3) If both the Mayor and the Acting Mayor are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The Acting Mayor or member chosen under Section 11(3) has the same powers and duties as the Mayor in relation to the applicable matter.
- (5) The Acting Mayor may also serve as the chair for the EPC meetings held during that member's rotation.
- (6) A Council member may trade their rotation as Acting Mayor, or a portion of their rotation, with another member of Council, subject to the following conditions:
 - (c) both Council members concerned must be amenable to the change in the schedule;
 - (d) the request must be made in writing;
 - (e) the Mayor must approve the substitution; and

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- (f) the Corporate Officer must be informed of the change in schedule.
- (7) Despite subsection 6(e), a request to adjust the Acting Mayor schedule will not be unreasonably withheld.

PART 4 – COUNCIL PROCEEDINGS

12. Community Charter Provisions

- (1) Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*].

13. Public Engagement

- (1) This Section applies to all meetings of Council, as well as meetings of the bodies referred to in s. 93 of the *Community Charter*, including without limitation:
 - (a) Engagement and Priorities Committee;
 - (b) standing and select committees of Council;
 - (c) Board of Variance; and
 - (d) other advisory bodies established by Council.
- (1) Except where the provisions of s. 90 of the *Community Charter* [*meetings that may or must be closed to the public*] apply, all Council meetings must be open to the public.
- (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 s. 92 of the *Community Charter* [*requirements before Council meeting is closed*] which requires the resolution to state:
 - (a) the fact that the meeting or part is to be closed; and
 - (b) the basis for closing the meeting under Section 90 of the *Community Charter*.
- (3) Despite Section 13(2), the Mayor or the Acting Mayor under Section 11

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may expel or exclude from a Council meeting a person in accordance with Section 20(1)(i).

14. Calling Meeting to Order

- (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, will take the Chair and call the Council meeting to order. Where the Mayor is absent, the Acting Mayor will take the Chair and call the meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Acting Mayor does not attend within 15 minutes of the scheduled time for a Council meeting:
 - (a) the Corporate Officer will call the meeting to order, and
 - (b) the members present will choose a member to preside over the meeting.

15. No Quorum

- (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
 - (c) record the names of the members present, and those absent; and
 - (d) adjourn the meeting until the next scheduled meeting unless a special meeting is called in the meantime.

16. Agenda

- (1) Prior to each Council or EPC meeting, the Corporate Officer, in consultation with the Mayor and Chief Administrative Officer, will prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) A Council member may submit a report on an item to be included on a future agenda. The report will:
 - (a) be submitted in writing to the Mayor and Corporate Officer;
 - (b) contain relevant background and explanatory information;

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- (c) make a clear recommendation for Council action;
 - (d) be signed by no less than two Council members; and
 - (e) be placed on an agenda by the Corporate Officer as soon as reasonably possible.
- (3) The Corporate Officer will make the agenda available to members of Council and the public as follows:
 - (a) for regular Council meetings and EPC meetings, on the Friday afternoon prior to the meeting;
 - (b) for special meetings, except those meetings closed to the public, as soon as is practical at the discretion of the Corporate Officer;
 - (c) in accordance with Council Policy C039 'Distribution and Provision of Council Meeting Agendas and Minutes', as amended from time to time.
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as an amendment to the agenda pursuant to Section 18.

17. Order of Business

- (1) The agenda for all regular Council meetings will contain the following matters, as applicable, in the order in which they are listed below:
 - (a) Call to Order
 - (b) Late Items
 - (c) Approval of Agenda
 - (d) Question and Comment Period
 - (e) Adoption of Minutes
 - (f) Announcements
 - (g) Celebrate Pitt Meadows (alternatively, this could be called 'Civic Recognition')
 - (h) Delegations and Presentations
 - (i) Public Hearings
 - (j) Consent Agenda

