

Report

Date April 9, 2024
Subject Draft Council and Committee Procedures Bylaw

File:

PURPOSE

To provide direction to staff on any changes to be made to (draft) Council and Committee Procedures Bylaw No. 3945, 2024, prior to bringing the bylaw forward to Council for consideration.

BACKGROUND

A survey was emailed to Council on August 29, 2023, to provide direction to staff regarding the appointment of the Acting Mayor, meeting dates and times, public participation, public hearings, statutory rights to be heard, and reconsideration of a delegate's decision. The responses were summarized (Attachment 1) and presented at the December 19, 2023, workshop held during a Committee of the Whole meeting.

On December 19, 2023, Council was advised which rules would be included, added, or changed in the new procedure bylaw based on Council responses in the survey that was conducted (Attachment 1). Where clarification or further direction was required, Council was polled so that staff had a clear direction on what changes to make in the new procedure bylaw (Attachment 2). To obtain clear direction, staff required at least four members of Council to agree with the change. Otherwise, the existing rule in Council Procedure Bylaw No. 3602 (Attachment 3) would be brought forward in the new procedure bylaw, or the new rule would not be added.

Table 1 summarizes the direction Council gave through the survey and during the December 19, 2023, workshop. The staff recommendations provided in the table represent those included in Attachment 1 unless Council provided alternative direction during the workshop or where the recommendation is no longer relevant based on the cumulative direction of Council.

TABLE 1: Summary of changes to be made to new procedure bylaw

Direction given through the Council Survey	Direction given during the December 19 Workshop (poll)	Staff recommendations based on Survey Selections
Meetings in general		
Cancel 1 st meeting in January, July, and August *	Quorum - reduce the time limit from 30 to 15 minutes	
Cancel meetings during the week of FCM, UBCM and the 2 weeks prior to a general election	Cancel meetings that fall between general voting day and the inaugural meeting	
Mayor may cancel a regular meeting due to a lack of quorum	Change the start time for closed sessions from 4:00 p.m. to 3:00 p.m.	
Mayor may cancel a regular meeting where there are no items of business	Continue with current practice for releasing in-camera decisions to the public	
Change motion to cancel a meeting from 2/3 to a majority vote		

TABLE 1: Summary of changes to be made to new procedure bylaw

Direction given through the Council Survey	Direction given during the December 19 Workshop (poll)	Staff recommendations based on Survey Selections
Vary the agenda order and delete headings		
2/3 vote required to extend a meeting beyond the 3-hour limit *		
Council Meetings		
1 st and 3 rd Wednesday of the month at 5:00 p.m. *		
Committee of the Whole Meetings		
2 nd Tuesday of the month at 5:00 p.m. *	Remove the 10-minute limit for Council members during debate	
Mayor to chair meeting unless delegated to a Councillor *	Remove procedures regarding going into COW from a Council meeting	
Committee Meetings		
Mayor is an ex-officio member of all committees *	Non-committee Council members are not permitted to participate in a committee meeting	
Public Hearings, Reconsideration of Delegate's Decision and Statutory Rights to be Heard		
3 rd Wednesday of the month at 7:00 p.m. *		Public hearings may be conducted by electronic means
Further reading of bylaw following the public hearing *		Mayor may establish the speaking limit at a public hearing
All comments directed to Council and must relate to the bylaw		Each speaker must state their name and address of residence
Minutes to reflect the name and address, whether in favour or opposed, and a summary of their comments		The public will be given a further opportunity to speak after all others have been heard for the first time
		Use of a speakers list for public hearings [to be added to policy]
		All materials must be received by the Corporate Officer at least 4 business days before the meeting
		Statutory hearings and reconsideration matters included on the public hearing agenda
		Opportunity where a person has a statutory right to be heard
		Reconsideration rules in the Delegation of Authority Bylaw
		A delegated decision can only be reconsidered once
		Conditions where a decision cannot be appealed
Acting Mayor / Presiding Member (PM)		
If Mayor/Acting Mayor is absent, PM selected from members present *	Acting Mayor appointment changed to an annual basis	

TABLE 1: Summary of changes to be made to new procedure bylaw

Direction given through the Council Survey	Direction given during the December 19 Workshop (poll)	Staff recommendations based on Survey Selections
Motions		
Notice of Motion must wait until the next meeting to be considered *		
Councillor to move motion to reconsider from 30 days to next meeting		
Public Input and Question Period		
Opportunities near the beginning and at the end of the agenda*	A maximum of 5 speakers will be moved from the policy to the new bylaw **	
Delegations and Petitions		
Delegations are limited to 10 minutes to make their presentation*	Combine multiple delegations from the same group or organization	Delegations will be permitted to participate electronically
Mayor will take action when the delegation's behaviour is disrespectful	Petitions must be submitted at least 7 business days prior to the meeting	A petition must be in writing and signed by each person named in the petition
Up to two (2) delegations or petitioners may be included on a single agenda	All supplemental documents must be provided at least 4 days prior to the meeting	Petitions will form part of the public record and be published on the website
A Delegation application should be rejected if related to:		
<ul style="list-style-type: none"> Proposed bylaw where a public hearing has been held* Issue before the courts or legal action initiated Promotes their business or for financial gain Personnel and labour relation matters 	<ul style="list-style-type: none"> Subject of a staff report not yet presented to Council Council is considering issuance of DVP or TUP at the same meeting 	<ul style="list-style-type: none"> In relation to a record that is held in confidence Information that has not been released by Council Information from a closed meeting
Council will not act on a delegation or petition request until the next regular meeting	Council may refer a petition to the department	The Corporate Officer must notify a petitioner if a petition is referred to staff or a committee
Council may refer a request from a delegation or petition for a report for inclusion at a future meeting	Whether to provide petitioners with opportunity to address Council **	A petition must include all pertinent information at the top of each page
Council may refer a request from a delegation or petition to committee		
Presenters [<i>Invited Speakers</i>]		
Invited speakers are to be placed under the 'Presentations' section of the agenda		
Note * Existing procedure within current bylaw to be brought forward to new procedure bylaw (no change).		
Note ** Situation where agreement from a majority of Council was not achieved.		

DISCUSSION

A procedure bylaw is a tool used to set shared (i.e., Council members, Committee members, staff, delegations and presenters, and members of the public) expectations for process, procedure, and conduct at meetings. The rules that govern how meetings are conducted, how decisions are recorded (i.e., the taking of minutes), how participants (including the public) are involved in meetings, and how other meeting matters, such as regular meeting schedules and notice requirements are handled, must be contained in the bylaw, while supporting rules that provide further direction and/or clarification can be placed in policy. For example, how the public may participate in a meeting (how many speakers and speech limitations) belong in the procedure bylaw, while the supporting rules, such as signing up on the speakers list to register to address Council during Public Input, can be placed in a policy which is easier to change than the procedure bylaw.

Summary of Changes made by Staff in Bylaw No. 3945

The changes directed by Council and the recommendations acknowledged by staff during the December 19, 2023 workshop (see Table 1 above) were incorporated into Council and Committee Procedures Bylaw No. 3945 (Attachment 4). Where appropriate, and as recommended as a BC best practice in the [Procedure Bylaw Guide](#), which was developed by the Ministry of Municipal Affairs and an advisory group from the Local Government Management Association, the following additional changes were made:

- (1) Rearranged the bylaw to give it a more logical flow and simplify the approach by combining the procedures for Council, Committee of the Whole and Committee meetings, except where customized rules were needed.
- (2) Added procedures to ensure consistency in how reconsideration rules are applied under provincial legislation.
- (3) Added reference notes throughout the bylaw for convenience purposes so that it is easier for the reader to recall what the section that has been referenced relates to. These notes have been italicized and placed within square brackets to signify that they are for reference only and not part of the bylaw as per section 11 of the *Interpretation Act*.
- (4) Moved procedures out of existing policies into the new bylaw where appropriate.
- (5) Added section 1.7 to enable Council to temporarily suspend a rule that is not a statutory rule in a meeting. To assist Council and staff in determining when a rule could be temporarily suspended or not, staff has included references to the provincial legislation which mandated the statutory rule and therefore cannot be suspended.
- (6) Added cross references to the following related bylaws and policies (existing and those to be drafted as part of Legislative Services 2024 Business Plan), which is a BC best practice:

Bylaws:

- Building Bylaw No. 3172
- Business Licence Bylaw No. 3153¹
- Bylaw Enforcement Officer Bylaw No. 3948
- Delegation of Authority Bylaw No. 3814¹
- Development Approval Information Bylaw No. 3942²
- Development Procedures Bylaw No. 3924²

¹ Bylaw amendments to be introduced when Council and Committee Procedures Bylaw No. 3945 is considered for adoption. ² New bylaws to be introduced in Spring

- Public Notice Bylaw No. 3906
- Respectful Spaces Bylaw No. 3796
- Policies:**
 - Agenda and Minutes Policy³
 - Council Advisory Body Policy⁴
 - Consent Agenda Policy⁴
 - Delegations and Presenters Policy³
 - Electronic Meeting Participation Policy³
 - Notice of Motion Policy⁴
 - Petitions Policy³
 - Public Hearing Procedures Policy⁴
 - Public Input and Meeting Conduct Policy⁴
 - Reimbursement of Legal Fees in relation to Conflict of Interest Policy
 - Standards of Conduct Policy⁵
 - Use of Gender-Neutral Language and Pronouns

The details of these changes can be found in the Council Procedure Concordance (Attachment 5). Where changes have been minor, to modernize the language, add a reference to the provincial legislation, a cross-reference to a municipal bylaw or policy, or where the procedure was simply updated to apply to all meeting types, the explanation in the comments column reflects “minor changes.”

It is important to remember that the rules in the procedure bylaw must be followed during a meeting unless Council (where allowable) temporarily suspends them, either by adopting a motion to “*suspend the rules*” or through the use of unanimous consent (see s.10.34 in Attachment 4).

Revisions to existing Bylaws and Policies following 3rd Reading

The following bylaw and policy amendments will be presented when Council considers the adoption of Council and Committee Procedures Bylaw No. 3945, 2024:

- *Business Licence Bylaw No. 3153, 2002*

Both the Business Licence Bylaw and the Delegation of Authority Bylaw have procedures regarding reconsideration; however, there is a conflict between the two bylaws as “other persons interested” are permitted to comment in Business Licence Bylaw No. 3153 but not the Delegation of Authority Bylaw No. 3814. Since the Delegation of Authority Bylaw underwent a review in 2021 and section 154 of the *Community Charter* only requires that the person making the request for reconsideration has the right to be heard, staff recommends deleting section 8 in Business Licence Bylaw No. 3153.

- *Delegation of Authority Bylaw No. 3814, 2021*

If Council and Committee Procedures Bylaw No. 3945 moves forward to Council consideration without any changes to Part 4 [*public and statutory hearings*] or section 6.12 [*public and statutory hearing agenda*], an amendment to the Delegation of Authority Bylaw will be required to replace ‘regular meeting of Council’ from sections 7 and 23 as the type of meeting where decisions are reconsidered with ‘public and statutory hearing meeting.’

- *Public Hearing Procedures Policy*

Given that the rules related to written submissions and that Council may receive technical information following a public hearing have been included in the procedure bylaw, the Public Hearing Procedures Policy will be amended to remove those rules.

³ New policies to be drafted in the spring.

⁵ Comprehensive review to be completed later this year.

⁴ Existing policies to be reviewed and updated (if needed) in the spring.

- *Public Input and Meeting Conduct Policy*

Given that the rules related to how many speakers and how long each speaker may address Council have been included in the procedure bylaw, the Public Input and Meeting Conduct Policy will be amended to remove those rules.

- *Council Advisory Body Policy*

Section 4.2 in the policy requires an update, as the intent of the section was that there would be no public input opportunities at a Committee meeting. It was not intended to prevent a delegation from making a presentation.

Next Steps

Depending on the number of revisions to be made (if any) to Council and Committee Procedures Bylaw No. 3945, 2024, the bylaw could be presented for the first three readings at the April 17, 2024, regular Council meeting. In accordance with section 124(3) of the *Community Charter*, notice describing the proposed changes in general terms will be given in accordance with Public Notice Bylaw No. 3906, 2023.

The associated bylaw and any policy amendments (noted above) would then be presented in the spring, when Council considers the adoption of Council and Committee Procedures Bylaw No. 3945, 2024 (i.e., on May 1, 2024, or May 15, 2024).

OPTIONS

1. **(Recommended Option)** THAT the Committee of the Whole refer Council and Committee Procedures Bylaw No. 3945, 2024, as presented on April 9, 2024, to the next regular Council meeting for consideration of the first three readings.
 - *Staff recommend this option, as the bylaw includes decisions made by Council and changes that are consistent with best practices in BC.*
2. THAT the Committee of the Whole direct staff to amend Council and Committee Procedures Bylaw No. 3945, 2024, as follows:
 - (a) [Council to identify the section number and how it is to be changed]
 - (b) [Council to identify section number(s) to be removed]
 - *This option enables Council to identify if there are any procedures not previously considered that they would like deleted or changed before the bylaw is presented to Council.*

IMPLICATIONS

The proposed Council and Committee Procedures Bylaw has been drafted to improve public transparency and provide both Council and staff clarity on procedures that were previously vague or ambiguous.

RECOMMENDATION

THAT the Committee of the Whole refer Council and Committee Procedures Bylaw No. 3945, 2024, as presented on April 9, 2024, to the next regular Council meeting for consideration of the first three readings.

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Attachments:

- (1) Council Procedure Bylaw Questionnaire Responses and Recommendations
- (2) Council Procedure Bylaw Workshop Poll Results
- (3) Council Procedure Bylaw No. 3602, 2015
- (4) DRAFT Council and Committee Procedures Bylaw No. 3945, 2024
- (5) Council Procedure Bylaw Concordance

Council Procedure Bylaw Questionnaire Responses & Recommendations

Bylaws are subject to interpretation when ambiguity arises. Therefore, it is important that the rules established under the new procedure bylaw are well-defined. This report summarizes the results received from the questionnaire completed by Council to explore what changes (if any) Council wishes to make to Council Procedure Bylaw.

A survey with 29 questions related to the appointment of the Acting Mayor, Council and committee meeting dates and times, quorum, public participation, public and statutory hearings, and reconsideration was sent out by email to Council on August 29, 2023. Six completed surveys were received by October 12, 2023 (extended deadline). From those six submissions and a review of best practices, the following changes to the new Council Procedure Bylaw are proposed. The data related to meeting length in Figures 5 to 9 is up to November 15, 2023.

The bars in the graphs have been colour coded to reflect the following:

- Where at **least 4** respondents have selected an option for a procedure to change or stay the same in the bylaw, the bar has been changed to **black**.
- Where procedure options that have received **less than majority** has been achieved, the bar has been changed to **blue** and Council will be polled during the Workshop to see if a majority decision can be achieved, otherwise the current procedure in Council Procedure Bylaw No. 3602 will remain the same (continue with the status quo).
- Where **staff is recommending an alternative or additional procedure** be included in the bylaw, the bar has been changed to **red** and Council will be polled during the Workshop to see if they support the recommendation. If that change is an administrative change, then Council will consider whether to keep the rule in the Council Procedure Bylaw when the new bylaw is presented to Council at a Committee of the Whole meeting for review and direction for any changes to be made to the bylaw before it goes to Council for first three readings.
- Where a procedure has not been selected by Council or recommended by staff, the bar shall remain **green**.

1. ACTING MAYOR

1.1 The current bylaw has established a rotating basis for designating the Acting Mayor which is consistent with the majority of local governments surveyed. Does Council wish to change how the Acting Mayor is appointed?

The majority of local governments surveyed utilize a rotating schedule to designate a member to act when the Mayor is absent or unavailable (see [Figure 1](#)), providing each Councillor with an equal opportunity to be designated as Acting Mayor during the term of Council. However, on April 5, 2023, Council resolved (unanimously) to designate a Councillor to serve as the Acting Mayor when the Mayor is absent or unable to act on a one-year rotating basis and appointed Councillor Toporowski to service until December 31, 2023. Councillor Toporowski was re-appointed as Acting Mayor for 2024.

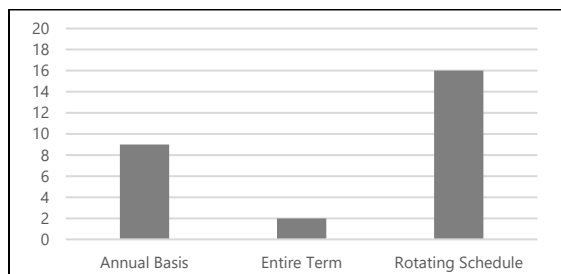


Figure 1: Basis on which Acting Mayor is designated (LGs surveyed)

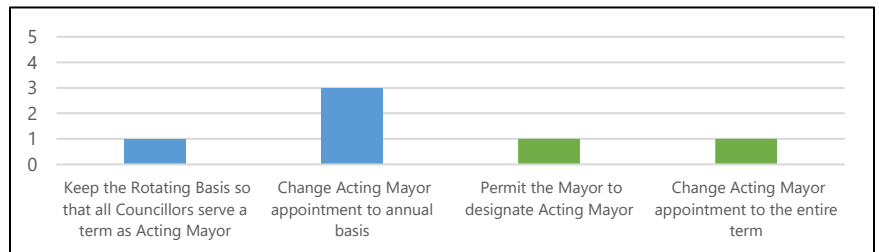


Figure 2: Basis on which Acting Mayor is designated (Council survey)

CHANGE BASED ON SURVEY RESPONSES:

When surveyed (see [Figure 2](#)), Council was no longer unanimous on changing to one-year appointments and the direction is now split between all four options.

Council will be polled during the Workshop to determine if Council would like to:

- (1) Continue with the current practice (section 8(2) in Council Procedure Bylaw No. 3602) of establishing a rotating schedule, which would mean that Councillors Caljouw, Findlay, Istace, Justice, and Manhas would be designated as Acting Mayor for terms of 4 or 5 months for the balance of the Council term, or
- (2) Change the procedure so that the Acting Mayor is appointed on an annual basis.

If a clear majority is not obtained, the procedure will not change, and option (1) will be included in the new bylaw and a report will be brought to Council before the end of 2024 to establish the rotating schedule for the balance of the term.

See page 3 in **Council Procedure Bylaw Best Practices & Analysis report** for legislative/procedural rules and BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, for designating a member as Acting Mayor.

1.2 When both the Mayor and Acting Mayor are absent, the current process is for the remaining members to choose someone to preside. Does Council wish to change how the Presiding Member is selected?

Based on the common practices of local governments surveyed (see [Figure 3](#)) and the responses of Council (see [Figure 4](#)), the current process, under section 12(2) of Council Procedure Bylaw No. 3602, of selecting a Councillor to preside will remain the same, the Corporate Officer would call the meeting to order, and the members present would choose a member to preside at that meeting.

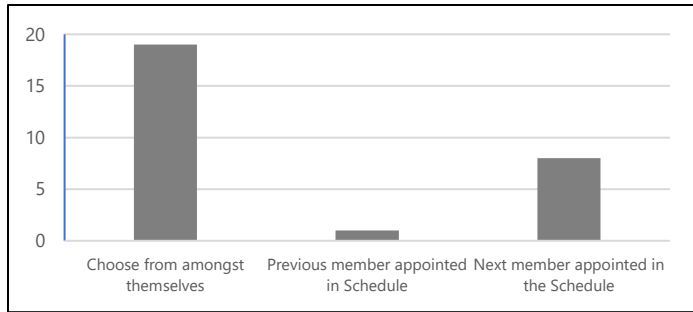


Figure 3: Basis for selecting Presiding Member when Mayor & Acting Mayor are absent (LGs surveyed)

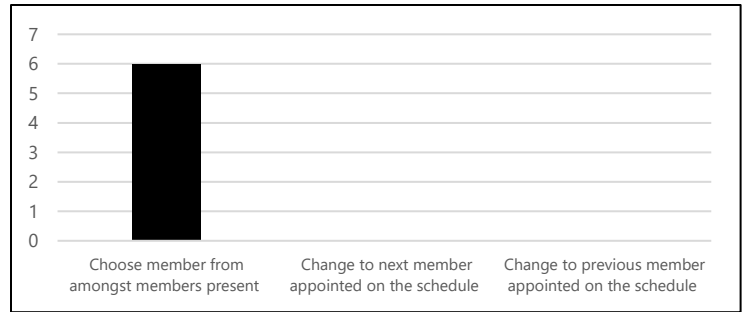


Figure 4: Basis for selecting Presiding Member when Mayor & Acting Mayor are absent (Council survey)

CHANGE BASED ON SURVEY RESPONSES:

No change required to how the presiding member is selected when the Mayor and Acting Mayor are absent.

See page 4 in **Council Procedure Bylaw Best Practices & Analysis report** for how the local governments surveyed designate a member to preside when both the Mayor and Acting Mayor are absent.

2. COUNCIL MEETING DATES AND TIME RESPONSES

2.1 Currently regular Council meetings start at 5pm. When considering the start time, take into account how it may impact your ability to complete in-camera business before returning to open and completing open business prior to the start time for the Public Hearing. Does Council wish to amend the regular Council meeting start time?

On average, in 2023, closed sessions during regular Council meetings last 1 hour and 23 minutes (see [Figure 5](#) and [Figure 6](#)), the open sessions last 2 hours and 24 minutes on average (see [Figure 7](#)) and public hearings last 39 minutes on average (see [Figure 8](#) and [Figure 9](#)) as compared to 2022 when closed sessions lasted on average 52 minutes, open lasted on average 3 hours on average and 6 minutes, and public hearings lasted on average 2 hours and 24 minutes.

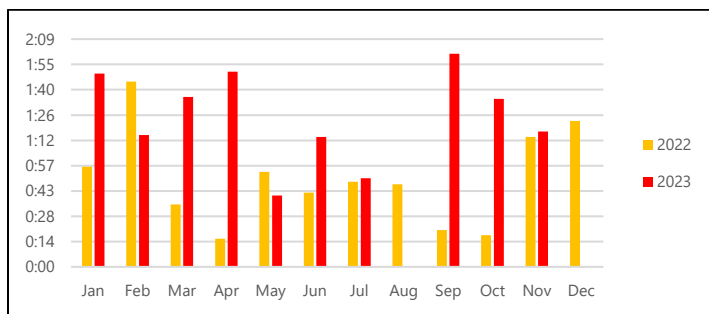


Figure 5: Monthly Averages of Closed Session in Relation to Regular Council Meetings

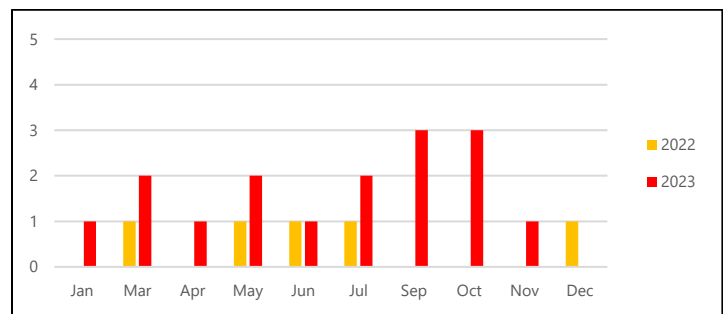


Figure 6: Number of Closed Sessions scheduled as Special Meetings per month

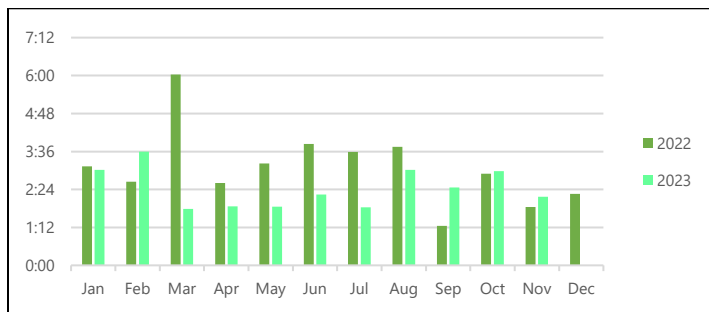
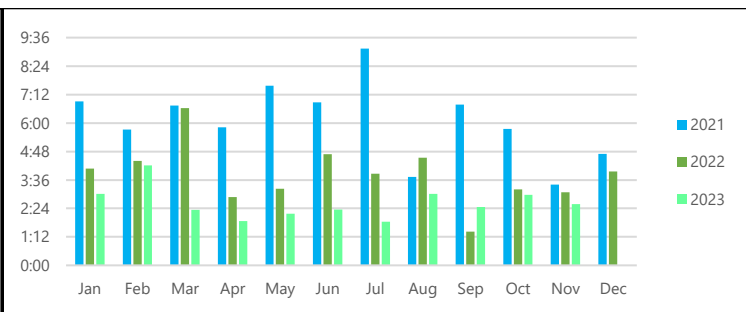


Figure 7: Monthly Averages for Regular Council Meetings (graph on left reflects the open portion only and the one on the right includes both open and closed)



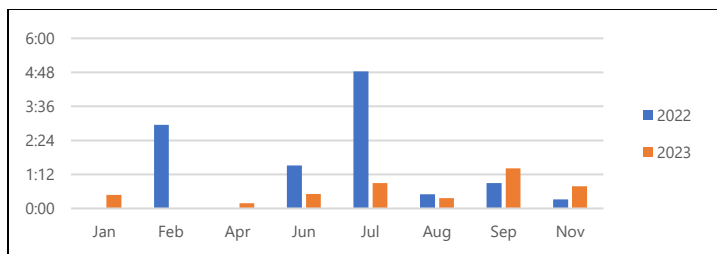


Figure 8: Monthly Averages for length of Public Hearing Meetings

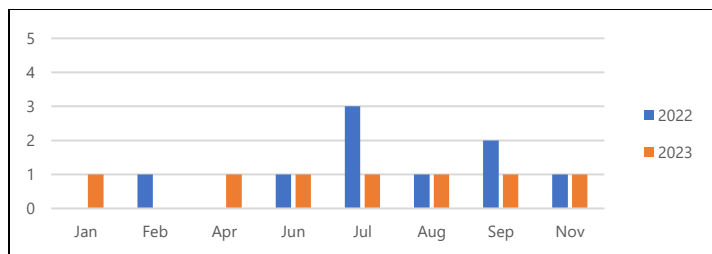


Figure 9: Number of Public Hearing Meetings per month

What this data tells us is that:

- (1) 45 minutes is not sufficient for closed sessions, as 65% of the time a special meeting was scheduled earlier in the day (usually at 3:00 pm) to provide more time or that the in-camera agenda items that have not been dealt with before 5:00 pm were postponed and dealt with after all of the open business has been completed.
- (2) When there is a public hearing, it is unlikely that Council will be able to consider all of the agenda items at the regular meeting before the public hearing is scheduled to begin as there are only 2 hours between the start of the regular Council meeting (5:00 pm) and the public hearing meeting (7:00 pm). As a result, Council is left to decide whether to:
 - (a) Adjourn the regular meeting to reconvene after the close of the public hearing,
 - (b) Adjourn the regular meeting and carry the items not yet dealt with to the next regular meeting, or
 - (c) Start the public hearing late.

When deciding what to do, Council should consider their duty of procedural fairness. Is it fair that the members of the public who came to observe the Council meeting and the proponents who are awaiting a decision of Council on their application to have to wait, or those who came to attend the public hearing? Leaving sufficient time between meetings avoids having to make these kinds of decision during the meeting.

When staff surveyed the 29 local governments in steps 2 and 3 of this review process, staff found the most common time for starting Council meetings was 7:00 pm (see [Figure 10](#)). However, Council members have indicated that they wish to stay with the 5:00 pm start time (see [Figure 11](#)) established under section 4(2) of Council Procedure Bylaw No. 3602 and not make a change.

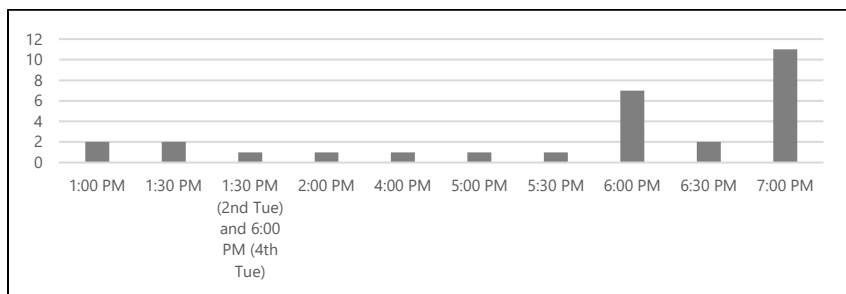


Figure 10: Regular Council/Board meeting start time (LGs surveyed)

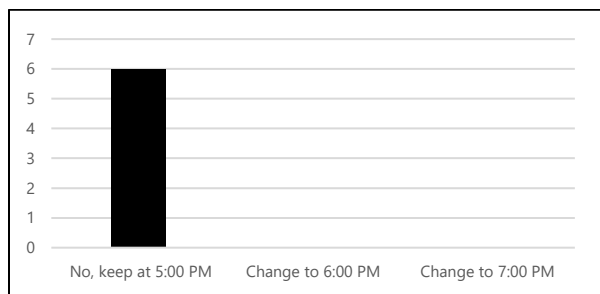


Figure 11: Regular Council meeting start time (Council survey)

CHANGE BASED ON SURVEY RESPONSES:

No change required, regular Council meetings to continue to be scheduled for 5:00 pm.

POLICY DEVELOPMENT: Agenda & Minutes Policy

Staff will be developing an Agenda & Minutes Policy to identify when and how agendas are developed and distributed, and what is captured in the minutes.

See pages 4 to 6 in **Council Procedure Bylaw Best Practices & Analysis report** for meeting start times and lengths, and how long other local governments have established in their procedure bylaws a meeting may last before having to adopt a motion to extend the meeting.

2.2 Currently the motion to extend the meeting requires a 2/3 vote of members present to extend the meeting beyond 8:00pm. Does Council wish to change the vote requirement to extend the meeting?

Currently, if a meeting is to extend past 3 hours, in accordance with section 4(6) and 28 of Council Procedure Bylaw No. 3602, a motion to extend the meeting by a 2/3 vote is required. However, the average length of Council meetings in 2023 (including closed if meeting started at 4:00 pm) is 2 hours and 37 minutes, which is significantly lower than the averages in 2022 (3 hours and 51 minutes) and 2021 (6 hours and 2 minutes) (see [Figure 7](#)) but is within the current limit of 3 hours. As a result, a motion to extend the meeting is rarely required.

Although 'majority vote' is the most common practice used by the local governments surveyed to extend the meeting beyond the time set in their procedure bylaws to adjourn (see [Figure 12](#)), the second most common practice (i.e., Council's current practice) is to require a motion to pass by a 2/3 vote.

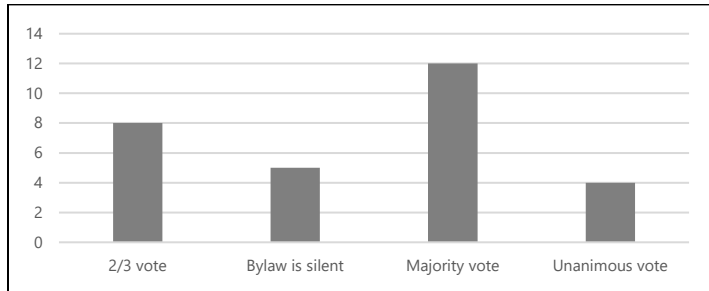


Figure 12: Vote requirement to extend meeting (LGs surveyed)

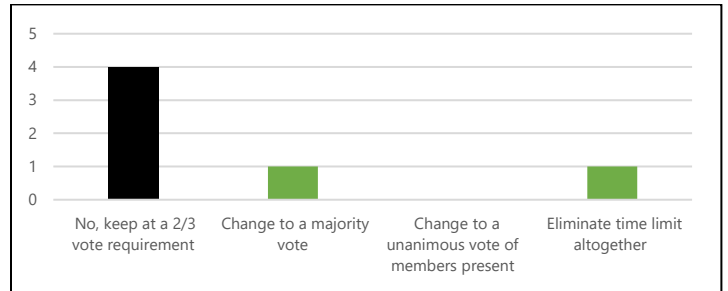


Figure 13: Vote requirement to extend meeting (Council survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on the results, no change is required, the motion to extend the meeting beyond 3 hours will require a 2/3 vote to pass (see [Figure 13](#)).

See page 7 in **Council Procedure Bylaw Best Practices & Analysis report** to see what other local governments require for the vote to pass on a motion to extend the meeting.

3. CLOSED MEETINGS

3.1 The current start time for closed sessions during regular Council meetings is 4:00pm.

Given that closed sessions generally last longer than an hour, does Council wish to change start time for closed sessions?

Since the 4:00pm closed meeting start time (section 4(2.2) of Council Procedure Bylaw No. 3602) was established on January 1, 2023, 17 out of the 19 regular Council meetings have included a closed session, with an average closed session time of 1 hour and 23 minutes. The length of the in-camera portion has ranged from 13 minutes (June 7, 2023) to 2 hours and 28 minutes (September 6, 2023).

The common practice of the local governments surveyed is to conduct the closed business after all of the open items have been dealt with (see Figures 14 and 15). However, Council identified that they wished to keep the 4:00 pm start time for the closed sessions (see [Figure 16](#)).

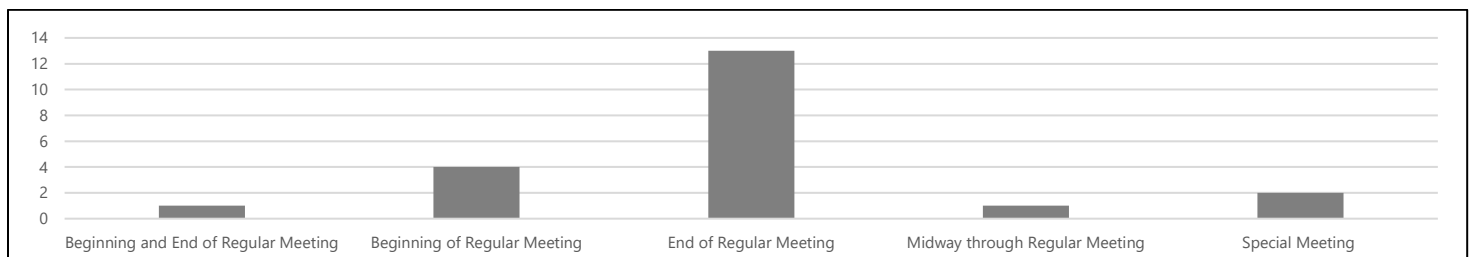


Figure 14: When closed matters are dealt with (LGs surveyed)

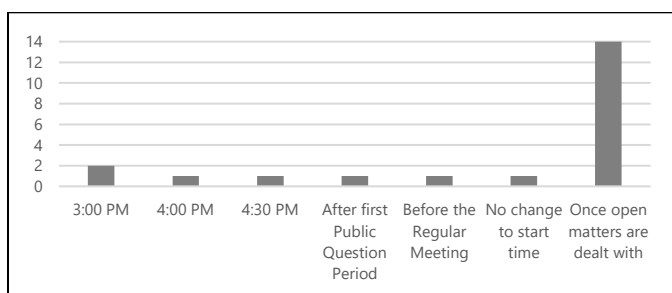


Figure 15: Time closed session begins (LGs Surveyed)

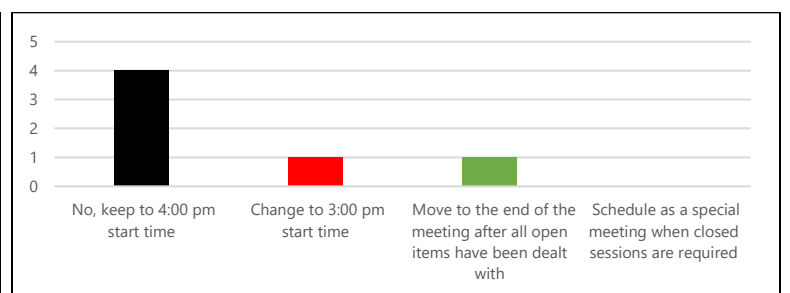


Figure 16: Time closed session begins (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Although the results indicate that a majority of Council would like to keep the closed session start time at 4:00 pm, the data provided under question 2.1 ([Council Meeting Start Time](#)) illustrates why it could be beneficial to change this start time.

STAFF RECOMMENDATION:

Given that the 65% (11 out of the 17 closed sessions in 2023, up to November 15, 2023) of the closed sessions were scheduled as special meetings and that 82% of those meetings started at 3:00 pm, staff would recommend that the closed session start time be changed to 3:00 pm. This change would improve efficiencies and provide a buffer between the open and closed sessions which would provide Council members with time to eat or take a bio break. It would also provide IT support staff more time before the open meeting starts at 5:00 pm to assist any members experiencing technical difficulties.

Council will be polled during the Workshop to determine if they wish to keep the start time at 4:00 pm or change to 3:00 pm as staff is recommending.

See pages 7 to 9 in **Council Procedure Bylaw Best Practices & Analysis report** for legislative/procedural rules and BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, for closed meetings.

3.2 Currently there is no formal process to release in-camera (closed) decisions during a public (open) meeting, other than to place the in-camera resolution in the open minutes that are adopted by Council. Given that over 30% of the local governments surveyed include an opportunity in their agendas to release their resolutions from closed, would Council like to establish a similar process for releasing closed decisions?

Council members must keep information from closed meetings confidential until such time that Council decides that the information can be released publicly or has been discussed at an open meeting. Establishing a place in the agenda where in-camera decisions can be released would be consistent with Council’s strategic priority to “provide responsive, transparent and engaged service that contributes value to the community.”

Staff found that 31% (9 out of 29) of the local governments surveyed included an opportunity/heading (e.g., Resolutions Released from Closed Session) in their public (open) meeting agenda for closed decisions to be released publicly during the meeting (see [Figure 17](#)). The current practice in North Cowichan is to include the in-camera resolution in the open meeting minutes that are included in the Consent Agenda for adoption, if the in-camera resolution has been released by Council and all conditions (if any) have been met. Otherwise, there is no official notice to the public of the release of the decision, other than to update the minutes that are published to the website.

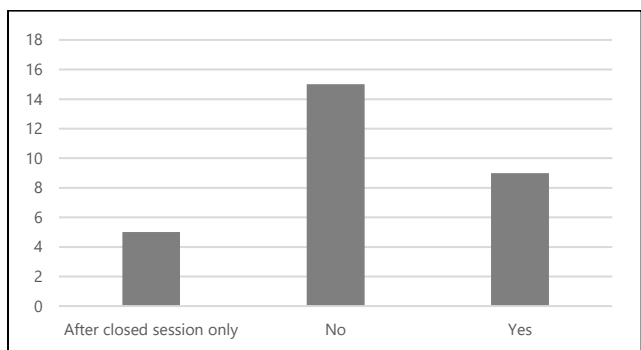


Figure 17: Includes an opportunity to release closed decisions (LGs Surveyed)

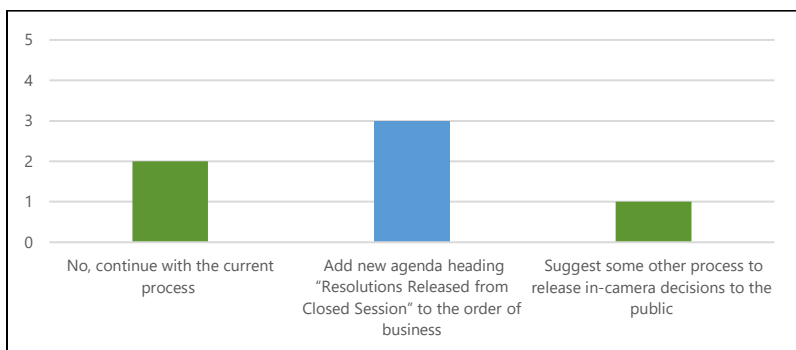


Figure 18: Includes an opportunity to release closed decisions (LGs Surveyed)

CHANGE BASED ON SURVEY RESPONSES:

Respondents were split on this question, 3 chose to include a heading called “Resolutions Released from Closed Session” in the order of business, 2 chose to keep the current process, and 1 indicated that they had no preference (see [Figure 18](#)).

STAFF RECOMMENDATION:

Staff recommends that Council include a heading called “Resolutions Released from Closed Session” in the order of business for the open agenda to increase public transparency and ensure that in-camera decisions that Council rose on which had a condition/action required to be met before the decision was released, are also released to public in an open meeting.

POLICY DEVELOPMENT: Agenda & Minutes Policy

The Agenda & Minutes Policy, previously mentioned, would also identify when and how in-camera decisions would be released to the public and placed under the new heading.

Council will be polled at the Workshop to determine if they agree with adding a place in the agenda for releasing in-camera decisions verbally during an open meeting.

See page 9 in **Council Procedure Bylaw Best Practices & Analysis report** to see when other local governments release their in-camera decisions.

4. CANCELLING A REGULAR MEETING

4.1 Currently the first meetings in January, July and August are cancelled each year, but the Council Procedure Bylaw is silent where there are conflicts with FCM or UBCM. Where a regular meeting has been cancelled, a special meeting can always be called if there is time sensitive matters, **Does Council wish to change which regular meetings are automatically cancelled?**

Historically Council has cancelled the first meeting during the months of January, July and August by resolution as there is reduced staff in the office due to vacations, therefore, fewer reports or bylaws are generally brought forward for Council consideration during those months. In December 2022, Council amended the Section 4(2.1) of Council Procedure Bylaw to provide greater transparency to the public on when regular meetings would take place. It was found that 38% (11 out of 29) of local governments surveyed cancel at least 1 meeting during the summer/winter months, week of FCM/UBCM, or in relation to an election (see [Figure 19](#)).

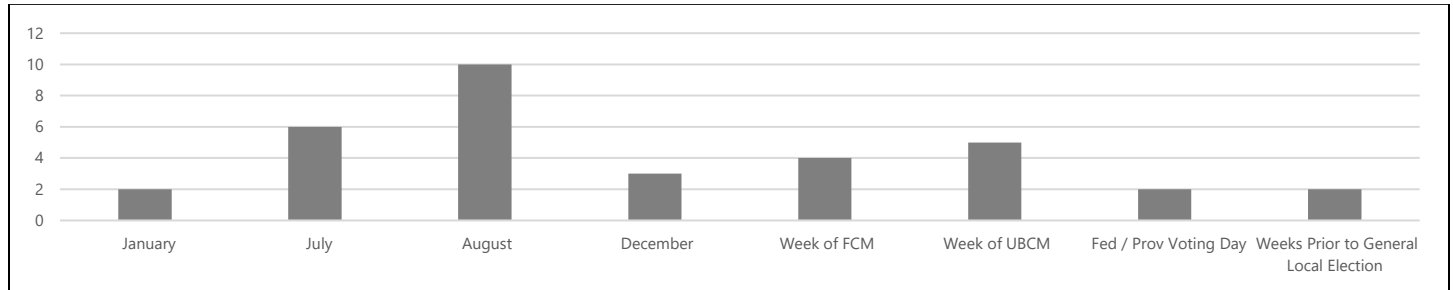


Figure 19: Meetings that are cancelled (LGs Surveyed)

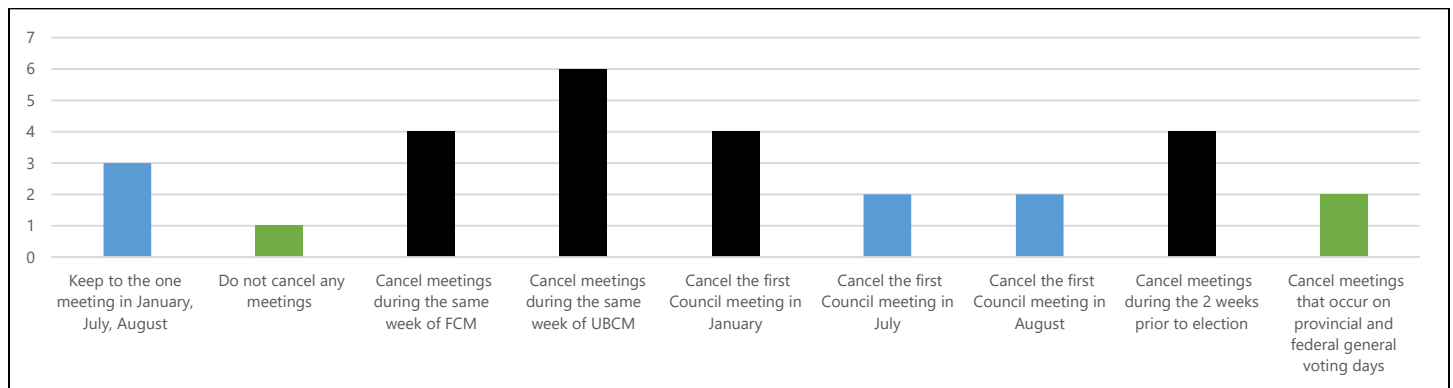


Figure 20: Meetings that Council selected to be cancelled (LGs Surveyed)

CHANGE BASED ON SURVEY RESPONSES:

Based on the survey results, the following meetings, selected by a majority of Council, shall automatically be cancelled in the new procedure bylaw (see [Figure 20](#)):

- Meetings that fall within the same week as UBCM
- Meetings that fall within the same week as FCM as Council has amended their "Council Conference Attendance Policy" to permit all members of Council to attend FCM
- Meetings that fall 2 weeks prior to a general local election
- The first meeting in January as 3 respondents selected the first option 'No, keep to one meeting in January, July and August' (2 of which also selected January) and 2 respondents selected "January" for total of 5 members in favour of cancelling the first meeting in January

Although only 2 members of Council selected the following meetings to be cancelled, there were a total of 4 members who selected these meetings to be cancelled as identified below:

- The first meeting in July as 3 respondents selected the first option 'No, keep to one meeting in January, July and August' (1 who also selected July) and 1 respondent selected "July" for total of 4 respondents in favour of cancelling the first meeting in July
- The first meeting in August as 3 respondents selected the first option 'No, keep to one meeting in January, July and August' (1 who also selected August) and 1 respondent selected "August" for total of 4 respondents in favour of cancelling the first meeting in August

All of the above meetings will be included in the bylaw to be cancelled. Council will not be polled on any of the above meetings.

STAFF RECOMMENDED ADDITION:

In addition to the meetings that a majority of Council has selected, staff is recommending that Council also cancel the following meetings that fall between general voting day and the inaugural meeting as this has been Council’s practice for the 2018 and 2022 general local elections.

Council will be polled at the Workshop to determine if they agree with cancelling any meetings that fall between general voting day (third Saturday in October) and the inaugural meeting (first Wednesday in November).

See pages 9 and 10 in **Council Procedure Bylaw Best Practices & Analysis report** for legislative/procedural rules and BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, for cancelling meetings.

4.2 A motion to cancel a meeting currently requires a 2/3 vote of members present for the motion to pass. Given that the general practice of the majority of local governments surveyed requires only a majority vote, does Council wish to change how many votes are required to cancel a regular Council meeting?

When it comes to cancelling a regular Council meeting, only Council has the authority to cancel the meeting, unless Council has delegated that authority, by bylaw, to another person, such as the Mayor, CAO or Corporate Officer.

19 (66%) of the local governments surveyed require only a majority vote of Council/Board for a motion to cancel a meeting to pass and 6 (21%) of the bylaws do not provide the authority to cancel a regular meeting (see [Figure 21](#)).

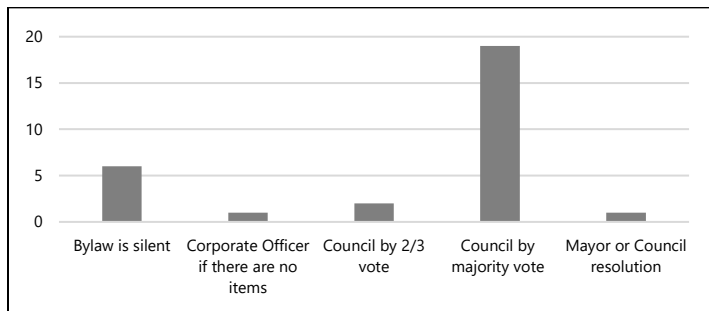


Figure 21: Vote requirement to cancel a meeting (LGs Surveyed)

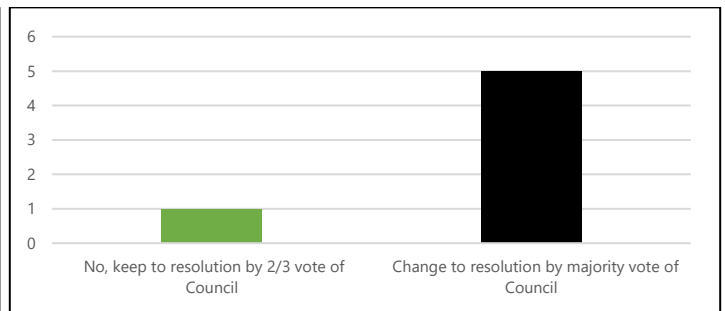


Figure 22: Vote requirement to cancel a meeting (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

The majority of Council indicated that they wished to reduce the vote requirement for cancelling a meeting from a 2/3 vote to a majority vote of Council (see [Figure 22](#)), which is consistent with the common practice of other local governments. Therefore, this requirement will be reduced to a majority vote in the new procedure bylaw.

See pages 9 and 10 in **Council Procedure Bylaw Best Practices & Analysis report** for breakdown of voting requirements by category .

4.3 Currently when a meeting needs to be cancelled, due to there being no business to be added to the agenda or knowing in advance that quorum will not be achieved, the only option is for the Mayor to postpone the meeting. Given that this has occurred in the past, does Council wish to provide the Mayor authority to cancel regular meetings in certain circumstances?

45% (13 of the 29) of the local governments surveyed have authorized their CAO or Mayor to cancel a regular meeting when it is known in advance that quorum will not be achieved or if there is insufficient business to warrant the holding of a regular meeting (see [Figure 23](#)).

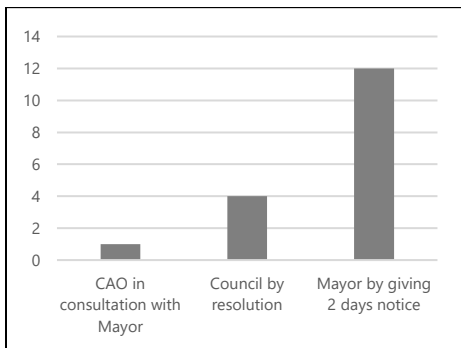


Figure 23: Vote requirement to cancel a meeting (LGs Surveyed)

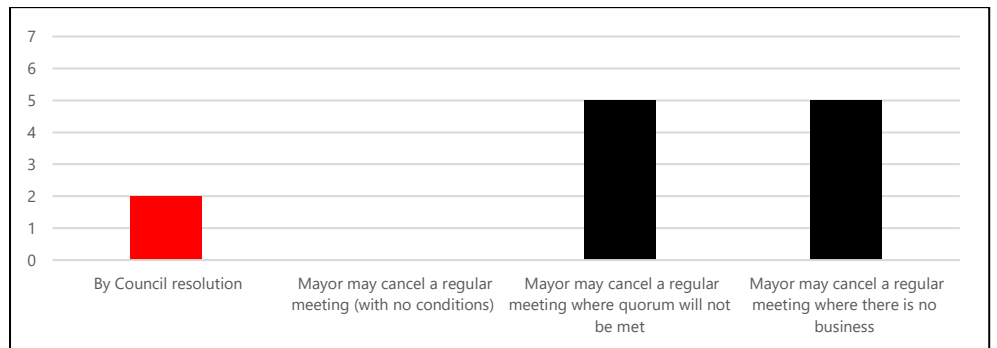


Figure 24: Vote requirement to cancel a meeting (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on the responses of Council, the Mayor will be authorized in the new bylaw to cancel a regular meeting if it is known in advance that quorum will not be achieved or if the CAO has no items of business to add to the agenda (see [Figure 24](#)).

STAFF RECOMMENDATION:

A resolution of Council will still be required to cancel a meeting for any other reason than what has been identified here and or under [question 4.1](#). Therefore, this procedure will remain in the new bylaw.

POLICY DEVELOPMENT: Agenda & Minutes Policy

The Agenda & Minutes Policy, previously mentioned, would also identify how Council and the public are notified when a meeting is cancelled.

5. QUORUM

5.1 Currently Council must wait 30 minutes before adjourning a meeting where there is no quorum. The common practice is 15 minutes. Does Council wish to change how long they must wait before adjourning a meeting when quorum is not reached?

The purpose for including a clause for how long Council must wait for quorum to be achieved is so that Council members do not have to wait around indefinitely.

For example, Let's say the meeting was scheduled to start at 5:00 pm, the limit is 15 minutes, and only 3 members were in attendance at 5:00 pm. If the Mayor or a staff person was able to reach one of the absent members and confirm that the member could arrive or join the meeting electronically by 5:25 pm, the meeting could still proceed once quorum was achieved. However, once the time has expired, and it is still unknown if quorum can be achieved, members no longer have to wait around and would be permitted to adopt a motion to 'Fix the Time to Which to Adjourn' by setting the date, time, and location for when the meeting could continue or 'Adjourn' to end the meeting¹.

66% (19 out of 29) of local governments surveys have specified in their bylaws that Council must wait 15 minutes before adjourning the meeting (see [Figure 25](#)).

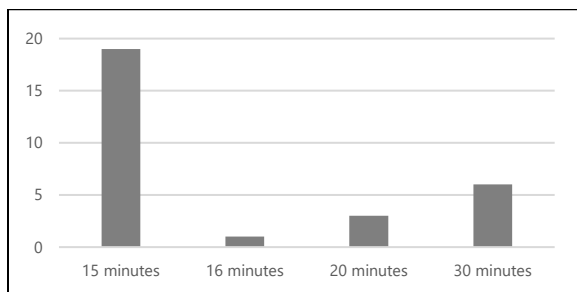


Figure 25: Time to wait when there is no quorum (LGs Surveyed)

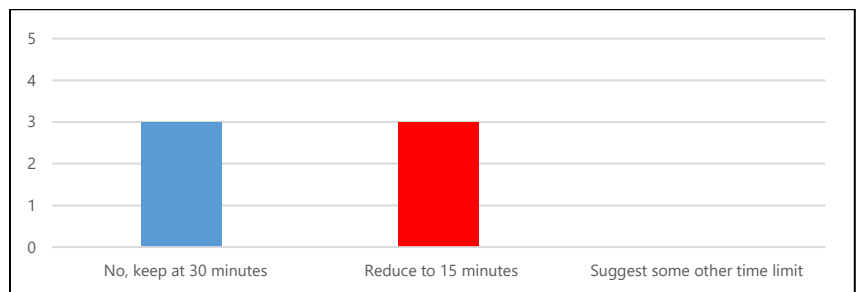


Figure 26: Time to wait when there is no quorum (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

There was a 50/50 split on this question as to how long Council must wait before adjourning a meeting due to lack of quorum, between 30 minutes and 15 minutes (see [Figure 26](#)).

STAFF RECOMMENDATION:

Given that Council has established the limit to wait for the Mayor or Acting Mayor to arrive before selecting a member present to preside at the meeting is set to 15 minutes and the majority of local governments surveyed have set their limit at 15 minutes, staff recommends that limit be reduced to 15 minutes (see [Figure 25](#)).

Council will be polled at the Workshop to determine if they wish to stay with the 30 minutes or reduce it to 15 minutes.

See pages 11 and 12 in **Council Procedure Bylaw Best Practices & Analysis report** for legislative/procedural rules and BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to quorum.

¹ This rule is intended to improve meeting efficiency not to prevent a meeting from taking place.

6. PUBLIC PARTICIPATION (PRESENTATIONS, DELEGATIONS, PETITIONS, PUBLIC INPUT)

6.1 Currently Council provides 2 opportunities for general input from the public during Public Input and Question Period. Given that less than 25% of all local governments provide 2 opportunities **does Council wish to change this?**

Council's [Public Input and Meeting Conduct Policy](#) established two separate opportunities for members of the public to participate during a Council meeting. Although the policy does not include Committee of the Whole meetings, these public opportunities have been extended to those meetings as well. Section 89 of the Community Charter requires that Council meetings be open to the public so they may observe the proceedings. However, by providing the public with the opportunity to observe and engage with Council fosters trust and confidence in decision-making processes and allows for meaningful participation and contribution from informed citizens.

69% of local governments surveyed provide at least one opportunity for the public to comment on agenda items, whether it is at the beginning of the meeting as public input (45%) or the end during the question period (52%). However, only 24% (MNC + 6 other local governments, CVRD, Esquimalt, North Vancouver, Port Alberni, Port Coquitlam and Victoria) provide both a public input opportunity and a question period during their meetings (see [Figure 27](#)).

Based on the responses of Council, the current process of providing an opportunity at the beginning of the meeting to allow members of the public to comment on agenda items and an opportunity at the end of the meeting to ask Council questions regarding their decisions [s.15] will remain the same (see [Figure 28](#)).

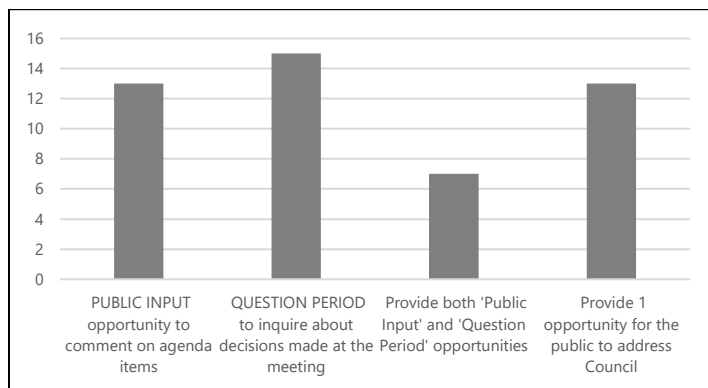


Figure 27: Public input during Council meeting (LGs Surveyed)

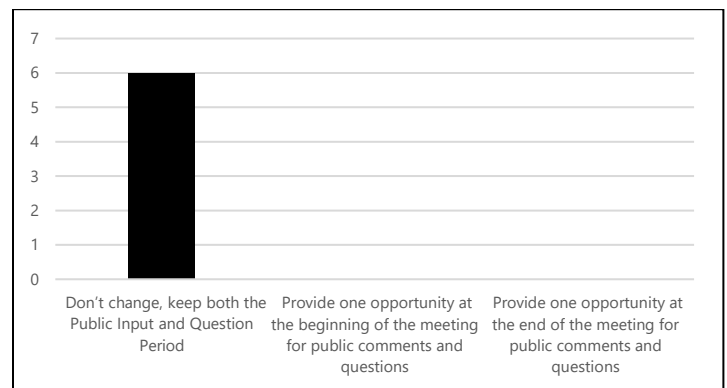


Figure 28: Public input during Council meeting (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

No change required.

POLICY DEVELOPMENT: Public Input and Meeting Conduct Policy

There will be some updates made to the Public Input and Meeting Conduct Policy to ensure that the procedural rules allowing for public input and question period are placed within the new procedure bylaw and that the details are contained within the policy. Details on how electronic participants can sign up to be added to the speakers list will also be included.

See pages 16 and 17 in [Council Procedure Bylaw Best Practices & Analysis report](#) for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to public participation during the decision-making process.

6.2 Currently delegations are provided with 10 minutes to address Council, which is consistent with all other local governments within the CVRD, however, on Vancouver Island and comparable sized municipalities, it is split between 5 and 10 minutes. **Does Council wish to change how long delegations can speak?**

Enabling members of the public to address Council on topics/issues of importance to them or their organization, is another opportunity that Council provides for the public to participate in meetings (see [Figure 29](#)). 52% of the local governments surveyed have established a 10-minute limit for delegations to make their presentation to Council (all LGs within the CVRD have established this limit at 10 minutes).

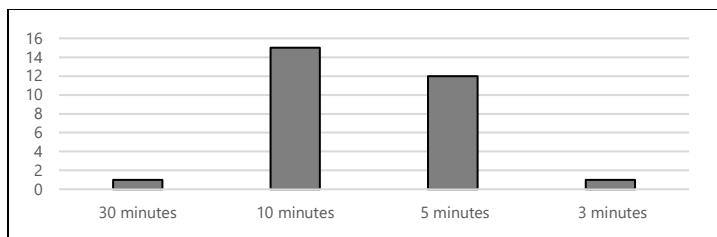


Figure 29: Limit for Delegation address (LGs Surveyed)

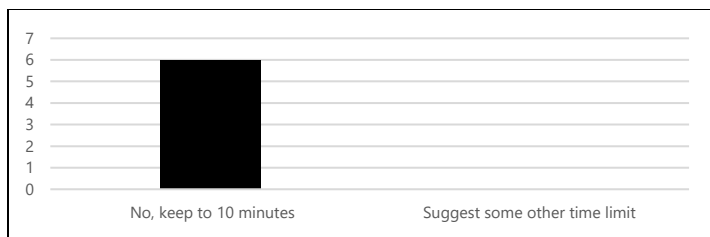


Figure 30: Limit for Delegation address (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on the responses of Council, the current process of providing an opportunity to allow members of the public to appear as a delegation before Council and have 10 minutes to make their presentation will remain the same (see [Figure 30](#)).

See pages 13 to 15 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to delegations and invited speakers.

6.3 The current process for adding a delegation to an agenda is to forward it to the Mayor for approval. Approximately 80% of local governments surveyed have established the conditions under which the Corporate Officer may approve or reject an application to be a delegation. Does Council wish to change how delegations and petitions are approved to be added to the agenda?

The best practice, as identified by the LGMA and the Ministry of Municipal Affairs is to include in the procedure bylaw how delegation requests are handled by the Corporate Officer, such as:

- the time frame for submissions for inclusion on the agenda
- limits on the frequency and length of presentations by delegations
- how many presentations or delegations may be heard per meeting and whether or not more may be added by resolution during the meeting
- referring topics that might affect the financial or operational plan to staff for a report before it is considered by the Council
- asking delegations to specify what they are seeking from Council

Of the local governments surveyed, 79% have authorized the Corporate Officer to reject delegation applications that do not meet the conditions established in their bylaws (see [Figure 31](#)).

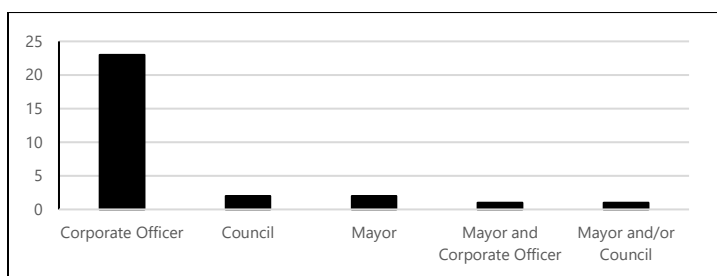


Figure 31: Who is authorized to approve Delegations (LGs Surveyed)

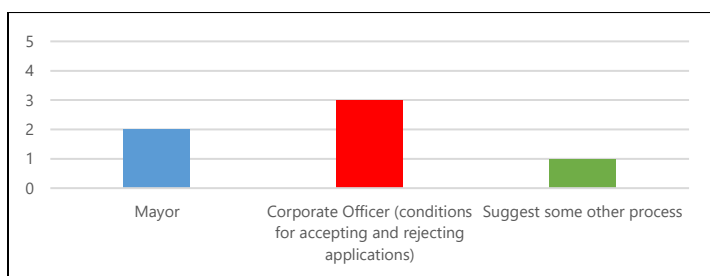


Figure 32: Who should approve Delegations (Council Survey)

NO CHANGE BASED ON SURVEY RESPONSES:

There was almost a 50/50 split on this question as to who should approve or reject a delegation application to be added to an agenda (see [Figure 32](#)).

The following process(es) was also suggested:

- (1) Corporate Officer and include conditions for accepting and rejecting applications in consultation with the Mayor

STAFF RECOMMENDATION:

Staff recommends changing to the Corporate Officer which is consistent with the majority of local governments surveyed and reduces inefficiencies.

Council will be polled at the Workshop to determine whether to continue with the Mayor to approving all delegation requests or change it to the Corporate Officer to approve or reject an application based on the conditions established by Council.

See pages 13 to 15 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to delegations and invited speakers.

6.4 Currently the only condition where a delegation application would be rejected is in regard to a bylaw for which a public hearing has been held but has not yet been adopted. However, several local governments have included additional reasons, as listed below. Would Council like to include any of these reasons for rejecting a delegation request in the new bylaw?

The current condition that “Council must not permit a delegation to address a meeting of the Council regarding a proposed bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw” will remain in the new bylaw as it is not proper for Council to receive new information from either proponents or opponents of the bylaw. If a delegation were to address Council after a public hearing, but before adoption of the bylaw, it could trigger a new public hearing. This condition applies to land use applications such as OCP & zoning amendments and TUPs (LGA s. 464 and 494).

It was identified as a best practice in BC by the Ministry of Municipal Affairs and the LGMA to restrict the following topics for delegations:

- Subjects that do not fall within the jurisdiction of Council;
- Bylaws where a public hearing is to be held;
- Matters subject to legal proceedings where a judgement has not been given;
- Publicly tendered contracts or proposal calls that have not yet been awarded;
- Staffing or labour relations matters;
- Applications, permits or licenses not yet considered by Council²;
- Information considered in closed meetings – unless the information has been released; and,
- Promotion of businesses.

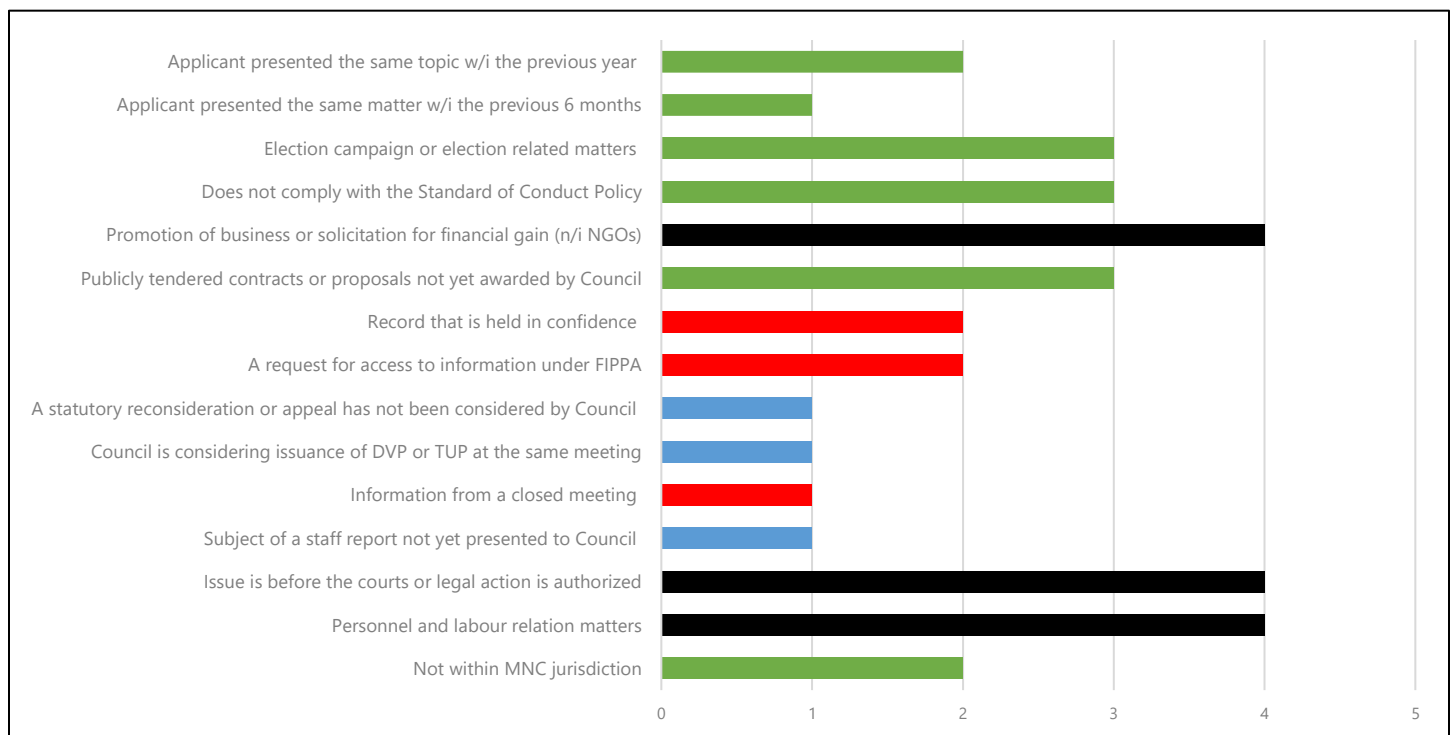


Figure 33: Conditions for Corporate Officer to reject a Delegation request (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on the survey results, the Mayor or the Corporate Officer, dependent upon the vote on the previous question at the Workshop, the following conditions will be included in the new bylaw to reject an application to be a delegation (see [Figure 33](#)):

- (1) Personnel and labour relation matters, including a grievance under a collective agreement³
- (2) An issue which is before the courts or on which Council has authorized legal action³
- (3) Promotion of applicant’s business or solicitation of goods or service for financial gain³

² The suggestion provided by one member is consistent with this BC best practice. However, there are circumstances where the public has the right to be heard by Council, such as refusal to issue a business licence or where a person is required to take remedial actions on their property.

³ These conditions identified by 50% of Council members are consistent with BC best practices.

The following suggestion was received for other restrictions to include:

- We need a policy which regulates delegations that pertain to active land use files and/or development applications that require public hearings as part of the regular process. That is, if a public hearing is a part of the process, that is the appropriate time to be hearing from proponents.
 - See bullet (2) under the above paragraph, the condition which Council will be asked to consider adding

STAFF'S RECOMMENDATION:

In addition to the reasons identified by Council, there are some administrative procedures that staff believe would provide additional clarity, such as:

- (1) In relation to a record that is held in confidence, unless that record has been lawfully released to the public
 - to avoid breaching confidentiality
 - this is a BC best practice and takes into consideration the suggestions provided by a member of Council
- (2) Information considered in closed meetings, unless the information has been released by Council
 - this is a best practice in BC
- (3) Information from a closed meeting
 - this is a best practice in BC

POLICY DEVELOPMENT: Delegations & Invited Speakers Policy

Staff will be developing a Delegations Policy that would identify the conditions where the Corporate Officer would reject a request to be a delegation. The new procedure bylaw would authorize the Corporate Officer to approve delegations and point to the policy for the conditions for rejection.

Council will be polled at the Workshop to determine if they wish to include any of the following conditions in the new bylaw as these conditions did not receive a majority vote:

- (1) A statutory reconsideration or appeal of a decision pertaining to an application, permit or licence that has not been considered by Council (i.e., where Council has delegated the approval authority to staff and staff have rejected the application, cancelled, or suspended the licence or permit)
- (2) Property owner has obtained a DVP or TUP or Council is considering issuance of such a permit at the same meeting
- (3) Subject of a staff report not yet presented to Council

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support adding the administrative procedures recommended by staff.

See pages 14 and 15 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to delegations and invited speakers.

6.5 Currently the Council Procedure Bylaw only references petitions where they are received in relation to a Public Hearing but is silent where a petition is received in accordance with section 82 of the *Community Charter*⁴ or to bring attention to matters of interest in the community. Does Council wish to establish any rules for petitions to be included in a Council agenda?

Petitions are usually initiated by local residents interested in receiving a service (e.g., water or sewer) in their area. However, residents do submit *informal petitions* to Council to bring attention to matters of community interest.

These types of informal petitions are considered '*informational*' and are not the same as formal petitions to establish municipal local area services, which must be done by bylaw. These informal petitions can be treated as any other correspondence and added to the Consent Agenda, or they can be given a higher priority by providing specific rules in relation to how they are received and considered by Council.

Providing rules regarding petitions would be consistent with Council's Strategic Plan goal "*to provide responsive, efficient, transparent and engaged service that contributes value to the community.*"

⁴ This would include formal petitions to establish a local area service or informal petitions from residents wishing to bring Council's attention to matters of interest in the community.

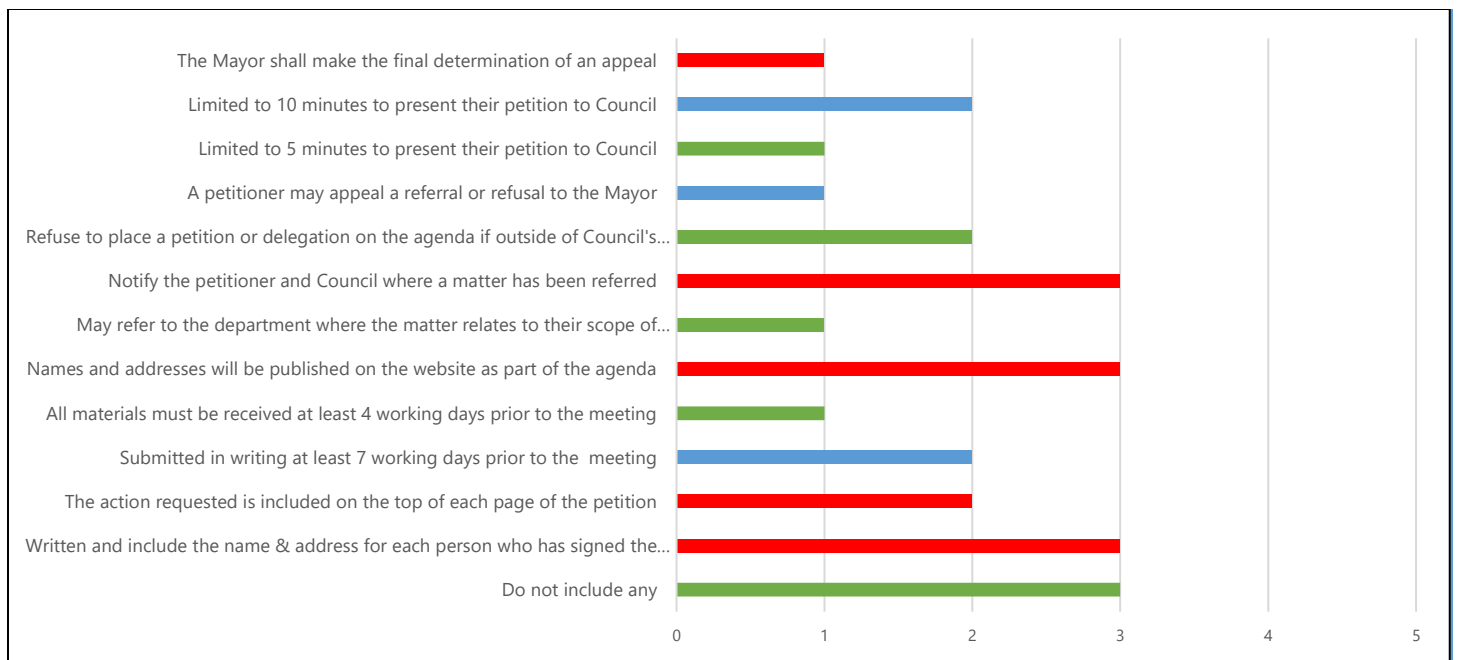


Figure 34: Rules to establish for petitions (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Since a majority of Council have not selected any of the options (see [Figure 34](#)), Council will be polled to determine which conditions, if any, are to be included in the new bylaw.

STAFF'S RECOMMENDED ADDITIONS:

Staff recommends including the following administrative procedures which provide clear direction to staff and petitioners:

- (1) A petition must be legibly written, typed, or printed; dated; must not be libelous, obscene, impertinent, or improper; and must include the name and address for each person who has signed the petition. In the case of a society or corporation signing a petition, the authority given by the society or corporation to sign the petition shall also be produced.
 - o This will ensure that Council knows if the petitioners are residents or from individuals outside of the municipality
- (2) Petitions form part of the public record and the names and addresses of the petitioners are considered germane to the topic and will be published on the website as part of the agenda package
 - o This will provide transparency to the public
- (3) The Corporate Officer will notify the petitioner and Council where a matter has been referred to staff or a committee
 - o This formalizes the current practice
- (4) The Mayor, in consultation with the CAO, shall make the final determination of an appeal
 - o If Council votes against providing the Mayor with the authority to consider an appeal, this will not be added
- (5) The action (i.e., resolution by Council) requested and all pertinent information must be included on the top of each page of the petition
 - o This help to ensure that all signatories understand what they are signing. There is no requirement for a local government to take action if an informal petition is received; however, such a petition can be a useful tool to bring a local matter to Council's attention.
- (6) A petitioner may appeal a referral or refusal to the Council
 - o Where an individual (e.g., the Corporate Officer) has been given authority to decide on how an informal petition is handled, Council must establish procedures for reconsideration of that decision if Council wishes to provide that right (CC s.156).
 - o Given that 50% of members indicated that petition presentations should be placed first in the 'Petitions and Delegations' section of the agenda under [question 6.7](#), staff have assumed that the expectation would be for the petitioner(s) to present their petition at the meeting, rather than limit their address to Council during the Public Input portion of the agenda.

POLICY DEVELOPMENT: Petitions Policy

Rules (2), (4), (5) under Staff Recommended Additions and the authority for the Corporate Officer to refuse to place a petition on an agenda will be contained within the new procedure bylaw. The remaining rules (i.e., the details) listed above would be included in a new Petitions Policy.

POLICY DEVELOPMENT: Consent Agenda Policy

The Consent Agenda Policy will be reviewed with Council to determine if any changes are required.

Council will be polled at the Workshop to determine if they wish to include any of the following conditions in the new bylaw as these conditions did not receive a majority vote:

- (1) A person or group shall be limited to 10 minutes to present their petition to Council.
- (2) A request to present a petition to Council or the Committee of the Whole must be submitted to the Corporate Officer in writing at least 7 working days prior to the day of the meeting
- (3) A petitioner may appeal a referral or refusal to the Mayor (if a petition is refused to be placed on agenda)

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support adding the administrative procedures recommended by staff.

See pages 12 and 13 in **Council Procedure Bylaw Best Practices & Analysis report** for more information related to petitions.

6.6 Currently there is no limit to how many delegations can address Council at the same meeting. The limitation ranges between 1 and 4 for those local governments surveyed who have established a limit, with 2 being the most common within the CVRD and on Vancouver Island, and 4 within comparable sized local governments. Staff suggest that delegations and petitioners be placed within the same category on the agenda (Petitions and Delegations), therefore, **would Council like to establish a limit for the number of delegations and petitions presented at a single meeting?**

21 of local government procedure bylaws reviewed have established limits of between 1 and 4 speakers or have left it up to the Corporate Officer to decide based upon the number of business items on the agenda. Of those 21 local governments, 38% have limited the number of speakers to 2 (see [Figure 35](#)).

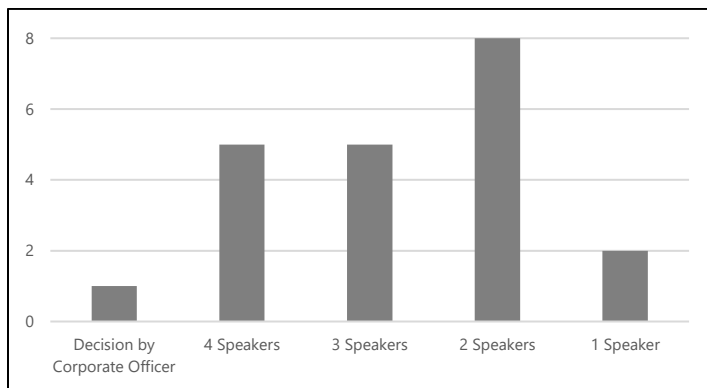


Figure 35: Number of Delegations at same meeting (LGs Surveyed)

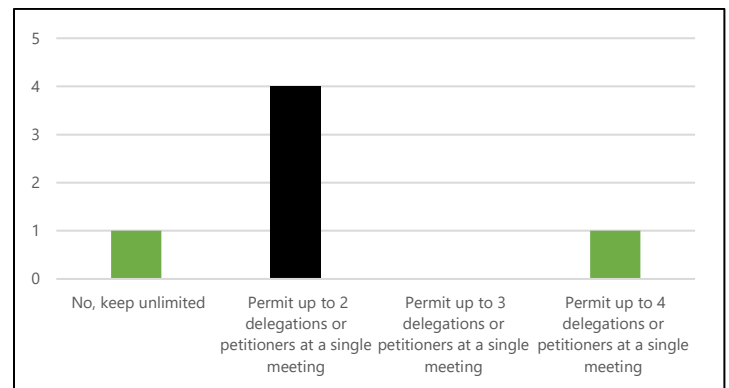


Figure 36: Number of Delegations at same meeting (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

A limit of 2 delegations or petitioners will be established in the new procedure bylaw (see [Figure 36](#)).

See page 14 in **Council Procedure Bylaw Best Practices & Analysis report** for a breakdown of how many delegations are permitted at a single meeting by local governments by category (CVRD, Comparable Size, Vancouver Island).

6.7 In addition to the rules suggested above ([question 6.5](#)), **does Council wish to establish any of the following rules that would apply for both delegations and petitioners?**

The best practice, as identified by the LGMA and the Ministry of Municipal Affairs is to restrict the following as topics for delegations:

- Subjects that do not fall within the jurisdiction of council or the board;
- Bylaws where a public hearing is to be held;
- Matters subject to legal proceedings where a judgement has not been given;
- Publicly tendered contracts or proposal calls that have not yet been awarded;
- Staffing or labour relations matters;
- Applications, permits or licenses not yet considered by council or the board;
- Information considered in closed meetings – unless the information has been released; and,
- Promotion of businesses.

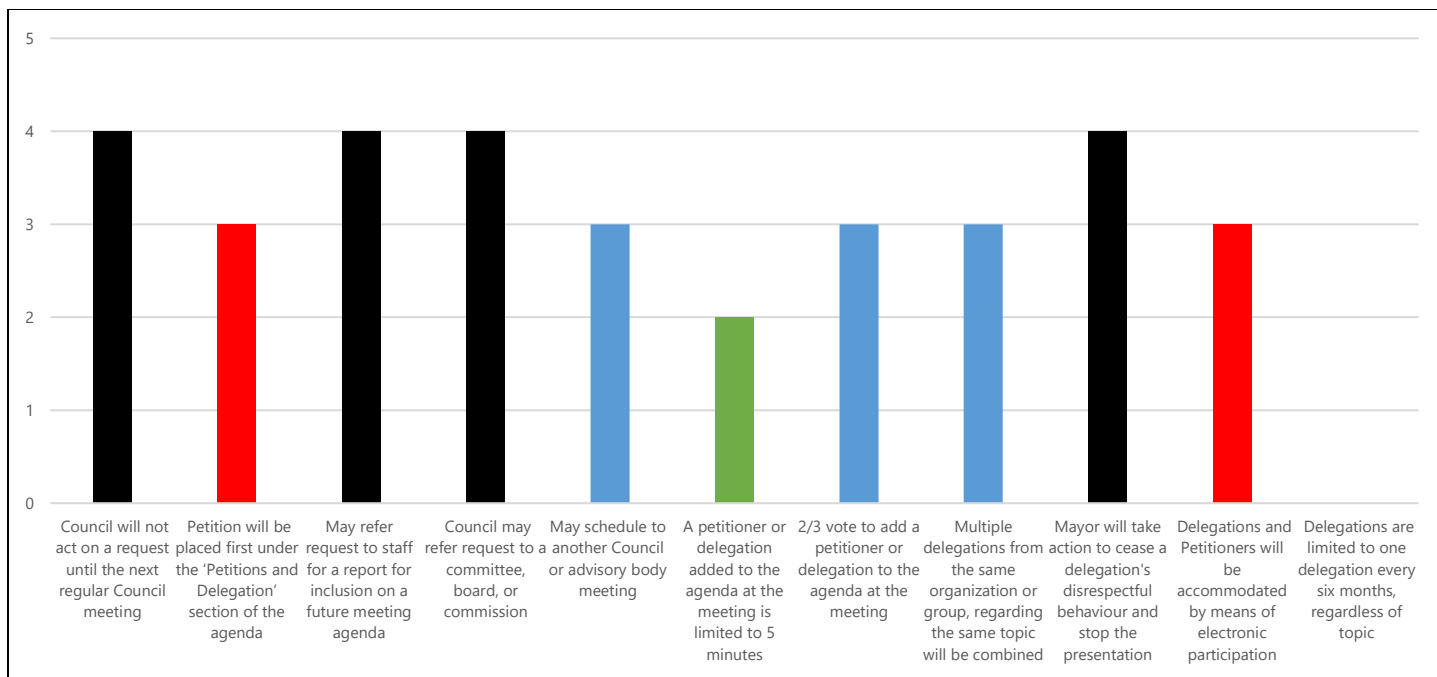


Figure 37: Rules to establish for petitioners and delegations (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on Council's responses (see [Figure 37](#)), the following procedures shall be included in the new bylaw:

- (1) Council will not act on a request from a delegation/petitioner at a Council meeting until the next regular Council meeting
- (2) Council may refer request from petitioners/delegation to staff for preparation of a staff report for inclusion on a future meeting agenda
- (3) Council may refer request from a petitioner/delegation to a committee, board, or commission with an accompanying staff report
- (4) Where a delegation speaks disrespectfully, refuses to abide by the rules, fails to adhere to time limits or disregards the authority of the Mayor, the Mayor will take action to cease the behaviour to stop the delegation's presentation

STAFF'S RECOMMENDED ADDITIONS:

Staff will be including the following administrative procedures which provide clear direction to staff and petitioners within the policies identified below:

- (1) Petition presentations will be placed first under the 'Petitions and Delegation' section of the agenda
- (2) Delegations and Petitioners will be accommodated by means of electronic participation

POLICY DEVELOPMENT: Delegation & Invited Speakers Policy

The following rules will be included in the new Delegation Policy:

- Delegations and Petitioners will be accommodated by means of electronic participation
- Details regarding the rule that "Council will not act on a request from a delegation or a petitioner at a Council meeting until the next regular Council meeting" (which shall be include in the new procedure bylaw) will be included in the policy (i.e., placed under New Business unless Council has referred the delegation request to staff or a committee)

POLICY DEVELOPMENT: Petitions Policy

The following rules will be included in the new Petitions Policy:

- Petition presentations will be placed first under the 'Petitions and Delegation' section of the agenda (a reference shall be included in the Agenda and Minutes Policy as well);
- Delegations and Petitioners will be accommodated by means of electronic participation
- Details regarding the rule that "Council will not act on a request from a delegation or a petitioner at a Council meeting until the next regular Council meeting" (which shall be include in the new procedure bylaw) will be included in the policy (i.e., placed under New Business unless Council has referred the petition to staff or a committee)

POLICY DEVELOPMENT: Electronic Meeting and Participation Policy

A new Electronic Meeting and Participation Policy will be developed to move some of the details out of the Council Procedure Bylaw into the policy so that the new procedure bylaw authorizes Council and Committee meetings to be conducted

electronically and for members to participate electronically where the meeting is not an electronic meeting. The policy will also address moving from open to closed in an electronic meeting, how to deal with technical difficulties, voting, obtaining the floor, conflict of interest, etc.

Council will be polled at the Workshop to determine if they wish to include any of the following procedures in the new bylaw as these procedures did not receive a majority vote:

- (1) The Corporate Officer may schedule petitions or delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation or petition
- (2) Where a written application or request has not been submitted (i.e., is not on the agenda), the petitioner or delegation may address Council if approved by a 2/3 vote of the members present
- (3) Multiple delegations from the same organization or group, regarding the same topic at the same meeting will be combined

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support adding the administrative procedures recommended by staff.

See pages 12 to 15 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to delegations and petitioners.

6.8 The Council Procedure Bylaw has not established a separate time limit for invited speakers (e.g., consultants hired by North Cowichan, CVRD or RCMP staff). Generally, these speakers require longer than 10 minutes to present their analysis or draft plans for Council feedback. If Council wishes to create a separate category (Presentations) for invited speakers, what should those rules be?

Typically invited speakers will include the RCMP when they present their quarterly updates to Council, Auditors presenting the financial statements, consultants contracted by the District to undertake research on the Municipality’s behalf and individuals from organizations where Council would like to hear directly from the subject matter expert.

There is no direction in Council Procedure Bylaw No. 3602 on how to deal with invited speakers, they have been dealt with in an ad-hoc manner and placed under different sections of the Agenda (e.g., Delegations, Reports, and New Business). Dependent where the speaker is placed, Council typically must change the order of the agenda so that they can hear from the speaker before the delegations without any time limit.

Differentiating between a delegation and an invited speaker will allow Council to establish separate rules, such as limits on how long their address may be and where they are placed on the agenda.

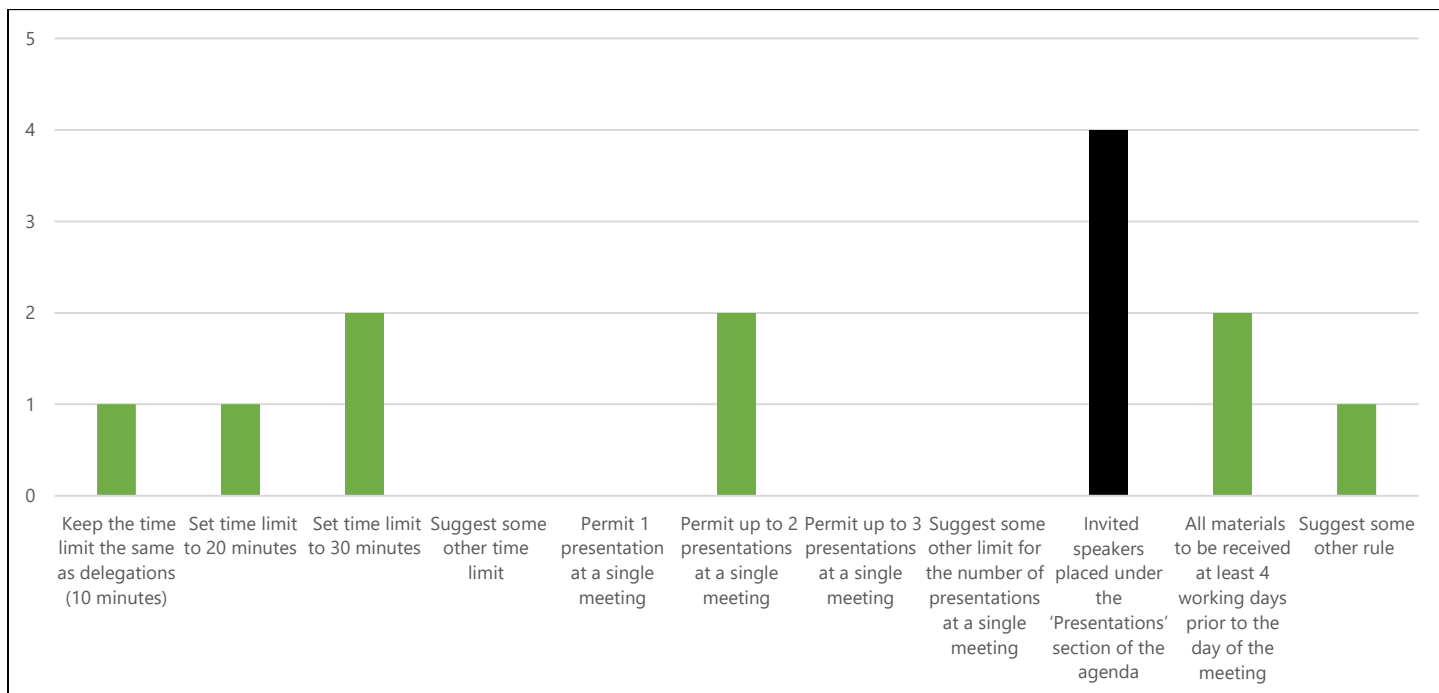


Figure 38: Additional rules to establish for petitioners and delegations (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Based on the feedback received from Council (see [Figure 38](#)), the following rule regarding invited speakers will be included in the new procedure bylaw:

- (1) Invited speakers will be placed under the ‘Presentations’ section of the agenda.

The following suggestion was received as a restriction for invited speakers:

- Presenters will have 10 min, with a vote from Council to increase time limit further

STAFF’S RECOMMENDATION:

Staff recommends that Council not establish a time limit for invited speakers as they are persons or organizations that Council has invited them to come to the meeting to make a presentation, or consultants contracted by North Cowichan.

POLICY DEVELOPMENT: Delegation & Invited Speakers Policy

The details regarding presentations and other documents related to invited speakers will be included in the Delegation & Invited Speakers Policy.

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support the administrative procedures drafted by staff regarding invited speakers.

7. PUBLIC HEARINGS AND STATUTORY HEARINGS & RECONSIDERATION

7.1 Currently public hearings are scheduled to be conducted on the 3rd Wednesday of the Month at 7:00pm, following the regular Council meeting. Given, that public hearings generally last less than 25 minutes, does Council wish to change when public hearings are conducted?

It is important that Council has enough time to cover all of the business in their regular meeting agenda prior to calling the public hearing to order at 7:00 pm. However, with only 2 hours between the start times for both meetings, it has proven a challenge, especially when the first hour of the meeting has been dedicated to hearing from the public during the Public Input portion (on average 27 minutes, ranging from 4 ½ minutes to 1 ½ hour) or as a Delegation (the average time per delegation address plus questions from Council is 25 minutes, ranging from 10 minutes to 1 hour & 5 minutes).

17 of the local government surveyed included when public hearings were held in their procedure bylaws, 71% scheduled their public hearings on the same day as their regular Council/Board meeting (see [Figure 39](#)). Slightly more than half (53%) include their public hearings in the regular Council/Board meeting agenda and 47% scheduled their public hearings before the Council meeting or at the beginning of their agenda (see [Figure 40](#)). Conducting the public hearing at the beginning of the agenda was found to be the most common practice (see [Figure 41](#)).