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- (k) Staff/Other Reports
 - (l) Bylaws and Permits
 - (m) Council Liaison Reports
 - (n) Notice of Closed Meeting
 - (o) Question and Comment Period
 - (p) Adjournment
- (2) The agenda for all EPC meetings will contain the following matters, as applicable, in the order in which they are listed below:
- (a) Call to Order
 - (b) Late Items
 - (c) Approval of Agenda
 - (d) Adoption of Minutes
 - (e) Delegations and Presentations
 - (f) Committee Minutes and Reports
 - (g) Staff Reports – [Strategic Priority #1]
 - (h) Staff Reports – [Strategic Priority #2]
 - (i) Staff Reports – [Strategic Priority #3]
 - (j) Staff Reports – [Strategic Priority #4]
 - (k) Staff Reports – [Strategic Priority #5]
 - (l) Adjournment
- (3) Particular business at a Council or EPC meeting will be taken up in the order in which it is listed on the agenda unless otherwise determined by Council, by general consent or resolution.
- (4) The agenda will include all correspondence, reports and background information pertinent to the topics listed on the agenda.

18. Late Items

- (1) An item of business not included on the agenda must not be considered at a Council or EPC meeting unless introduction of the late item is approved by unanimous resolution of all members of Council present at the time allocated on the agenda for such matters.

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- (2) If Council makes a resolution under Section 18(1), information pertaining to late items must be distributed to the members.

19. Public Engagement

- (1) The following guidelines apply to Question and Comment Period during Council meetings and will be included on the agenda for reference purposes:
- (a) Maximum time of Question & Comment Period is fifteen minutes at the beginning of the meeting and fifteen minutes at the end of the meeting, **or otherwise at the discretion of the Chair.**
 - (b) Each person appearing before Council has the opportunity to address Council **once during each Question & Comment session**, for a maximum of three minutes per session.
 - (c) Questions and comments will focus on city-related topics only.
 - (d) Questions or comments will not be permitted on any matter pertaining to a bylaw or zoning application that is the subject of a public hearing and has not yet been adopted.
 - (e) **Those appearing before Council must state their full name and city of residence, with the option to include other details such as address or neighbourhood, if it is helpful to the conversation.**
 - (f) Those appearing before Council will address their questions or comments to the Chair.
 - (g) The Mayor will be addressed as "Your Worship", "Mr. Mayor" or "Mayor [surname]". If the Mayor is not presiding over the meeting, the Chair will be addressed as "Mr. Chair" or "Madam Chair". Councillors will be addressed as "Councillor [surname]". Staff will be addressed either by title or by name (e.g. Director Jones or Ms. Jones).
 - (h) If Council wishes to pass a motion as a result of input received during the Question and Comment Period relative to an issue that is not on the agenda, a motion **or general consent** to temporarily

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suspend the rules is required.

- (i) As per the Community Charter (ss. 132-133), the Chair at a Council meeting must preserve order. If the Chair considers that another person at the meeting is acting improperly or disrupting the Council meeting, that person's behavior will be addressed. The Chair may order the person expelled from the meeting should the person choose to not adhere to the decisions of the Chair.
- (2) The following guidelines apply to community engagement during EPC meetings:
 - (a) For each agenda item, once Council and Staff have had the opportunity to discuss the topic as presented, the floor will open for community dialogue, for a maximum of 30 minutes per agenda item, or otherwise at the discretion of the Chair.
 - (b) Each guest will have an opportunity for up to five (5) minutes of dialogue with Council.
 - (c) Questions or comments must pertain to the current agenda item and will not be permitted on items not yet presented or not on the agenda.
 - (d) Those appearing before Council must state their full name and city of residence, with the option to include other details such as address or neighbourhood, if it is helpful to the conversation.
 - (e) Those appearing before Council should address their questions or comments to the Chair.
 - (f) As per the Community Charter (ss. 132-133), the Chair at a Council meeting must preserve order. If the Chair considers that another person at the meeting is acting improperly or disrupting the Council meeting, that person's behavior will be addressed. The Chair may order the person expelled from the meeting should the person choose to not adhere to the decisions of the Chair.