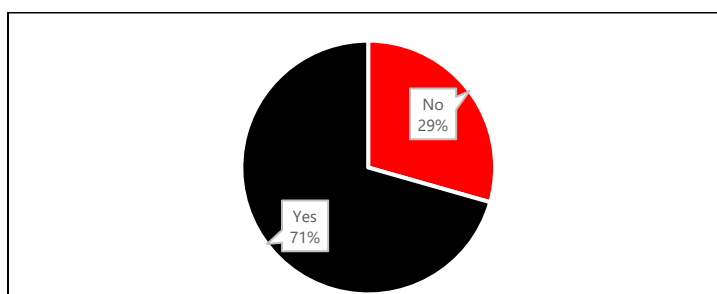


Figure 39: Public Hearing held same day as regular Council/Board mtg (LGs Surveyed)

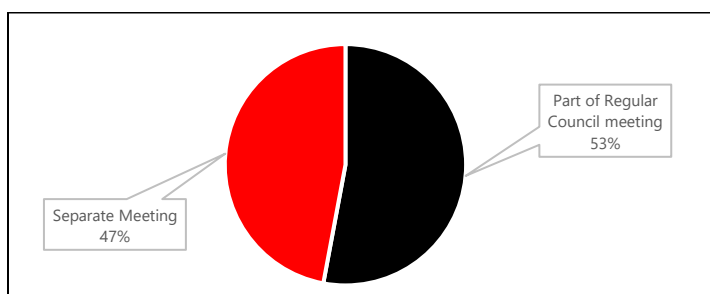


Figure 40: Public Hearing in same agenda as regular Council/Board mtg (LGs Surveyed)

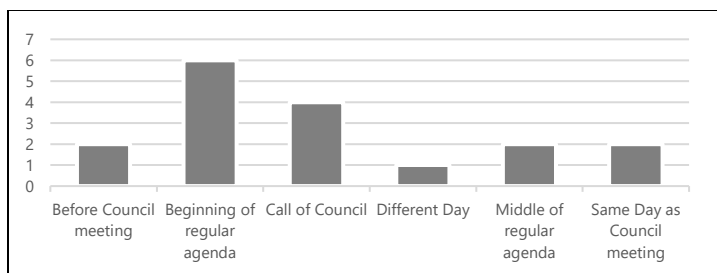


Figure 41: When Public Hearings are Scheduled (LGs Surveyed)

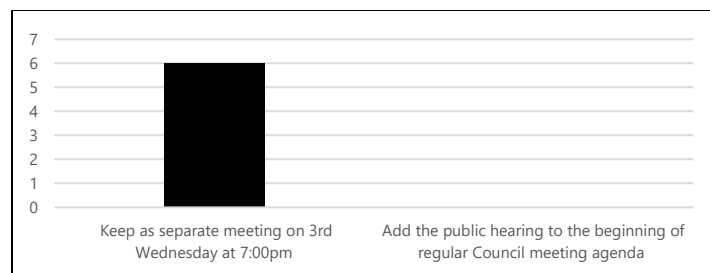


Figure 42: Change to Public Hearings meeting time (Council Survey)

Council has had to adjourn the regular Council meeting to reconvene the meeting following the close of the public hearing 67% (4 out of 6 public hearings) of the time in 2023.

CHANGE BASED ON SURVEY RESPONSES:

Although the results (see [Figure 42](#)) indicate that a majority of Council would like to keep the public hearing date (3rd Wednesday of the month) and start time the same (7:00 pm), the data provided under question 2.1 ([Council Meeting Start Time](#)) illustrates why it would be beneficial to change this start time.

STAFF RECOMMENDATION:

Given that the 4 out of the 7 (57%) public hearings held in 2023 interrupted the regular the Council meeting in order to call the public hearing to order at the time published in the notice, staff would recommend changing the start time to 8:00 pm. This would increase the start time between the meetings to 3 hours (which is the authorized meeting length unless extended by Council under section 4(6) of Council Procedure Bylaw No. 3602) and provide Council with time to eat or take a bio break before the public hearing as regular Council meetings last on average 2 ½ hours.

POLICY DEVELOPMENT: Public Hearing Procedures Policy

The Public Hearing Procedures Policy will be updated to include the processes currently followed by staff to ensure that all public submissions and notices are handled in the same way to guarantee administrative fairness.

Council will be polled at the Workshop to determine if they wish to keep the start time at 7:00 pm or change to 8:00 pm as staff is recommending.

7.2 The Council Procedure Bylaw has limited rules pertaining to public hearings, such as when they are held, rebuttal, notice, and who may ask a question. Does Council wish to add any additional rules?

The rules for the public to be heard at public hearings are different from Council meetings. All people who believe their interest in property is affected by the proposed bylaw must be given a reasonable opportunity to be heard or present a written submission on the information provided in the bylaw that is the subject of the hearing.

Sections 465 to 470 in the *Local Government Act* stipulates what rules must be followed before, during and following a public hearing, such as posting notice of the time, date and place for the public hearing, considering more than one bylaw at a public hearing, and providing all persons who believe that their interest in property is affected by the proposed bylaw a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw. Since subsection 465(1.1) of the *Local Government Act* authorizes Council to conduct a public hearing by electronic or other communications facilities, Council does not have to include the authorization in the new procedure bylaw as the authority is prescribed in the legislation. Whereas electronic Council and committee meetings may only occur if authorized in the procedure bylaw.

As long as the guiding principle on public participation (affording all persons who believe that their interest in property is affected a reasonable opportunity to be heard or to provide written submissions) is respected, the *Local Government Act* allows "the chair of the public hearing" to "establish procedural rules for the conduct of the hearing." Examples of such procedural rules include things like a speaker's list and time limits on submissions. In establishing procedural rules, the chair's principal concern should be to ensure that members of the public are permitted to make their representations effectively.

Establishing limits on how long members of the public can speak protects the rights of others to be heard. Limiting the time for each speaker to address Council encourages speakers to be focused and direct and permits more people to be heard. Anyone who ran out of time would have an additional opportunity to be heard after everyone else had an opportunity to speak for the first time. If a hearing is rowdy and emotional, the chair has considerable leeway to keep order and may establish (reasonable) rules governing the hearing (not included in the policy) and direct hecklers or persons interrupting other speakers to their seats (or expelled from the hearing – s.133 of the *Community Charter*), to ensure that others are not intimidated from participating.

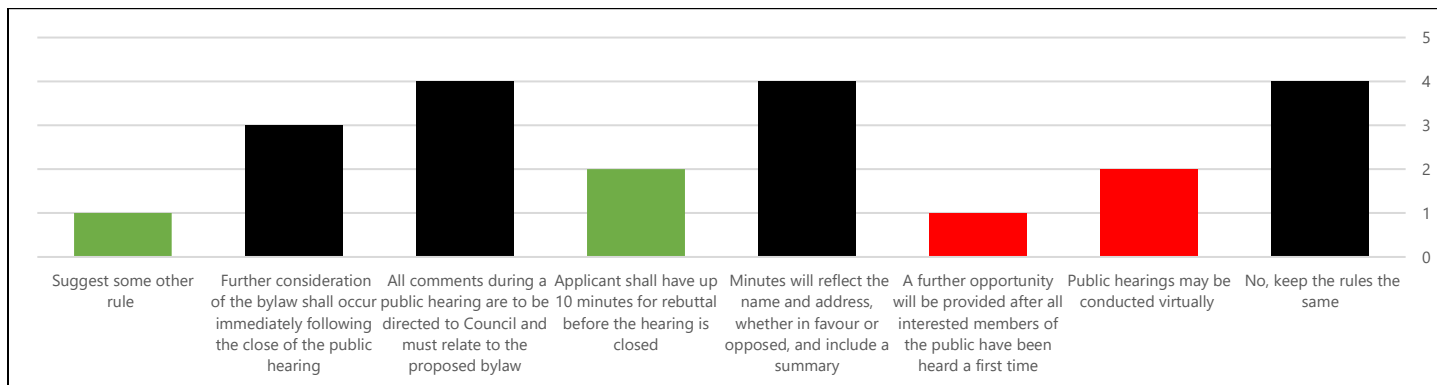


Figure 43: Public Hearing rules (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

As a majority of Council indicated that they wished to keep the rules the same, therefore, the following rules under Part 9 of Council Procedure Bylaw No. 3602 shall be included in the new bylaw:

- Public hearing to be held if the Director of Planning has given notice
- Only a Council member ask a question
- Replies or rebuttals are only allowed if permitted by Chair
- Applicant may make a presentation prior to comments from the public

In addition to keeping the rules the same, a majority of Council chose to include the following rules (see [Figure 43](#)):

- (1) Minutes of a public hearing will reflect the name and address of each speaker or written submission, whether in favour or opposed to the application, and a summary of the nature of the representation.
- (2) All comments during a public hearing are to be directed to Council and must relate to the proposed bylaw. Comments must be respectful of Council, staff and other members of the public.
- (3) Further consideration of the bylaw that was subject to the public hearing shall occur immediately following the close of the public hearing

The following are suggestion(s) for other rules:

- Speakers should not be limited to two minutes but should be able to speak freely and fully

Based on the responses and that the recommendations by staff are of an administrative nature, there will be no poll questions for Council to consider related to public hearing procedures.

STAFF RECOMMENDATION:

Staff is recommending that the following rules be added to the new procedure bylaw or policy:

- (1) That the use of a speakers' list be included in the policy and not the new procedure bylaw.
 - This would ensure that the names and addresses were spelled correctly in the minutes.
- (2) That a speaker's limit (if necessary) be established by the chair at each public hearing (BC best practice).
 - This would allow the chair to establish a limit of 3 to 5 minutes where there are a lot of people present who wish to speak, like the public hearings for the OCP, otherwise speakers would be able to speak for as long as they needed when there are only a few members of the public present.
- (3) If a person wishes to speak a second time, they will be given further opportunity to address Council after all interested members of the public have been heard a first time.
 - To ensure that everyone present at the public hearing has at least one opportunity to be heard
- (4) Public hearings may be conducted by means of electronic or other communication facilities
 - Although this is authorized under the legislation, including it will be consistent with the other meeting types

POLICY DEVELOPMENT: Public Hearing Procedures Policy

Staff include the above noted rules to the existing Public Hearing Procedures Policy.

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support the administrative procedures drafted by staff regarding public hearings.

See pages 18 and 19 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to public hearings.

7.3 The current process for statutory opportunities for persons to be heard varies dependant on the particular matter. Does Council wish to establish a formal process where the public or specific persons have a statutory right to be heard?

There are other circumstances where the public has a right to be heard by Council as a result of a decision made by Council where that decision has been delegated to staff. *For example*, refusal of business licenses or a person required to take remedial actions on their property. The best practice in British Columbia for reconsidering a delegate's decision is to:

- include a cross reference to it in the procedure bylaw; and,
- outline the process if a person wants to appeal a delegated decision.

Council is required by law to provide certain persons an opportunity to be heard at a meeting:

- prior to adopting a bylaw that removes a park or public square reservation or dedication;
- prior to adopting a bylaw that permanently closes a road;

- prior to adopting a resolution where the building inspector has recommended that Council place a note on the title of a property where the owner has contravened a municipal bylaw of the provincial building regulation;
- prior to adopting an amendment to the Business Licence Bylaw;
- prior to adopting the resolution to issue a temporary use permit (TUP) or a development variance permit (DVP); or
- where the Annual Report is considered.

The following decisions that have been delegated to staff under [Delegation of Authority Bylaw No. 3814](#) and if denied, the person(s) has right to request Council to reconsider that decision to:

- grant, transfer, or renew a business licence
- issue a licence of occupation for less than 12 months
- authorize the installation of additional equipment on existing telecommunications towers
- issue a special event permit, development permit, development variance permits for a fence or retaining wall, or a temporary use permit to allow property owners to continue to occupy an existing dwelling while a replacement dwelling is under construction
- approve strata conversions
- a Clean Up Order issued under [Nuisance Abatement and Cost Recovery Bylaw No. 3804](#)

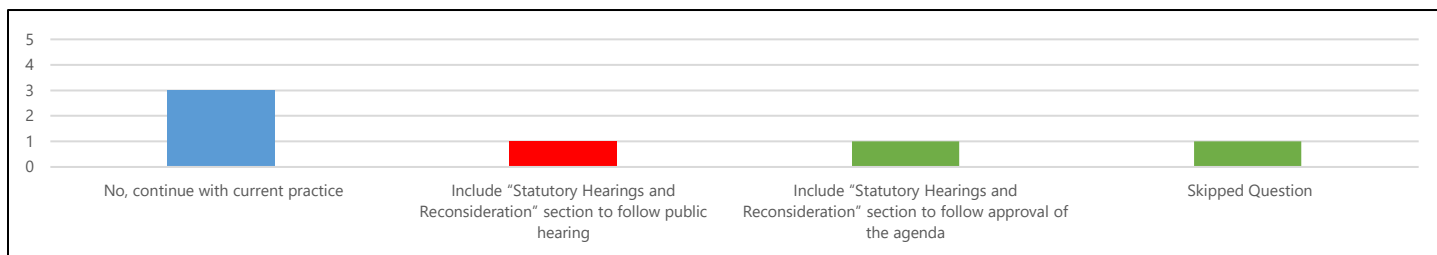


Figure 44: Public Hearing rules (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

There was no clear majority on this question (see [Figure 44](#)), however, as these opportunities have a statutory requirement, staff will be adding the procedures noted below in the new bylaw for Council’s consideration.

STAFF’S RECOMMENDED CHANGE:

Given that the law requires Council to provide certain persons an opportunity to be heard before Council adopts a bylaw or a resolution for the above-described manner, staff recommends that a “Statutory Hearings and Reconsideration” section be added to the public hearing agenda following public hearings for OCP and zoning amendments and establish a formal process (see question 7.4) in the new bylaw and update the details in the Public Hearing Procedures Policy.

POLICY DEVELOPMENT: Public Hearing Procedures Policy

Details regarding the ordering of statutory hearing or reconsideration matters shall be fleshed out in the Public Hearing Procedures Policy.

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support the administrative procedures drafted by staff regarding statutory hearings.

See pages 19 to 21 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to statutory circumstances where the public has a right to be heard and reconsideration of a delegate’s decision.

7.4 Staff is recommending that Council include a new category in the agenda for Statutory Hearings and Reconsideration, which of the following rules does Council wish to include?

Local governments must follow fair decision-making processes when making decisions that directly impact a person, group of people or organization, which includes meeting the duty of procedural fairness owed to those impacted by Council’s decision. The duty of procedural fairness has two key elements:

- (1) Right to be heard: Those directly impacted by a decision should have an opportunity to understand and meaningfully participate and be heard in the decision-making process.
- (2) Right to an impartial decision maker: The decision maker must have an open mind, be unbiased and not prejudge the decision they will make.

According to the BC Ombudsperson local governments should ensure that it has policies and processes that support making fair decisions and that Council’s decision-making processes provide opportunities for individuals to meaningfully participate and be heard when Council is considering actions proposed by staff that will impact them.

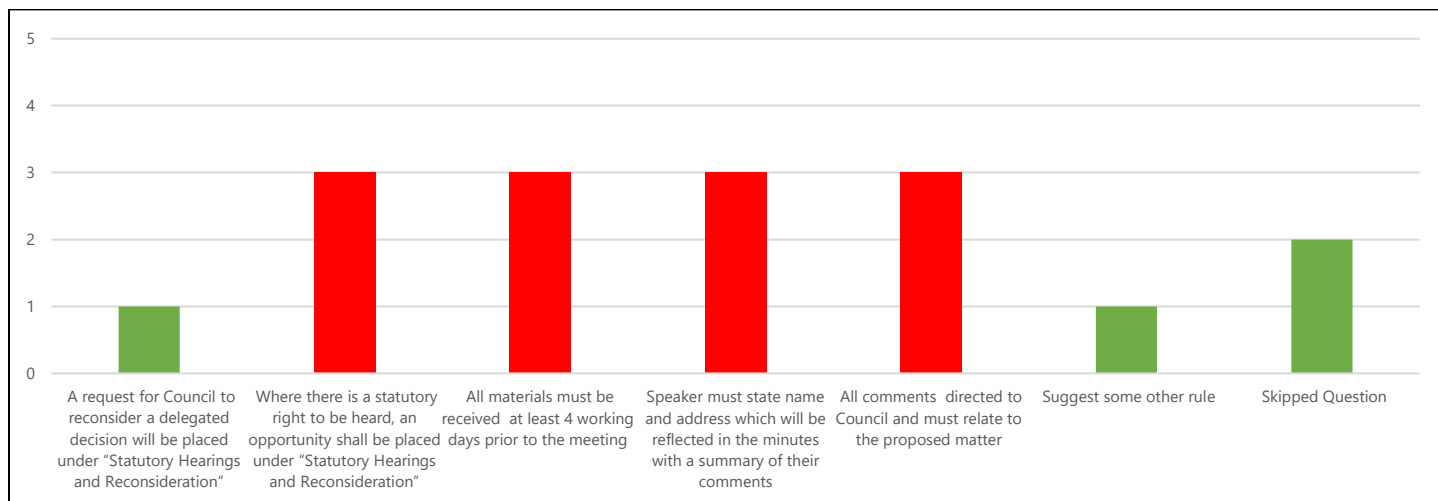


Figure 45: Statutory Hearing and Reconsideration rules (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

There was no clear majority on this question (see [Figure 45](#)). As indicated under question 7.3, the procedures recommended by staff which are BC best practices and recommended by the BC Ombudsperson shall be incorporated into the new bylaw for Council’s consideration.

STAFF’S RECOMMENDED ADDITIONS:

Staff recommends that the following procedures be included in the new procedure bylaw or added to the Public Hearing Procedures Policy:

- (1) All comments are to be directed to Council and must relate to the proposed matter for consideration or reconsideration. Comments must be respectful of Council, staff, and other members of the public.
- (2) Each speaker will state their name and address of residence for the record. The minutes will reflect the name and address of each speaker or written submission and a summary of the nature of the representation.
- (3) All materials to be presented must be received by the Corporate Officer at least 4 working days prior to the day of the meeting (e.g., handouts or PPT presentations).
- (4) Where a person(s) has a statutory right to be heard under provincial legislation, that person shall be provided such an opportunity, subject to all conditions under the provincial legislation being met, their request shall be placed under “Statutory Hearings and Reconsideration”.
- (5) Where a decision was delegated under the Delegation of Authority Bylaw, a person(s) may request Council reconsider that delegated decision in accordance with the Delegation of Authority Bylaw.
- (6) A delegated decision that has been reconsidered by Council cannot be reconsidered a second time.
- (7) No person may appeal a decision reached after a public or statutory hearing has been conducted or where a decision has been made to do one or more of the following, where the action has been fully or partially carried out:
 - adopt a bylaw that removes a park or public square reservation or dedication;
 - adopt a bylaw that permanently closes a road;
 - adopt a resolution where the building inspector has recommended that Council place a note on the title of a property where the owner has contravened a municipal bylaw of the provincial building regulation;
 - adopt an amendment to the Business Licence Bylaw; or
 - adopt a resolution to issue a temporary use permit (TUP) or a development variance permit (DVP).

POLICY DEVELOPMENT: Public Hearing Procedures Policy

The first two options (above) selected by respondents shall be added to the Public Hearing Procedures Policy. The policy name will be changed to “Public and Statutory Hearings and Reconsideration Process Policy” to better reflect the process contained within it.

The draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support the administrative procedures drafted by staff regarding statutory hearings.

8. COMMITTEE OF THE WHOLE & COMMITTEE MEETINGS

8.1 Committee of the Whole (COW) meetings are held once a month on the second Tuesday at 5:00pm. Is Council interested in changing the COW meeting date or time?

COW is a non-binding committee made up of all Council members to discuss or debate a topic less formally, develop common understanding, help reach consensus and develop recommendations to report back to Council. COW meeting procedures are the same as Council meetings unless specific procedures are outlined in the procedure bylaw.

On average, in 2023, Committee of the Whole meetings last 1 hour and 45 minutes (see [Figure 46](#) and [Figure 47](#)) as compared to 3 hours and 7 minutes in 2022.

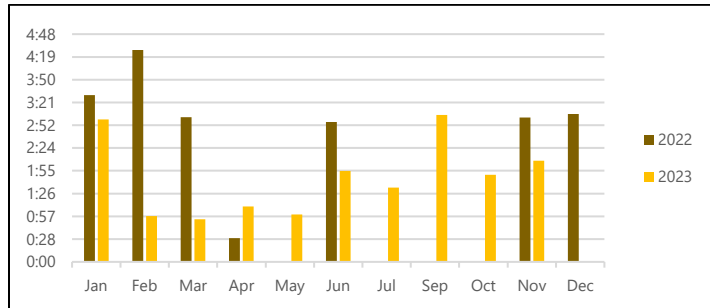


Figure 46: Average length of Committee of the Whole (regular and special) Meetings by month

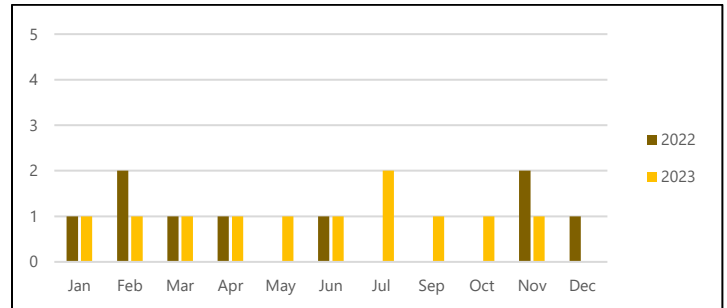


Figure 47: Number of Committee of the Whole Meetings per month

The start time for COW meetings ranged between 8:40 am and 7:00 pm with the greatest number starting at 7:00 pm followed by 6:00 pm (see [Figure 48](#)). North Cowichan was the only local government that included a 5:00 pm start time in their bylaw.

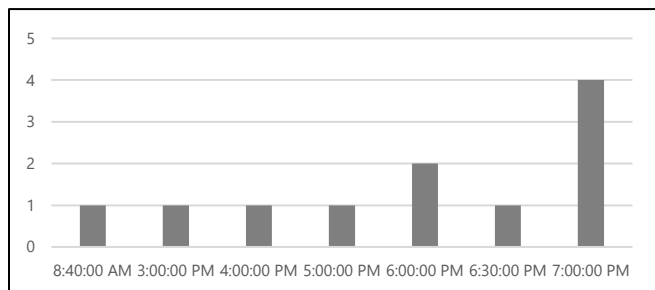


Figure 48: Committee of the Whole meeting start times (LGs Surveyed)

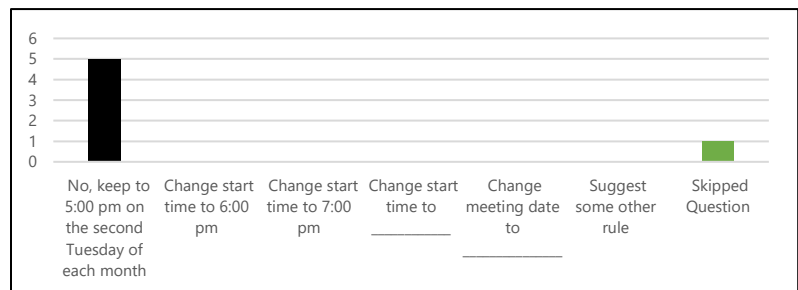


Figure 49: Committee of the Whole meeting date and time (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

A majority of Council indicated that they wanted Committee of the Whole meetings to continue on the same day and time (see [Figure 49](#)). Therefore, no change required, regular Committee of the Whole meetings to occur on the second Tuesday of each month at 5:00 pm, unless cancelled as per [question 4.1](#).

See pages 21 to 23 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to Committee of the Whole meetings.

8.2 Currently the Mayor presides at COW meetings unless the Mayor appoints a Councillor to do so. Does Council want to change who chairs COW meetings?

The practice of who presides over a COW meeting has varied in North Cowichan from the Mayor presiding to the Acting Mayor dependant upon what the Mayor at the time decided as it is the Mayor's decision whether or not to delegate that responsibility [s.39]. The common practice amongst the local governments surveyed is for the Mayor to preside unless the Mayor chooses to delegate that responsibility (see [Figure 50](#)).

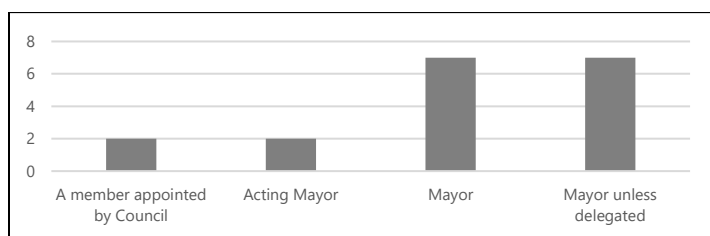


Figure 50: Committee of the Whole Chair (LGs Surveyed)

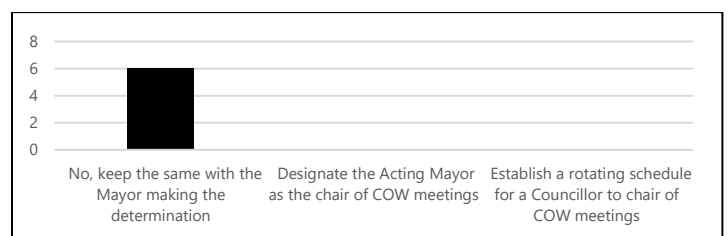


Figure 51: Committee of the Whole Chair (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

A majority of Council indicated that they did not want to change the rule for the Committee of the Whole Chair (see [Figure 51](#)). Therefore, no change required, the Mayor will continue to chair unless a Councillor is appointed by the Mayor.

See pages 23 and 24 in **Council Procedure Bylaw Best Practices & Analysis report** for a breakdown by sector on COW chairs.

8.3 Does Council wish to establish any other rules in relation to COW meetings?

Generally, procedure bylaws include rules specific to COW meetings, such as going into COW from a Council meeting and the process to return to the Council meeting. Although only one meeting was scheduled, two sets of minutes would be required to reflect any directions given to staff or recommendations made to Council while in COW and the decision (if any) made during the Council meeting.

The following rules specific to COW (that are different than the rules established for Council meetings) are currently contained in the Council Procedure Bylaw:

- At any time during a council meeting, Council may, by resolution, go into a committee of the whole
- The Mayor may postpone or cancel a regular committee of the whole meeting by giving notice through the Corporate Officer’s office at least 2 days before the date for which the meeting is scheduled
- A motion made at a committee of the whole meeting to rise without reporting (a) is always in order and takes precedence over all other motions, (b) may be debated, and (c) may not be addressed more than once by any one member.
- If a motion to rise without reporting is adopted by a committee of the whole at a meeting constituted under section 36 (1), the council meeting must resume and proceed to the next order of business.

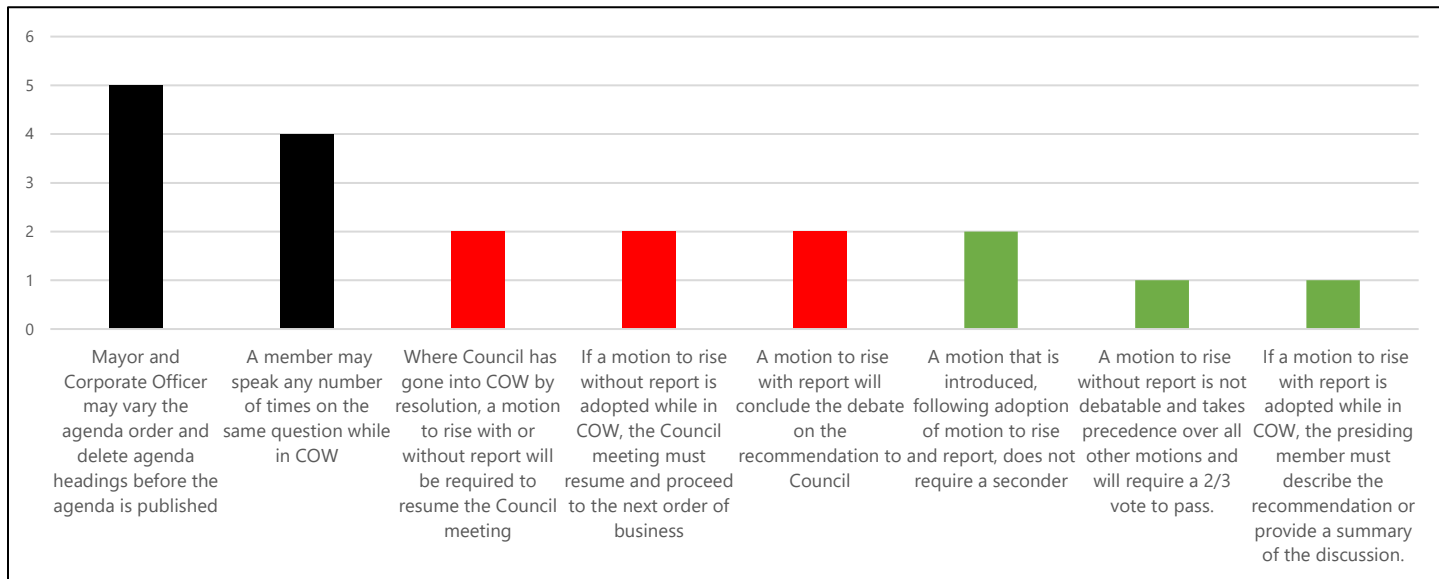


Figure 52: Committee of the Whole meeting rules (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

A majority of Council selected the following rules, which shall be included in the new procedure bylaw (see [Figure 52](#)):

- (1) When preparing the agenda, the Mayor and Corporate Officer may vary the order set out under the Order of Business for COW meetings and delete agenda headings if there is no business under those items. This will avoid having to go through a formal process during the meeting to change the order of business. The only exception would be that the New Business heading would always appear in the agenda regardless of whether there are any items under that heading, as all late items introduced at a meeting are placed under New Business.
- (2) A member may speak any number of times on the same question while in COW. This means that the 10-minute speaking limit would no longer apply while in COW.

STAFF’S RECOMMENDED ADDITIONS:

If Council decides they wish to keep these types of procedures, then the existing procedures and the following will be included in the new bylaw:

- Where Council has gone into COW by resolution, from a regular Council meeting, a motion to rise with report or rise without report will be required to resume the Council meeting.

- If a motion to rise without report is adopted while Council members are in COW, the Council meeting must resume and proceed to the next order of business.
- A motion to rise with report will conclude the debate on the recommendation to Council. The motion is not debatable and requires a majority vote to pass.
- A motion to rise without report is not debatable and takes precedence over all other motions and will require a 2/3 vote to pass.

POLICY DEVELOPMENT: Agendas and Minutes Policy

The process for preparing separate minutes when Council, by resolution, went into COW will be described in the Agendas and Minutes Policy.

Council will be polled at the Workshop to determine if they wish to keep any procedures in the new bylaw related to going into Committee of the Whole from a Council meeting.

If Council keeps the above noted procedures in the new bylaw, the draft Council Procedure Bylaw will be presented at a Committee of the Whole meeting for Council to decide if they support the administrative procedures drafted by staff regarding going into Committee of the Whole from a Council meeting.

8.4 Under the existing bylaw, the Mayor is considered and ex-officio member of all committees and may participate in the debate and vote. Does Council want to allow the Mayor to continue with this ex-officio status?

The Mayor or Board Chair is an ex-officio committee member within 21% of local governments surveyed but is not entitled to vote on a motion in 2 (Oak Bay and West Kelowna) of those 6 (North Cowichan, Duncan, Ladysmith, RDN, Oak Bay, and West Kelowna) local governments (see [Figure 53](#)). However, that ex-officio status is not generally established by most comparable sized municipalities or local governments on Vancouver Island.

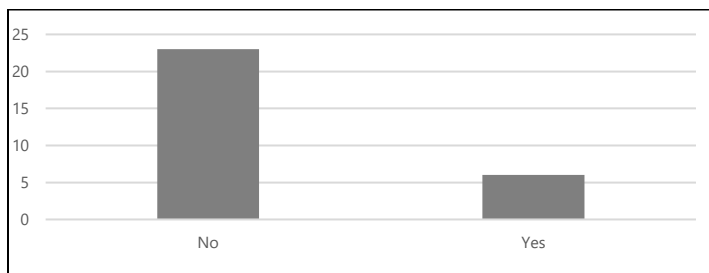


Figure 53: Is the Mayor or Board Chair automatically an Ex-Officio member on all committees? (LGs Surveyed)

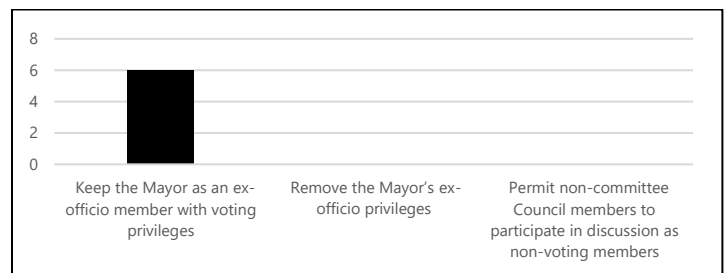


Figure 54: Mayor's Ex-Officio status on committees (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

A majority of Council indicated that they did not want to change the rule under section 53(2) of Council Procedure Bylaw No. 3602, regarding the Mayor's ex-officio status for committee meetings (see [Figure 54](#)). Therefore, no change required, the Mayor will continue to have the same rights as other committee members when attending their meetings.

Council will be polled at the Workshop to determine if they wish to permit non-committee Council members to participate in committee meeting discussions.

See pages 24 and 25 in **Council Procedure Bylaw Best Practices & Analysis report** for a breakdown by sector regarding ex-officio status and voting.

9. MOTIONS

9.1 Under the Notice of Motion Policy, a motion may not be considered at the same meeting where notice was given. Does Council wish to change this so that the motion could be considered at the same meeting?

A notice of motion is how a member of Council can bring forward a proposal for an item of business (idea or a specific course of action) that is not on an agenda. Under the existing [Notice of Motion Policy](#), the motion may not be considered until the next regular meeting or a meeting stipulated by the author. Although the policy prohibits consideration of the motion until the subsequent meeting, Council could suspend the rule (since it is not in the Council Procedure Bylaw) if all members were present at the time the rule is suspended. The motion to suspend the rule and consider the motion immediately would require a 2/3 vote to pass.

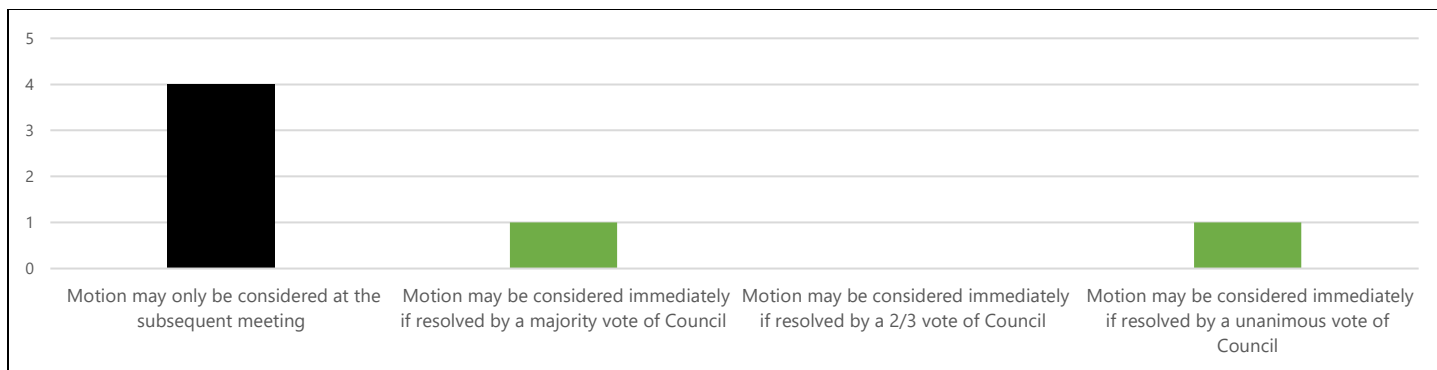


Figure 55: Notice of Motion consideration by Council (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

Given that a majority of Council selected the option that the motion could only be considered at the subsequent meeting (see Figure 55), that rule shall be moved from the Notice of Motion Policy into the new procedure bylaw.

POLICY DEVELOPMENT: Notice of Motion Policy

Staff will be reviewing the Notice of Motion Policy to determine if there are any other rules that should be moved into the new procedure bylaw along with when the motion may be considered.

See page 30 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to notices of motion.

9.2 Currently Councillors have 30 days to move a motion to reconsider a decision of the original vote, does Council wish to keep this limit the same?

Section 131 of the *Community Charter* states that the Mayor has the authority to require Council reconsider and vote again on a matter as long as the Mayor has initiated the process at the same meeting or within 30 days following the meeting. Whereas Councillors only have that authority, after the meeting where the decision was made and the meeting was adjourned, if the rule is established in the procedure bylaw. 86% of local governments surveyed authorize Councillors to bring forward a motion for reconsideration after the meeting was adjourned, however, the majority only permit the motion to be introduced at the next meeting (see Figure 56). Section 25(1) of Council Procedure Bylaw No. 3602 states that a Council member who voted with the prevailing side may, within 30 days of the original vote move to reconsider a resolution adopted or defeated by Council or move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

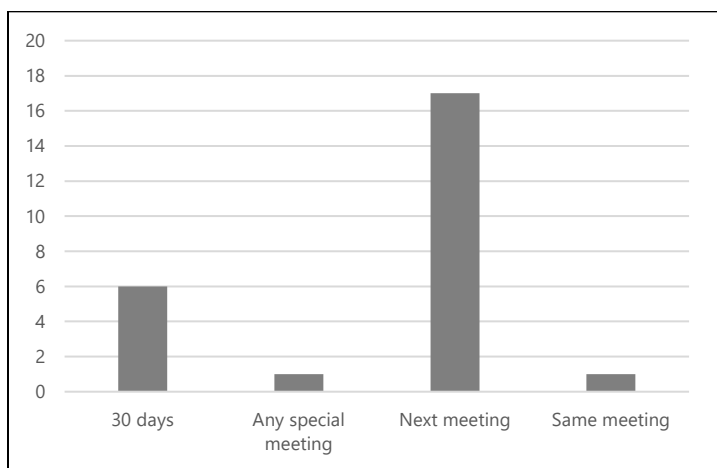


Figure 56: Motion to Reconsider (LGs Surveyed)

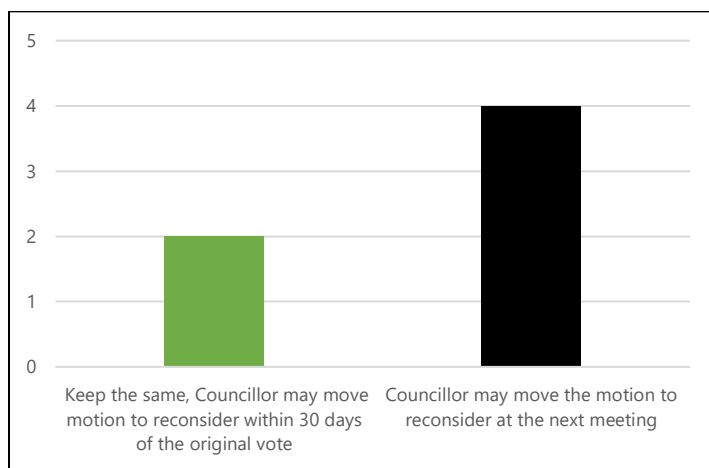


Figure 57: Motion to Reconsider (Council Survey)

CHANGE BASED ON SURVEY RESPONSES:

The survey results show that a majority of Council wish to reduce the period a Councillor, who voted on the prevailing side of a decision, could introduce a motion to reconsider from 30 days to the next meeting (see Figure 57), which is consistent with the common practice of other local governments. Therefore, this procedure will be updated in the new bylaw to reflect this change.

See pages 31 and 32 in **Council Procedure Bylaw Best Practices & Analysis report** for BC best practices, as identified by the LGMA and the Ministry of Municipal Affairs, in relation to reconsideration.

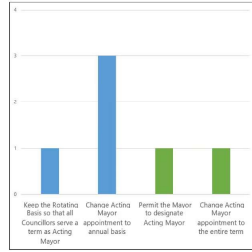
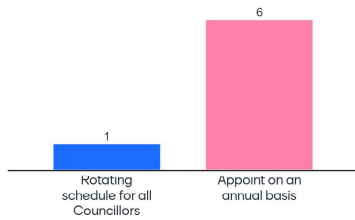
10. GENERAL

10.1 Is there anything else you would like changed or added to the Council Procedure Bylaw?

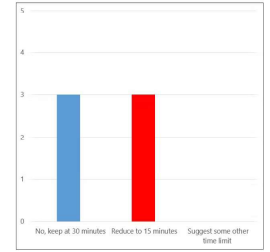
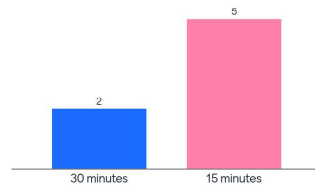
Suggestion	Staff Comments or Recommendation
<p>A longer period between agendas being published and meetings so council and the public have more time to read/process</p>	<p>Although s.14(3) says that the agenda must be made available at least 48 hours (i.e., before 5pm on Monday) prior to the meeting, the agendas are published Friday afternoons, after they have been reviewed with the Mayor.</p> <p>Of the 29 local governments surveyed, 3 other LGs (CRD, CVRD and Sechelt) conduct their meetings on Wednesday and publish their agendas on the preceding Friday. The range between publishing the agenda and the meeting was from 24 hours up to 5 days (Parksville).</p> <p>Staff will be polling Council at the workshop to determine if Council wishes to receive their agendas earlier than they currently do (i.e., before 4 pm on the Thursday preceding the meeting).</p>
<p>Notice of Motions require 3 weeks to debate – that is too long. A provision for Notices of Motion to be made up to and in the proceeding meeting (without having to get permission from Council)</p>	<p>Generally, there are 2 weeks between Council meetings, with the exception when there are 5 Wednesdays in the month.</p> <p>Council policies provide a governing framework to promote transparency and accountability in their decision-making, and as such are not legally binding, which means Council may suspend a rule (in accordance with Robert’s Rules of Order), if all members of Council are present, that impedes the transaction of business. It requires a 2/3 vote to pass.</p> <p>A motion to suspend the rules cannot be applied to a rule in the procedure bylaw unless the bylaw permits the suspension. The bylaw must be amended to change or rescind the rule.</p> <p>This question was asked on the survey and the majority of respondents selected the option that the motion could only be considered at the subsequent meeting.</p>
<p>Public input should happen before delegations.</p>	<p>Delegations are a form of public input. A member of the public wishes to address Council on a matter that is important to them but may not be included on an upcoming agenda, must do so by submitting a request to be a delegation as the public input is limited to speaking to items on the agenda only.</p> <p>When local governments provide the public with an opportunity to address Council, they must decide on whether they wish to allow the public to comment on:</p> <ol style="list-style-type: none"> (1) any issue of concern to the citizen; (2) any issue on the agenda for that meeting; or (3) only on selected items on the agenda. <p>When the Public Input and Meeting Conduct Policy was adopted in 2012, the intent was to allow the public an opportunity to provide input to Council before it makes its decisions. Since delegations are a form of public input and Council does not make a decision at the same meeting where the delegation has made their presentation, it would make sense for the public to wait to make any comments on the delegation request when the matter is before Council for a decision.</p> <p>Staff will be polling Council at the workshop to determine if the rest of Council would like to re-order the agenda to place Delegations after Public Input or if they would like to exclude delegation presentations from public input until such time as the matter comes back to Council for a decision.</p>
<p>There needs to be a procedure by which Council can direct or reconsider the decision of a delegate in accord with <i>community charter</i></p>	<p>Section 156 in the <i>Community Charter</i> refers to an individual requesting that Council reconsider a delegate’s decision. Council itself cannot reconsider the decision, they would have to amend the Delegation of Authority Bylaw to repeal the powers and duties delegated to staff.</p> <p>Once Council has delegated a duty to a person or committee, that person or committee, under law cannot sub-delegate that duty even if it were delegating it back to Council. See the Young</p>

Suggestion	Staff Comments or Recommendation
<p>"A council may, by bylaw, establish a right to have decisions delegated under this Division reconsidered by council.")</p>	<p>Anderson paper on Mastering the Art of Delegation for more information.</p> <p>No action will be taken at this time as the Delegation of Authority Bylaw is not under review.</p>
<p>Councillors should be able to refer received correspondence for inclusion on an upcoming agenda</p>	<p>Section 5.3 in the Consent Agenda Policy states "A member of Council may bring forward an item that is excluded under Section 5.1 as a notice of motion. Such notices of motions are subject to the rules established under Council's the Notice of Motion Policy", therefore, if a member of Council was in agreement with an opinion shared by a member of the public, they could bring forward a notice of motion and include the original correspondence with their background report when the motion is included in the subsequent agenda under New Business.</p> <p>The Consent Agenda Policy and Notice of Motion Policy will be brought forward to Council for review and update after the new procedure bylaw has been adopted.</p>
<p>We should increase the allowable time for speakers from 3 minutes to either 4 or 5 minutes, as other jurisdictions do. We rarely have 5 or more, so it wouldn't add that much to the meeting, and many speakers are frustrated at the time given it can be nerve-racking for many.</p>	<p>Public input is just one way that a member of the public can address Council. If they do not feel that 3 minutes is sufficient, they can always request to be a delegation and then they will have 10 minutes.</p> <p>Of the local governments surveyed, 19 have established limits for public input ranging from 2 minutes to 5 minutes. One LG established a limit of 20 minutes for public input without establishing any individual limits. The most common limit was 3 minutes (9 LGs), followed by 2 minutes (7 LGs), with one providing 4 minutes and one providing 5 minutes. Staff would recommend that Council establish a time period for public input of either 20 or 30 minutes and keep the individual speaker limit to 3 minutes.</p> <p>Establishing individual time limits does not only ensure that Council meetings are efficient, but that it guarantees that each speaker has the same amount of time to be heard. See the BC Ombudsperson's Guide to Administrative Fairness in the Public Sector for more information.</p> <p>Staff will be polling Council at the workshop to determine if the rest of Council would prefer to:</p> <ul style="list-style-type: none"> • set a limit for how long the Public Input portion lasts (e.g., 15, 20 or 30 minutes) and remove the limit of 5 speakers • increase individual speakers time limit from 3 minutes to 4 or 5 minutes

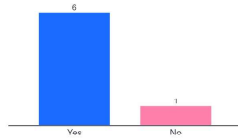
How should the Acting Mayor be appointed?



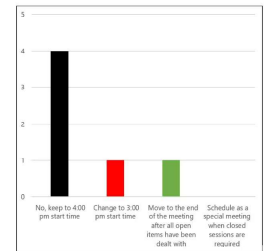
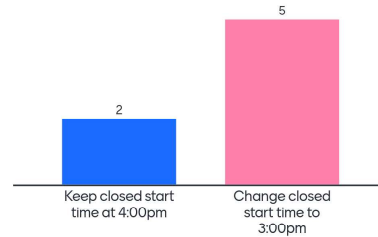
How long must Council wait to achieve Quorum before adjourning meeting?



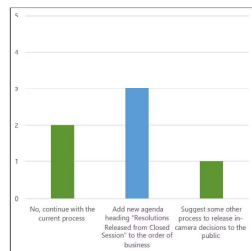
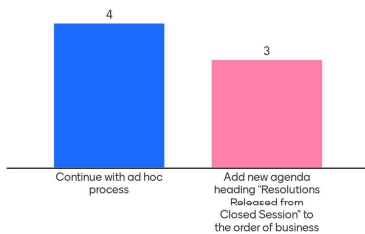
In addition to the meetings selected, would Council also like to cancel any meetings that fall between general voting day and the inaugural meeting?



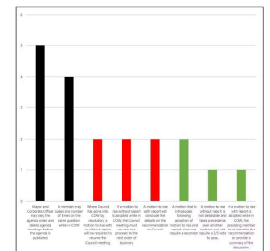
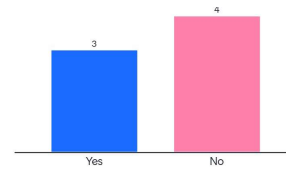
Should the Closed Meeting start time remain the same?