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20. Consent Agenda

- (1) On a regular Council agenda, as determined by the Mayor, in consultation with the Corporate Officer, non-controversial, routine items which do not require discussion or debate may be grouped together under Consent Agenda.
- (2) Subject to subsection (4), Consent Agenda items will be dealt with through one resolution of Council to receive into the record and approve any recommendations listed within the Consent Agenda.
- (3) Items to be included in the Consent Agenda are:
 - (a) minutes;
 - (b) correspondence;
 - (c) reports for information; and
 - (d) other items for which debate is not expected.
- (4) Items listed in the Consent Agenda are considered for receipt into the record in one motion unless a member of Council wishes to speak to an item.
- (5) The Chair will ask members what items, if any, they wish to remove from the Consent Agenda to be discussed or debated individually.
- (6) If any member requests that an item be removed from the Consent Agenda, it must be removed. Members may request that an item be removed for any reason. They may wish to discuss an item, query an item, or register a vote against an item.
- (7) Corrections to minutes may be noted without removing the item from the Consent Agenda.
- (8) The Chair will then ask that the members receive into the record those items not removed from the Consent Agenda.
- (9) Removed items will then be discussed, debated, and voted on individually.

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21. Voting at Meetings

- (1) The following procedures apply to voting at Council meetings:
 - (a) When debate on a matter is closed, the Chair must put the matter to a vote of Council members;
 - (b) When Council is ready to vote, the Chair will put the matter to a vote by calling the question by saying:
 - (i) "Those in favour?"; and then,
 - (ii) "Those opposed?";
 - (c) When the Chair is putting the matter to a vote under subsections (a) and (b), a member must not:
 - (i) cross or leave the room;
 - (ii) make a noise or other disturbance; or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (d) After the Chair finally puts the question to a vote under subsection (b), a member must not speak to the question or make a motion concerning it;
 - (e) The Chair's decision about whether a question has been finally put is conclusive;
 - (f) Whenever a vote of Council on a matter is taken, each member present will signify their vote by raising their hand;
 - (g) The Chair must declare the result of the voting by stating that the motion was carried or defeated;
 - (h) Should a member refrain from voting when a question is put, the member shall be regarded as having voted in the affirmative and the member's vote shall be counted accordingly;
 - (i) The Corporate Officer must record all dissenting votes either for or against a question.

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22. Delegations

- (1) Delegations will be scheduled in accordance with the '*Delegations Before Council*' Policy C010, as amended from time to time.

23. Points of Order

- (1) The Chair must preserve order and, subject to an appeal [see section 24.7(c)], decide points of order that may arise.
- (2) Without limiting the Chair's duty under s. 132(1) of the *Community Charter [authority of Chair]*, the Chair must apply the correct procedure to a motion:
 - (a) if the motion is contrary to the rules of procedure in this Bylaw; and
 - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (3) When the Chair is required to decide a point of order:
 - (a) the Chair must cite the applicable rule or authority if requested by another Council member; and
 - (b) another member must not question or comment on the rule or authority cited by the Chair under subsection (3)(a).

24. Conduct and Debate

- (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the Chair.
- (2) Members must address the Chair by that person's title of Mayor, Acting Mayor, or Chair.
- (3) Members must address other non-Chairs by the title of Councillor or Mayor, as applicable.
- (4) A member must not interrupt another member who is speaking, except:
 - (a) to raise a point of order, as per section 23; or