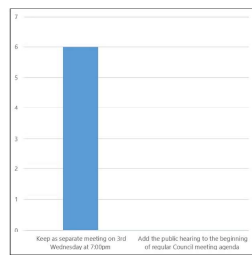
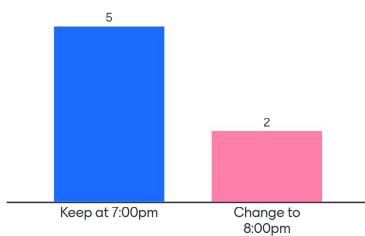
Releasing Closed Decisions to the Public



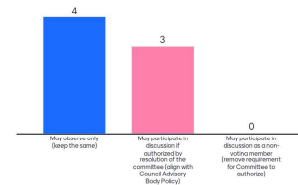
Does Council wish to keep any rules related to going into Committee of the Whole by resolution from a Council meeting?



Does Council wish to change the Public Hearings start time?



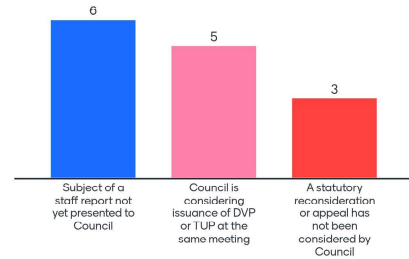
Does Council wish to enable non-committee Council members to participate in Committee Meetings?



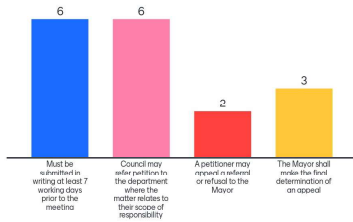
Who should approve or reject a Delegation application?



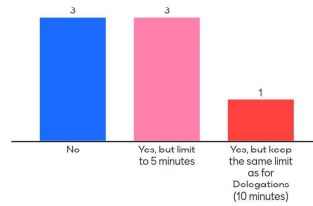
Does Council wish to include any of the following rules as conditions for rejecting a Delegation application?



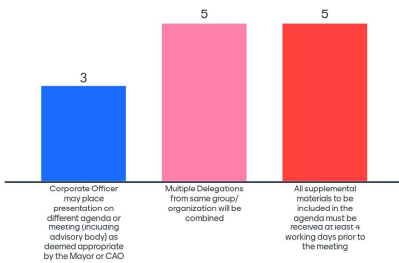
Does Council wish to establish any rules related to just Petitions?



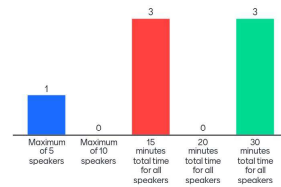
Does Council wish to provide Petitioners with an opportunity to verbally present their petition in the meeting?



Does Council wish to include any of the following rules for Delegations, Petitioners or Invited Speakers?



How does Council want to set the maximum limit for speakers during Public Input?





CONSOLIDATION

COUNCIL PROCEDURE BYLAW

Bylaw No. 3602

Current to April 17, 2023

Last amended on April 5, 2023

Consolidated and printed by authority of the Corporate Officer under The Corporation of the District of North Cowichan Consolidation and Revision Authority Bylaw 3514

Amendments

Number	Amendment Bylaw Number	Effective Date dd mmm yyyy
1	Council Procedure Bylaw No. 3676, 2018	21 Feb 2018
2	Council Procedure Bylaw No. 3700, 2018	18 Jul 2018
3	Council Procedure Bylaw No. 3850, 2021	07 Oct 2021
4	Council Procedure Bylaw No. 3888, 2022	21 Dec 2022
5	Council Procedure Bylaw No. 3902, 2023	05 Apr 2023



The Corporation of the District of North Cowichan
Council Procedure Bylaw

Bylaw 3602

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The Council of The Corporation of the District of North Cowichan enacts as follows:

PART 1 - INTRODUCTION

Definitions

1 In this Bylaw:

"**commission**" means a municipal commission established under section 143 [*municipal commissions*] of the *Community Charter*;

"**committee**" means a standing or select committee of Council, but does not include a committee of the whole of Council;

"**Council**" means the Council of the District;

"**District**" means The Corporation of the District of North Cowichan;

"**Mayor**" means the mayor of the District;

"**Municipal Hall**" means the North Cowichan Municipal Hall;

"**Corporate Officer**" means the municipal officer for the District assigned responsibility for corporate administration under section 148 [*corporate officer*] of the *Community Charter*;

"**in-camera meeting**" means a meeting or part thereof closed to the public in accordance with Section 90 of the *Community Charter*; [BL3888]

"**municipal website**" means the information resource found at an internet address provided by the District;

"**public notice posting places**" means the notice board at the main entrance of the Municipal Hall and the municipal website;

"**quorum**" means a majority of all members of Council, committee of the whole, committee or commission, as the case may be.

Application of rules of procedure

- 2
- (1) The provisions of this bylaw govern the proceedings of Council, the committee of the whole, commissions and all standing and select committees of Council, as applicable.
 - (2) In cases not provided for under this bylaw, the most recent edition of Robert's Rules of Order Newly Revised, applies to the proceedings of Council, committee of the whole, and council committees to the extent that those rules are applicable in the circumstances, and not inconsistent with provisions of this bylaw or the *Community Charter*.

PART 2 - COUNCIL MEETINGS

Inaugural meeting

- 3
- (1) Following a general local election, the first regular council meeting must be held on the first Wednesday in November in the year of the election. [BL3676]
 - (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

Time and location of Council meetings

- 4**
- (1) All council meetings must take place within the Municipal Hall except when Council resolves to hold meetings elsewhere within or outside the boundaries of the Municipality. [BL3700]
 - (2) Regular council meetings must be held on the first and third Wednesday of each month at 5:00 p.m., subject to subsections (2.1) and (2.2). [BL3888]
 - (2.1) Despite subsection (2) the regular council meetings scheduled for the first Wednesday in January, July and August are cancelled. [BL3888]
 - (2.2) Notwithstanding subsection (2), regular council meetings may begin at 4:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 of the *Community Charter*, and provided that the portion of the regular council meeting that is open to the public begins at the time specified under subsection (2). [BL3888]
 - (3) When a regular council meeting falls on a statutory holiday, the meeting must be held on the next day the Municipal Hall is open following the statutory holiday.
 - (4) Council may, by an affirmative vote of at least two-thirds of the council members present, cancel a regular council meeting or reschedule it to another date and time that is not a holiday.
 - (5) The Mayor may postpone a regular council meeting by giving a notice through the Corporate Officer's office at least 2 days before the date for which the meeting is scheduled.
 - (6) Regular council meetings must be adjourned no later than 3 hours after the meeting begins, unless Council resolves to proceed beyond that time in accordance with section 28.
 - (7) The Mayor may cancel or postpone a special council meeting by giving notice through the Corporate Officer's office at least 2 hours before the time for which the special meeting is scheduled. [BL3888]

Notice of Council meetings

- 5**
- (1) In accordance with section 127 [*notice of council meetings*] of the *Community Charter*, Council must annually
 - (a) prepare a schedule on or before December 21, of the dates, times and places of regular council meetings for the following year,
 - (b) give notice of the availability of the schedule in accordance with section 94 [*requirements for public notice*] of the *Community Charter*, and
 - (c) make the schedule available to the public by posting it at the public notice posting places.
 - (2) Where revisions are necessary to the annual schedule of regular council meetings, the Corporate Officer must, as soon as possible, post a notice at the public notice posting places which indicates any revisions to the date, time and place or cancellation of a regular council meeting.

Notice of special meetings

- 6** Except where notice of a special meeting is waived under section 127 (4) [*notice of council meetings*] of the *Community Charter*, a notice of the meeting must

- (a) be given at least 24 hours before the time of the meeting,
- (b) include the date, hour, and place of the meeting,
- (c) describe in general terms the purpose of the meeting,
- (d) be signed by the Corporate Officer, Mayor, or two or more other Council members who themselves call the meeting,
- (e) be emailed to each Council member, and
- (f) be posted at the public notice posting places. [BL3676]

Electronic meetings [BL3850]

- 7**
- (1) Council is hereby authorized to conduct its regular council meetings by means of electronic or other communication facilities.
 - (2) A regular council meeting may only be conducted by means of electronic or other communication facilities where Council has, at least 72 hours in advance of the regular council meeting, passed a resolution directing that the regular council meeting be conducted by means of electronic or other communication facilities.
 - (3) Where Council has directed that a regular council meeting be conducted by means of electronic or other communication facilities, the regular council meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the regular council meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 48 hours in advance of the meeting.
 - (4) For the purposes of subsection (3), the notice must satisfy the requirements of section 128(2)(b)(i) of the *Community Charter*.
 - (5) Council is hereby authorized to conduct its special council meetings by means of electronic or other communication facilities.
 - (6) A special council meeting may only be conducted by means of electronic or other communication facilities where either the Mayor or Council, by resolution, has directed that the special council meeting be conducted by means of electronic or other communication facilities. [BL3902]
 - (7) Where the Mayor or Council has directed that a special council meeting be conducted by means of electronic or other communication facilities, the special council meeting must be conducted by means of electronic or other communication facilities, and notice must be given in accordance with sections 127 and 128.1(2)(b) of the *Community Charter*. [BL3902]
 - (7.1) Committee of the whole is hereby authorized to conduct its regular and special committee of the whole meetings by means of electronic or other communication facilities. [BL3888]
 - (7.2) A regular committee of the whole meeting may only be conducted by means of electronic or other communication facilities where Council or the Committee of the Whole has, at least 72 hours in advance of the regular committee of the whole meeting, passed a resolution directing that the regular committee of the whole meeting be conducted by means of electronic or other communication facilities. [BL3888]

- (7.3) A special committee of the whole meeting may only be conducted by means of electronic or other communication facilities where either the Mayor or the Committee of the Whole, by resolution, has directed that the special committee of the whole meeting be conducted by means of electronic or other communication facilities [BL3888, BL3902]
- (7.4) Where the Committee of the Whole has directed that a regular committee of the whole meeting be conducted by means of electronic or other communication facilities, the regular committee of the whole meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the regular committee of the whole meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 48 hours in advance of the meeting. [BL3888]
- (7.5) Where the Mayor or the Committee of the Whole has directed that a special committee of the whole meeting be conducted by means of electronic or other communication facilities, the special committee of the whole meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the special committee of the whole meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 24 hours in advance of the meeting, except where notice is waived by a unanimous vote of all Committee of the Whole members. [BL3888]
- (8) A committee is hereby authorized to conduct its meetings by means of electronic or other communication facilities.
- (9) A committee meeting may only be conducted by means of electronic or other communication facilities where Council or the committee has, at least 72 hours in advance of the committee meeting, passed a resolution directing that the committee meeting be conducted by means of electronic or other communication facilities.
- (10) Where the Council or a committee has directed that a committee meeting be conducted by means of electronic or other communication facilities, the committee meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the committee meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 48 hours in advance of the meeting.
- (11) For the purposes of subsection (10), the notice must set out the way in which the committee meeting is to be conducted by means of electronic or other communication facilities.
- (12) A member of Council who is unable to attend at a council meeting or committee of the whole meeting may, upon authorization of the presiding member, participate in the meeting by means of electronic or other communication facilities.
- (13) Subsection 12 does not apply if
- (a) the meeting is an inaugural meeting of Council, or
 - (b) the member is the presiding member.

- (14) A member of Council may participate electronically in more than 3 consecutive meetings of Council with the approval of Council.

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

Designation of Acting Mayor

- 8** (1) At the first regular meeting of Council following a general local election, Council must, upon the recommendation of the Mayor, designate a councillor, to serve 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) Within 180 days of the designation of an Acting Mayor under subsection (1), Council must designate a councillor to serve, or councillors to serve on a rotating basis, as Acting Mayor.
- (3) Each councillor designated under subsection (1) or (2) must fulfill the responsibilities of the Mayor in the Mayors absence.
- (4) If both the Mayor and the member designated under subsection (1) or (2) are absent from a council meeting, the council members present must choose a councillor to preside at the council meeting.
- (5) The member designated under subsection (1) or (2) or chosen under subsection (4) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 - COUNCIL PROCEEDINGS

Community Charter provisions

- 9** 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*].

Attendance at public meetings

- 10** (1) Except where the provisions of section 90 [*meetings that may or must be closed to the public*] of the *Community Charter* apply, all council meetings must be open to the public.
- (2) Before closing a council meeting or part of a meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 [*requirements before council meeting is closed*] of the *Community Charter*.
- (3) This section applies to all meetings of the bodies referred to in section 93 [*application of rules to other bodies*] of the *Community Charter*.
- (4) Despite subsection (1), the Mayor and the councillor designated as the member responsible for acting in the place of the Mayor under section 8 may expel or exclude from a council meeting a person in accordance with section 20 (8).

Minutes of Council meetings

- 11** (1) 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 presiding at the meeting or at the next meeting at which the minutes are adopted.

- (2) Subject to subsection (3), and in accordance with section 97 (1) (b) *[other records to which public access must be provided]* of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.
- (3) Subsection (2) does not apply to minutes of a council meeting or that part of a council meeting from which persons were excluded under section 90 *[meetings that may be closed to the public]* of the *Community Charter*.

Calling Council meeting to order

- 12**
- (1) As soon after the time specified for a council meeting as there is a quorum present, the Mayor, or the councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 8, must take the chair and call the meeting to order.
 - (2) If a quorum of council is present, but both the Mayor and the councillor designated as the member responsible for acting in the place of the Mayor under section 8 do not attend within 15 minutes of the scheduled time for a council meeting,
 - (a) the Corporate Officer must call to order the members present, and
 - (b) the members present must choose a member to preside at the meeting.

Adjourning Council meeting when no quorum

- 13**
- If there is no quorum of council present within 30 minutes of the scheduled time for a council meeting, the Corporate Officer must
- (a) record in the minutes the names of the members present, and those absent, and
 - (b) adjourn the meeting until the next scheduled meeting.

Council Agenda

- 14**
- (1) Prior to each council meeting, the Corporate Officer must prepare an agenda setting out the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
 - (2) The deadline for submission to the Corporate Officer of items for inclusion on the council agenda is one week prior to the council meeting.
 - (3) The Corporate Officer must make the agenda available at least 48 hours before the start of a meeting by
 - (a) posting a copy of the agenda at the public notice posting places,
 - (b) emailing a link to, or copy of, the agenda to each council member, and
 - (c) upon request, leaving a printed copy of the agenda in the council member's mailbox at the Municipal Hall.
 - (4) Council may only consider a matter not listed on the agenda if the matter is added to the agenda as a late item under section 16.

Order of Council proceedings and business

- 15**
- (1) Subject to section 36 (1), the agenda for each regular council meeting must include, as applicable and in the order in which they are listed below, the following matters:
 - (a) Call to order;

- (b) Approval of consent agenda;
 - (c) Approval of regular agenda;
 - (d) Mayor's report;
 - (e) Public meetings;
 - (f) Delegations;
 - (g) Public input on agenda items;
 - (h) Bylaws;
 - (i) Reports;
 - (j) Notices of motions;
 - (k) Unfinished and postponed business;
 - (l) New business;
 - (m) Question period;
 - (n) Adjournment.
- (1.1) Where an in-camera meeting is held that is subject to subsection 4 (2.2), the agenda under subsection (1) shall include the following in-camera meeting matters after the regular meeting has been called to order: [BL3888]
- (a.1) Resolution to close the meeting to the public;
 - (a.2) Approval of in-camera meeting agenda;
 - (a.3) Adoption of in-camera meeting minutes;
 - (a.4) In-camera meeting items;
 - (a.5) Rise and report;
- (2) Despite subsection (1), the agenda of the first regular Council meeting following a general local election or by-election may be primarily ceremonial.
- (3) Particular business at a council meeting must be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

Late items

- 16** (1) An item of business not included on the agenda may only be considered at a council meeting if Council adds the item to the agenda at the time Council approves the agenda.
- (2) If Council adds a late item to the agenda under subsection (1)
- (a) written information pertaining to the late item, if any, must be immediately distributed to council members, and
 - (b) the late item must be added under the new business heading of the agenda.

Voting at Council meetings

- 17** (1) The procedures in this section apply to voting at council meetings.

- (2) When debate on a matter is closed, the presiding member must put the matter to a vote of council members by stating, "those in favour raise your hands" and then "those opposed raise your hands".
- (3) When the presiding member puts a matter to a vote under subsection (2), a member must not
 - (a) cross or leave the room,
 - (b) make a noise or other disturbance,
 - (c) interrupt the voting procedure under subsection (2), unless the interrupting member is raising a point of order.
- (4) After the presiding member finally puts the question to a vote under subsection (2), a member must not speak to the question or make a motion concerning it.
- (5) The presiding member's decision about whether a question has been finally put is conclusive.
- (6) Whenever a vote of Council on a matter is taken, each member present must signify their vote by raising their hand, or, if participating by means of electronic or other communication facilities, in the manner directed by the presiding member.
- (7) The presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (8) The presiding member must state the name of each member who voted in the negative.
- (9) A negative vote must be recorded in the minutes of the council meeting.

Delegations

- 18**
- (1) A delegation may address Council at a regular council meeting with the permission of the Mayor or Council.
 - (2) Each address must be limited to 10 minutes, unless a longer period is agreed to by unanimous vote of those members present.
 - (3) Council must not permit a delegation to address a meeting of the Council regarding a proposed bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

Points of order

- 19**
- (1) Without limiting the presiding member's duty under section 132 (1) [*authority of presiding member*] of the *Community Charter*, the presiding member must apply the correct procedure to a motion
 - (a) if the motion is contrary to the rules of procedure in this bylaw, and
 - (b) whether or not another council member has raised a point of order in connection with the motion.
 - (2) When the presiding member is required to decide a point of order
 - (a) the presiding member must cite the applicable rule or authority if requested by another council member,
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under paragraph (a), and

- (c) the presiding member may reserve the decision until the next council meeting.

Conduct and debate

- 20**
- (1) A council member may speak to a question or motion at a council meeting only if that member first addresses the presiding member.
 - (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
 - (3) Members must address other non-presiding members by the title councillor.
 - (4) No member may interrupt a member who is speaking except to raise a point of order.
 - (5) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
 - (6) Members who are called to order by the presiding member
 - (a) must immediately stop speaking,
 - (b) may explain their position on the point of order, and
 - (c) may appeal to Council for its decision on the point of order in accordance with section 132 [*authority of presiding member*] of the *Community Charter*.
 - (7) Members speaking at a council meeting
 - (a) must use respectful language,
 - (b) must not use offensive gestures or signs,
 - (c) must speak only in connection with the matter being debated,
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) must adhere to the rules of procedure established under this bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
 - (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and
 - (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
 - (9) A member may require the question being debated at a council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
 - (10) The following rules apply to limit speech on matters being considered at a council meeting:
 - (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or

- (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member must not speak to a question or speak in reply for longer than a total time of 10 minutes without the approval of Council.

Motions generally

- 21**
- (1) Council may debate and vote on a motion only if it is first made by one council member and then seconded by another.
 - (2) A motion that deals with a matter that is not on the agenda of the council meeting at which the motion is introduced may be introduced with Council's permission.
 - (3) During Council debate on a main motion, a council member may make only the following subsidiary motions:
 - (a) to refer to committee;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to postpone indefinitely;
 - (e) to postpone definitely; or
 - (f) to move the previous question.
 - (4) A subsidiary motion made under subsections (3) (c) and (f) is not amendable or debatable.
 - (5) Council must vote separately on each distinct part of a question that is under consideration at a council meeting if requested by a council member.

Motion to commit

- 22** Until it is decided, a motion made at a council meeting to refer to committee precludes an amendment of the main question.

Motion for the main question

- 23**
- (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
 - (2) At a council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

Amendments generally

- 24**
- (1) A council member may, without notice, move to amend a motion that is being considered at a council meeting.
 - (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
 - (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
 - (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote.
 - (5) An amendment may be amended once only.
 - (6) An amendment that has been negated by a vote of Council cannot be proposed again.
 - (7) A council member may propose an amendment to an adopted amendment.
 - (8) The presiding member must put the main question and its amendment for the vote of Council in the following order:
 - (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under paragraph (a) is positive; and
 - (c) the main question.

Reconsideration by council member

- 25**
- (1) In addition to the Mayor's power to direct reconsideration under section 131 [*mayor may require reconsideration*] of the *Community Charter*, a council member who voted with the prevailing side may, within 30 days of the original vote,
 - (a) move to reconsider a resolution adopted or defeated by council, or
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
 - (2) Despite subsection (1), a resolution must not be reconsidered under this section if it has
 - (a) had the approval or assent of the electors and been adopted,
 - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*, or
 - (c) been acted on by an officer, employee, or agent of the District.
 - (3) For certainty, each resolution or reading of a bylaw may be reconsidered under this section.
 - (4) Despite subsection (3), resolutions for final adoption of an official community plan bylaw or zoning bylaw must not be reconsidered.
 - (5) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
 - (6) A vote to reconsider must not be reconsidered.
 - (7) A voting requirement that applied to the adoption of the original resolution or bylaw applies to its reconsideration under this section.

- (8) An adopted bylaw or resolution that is reaffirmed under this section or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- (9) An adopted bylaw or resolution that is not reaffirmed under subsection (1) or section 131 of the *Community Charter* is of no effect and is deemed to be repealed.

Privilege

- 26** (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.
- (2) A matter of privilege must be immediately considered when it arises at a council meeting.

Reports from committees

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

Adjournment

- 28** A Council or committee of the whole may continue a Council or committee of the whole meeting after it has been in session for 3 hours by a two-thirds vote of the Council or committee of the whole members present. [BL3888]

PART 5 - BYLAWS

Distribution of proposed bylaws

- 29** A proposed bylaw may be considered 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.

Form of bylaws

- 30** A bylaw introduced at a council meeting must
- (a) be printed,
 - (b) have a distinguishing name,
 - (c) have a distinguishing number, and
 - (d) be divided into sections.

Bylaws to be considered separately or jointly

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

Reading and adopting bylaws

- 32**
- (1) The presiding member of a council meeting may
 - (a) have the Corporate Officer present a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read.
 - (2) The readings of a bylaw may be given by stating its title.
 - (3) A proposed bylaw may be debated and amended at any time during the first three readings, unless prohibited by the *Community Charter*.
 - (4) Subject to section 882 [*official community plan adoption procedures*] of the *Local Government Act*, each reading of a proposed bylaw, other than a bylaw to adopt or amend an official community plan, must receive the affirmative vote of a majority of the council members present.
 - (5) In accordance with section 135 [*requirements for passing bylaws*] of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same council meeting.
 - (6) Council may read a bylaw up to three times in one resolution, but a bylaw must not be read more than once on the same day if any council member objects to doing so.
 - (7) Despite section 135 (3) of the *Community Charter*, and in accordance with section 890 (9) [*public hearing*] 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.

Bylaws must be signed

- 33** After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping.

PART 6 - RESOLUTIONS

Copies of resolutions to Council members

- 34** A resolution may be introduced at a council meeting only if a copy of it has been delivered to each council member before the council meeting begins, unless Council agrees to waive this requirement.

Introducing resolutions

- 35** The presiding member of a council meeting may
- (a) have the Corporate Officer read the resolution, and
 - (b) request a motion that the resolution be introduced.

PART 7 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

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

Time and location of Committee of the Whole meetings [BL3888]

- 36.1** (1) All committee of the whole meetings must take place within the Municipal Hall except where Council or the committee of the whole has resolved to hold meetings
- (2) Regular committee of the whole meetings must be held on the second Tuesday of each month at 5:00 p.m., unless resolved by the committee of the whole to be held on a different date or time, and subject to subsection (4).
- (3) When a regular committee of the whole meeting falls on a statutory holiday, the meeting must be held on the next the Municipal Hall is open following the statutory holiday.
- (4) The Mayor may postpone or cancel a regular committee of the whole meeting by giving notice through the Corporate Officer's office at least 2 days before the date for which the meeting is scheduled.
- (5) (The Mayor may postpone or cancel a special committee of the whole meeting by giving notice through the Corporate Officer's office at least 2 hours before the time for which the special meeting is scheduled.
- (6) (Notwithstanding subsection (2), regular committee of the whole meetings may begin at 4:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 of the Community Charter, and provided that the portion of the regular committee of the whole meeting that is open to the public begins at the time specified under subsection (2).
- (7) Regular committee of the whole meetings must be adjourned no later than 3 hours after the meeting begins, unless the committee of the whole resolves to proceed beyond that time in accordance with section 28.

Notice for Committee of the Whole meetings

- 37** (1) Subject to subsection (2), a notice and agenda of the day, hour and place of a special committee of the whole meeting must be given at least 24 hours before the time of the meeting by [BL3888]
- (a) posting a copy of the notice at the public notice posting places,
 - (b) emailing a copy of the notice to each council member, and
 - (c) upon request, leaving a printed copy of the agenda in the council member's mailbox at the Municipal Hall.
- (2) Subsection (1) does not apply to a committee of the whole meeting that is called, in accordance with section 36, during a council meeting for which public notice has been given under section 5 or 6.

- (3) The rules for giving notice of regular council meetings under section 5 shall apply to regular committee of the whole meetings. [BL3888]

Minutes of Committee of the Whole meetings

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

Calling Committee of the Whole meeting to order [BL3888]

- 38.1** The rules for calling a Council meeting to order under section 12 shall apply to committee of the whole meetings.

Adjourning Committee of the Whole meeting when no quorum [BL3888]

- 38.2** The rules for adjourning a Council meeting when there is no quorum present under section 13 shall apply to committee of the whole meetings.

Committee of the Whole Agenda [BL3888]

- 38.3** The rules for preparing and making an agenda available before the start of a Council meeting under section 14 shall apply to committee of the whole meetings.

Order of Committee of the Whole proceedings and business [BL3888]

- 38.4** (1) The agenda for each committee of the whole meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to order;
 - (b) Approval of agenda;
 - (c) Adoption of minutes;
 - (d) Delegations;
 - (e) Public input on agenda items;
 - (f) Staff reports;
 - (g) Items for discussion;
 - (h) New business;
 - (i) Question period;
 - (j) Adjournment.
- (2) Where an in-camera meeting is held that is subject to subsection 36.1 (5), the agenda under subsection (1) shall include the following in-camera meeting matters after the committee of the whole meeting has been called to order:
- (a.1) Resolution to close the committee of the whole meeting to the public;
 - (a.2) Approval of in-camera committee of the whole meeting agenda;
 - (a.3) Adoption of in-camera committee of the whole meeting minutes;
 - (a.4) In-camera meeting items;

- (a.5) Rise and report.

Presiding members at Committee of the Whole meetings

- 39** The Mayor must preside in a committee of the whole, unless the Mayor appoints another member of Council to do so.

Points of order at meetings

- 40** The presiding member must preserve order at a committee of the whole meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and debate

- 41** The following rules apply to committee of the whole meetings:
 - (a) a member may speak any number of times on the same question;
 - (b) a member must not speak longer than a total of 10 minutes on any one question.

Voting at meetings

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

Reports

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

Rising without reporting

- 44** (1) A motion made at a committee of the whole meeting to rise without reporting
 - (a) is always in order and takes precedence over all other motions,
 - (b) may be debated, and
 - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by a committee of the whole at a meeting constituted under section 36 (1), the council meeting must resume and proceed to the next order of business.

PART 8 - COMMITTEES AND COMMISSIONS

Duties of standing committees

- 45** Standing committees must
 - (a) deal with matters the Mayor considers would be better dealt with by committee, and

- (b) consider, inquire into, report, and make recommendations to Council on matters referred by Council.

Duties of select committees

46 Select committees must

- (a) consider or inquire into matters specified in the bylaw or resolution establishing the select committee, and
- (b) report their findings and opinions to Council.

Duties of commissions

47 Commissions must, in accordance with the bylaw or resolution establishing the commission, and any applicable bylaw delegating powers, duties and functions to the commission, do the following:

- (a) operate services;
- (b) undertake operation and enforcement in relation to Council's exercise of its authority to regulate, prohibit and impose requirements; and
- (c) manage property and licences held by North Cowichan.

Schedule of meetings

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

Notice of meetings

49 The chair of a committee or commission must cause a notice and agenda of the day, time and place of a meeting to be

- (a) given to all members of the committee or commission at least 72 hours before the time of the meeting, and
- (b) posted at the public notice posting places.

Attendance at meetings

50 Council members who are not members of a committee or commission may attend the meetings of the committee or commission to observe its deliberations.

Minutes of meetings

51 Minutes of the proceedings of a committee or commission must

- (a) be legibly recorded,
- (b) for a committee, record negative votes only upon request of the member who voted in the negative,
- (c) be certified by the recording secretary,
- (d) be signed by the chair or member presiding at the meeting, and
- (e) be open for public inspection in accordance with section 97 (1) (c) *[other records to which public access must be provided]* of the *Community Charter*.

Application of rules to committee and commission meetings

52 The rules of the council procedure must be observed during committee and commission meetings, so far as is possible and unless as otherwise provided in this bylaw or the instrument establishing the select committee or commission.

Voting at meetings

- 53** (1) Council members attending a meeting of a committee or commission of which they are not a member must not
- (a) speak at the meeting without permission of the committee or commission,
 - (b) participate in the debate, or
 - (c) vote on a question.
- (2) The Mayor is an ex-officio member of all committees and commissions and as such has the same rights as other committee or commission members.
- (3) While not obligated to attend meetings, the Mayor must, when attending, be counted in determining whether a quorum is present.
- (4) A standing committee, select committee or commission may only revisit its recommendations to Council with leave of Council, or if directed to do so by Council.

PART 9 - PUBLIC HEARINGS

Procedures

- 54** (1) Public hearings shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by Council. [BL3888]
- (2) Only a council member may put a question to a person who speaks.
- (3) No person may make a reply, rebuttal, or further submission without the presiding member's permission.
- (4) Despite subsection (1), a public hearing shall only be scheduled where the Director of Planning and Building has given notice in accordance with section 466 (1) of the *Local Government Act* as authorized under section 5 (3) of Delegation of Authority Bylaw No. 3814, 2021, as amended or revised from time to time. [BL3888]

Order of Public Hearing proceedings and business [BL3888]

- 54.1** The agenda for public hearing must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call meeting to order
 - (b) Approval of agenda
 - (c) Public Hearing
 - (i) Call public hearing to order,
 - (ii) Explanation of the public hearing process,
 - (iii) Acceptance of petitions and late correspondence,
 - (iv) Introduction of the proposal,
 - (v) Summary of correspondence,

- (vi) Presentation by proponent,
- (vii) Comments from the public, and
- (viii) Close of public hearing.
- (d) Bylaws considered after public hearing;
- (e) Adjournment.

PART 10 - GENERAL

Severability and notice

- 55** (1) If any provision of this bylaw is for any reason held to be invalid by a court of competent jurisdiction, the provision must be severed so that the remainder of this bylaw remains valid.
- (2) This bylaw must not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 *[requirements for public notice]* of the *Community Charter*.

Repeal

- 56** Council Procedure Bylaw, No. 3497, is repealed.

Read a first, second and third time on December 2, 2015
Adopted on December 16, 2015



The Corporation of the District of North Cowichan

Council and Committee Procedures Bylaw

BYLAW NO. 3945

A bylaw to establish the rules of procedure for meetings of Council, Committee of the Whole, Committees and Other Advisory Bodies.

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The Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

PART 1: GENERAL PROVISIONS

Citation

1.1. This Bylaw may be cited as "Council and Committee Procedures Bylaw No. 3945, 2024".

Interpretation

- 1.2. The words and terms in **semibold** font used herein shall have the respective meanings specified in section 1.4 [*definitions*] of this Bylaw.
- 1.3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as revised or replaced from time to time, and any bylaw or policy referred to herein is a reference to an enactment of the District of North Cowichan Council, as revised or replaced from time to time.

Definitions

1.4. In this Bylaw:

"**Acting Mayor**" means the Councillor designated in accordance with section 130 [*designation of member to act in place of mayor*] of the *Community Charter* and pursuant to section 2.1 [*annual designation of Acting Mayor*] of this Bylaw as the Council 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;

"**Adjourned Meeting**" means a **Meeting** where the **Council Body** has adopted a motion to adjourn to meet at a subsequent date, time and location, which is before the next **Regular Meeting**;

"**Agenda**" means the list of items to be considered at a meeting;

"**Agenda Package**" means the agenda for a particular meeting along with all of the relevant supporting documents for the agenda;

"**Building Inspector**" shall have the same meaning as under the Building Bylaw No. 3172, 2003;

"**Business Licence Inspector**" shall have the same meaning as under the Business Licence Bylaw No. 3153, 2002;

"**Chief Administrative Officer**" means the person appointed by Council, who is assigned the responsibility for the overall management of the operations of the District of North Cowichan under section 147 [*chief administrative officer*] of the *Community Charter*;

"**Committee**" means a standing committee established by the **Mayor** pursuant to section 141 [*standing committees of Council*] of the *Community Charter*, a select committee established by **Council Resolution** pursuant to section 142 [*select committees of council*] of the *Community Charter*, and any other body as referred to in section 93 [*application of rules to other bodies*] of the *Community Charter* [*application of open meeting rules to other bodies*] or as enabled by other legislation, in accordance with the Council Advisory Body Policy, but does not include **Committee of the Whole**;

"Committee Member" means the persons appointed by the **Mayor** to a standing committee or by **Council** to a select committee or other body as referred to in section 93 [*application of open meeting rules to other bodies*] of the *Community Charter*;

"Committee of the Whole" means a meeting to which all members of **Council** are invited to consider and provide recommendations to **Council** in a less formal, deliberative rather than legislative capacity for informal debate and preliminary consideration of matters awaiting formal action, except where the authority to take action is delegated to the Committee of the Whole under Delegation of Authority Bylaw No. 3814, 2021;

"Consent Agenda" shall have the same meaning as under the Consent Agenda Policy;

"Corporate Officer" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021, who is assigned the responsibility for corporate administration under section 148 [*corporate officer*] of the *Community Charter*;

"Council" means the Council for the Corporation of the District of North Cowichan;

"Council Body" means the **Council, Committee of the Whole** or a **Committee**, as applicable;

"Council Member" means any member of Council, including the **Mayor**;

"CVRD" means the Cowichan Valley Regional District;

"Delegation" means an individual or person(s) on behalf of an organization who wish to appear at a **Meeting** to present information or make a request of the **Council Body** on any matter, unless restricted by this Bylaw;

"Director of Planning and Building" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

"District" means the Corporation of the District of North Cowichan;

"Electronic Means" includes but is not limited to videoconference, audioconference, or telephone that allows participants to hear or see and hear each other;

"Electronic Meeting" means meetings where all **Members** participate by **Electronic Means**;

"Electronic Participation" means an in-person **Meeting** where one or more **Members, Delegations** or **Presenters** attend the **Meeting** by **Electronic Means**;

"FCM" means the Federation of Canadian Municipalities;

"Hybrid Meeting" means a meeting where **Members, Delegations, Presenters** and guests, and members of the public may attend the **Public Meeting** in person from Council Chambers or by electronic means and which will be streamed live from the District's website;

"Inaugural Meeting" means the first Council meeting, pursuant to section 3.2 [*inaugural meeting of Council*] of this Bylaw, held after a general local election where newly elected **Council Members** are sworn in;

"In-Camera Meeting" means a meeting or part thereof closed to the public in accordance with Sections 90 [*meetings that may or must be closed to the public*], 91 [*other persons attending closed meetings*] and 92 [*requirements before meeting is closed*] of the *Community Charter*;

"Incidental Motions" include questions arising incidentally in the consideration of other questions and decided before disposition of the one to which they are incident;

"Late Item" means an item submitted, pursuant to section 6.17 [*late items*] of this Bylaw, that is time sensitive and requires a decision before the next scheduled **Regular Meeting**;

"Main Motion" means the motion that first brings a matter before the **Council Body**;

"Manager of Bylaw and Business Licensing Services" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

"Mayor" means the Mayor of the Corporation of the District of North Cowichan;

"Meeting" means a **Regular Meeting** or **Special Meeting** of the **Council Body**, and a **Public and Statutory Hearing Meeting**, as applicable;

"Member" means a **Council Member** or a **Committee Member**, as applicable;

"Minutes" are a historical record of a **Meeting's** deliberations and decision-making processes, focusing on what was decided by the **Council Body** and not on what each **Member** said or did;

"Motion" means a formal proposal made by a **Member** for discussion and a decision by vote in a **Meeting**; also referred to as the "question" when the **Presiding Member** calls for a vote;

"Municipal Hall" means the North Cowichan Municipal Hall located at 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1;

"Notice of Motion" shall have the same meaning as defined under the Notice of Motion Policy;

"Officer" means a person appointed under Officers Bylaw No. 3538, 2014;

"Peace Officer" shall have the same meaning as defined under Bylaw Enforcement Officer Bylaw No. 3948, 2024;

"Point of Order" means the procedure by which a **Member** interrupts another speaker to ask the **Presiding Member** to rule on a procedural matter;

"Presenter" means a person(s) or organization(s) invited by the **District** to make a presentation to a **Council Body**;

"Presiding Member" means the **Mayor** or Chair of a committee, or the person authorized to act in the **Mayor** or Chair's absence or inability to act;

"Previous Question" means to immediately stop debate on the primary motion and any amendments and to move immediately to a vote on the motion;

"Privileged Motions" are motions that are unrelated to the current motion, but are of such urgency or importance that they are considered immediately;

"Public and Statutory Hearing Meeting" means a meeting of **Council** established under section 4.1 [*general public and statutory hearing rules*] of this Bylaw;

“Public Hearing” means a formal meeting of **Council** and citizens required to be held under the *Local Government Act*, where persons are permitted to make representations to **Council** before adoption or amendment of the Official Community Plan, and a Zoning Bylaw, or a bylaw under section 548 [*process for early termination of land use contract*] of the Act;

“Public Hearing Information Package” means the records related to the proposed bylaw, which is the subject of the public hearing, including but not limited to the proposed bylaw, all staff reports, including supplemental documents that were previously presented to Council, the public hearing notice, excerpts of the **Minutes** from previous Council meetings, and submissions from the public and/or the applicant;

“Public Input” and **“Question Period”** means an opportunity for members of the public to address **Council** at **Council** or **Committee of the Whole** meeting, related to matters contained within the **Agenda** or discussed at that meeting;

“Public Meeting” means a **Meeting** that is open and accessible to the public to attend to observe the proceedings;

“Public Notice Posting Places” means the notice board located inside at the main entrance of the **Municipal Hall** and the municipal website;

“Question of Privilege” relates to the rights of the **Council Body** or one or more **Members** in attendance and takes precedence over all other motions, with the exception of motions related to adjournment and recess, a **Member** may rise to a question of privilege to address:

- (a) the comfort of its **Members**, such as the heating, lighting, ventilation, etc.,
- (b) the freedom from noise and other disturbance in the **Meeting**; or
- (c) the conduct of its **Members**;

“Regular Meeting” means a **Council Body** meeting that is published on the (annual) regular meeting schedule pursuant section 5.1 [*notice of regular meeting schedule*] of this Bylaw;

“Resolution” means a formal decision passed by an affirmative vote of the majority of the **Members** present at a **Meeting** and who are entitled to vote on the matter;

“Secondary Motions” help the assembly decide what to do with the main motion or how to get things done in the meeting. Secondary motions enable more than one motion to be pending at a time but still follow the principle of taking up business one item at a time;

“Special Meeting” means a **Meeting** other than a **Regular Meeting**, the **Inaugural Meeting**, or an **Adjourned Meeting**;

“Staff Liaison” shall have the same meaning as defined under the Council Advisory Body Policy;

“Statutory Hearing” means a formal meeting of **Council**, other than a **Public Hearing**, where certain persons have a statutory right to be heard pursuant to provincial legislation, or where a decision under Delegation of Authority Bylaw No. 3814, 2021, or Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020, is being reconsidered by **Council**;

“Subsidiary Motions” are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it;

“Substantive Motion” is a self-contained proposal from a Member that is complete and is neither incidental to nor dependent upon any proceeding motion;

“UBCM” means the Union of British Columbia Municipalities;

“Unanimous Consent” is the silent consent of the **Council Body** proposed by the **Presiding Member** for non-controversial matters to make the **Meeting** more efficient by eliminating the discussion and formal voting process of a **Motion**.

Application of Rules of Procedure

- 1.5. The provisions of this Bylaw govern the proceedings of all **Council Body** meetings, unless otherwise specified in this Bylaw.
- 1.6. In cases not provided for under this Bylaw, the most recent edition of Robert’s Rules of Order Newly Revised, applies to the proceedings of **Council Body** to the extent that those rules are applicable in the circumstances, and not inconsistent with provisions of this Bylaw or the *Community Charter*.
- 1.7. The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended for the current meeting by a vote passed by two-thirds of the **Council Members** present at a **Committee of the Whole** or a **Council** meeting, excluding a **Public and Statutory Hearing Meeting**.

Meetings Open to the Public

- 1.8. Every **Meeting** must be open to the public unless the **Meeting** is permitted to be closed in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.9. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body** must pass a **Resolution** in a **Public Meeting** in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter* which includes the reason for the **In-Camera Meeting** as described in section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.10. Despite section 1.8 [*meeting open to the public*] of this Bylaw, the **Presiding Member** may expel or exclude a person from a **Meeting** for disrespectful or disruptive behaviour, in accordance with sections 93 [*application of rules to other bodies*] and 133 [*expulsion from meetings*] of the *Community Charter*.

Severability

- 1.11. If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed, and the remainder of this Bylaw remains valid.

PART 2: APPOINTMENTS

Annual Designation of Acting Mayor

- 2.1. At the **Inaugural Meeting** held pursuant to section 3.2 [*inaugural meeting*] of this Bylaw, and thereafter at the first regular **Council** meeting held in December, the **Council** must by resolution, designate a Councillor to serve as the **Acting Mayor** for the ensuing calendar year.

- 2.2. The **Council** member designated under section 2.1 [*annual designation of Acting Mayor*] or chosen under section 2.3 [*designation of Presiding Member at meeting*] of this Bylaw:
- (a) must fulfill the responsibilities of the **Mayor** in their absence; and
 - (b) has the same powers and duties as the **Mayor**.

Designation of Presiding Member at a Meeting

- 2.3. If both the **Mayor** and the **Acting Mayor** designated under section 2.1 [*annual designation of Acting Mayor*] of this Bylaw are absent from the **Council** or **Committee of the Whole** meeting, the **Council Members** present must choose a **Council Member** to preside at the **Council** or **Committee of the Whole** meeting.

PART 3: MEETINGS, DATES, TIME & LOCATION

Meeting Location

- 3.1. All **Meetings** must take place within the **Municipal Hall** except when resolved to hold a **Meeting** elsewhere and notice is given pursuant to sections 5.1 [*notice of regular meeting schedule*] or 5.4 [*notice of a special meeting*] of this Bylaw, in accordance with section 134.1 [*meetings and hearings outside municipality*] of the *Community Charter*.

Inaugural Meeting of Council

- 3.2. Despite sections 3.5 [*meeting date and time*] and 6.11 [*Council agenda*] of this Bylaw, following a general local election, in accordance with section 124(2)(g) [*procedure bylaws*] of the *Community Charter*, the first **Council** meeting must be held on the first Wednesday in November in the year of the election.
- 3.3. If a quorum of **Council Members** elected at the general local election has not taken office by the date of the meeting referred to in section 3.2 [*inaugural meeting*] of this Bylaw, the first **Council** meeting must be called by the **Corporate Officer** and held as soon as reasonably possible after a quorum has taken office in accordance with section 120(1) [*oath or affirmation of office*] of the *Community Charter*.

Council Meetings

- 3.4. The **Mayor** must preside at a **Council** meeting when in attendance, including when participating by **Electronic Means**, in accordance with section 116(2)(c) [*Mayor must preside when in attendance*] of the *Community Charter*.
- 3.5. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Council** meetings must be held on the first and third Wednesday of each month at 5:00 p.m., unless resolved by **Council** to be held on a different date or time.
- 3.6. A **Council Member** may speak more than once in connection with the same question only
- (a) with the permission of **Council**, or
 - (b) if the **Council Member** is explaining a material part of a previous speech without introducing a new matter.

- 3.7. Subject to section 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** must not speak to a question or speak in reply for longer than a total time of 10 minutes without the approval of **Council**.

Committee of the Whole Meetings

- 3.8. The **Mayor** must preside at a **Committee of the Whole** meeting, unless the **Mayor** appoints another **Council Member** to do so.
- 3.9. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Committee of the Whole** meetings must be held on the second Tuesday of each month at 5:00 p.m., unless resolved by Council or the **Committee of the Whole** to be held on a different date or time.
- 3.10. Despite subsection 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** may speak more than once in connection with the same question at a **Committee of the Whole** meeting.

Committee Meetings

- 3.11. At its first meeting after its establishment, a **Committee** must establish a regular schedule of meetings in accordance with the Council Advisory Body Policy.
- 3.12. Despite sections 3.6 [*speaking limitations*] and 3.7 [*10-minute speaking limit*] of this Bylaw, **Committee Members** are not limited to how many times or how long they may speak on any one question in a **Committee** meeting.
- 3.13. **Council Members** who are not members of the **Committee** may attend the **Committee** meeting to observe its deliberations.
- 3.14. The **Mayor** is an ex-officio member of all **Committees** and as such has the same rights as other **Committee Members**. While not obligated to attend meetings, the **Mayor** must, when attending, be counted in determining whether a quorum is present.
- 3.15. A **Committee** may only revisit its recommendations to **Council** with permission of **Council** or if directed to do so by **Council**.

In-Camera Meetings

- 3.16. Notwithstanding sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, regular **Council** and **Committee of the Whole** meetings may begin at 3:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter* and provided that the portion of the:
- (a) regular **Council** meeting that is open to the public begins at the time specified under section 3.5 [*meeting date and time*] of this Bylaw; or,
 - (b) regular **Committee of the Whole** meeting that is open to the public begins at the time specified under section 3.9 [*meeting date and time*] of this Bylaw.

- 3.17. The **Council Body** may, by **Resolution** passed by a majority vote of the **Members** of the **Council Body** present:
- (a) refer a matter that arises during the **In-Camera Meeting**, which in the opinion of **Council**, does not meet the criteria to be held in an **In-Camera Meeting**, to a **Public Meeting** for discussion; or
 - (b) release to a **Public Meeting**, any or all of the written material provided to an **In-Camera Meeting** or any or all of the **Resolutions** passed at such **In-Camera Meeting**, subject to section 12 [*cabinet and local public body confidences*] of the *Freedom of Information and Protection of Privacy Act*.

Calling a Special Meeting

- 3.18. The **Mayor**, at the **Mayor's** discretion, or two or more **Council Members** may call a **Special Meeting of Council** in accordance with section 126 [*calling of special Council meetings*] of the *Community Charter*.
- 3.19. The **Mayor**, in consultation with the **Chief Administrative Officer** or the **Corporate Officer**, may call a **Special Meeting of Committee of the Whole**.
- 3.20. The **Committee Chair** may call a **Special Meeting** of the **Committee**, in consultation with the **Staff Liaison** or the **Corporate Officer**, subject to staff resources being available to support the **Special Meeting**.
- 3.21. The **Presiding Member** shall determine whether the **Special Meeting** shall be conducted in person, by **Electronic Means**, or as a **Hybrid Meeting**, subject to staff resources being available to support the **Special Meeting**.

Meetings that fall on a Statutory Holiday

- 3.22. When a **Regular Meeting** falls on a statutory holiday, the **Meeting** must be held on the next day the **Municipal Hall** is open following the statutory holiday.