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- (b) to raise a matter of privilege, as per section 31.
- (5) If more than one member speaks, the Chair must call on the member who, in the Chair's opinion, first spoke.
- (6) The Chair will speak last on a question or motion.
- (7) Members who are called to order by the Chair:
 - (a) must immediately stop speaking;
 - (b) may explain their position on the point of order; and
 - (c) may appeal to Council for its decision on the point of order in accordance with s. 132 of the *Community Charter [authority of Chair]*.
- (8) Members speaking at a Council meeting:
 - (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated;
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
 - (e) must adhere to:
 - (i) the rules of procedure established under this Bylaw;
 - (ii) the Council Code of Conduct Policy C100; and
 - (iii) the decisions of the Chair and Council pertaining to the rules and points of order.
- (9) If a member does not adhere to subsection (8), the Chair may order the member to leave the member's seat; and
 - (a) if the member refuses to leave, the Chair may cause the member to be removed from their seat by a peace officer; and
 - (b) if the member apologizes to Council, Council may, by general consent or resolution, allow the member to retake their seat.

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- (10) 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.
- (11) The following rules apply to limit speech on matters being considered at a Council meeting:
 - (a) a member may speak more than once in connection with the same question only:
 - (i) with the permission of the Chair; or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter.
 - (b) a member who has made a substantive motion to Council may reply to the debate; and
 - (c) the Chair may set a time limit and the number of times that a member may speak on the same question or motion.
- (12) When a member wishes to leave the Council Chamber:
 - (a) they shall advise the Chair and be excused; and
 - (b) their absence and return, if applicable, will be noted by the Corporate Officer, or designate, in the minutes.

25. Conflict of Interest

- (1) In accordance with s. 100 of the *Community Charter [disclosure of conflict]*, if a member attending a meeting considers that they have a direct or indirect pecuniary interest in a matter, or another interest in a matter that constitutes a conflict of interest, the member must declare this and state in general terms the reason why they consider this to be the case.
- (2) After making the declaration, it is the member's responsibility to ensure that they do not:
 - (a) remain at or attend any part of a meeting when the matter is under consideration;

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- (b) participate in any discussion of the matter at such meeting;
 - (c) vote on a question in respect of the matter at such meeting; or
 - (d) attempt in any way, whether before, during or after such meeting, to influence the voting on any question in respect of the matter.
- (3) When a declaration is made, the Corporate Officer will record the member's declaration or statement, the reasons given, the time of the member's departure from the meeting, and, if applicable, the time of the member's return.

26. Motions Generally

- (1) Council may debate and vote on a motion only if it is first moved by one Council member and then seconded by another.
- (2) At the discretion of the Chair, a motion may be prefaced by a short explanation of the matter or a member can first request information or advice from the Chair in crafting a potential motion with respect to the matter.
- (3) A Council member may make only the following motions, when the Council is considering a question:
 - (a) to refer to staff, a committee or another person or group for consideration or further information;
 - (b) to amend;
 - (c) to lay on the table (postpone the question to later in meeting in order to consider a more urgent item);
 - (d) to defer (postpone) indefinitely;
 - (e) to defer (postpone) to a certain time;
 - (f) to call for the vote on the main question;
 - (g) to adjourn the debate.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable, with the exception that a motion to defer (postpone) to a certain time is debatable only as to the time and reasons for the deferral,

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and is amendable only as to the time to which the deferral refers.

- (5) If requested by a member, Council must vote separately on each distinct part of a question that is under consideration at a Council meeting, and in such circumstances a new mover and seconder are not required.
- (6) A member may propose a motion to refer or defer with respect to either:
 - (a) a matter which is on the agenda of a Council meeting but on which a motion has not yet been made; or
 - (b) a motion which is on the floor.
- (7) When a motion has been moved by a member and seconded by another member, it is deemed to be in the possession of Council, and such a motion:
 - (a) may only be withdrawn with the general consent of the members present; and
 - (b) may not be withdrawn after it has been voted on by Council.
- (8) Motions that have been withdrawn by Council will not be recorded in the minutes.
- (9) Until it is decided, a motion made at a Council meeting to refer to staff or a committee, or other person or group, precludes an amendment of the main question.

27. Notice of Motion

Is this necessary in light of s. 16(2)?