Cancelled or Postponed Meetings

- 3.23. Despite sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, the regular **Council**, **Committee of the Whole**, or **Public and Statutory Hearing Meetings** scheduled:
- (a) for the first Wednesday in January, July and August
 - (b) during the same week as the **FCM Annual Conference** or the **UBCM Convention**
 - (c) during the two weeks prior to a general local election
 - (d) between general voting day and the **Inaugural Meeting** referred to in section 3.2 [*inaugural meeting*] of this Bylaw
- are cancelled.
- 3.24. A **Regular Meeting** may be cancelled, by an affirmative vote of a majority of the **Members** present or rescheduled to another date and time that is not a holiday.

- 3.25. The **Presiding Member** may cancel a **Regular Meeting** where:
- (a) it is known in advance that quorum cannot be achieved, or
 - (b) There are no items of business, in consultation with the **Chief Administrative Officer** or **Corporate Officer**.
- 3.26. The **Presiding Member** may postpone a **Regular Meeting** or cancel the meeting pursuant to section 3.25 [*cancel regular meeting*] of this Bylaw by giving notice through the **Corporate Officer's** office at least 2 days before the date for which the **Regular Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Regular Meeting** at the **Public Notice Posting Places** and social media.
- 3.27. The **Presiding Member** may cancel or postpone a **Special Meeting** by giving notice through the **Corporate Officer's** office at least 2 hours before the time for which the **Special Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Special Meeting** at the **Public Notice Posting Places** and social media.

Electronic and Hybrid Meetings

- 3.28. The following meetings are hereby authorized to be conducted by **Electronic Means**:
- (a) Regular **Council** meetings in accordance with section 128 [*electronic regular Council meetings*] of the *Community Charter*;
 - (b) Special **Council** meetings in accordance with section 128.1 [*electronic special Council meetings*] of the *Community Charter*;
 - (c) Regular and special **Committee of the Whole** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*;
 - (d) Regular and special **Committee** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*; and,
 - (e) **Public and Statutory Hearing Meetings** in accordance with section 465(1.1) [*public hearing may be conducted electronically*] of the *Local Government Act*.
- 3.29. A regular **Council**, **Committee of the Whole** and **Public and Statutory Hearing Meeting Public Meeting** shall be conducted as a **Hybrid Meeting** with in person participation from Council Chambers, subject to section 5.2 [*technical difficulties*] of this Bylaw. The way in which members of the public may join electronically, in accordance with the Electronic Meeting Participation Policy, will be published to the **Agenda**.
- 3.30. Where notice has been given that a **Special Meeting** shall be conducted as a **Hybrid Meeting** or by **Electronic Means**, the **Special Meeting** must be conducted as a **Hybrid Meeting** or by **Electronic Means**.
- 3.31. Where a **Council** meeting is conducted solely by **Electronic Means**, the public may attend the **Municipal Hall** to watch and hear or hear any part of the **Public Meeting** with an **Officer** in attendance.
- 3.32. **Committee** meetings may be conducted as a **Hybrid Meeting** if scheduled during regular office hours and staff resources are available. The **Hybrid Meeting** would be conducted in person from Council Chambers where members of the public may observe, or they may join

the meeting electronically. Instructions on how to join the meeting electronically will be published to the **Agenda**.

Electronic Participation by Members

- 3.33. **Council Members** may not participate electronically in an **Inaugural Meeting**.
- 3.34. A **Member** who is unable to attend a **Meeting** in person, may participate in the **Meeting** by **Electronic Means** pursuant to section 128.3 [*electronic participation by members in Council and Council committee meetings*] of the *Community Charter*, and subject to section 3.36 [3 consecutive meetings] of this Bylaw. A **Member** must:
- (a) notify the **Presiding Member** and the **Corporate Officer** prior to the **Meeting** if they will be participating electronically;
 - (b) turn their camera on while participating by **Electronic Means** in the **Meeting**;
 - (c) advise the **Presiding Member** and the **Corporate Officer**, if they are participating by telephone or their video is not turned on, before leaving a **Meeting** [*e.g., to answer the door, take a bio break, etc.*] and when the **Member** returns to the **Meeting** so that the **Member's** absence can be recorded in the **Minutes**.
- 3.35. The **Corporate Officer** shall provide **Members** with instructions on how to connect to and participate in the **Meeting** by **Electronic Means**.
- 3.36. A **Member** may participate electronically in more than 3 consecutive **Meetings** with the approval of the **Presiding Member**.

PART 4: PUBLIC & STATUTORY HEARINGS

General Public and Statutory Hearing Rules

- 4.1. Meetings for conducting a **Public and Statutory Hearing Meeting** shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by **Council**.
- 4.2. A **Council Member** will:
- (a) limit their questions to the speaker to seek clarification or additional details;
 - (b) not engage the speaker in a debate; and,
 - (c) not comment on the merits of the bylaw, licence, permit or other matter during a **Public and Statutory Hearing Meeting**.
- 4.3. Only a **Council Member** may put a question to a person who speaks at a **Public and Statutory Hearing Meeting**.
- 4.4. No person may make a reply, rebuttal, or further submission at a **Public and Statutory Hearing Meeting** unless permitted in this Bylaw, the Public Input and Meeting Conduct Policy, or without the **Mayor's** permission, subject to sections 4.20 [*report from staff*], and 4.28 [*business licence reconsideration procedures*] through 4.31 [*clean up order reconsideration procedures*] of this Bylaw.

- 4.5. Despite section 4.1 [*hearing date and time*] of this Bylaw, a **Public and Statutory Hearing Meeting** shall only be scheduled where:
- (a) **Council** has directed staff to give notice;
 - (b) the **Director of Planning and Building** has given notice in accordance with sections 466 [*public hearing procedures*], 494 [*public notice and hearing requirements*] or 503 [*notice of permit on land title*] of the *Local Government Act*;
 - (c) the **Corporate Officer** has given notice in accordance with sections 40 [*permanent closure and removal of highway dedication*], 59 [*powers to require and prohibit*] or 99 [*annual meeting on report*] of the *Community Charter*; or
 - (d) the **Corporate Officer** has given notice in accordance with Delegation of Authority Bylaw No. 3814, 2021.
- 4.6. All comments made during a **Public and Statutory Hearing Meeting** are to be directed to **Council** and must relate to the proposed bylaw, permit or other matter that is the subject of the hearing as per the Public Hearing Procedures Policy.
- 4.7. All comments must be respectful of **Council**, the applicant, staff and other members of the public. The **Mayor** may expel a person from the **Public and Statutory Hearing Meeting** who is acting improperly or disrupting the proceedings, or the **Council** may adjourn the **Public and Statutory Hearing Meeting** to reconvene on a future date where order cannot be restored.

Public Hearings

- 4.8. The **Public Hearing Information Package** shall be published to the public hearing webpage at least four (4) calendar days prior to the **Public and Statutory Hearing Meeting**.
- 4.9. All people who believe they are affected by the proposed bylaw will be given a reasonable opportunity to be heard or present a written submission. Submissions may be provided in writing in advance in accordance with the deadline set out in the **Public Hearing** notice under section 5.9 [*public and statutory hearing notice*] of this Bylaw, or orally during the **Public Hearing**.
- 4.10. All written submissions received pursuant to section 4.9 [*people affected by proposed bylaw*] of this Bylaw, shall be made available to the public for review by placing them in the **Public Hearing** binder and by appending them to the **Public Hearing Information Package** located on the public hearings webpage.
- 4.11. The **Mayor** will provide an explanation of the **Public Hearing** process and may establish a time limit for speakers, if necessary, to ensure that all members of the public present who wish to share their comments with **Council** are able to make their submissions.
- 4.12. Where more than one bylaw is to be considered at the same **Public Hearing**, the explanation provided by the Mayor under section 4.11 [*explanation of public hearing process*] of this Bylaw, shall apply as the **Public Hearing** process for all **Public Hearing** matters, unless otherwise established by the **Mayor**.
- 4.13. Staff may make a presentation to **Council** during the **Public Hearing** regarding the proposed permit or bylaw application.

- 4.14. The applicant, if applicable, shall be provided a reasonable amount of time to make a presentation to **Council** during the **Public Hearing** regarding their application.
- 4.15. The **Corporate Officer** shall provide a summary of all correspondence, including petitions, received by 1:00 p.m. on the day of the Public Hearing and/or added to the Public Hearing Information Package that was published in accordance with section 4.10 [*public hearing information package*] of this Bylaw.
- 4.16. Written submissions that have not been published in accordance with section 4.15 [*received by 1:00pm on day of hearing*] of this Bylaw, shall be read out by the **Corporate Officer** during the **Public Hearing**.
- 4.17. The **Mayor** will ask if there is any person who wishes to speak at the **Public Hearing**, whether or not there is a speakers' list. All persons with an interest in the proposed bylaw which is the subject of a **Public Hearing** will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the proposed bylaw.
- 4.18. Those wishing to speak at the **Public Hearing** must state their name and address for identification, or the name and address of the person or body they represent (if applicable) and whether they are in support of or opposed to the proposed bylaw prior to sharing their comments. If a person wishes to speak a second time, they will be given further opportunity to address **Council** after all interested members of the public have been heard a first time.
- 4.19. A **Motion** to request a report from staff on a matter raised in a **Public Hearing** is in order at the **Public Hearing**.
- 4.20. Staff and the applicant shall be given an opportunity to respond to comments or questions raised during the **Public Hearing** before the hearing is closed on the application.
- 4.21. When the **Mayor** considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, the **Mayor** shall close the **Public Hearing** after calling three times for further submissions. **Council** may debate further consideration of the bylaw immediately following the close of the **Public Hearing**.
- 4.22. Once a **Public Hearing** is closed, **Council** may not receive additional information from the applicant or public. **Council** may request clarification of an issue raised at the **Public Hearing**, but not any new information.

Statutory Hearings

- 4.23. Where a person has a statutory right to be heard under provincial legislation, that person shall be provided such an opportunity, and the **Corporate Officer** shall place their request on the **Public and Statutory Hearing Meeting Agenda**, subject to all conditions under the provincial legislation being met.
- 4.24. Where **Council** is considering adoption of a bylaw to establish, amend or replace:
 - (a) Business Licence Bylaw No. 3153, 2002 in accordance with section 59(2) [*notice required before adopting bylaw*] of the *Community Charter*,
 - (b) A bylaw that removes a reservation or dedication of property as a park or public square in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*,

- (c) A bylaw that removes a reservation or dedication of property for heritage or heritage conservation in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*, or
- (d) A bylaw that closes a road permanently in accordance with section 40 [*permanent closure and removal of highway dedication*] of the *Community Charter*,

Council must provide an opportunity for any person who considers they are affected by the bylaw to be heard.

- 4.25. Where **Council** will consider passing a resolution to issue a temporary use permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with sections 493 [*temporary use permits for designated areas and other areas*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.26. Where **Council** will consider passing a resolution to issue a development variance permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with section 499 [*notice to affected property owners and tenants*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.27. Where a decision was delegated under Delegation of Authority Bylaw No. 3814, 2021, a person may request **Council** reconsider that delegated decision. The reconsideration by Council is final and cannot be reconsidered further by **Council** [*may only be reconsidered once*].
- 4.28. The procedures for requesting **Council's** reconsideration of the **Business Licence Inspector's** decision to refuse to grant, transfer, or renew a business licence are established under Delegation of Authority Bylaw No. 3814, 2021.
- 4.29. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to issue a development permit, a development variance permit, or a temporary use permit, or require security are established under Delegation of Authority Bylaw No. 3814, 2021 and Development Procedures Bylaw No. 3924, 2024.
- 4.30. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to require a development approval information report are established under Development Approval Information Bylaw No. 3942, 2024.
- 4.31. The procedures for requesting **Council's** reconsideration of the **Manager of Bylaw and Business Licensing Services'** decision ordering a person to clean up their property are established under Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020.

PART 5: NOTICE REQUIREMENTS

Notice of Regular Meeting Schedule

- 5.1. The **Corporate Officer** shall, by December 31 of each year:
 - (a) Post a schedule of the date, time, and place of **Regular Meetings** for that calendar year in the **Public Notice Posting Places**;

- (b) Include in the notice whether the **Regular Meetings** are to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**;
 - (c) Include instructions in the notice for connecting virtually to a **Hybrid Meeting** or where the **Meeting** is held by **Electronic Means**, in accordance with sections 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] and 128.2(2)(b) [*notice and procedure requirements for how the electronic committee meeting is conducted*] of the *Community Charter* and the District's Electronic Meeting Participation Policy; and
 - (d) Give notice of the availability of the schedule in accordance with section 127(1) [*notice of Council meetings*] of the *Community Charter* and Public Notice Bylaw No. 3906, 2023.
- 5.2. Where, due to technical difficulties and in accordance with the District's Electronic Meeting Participation Policy, a regular **Council** or **Committee of the Whole** meeting cannot be held as a **Hybrid Meeting**, pursuant to section 3.29 [*hybrid meetings conducted in person and electronically*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post notice to the **Public Notice Posting Places** how the meeting shall be conducted.
- 5.3. Where revisions are necessary to the annual schedule under section 5.1 [*notice of regular meeting schedule*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post any revisions or cancellations made to the **Regular Meeting** schedule under section 5.1(a) [*notice of regular meeting schedule*] of this Bylaw, to the **Public Notice Posting Places**.

Notice of a Special Meeting

- 5.4. At least 24 hours before a **Special Meeting**, in accordance with section 127(3) [*notice must be signed*] of the *Community Charter*, the **Corporate Officer** must give notice of the meeting, including:
- (a) the date, time, location, and a general description of the items to be discussed at the meeting; and,
 - (b) whether the **Special Meeting** is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**; and
 - (c) if the meeting is a **Council** meeting which is to be conducted by **Electronic Means** or as a **Hybrid Meeting**, the notice shall include that the public may attend the **Municipal Hall** to observe the meeting that is open to the public with an **Officer** in attendance, in accordance with section 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] of the *Community Charter*.
- 5.5. If the **Special Meeting** is to be conducted by **Electronic Means**, or as a **Hybrid Meeting**, the notice must include the way in which electronic participation shall be conducted, in accordance with sections 128.1 [*electronic special Council meetings*] and 128.2 [*electronic Council committee meetings*] of the *Community Charter*.
- 5.6. If the **Agenda** for the **Meeting** contains a proposed **Resolution** to close all or part of the **Meeting** to the public, the notice, in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter*, must state:
- (a) that the meeting is to be closed; and

(b) the basis under the *Community Charter* on which all or part of the meeting is to be closed and may include a general description of the item to be discussed without compromising the reason for closing the meeting.

5.7. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be signed by the **Corporate Officer** or the **Mayor**. Where two or more **Council Members** have themselves called the **Special Meeting** pursuant to section 3.18 [*calling a special meeting*] of this Bylaw, the **Corporate Officer** or the **Council Members** calling the meeting must sign the notice, in accordance with sections 126(4) [*sign special meeting notice*] and 127(3) [*content for special meeting notice*] of the *Community Charter*.

5.8. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be posted in the **Public Notice Posting Places**, at the entrance to the **Regular Meeting** place and be emailed to each **Member**, in accordance with section 127(2) [*24-hours' notice*] of the *Community Charter*.

Public and Statutory Hearing Notice

5.9. The notice for a **Public and Statutory Hearing Meeting** held pursuant to section 4.24 [*adoption of bylaw*] through to section 4.26 [*issuing permit*] of this Bylaw, must state:

- (a) the time, date and place of the hearing,
- (b) whether the public hearing or statutory hearing is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**,
- (c) the deadline for submitting comments in writing,
- (d) in general terms, the purpose of the bylaw, permit or matter to be reconsidered by Council,
- (e) the address of the property (if applicable) that is subject to the matter considered at the hearing, and
- (f) the place where copies of the relevant documents may be inspected.

5.10. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published in accordance with Public Notice Bylaw No. 3906, 2023 if the matter is a **Public Hearing** matter.

5.11. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published to the **Public Notice Posting Places** if the matter is a **Statutory Hearing** matter.

PART 6: AGENDAS & MINUTES

Deadline for Submission of Agenda Items

6.1. The deadline for submission to the **Corporate Officer** of items for inclusion on the **Agenda** is one (1) week prior to the **Regular Meeting**.

6.2. Despite section 6.1 [*agenda item deadline*] of this Bylaw, supplemental materials from an applicant to be included in the **Agenda** must be received by the **Corporate Officer** at least four (4) working days prior to the **Meeting**.

Publishing Agendas

- 6.3. At least 48 hours before a **Regular Meeting** or a **Public and Statutory Hearing Meeting**, and in accordance with section 6.4 [*corporate officer to prepare agenda*] of this Bylaw, the **Corporate Officer** must, in accordance with the Agenda and Minutes Policy:
- (a) Post the **Agenda** at the **Public Notice Posting Places**;
 - (b) Leave a copy of the **Agenda Package** at a public counter at the **Municipal Hall** for the public to review;
 - (c) Email a link to, or copy of, the **Agenda Package** to each **Member**;
 - (d) Upon request, leave a printed copy of the **Agenda Package** in the **Council Member's** mailbox at the **Municipal Hall** or at the front counter at the **Municipal Hall** for a **Committee Member**; and
 - (e) If the meeting is a **Special Meeting**, post the **Agenda** at the Public Notice Posting Places as soon as reasonably possible (if applicable).

Order of Business in Agendas

- 6.4. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Corporate Officer** shall prepare an **Agenda**, in accordance with the Agenda and Minutes Policy, setting out the items for consideration at that **Meeting** pursuant to the order established under section 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw. If a matter is to be considered at an **In-Camera Meeting**, the item description must include the applicable section of the *Community Charter* under which the meeting or part of the meeting is to be closed to the public, and may include a general description of the item to be discussed without compromising the reason for closing the meeting.
- 6.5. Particular business at a **Meeting** must be taken up in the order in which it is listed on the **Agenda** unless otherwise resolved, subject to sections 1.7 [*temporarily suspend the rules*], 6.6 [*only items on agenda considered*] and 6.7 [*vary order of agenda*] of this Bylaw.
- 6.6. Only matters listed on the **Agenda** may be considered at the **Council** meeting unless the **Council** has added the matter to the **Agenda** as a **Late Item** under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.7. The **Presiding Member** and **Corporate Officer** may vary the order of the **Council Body** meeting **Agenda** set out under sections 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw, and delete headings that have no business under the item(s) prior to publishing the **Agenda Package** under section 6.2 [*supplemental materials*] of this Bylaw, with the exception of New Business which must not be deleted in case of a **Late Item** being added under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.8. The **Mayor** may provide an update to **Council** on the **Mayor's** recent activities during the **Mayor's Report** portion of the regular **Council** meeting **Agenda**.
- 6.9. The introduction of a **Resolution** is not permitted under section 6.8 [*Mayor's update*] of this Bylaw.

Inaugural Agenda

6.10. The **Agenda** for the **Inaugural Meeting** established under section 3.2 [*inaugural meeting*] of this Bylaw may be primarily ceremonial.

Council Agenda

6.11. Subject to sections 6.7 [*vary order of agenda*] and 6.17 [*distribution of late item*] of this Bylaw, the **Agenda** for each **Council** meeting must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera meeting **Agenda**
 - (ii) Adoption of in-camera meeting **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
- (c) Recess until 5:00 p.m.
- (d) Awards and Recognition by **Council**
- (e) **Public Input** on Agenda Items
- (f) Approval of **Consent Agenda**
 - (i) Items for Decision
 - (ii) Items for Information
- (g) Approval of Meeting **Agenda**
 - (i) Introduction of **Late Items**
 - (ii) Changes to Order of Business
- (h) Mayor's Report
- (i) Presentations and Petitions
 - (i) **Presenters**
 - (ii) **Delegations**
 - (iii) Petitions
- (j) Unfinished and Postponed Business
- (k) Bylaws
- (l) Reports
- (m) New Business
- (n) **Notice of Motions**
- (o) **Question Period**
- (p) Adjournment

Public and Statutory Hearing Agenda

6.12. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Agenda** for a **Public Hearing** and/or a **Statutory Hearing** must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Approval of **Agenda**
- (c) **Public Hearing** Matters

- (i) Explanation of the public hearing process
- (ii) [*bylaw name and number*]
 - (a) Call public hearing to order
 - (b) Public hearing for bylaw
 - 1. Introductory presentation provided by staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from the public
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Close of public hearing for [*bylaw name and number*]
 - (c) Consideration of further readings of the bylaw
- (d) **Statutory Hearing Matters**
 - (i) Statutory Right to be Heard
 - (a) Explanation of the hearing process
 - (b) [*temporary use permit or development variance permit or adoption of a bylaw*]
 - 1. Introductory presentation provided by Staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from persons affected by the [*bylaw or permit*]
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Consideration of [*issuance of permit or adoption of bylaw*]
 - (ii) Reconsideration of Delegate's Decision
 - (a) Explanation of the reconsideration process
 - (b) [*licence, permit, development approval information, security requirement, clean up order to be reconsidered by Council*]
 - 1. Introductory presentation provided by Staff
 - 2. Applicant to detail the grounds on which reconsideration is requested
 - 3. Response by staff to any new information or factual matters raised by the applicant
 - 4. Reconsideration of decision by Council
- (e) Adjournment.

Committee of the Whole Agenda

- 6.13. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Agenda** for each **Committee of the Whole** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera **Agenda**
 - (ii) Adoption of in-camera **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
 - (c) Recess until 5:00 p.m.
 - (d) Approval of **Agenda**

- (e) Adoption of **Minutes**
- (f) **Public Input** on Agenda Items
- (g) Delegations and Presentations
 - (i) **Presenters**
 - (ii) **Delegations**
- (h) Unfinished and Postponed Business
- (i) Staff Reports
- (j) Items for Discussion
- (k) **Question Period**
- (l) Adjournment

Committee Agenda

- 6.14. Subject to section 6.7 [vary order of agenda] of this Bylaw, the **Agenda** for each **Committee** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Approval of the **Agenda**
 - (c) Adoption of **Minutes**
 - (d) Unfinished and Postponed Business
 - (e) Business
 - (f) Adjournment

Consent Agenda

- 6.15. **Consent Agenda** items shall be added to the regular **Council Agenda** in accordance with the **District's** Consent Agenda Policy.

Late Items

- 6.16. An item of business not included on the **Agenda** may only be considered at a **Council** meeting if **Council** adds the item to the agenda at the time **Council** approves the agenda.
- 6.17. If **Council** adds a **Late Item** to the **Agenda** under section 6.16 [*approved when agenda adopted*] of this Bylaw:
- (a) written information pertaining to the **Late Item**, if any, must be immediately distributed to **Council Members**, and,
 - (b) the **Late Item** must be added under the New Business heading of the agenda.

Meeting Minutes

- 6.18. The **Minutes** of every **Meeting** must be recorded in accordance with the Agendas and Minutes Policy, be certified as correct by the **Corporate Officer**, and signed by the **Presiding Member** at the meeting or at the next **Meeting** at which the **Minutes** are adopted.
- 6.19. A negative vote must be recorded in the **Minutes**.

- 6.20. The **Minutes** from a **Public Meeting** shall be made available for public inspection at the **Municipal Hall** during regular office hours and will be published on the **District's** website in accordance with the Agenda and Minutes Policy.
- 6.21. Despite section 6.20 [*minutes made available to public*] of this Bylaw, **Minutes** from an **In-Camera Meeting** shall not be published to the website unless released by the **Council Body** in accordance with section 6.22 [*release of in-camera resolutions*] of this Bylaw.
- 6.22. **Resolutions** from an **In-Camera Meeting** shall be released to the public in accordance with the Agenda and Minutes Policy.
- 6.23. The **Minutes** from a **Public Hearing** must reflect the name and address of each speaker or written submission, whether in favour or opposed to the subject of the **Public Hearing**, and a summary of the speaker's comments.
- 6.24. Despite subsection 6.18 [*certified by corporate officer*] of this Bylaw, where the **Corporate Officer** or the **Chief Administrative Officer** are not present at an **In-Camera Meeting**, the **Minutes** must be signed by the **Presiding Member** and certified as correct by the **Council Member** appointed to take the **Minutes** at the **In-Camera Meeting**.

PART 7: PRESENTATIONS & PUBLIC PARTICIPATION

General Rules for Presentations & Public Participation

- 7.1. The **Corporate Officer** shall refuse to place a **Delegation** or a petition on an **Agenda** if the matter is related to:
- (a) personnel and labour relations,
 - (b) an issue that is before the courts or where legal action has been authorized,
 - (c) promotion of the applicant's business or solicitation of goods or service for financial gain, excluding nonprofit organizations that operate independently of any government,
 - (d) a staff report that has not yet been presented to **Council**,
 - (e) the issuance of a development variance permit or a temporary use permit if the **Public and Statutory Hearing Meeting** is held on the same day as the **Council** meeting,
 - (f) a record that is held in confidence, unless the record has been lawfully released to the public,
 - (g) information considered in an **In-Camera Meeting**, unless the information has been released by **Council**, or
 - (h) a proposed bylaw in respect of which a **Public Hearing** has been held, where the **Public Hearing** is required under an enactment as a prerequisite to the adoption of the bylaw.
- 7.2. **Council** will not act on a request from a **Delegation** or a petitioner until the next regular **Council** meeting.
- 7.3. Despite section 7.2 [*not act on request till next regular meeting*] of this Bylaw, the **Mayor**, or **Council** by **Resolution**, may refer a request from a **Delegation** or a petitioner to:
- (a) the department where the matter relates to their scope of responsibility for response,

- (b) staff for a report to be included on a future **Council meeting Agenda**, or
- (c) a **Committee** for feedback and recommendation prior to **Council** considering the request at a future meeting.

7.4. All speakers addressing a **Council Body** must comply with this Bylaw and, as appropriate, with:

- (a) Respectful Spaces Bylaw No. 3796, 2020;
- (b) Delegations and Presenters Policy;
- (c) Public Input and Meeting Conduct Policy; and
- (d) Petitions Policy

7.5. Where a person is being disrespectful to members of the **Council Body**, staff, **Delegations**, **Presenters**, or to members of the public in attendance at the **Meeting**, the **Presiding Member** will take action to cease the behaviour, which may include expulsion from the **Meeting** as per section 1.10 [*presiding member may expel person*] of this Bylaw.

Delegations

7.6. Subject to section 6.1 [*agenda item deadline*] of this Bylaw, a request to be a **Delegation** must be submitted in writing to the **Corporate Officer** in accordance with the Delegations and Presenters Policy.

7.7. The **Corporate Officer** may place up to two (2) **Delegations** to present at the same **Council** or **Committee of the Whole** meeting. **Delegations** may participate in person at the **Municipal Hall** or by **Electronic Means**.

7.8. A **Delegation** may address a **Council Body** at a meeting where the **Corporate Officer** has included the **Delegation** on the **Agenda**, pursuant to sections 7.1 [*reject delegation or petition*] and 7.9 [*multiple delegations from same organization*] of this Bylaw.

7.9. Multiple **Delegations** from the same organization who wish to address the same matter will be combined and treated as a single **Delegation**.

7.10. Each address from a **Delegation** shall be limited to 10 minutes.

Presenters

7.11. The **District** may invite a person(s) or organization(s) to make a presentation to a **Council Body**.

7.12. Despite section 7.6 [*request must be in writing*] of this Bylaw, a **Presenter** does not have to request to be a **Delegation** and is not subject to the speaking limitation under section 7.10 [*10-minute speaking limit*] of this Bylaw.

Petitions

7.13. A petition must be submitted in accordance with section 6.1 [*agenda item deadline*] of this Bylaw, to be included in a **Council Agenda Package**.

7.14. A petition must be in writing, signed by each person named in the petition, and comply with this Bylaw and the Petitions Policy.

- 7.15. Petitions will form part of the public record and be published to website in accordance with the Petitions Policy.
- 7.16. A petition being presented to **Council** shall include:
- (a) the spokesperson's contact information,
 - (b) the requested action and/or pertinent information on the top of each page of the petition, and
 - (c) the names and addresses of the petitioners all legibly printed and then a signature.
- 7.17. A petitioner shall be limited to 5 minutes to address **Council** at the meeting where the **Corporate Officer** has included the petition on an agenda.
- 7.18. The **Corporate Officer** must notify a petitioner if their petition has been referred to staff or a **Committee** under section 7.3 [*refer request*] or rejected under section 7.1 [*reject delegation or petition*] of this Bylaw.

Public Input

- 7.19. Members of the public shall be provided an opportunity to address **Council** at a **Council** or **Committee of the Whole** meeting regarding matters to be considered at the meeting during **Public Input**, subject to sections 7.20 [*maximum 5 speakers at 3 minutes each*], and 7.21 [*Mayor may terminate address*] of this Bylaw. All comments shall be addressed to **Council** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their comments to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.20. A maximum of five (5) speakers, allotted up to three (3) minutes each, will be permitted to address **Council** once during **Public Input** at a **Council** or **Committee of the Whole** meeting. All speakers must adhere to the Public Input and Meeting Conduct Policy.
- 7.21. The **Mayor** is authorized to terminate an address being delivered pursuant to section 7.5 [*disrespectful behaviour*] of this Bylaw, where a person fails to comply with the Public Input and Meeting Conduct Policy. If the person fails to comply with the action ordered by the **Mayor**, the **Mayor** may expel the person from the meeting in accordance with section 1.10 [*presiding member may expel person*] of this Bylaw.

Question Period

- 7.22. Members of the public shall be provided an opportunity to ask questions of **Council** at a **Council** or **Committee of the Whole** meeting regarding matters discussed at the meeting during **Question Period**, subject to section 7.5 [*disrespectful behaviour*] of this Bylaw. All questions shall be addressed through the **Mayor** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their questions to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.23. The **Mayor** is authorized to determine, if necessary, when sufficient discussion has taken place and close the **Question Period** based on that determination.

PART 8: CONDUCT AT MEETINGS

Code of Conduct for all Attendees

- 8.1. **Members** shall conduct themselves at all times in a manner that is compliant with the code of conduct set out in the Standards of Conduct Policy.
- 8.2. No **Member** shall disobey the decision of the **Presiding Member** on points of order or fail to adhere to section 8.1 [*code of conduct*] of this Bylaw. If the **Member** resists the **Presiding Member's** ruling, the **Presiding Member** may order the **Member** to leave the meeting.
 - (a) If the **Member** does not leave the meeting, the **Presiding Member** may cause the **Member** to be removed by a **Peace Officer**.
 - (b) If the **Member** apologizes to the **Council Body**, the **Council Body** may by **Resolution**, allow the **Member** to retake their seat.
- 8.3. The public shall not applaud or otherwise interrupt any speech or action of the **Members** or any other person addressing the **Council Body**.

Attendance at Meetings

- 8.4. The **Presiding Member** will make reasonable efforts to notify the **Corporate Officer** in advance if the **Presiding Member** will be absent from a **Meeting**.
- 8.5. **Members** must make all reasonable efforts to attend **Meetings** in person. A **Member** who will be participating by **Electronic Means** must notify the **Presiding Member** and the **Corporate Officer** in advance of the **Meeting** in accordance with section 3.34 [*unable to attend in person*] of this Bylaw.

Calling Meeting to Order

- 8.6. As soon after the time specified for a **Meeting** as there is a quorum present, the **Presiding Member** must take the chair and call the **Meeting** to order.
- 8.7. If quorum is present, but the **Presiding Member** does not attend within 15 minutes of the scheduled time for a **Meeting**,
 - (a) the **Corporate Officer**, or their delegate, must call to order the **Members** present, and
 - (b) the **Members** present must choose a **Member** to preside at the **Meeting**.

Closing the Meeting to the Public

- 8.8. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body**, must pass a **Resolution** in a **Public Meeting** in accordance with section 1.9 [*resolution to close meeting*] of this Bylaw.

Voting at Meetings

- 8.9. **Members** must remain in the **Meeting** when the **Presiding Member** is putting the **Motion** to a vote, unless the **Member** has declared they have a conflict of interest in accordance with section 100 of the *Community Charter*, except if the **Member** has withdrawn their conflict of interest as per the Reimbursement of Legal Fees in relation to Conflict of Interest Policy.

- 8.10. When debate on a **Motion** is closed, the **Presiding Member** must put the **Motion** to a vote of **Members** by stating, "those in favour raise your hands" and then "those opposed raise your hands".
- 8.11. When the **Presiding Member** puts a **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not
- (a) cross or leave the room,
 - (b) make a noise or other disturbance,
 - (c) interrupt the voting procedure under section 8.10 [*call the question*] of this Bylaw, unless the interrupting **Member** is raising a **Point of Order**.
- 8.12. After the **Presiding Member** finally puts the **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not speak to the **Motion** or make a **Motion** concerning it.
- 8.13. Whenever a vote on a **Motion** is taken, each **Member** present must signify their vote by raising their hand, or, if participating by **Electronic Means**, in the manner directed by the **Presiding Member**.
- 8.14. The **Presiding Member** must declare the result of the vote by stating whether the **Motion** is carried or defeated.
- 8.15. The **Presiding Member** must state the name of each **Member** who voted in opposition.
- 8.16. The **Presiding Member's** decision about whether a **Motion** has been finally put is conclusive.

Discussion and Debate

- 8.17. When a **Member** wishes to speak at a **Meeting**, the **Member** shall obtain approval of the **Presiding Member** before doing so.
- 8.18. A **Member** will address:
- (a) the **Presiding Member** by that person's title of **Mayor, Acting Mayor**, or Chair and their last name;
 - (b) another **Council Member** by the title of Councillor and their last name;
 - (c) a staff member by their official title or their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy; and,
 - (d) a **Committee Member**, excluding the Committee Chair, by their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy.
- 8.19. A **Member** who has made a substantive **Motion** to the **Council Body** may reply to the debate.
- 8.20. No **Member** may interrupt a **Member** who is speaking except to raise a **Point of Order**.
- 8.21. If more than one **Member** speaks, the **Presiding Member** must call on the **Member** who, in the **Presiding Member's** opinion, first spoke.

8.22. **Members** who are called to order by the **Presiding Member**

- (a) must immediately stop speaking,
- (b) may explain their position on the point of order when asked by the **Presiding Member**, and
- (c) may appeal to the **Council Body** for its decision on the **Point of Order**.

8.23. **Members** speaking at a **Meeting**

- (a) must speak only in connection with the matter being discussed or the **Motion** being debated [*germane*], statements must have a bearing on whether the motion should be adopted,
- (b) never attack or make any allusion to the motives of another **Member**,
- (c) shall avoid injecting a personal note into the debate,
- (d) may speak about a previous vote only for the purpose of making a **Motion** that the **Resolution** be reconsidered or rescinded, and
- (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the **Presiding Member** and the **Council Body**, in connection with the rules and **Point of Order**.

8.24. A **Member** may require the **Motion** under discussion to be read out for their information at any point during the debate but may not interrupt another **Member** who is speaking to make the request.

8.25. A **Member** who has moved an amendment, the **Previous Question**, or an instruction to a **Committee** may not reply to the debate, subject to the Council Advisory Body Policy.

Adjourning a Meeting when No Quorum

8.26. If there is no quorum present within 15 minutes of the scheduled time for a **Meeting**, the **Corporate Officer**, or their delegate, must

- (a) record in the **Minutes** the names of the **Members** present, and those absent, and
- (b) adjourn the **Meeting** until the next scheduled meeting.

Meeting Adjournment

8.27. **Meetings** must be adjourned no later than three (3) hours after the **Meeting** begins, unless resolved by a two-thirds vote of **Members** present to proceed beyond that time.

PART 9: BYLAWS

Proposed Bylaws

9.1. A proposed bylaw may be considered 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.

9.2. A proposed bylaw may be considered at a **Committee of the Whole** meeting to:

- (a) provide direction to staff prior to the bylaw being considered at a **Council** meeting; or,
- (b) make recommendation to **Council** to consider the bylaw as proposed.

Form of Bylaw

- 9.3. A bylaw introduced at a **Council** meeting must
- (a) be printed or in an electronic format,
 - (b) have a distinguishing name,
 - (c) have a distinguishing number, and
 - (d) be divided into sections.

Bylaws to be considered separately or jointly

- 9.4. **Council** must consider a proposed bylaw at a **Council** meeting either
- (a) separately when directed by the **Presiding Member** or requested by another **Council Member**, or
 - (b) jointly with other proposed bylaws in the sequence determined by the **Presiding Member**.

Reading and adopting bylaws

- 9.5. The **Presiding Member** of a **Council** meeting may
- (a) have the **Corporate Officer** present a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a **Motion** that the proposed bylaw or group of bylaws be read.
- 9.6. The readings of a bylaw must be given by stating its title.
- 9.7. Each reading of a proposed bylaw must receive an affirmative vote of a majority of the **Council Members** present, except for an official community plan bylaw or official community plan bylaw amendment, where the vote required for each reading to pass is a majority of all **Council Members**.
- 9.8. A proposed bylaw may be debated and amended at any time during the first three readings, unless prohibited by the *Community Charter*. If amended at any time before third reading, a motion to read the bylaw shall be to give the bylaw [*second or third*] reading as amended.
- 9.9. In accordance with section 135 [*requirements for passing bylaws*] of the *Community Charter*, **Council** may give up to three readings to a proposed bylaw at the same **Council** meeting.
- 9.10. **Council** may read a bylaw up to three times in one resolution, except where a **Council Member** objects that the bylaw be read more than once on the same day.
- 9.11. In accordance with section 477 [*adoption procedures for official community plan*] of the *Local Government Act*, **Council** may adopt a proposed official community plan bylaw, at the same meeting at which the plan or bylaw passed third reading.
- 9.12. In accordance with section 480 [*adoption of municipal zoning bylaw*] of the *Local Government Act*, **Council** may adopt a proposed zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Bylaws must be signed

- 9.13. After a bylaw is adopted and signed by the **Corporate Officer** and the **Presiding Member** of the **Council** meeting at which it was adopted, the **Corporate Officer** must have it placed in the **District's** records for safekeeping.

PART 10: RESOLUTIONS & OTHER MOTIONS

Resolutions

- 10.1. A **Resolution** may be introduced at a **Meeting** only if a copy of it has been delivered to each **Member** before the meeting begins, unless the **Council Body** has waived this requirement under section 1.7 [*temporarily suspend the rules*] of this Bylaw or through **Unanimous Consent**.
- 10.2. Unless otherwise stated in this Bylaw, a **Resolution** requires a majority vote of the **Members** present to pass.
- 10.3. The **Presiding Member** of a meeting may
- (a) have the **Corporate Officer**, or their delegate, read the **Motion**, and
 - (b) request a **Motion** that a **Resolution** be introduced.

Reconsideration

- 10.4. In addition to the **Mayor's** power to direct reconsideration under section 131 [*mayor may require reconsideration*] of the *Community Charter*, a **Council Member** who voted with the prevailing side may, at the same or next regular meeting,
- (a) move to reconsider a **Resolution** adopted or defeated by **Council**, or
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- 10.5. Despite section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw, a **Resolution** must not be reconsidered under this section if
- (a) it had the approval or assent of the electors and been adopted,
 - (b) it has been reconsidered under section 10.3 of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter*,
 - (c) it was a delegated decision reconsidered by **Council** under section 4.23 of this Bylaw, or
 - (d) it has been acted on by an officer, employee, or agent of the **District**.
- 10.6. For certainty, each **Resolution** or reading of a bylaw may be reconsidered under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw.
- 10.7. Despite section 10.10 [*reconsideration by Mayor or Councillor*] of this Bylaw, resolutions for final adoption of an official community plan bylaw or zoning bylaw must not be reconsidered.
- 10.8. **Council** must not discuss the main matter referred to in section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw unless a motion to reconsider that matter is adopted in the affirmative.

- 10.9. A vote to reconsider must not be reconsidered.
- 10.10. A voting requirement that applied to the adoption of the original **Resolution** or bylaw applies to its reconsideration under this section, subject to section 10.7 [*may not reconsider adoption of a zoning or OCP bylaw*] of this Bylaw.
- 10.11. An adopted bylaw or **Resolution** that is reaffirmed under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- 10.12. An adopted bylaw or **Resolution** that is not reaffirmed under subsection 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is of no effect and is deemed to be repealed.

Notices of Motion

- 10.13. A **Council Member** may bring forward an item of business to be added to an **Agenda** by giving notice in accordance with the Notice of Motion Policy. The **Motion** must not be discussed until the next regular **Council** meeting, unless authorized by a unanimous vote of all **Council Members**.

Recommendations to Council

- 10.14. **Council** may take any of the following actions in connection with a recommendation it receives from the **Committee of the Whole** or a **Committee**:
- (a) agree or disagree with the recommendation;
 - (b) amend the recommended motion;
 - (c) suggest an alternative course of action pursuant to section 10.1[*introduce a resolution*] of this Bylaw;
 - (d) refer the recommendation back to the **Committee of the Whole** or **Committee**;
 - (e) postpone its consideration of the recommendation.

Points of Order

- 10.15. The **Presiding Member** must preserve order at a **Meeting** and, subject to an appeal of the **Presiding Member's** decision to other **Members** present, decide on any **Point of Order** that may arise.
- 10.16. Without limiting the **Presiding Member's** duty under section 132 (1) [*authority of presiding member*] of the *Community Charter*, the **Presiding Member** must apply the correct procedure to a **Motion**
- (a) if the **Motion** is contrary to the rules of procedure in this Bylaw, and
 - (b) whether or not another **Member** has raised a **Point of Order** in connection with the **Motion**.
- 10.17. When the **Presiding Member** is required to decide a **Point of Order**
- (a) the **Presiding Member** must cite the applicable rule or authority if requested by another **Member**,

- (b) another **Member** must not question or comment on the rule or authority cited by the **Presiding Member** under paragraph (a), and
- (c) the **Presiding Member** may reserve the decision until the next **Meeting**.

Motions Generally

- 10.18. **Members** may debate and vote on a **Motion** only if it is first made by one **Member** and then seconded by another.
- 10.19. **Members** must vote separately on each distinct part of a **Motion** that is under consideration at a **Meeting** if a **Member** moves an **Incidental Motions** to divide the question.

Main Motion

- 10.20. At a **Meeting**, the following rules apply to a main **Motion**, or for the main **Motion** as amended:
- (a) if a **Member** moves to put the main **Motion**, or the main **Motion** as amended, to a vote [*i.e., move previous question*], that **Motion** must be dealt with before any other amendments are made to the main **Motion** or the main **Motion** as amended; and
 - (b) if the main **Motion**, or the main **Motion** as amended, is decided in the negative, the **Council Body** may:
 - (i) introduce a new **Motion** that is substantially different from the main **Motion** that was defeated;
 - (ii) introduce a **Motion** to reconsider the main **Motion** or the main **Motion** as amended, subject to section 10.4 [*reconsideration by Mayor or Councillor*] through to section 10.12 [*resolution is not reaffirmed*] of this Bylaw; or
 - (iii) proceed to the next order of business.

Secondary Motions

- 10.21. During debate on a main **Motion**, a **Member** may make only the following **Secondary Motions**:
- (a) **Subsidiary Motions**
 - (i) to lay on the table [*motion to temporarily set the main motion aside is not debatable or amendable*]
 - (ii) to move the previous question [*motion to close debate requires a 2/3 vote and is not debatable or amendable*]
 - (iii) to limit or extend limits of debate [*motion requires a 2/3 vote and is not debatable*]
 - (iv) to postpone definitely
 - (v) to refer to committee
 - (vi) to amend
 - (vii) to postpone indefinitely [*motion is not amendable*]
 - (b) **Privileged Motions**
 - (i) to fix the time to adjourn [*motion is not debatable*]
 - (ii) to adjourn [*motion is not debatable or amendable*]
 - (iii) to recess [*motion is not debatable*]
 - (iv) to raise a question of privilege [*motion is not debatable or amendable and is ruled by the Chair*]

(c) **Incidental Motions**

- (i) to withdraw a motion [*motion is not debatable or amendable*]
- (ii) to divide the question [*motion is not debatable*]
- (iii) to take from the table [*motion must be made before the end of the next regular meeting and is not debatable or amendable*]
- (iv) to raise a point of order [*motion is not debatable or amendable and is ruled by the Chair*]
- (v) to appeal the decision of the chair [*motion is not debatable or amendable*]
- (vi) to reconsider [*motion is not amendable*]
- (vii) to rescind [*motion requires a 2/3 vote*]
- (viii) to suspend the rules [*motion requires a 2/3 vote and is not debatable or amendable*]

10.22. The following **Secondary Motions** are

- (a) NOT debatable or amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (i) and (ii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (ii) and (iv)
 - (iii) subsection 10.21 (c) [*incidental motions*] (i), (iii), (v) and (viii)
- (b) NOT debatable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (iii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (i) and (iii)
 - (iii) subsection 10.21 (c) [*incidental motions*] (ii), (iv) and (vii)
- (c) NOT amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (vii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vi)
- (d) require a 2/3 vote for the motion to pass under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (ii) and (iii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vii) and (viii)

10.23. Until it is decided, a **Motion** made at a **Council** or **Committee of the Whole** meeting to refer to **Committee** [*this includes Council referring the motion to the Committee of the Whole*] precludes an amendment of the main **Motion** unless the motion to amend was adopted prior to the motion to refer [*i.e., the motion as amended is referred to committee*].

10.24. A matter of privilege must be immediately considered when it arises at a **Meeting**.

Motion to Amend

10.25. A **Member** may, without notice, move to amend a **Motion** that is being considered at a **Meeting**.

10.26. An amendment may propose removing, substituting for, or adding to the words of an original **Motion**.

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

10.28. A proposed amendment must be decided or withdrawn before the **Main Motion** being considered is put to a vote.

10.29. An amendment may be amended once only.

- 10.30. An amendment that has been defeated by a vote cannot be proposed again.
- 10.31. A **Member** may propose an amendment to an adopted amendment.
- 10.32. The **Presiding Member** must put the **Main Motion** and its amendment for the vote in the following order:
 - (a) a motion to amend a **Motion** amending the **Main Motion**;
 - (b) a motion to amend the **Main Motion**, or an amended **Motion** amending the **Main Motion** if the vote under paragraph (a) is positive; and
 - (c) the **Main Motion**.

Motion to Rise with or without Report

10.33. If a **Motion** to rise with or without report is adopted during an **In-Camera Meeting**, pursuant to sections 1.9 [*resolution to close meeting*] and 3.16 [*meeting is open to the public at 5:00pm*] of this Bylaw, the **Meeting** shall resume in open and proceed to the next order of business that is open to the public.

Unanimous Consent

- 10.34. When the **Presiding Member** introduces a proposal for **Unanimous Consent** for a non-controversial matter, such as taking a recess, the **Presiding Member** shall preface their proposal with "if there is no objection" to make it clear to the **Council Body** that a **Member** can object and require a formal **Motion** and debate.
- 10.35. The use of **Unanimous Consent** is not permitted where a vote on a **Motion** is required to be passed unanimously by all of the **Members**.

PART 11: REPEAL

11.1. Council Procedure Bylaw No. 3602, 2015, and all amendments thereto, is hereby repealed.

READ a first time on _____.

READ a second time on _____.

READ a third time on _____.

This bylaw was advertised on the municipality's social media site on _____, in the Cowichan Valley Citizen and the Chemainus Valley Courier on _____ and was posted to the municipality's public notice places on _____.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

Council Procedure Bylaw Concordance

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
NEW SECTION added (Staff recommendation)			1 - General	Citation	1.1	<ul style="list-style-type: none"> Added (1.1) as it is important to have a formal citation for the bylaw to ensure that the bylaw is referred to consistently when amended or referenced in other documents. This practice is consistent with the bylaw drafting documents prepared Lidstone & Company (current practice to include a citation in the bylaw) which aligns with BC best practices.
NEW SECTION added (Staff recommendation)			1 - General	Interpretation	1.2	<ul style="list-style-type: none"> Added (1.2) as an aid to readers to identify which terms have been defined, when interpreting the bylaw (this is the current practice). It is a BC best practice to italicize references to provincial legislation.
NEW SECTION added (Staff recommendation)			1 - General	Interpretation	1.3	<ul style="list-style-type: none"> Added (1.3) so that the reference "as revised or replaced from time to time" does not need to be included with each reference to a particular legislation, municipal bylaw or policy of Council.
1 - Introduction	Definitions	1	1 - General	<ul style="list-style-type: none"> Definitions 	1.4	<ul style="list-style-type: none"> Terms should only be defined when intended to apply to something other than the ordinary meaning, therefore the definitions for municipal website (ordinary meaning) and quorum (defined under the <i>Interpretation Act</i>) have been removed. Removed the definition for "commissions" from the new bylaw because the definition for "committee" in the new bylaw includes any other bodies referred to in 93 of the <i>Community Charter</i> – a commission established by Council is listed under that section. <ul style="list-style-type: none"> If Council were to establish a commission in the future, any rules relating to committees in this bylaw would also apply to commissions. 53 NEW terms have been defined in Bylaw No. 3945 to: <ul style="list-style-type: none"> provide clarity remove any uncertainty when interpreting the bylaw avoid repetitiveness by applying certain rules to all Council and Committees members and distinguish when the rules applies to a certain meeting or Council body create a distinction between a delegation and a presenter (invited speaker) establish which meetings are conducted in a hybrid so that Council no longer has to adopt a resolution for their annual Council and COW meeting schedule, thereby enabling Council members to choose whether to attend in person or virtually. This becomes beneficial when a report no longer has to go to Council to cancel regular meetings due to conflicts with FCM, UBCM, etc.
1 - Introduction	Application of rules of procedure	2(1)	1 - General	Application of Rules of Procedure	1.5	<ul style="list-style-type: none"> Minor changes to provisions that govern proceedings.
1 - Introduction	Application of rules of procedure	2(2)	1 - General	Application of Rules of Procedure	1.6	<ul style="list-style-type: none"> Minor changes to the application of Robert's Rules of Order.
NEW SECTION added (Staff recommendation)			1 - General	Application of Rules of Procedure	1.7	<ul style="list-style-type: none"> Added (1.7) section as an exception so that rules (<i>other than those governed by statutory provisions</i>) may be temporarily suspended during a meeting. Rules that have a reference to the governing legislation cannot be suspended.
2 – Council Meetings	Inaugural meeting	3(1)	3 – Meetings, Dates, Time & Location	Inaugural Meeting of Council	3.2	<ul style="list-style-type: none"> Minor changes for when the Inaugural Meeting must be held.

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
2 – Council Meetings	Inaugural meeting	3(2)	3 – Meetings, Dates, Time & Location	Inaugural Meeting of Council	3.3	<ul style="list-style-type: none"> Minor changes where less than a quorum of Council members have taken their oath during or before the Inaugural Meeting.
2 – Council Meetings	Time and location of Council meetings	4(1)	3 – Meetings, Dates, Time & Location	Meeting Location	3.1	<ul style="list-style-type: none"> Minor changes regarding meeting location.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Council Meetings	3.4	<ul style="list-style-type: none"> Added (3.4) reference to section 116(2)(c) of the <i>Community Charter</i>, so that it is clear that if the Mayor is participating electronically in a Council meeting that the Mayor must preside and not another Council member who is participating from Council Chambers.
2 – Council Meetings	Time and location of Council meetings	4(2)	3 – Meetings, Dates, Time & Location	Council Meetings	3.5	<ul style="list-style-type: none"> Council meetings to stay on the first and third Wednesday of month unless cancelled. (see FIG 11 in Council survey). Updated section to include reference to the other meetings that are automatically cancelled as per direction by Council.
2 – Council Meetings	Time and location of Council meetings	4(2.1)	3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.23(a)	<ul style="list-style-type: none"> Minor change to language for the 1st meeting in Jan., Jul, and Aug. to be cancelled (see FIG 20 in Council survey).
NEW SECTION added per Council survey			3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.23(b)	<ul style="list-style-type: none"> Added (3.23(b)) that meetings weeks of FCM or UBCM are cancelled (see FIG 20 Council survey).
NEW SECTION added per Council survey			3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.23(c)	<ul style="list-style-type: none"> Added (3.23(c)) that meetings 2 weeks prior to an election are cancelled (see FIG 20 Council survey).
NEW SECTION added per Council poll on Dec.19/23			3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.23(d)	<ul style="list-style-type: none"> Added (3.23(d)) that meetings between general voting day and the Inaugural Meeting are cancelled as per Council direction on Dec.19/23.
NEW SECTION added per Council survey			3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.25(a)	<ul style="list-style-type: none"> Added (3.25(a)) that the Mayor could cancel meetings where quorum will not be achieved (see FIG 24 in Council survey). Broadened authority for Committee Chairs.
NEW SECTION added per Council survey			3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.25(b)	<ul style="list-style-type: none"> Added (3.25(b)) that the Mayor could cancel meetings that had no business items (see FIG 24 in Council survey). Broadened authority for Committee Chairs.
2 – Council Meetings	Time and location of Council meetings	4(2.2)	3 – Meetings, Dates, Time & Location	In-Camera Meeting	3.16(a)	<ul style="list-style-type: none"> Updated to change time from 4pm to 3pm for closed sessions as per Council direction on Dec.19/23.
NEW SECTION added per Council poll on Dec.19/23			3 – Meetings, Dates, Time & Location	In-Camera Meeting	3.17	<ul style="list-style-type: none"> Added (3.17) to formalize the practice of how in-camera decisions are released to the public as per Council direction to continue with current practice on Dec.19/23. Adding a reference regarding matters that should be dealt with in open is a BC best practice.
2 – Council Meetings	Time and location of Council meetings	4(3)	3 – Meetings, Dates, Time & Location	Meetings that fall on a Statutory Holiday	3.22	<ul style="list-style-type: none"> Minor changes for meeting that fall on a statutory holiday.
2 – Council Meetings	Time and location of Council meetings	4(4)	3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.24	<ul style="list-style-type: none"> Updated so that provision applies to all meeting types, so that members could cancel a regular meeting, by resolution, due to an unforeseen event and changed the vote requirement from a 2/3 vote to a majority vote (see FIG 22 in Council survey).
2 – Council Meetings	Time and location of Council meetings	4(5)	3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.26	<ul style="list-style-type: none"> Updated so that Committee Chairs, in addition to the Mayor, are able to postpone a regular meeting. Added provisions for Corporate Officer to post notice as this is a BC best practice.
2 – Council Meetings	Time and location of Council meetings	4(6)	[removed]			<ul style="list-style-type: none"> Removed, as section 8.27 addresses all meetings must be adjourned no later than 3 hours unless extended.

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Part	Heading	Section	Part	Heading	Section	
2 – Council Meetings	Time and location of Council meetings	4(7)	3 – Meetings, Dates, Time & Location	Cancelled or Postponed Meetings	3.27	<ul style="list-style-type: none"> Updated so that Committee Chairs, in addition to the Mayor, are able to postpone a special meeting, if needed due to an unexpected event on the meeting day. Added provisions for Corporate Officer to post notice as this is a BC best practice.
2 – Council Meetings	Notice of Council meetings	5(1)	5 – Notice Requirements	Notice of Regular Meeting Schedule	5.1(a) & (d)	<ul style="list-style-type: none"> Updated language to be consistent with section 5(1)(d) of the Delegation of Authority Bylaw for giving notice of the annual meeting schedule. Changed the date that the must be made available from December 21 to December 31. This will enable the Corporate Officer to include the annual meeting schedule in the Consent Agenda in December prior to publishing it to the website and newspaper since the main reasons that Council cancelled regular meetings in the past will now automatically be cancelled, a staff report will no longer be required for Council to cancel those meetings, except where unforeseen events occur and a regular meeting must be cancelled, then a report with the annual schedule would go to Council. Also included regular COW and Committee meetings in this section.
This will 2 – Council Meetings	Notice of Council meetings	5(2)	5 – Notice Requirements	Notice of Regular Meeting Schedule	5.3	<ul style="list-style-type: none"> Minor changes to the annual schedule to apply to all meeting types.
NEW SECTION added (Staff recommendation)			5 – Notice Requirements	Notice of Regular Meeting Schedule	5.2	<ul style="list-style-type: none"> Added (5.2) the exception in case there are technical difficulties (BC best practice), such as our Internet service being unavailable, so that a regular meeting could still proceed in-person only. Additional procedures will be included in the Electronic Meeting Participation Policy.
2 – Council Meetings	Notice of special meetings	6(a) to (c)	5 – Notice Requirements	Notice of a Special Meeting	5.4(a) & (b)	<ul style="list-style-type: none"> Minor changes for special meeting notices to apply to all meeting types and included notice requirements for electronic meetings. Added that notice must include how meeting is to be conducted – if electronic, there is a statutory requirement to include that in the notice.
NEW SECTION added (Staff recommendation)			5 – Notice Requirements	Notice of a Special Meeting	5.6	<ul style="list-style-type: none"> Added (5.6) new section in relation to resolution to close the meeting to include in the notice for public transparency as this is both the current practice and a BC best practice.
2 – Council Meetings	Notice of special meetings	6(d)	5 – Notice Requirements	Notice of a Special Meeting	5.7	<ul style="list-style-type: none"> Separated out into its own section for who must sign the special meeting notice.
2 – Council Meetings	Notice of special meetings	6(e) & (f)	5 – Notice Requirements	Notice of a Special Meeting	5.8	<ul style="list-style-type: none"> Created a separate section as to where the special meeting notice must be posted. Added that the notice had to be posted at the door to Council Chambers (Council and COW) or the Large Committee Room (Committees) in accordance with s. 127(2)(a) of the <i>Community Charter</i>.
NEW SECTION added (Staff recommendation)			5 – Notice Requirements	Public and Statutory Hearing Notice	5.9	<ul style="list-style-type: none"> Added (5.9) to formalize the current practice for public and statutory hearing notices.
NEW SECTION added (Staff recommendation)			5 – Notice Requirements	Public and Statutory Hearing Notice	5.10	<ul style="list-style-type: none"> Added (5.10) reference to the Public Notice Bylaw for publishing public hearing notices.
NEW SECTION added (Staff recommendation)			5 – Notice Requirements	Public and Statutory Hearing Notice	5.11	<ul style="list-style-type: none"> Added (5.11) procedure for publishing statutory hearing notices to avoid incurring unnecessary costs as they do not require advertising in the newspaper.
2 – Council Meetings	Electronic meetings	7(1)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.28(a)	<ul style="list-style-type: none"> Minor changes to permit regular Council meetings to be conducted electronically.
2 – Council Meetings	Electronic meetings	7(2)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.29	<ul style="list-style-type: none"> Minor changes and removed the requirement to adopt a resolution 72 hours in advance of the regular Council as all meetings are held in a hybrid format – and to remove unnecessary red tape.

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Part	Heading	Section	Part	Heading	Section	
						<ul style="list-style-type: none"> Included reference to section 5.2 in case there are technical difficulties so that the meeting can be conducted in person to avoid having to postpone it.
2 – Council Meetings	Electronic meetings	7(3)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	5.1(b)	<ul style="list-style-type: none"> Minor changes to the electronic meeting notice for regular Council meetings.
2 – Council Meetings	Electronic meetings	7(4)	5 – Notice Requirements	Notice of Regular Meeting Schedule	5.1(c)	<ul style="list-style-type: none"> Updated the statutory notice requirements to include instructions on how to connect as required under the <i>Community Charter</i>.
2 – Council Meetings	Electronic meetings	7(5)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.28(b)	<ul style="list-style-type: none"> Minor changes to permit special Council meetings to be conducted electronically.
2 – Council Meetings	Electronic meetings	7(6)	5 – Notice Requirements	Calling a Special Meeting	3.21	<ul style="list-style-type: none"> Minor changes and removed the requirement for a resolution to permit a special Council meeting to be conducted electronically – instead the decision is made by the Mayor or Acting Mayor when calling the special Council meeting.
2 – Council Meetings	Electronic meetings	7(7)	3 – Meetings, Dates, Time & Location	Calling a Special Meeting	3.30	<ul style="list-style-type: none"> Combined electronic meeting requirement for regular Council, COW, Committee, and Public & Statutory Hearing meetings when notice is given.
2 – Council Meetings	Electronic meetings	7(7.1)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.28(c)	<ul style="list-style-type: none"> Minor changes to permit regular and special COW meetings to be conducted electronically.
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(7.2)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> Removed the requirement for a resolution to permit a COW meeting to be conducted electronically.
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(7.3)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> See section 3.21 in the new bylaw.
2 – Council Meetings	Electronic meetings	7(7.4)	5 – Notice Requirements	Notice of Regular Meeting Schedule	5.5	<ul style="list-style-type: none"> Minor changes for the special meeting once notice is given that meeting will be electronic.
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(7.5)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> See section 3.30 in the new bylaw.
2 – Council Meetings	Electronic meetings	7(8)	3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.28(d)	<ul style="list-style-type: none"> Minor changes to permit Committee meetings to be conducted electronically.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.28(e)	<ul style="list-style-type: none"> Added (3.28(e)) for public and statutory hearings, as s. 465(1.1) of LGA only authorizes public hearings to be conducted electronically, therefore, the other statutory hearing opportunities and reconsiderations conducted at this meeting must be authorized in the bylaw to be conducted by electronic means.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.31	<ul style="list-style-type: none"> Added (3.31) section for transparency when Council meetings are conducted electronically rather than as a hybrid
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic and Hybrid Meetings	3.32	<ul style="list-style-type: none"> Added (3.32) that Committee meetings could be held as a hybrid meeting if held during office hours and staff resources are available (to avoid any overtime costs).
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(9)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> See section 3.21 in the new bylaw.
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(10)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> See section 3.30 in the new bylaw.
2 – Council Meetings	Electronic meetings	7(11)	5 – Notice Requirements	Notice of a Special Meeting	5.4(c)	<ul style="list-style-type: none"> Moved the notice requirements for special meetings from the Electronic Meetings section in Bylaw 3602 to the notice section in Bylaw 3945.
2 – Council Meetings	Electronic meetings	7(12)	3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.34(a)	<ul style="list-style-type: none"> Updated to section the requirement that the Member participating electronically must notify the Corporate Officer and Presiding Member.

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Part	Heading	Section	Part	Heading	Section	
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.34(b)	<ul style="list-style-type: none"> Added (3.34(b)) subsection that Members must turn videos on.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.34(c)	<ul style="list-style-type: none"> Added (3.34(c)) subsection that Members must notify the Corporate Officer when leaving the meeting for brief periods of time so that their exits can be noted in the minutes.
2 – Council Meetings	Electronic meetings	7(13)(a)	3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.33	<ul style="list-style-type: none"> Minor changes about not being able to participate electronically at the inaugural meeting.
<i>2 – Council Meetings</i>	<i>Electronic meetings</i>	<i>7(13)(b)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> Removed (13)(b) as it conflicts with sections 116(2)(c) [Mayor must preside at Council meetings when in attendance] and 128(3) [Members of Council participating electronically are deemed to be present at the meeting] of the <i>Community Charter</i>.
2 – Council Meetings	Electronic meetings	7(14)	3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.36	<ul style="list-style-type: none"> Minor changes to the limitation for electronic participation after 3 meetings to include all meeting types.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Electronic Participation by Members	3.35	<ul style="list-style-type: none"> Added (3.35) section for Corporate Officer to provide instructions on how to connect electronically to ensure consistency – which is consistent with our current practices.
3 – Designation of Member to Act in Place of Mayor	Designation of Acting Mayor	8(1)	2 – Duties & Responsibilities of Council	Annual Designation of Acting Mayor	2.1	<ul style="list-style-type: none"> Updated the language to reflect the annual designation of the Acting Mayor as per Council direction on Dec.19/23.
<i>3 – Designation of Member to Act in Place of Mayor</i>	<i>Designation of Acting Mayor</i>	<i>8(2)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> Removed the section regarding the designating the Acting Mayor within 180 days to serve on a rotating basis as section 2.1 in the new bylaw covers the annual appointment.
3 – Designation of Member to Act in Place of Mayor	Designation of Acting Mayor	8(3)	2 – Duties & Responsibilities of Council	Responsibilities of Acting Mayor	2.2(a)	<ul style="list-style-type: none"> Minor changes regarding the Acting Mayor must fulfill responsibilities of Mayor.
3 – Designation of Member to Act in Place of Mayor	Designation of Acting Mayor	8(4)	2 – Duties & Responsibilities of Council	Designation of Presiding Member at a Meeting	2.3	<ul style="list-style-type: none"> Minor changes regarding designating someone to preside at the meeting to include COW meetings (see FIG 4 in Council survey).
3 – Designation of Member to Act in Place of Mayor	Designation of Acting Mayor	8(5)	2 – Duties & Responsibilities of Council	Responsibilities of Acting Mayor	2.2(b)	<ul style="list-style-type: none"> Minor changes regarding the Acting Mayor has same power as the Mayor.
<i>4 – Council Proceedings</i>	<i>Community Charter provisions</i>	<i>9</i>	<i>[removed]</i>			<ul style="list-style-type: none"> This section [matters are governed by the <i>Community Charter</i>] is redundant.
4 – Council Proceedings	Attendance at public meetings	10(1)	3 – Meetings, Dates, Time & Location	Meetings Open to the Public	1.8	<ul style="list-style-type: none"> Minor changes regarding meetings having to be open to the public.
4 – Council Proceedings	Attendance at public meetings	10(2)	3 – Meetings, Dates, Time & Location	Meetings Open to the Public	1.9	<ul style="list-style-type: none"> Minor changes regarding having to pass a motion to close the meeting.
<i>4 – Council Proceedings</i>	<i>Attendance at public meetings</i>	<i>10(3)</i>	<i>[removed]</i>			<ul style="list-style-type: none"> Removed this section as section 1.5 says the same thing.
4 – Council Proceedings	Attendance at public meetings	10(4)	3 – Meetings, Dates, Time & Location	Meetings Open to the Public	1.10	<ul style="list-style-type: none"> Minor changes to include Committee Chairs expelling persons from a meeting as per section 93 and 133 of the <i>Community Charter</i>.
4 – Council Proceedings	Minutes of Council meetings	11(1)	6 – Agendas & Minutes	Meeting Minutes	6.18	<ul style="list-style-type: none"> Updated the language regarding the recording of minutes to apply to all meeting types. Added reference to the Agendas and Minutes Policy which shall include what must be included in the minutes.

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Part	Heading	Section	Part	Heading	Section	
4 – Council Proceedings	Minutes of Council meetings	11(2)	6 – Agendas & Minutes	Meeting Minutes	6.20	<ul style="list-style-type: none"> Modernized the language for all open minutes being available to the public. Updated to apply to all meeting types. Added a cross-reference to the new Agenda and Minutes Policy [to be drafted] regarding how and when minutes are published to the website.
4 – Council Proceedings	Minutes of Council meetings	11(3)	6 – Agendas & Minutes	Meeting Minutes	6.21	<ul style="list-style-type: none"> Modernized the language regarding the release of closed decisions/minutes, which reflects the current practice.
NEW SECTION added per Council survey			6 – Agendas & Minutes	Meeting Minutes	6.23	<ul style="list-style-type: none"> Added (6.23) the minutes requirements for public hearings (see FIG 43 in Council survey).
NEW SECTION added per Council poll on Dec.19/23			6 – Agendas & Minutes	Meeting Minutes	6.22	<ul style="list-style-type: none"> Added (6.22) that closed decisions shall be released as per current practice [which shall be built into the Agenda and Minutes Policy]
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Meeting Minutes	6.24	<ul style="list-style-type: none"> Added (6.24) section regarding who signs and certifies closed minutes when there were no members of staff present at the meeting as this is a BC best practice.
4 – Council Proceedings	Calling Council meeting to order	12(1)	8 – Conduct at Meetings	Calling Meeting to Order	8.6	<ul style="list-style-type: none"> Minor changes to call to order when quorum present to apply to all meeting types.
4 – Council Proceedings	Calling Council meeting to order	12(2)	8 – Conduct at Meetings	Calling Meeting to Order	8.7	<ul style="list-style-type: none"> Minor changes when quorum is present but not presiding member to apply to all meeting types.
NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Closing the Meeting to the Public	8.8	<ul style="list-style-type: none"> Added (8.8) section to reference to section 1.9 [motion to close meeting]
4 – Council Proceedings	Adjourning Council meeting when no quorum	13	8 – Conduct at Meetings	Adjourning a Meeting when No Quorum	8.26	<ul style="list-style-type: none"> Changed how long the Council body must if there is no quorum from 30 minutes to 15 minutes before adjourning the meeting as per Council poll on Dec.19/23.
4 – Council Proceedings	Council Agenda	14(1)	6 – Agendas & Minutes	Order of Business in Agendas	6.4	<ul style="list-style-type: none"> Minor changes to apply to all meeting types and added a reference to the Agenda and Minutes Policy which should be ready when the bylaw goes for adoption. Added a reference to closed agenda items for public transparency which is a BC best practice and is also recommended by the BC Ombudsperson [<i>Providing as much detail as possible about the basis for closing the meeting without undermining the reason for closing the meeting</i>].
4 – Council Proceedings	Council Agenda	14(2)	6 – Agendas & Minutes	Deadline for Submission of Agenda Items	6.1	<ul style="list-style-type: none"> Minor changes to apply the one week deadline to all meeting types.
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Deadline for Submission of Agenda Items	6.2	<ul style="list-style-type: none"> Added (6.2) to include the current practice for accepting presentations and handouts from delegations and other presenters up until agenda publishing day.
4 – Council Proceedings	Council Agenda	14(3)	6 – Agendas & Minutes	Publishing Agendas	6.3	<ul style="list-style-type: none"> Minor changes to apply to all meeting types and added the provision of leaving a copy of the agenda package for the public to review to formalize the current practice. Added subsections (b) and (e) to reflect the current practice.
4 – Council Proceedings	Council Agenda	14(4)	6 – Agendas & Minutes	Order of Business in Agendas	6.6	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Order of Council proceedings and business	15(1)	6 – Agendas & Minutes	Council Agenda	6.11	<ul style="list-style-type: none"> Incorporated the closed section into the regular Council agenda as the Mayor and Corporate Officer will be able to remove the section if there are no closed items. Added “Recess until 5:00pm” section after the closed portion so that Council does not need to adopt a motion to recess if their closed session is finished before 5:00pm.

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
						<ul style="list-style-type: none"> Added “Awards and Recognition by Council” heading for consistency – whenever there is a person that Council wishes to exercise or an award to be given out, a conversation always takes place as to when would be the most appropriate time to do so. Added “Introduction of Late Items” and “Changes to Order of Business” heading so that it is clear when to add late items or change the order before adopting the agenda. Split the “Presentations and Petitions” section (formerly the Delegation section) into 3 types of presentations [(1) presenters, (2) delegations, and (3) petitions]. Removed the “Public meetings” heading as the Council meeting is a public meeting. Re-ordered the flow of the agenda by moving: <ol style="list-style-type: none"> “Public Input” portion before the Approval of Consent Agenda section so that the public is able to comment on the items before Council adopts the Consent Agenda. “Unfinished and Postponed Business” up in the agenda so that it appears before Bylaws, Reports and Notices of Motions as Council will often re-order the agenda at the meeting to do so. This is also consistent with Roberts Rules of Order in that unfinished business is taken up before new business is introduced. “New Business” before the Notices of Motions section as the motion is simply read out for the record but is not considered at that time, therefore it makes more sense that it would follow after all other business has been completed.
4 – Council Proceedings	Order of Council proceedings and business	15(1.1)	6 – Agendas & Minutes	[added to s.6.11]		<ul style="list-style-type: none"> Moved the closed agenda headings to the Regular Council Agenda as a clause was added giving the Mayor and Corporate Officer the ability to remove headings that have no business.
4 – Council Proceedings	Order of Council proceedings and business	15(2)	6 – Agendas & Minutes	Inaugural Agenda	6.10	<ul style="list-style-type: none"> Minor changes that the inaugural meeting will be primarily ceremonial.
4 – Council Proceedings	Order of Council proceedings and business	15(3)	6 – Agendas & Minutes	Order of Business in Agendas	6.5	<ul style="list-style-type: none"> Updated the language that business must be taken up in the order published in the agenda. Added reference to section 1.7 to allow Council to temporarily suspend this rule if they need to move something up after the agenda has been adopted.
NEW SECTION added per Council survey			6 – Agendas & Minutes	Order of Business in Agendas	6.7	<ul style="list-style-type: none"> Added (6.7) section for changing the order of the agenda and deleting headings with no business to all meeting types (see FIG 52 in Council survey).
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Order of Business in Agendas	6.8	<ul style="list-style-type: none"> Added (6.8) to formalize the Mayor’s current practice of providing Council with an update on other meetings and events he has attended since the last regular Council meeting.
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Order of Business in Agendas	6.9	<ul style="list-style-type: none"> Added (6.9) that a resolution cannot be introduced under the Mayor’s report section for clarity as motions related to business on the agenda should be introduced when the matter is taken up and a notice of motion is required to introduce new business in accordance with the policy.
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Consent Agenda	6.15	<ul style="list-style-type: none"> Added (6.15) a cross-reference to the Consent Agenda Policy as this is a BC best practice.
4 – Council Proceedings	Late Items	16(1)	6 – Agendas & Minutes	Late Items	6.16	<ul style="list-style-type: none"> No change.
4 – Council Proceedings	Late Items	16(2)	6 – Agendas & Minutes	Late Items	6.17	<ul style="list-style-type: none"> No change.

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Part	Heading	Section	Part	Heading	Section	
4 – Council Proceedings	Voting at Council meetings	17(1)	[removed]			<ul style="list-style-type: none"> Removed as these rules should apply to all meeting types, otherwise a separate set of rules for Committee of the Whole and Committee meetings must be drafted for how voting is conducted at those meetings.
NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Voting at Meetings	8.9	<ul style="list-style-type: none"> Added (8.9) section to remind Council of the rule under Roberts where members are not allowed to leave the room when the question is called.
4 – Council Proceedings	Voting at Council meetings	17(2)	8 – Conduct at Meetings	Voting at Meetings	8.10	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(3)	8 – Conduct at Meetings	Voting at Meetings	8.11	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(4)	8 – Conduct at Meetings	Voting at Meetings	8.12	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(5)	8 – Conduct at Meetings	Voting at Meetings	8.16	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(6)	8 – Conduct at Meetings	Voting at Meetings	8.13	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(7)	8 – Conduct at Meetings	Voting at Meetings	8.14	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(8)	8 – Conduct at Meetings	Voting at Meetings	8.15	<ul style="list-style-type: none"> Minor changes.
4 – Council Proceedings	Voting at Council meetings	17(9)	6 – Agendas & Minutes	Meeting Minutes	6.19	<ul style="list-style-type: none"> Modified to apply the recording of negative votes to all meeting types.
4 – Council Proceedings	Delegations	18(1)	7 – Presentations & Public Participation	Delegations	7.8	<ul style="list-style-type: none"> Minor changes to permit Delegations to present at a committee and COW meetings as per current practice and removed restriction that they could only present at a regular meeting.
4 – Council Proceedings	Delegations	18(2)	7 – Presentations & Public Participation	Delegations	7.10	<ul style="list-style-type: none"> Kept the speaking limit for Delegations to 10 minutes (see FIG 30 in Council survey). Simplified the language and removed the requirement for a unanimous vote to extend the speaking limit for the Delegation as section 1.7 would permit Council to suspend this rule.
4 – Council Proceedings	Delegations	18(3)	7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.1(h)	<ul style="list-style-type: none"> Minor changes to reflect that the Corporate Officer would reject a delegation request in relation to a bylaw that has gone to public hearing but not yet adopted.
NEW SECTION added per Council survey			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.2	<ul style="list-style-type: none"> Added (7.2) provision that Council will not act on a Delegation’s request until the next regular meeting (see FIG 37 in Council survey).
NEW SECTION added per Council survey			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.3	<ul style="list-style-type: none"> Added (7.3) provision that Council may refer a delegation request to staff or a committee (see FIG 37 in Council survey).
NEW SECTION added per Council survey			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.1(a), (b), (c)	<ul style="list-style-type: none"> Added (7.1) subsections for Corporate Officer to refuse to place a petition or delegation on an agenda if related to personnel, legal actions and promotion of business interests (see FIG 34 in Council survey).
NEW SECTION added per Council poll on Dec.19/23			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.1(d), (e)	<ul style="list-style-type: none"> Added (7.1) subsections for Corporate Officer to refuse to place a petition or delegation on an agenda if related to a matter that has not yet gone to Council or the issuance of a permit on the same day (as per Council poll on Dec.19/23)
NEW SECTION added (Staff recommendation)			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.1(f), (g)	<ul style="list-style-type: none"> Added (7.1) subsections for Corporate Officer to refuse to place a petition or delegation on an agenda if the matter is confidential or from an in-camera meeting,

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			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.4	<ul style="list-style-type: none"> Added (7.4) reference to the Respectful Spaces Bylaw, Delegations and Presenters Policy, Public Input and Meeting Conduct Policy, and the Petitions Policy which address the conduct and behaviours of delegations, presenters, and members of the public. The reference did not include Council's Standard of Conflict Policy as this policy applies to Council's conduct and not the publics.
			7 – Presentations & Public Participation	General Rules for Participation and Petitions	7.5	<ul style="list-style-type: none"> Added (7.5) provision regarding disrespectful behaviour by a delegation (see FIG 37 in Council survey).
			7 – Delegations, Presentations & Public Participation	Delegations	7.6	<ul style="list-style-type: none"> Added (7.6) provision regarding requests and supplemental documentation from a delegation to point to where additional information to be followed can be found (as per Council poll on Dec.19/23)
			7 – Presentations & Public Participation	Delegations	7.7	<ul style="list-style-type: none"> Added (7.7) limit for up to 2 delegations per meeting (see FIG 36 in Council survey) and that they may participate in-person or electronically.
			7 – Delegations, Presentations & Public Participation	Delegations	7.9	<ul style="list-style-type: none"> Added (7.9) provision regarding multiple delegation requests from same organization to be combined (as per Council poll on Dec.19/23)
			7 – Presentations & Public Participation	Presenters	7.11	<ul style="list-style-type: none"> Added (7.11) section regarding presenters [invited speakers] (see FIG 38 in Council survey).
			7 – Presentations & Public Participation	Presenters	7.12	<ul style="list-style-type: none"> Added (7.12) provision that the limitations (e.g., 10 minute speaking limit or submit a request in writing) for Delegations did not apply to presenters as per staff recommendation in survey analysis report.
			7 – Presentations & Public Participation	Petitions	7.13	<ul style="list-style-type: none"> Added (7.14) provision that a petition must be submitted 7 days prior to the meeting to be included in an agenda (as per Council poll on Dec.19/23)
			7 – Presentations & Public Participation	Petitions	7.14	<ul style="list-style-type: none"> Added (7.15) section that the petition must be signed by everyone whose name is listed on it.
			7 – Presentations & Public Participation	Petitions	7.15	<ul style="list-style-type: none"> Added (7.16) section that petitions will be published in agenda on website.
			7 – Presentations & Public Participation	Petitions	7.16	<ul style="list-style-type: none"> Added (7.17) section regarding the requirements to be included with petition to be presented to Council. (Staff recommendation from Dec 19/23)
			7 – Presentations & Public Participation	Petitions	7.17	<ul style="list-style-type: none"> Added (7.18) section that a petitioner be provided 5 minutes to address Council at the meeting. Although a majority of Council could not agree to a time limit or permit them to present verbally, a majority did agree that they should be permitted to verbally present their petition, so staff selected 5 minutes which received the most votes <ul style="list-style-type: none"> Council poll on Dec.19/23: 3-selected no to providing opportunity to present petition; 3-opted to provide 5 minutes to present petition; 1-opted to provide 10 minutes to present petition.
			7 – Presentations & Public Participation	Petitions	7.18	<ul style="list-style-type: none"> Added (7.19) section that Corporate Officer must notify petitioner if their petition is referred to staff or a committee as recommended on Dec.19/23.
			7 – Presentations & Public Participation	Public Input	7.19	<ul style="list-style-type: none"> Added (7.20) section that comments must be directed to the Mayor and not to other persons such as staff or the gallery and moved the rule that the public can speak to items on the agenda

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						and that the questions must be directed to Council from the Public Input and Meeting Conduct Policy [3.1(e)] into the bylaw as recommended on Dec.19/23
MOVED from Public Input and Meeting Conduct Policy			7 – Presentations & Public Participation	Public Input	7.20	<ul style="list-style-type: none"> Added (7.21) section to move the rule about maximum of 5 speakers for 3 minutes out of Public Input and Meeting Conduct Policy and into bylaw <ul style="list-style-type: none"> once the bylaw receives first 3 readings, staff will implement a system so that online participants are able to register on the speakers list at the same time as those in Council Chambers – once there are 5 names registered the sign-up sheet will be removed from the table and given to the Mayor Although the current policy limits the number of speakers to 5 who are allotted 3 minutes each, it is not a practice that Council has currently followed, for example, Council currently: <ul style="list-style-type: none"> allows up to 5 speakers in attendance in Council Chambers and 5 who are participating electronically for a total of up to 10 speakers without suspending the 5-speaker limit suspends the 5-speaker limit when more than 5 people sign up on the speakers list Council has suspended the limit for number of speakers 44% (11 out of 25 meetings) of the time during regular Council meetings held between Jan.18/23 and Mar.5/24 <ul style="list-style-type: none"> the number of speakers has ranged between 1 & 14 speakers, with the average being 6 the total time spent for public input has ranged between 4 ½ minutes and 57 minutes, with the average being 20 ½ minutes (10 [40%] of the meetings were less than 15 minutes, 6 [24%] were between 15 and 20 minutes, and 9 [36%] more than 20 minutes) The CVRD limits public input to 30 minutes total and the Chair reminds the public that their brevity will enable more people to speak – however once the 30 minutes is reached, the public input is closed regardless of whether all members of the public have had a chance to speak.
NEW SECTION added (Staff recommendation)			7 – Presentations & Public Participation	Public Input	7.21	<ul style="list-style-type: none"> Added (7.22) section that the Mayor can terminate a person’s 3 minute speaking limit if they refuse to follow the rules under the Public Input and Meeting Conduct Policy and speak to something that is not on the agenda – this is aligned with section 3.3(c) in the Public Input and Meeting Conduct Policy.
NEW SECTION added (Staff recommendation)			7 – Presentations & Public Participation	Question Period	7.22	<ul style="list-style-type: none"> Added (7.23) section to move the rule that the public can ask questions based on what was discussed at the meeting and that the questions must be directed to the Mayor from the Public Input and Meeting Conduct Policy [3.2 (b) and (e)] into the bylaw as recommended on Dec.19/23.
NEW SECTION added (Staff recommendation)			7 – Presentations & Public Participation	Question Period	7.24	<ul style="list-style-type: none"> Added (7.24) provision that the Mayor may close down Question Period when the Mayor deems appropriate.
4 – Council Proceedings	Points of order	19(1)	10 – Resolutions & Other Motions	Points of Order	10.16	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [Presiding Member must apply correct procedure]
4 – Council Proceedings	Points of order	19(2)	10 – Resolutions & Other Motions	Points of Order	10.17	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [Presiding Member’s decision on a point of order]
4 – Council Proceedings	Conduct and debate	20(1)	8 – Conduct at Meetings	Discussion and Debate	8.17	<ul style="list-style-type: none"> Minor changes to obtaining approval before speaking to reflect all types of meetings.
4 – Council Proceedings	Conduct and debate	20(2)	8 – Conduct at Meetings	Discussion and Debate	8.18(a)	<ul style="list-style-type: none"> Minor changes to how members address each other and split into bullets (a) [presiding member] and (b) [Councillor].
4 – Council Proceedings	Conduct and debate	20(3)	8 – Conduct at Meetings	Discussion and Debate	8.18(b)	<ul style="list-style-type: none"> Combined with above section as bullet (b).

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NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Discussion and Debate	8.18(c) & (d)	<ul style="list-style-type: none"> Added subsections (c) and (d) for how members of staff and committee members are to be addressed to be consistent with how Council members are addressed and align with the Use of Gender-Neutral Language and Pronouns Policy.
4 – Council Proceedings	Conduct and debate	20(4)	8 – Conduct at Meetings	Discussion and Debate	8.20	<ul style="list-style-type: none"> Minor changes [may not interrupt speaker]
4 – Council Proceedings	Conduct and debate	20(5)	8 – Conduct at Meetings	Discussion and Debate	8.21	<ul style="list-style-type: none"> No change [if more than 1 member speaks at the same time]
4 – Council Proceedings	Conduct and debate	20(6)	8 – Conduct at Meetings	Discussion and Debate	8.22	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [calling a member to order]
4 – Council Proceedings	Conduct and debate	20(7)(a) & (b)	8 – Conduct at Meetings	Code of Conduct	8.1	<ul style="list-style-type: none"> Replaced bullets (a) and (b) with reference to the Standards of Conduct Policy which is consistent with BC best practices.
4 – Council Proceedings	Conduct and debate	20(7)(c) to (e)	8 – Conduct at Meetings	Discussion and Debate	8.23	<ul style="list-style-type: none"> Updated to apply to all meeting types. As Council must follow the rules for conduct under Roberts Rules of Order, the following statements (taken from Roberts) for handling a motion [see paragraph 4:30] have been added to serve as a reminder of these rules that must be followed during debate. This is consistent with BC best practices for providing expectations for council and board behaviour in the conduct and debate section of the procedure bylaw: <ul style="list-style-type: none"> bullet (a): [<i>germane</i>] statements must have a bearing on whether the motion should be adopted; bullet (b): never attack or make any allusion to the motives of another Member; and bullet (c): shall avoid injecting a personal note into the debate. Added 'reconsidered' to bullet (d)
4 – Council Proceedings	Conduct and debate	20(8)	8 – Conduct at Meetings	Code of Conduct	8.2	<ul style="list-style-type: none"> Minor changes regarding the expulsion of persons at a meeting to apply to all meeting types.
4 – Council Proceedings	Conduct and debate	20(9)	8 – Conduct at Meetings	Discussion and Debate	8.24	<ul style="list-style-type: none"> Minor changes to request a motion be read out to apply to all meeting types
4 – Council Proceedings	Conduct and debate	20(10)(a)	3 – Meetings, Dates, Time & Location	Council Meetings	3.6	<ul style="list-style-type: none"> Minor changes to how often (once) a member can speak during debate without permission from Council.
4 – Council Proceedings	Conduct and debate	20(10)(b)	8 – Conduct at Meetings	Discussion and Debate	8.25	<ul style="list-style-type: none"> No change [only the Member who moved the motion may reply in debate if they have made the motion].
4 – Council Proceedings	Conduct and debate	20(10)(c)	8 – Conduct at Meetings	Discussion and Debate	8.19	<ul style="list-style-type: none"> No change [member may speak more than once to introduce an amendment, previous question or referral to a committee].
4 – Council Proceedings	Conduct and debate	20(10)(d)	3 – Meetings, Dates, Time & Location	Council Meetings	3.7	<ul style="list-style-type: none"> Minor changes to the 10-minute time speaking limit during a Council meeting.
NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Code of Conduct	8.3	<ul style="list-style-type: none"> Added (8.3) provision that the public cannot interrupt meeting the by clapping, talking or otherwise distracting members of Council or the committee.
NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Attendance at Meetings	8.4	<ul style="list-style-type: none"> Added (8.4) section to formalize the current practice to ensure that the Corporate Officer is always notified. Requiring that the Corporate Officer be notified ensures that all parties that need to know who will be chairing the meeting will be made aware.
NEW SECTION added (Staff recommendation)			8 – Conduct at Meetings	Attendance at Meetings	8.5	<ul style="list-style-type: none"> Added (8.5) section to formalize the current practice as the Corporate Officer is not always notified. This will enable Legislative Services is able to change Council members name plates in

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						Council Chambers before the meeting starts with the name plate that says they are participating electronically .
4 – Council Proceedings	Motions generally	21(1)	10 – Resolutions & Other Motions	Motions Generally	10.18	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [Motion must be moved and seconded]
4 – Council Proceedings	Motions generally	21(2)	10 – Resolutions & Other Motions	Notices of Motion	10.13	<ul style="list-style-type: none"> Added (1013) section was updated based on Council’s direction on Dec.19/23 that notices of motions must wait until the next meeting to be considered which is a BC best practice.
4 – Council Proceedings	Motions generally	21(3)	10 – Resolutions & Other Motions	Motions Generally	10.21 (a)	<ul style="list-style-type: none"> Minor changes [subsidiary motions].
4 – Council Proceedings	Motions generally	21(4)	10 – Resolutions & Other Motions	Motions Generally	10.22	<ul style="list-style-type: none"> The list of secondary motions restrictions was updated to reflect all of the motions previously listed and those that Council has previously used during a meeting. The list of secondary motions has been grouped by type – subsidiary, privileged or incidental. These restrictions were added to their corresponding subsections under section 10.21 for information (i.e., notes contained in square brackets in italicized font do not form part of the bylaw).
4 – Council Proceedings	Motions generally	21(5)	10 – Resolutions & Other Motions	Motions Generally	10.19	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [a motion to divide the question so that members could consider each bullet in the motion separately]
4 – Council Proceedings	Motion to commit	22	10 – Resolutions & Other Motions	Motion to Commit / Refer	10.23	<ul style="list-style-type: none"> Minor changes to include the COW [motion to refer to a committee]
4 – Council Proceedings	<i>Motion for the main question</i>	23(1)	[removed]			<ul style="list-style-type: none"> Added a definition for main motion – so this section was redundant
4 – Council Proceedings	Motion for the main question	23(2)	10 – Resolutions & Other Motions	Main Motion	10.20	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [main motion] and the language was simplified.
4 – Council Proceedings	Amendments generally	24(1)	10 – Resolutions & Other Motions	Motion to Amend	10.25	<ul style="list-style-type: none"> Minor changes so that it can apply to all meeting types [notice not required to amend motion on the floor]
4 – Council Proceedings	Amendments generally	24(2)	10 – Resolutions & Other Motions	Motion to Amend	10.26	<ul style="list-style-type: none"> No change [how a motion is amended]
4 – Council Proceedings	Amendments generally	24(3)	10 – Resolutions & Other Motions	Motion to Amend	10.27	<ul style="list-style-type: none"> No change [Presiding Member can ask the member to put their amendment in writing]
4 – Council Proceedings	Amendments generally	24(4)	10 – Resolutions & Other Motions	Motion to Amend	10.28	<ul style="list-style-type: none"> Minor change [Must vote on the amendment before considering the main motion or the main motion as amended] to remove ambiguity [added ‘main’ before ‘motion’].
4 – Council Proceedings	Amendments generally	24(5)	10 – Resolutions & Other Motions	Motion to Amend	10.29	<ul style="list-style-type: none"> No change [can only amend an amendment once]
4 – Council Proceedings	Amendments generally	24(6)	10 – Resolutions & Other Motions	Motion to Amend	10.30	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [an amendment that has been defeated cannot be reintroduced]
4 – Council Proceedings	Amendments generally	24(7)	10 – Resolutions & Other Motions	Motion to Amend	10.31	<ul style="list-style-type: none"> Minor change to apply to all meeting types [Member can introduce an amendment to an adopted amendment]
4 – Council Proceedings	Amendments generally	24(8)	10 – Resolutions & Other Motions	Motion to Amend	10.32	<ul style="list-style-type: none"> Minor change to apply to all meeting types [order for voting on amendment and main motion]
4 – Council Proceedings	Reconsideration by Council member	25(1)	10 – Resolutions & Other Motions	Reconsideration	10.4	<ul style="list-style-type: none"> Changed reconsideration period for Councillors from 30 days to next meeting as per Council direction on Dec.19/23.