- (1) If a Council Member wishes to give notice, at a meeting, of their intention to move a motion at a future meeting:
 - (a) the Council Member must first deliver to the Mayor, Chief Administrative Officer and Corporate Officer, at the meeting, a written Notice of Motion;
 - (b) the Notice of Motion must set out all of the details of the motion;
 - (c) the Notice of Motion must stipulate the date of the meeting at which the Council Member intends to move the motion;
 - (d) the Mayor may require the Council Member, or Corporate Officer,

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- to read aloud the Notice of Motion; and
- (e) the Corporate Officer must add the motion to the agenda for the meeting as indicated in subsection (c).

28. Motion for Main Question

- (1) In this Section, "main question", in relation to a matter, means the motion that first brings the matter before Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, Council may again debate the question, or proceed to other business.

29. Amendments Generally

- (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) The amendments permitted may take the form of deletion, addition, or substitution of words or figures, provided such deletions, additions or substitutions do not, in the opinion of the Chair, affect the intent of the original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the Chair.
- (4) A proposed amendment must be decided, or withdrawn by the mover, before the motion being considered is put to a vote, unless there is a call for the main question.

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- (5) An amendment may be amended once only.
- (6) An amendment that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The Mayor must call the question on a motion which has been amended, in the following order:
 - (a) a sub-amendment;
 - (b) an amendment to the original motion;
 - (c) the original motion.
- (9) A 'friendly amendment', which is an amendment that changes the main motion in an insignificant way and does not change the intent, need not be voted on separately from the main motion, but rather will be incorporated into the main question with the **general consent** of Council.

30. Reconsideration

- (1) In accordance with s. 131 of the *Community Charter* [Mayor may require Council reconsideration of a matter], the Mayor may at any time within 30 days of the vote, require Council to reconsider and vote again on a matter that was the subject of a vote.
- (2) Subject to subsection (6), a Council member who voted on the prevailing side may, at the next Council meeting:
 - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (3) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.

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- (4) Council must not discuss the main matter referred to in subsection (2) unless a motion to reconsider that matter is adopted in the affirmative.
- (5) A vote to reconsider must not be reconsidered.
- (6) Council may only reconsider a matter that has not:
 - (a) had the approval or assent of the electors and been adopted;
 - (b) been reconsidered under subsection (2) or s. 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*; or
 - (c) been acted on by an officer, employee, or agent of the City.
- (7) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this Section.
- (8) A bylaw, resolution, or proceeding that is reaffirmed under subsection (2) or s. 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

31. Privilege

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

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32. Reports from Committees

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

33. Adjournment

- (1) A Council may continue a Council meeting after 11:00 P.M. only by an affirmative vote of the Council members present.

34. Minutes

- (1) This section applies to the minutes of the meetings of Council, EPC and other committees established by Council.
- (2) Minutes of a meeting must be:
 - (a) legibly recorded;
 - (b) certified as correct by the Corporate Officer; and
 - (c) signed by the Mayor or Chair of the respective meeting, or by the member chairing the meeting at which the minutes are adopted.
- (3) The Corporate Officer may make minor amendments to approved minutes including, but not limited to:
 - (a) typographical errors;
 - (b) sequential numbering errors;
 - (c) grammatical errors; or
 - (d) completing missing information.
- (4) The names of the members who moved and seconded a motion will not

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be recorded in the minutes.

- (5) All votes on motions will be recorded as either carried or defeated, as applicable, with the names of members who voted on the non-prevailing side, recorded in the minutes.

PART 5 – BYLAWS

35. Copies to Council Members

- (1) A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

36. Form of Bylaws

- (1) 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; and
 - (e) be divided into sections.

37. Consideration Separately or Jointly

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

38. Reading and Adopting Bylaws

- (1) The Chair of a Council meeting may:
- (c) have the Corporate Officer, or designate, read a synopsis of each

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- proposed bylaw or group of proposed bylaws; and then
- (d) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and number.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings, subject to any statutory restrictions.
- (4) Subject to subsection (5), each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with s. 477 of the *Local Government Act* [adoption procedures for official community plan], each reading of an official community plan bylaw must receive an affirmative vote of a majority of all Council members.
- (6) In accordance with s. 135 of the *Community Charter* [requirements for passing bylaws], and subject to s. 465 of the *Local Government Act* [public hearing procedures], Council may give up to three readings to a proposed bylaw at the same Council meeting.
- (7) Bylaws that require statutory public hearings prior to their adoption shall be read for the first and second time only at a regular Council meeting prior to the holding of the public hearing.
- (8) In accordance with s. 135(3) of the *Community Charter* [requirements for passing bylaws], there must be at least one day between the third reading and the adoption of the bylaw unless otherwise provided by provincial legislation.
- (9) Despite subsection (8), and in accordance with ss. 477 [adoption procedures for official community plan] and 480 [adoption of municipal zoning bylaw] of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

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39. Signing of Bylaws

- (1) After a bylaw is adopted:
 - (a) the Corporate Officer will record on the last page:
 - (i) the dates of its readings and adoption;
 - (ii) the dates of required public notice, if applicable;
 - (iii) the date of a required public hearing, if applicable; and
 - (iv) the date of Ministerial approval or approval of the electorate, if applicable;
 - (b) it must be signed by the Corporate Officer and the Chair of the Council meeting at which it was adopted; and
 - (c) the Corporate Officer must place it in the City's records for safekeeping.

PART 7 – ENGAGEMENT AND PRIORITIES COMMITTEE

40. EPC Meetings

- (1) The Engagement and Priorities Committee is a committee of the whole, consisting of all members of Council.
- (2) Unless otherwise stated, all proceedings related to Council meetings as detailed in PART 4 [*Council proceedings*] of this Bylaw apply to EPC meetings, as applicable.
- (3) Regular EPC meetings will be:
 - (a) scheduled approximately once monthly, except for August, between regular Council meetings;
 - (b) typically held on Tuesday evenings at 7:00 pm at City Hall; and
 - (c) held in accordance with the annual meeting schedule as approved by Council each year.
- (4) The Mayor, in consultation with the Corporate Officer and Chief Administrative Officer, may cancel, postpone, or reschedule an EPC

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meeting, or change the location of an EPC meeting, from time to time, as required.

41. Notice for EPC Meetings

- (1) Notice of regular EPC meetings will be given annually as per section 8 [notice of Council meetings] of the Bylaw.
- (2) Notice of special EPC meetings will be given as per section 9 [notice of special meetings] of this Bylaw.

42. Chairs at EPC Meetings

- (1) Any Council member may Chair an EPC, at the discretion of the Mayor.

43. Conduct and Debate

- (1) A member may speak any number of times on the same question as long as they are presenting new information, questions or perspectives.
- (1) A member should not speak longer than a total of 5 minutes on any one question.
- (2) Decisions of EPC will be forwarded to Council through Consent Agenda for ratification.

PART 8 – OTHER COMMITTEES

44. Standing Committees

- (1) In accordance with s. 141 of the *Community Charter* [standing committees of Council], the Mayor may:
 - (a) establish standing committees for matters he or she considers would be better regulated and managed by a committee; and
 - (b) appoint the members of the standing committee, including a Chair and Vice-Chair.

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

45. Select and Advisory Committees

- (1) Council may establish and appoint select or other advisory committees in accordance with the Committee Policy C102, as amended from time to time.
- (2) Select and other advisory committees established by Council will:
 - (a) consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by Council; and
 - (b) operate within their established Terms of Reference and in accordance with the Committee Policy C102.

46. Attendance, Debate and Voting

- (1) Council members who are not members of a standing, select or other advisory committee of Council may attend the meetings of such committees.

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- (2) Council members attending a meeting of a standing, select or other advisory committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (1) Council members attending a meeting of a standing, select or other advisory committee of which they are not a member must not vote on a question.