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4 – Council Proceedings	Reconsideration by Council member	25(2)	10 – Resolutions & Other Motions	Reconsideration	10.5	<ul style="list-style-type: none"> Added subsection (c) to 10.5 that if a delegated decision is appealed and reconsidered by Council that Council's reconsideration cannot be reconsidered a second time which is consistent with section 131(2)(ii) of the <i>Community Charter</i> – matter may not be reconsidered if there has already been a reconsideration.
4 – Council Proceedings	Reconsideration by Council member	25(3)	10 – Resolutions & Other Motions	Reconsideration	10.6	<ul style="list-style-type: none"> No change [resolutions and bylaw readings may be reconsidered]. This does not include adoption of a bylaw as adoption is not a bylaw reading.
4 – Council Proceedings	Reconsideration by Council member	25(4)	10 – Resolutions & Other Motions	Reconsideration	10.7	<ul style="list-style-type: none"> No change [adoption of an OCP or zoning bylaw may not be reconsidered]
4 – Council Proceedings	Reconsideration by Council member	25(5)	10 – Resolutions & Other Motions	Reconsideration	10.8	<ul style="list-style-type: none"> No change [debate on a motion previously adopted may not occur until the motion to reconsider has been adopted]
4 – Council Proceedings	Reconsideration by Council member	25(6)	10 – Resolutions & Other Motions	Reconsideration	10.9	<ul style="list-style-type: none"> No change [cannot reconsider a motion to reconsider]
4 – Council Proceedings	Reconsideration by Council member	25(7)	10 – Resolutions & Other Motions	Reconsideration	10.10	<ul style="list-style-type: none"> Minor changes to all legislative conditions that applied to the original motion still apply when the matter is reconsidered, such as notice, or providing all persons with an opportunity to be heard before the vote is taken again.
4 – Council Proceedings	Reconsideration by Council member	25(8)	10 – Resolutions & Other Motions	Reconsideration	10.11	<ul style="list-style-type: none"> No change [motion or bylaw adoption reaffirmed upon reconsideration] – with exception of an OCP or zoning bylaw.
4 – Council Proceedings	Reconsideration by Council member	25(9)	10 – Resolutions & Other Motions	Reconsideration	10.12	<ul style="list-style-type: none"> No change [motion or bylaw adoption defeated upon reconsideration] – with exception of an OCP or zoning bylaw.
4 – Council Proceedings	Privilege	26(1)	10 – Resolutions & Other Motions	Privilege Motions	10.21 (b)	<ul style="list-style-type: none"> To simplify things, I grouped all of the secondary [subsidiary, privileged and incidental] together in this section to make it easier to locate which type of secondary motions can be used during a meeting.
NEW SECTION added by staff			10 – Resolutions & Other Motions	Privilege Motions	10.21 (c)	<ul style="list-style-type: none"> Added subsection to include all of the incidental motions to the list that Council would use in a meeting to ensure that Council Bodies were not prohibited from using these types of motions in a meeting.
4 – Council Proceedings	Privilege	26(2)	10 – Resolutions & Other Motions	Privilege Motions	10.24	<ul style="list-style-type: none"> Updated to apply to all meeting types [privilege motions can be made when a main motion is on the floor].
NEW SECTION added by staff			10 – Resolutions & Other Motions	Unanimous Consent	10.34	<ul style="list-style-type: none"> Added (10.33) section to provide clarity on how unanimous consent can be proposed and challenged at a meeting.
NEW SECTION added by staff			10 – Resolutions & Other Motions	Unanimous Consent	10.35	<ul style="list-style-type: none"> Added (10.34) section to ensure that all members understand that unanimous consent cannot be used where a vote passed unanimously is required. This ensures that a formal motion is captured in the minutes to reflect that the correct procedure has been followed.
4 – Council Proceedings	Reports from committees	27	10 – Resolutions & Other Motions	Recommendations to Council	10.14	<ul style="list-style-type: none"> Minor changes to apply to how COW and committees make recommendations to Council.
4 – Council Proceedings	Adjournment	28	8 – Conduct at Meetings	Meeting Adjournment	8.27	<ul style="list-style-type: none"> Minor changes to apply to all meeting types and no change the motion to extend the meeting beyond 3 hours to 2/3 vote (see FIG 13 in Council survey).
5 – Bylaws	Distribution of proposed bylaws	29	9 - Bylaws	Proposed Bylaw	9.1	<ul style="list-style-type: none"> No change [Council must receive copy of bylaw at least 24 hours before the meeting]
5 – Bylaws	Form of bylaws	30	9 - Bylaws	Proposed Bylaw	9.3	<ul style="list-style-type: none"> Minor changes [bylaw components]

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5 – Bylaws	Bylaws to be considered separately or jointly	31	9 - Bylaws	Bylaws to be considered separately or jointly	9.4	<ul style="list-style-type: none"> No change [multiple bylaws considered at the same time]
5 – Bylaws	Reading and adopting bylaws	32(1)	9 - Bylaws	Reading and adopting bylaws	9.5	<ul style="list-style-type: none"> No change [request Corporate Officer to give a synopsis and motion]
5 – Bylaws	Reading and adopting bylaws	32(2)	9 - Bylaws	Reading and adopting bylaws	9.6	<ul style="list-style-type: none"> No change [how a bylaw is to be read]
5 – Bylaws	Reading and adopting bylaws	32(3)	9 - Bylaws	Reading and adopting bylaws	9.8	<ul style="list-style-type: none"> Updated to provide clarity of when a bylaw may be amended as a bylaw cannot be amended after 3rd reading has been given.
5 – Bylaws	Reading and adopting bylaws	32(4)	9 - Bylaws	Reading and adopting bylaws	9.7	<ul style="list-style-type: none"> Simplified the language [readings must pass by a majority of Council members present except for an OCP bylaw and a majority of Council members present for all other bylaws] Section 477(2)(a) (previously 882) of the LGA requires each reading of an OCP bylaw to pass by an affirmative vote of a majority of all Council members.
5 – Bylaws	Reading and adopting bylaws	32(5)	9 - Bylaws	Reading and adopting bylaws	9.9	<ul style="list-style-type: none"> Minor changes [bylaws may be read up to 3 times at the same meeting]
5 – Bylaws	Reading and adopting bylaws	32(6)	9 - Bylaws	Reading and adopting bylaws	9.10	<ul style="list-style-type: none"> Simplified the language [up to three readings in one motion]
5 – Bylaws	Reading and adopting bylaws	32(7)	9 - Bylaws	Reading and adopting bylaws	9.11 & 9.12	<ul style="list-style-type: none"> Split into 2 sections [OCP and zoning amendments may be adopted at the same meeting where they received third reading] as section 890 in the previous LGA provided the exception for both, but the LGA that received Royal Assent in 2015 split the provision into 2 sections [477 for OCPs and 480 for zoning bylaws]
5 – Bylaws	Bylaws must be signed	33	9 - Bylaws	Bylaws must be signed	9.13	<ul style="list-style-type: none"> No change [bylaw must be signed]
6 - Resolutions	Copies of resolutions to Council members	34	10 – Resolutions & Other Motions	Resolutions	10.1	<ul style="list-style-type: none"> Minor changes to introducing a resolution at a meeting to provide greater clarity and to use unanimous consent instead of having to adopt a formal motion to waive this requirement. Updated to apply to all meeting types.
NEW SECTION added by staff			10 – Resolutions & Other Motions	Resolutions	10.2	<ul style="list-style-type: none"> Added [10.2] sentence because s.124(2)(a) of the <i>Community Charter</i> requires the manner in which resolutions may be passed be included in the bylaw
6 - Resolutions	Introducing resolutions	35	10 – Resolutions & Other Motions	Resolutions	10.3	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [asking for and reading out a motion]
7 – Committee of the Whole	Going into Committee of the Whole	36(1)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW as per Council poll on Dec.19/23.
7 – Committee of the Whole	Going into Committee of the Whole	36(2)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW as per Council poll on Dec.19/23.
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(1)	[removed]			<ul style="list-style-type: none"> Removed as section 3.1. applies to meeting location for all meeting types.
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(2)	3 – Meetings, Dates, Time & Location	Committee of the Whole Meetings	3.9	<ul style="list-style-type: none"> Minor changes to the date and time (5pm on second Tuesday) of COW meetings (see FIG 49 in Council survey).
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(3)	[removed]			<ul style="list-style-type: none"> Removed as section 3.22 addresses all meetings that fall on statutory holidays.

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7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(4)	[removed]			<ul style="list-style-type: none"> Removed as section 3.26 addresses postponement for all regular meetings.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Calling a Special Meeting	3.18	<ul style="list-style-type: none"> Added (3.18) section for transparency on who is authorized [under section 126 of the <i>Community Charter</i>] to call a special meeting of Council.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Calling a Special Meeting	3.19	<ul style="list-style-type: none"> Added (3.19) section to formalize the current practice and to provide transparency on who may call a special COW meeting.
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(5)	[removed]			<ul style="list-style-type: none"> Removed as section 3.27 addresses all special meetings that are postponed.
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36(6)	3 – Meetings, Dates, Time & Location	In-Camera Meeting	3.16(b)	<ul style="list-style-type: none"> Updated to change time from 4pm to 3pm for closed sessions as per Council direction on Dec.19/23.
7 – Committee of the Whole	Time and location of Committee of the Whole meetings	36.1(7)	[removed]			<ul style="list-style-type: none"> Removed as section 8.27 addresses all meetings must be adjourned no later than 3 hours unless extended.
7 – Committee of the Whole	Notice of Committee of the Whole meetings	37(1)	[removed]			<ul style="list-style-type: none"> Removed as section 5.4 addresses giving notice for all special meetings
7 – Committee of the Whole	Notice of Committee of the Whole meetings	37(2)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW as per Council poll on Dec.19/23.
7 – Committee of the Whole	Notice of Committee of the Whole meetings	37(3)	[removed]			<ul style="list-style-type: none"> Removed as section 5.1 addresses giving notice for all regular meetings
7 – Committee of the Whole	Minutes of Committee of the Whole meetings	38	[removed]			<ul style="list-style-type: none"> Removed as section 6.18 addresses minutes for all meetings
7 – Committee of the Whole	Calling Committee of the Whole meeting to order	38.1	[removed]			<ul style="list-style-type: none"> Removed as section 8.6 addresses calling the meeting to order for all meetings
7 – Committee of the Whole	Adjourning Committee of the Whole meeting when no quorum	38.2	[removed]			<ul style="list-style-type: none"> Removed as section 8.7 addresses adjourning a meeting when there is no quorum for all meetings
7 – Committee of the Whole	Committee of the Whole Agenda	38.3	[removed]			<ul style="list-style-type: none"> Removed as section 6.7 addresses varying the agenda order for all meetings
7 – Committee of the Whole	Order of Committee of the Whole proceedings and business	38.4(1)	4 – Agendas & Minutes	Committee of the Whole Agenda	6.13	<ul style="list-style-type: none"> Incorporated the closed section into the regular COW agenda as the Mayor and Corporate Officer will be able to remove the section if there are no closed items. Added “Recess until 5:00pm” section after the closed portion so that the COW does not need to adopt a motion to recess if their closed session is finished before 5:00pm. Split the “Delegation and Presentations” section (formerly just Delegations) into 2 subsections (presenters and delegations) to establish the order in the agenda. Added “Unfinished Business” section for a placeholder for any matters that COW has sent the matter back to staff for more information to be placed. Moved the “Public Input” portion before the Delegations and Presentations section (formerly the Delegations section) – this section is slightly different the Council meeting agenda as petitions would only be presented at a Council meeting.

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
						<ul style="list-style-type: none"> Removed “New Business” as late items (section 6.16 and 6.17) are only permitted at Council meetings.
7 – Committee of the Whole	<i>Order of Committee of the Whole proceedings and business</i>	38.4(2)	[removed]			<ul style="list-style-type: none"> Removed as the closed agenda headings were added to the Regular COW Agenda as a procedure was added giving the Mayor and Corporate Officer the ability to remove headings that have no business.
7 – Committee of the Whole	Presiding members at Committee of the Whole meetings	39	3 – Meetings, Dates, Time & Location	Committee of the Whole Meetings	3.8	<ul style="list-style-type: none"> No change to the Mayor presiding at the COW meeting (see FIG 51 in Council survey).
7 – Committee of the Whole	Points of order at meetings	40	10 – Resolutions & Other Motions	Points of Order	10.15	<ul style="list-style-type: none"> Minor changes to apply to all meeting types [Presiding Member must decide on points of order].
7 – Committee of the Whole	Conduct and debate	41(a) & (b)	3 – Meetings, Dates, Time & Location	Committee of the Whole Meetings	3.10	<ul style="list-style-type: none"> Minor changes regarding members being able to speak as often as they wanted during COW debate (see FIG 52 in Council survey).
7 – Committee of the Whole	<i>Conduct and debate</i>	41(b)	[removed]			<ul style="list-style-type: none"> Removed the 10-minute limit for debate in COW meeting (see FIG 52 in Council survey).
7 – Committee of the Whole	<i>Voting at meetings</i>	42(1)	[removed]			<ul style="list-style-type: none"> Removed as voting for all meeting types is covered under section 8.10.
7 – Committee of the Whole	<i>Voting at meetings</i>	42(2)	[removed]			<ul style="list-style-type: none"> Removed as the Presiding Member’s responsibility for declaring the result of the vote for all meeting types is covered under section 8.14.
7 – Committee of the Whole	Reports	43(1)	7 - Bylaws	Proposed Bylaws	9.2	<ul style="list-style-type: none"> Updated section regarding matters to be considered by the COW to be consistent with current practices and to move to the Bylaws section.
7 – Committee of the Whole	<i>Reports</i>	43(2)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW (which includes rising from COW) as per Council poll on Dec.19/23.
7 – Committee of the Whole	<i>Reports</i>	43(3)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW (which includes rising from COW) as per Council poll on Dec.19/23.
7 – Committee of the Whole	<i>Rising without reporting</i>	44(1)	[removed]			<ul style="list-style-type: none"> Removed all rules related to going into COW (which includes rising from COW) as per Council poll on Dec.19/23.
7 – Committees of the Whole	Rising without reporting	44(2)	10 – Resolutions & Other Motions	Motion to Rise with or without Report	10.33	<ul style="list-style-type: none"> This was originally in reference to rising from COW and going back into the regular Council meeting in Bylaw 3602. In Bylaw 3945, rising is in reference to rising from the closed session to go back to open and report out or not on the decisions made while in-camera.
8 – Committees and Commissions	<i>Duties of standing committees</i>	45	[removed]			<ul style="list-style-type: none"> Removed as the purpose of standing committees is covered under section 141 of the <i>Community Charter</i>.
8 – Committees and Commissions	<i>Duties of select committees</i>	46	[removed]			<ul style="list-style-type: none"> Removed as the purpose of select committees is covered under section 142 of the <i>Community Charter</i>.
8 – Committees and Commissions	<i>Duties of commissions</i>	47	[removed]			<ul style="list-style-type: none"> Removed as the purpose of commissions is covered under section 143 of the <i>Community Charter</i>.
8 – Committees and Commissions	Schedule of meetings	48(1)	3 – Meetings, Dates, Time & Location	Committee Meetings	3.11	<ul style="list-style-type: none"> Minor changes for Committees to establish their regular schedule of meetings.
NEW SECTION added (Staff recommendation)			3 – Meetings, Dates, Time & Location	Committee Meetings	3.12	<ul style="list-style-type: none"> Added (3.12) section to formalize the current practice and provide transparency [Committee members are not limited for how long or how often they may speak during debate].

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
8 – Committees and Commissions	Schedule of meetings	48(2)	3 – Meetings, Dates, Time & Location	Calling a Special Meeting	3.20	<ul style="list-style-type: none"> Updated the section to include a subject to clause to ensure that there is staff available to facilitate the meeting prior to it being called.
NEW SECTION added (Staff recommendation)			6 – Agendas & Minutes	Committee Agenda	6.14	<ul style="list-style-type: none"> Added (6.14) section to establish the agenda order for Committee meetings based on current practice. Also included an “Unfinished and Postponed Business” placeholder for matters where the Committee has: <ul style="list-style-type: none"> asked staff or Council for more information prior to making a recommendation where they ran out of time to consider all of the items on the previous agenda (to ensure that they were dealt with prior to any new business under the Business section) postponed something because a Committee member was absent
<i>8 – Committees and Commissions</i>	<i>Notice of meetings</i>	49	<i>[removed]</i>			<ul style="list-style-type: none"> Removed as the Corporate Officer [Legislative Services department] is responsible for distributing the notice and agenda as per sections 5.1 to 5.8 and 6.3.
8 – Committees and Commissions	Attendance at meetings	50	3 – Meetings, Dates, Time & Location	Committee Meetings	3.13	<ul style="list-style-type: none"> Minor changes to non-committee Council members may only observe the committee meeting] as per Council poll on Dec.19/23.
<i>8 – Committees and Commissions</i>	<i>Minutes of meetings</i>	51	<i>[removed]</i>			<ul style="list-style-type: none"> Removed as section 6.18 addresses minutes for all meetings
<i>8 – Committees and Commissions</i>	<i>Application of rules to committee and commission meetings</i>	52	<i>[removed]</i>			<ul style="list-style-type: none"> Removed this section as the new bylaw has been drafted in a way that it is very clear which rules apply to committee meetings.
<i>8 – Committees and Commissions</i>	<i>Voting at meetings</i>	53(1)	<i>[removed]</i>			<ul style="list-style-type: none"> Removed this section as non-committee Council members may only observe the committee meeting as per Council poll on Dec.19/23. (see Section 3.13)
8 – Committees and Commissions	Voting at meetings	53(2)	3 – Meetings, Dates, Time & Location	Committee Meetings	3.14	<ul style="list-style-type: none"> Minor changes but Mayor remains an ex-officio member of all committees (see FIG 52 in Council survey).
8 – Committees and Commissions	Voting at meetings	53(3)	3 – Meetings, Dates, Time & Location	Committee Meetings	3.14	<ul style="list-style-type: none"> Amalgamated with section above.
8 – Committees and Commissions	Voting at meetings	53(4)	3 – Meetings, Dates, Time & Location	Committee Meetings	3.15	<ul style="list-style-type: none"> Minor changes that committees need authorization from Council to revisit a recommendation previously provided to Council.
9 – Public Hearings	Public Hearing Procedures	54(1)	4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.1	<ul style="list-style-type: none"> No change to public hearing date and time [3rd Wednesday at 7:00pm] as per Council poll on Dec.19/23. Expanded this section to include statutory hearing opportunities to ensure that North Cowichan is meeting is statutory requirements for conducting public hearings for Temporary Use Permits [see section 494(4) of the LGA] or for those who have a statutory right to be heard, such as: <ul style="list-style-type: none"> permanent road closures [see section 44 of the <i>Community Charter</i>], development variance permits [see sections 499 and 503 of the LGA], business licence bylaws [section 59 of the <i>Community Charter</i>], annual municipal report [see section 99 of the <i>Community Charter</i>], heritage conservation bylaws [see section 30 of the <i>Community Charter</i>], removal of a dedicated park or public square [see second 30 of the <i>Community Charter</i>], or

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
						<ul style="list-style-type: none"> ○ where Council has delegated their authority to under the Delegation of Authority Bylaw, and a person has asked Council to reconsider that delegated decision, that person has a right to be heard.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.2	<ul style="list-style-type: none"> • Added (4.2) section for public transparency as to what Council’s role is during a public or statutory hearing, to maintain an open mind and to listen to the representations (speakers) being made by staff, the applicant and the public (see the Role of the Local Government in the YA paper on Public Hearings). • Debate on the merits of bylaw, licence or permit should take place after all comments from the public have been made and a motion is on the floor.
9 – Public Hearings	Public Hearing Procedures	54(2)	4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.3	<ul style="list-style-type: none"> • Applied the restriction that only Council members may ask questions at a public hearing to include statutory hearings.
9 – Public Hearings	Public Hearing Procedures	54(3)	4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.4	<ul style="list-style-type: none"> • Updated the wording regarding rebuttals to apply to both public and statutory hearings.
9 – Public Hearings	Public Hearing Procedures	54(4)	4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.5	<ul style="list-style-type: none"> • Updated the wording that any hearing would only be held where notice has been given by Council, the Corporate Officer or the Director of Planning and Building Services. This section also applies to statutory hearings.
NEW SECTION added per Council survey			4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.6	<ul style="list-style-type: none"> • Added (4.6) the requirement that all comments are to be directed to Council during a hearing (see FIG 43 in Council survey) and included statutory hearings.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	General Public and Statutory Hearing Rules	4.7	<ul style="list-style-type: none"> • Added (4.7) provision that the Mayor may expel a person or adjourn a hearing if a member(s) of the public are behaving in a way that is disrespectful or their intent is to disrupt the hearing.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.8	<ul style="list-style-type: none"> • Added (4.8) section to formalize the current procedure for publishing the public hearing information package to the website.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.9	<ul style="list-style-type: none"> • Added (4.9) section to formalize the current procedure for establishing a deadline for people who are affected by the bylaw to submit comments in writing prior to the public hearing.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.10	<ul style="list-style-type: none"> • Added (4.10) section to formalize the current procedure for adding the submissions received to the public hearing information package on the website.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.11	<ul style="list-style-type: none"> • Added (4.11) section to formalize the current procedure of the Mayor providing an explanation of the public hearing process. • Included that it was at the Mayor’s discretion to establish a speaker limit as was recommended by staff on Dec.19/23, which is consistent with BC best practice.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.12	<ul style="list-style-type: none"> • Added (4.12) section so that the Mayor would not have to read out the explanation multiple times.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.13	<ul style="list-style-type: none"> • Added (4.13) section to formalize the current procedure for staff making a presentation at the public hearing.
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.14	<ul style="list-style-type: none"> • Added (4.14) clause regarding the applicant making a presentation as it should be in a legal sentence not just the order of the agenda. Council directed that rules be kept the same and this is the current practice, so a new clause was added (see FIG 43 in Council survey).
NEW SECTION added (Staff recommendation)			4 – Public & Statutory Hearings	Public Hearings	4.15	<ul style="list-style-type: none"> • Added (4.15) section to formalize the current procedure of the Corporate Officer providing a summary of the correspondence received prior to the public hearing.

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.16	<ul style="list-style-type: none"> Added (4.16) section to formalize the current procedure for when the Corporate Officer will read out a submission during the public hearing.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.17	<ul style="list-style-type: none"> Added (4.17) section to formalize the current procedure of the Mayor opening the floor for public comments.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.18	<ul style="list-style-type: none"> Added (4.18) section to formalize the current procedure for members of the public to state their name and address, and whether they support or opposed the proposed bylaw. Included that if a person wished to speak a second time, they would have the opportunity after everyone else has spoken for the first time as was recommended by staff as recommended on Dec.19/23.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.19	<ul style="list-style-type: none"> Added (4.19) section so that Council may request a report from staff prior to considering the bylaw. This way the Mayor could just skip over the section of the agenda where Council gives further readings to the bylaw after the public hearing.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.20	<ul style="list-style-type: none"> Added (4.20) section [staff and applicant may respond to comments or questions raised during the public hearing] as it is consistent with the rules of procedural fairness.
	NEW SECTION added per Council survey		4 – Public & Statutory Hearings	Public Hearings	4.21	<ul style="list-style-type: none"> Added (4.21) a legal sentence for giving bylaw further consideration immediately following public hearing Added procedure of the Mayor closing the public hearing to formalize the current process.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Public Hearings	4.22	<ul style="list-style-type: none"> Added (4.22) section to move the procedure from the Public Hearing Procedures Policy [Council may not receive new information following the close of the public hearing] into the bylaw – policy to be repealed.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.23	<ul style="list-style-type: none"> Added (4.23) section to establish statutory hearing opportunities in the Public and Statutory Hearing Meeting agenda. This includes requests for reconsideration of a delegate's decision, the issuance of TUPs and DVPs, and other bylaws as noted in section 4.24.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.24	<ul style="list-style-type: none"> Added (4.24) section to identify which bylaws we have a statutory obligation to provide the public with an opportunity to be heard before Council adopts the bylaw.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.25	<ul style="list-style-type: none"> Added (4.25) section as Council must provide certain persons with an opportunity to be heard prior to issuing a TUP in accordance with section 493 of the LGA. The current process is to advise those who must be notified that they can comment during Public Input, however, the 5 person limitation is problematic as not all who believe that their interests are affected by the permit may be given an opportunity to be heard.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.26	<ul style="list-style-type: none"> Added (4.26) section as Council must provide certain persons with an opportunity to be heard prior to issuing a DVP in accordance with section 499 of the LGA. The current process is to advise those who must be notified that they can comment during Public Input, however, the 5 person limitation is problematic as not all who believe that their interests are affected by the permit may be given an opportunity to be heard.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.27	<ul style="list-style-type: none"> Added (4.27) section regarding requests for a delegate's decision to be reconsidered by Council as per section 156 of the <i>Community Charter</i>.
	NEW SECTION added (Staff recommendation)		4 – Public & Statutory Hearings	Statutory Hearings	4.28	<ul style="list-style-type: none"> Added (4.28) as a reference to the Delegation of Authority Bylaw (section 7) regarding procedures for reconsideration of Business Licence Inspector's decision to refuse to issue or transfer a business licence.

Council Procedure Bylaw No. 3602, 2015			Council and Committee Procedures Bylaw 3945, 2024			Comments / Explanation of Changes
Part	Heading	Section	Part	Heading	Section	
			4 – Public & Statutory Hearings	Statutory Hearings	4.29	<ul style="list-style-type: none"> Added (4.29) as a reference to the Delegation of Authority Bylaw (section 23) and the Development Procedures Bylaw regarding procedures for reconsideration of Director of Planning and Building’s decision to issue a permit or require security.
			4 – Public & Statutory Hearings	Statutory Hearings	4.30	<ul style="list-style-type: none"> Added (4.30) as a reference to the Development Approval Information Bylaw regarding procedures for reconsideration of Director of Planning and Building’s decision to require a development approval information report.
			4 – Public & Statutory Hearings	Statutory Hearings	4.31	<ul style="list-style-type: none"> Added (4.31) as a reference re section 5.6 of the Nuisance Abatement and Cost Recovery Bylaw regarding procedures for reconsideration of the Manager of Bylaw and Business Licensing Services’ decision to issue a Clean Up Order.
9 – Public Hearings	Order of Public Hearing proceedings and business	54.1	6 – Agendas & Minutes	Public and Statutory Hearing Agenda	6.12	<ul style="list-style-type: none"> Updated the order so that when there are multiple bylaws being presented at the same public hearing: <ul style="list-style-type: none"> The Mayor doesn’t have to read the public hearing process more than once Council can consider further readings of the first bylaw prior to moving to the hearing for the next bylaw. Updated the public hearing order to comply with provisions being moved from the Public Hearing Policy into the bylaw <ul style="list-style-type: none"> Combined the late correspondence and summary of correspondence into one category Added that staff or applicant could respond to new information to be consistent with the procedural fairness rules. The BC Ombudsperson's Fairness in Practice Guide states that the applicant “must have a fair opportunity to present their case, to challenge or correct the facts that the decision maker in relying on, and to provide alternative or contrary information in support of their position”. Added the agenda order for matters where the public has a statutory right to be heard which is consistent with the recommended additions presented by staff on Dec.19/23. <ul style="list-style-type: none"> Establishing a process for TUPs and DVPs ensures that we meet the legislative requirements under Added the agenda order for matters where Council has been asked to reconsider a delegate’s decision so that it is consistent with the procedures established under the Delegation of Authority Bylaw as recommended by staff on Dec.19/23.
10 – General	Severability and notice	55 (1)	1 - General	Severability	1.11	<ul style="list-style-type: none"> Minor changes regarding any section being found invalid is severed.
		55(2)	[removed]			
10 – General	Repeal	56	11 - Repeal		11.1	No change - statement for repealing existing current bylaw.

Report

Date April 17, 2024 File:
Subject Council and Committee Procedures Bylaw No. 3945 for first three readings

PURPOSE

To introduce Council and Committee Procedures Bylaw No. 3945, which proposes to replace Council Procedures Bylaw No. 3602 and update various procedures, generally to:

- (1) Restructure bylaw so that it flows better;
- (2) Allow Council to temporarily suspend procedures that are not governed by statutory provisions;
- (3) Cancel regular meetings that fall within specific dates;
- (4) Change the time in-camera session begins;
- (5) Allow the Mayor and Corporate Officer to change the order of business on an agenda prior to publishing;
- (6) Establish procedures for petitions and presentations;
- (7) Update the procedures regarding delegations;
- (8) Update the procedures regarding electronic (and hybrid) meetings and electronic participation;
- (9) Add statutory hearings and reconsideration by Council to the public hearing agenda;
- (10) Update the procedures regarding a Councillor requesting a matter be reconsidered;
- (11) Move procedures regarding Public Input and Question Period out of the policy (into bylaw); and,
- (12) Add cross-references to other bylaws and policies for transparency.

BACKGROUND

On April 9, 2024, the Committee of the Whole was presented with the draft Council and Committee Procedures Bylaw, which incorporated the changes directed by Council through the survey that was sent out in August and the workshop that was held on December 19, 2023, requesting feedback on whether any changes were needed to the bylaw prior to presenting it to Council for consideration of first, second, and third readings ([April 9, COW Agenda](#)).

The Committee of the Whole adopted the following motions to provide direction to staff on changes requested by Council:

THAT the Committee of the Whole direct staff to amend Council and Committee Procedures Bylaw No. 3945, 2024, as follows:

- (1) Section 7.22 to limit the speaking time to ask a question to 30 seconds per speaker.
- (2) Section 7.23 to limit question period to 15 minutes total for all speakers.
- (3) Section 6.8 to add the words "and important announcements" after the words 'recent activities'.
- (4) Section 8.27 to change the 2/3 vote to a majority vote.
- (5) Section 6.11 to change the order of business in agendas so that Public Input on Agenda Items follows the Mayor's Report.

CARRIED

IT WAS MOVED AND SECONDED:

THAT the Committee of the Whole refer Council and Committee Procedures Bylaw No. 3945, 2024, as amended on April 9, 2024, to the next regular Council meeting for consideration of the first three readings.

CARRIED

DISCUSSION

The following sections were updated in Council and Committee Procedures Bylaw No. 3945, 2024 (Attachment 1) based on the April 9 direction:

- (1) Section 6.8 [Mayor's Report] was amended to insert "and important announcements" after "recent activities";
- (2) Section 6.11 [Council Agenda] was amended to move "Public Input on Agenda Items" between "Mayor's Report" and "Presentations and Petitions";
- (3) Section 7.22 [Question Period] was amended to insert "and shall be allotted up to 30 seconds each to ask their question" to limit the speaking time for members of the public to ask questions; and,
- (4) Section 7.23 [Question Period] was replaced with "Question Period is limited to 15 minutes".

To assist Council when interpreting the new procedure bylaw, staff have prepared the following tools, which will be available in Sync:

- (1) An annotated version which provides explanations and examples throughout the bylaw;
- (2) A quick reference sheet that will be printed off and distributed to all members of Council to keep in their desks in Council Chambers for easy reference during the meeting; and,
- (3) A quick reference for motions to assist Council members in determining which motions may be used during meetings, which includes explanations of the motion's purpose and sample wording for each type.

OPTIONS

1. **(Recommended Option)** That Council give the bylaw first three readings as presented.
THAT Council give first, second and third readings to Council and Committee Procedures Bylaw No. 3945, 2024.
2. That Council make minor changes to the bylaw to better meet the needs of Council. The following motions must be adopted separately and cannot be moved as one motion.
 - (1) THAT Council give first and second readings to Council and Committee Procedures Bylaw No. 3945, 2024.
 - (2) THAT Council amend Council and Committee Procedures Bylaw No. 3945, 2024 by:
 - (a) [Council to identify the section to be amended, including what words are to be deleted, added, or stricken and inserted].
 - (3) THAT Council give third reading as amended to Council and Committee Procedures Bylaw No. 3945, 2024.

IMPLICATIONS

If the bylaw receives three readings, a notice describing the proposed changes in the new bylaw in general terms will be published on social media (on or before April 19), in the local newspaper (on April 25), on the website, and on the noticeboard in accordance with section 124 of the *Community Charter*.

Amendments to the following bylaws and policies will be drafted (as described in the [April 9 staff report](#)) and presented on May 1 when Council considers adoption of Council and Committee

Procedures Bylaw No. 3945:

- **Business Licence Bylaw No. 3153** to delete (section 8) the procedures for reconsideration of the Business Licence Inspector's decision.
- **Delegation of Authority Bylaw No. 3814** to replace "regular meeting of Council" from sections 7 and 23 as the type of meeting where decisions are reconsidered with "public and statutory hearing meeting".
- **Public Hearing Procedures Policy** to remove the rules now included in the bylaw and include some additional supporting rules regarding the submission process, speaking at the hearing, and process after the hearing has closed or reconsideration has been completed.
- **Public Input and Meeting Conduct Policy** to remove the rules now included in the bylaw and add basic principles for engaging the public and additional supporting rules regarding the procedure for public comments.
- **Council Advisory Body Policy** to update the language in section 4.2 to clarify that there are no public input opportunities at a Committee meeting unless the member has been approved as a delegation at the Committee meeting.

Additional policies regarding agendas and minutes, electronic meetings, delegations, petitions, and electronic signatures will be presented at a later date.

RECOMMENDATION

THAT Council give first, second and third readings to Council and Committee Procedures Bylaw No. 3945, 2024

Report prepared by:



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Report reviewed by:



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Approved to be forwarded to Council:



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Chief Administrative Officer

Attachments: Council and Committee Procedures Bylaw No. 3945, 2024



The Corporation of the District of North Cowichan

Council and Committee Procedures Bylaw

BYLAW NO. 3945

A bylaw to establish the rules of procedure for meetings of Council, Committee of the Whole, Committees and Other Advisory Bodies.

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The Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

PART 1: GENERAL PROVISIONS

Citation

1.1. This Bylaw may be cited as "Council and Committee Procedures Bylaw No. 3945, 2024".

Interpretation

1.2. The words and terms in **semibold** font used herein shall have the respective meanings specified in section 1.4 [*definitions*] of this Bylaw.

1.3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as revised or replaced from time to time, and any bylaw or policy referred to herein is a reference to an enactment of the District of North Cowichan Council, as revised or replaced from time to time.

Definitions

1.4. In this Bylaw:

"**Acting Mayor**" means the Councillor designated in accordance with section 130 [*designation of member to act in place of mayor*] of the *Community Charter* and pursuant to section 2.1 [*annual designation of Acting Mayor*] of this Bylaw as the Council 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;

"**Adjourned Meeting**" means a **Meeting** where the **Council Body** has adopted a motion to adjourn to meet at a subsequent date, time and location, which is before the next **Regular Meeting**;

"**Agenda**" means the list of items to be considered at a meeting;

"**Agenda Package**" means the agenda for a particular meeting along with all of the relevant supporting documents for the agenda;

"**Building Inspector**" shall have the same meaning as under the Building Bylaw No. 3172, 2003;

"**Business Licence Inspector**" shall have the same meaning as under the Business Licence Bylaw No. 3153, 2002;

"**Chief Administrative Officer**" means the person appointed by Council, who is assigned the responsibility for the overall management of the operations of the District of North Cowichan under section 147 [*chief administrative officer*] of the *Community Charter*;

"**Committee**" means a standing committee established by the **Mayor** pursuant to section 141 [*standing committees of Council*] of the *Community Charter*, a select committee established by **Council Resolution** pursuant to section 142 [*select committees of council*] of the *Community Charter*, and any other body as referred to in section 93 [*application of rules to other bodies*] of the *Community Charter* [*application of open meeting rules to other bodies*] or as enabled by other legislation, in accordance with the Council Advisory Body Policy, but does not include **Committee of the Whole**;

"Committee Member" means the persons appointed by the **Mayor** to a standing committee or by **Council** to a select committee or other body as referred to in section 93 [*application of open meeting rules to other bodies*] of the *Community Charter*;

"Committee of the Whole" means a meeting to which all members of **Council** are invited to consider and provide recommendations to **Council** in a less formal, deliberative rather than legislative capacity for informal debate and preliminary consideration of matters awaiting formal action, except where the authority to take action is delegated to the Committee of the Whole under Delegation of Authority Bylaw No. 3814, 2021;

"Consent Agenda" shall have the same meaning as under the Consent Agenda Policy;

"Corporate Officer" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021, who is assigned the responsibility for corporate administration under section 148 [*corporate officer*] of the *Community Charter*;

"Council" means the Council for the Corporation of the District of North Cowichan;

"Council Body" means the **Council, Committee of the Whole** or a **Committee**, as applicable;

"Council Member" means any member of Council, including the **Mayor**;

"CVRD" means the Cowichan Valley Regional District;

"Delegation" means an individual or person(s) on behalf of an organization who wish to appear at a **Meeting** to present information or make a request of the **Council Body** on any matter, unless restricted by this Bylaw;

"Director of Planning and Building" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

"District" means the Corporation of the District of North Cowichan;

"Electronic Means" includes but is not limited to videoconference, audioconference, or telephone that allows participants to hear or see and hear each other;

"Electronic Meeting" means meetings where all **Members** participate by **Electronic Means**;

"Electronic Participation" means an in-person **Meeting** where one or more **Members, Delegations** or **Presenters** attend the **Meeting** by **Electronic Means**;

"FCM" means the Federation of Canadian Municipalities;

"Hybrid Meeting" means a meeting where **Members, Delegations, Presenters** and guests, and members of the public may attend the **Public Meeting** in person from Council Chambers or by electronic means and which will be streamed live from the District's website;

"Inaugural Meeting" means the first Council meeting, pursuant to section 3.2 [*inaugural meeting of Council*] of this Bylaw, held after a general local election where newly elected **Council Members** are sworn in;

"In-Camera Meeting" means a meeting or part thereof closed to the public in accordance with Sections 90 [*meetings that may or must be closed to the public*], 91 [*other persons attending closed meetings*] and 92 [*requirements before meeting is closed*] of the *Community Charter*;

“**Incidental Motions**” include questions arising incidentally in the consideration of other questions and decided before disposition of the one to which they are incident;

“**Late Item**” means an item submitted, pursuant to section 6.17 [*late items*] of this Bylaw, that is time sensitive and requires a decision before the next scheduled **Regular Meeting**;

“**Main Motion**” means the motion that first brings a matter before the **Council Body**;

“**Manager of Bylaw and Business Licensing Services**” means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

“**Mayor**” means the Mayor of the Corporation of the District of North Cowichan;

“**Meeting**” means a **Regular Meeting** or **Special Meeting** of the **Council Body**, and a **Public and Statutory Hearing Meeting**, as applicable;

“**Member**” means a **Council Member** or a **Committee Member**, as applicable;

“**Minutes**” are a historical record of a **Meeting**’s deliberations and decision-making processes, focusing on what was decided by the **Council Body** and not on what each **Member** said or did;

“**Motion**” means a formal proposal made by a **Member** for discussion and a decision by vote in a **Meeting**; also referred to as the “question” when the **Presiding Member** calls for a vote;

“**Municipal Hall**” means the North Cowichan Municipal Hall located at 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1;

“**Notice of Motion**” shall have the same meaning as defined under the Notice of Motion Policy;

“**Officer**” means a person appointed under Officers Bylaw No. 3538, 2014;

“**Peace Officer**” shall have the same meaning as defined under Bylaw Enforcement Officer Bylaw No. 3948, 2024;

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

“**Presenter**” means a person(s) or organization(s) invited by the **District** to make a presentation to a **Council Body**;

“**Presiding Member**” means the **Mayor** or Chair of a committee, or the person authorized to act in the **Mayor** or Chair’s absence or inability to act;

“**Previous Question**” means to immediately stop debate on the primary motion and any amendments and to move immediately to a vote on the motion;

“**Privileged Motions**” are motions that are unrelated to the current motion, but are of such urgency or importance that they are considered immediately;

“**Public and Statutory Hearing Meeting**” means a meeting of **Council** established under section 4.1 [*general public and statutory hearing rules*] of this Bylaw;

“Public Hearing” means a formal meeting of **Council** and citizens required to be held under the *Local Government Act*, where persons are permitted to make representations to **Council** before adoption or amendment of the Official Community Plan, and a Zoning Bylaw, or a bylaw under section 548 [*process for early termination of land use contract*] of the Act;

“Public Hearing Information Package” means the records related to the proposed bylaw, which is the subject of the public hearing, including but not limited to the proposed bylaw, all staff reports, including supplemental documents that were previously presented to Council, the public hearing notice, excerpts of the **Minutes** from previous Council meetings, and submissions from the public and/or the applicant;

“Public Input” and **“Question Period”** means an opportunity for members of the public to address **Council** at **Council** or **Committee of the Whole** meeting, related to matters contained within the **Agenda** or discussed at that meeting;

“Public Meeting” means a **Meeting** that is open and accessible to the public to attend to observe the proceedings;

“Public Notice Posting Places” means the notice board located inside at the main entrance of the **Municipal Hall** and the municipal website;

“Question of Privilege” relates to the rights of the **Council Body** or one or more **Members** in attendance and takes precedence over all other motions, with the exception of motions related to adjournment and recess, a **Member** may rise to a question of privilege to address:

- (a) the comfort of its **Members**, such as the heating, lighting, ventilation, etc.,
- (b) the freedom from noise and other disturbance in the **Meeting**; or
- (c) the conduct of its **Members**;

“Regular Meeting” means a **Council Body** meeting that is published on the (annual) regular meeting schedule pursuant section 5.1 [*notice of regular meeting schedule*] of this Bylaw;

“Resolution” means a formal decision passed by an affirmative vote of the majority of the **Members** present at a **Meeting** and who are entitled to vote on the matter;

“Secondary Motions” help the assembly decide what to do with the main motion or how to get things done in the meeting. Secondary motions enable more than one motion to be pending at a time but still follow the principle of taking up business one item at a time;

“Special Meeting” means a **Meeting** other than a **Regular Meeting**, the **Inaugural Meeting**, or an **Adjourned Meeting**;

“Staff Liaison” shall have the same meaning as defined under the Council Advisory Body Policy;

“Statutory Hearing” means a formal meeting of **Council**, other than a **Public Hearing**, where certain persons have a statutory right to be heard pursuant to provincial legislation, or where a decision under Delegation of Authority Bylaw No. 3814, 2021, or Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020, is being reconsidered by **Council**;

“Subsidiary Motions” are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it;

“Substantive Motion” is a self-contained proposal from a Member that is complete and is neither incidental to nor dependent upon any proceeding motion;

“UBCM” means the Union of British Columbia Municipalities;

“**Unanimous Consent**” is the silent consent of the **Council Body** proposed by the **Presiding Member** for non-controversial matters to make the **Meeting** more efficient by eliminating the discussion and formal voting process of a **Motion**.

Application of Rules of Procedure

- 1.5. The provisions of this Bylaw govern the proceedings of all **Council Body** meetings, unless otherwise specified in this Bylaw.
- 1.6. In cases not provided for under this Bylaw, the most recent edition of Robert’s Rules of Order Newly Revised, applies to the proceedings of **Council Body** to the extent that those rules are applicable in the circumstances, and not inconsistent with provisions of this Bylaw or the *Community Charter*.
- 1.7. The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended for the current meeting by a vote passed by two-thirds of the **Council Members** present at a **Committee of the Whole** or a **Council** meeting, excluding a **Public and Statutory Hearing Meeting**.

Meetings Open to the Public

- 1.8. Every **Meeting** must be open to the public unless the **Meeting** is permitted to be closed in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.9. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body** must pass a **Resolution** in a **Public Meeting** in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter* which includes the reason for the **In-Camera Meeting** as described in section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.10. Despite section 1.8 [*meeting open to the public*] of this Bylaw, the **Presiding Member** may expel or exclude a person from a **Meeting** for disrespectful or disruptive behaviour, in accordance with sections 93 [*application of rules to other bodies*] and 133 [*expulsion from meetings*] of the *Community Charter*.

Severability

- 1.11. If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed, and the remainder of this Bylaw remains valid.

PART 2: APPOINTMENTS

Annual Designation of Acting Mayor

- 2.1. At the **Inaugural Meeting** held pursuant to section 3.2 [*inaugural meeting*] of this Bylaw, and thereafter at the first regular **Council** meeting held in December, the **Council** must by resolution, designate a Councillor to serve as the **Acting Mayor** for the ensuing calendar year.

- 2.2. The **Council** member designated under section 2.1 [*annual designation of Acting Mayor*] or chosen under section 2.3 [*designation of Presiding Member at meeting*] of this Bylaw:
- (a) must fulfill the responsibilities of the **Mayor** in their absence; and
 - (b) has the same powers and duties as the **Mayor**.

Designation of Presiding Member at a Meeting

- 2.3. If both the **Mayor** and the **Acting Mayor** designated under section 2.1 [*annual designation of Acting Mayor*] of this Bylaw are absent from the **Council** or **Committee of the Whole** meeting, the **Council Members** present must choose a **Council Member** to preside at the **Council** or **Committee of the Whole** meeting.

PART 3: MEETINGS, DATES, TIME & LOCATION

Meeting Location

- 3.1. All **Meetings** must take place within the **Municipal Hall** except when resolved to hold a **Meeting** elsewhere and notice is given pursuant to sections 5.1 [*notice of regular meeting schedule*] or 5.4 [*notice of a special meeting*] of this Bylaw, in accordance with section 134.1 [*meetings and hearings outside municipality*] of the *Community Charter*.

Inaugural Meeting of Council

- 3.2. Despite sections 3.5 [*meeting date and time*] and 6.11 [*Council agenda*] of this Bylaw, following a general local election, in accordance with section 124(2)(g) [*procedure bylaws*] of the *Community Charter*, the first **Council** meeting must be held on the first Wednesday in November in the year of the election.
- 3.3. If a quorum of **Council Members** elected at the general local election has not taken office by the date of the meeting referred to in section 3.2 [*inaugural meeting*] of this Bylaw, the first **Council** meeting must be called by the **Corporate Officer** and held as soon as reasonably possible after a quorum has taken office in accordance with section 120(1) [*oath or affirmation of office*] of the *Community Charter*.

Council Meetings

- 3.4. The **Mayor** must preside at a **Council** meeting when in attendance, including when participating by **Electronic Means**, in accordance with section 116(2)(c) [*Mayor must preside when in attendance*] of the *Community Charter*.
- 3.5. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Council** meetings must be held on the first and third Wednesday of each month at 5:00 p.m., unless resolved by **Council** to be held on a different date or time.
- 3.6. A **Council Member** may speak more than once in connection with the same question only
- (a) with the permission of **Council**, or
 - (b) if the **Council Member** is explaining a material part of a previous speech without introducing a new matter.

- 3.7. Subject to section 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** must not speak to a question or speak in reply for longer than a total time of 10 minutes without the approval of **Council**.

Committee of the Whole Meetings

- 3.8. The **Mayor** must preside at a **Committee of the Whole** meeting, unless the **Mayor** appoints another **Council Member** to do so.
- 3.9. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Committee of the Whole** meetings must be held on the second Tuesday of each month at 5:00 p.m., unless resolved by Council or the **Committee of the Whole** to be held on a different date or time.
- 3.10. Despite subsection 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** may speak more than once in connection with the same question at a **Committee of the Whole** meeting.

Committee Meetings

- 3.11. At its first meeting after its establishment, a **Committee** must establish a regular schedule of meetings in accordance with the Council Advisory Body Policy.
- 3.12. Despite sections 3.6 [*speaking limitations*] and 3.7 [*10-minute speaking limit*] of this Bylaw, **Committee Members** are not limited to how many times or how long they may speak on any one question in a **Committee** meeting.
- 3.13. **Council Members** who are not members of the **Committee** may attend the **Committee** meeting to observe its deliberations.
- 3.14. The **Mayor** is an ex-officio member of all **Committees** and as such has the same rights as other **Committee Members**. While not obligated to attend meetings, the **Mayor** must, when attending, be counted in determining whether a quorum is present.
- 3.15. A **Committee** may only revisit its recommendations to **Council** with permission of **Council** or if directed to do so by **Council**.

In-Camera Meetings

- 3.16. Notwithstanding sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, regular **Council** and **Committee of the Whole** meetings may begin at 3:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter and* provided that the portion of the:
- (a) regular **Council** meeting that is open to the public begins at the time specified under section 3.5 [*meeting date and time*] of this Bylaw; or,
 - (b) regular **Committee of the Whole** meeting that is open to the public begins at the time specified under section 3.9 [*meeting date and time*] of this Bylaw.

- 3.17. The **Council Body** may, by **Resolution** passed by a majority vote of the **Members** of the **Council Body** present:
- (a) refer a matter that arises during the **In-Camera Meeting**, which in the opinion of **Council**, does not meet the criteria to be held in an **In-Camera Meeting**, to a **Public Meeting** for discussion; or
 - (b) release to a **Public Meeting**, any or all of the written material provided to an **In-Camera Meeting** or any or all of the **Resolutions** passed at such **In-Camera Meeting**, subject to section 12 [*cabinet and local public body confidences*] of the *Freedom of Information and Protection of Privacy Act*.

Calling a Special Meeting

- 3.18. The **Mayor**, at the **Mayor's** discretion, or two or more **Council Members** may call a **Special Meeting of Council** in accordance with section 126 [*calling of special Council meetings*] of the *Community Charter*.
- 3.19. The **Mayor**, in consultation with the **Chief Administrative Officer** or the **Corporate Officer**, may call a **Special Meeting of Committee of the Whole**.
- 3.20. The **Committee Chair** may call a **Special Meeting** of the **Committee**, in consultation with the **Staff Liaison** or the **Corporate Officer**, subject to staff resources being available to support the **Special Meeting**.
- 3.21. The **Presiding Member** shall determine whether the **Special Meeting** shall be conducted in person, by **Electronic Means**, or as a **Hybrid Meeting**, subject to staff resources being available to support the **Special Meeting**.

Meetings that fall on a Statutory Holiday

- 3.22. When a **Regular Meeting** falls on a statutory holiday, the **Meeting** must be held on the next day the **Municipal Hall** is open following the statutory holiday.

Cancelled or Postponed Meetings

- 3.23. Despite sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, the regular **Council**, **Committee of the Whole**, or **Public and Statutory Hearing Meetings** scheduled:
- (a) for the first Wednesday in January, July and August
 - (b) during the same week as the **FCM Annual Conference** or the **UBCM Convention**
 - (c) during the two weeks prior to a general local election
 - (d) between general voting day and the **Inaugural Meeting** referred to in section 3.2 [*inaugural meeting*] of this Bylaw
- are cancelled.
- 3.24. A **Regular Meeting** may be cancelled, by an affirmative vote of a majority of the **Members** present or rescheduled to another date and time that is not a holiday.

- 3.25. The **Presiding Member** may cancel a **Regular Meeting** where:
- (a) it is known in advance that quorum cannot be achieved, or
 - (b) There are no items of business, in consultation with the **Chief Administrative Officer** or **Corporate Officer**.
- 3.26. The **Presiding Member** may postpone a **Regular Meeting** or cancel the meeting pursuant to section 3.25 [*cancel regular meeting*] of this Bylaw by giving notice through the **Corporate Officer's** office at least 2 days before the date for which the **Regular Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Regular Meeting** at the **Public Notice Posting Places** and social media.
- 3.27. The **Presiding Member** may cancel or postpone a **Special Meeting** by giving notice through the **Corporate Officer's** office at least 2 hours before the time for which the **Special Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Special Meeting** at the **Public Notice Posting Places** and social media.

Electronic and Hybrid Meetings

- 3.28. The following meetings are hereby authorized to be conducted by **Electronic Means**:
- (a) Regular **Council** meetings in accordance with section 128 [*electronic regular Council meetings*] of the *Community Charter*;
 - (b) Special **Council** meetings in accordance with section 128.1 [*electronic special Council meetings*] of the *Community Charter*;
 - (c) Regular and special **Committee of the Whole** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*;
 - (d) Regular and special **Committee** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*; and,
 - (e) **Public and Statutory Hearing Meetings** in accordance with section 465(1.1) [*public hearing may be conducted electronically*] of the *Local Government Act*.
- 3.29. A regular **Council**, **Committee of the Whole** and **Public and Statutory Hearing Meeting Public Meeting** shall be conducted as a **Hybrid Meeting** with in person participation from Council Chambers, subject to section 5.2 [*technical difficulties*] of this Bylaw. The way in which members of the public may join electronically, in accordance with the Electronic Meeting Participation Policy, will be published to the **Agenda**.
- 3.30. Where notice has been given that a **Special Meeting** shall be conducted as a **Hybrid Meeting** or by **Electronic Means**, the **Special Meeting** must be conducted as a **Hybrid Meeting** or by **Electronic Means**.
- 3.31. Where a **Council** meeting is conducted solely by **Electronic Means**, the public may attend the **Municipal Hall** to watch and hear or hear any part of the **Public Meeting** with an **Officer** in attendance.
- 3.32. **Committee** meetings may be conducted as a **Hybrid Meeting** if scheduled during regular office hours and staff resources are available. The **Hybrid Meeting** would be conducted in person from Council Chambers where members of the public may observe, or they may join

the meeting electronically. Instructions on how to join the meeting electronically will be published to the **Agenda**.

Electronic Participation by Members

- 3.33. **Council Members** may not participate electronically in an **Inaugural Meeting**.
- 3.34. A **Member** who is unable to attend a **Meeting** in person, may participate in the **Meeting** by **Electronic Means** pursuant to section 128.3 [*electronic participation by members in Council and Council committee meetings*] of the *Community Charter*, and subject to section 3.36 [3 *consecutive meetings*] of this Bylaw. A **Member** must:
- (a) notify the **Presiding Member** and the **Corporate Officer** prior to the **Meeting** if they will be participating electronically;
 - (b) turn their camera on while participating by **Electronic Means** in the **Meeting**;
 - (c) advise the **Presiding Member** and the **Corporate Officer**, if they are participating by telephone or their video is not turned on, before leaving a **Meeting** [*e.g., to answer the door, take a bio break, etc.*] and when the **Member** returns to the **Meeting** so that the **Member's** absence can be recorded in the **Minutes**.
- 3.35. The **Corporate Officer** shall provide **Members** with instructions on how to connect to and participate in the **Meeting** by **Electronic Means**.
- 3.36. A **Member** may participate electronically in more than 3 consecutive **Meetings** with the approval of the **Presiding Member**.

PART 4: PUBLIC & STATUTORY HEARINGS

General Public and Statutory Hearing Rules

- 4.1. Meetings for conducting a **Public and Statutory Hearing Meeting** shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by **Council**.
- 4.2. A **Council Member** will:
- (a) limit their questions to the speaker to seek clarification or additional details;
 - (b) not engage the speaker in a debate; and,
 - (c) not comment on the merits of the bylaw, licence, permit or other matter during a **Public and Statutory Hearing Meeting**.
- 4.3. Only a **Council Member** may put a question to a person who speaks at a **Public and Statutory Hearing Meeting**.
- 4.4. No person may make a reply, rebuttal, or further submission at a **Public and Statutory Hearing Meeting** unless permitted in this Bylaw, the Public Input and Meeting Conduct Policy, or without the **Mayor's** permission, subject to sections 4.20 [*report from staff*], and 4.28 [*business licence reconsideration procedures*] through 4.31 [*clean up order reconsideration procedures*] of this Bylaw.

- 4.5. Despite section 4.1 [*hearing date and time*] of this Bylaw, a **Public and Statutory Hearing Meeting** shall only be scheduled where:
- (a) **Council** has directed staff to give notice;
 - (b) the **Director of Planning and Building** has given notice in accordance with sections 466 [*public hearing procedures*], 494 [*public notice and hearing requirements*] or 503 [*notice of permit on land title*] of the *Local Government Act*;
 - (c) the **Corporate Officer** has given notice in accordance with sections 40 [*permanent closure and removal of highway dedication*], 59 [*powers to require and prohibit*] or 99 [*annual meeting on report*] of the *Community Charter*; or
 - (d) the **Corporate Officer** has given notice in accordance with Delegation of Authority Bylaw No. 3814, 2021.
- 4.6. All comments made during a **Public and Statutory Hearing Meeting** are to be directed to **Council** and must relate to the proposed bylaw, permit or other matter that is the subject of the hearing as per the Public Hearing Procedures Policy.
- 4.7. All comments must be respectful of **Council**, the applicant, staff and other members of the public. The **Mayor** may expel a person from the **Public and Statutory Hearing Meeting** who is acting improperly or disrupting the proceedings, or the **Council** may adjourn the **Public and Statutory Hearing Meeting** to reconvene on a future date where order cannot be restored.

Public Hearings

- 4.8. The **Public Hearing Information Package** shall be published to the public hearing webpage at least four (4) calendar days prior to the **Public and Statutory Hearing Meeting**.
- 4.9. All people who believe they are affected by the proposed bylaw will be given a reasonable opportunity to be heard or present a written submission. Submissions may be provided in writing in advance in accordance with the deadline set out in the **Public Hearing** notice under section 5.9 [*public and statutory hearing notice*] of this Bylaw, or orally during the **Public Hearing**.
- 4.10. All written submissions received pursuant to section 4.9 [*people affected by proposed bylaw*] of this Bylaw, shall be made available to the public for review by placing them in the **Public Hearing** binder and by appending them to the **Public Hearing Information Package** located on the public hearings webpage.
- 4.11. The **Mayor** will provide an explanation of the **Public Hearing** process and may establish a time limit for speakers, if necessary, to ensure that all members of the public present who wish to share their comments with **Council** are able to make their submissions.
- 4.12. Where more than one bylaw is to be considered at the same **Public Hearing**, the explanation provided by the Mayor under section 4.11 [*explanation of public hearing process*] of this Bylaw, shall apply as the **Public Hearing** process for all **Public Hearing** matters, unless otherwise established by the **Mayor**.
- 4.13. Staff may make a presentation to **Council** during the **Public Hearing** regarding the proposed permit or bylaw application.

- 4.14. The applicant, if applicable, shall be provided a reasonable amount of time to make a presentation to **Council** during the **Public Hearing** regarding their application.
- 4.15. The **Corporate Officer** shall provide a summary of all correspondence, including petitions, received by 1:00 p.m. on the day of the Public Hearing and/or added to the Public Hearing Information Package that was published in accordance with section 4.10 [*public hearing information package*] of this Bylaw.
- 4.16. Written submissions that have not been published in accordance with section 4.15 [*received by 1:00pm on day of hearing*] of this Bylaw, shall be read out by the **Corporate Officer** during the **Public Hearing**.
- 4.17. The **Mayor** will ask if there is any person who wishes to speak at the **Public Hearing**, whether or not there is a speakers' list. All persons with an interest in the proposed bylaw which is the subject of a **Public Hearing** will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the proposed bylaw.
- 4.18. Those wishing to speak at the **Public Hearing** must state their name and address for identification, or the name and address of the person or body they represent (if applicable) and whether they are in support of or opposed to the proposed bylaw prior to sharing their comments. If a person wishes to speak a second time, they will be given further opportunity to address **Council** after all interested members of the public have been heard a first time.
- 4.19. A **Motion** to request a report from staff on a matter raised in a **Public Hearing** is in order at the **Public Hearing**.
- 4.20. Staff and the applicant shall be given an opportunity to respond to comments or questions raised during the **Public Hearing** before the hearing is closed on the application.
- 4.21. When the **Mayor** considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, the **Mayor** shall close the **Public Hearing** after calling three times for further submissions. **Council** may debate further consideration of the bylaw immediately following the close of the **Public Hearing**.
- 4.22. Once a **Public Hearing** is closed, **Council** may not receive additional information from the applicant or public. **Council** may request clarification of an issue raised at the **Public Hearing**, but not any new information.

Statutory Hearings

- 4.23. Where a person has a statutory right to be heard under provincial legislation, that person shall be provided such an opportunity, and the **Corporate Officer** shall place their request on the **Public and Statutory Hearing Meeting Agenda**, subject to all conditions under the provincial legislation being met.
- 4.24. Where **Council** is considering adoption of a bylaw to establish, amend or replace:
 - (a) Business Licence Bylaw No. 3153, 2002 in accordance with section 59(2) [*notice required before adopting bylaw*] of the *Community Charter*,
 - (b) A bylaw that removes a reservation or dedication of property as a park or public square in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*,

- (c) A bylaw that removes a reservation or dedication of property for heritage or heritage conservation in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*, or
- (d) A bylaw that closes a road permanently in accordance with section 40 [*permanent closure and removal of highway dedication*] of the *Community Charter*,

Council must provide an opportunity for any person who considers they are affected by the bylaw to be heard.

- 4.25. Where **Council** will consider passing a resolution to issue a temporary use permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with sections 493 [*temporary use permits for designated areas and other areas*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.26. Where **Council** will consider passing a resolution to issue a development variance permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with section 499 [*notice to affected property owners and tenants*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.27. Where a decision was delegated under Delegation of Authority Bylaw No. 3814, 2021, a person may request **Council** reconsider that delegated decision. The reconsideration by Council is final and cannot be reconsidered further by **Council** [*may only be reconsidered once*].
- 4.28. The procedures for requesting **Council's** reconsideration of the **Business Licence Inspector's** decision to refuse to grant, transfer, or renew a business licence are established under Delegation of Authority Bylaw No. 3814, 2021.
- 4.29. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to issue a development permit, a development variance permit, or a temporary use permit, or require security are established under Delegation of Authority Bylaw No. 3814, 2021 and Development Procedures Bylaw No. 3924, 2024.
- 4.30. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to require a development approval information report are established under Development Approval Information Bylaw No. 3942, 2024.
- 4.31. The procedures for requesting **Council's** reconsideration of the **Manager of Bylaw and Business Licensing Services'** decision ordering a person to clean up their property are established under Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020.

PART 5: NOTICE REQUIREMENTS

Notice of Regular Meeting Schedule

- 5.1. The **Corporate Officer** shall, by December 31 of each year:
 - (a) Post a schedule of the date, time, and place of **Regular Meetings** for that calendar year in the **Public Notice Posting Places**;

- (b) Include in the notice whether the **Regular Meetings** are to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**;
 - (c) Include instructions in the notice for connecting virtually to a **Hybrid Meeting** or where the **Meeting** is held by **Electronic Means**, in accordance with sections 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] and 128.2(2)(b) [*notice and procedure requirements for how the electronic committee meeting is conducted*] of the *Community Charter* and the District's Electronic Meeting Participation Policy; and
 - (d) Give notice of the availability of the schedule in accordance with section 127(1) [*notice of Council meetings*] of the *Community Charter* and Public Notice Bylaw No. 3906, 2023.
- 5.2. Where, due to technical difficulties and in accordance with the District's Electronic Meeting Participation Policy, a regular **Council** or **Committee of the Whole** meeting cannot be held as a **Hybrid Meeting**, pursuant to section 3.29 [*hybrid meetings conducted in person and electronically*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post notice to the **Public Notice Posting Places** how the meeting shall be conducted.
- 5.3. Where revisions are necessary to the annual schedule under section 5.1 [*notice of regular meeting schedule*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post any revisions or cancellations made to the **Regular Meeting** schedule under section 5.1(a) [*notice of regular meeting schedule*] of this Bylaw, to the **Public Notice Posting Places**.

Notice of a Special Meeting

- 5.4. At least 24 hours before a **Special Meeting**, in accordance with section 127(3) [*notice must be signed*] of the *Community Charter*, the **Corporate Officer** must give notice of the meeting, including:
- (a) the date, time, location, and a general description of the items to be discussed at the meeting; and,
 - (b) whether the **Special Meeting** is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**; and
 - (c) if the meeting is a **Council** meeting which is to be conducted by **Electronic Means** or as a **Hybrid Meeting**, the notice shall include that the public may attend the **Municipal Hall** to observe the meeting that is open to the public with an **Officer** in attendance, in accordance with section 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] of the *Community Charter*.
- 5.5. If the **Special Meeting** is to be conducted by **Electronic Means**, or as a **Hybrid Meeting**, the notice must include the way in which electronic participation shall be conducted, in accordance with sections 128.1 [*electronic special Council meetings*] and 128.2 [*electronic Council committee meetings*] of the *Community Charter*.
- 5.6. If the **Agenda** for the **Meeting** contains a proposed **Resolution** to close all or part of the **Meeting** to the public, the notice, in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter*, must state:
- (a) that the meeting is to be closed; and

(b) the basis under the *Community Charter* on which all or part of the meeting is to be closed and may include a general description of the item to be discussed without compromising the reason for closing the meeting.

- 5.7. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be signed by the **Corporate Officer** or the **Mayor**. Where two or more **Council Members** have themselves called the **Special Meeting** pursuant to section 3.18 [*calling a special meeting*] of this Bylaw, the **Corporate Officer** or the **Council Members** calling the meeting must sign the notice, in accordance with sections 126(4) [*sign special meeting notice*] and 127(3) [*content for special meeting notice*] of the *Community Charter*.
- 5.8. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be posted in the **Public Notice Posting Places**, at the entrance to the **Regular Meeting** place and be emailed to each **Member**, in accordance with section 127(2) [*24-hours' notice*] of the *Community Charter*.

Public and Statutory Hearing Notice

- 5.9. The notice for a **Public and Statutory Hearing Meeting** held pursuant to section 4.24 [*adoption of bylaw*] through to section 4.26 [*issuing permit*] of this Bylaw, must state:
- (a) the time, date and place of the hearing,
 - (b) whether the public hearing or statutory hearing is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**,
 - (c) the deadline for submitting comments in writing,
 - (d) in general terms, the purpose of the bylaw, permit or matter to be reconsidered by Council,
 - (e) the address of the property (if applicable) that is subject to the matter considered at the hearing, and
 - (f) the place where copies of the relevant documents may be inspected.
- 5.10. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published in accordance with Public Notice Bylaw No. 3906, 2023 if the matter is a **Public Hearing** matter.
- 5.11. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published to the **Public Notice Posting Places** if the matter is a **Statutory Hearing** matter.

PART 6: AGENDAS & MINUTES

Deadline for Submission of Agenda Items

- 6.1. The deadline for submission to the **Corporate Officer** of items for inclusion on the **Agenda** is one (1) week prior to the **Regular Meeting**.
- 6.2. Despite section 6.1 [*agenda item deadline*] of this Bylaw, supplemental materials from an applicant to be included in the **Agenda** must be received by the **Corporate Officer** at least four (4) working days prior to the **Meeting**.

Publishing Agendas

- 6.3. At least 48 hours before a **Regular Meeting** or a **Public and Statutory Hearing Meeting**, and in accordance with section 6.4 [*corporate officer to prepare agenda*] of this Bylaw, the **Corporate Officer** must, in accordance with the Agenda and Minutes Policy:
- (a) Post the **Agenda** at the **Public Notice Posting Places**;
 - (b) Leave a copy of the **Agenda Package** at a public counter at the **Municipal Hall** for the public to review;
 - (c) Email a link to, or copy of, the **Agenda Package** to each **Member**;
 - (d) Upon request, leave a printed copy of the **Agenda Package** in the **Council Member's** mailbox at the **Municipal Hall** or at the front counter at the **Municipal Hall** for a **Committee Member**; and
 - (e) If the meeting is a **Special Meeting**, post the **Agenda** at the Public Notice Posting Places as soon as reasonably possible (if applicable).

Order of Business in Agendas

- 6.4. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Corporate Officer** shall prepare an **Agenda**, in accordance with the Agenda and Minutes Policy, setting out the items for consideration at that **Meeting** pursuant to the order established under section 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw. If a matter is to be considered at an **In-Camera Meeting**, the item description must include the applicable section of the *Community Charter* under which the meeting or part of the meeting is to be closed to the public, and may include a general description of the item to be discussed without compromising the reason for closing the meeting.
- 6.5. Particular business at a **Meeting** must be taken up in the order in which it is listed on the **Agenda** unless otherwise resolved, subject to sections 1.7 [*temporarily suspend the rules*], 6.6 [*only items on agenda considered*] and 6.7 [*vary order of agenda*] of this Bylaw.
- 6.6. Only matters listed on the **Agenda** may be considered at the **Council** meeting unless the **Council** has added the matter to the **Agenda** as a **Late Item** under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.7. The **Presiding Member** and **Corporate Officer** may vary the order of the **Council Body** meeting **Agenda** set out under sections 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw, and delete headings that have no business under the item(s) prior to publishing the **Agenda Package** under section 6.2 [*supplemental materials*] of this Bylaw, with the exception of New Business which must not be deleted in case of a **Late Item** being added under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.8. The **Mayor** may provide an update to **Council** on the **Mayor's** recent activities and important announcements during the **Mayor's** Report portion of the regular **Council** meeting **Agenda**.
- 6.9. The introduction of a **Resolution** is not permitted under section 6.8 [*Mayor's update*] of this Bylaw.

Inaugural Agenda

6.10. The **Agenda** for the **Inaugural Meeting** established under section 3.2 [*inaugural meeting*] of this Bylaw may be primarily ceremonial.

Council Agenda

6.11. Subject to sections 6.7 [*vary order of agenda*] and 6.17 [*distribution of late item*] of this Bylaw, the **Agenda** for each **Council** meeting must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera meeting **Agenda**
 - (ii) Adoption of in-camera meeting **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
- (c) Recess until 5:00 p.m.
- (d) Awards and Recognition by **Council**
- (e) Approval of **Consent Agenda**
 - (i) Items for Decision
 - (ii) Items for Information
- (f) Approval of Meeting **Agenda**
 - (i) Introduction of **Late Items**
 - (ii) Changes to Order of Business
- (g) Mayor's Report
- (h) **Public Input** on Agenda Items
- (i) Presentations and Petitions
 - (i) **Presenters**
 - (ii) **Delegations**
 - (iii) Petitions
- (j) Unfinished and Postponed Business
- (k) Bylaws
- (l) Reports
- (m) New Business
- (n) **Notice of Motions**
- (o) **Question Period**
- (p) Adjournment

Public and Statutory Hearing Agenda

6.12. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Agenda** for a **Public Hearing** and/or a **Statutory Hearing** must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Approval of **Agenda**
- (c) **Public Hearing** Matters

- (i) Explanation of the public hearing process
- (ii) [*bylaw name and number*]
 - (a) Call public hearing to order
 - (b) Public hearing for bylaw
 - 1. Introductory presentation provided by staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from the public
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Close of public hearing for [*bylaw name and number*]
 - (c) Consideration of further readings of the bylaw
- (d) **Statutory Hearing Matters**
 - (i) Statutory Right to be Heard
 - (a) Explanation of the hearing process
 - (b) [*temporary use permit or development variance permit or adoption of a bylaw*]
 - 1. Introductory presentation provided by Staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from persons affected by the [*bylaw or permit*]
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Consideration of [*issuance of permit or adoption of bylaw*]
 - (ii) Reconsideration of Delegate's Decision
 - (a) Explanation of the reconsideration process
 - (b) [*licence, permit, development approval information, security requirement, clean up order to be reconsidered by Council*]
 - 1. Introductory presentation provided by Staff
 - 2. Applicant to detail the grounds on which reconsideration is requested
 - 3. Response by staff to any new information or factual matters raised by the applicant
 - 4. Reconsideration of decision by Council
- (e) Adjournment.

Committee of the Whole Agenda

- 6.13. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Agenda** for each **Committee of the Whole** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera **Agenda**
 - (ii) Adoption of in-camera **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
 - (c) Recess until 5:00 p.m.
 - (d) Approval of **Agenda**

- (e) Adoption of **Minutes**
- (f) **Public Input** on Agenda Items
- (g) Delegations and Presentations
 - (i) **Presenters**
 - (ii) **Delegations**
- (h) Unfinished and Postponed Business
 - (i) Staff Reports
 - (j) Items for Discussion
- (k) **Question Period**
- (l) Adjournment

Committee Agenda

- 6.14. Subject to section 6.7 [vary order of agenda] of this Bylaw, the **Agenda** for each **Committee** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Approval of the **Agenda**
 - (c) Adoption of **Minutes**
 - (d) Unfinished and Postponed Business
 - (e) Business
 - (f) Adjournment

Consent Agenda

- 6.15. **Consent Agenda** items shall be added to the regular **Council Agenda** in accordance with the **District's** Consent Agenda Policy.

Late Items

- 6.16. An item of business not included on the **Agenda** may only be considered at a **Council** meeting if **Council** adds the item to the agenda at the time **Council** approves the agenda.
- 6.17. If **Council** adds a **Late Item** to the **Agenda** under section 6.16 [*approved when agenda adopted*] of this Bylaw:
- (a) written information pertaining to the **Late Item**, if any, must be immediately distributed to **Council Members**, and,
 - (b) the **Late Item** must be added under the New Business heading of the agenda.

Meeting Minutes

- 6.18. The **Minutes** of every **Meeting** must be recorded in accordance with the Agendas and Minutes Policy, be certified as correct by the **Corporate Officer**, and signed by the **Presiding Member** at the meeting or at the next **Meeting** at which the **Minutes** are adopted.
- 6.19. A negative vote must be recorded in the **Minutes**.

- 6.20. The **Minutes** from a **Public Meeting** shall be made available for public inspection at the **Municipal Hall** during regular office hours and will be published on the **District's** website in accordance with the Agenda and Minutes Policy.
- 6.21. Despite section 6.20 [*minutes made available to public*] of this Bylaw, **Minutes** from an **In-Camera Meeting** shall not be published to the website unless released by the **Council Body** in accordance with section 6.22 [*release of in-camera resolutions*] of this Bylaw.
- 6.22. **Resolutions** from an **In-Camera Meeting** shall be released to the public in accordance with the Agenda and Minutes Policy.
- 6.23. The **Minutes** from a **Public Hearing** must reflect the name and address of each speaker or written submission, whether in favour or opposed to the subject of the **Public Hearing**, and a summary of the speaker's comments.
- 6.24. Despite subsection 6.18 [*certified by corporate officer*] of this Bylaw, where the **Corporate Officer** or the **Chief Administrative Officer** are not present at an **In-Camera Meeting**, the **Minutes** must be signed by the **Presiding Member** and certified as correct by the **Council Member** appointed to take the **Minutes** at the **In-Camera Meeting**.

PART 7: PRESENTATIONS & PUBLIC PARTICIPATION

General Rules for Presentations & Public Participation

- 7.1. The **Corporate Officer** shall refuse to place a **Delegation** or a petition on an **Agenda** if the matter is related to:
- (a) personnel and labour relations,
 - (b) an issue that is before the courts or where legal action has been authorized,
 - (c) promotion of the applicant's business or solicitation of goods or service for financial gain, excluding nonprofit organizations that operate independently of any government,
 - (d) a staff report that has not yet been presented to **Council**,
 - (e) the issuance of a development variance permit or a temporary use permit if the **Public and Statutory Hearing Meeting** is held on the same day as the **Council** meeting,
 - (f) a record that is held in confidence, unless the record has been lawfully released to the public,
 - (g) information considered in an **In-Camera Meeting**, unless the information has been released by **Council**, or
 - (h) a proposed bylaw in respect of which a **Public Hearing** has been held, where the **Public Hearing** is required under an enactment as a prerequisite to the adoption of the bylaw.
- 7.2. **Council** will not act on a request from a **Delegation** or a petitioner until the next regular **Council** meeting.
- 7.3. Despite section 7.2 [*not act on request till next regular meeting*] of this Bylaw, the **Mayor**, or **Council** by **Resolution**, may refer a request from a **Delegation** or a petitioner to:
- (a) the department where the matter relates to their scope of responsibility for response,

- (b) staff for a report to be included on a future **Council** meeting **Agenda**, or
- (c) a **Committee** for feedback and recommendation prior to **Council** considering the request at a future meeting.

7.4. All speakers addressing a **Council Body** must comply with this Bylaw and, as appropriate, with:

- (a) Respectful Spaces Bylaw No. 3796, 2020;
- (b) Delegations and Presenters Policy;
- (c) Public Input and Meeting Conduct Policy; and
- (d) Petitions Policy

7.5. Where a person is being disrespectful to members of the **Council Body**, staff, **Delegations**, **Presenters**, or to members of the public in attendance at the **Meeting**, the **Presiding Member** will take action to cease the behaviour, which may include expulsion from the **Meeting** as per section 1.10 [*presiding member may expel person*] of this Bylaw.

Delegations

7.6. Subject to section 6.1 [*agenda item deadline*] of this Bylaw, a request to be a **Delegation** must be submitted in writing to the **Corporate Officer** in accordance with the Delegations and Presenters Policy.

7.7. The **Corporate Officer** may place up to two (2) **Delegations** to present at the same **Council** or **Committee of the Whole** meeting. **Delegations** may participate in person at the **Municipal Hall** or by **Electronic Means**.

7.8. A **Delegation** may address a **Council Body** at a meeting where the **Corporate Officer** has included the **Delegation** on the **Agenda**, pursuant to sections 7.1 [*reject delegation or petition*] and 7.9 [*multiple delegations from same organization*] of this Bylaw.

7.9. Multiple **Delegations** from the same organization who wish to address the same matter will be combined and treated as a single **Delegation**.

7.10. Each address from a **Delegation** shall be limited to 10 minutes.

Presenters

7.11. The **District** may invite a person(s) or organization(s) to make a presentation to a **Council Body**.

7.12. Despite section 7.6 [*request must be in writing*] of this Bylaw, a **Presenter** does not have to request to be a **Delegation** and is not subject to the speaking limitation under section 7.10 [*10-minute speaking limit*] of this Bylaw.

Petitions

7.13. A petition must be submitted in accordance with section 6.1 [*agenda item deadline*] of this Bylaw, to be included in a **Council Agenda Package**.

7.14. A petition must be in writing, signed by each person named in the petition, and comply with this Bylaw and the Petitions Policy.

- 7.15. Petitions will form part of the public record and be published to website in accordance with the Petitions Policy.
- 7.16. A petition being presented to **Council** shall include:
- (a) the spokesperson's contact information,
 - (b) the requested action and/or pertinent information on the top of each page of the petition, and
 - (c) the names and addresses of the petitioners all legibly printed and then a signature.
- 7.17. A petitioner shall be limited to 5 minutes to address **Council** at the meeting where the **Corporate Officer** has included the petition on an agenda.
- 7.18. The **Corporate Officer** must notify a petitioner if their petition has been referred to staff or a **Committee** under section 7.3 [*refer request*] or rejected under section 7.1 [*reject delegation or petition*] of this Bylaw.

Public Input

- 7.19. Members of the public shall be provided an opportunity to address **Council** at a **Council** or **Committee of the Whole** meeting regarding matters to be considered at the meeting during **Public Input**, subject to sections 7.20 [*maximum 5 speakers at 3 minutes each*], and 7.21 [*Mayor may terminate address*] of this Bylaw. All comments shall be addressed to **Council** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their comments to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.20. A maximum of five (5) speakers, allotted up to three (3) minutes each, will be permitted to address **Council** once during **Public Input** at a **Council** or **Committee of the Whole** meeting. All speakers must adhere to the Public Input and Meeting Conduct Policy.
- 7.21. The **Mayor** is authorized to terminate an address being delivered pursuant to section 7.5 [*disrespectful behaviour*] of this Bylaw, where a person fails to comply with the Public Input and Meeting Conduct Policy. If the person fails to comply with the action ordered by the **Mayor**, the **Mayor** may expel the person from the meeting in accordance with section 1.10 [*presiding member may expel person*] of this Bylaw.

Question Period

- 7.22. Members of the public shall be provided an opportunity to ask questions of **Council** at a **Council** or **Committee of the Whole** meeting regarding matters discussed at the meeting during **Question Period** and shall be allotted up to 30 seconds each to ask their question, subject to section 7.5 [*disrespectful behaviour*] of this Bylaw. All questions shall be addressed through the **Mayor** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their questions to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.23. **Question Period** is limited to 15 minutes.

PART 8: CONDUCT AT MEETINGS

Code of Conduct for all Attendees

- 8.1. **Members** shall conduct themselves at all times in a manner that is compliant with the code of conduct set out in the Standards of Conduct Policy.
- 8.2. No **Member** shall disobey the decision of the **Presiding Member** on points of order or fail to adhere to section 8.1 [*code of conduct*] of this Bylaw. If the **Member** resists the **Presiding Member's** ruling, the **Presiding Member** may order the **Member** to leave the meeting.
 - (a) If the **Member** does not leave the meeting, the **Presiding Member** may cause the **Member** to be removed by a **Peace Officer**.
 - (b) If the **Member** apologizes to the **Council Body**, the **Council Body** may by **Resolution**, allow the **Member** to retake their seat.
- 8.3. The public shall not applaud or otherwise interrupt any speech or action of the **Members** or any other person addressing the **Council Body**.

Attendance at Meetings

- 8.4. The **Presiding Member** will make reasonable efforts to notify the **Corporate Officer** in advance if the **Presiding Member** will be absent from a **Meeting**.
- 8.5. **Members** must make all reasonable efforts to attend **Meetings** in person. A **Member** who will be participating by **Electronic Means** must notify the **Presiding Member** and the **Corporate Officer** in advance of the **Meeting** in accordance with section 3.34 [*unable to attend in person*] of this Bylaw.

Calling Meeting to Order

- 8.6. As soon after the time specified for a **Meeting** as there is a quorum present, the **Presiding Member** must take the chair and call the **Meeting** to order.
- 8.7. If quorum is present, but the **Presiding Member** does not attend within 15 minutes of the scheduled time for a **Meeting**,
 - (a) the **Corporate Officer**, or their delegate, must call to order the **Members** present, and
 - (b) the **Members** present must choose a **Member** to preside at the **Meeting**.

Closing the Meeting to the Public

- 8.8. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body**, must pass a **Resolution** in a **Public Meeting** in accordance with section 1.9 [*resolution to close meeting*] of this Bylaw.

Voting at Meetings

- 8.9. **Members** must remain in the **Meeting** when the **Presiding Member** is putting the **Motion** to a vote, unless the **Member** has declared they have a conflict of interest in accordance with section 100 of the *Community Charter*, except if the **Member** has withdrawn their conflict of interest as per the Reimbursement of Legal Fees in relation to Conflict of Interest Policy.

- 8.10. When debate on a **Motion** is closed, the **Presiding Member** must put the **Motion** to a vote of **Members** by stating, “those in favour raise your hands” and then “those opposed raise your hands”.
- 8.11. When the **Presiding Member** puts a **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not
- (a) cross or leave the room,
 - (b) make a noise or other disturbance,
 - (c) interrupt the voting procedure under section 8.10 [*call the question*] of this Bylaw, unless the interrupting **Member** is raising a **Point of Order**.
- 8.12. After the **Presiding Member** finally puts the **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not speak to the **Motion** or make a **Motion** concerning it.
- 8.13. Whenever a vote on a **Motion** is taken, each **Member** present must signify their vote by raising their hand, or, if participating by **Electronic Means**, in the manner directed by the **Presiding Member**.
- 8.14. The **Presiding Member** must declare the result of the vote by stating whether the **Motion** is carried or defeated.
- 8.15. The **Presiding Member** must state the name of each **Member** who voted in opposition.
- 8.16. The **Presiding Member’s** decision about whether a **Motion** has been finally put is conclusive.

Discussion and Debate

- 8.17. When a **Member** wishes to speak at a **Meeting**, the **Member** shall obtain approval of the **Presiding Member** before doing so.
- 8.18. A **Member** will address:
- (a) the **Presiding Member** by that person’s title of **Mayor, Acting Mayor**, or Chair and their last name;
 - (b) another **Council Member** by the title of Councillor and their last name;
 - (c) a staff member by their official title or their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy; and,
 - (d) a **Committee Member**, excluding the Committee Chair, by their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy.
- 8.19. A **Member** who has made a substantive **Motion** to the **Council Body** may reply to the debate.
- 8.20. No **Member** may interrupt a **Member** who is speaking except to raise a **Point of Order**.
- 8.21. If more than one **Member** speaks, the **Presiding Member** must call on the **Member** who, in the **Presiding Member’s** opinion, first spoke.

8.22. **Members** who are called to order by the **Presiding Member**

- (a) must immediately stop speaking,
- (b) may explain their position on the point of order when asked by the **Presiding Member**, and
- (c) may appeal to the **Council Body** for its decision on the **Point of Order**.

8.23. **Members** speaking at a **Meeting**

- (a) must speak only in connection with the matter being discussed or the **Motion** being debated [*germane*], statements must have a bearing on whether the motion should be adopted,
- (b) never attack or make any allusion to the motives of another **Member**,
- (c) shall avoid injecting a personal note into the debate,
- (d) may speak about a previous vote only for the purpose of making a **Motion** that the **Resolution** be reconsidered or rescinded, and
- (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the **Presiding Member** and the **Council Body**, in connection with the rules and **Point of Order**.

8.24. A **Member** may require the **Motion** under discussion to be read out for their information at any point during the debate but may not interrupt another **Member** who is speaking to make the request.

8.25. A **Member** who has moved an amendment, the **Previous Question**, or an instruction to a **Committee** may not reply to the debate, subject to the Council Advisory Body Policy.

Adjourning a Meeting when No Quorum

8.26. If there is no quorum present within 15 minutes of the scheduled time for a **Meeting**, the **Corporate Officer**, or their delegate, must

- (a) record in the **Minutes** the names of the **Members** present, and those absent, and
- (b) adjourn the **Meeting** until the next scheduled meeting.

Meeting Adjournment

8.27. **Meetings** must be adjourned no later than three (3) hours after the **Meeting** begins, unless resolved by a majority vote of **Members** present to proceed beyond that time.

PART 9: BYLAWS

Proposed Bylaws

9.1. A proposed bylaw may be considered 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.

9.2. A proposed bylaw may be considered at a **Committee of the Whole** meeting to:

- (a) provide direction to staff prior to the bylaw being considered at a **Council** meeting; or,
- (b) make recommendation to **Council** to consider the bylaw as proposed.

Form of Bylaw

- 9.3. A bylaw introduced at a **Council** meeting must
- (a) be printed or in an electronic format,
 - (b) have a distinguishing name,
 - (c) have a distinguishing number, and
 - (d) be divided into sections.

Bylaws to be considered separately or jointly

- 9.4. **Council** must consider a proposed bylaw at a **Council** meeting either
- (a) separately when directed by the **Presiding Member** or requested by another **Council Member**, or
 - (b) jointly with other proposed bylaws in the sequence determined by the **Presiding Member**.

Reading and adopting bylaws

- 9.5. The **Presiding Member** of a **Council** meeting may
- (a) have the **Corporate Officer** present a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a **Motion** that the proposed bylaw or group of bylaws be read.
- 9.6. The readings of a bylaw must be given by stating its title.
- 9.7. Each reading of a proposed bylaw must receive an affirmative vote of a majority of the **Council Members** present, except for an official community plan bylaw or official community plan bylaw amendment, where the vote required for each reading to pass is a majority of all **Council Members**.
- 9.8. A proposed bylaw may be debated and amended at any time during the first three readings, unless prohibited by the *Community Charter*. If amended at any time before third reading, a motion to read the bylaw shall be to give the bylaw [*second or third*] reading as amended.
- 9.9. In accordance with section 135 [*requirements for passing bylaws*] of the *Community Charter*, **Council** may give up to three readings to a proposed bylaw at the same **Council** meeting.
- 9.10. **Council** may read a bylaw up to three times in one resolution, except where a **Council Member** objects that the bylaw be read more than once on the same day.
- 9.11. In accordance with section 477 [*adoption procedures for official community plan*] of the *Local Government Act*, **Council** may adopt a proposed official community plan bylaw, at the same meeting at which the plan or bylaw passed third reading.
- 9.12. In accordance with section 480 [*adoption of municipal zoning bylaw*] of the *Local Government Act*, **Council** may adopt a proposed zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Bylaws must be signed

- 9.13. After a bylaw is adopted and signed by the **Corporate Officer** and the **Presiding Member** of the **Council** meeting at which it was adopted, the **Corporate Officer** must have it placed in the **District's** records for safekeeping.

PART 10: RESOLUTIONS & OTHER MOTIONS

Resolutions

- 10.1. A **Resolution** may be introduced at a **Meeting** only if a copy of it has been delivered to each **Member** before the meeting begins, unless the **Council Body** has waived this requirement under section 1.7 [*temporarily suspend the rules*] of this Bylaw or through **Unanimous Consent**.
- 10.2. Unless otherwise stated in this Bylaw, a **Resolution** requires a majority vote of the **Members** present to pass.
- 10.3. The **Presiding Member** of a meeting may
- (a) have the **Corporate Officer**, or their delegate, read the **Motion**, and
 - (b) request a **Motion** that a **Resolution** be introduced.

Reconsideration

- 10.4. In addition to the **Mayor's** power to direct reconsideration under section 131 [*mayor may require reconsideration*] of the *Community Charter*, a **Council Member** who voted with the prevailing side may, at the same or next regular meeting,
- (a) move to reconsider a **Resolution** adopted or defeated by **Council**, or
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- 10.5. Despite section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw, a **Resolution** must not be reconsidered under this section if
- (a) it had the approval or assent of the electors and been adopted,
 - (b) it has been reconsidered under section 10.3 of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter*,
 - (c) it was a delegated decision reconsidered by **Council** under section 4.23 of this Bylaw, or
 - (d) it has been acted on by an officer, employee, or agent of the **District**.
- 10.6. For certainty, each **Resolution** or reading of a bylaw may be reconsidered under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw.
- 10.7. Despite section 10.10 [*reconsideration by Mayor or Councillor*] of this Bylaw, resolutions for final adoption of an official community plan bylaw or zoning bylaw must not be reconsidered.
- 10.8. **Council** must not discuss the main matter referred to in section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw unless a motion to reconsider that matter is adopted in the affirmative.

- 10.9. A vote to reconsider must not be reconsidered.
- 10.10. A voting requirement that applied to the adoption of the original **Resolution** or bylaw applies to its reconsideration under this section, subject to section 10.7 [*may not reconsider adoption of a zoning or OCP bylaw*] of this Bylaw.
- 10.11. An adopted bylaw or **Resolution** that is reaffirmed under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- 10.12. An adopted bylaw or **Resolution** that is not reaffirmed under subsection 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is of no effect and is deemed to be repealed.

Notices of Motion

- 10.13. A **Council Member** may bring forward an item of business to be added to an **Agenda** by giving notice in accordance with the Notice of Motion Policy. The **Motion** must not be discussed until the next regular **Council** meeting, unless authorized by a unanimous vote of all **Council Members**.

Recommendations to Council

- 10.14. **Council** may take any of the following actions in connection with a recommendation it receives from the **Committee of the Whole** or a **Committee**:
 - (a) agree or disagree with the recommendation;
 - (b) amend the recommended motion;
 - (c) suggest an alternative course of action pursuant to section 10.1 [*introduce a resolution*] of this Bylaw;
 - (d) refer the recommendation back to the **Committee of the Whole** or **Committee**;
 - (e) postpone its consideration of the recommendation.

Points of Order

- 10.15. The **Presiding Member** must preserve order at a **Meeting** and, subject to an appeal of the **Presiding Member's** decision to other **Members** present, decide on any **Point of Order** that may arise.
- 10.16. Without limiting the **Presiding Member's** duty under section 132 (1) [*authority of presiding member*] of the *Community Charter*, the **Presiding Member** must apply the correct procedure to a **Motion**
 - (a) if the **Motion** is contrary to the rules of procedure in this Bylaw, and
 - (b) whether or not another **Member** has raised a **Point of Order** in connection with the **Motion**.
- 10.17. When the **Presiding Member** is required to decide a **Point of Order**
 - (a) the **Presiding Member** must cite the applicable rule or authority if requested by another **Member**,

- (b) another **Member** must not question or comment on the rule or authority cited by the **Presiding Member** under paragraph (a), and
- (c) the **Presiding Member** may reserve the decision until the next **Meeting**.

Motions Generally

- 10.18. **Members** may debate and vote on a **Motion** only if it is first made by one **Member** and then seconded by another.
- 10.19. **Members** must vote separately on each distinct part of a **Motion** that is under consideration at a **Meeting** if a **Member** moves an **Incidental Motions** to divide the question.

Main Motion

- 10.20. At a **Meeting**, the following rules apply to a main **Motion**, or for the main **Motion** as amended:
- (a) if a **Member** moves to put the main **Motion**, or the main **Motion** as amended, to a vote [*i.e., move previous question*], that **Motion** must be dealt with before any other amendments are made to the main **Motion** or the main **Motion** as amended; and
 - (b) if the main **Motion**, or the main **Motion** as amended, is decided in the negative, the **Council Body** may:
 - (i) introduce a new **Motion** that is substantially different from the main **Motion** that was defeated;
 - (ii) introduce a **Motion** to reconsider the main **Motion** or the main **Motion** as amended, subject to section 10.4 [*reconsideration by Mayor or Councillor*] through to section 10.12 [*resolution is not reaffirmed*] of this Bylaw; or
 - (iii) proceed to the next order of business.

Secondary Motions

- 10.21. During debate on a main **Motion**, a **Member** may make only the following **Secondary Motions**:
- (a) **Subsidiary Motions**
 - (i) to lay on the table [*motion to temporarily set the main motion aside is not debatable or amendable*]
 - (ii) to move the previous question [*motion to close debate requires a 2/3 vote and is not debatable or amendable*]
 - (iii) to limit or extend limits of debate [*motion requires a 2/3 vote and is not debatable*]
 - (iv) to postpone definitely
 - (v) to refer to committee
 - (vi) to amend
 - (vii) to postpone indefinitely [*motion is not amendable*]
 - (b) **Privileged Motions**
 - (i) to fix the time to adjourn [*motion is not debatable*]
 - (ii) to adjourn [*motion is not debatable or amendable*]
 - (iii) to recess [*motion is not debatable*]
 - (iv) to raise a question of privilege [*motion is not debatable or amendable and is ruled by the Chair*]

(c) **Incidental Motions**

- (i) to withdraw a motion [*motion is not debatable or amendable*]
- (ii) to divide the question [*motion is not debatable*]
- (iii) to take from the table [*motion must be made before the end of the next regular meeting and is not debatable or amendable*]
- (iv) to raise a point of order [*motion is not debatable or amendable and is ruled by the Chair*]
- (v) to appeal the decision of the chair [*motion is not debatable or amendable*]
- (vi) to reconsider [*motion is not amendable*]
- (vii) to rescind [*motion requires a 2/3 vote*]
- (viii) to suspend the rules [*motion requires a 2/3 vote and is not debatable or amendable*]

10.22. The following **Secondary Motions** are

- (a) NOT debatable or amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (i) and (ii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (ii) and (iv)
 - (iii) subsection 10.21 (c) [*incidental motions*] (i), (iii), (v) and (viii)
- (b) NOT debatable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (iii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (i) and (iii)
 - (iii) subsection 10.21 (c) [*incidental motions*] (ii), (iv) and (vii)
- (c) NOT amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (vii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vi)
- (d) require a 2/3 vote for the motion to pass under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (ii) and (iii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vii) and (viii)

10.23. Until it is decided, a **Motion** made at a **Council** or **Committee of the Whole** meeting to refer to **Committee** [*this includes Council referring the motion to the Committee of the Whole*] precludes an amendment of the main **Motion** unless the motion to amend was adopted prior to the motion to refer [*i.e., the motion as amended is referred to committee*].

10.24. A matter of privilege must be immediately considered when it arises at a **Meeting**.

Motion to Amend

10.25. A **Member** may, without notice, move to amend a **Motion** that is being considered at a **Meeting**.

10.26. An amendment may propose removing, substituting for, or adding to the words of an original **Motion**.

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

10.28. A proposed amendment must be decided or withdrawn before the **Main Motion** being considered is put to a vote.

10.29. An amendment may be amended once only.

- 10.30. An amendment that has been defeated by a vote cannot be proposed again.
- 10.31. A **Member** may propose an amendment to an adopted amendment.
- 10.32. The **Presiding Member** must put the **Main Motion** and its amendment for the vote in the following order:
 - (a) a motion to amend a **Motion** amending the **Main Motion**;
 - (b) a motion to amend the **Main Motion**, or an amended **Motion** amending the **Main Motion** if the vote under paragraph (a) is positive; and
 - (c) the **Main Motion**.

Motion to Rise with or without Report

10.33. If a **Motion** to rise with or without report is adopted during an **In-Camera Meeting**, pursuant to sections 1.9 [*resolution to close meeting*] and 3.16 [*meeting is open to the public at 5:00pm*] of this Bylaw, the **Meeting** shall resume in open and proceed to the next order of business that is open to the public.

Unanimous Consent

- 10.34. When the **Presiding Member** introduces a proposal for **Unanimous Consent** for a non-controversial matter, such as taking a recess, the **Presiding Member** shall preface their proposal with "if there is no objection" to make it clear to the **Council Body** that a **Member** can object and require a formal **Motion** and debate.
- 10.35. The use of **Unanimous Consent** is not permitted where a vote on a **Motion** is required to be passed unanimously by all of the **Members**.

PART 11: REPEAL

11.1. Council Procedure Bylaw No. 3602, 2015, and all amendments thereto, is hereby repealed.

READ a first time on _____.

READ a second time on _____.

READ a third time on _____.

This bylaw was advertised on the municipality's social media site on _____, in the Cowichan Valley Citizen and the Chemainus Valley Courier on _____ and was posted to the municipality's public notice places on _____.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date June 19, 2024

File: 3900--50

Subject Council and Committee Procedures Bylaw No. 3945 for amendment

PURPOSE

To consider modifying the Public and Statutory Hearing meetings provisions of the Council and Committee Procedures Bylaw No. 3945 prior to adoption.

BACKGROUND

On April 17, 2024, Council was presented with Council and Committee Procedures Bylaw No. 3945 for first three readings, at which time section 7.21 was amended to replace "Mayor" with "Presiding Member". The Presiding Member is now authorized to terminate an address by a member of the public during the Public Input period at a Council or Committee of the Whole meeting.

The original plan was to adopt the bylaw at the May 1, 2024, meeting. However, due to improper public notice, adoption of the bylaw had to be delayed. During this delay, staff took the opportunity to revisit the bylaw one last time and identified an issue that staff felt should be corrected before adoption rather than amended later.

DISCUSSION

According to the draft Council and Committee Procedures Bylaw No. 3945, 2024 (Attachment 1), Public and Statutory Hearing meetings can only occur once a month, specifically on the third Wednesday at 7:00 p.m. The following items **must** be included in this agenda:

1. Development Variance Permits (DVPs).
2. Temporary Use Permits (TUPs).
3. The Annual Report that Council must accept before June 30 of each year.
4. Bylaws where a person has a statutory right to be heard (such as Business Licence bylaws, Removal of Park or Heritage bylaws, and Road closure bylaws).
5. Instances when Council must reconsider a decision that has been delegated to staff.
6. Public Hearings for Official Community Plan (OCP) and Zoning Amendments.

Concerns that have been identified include:

1. These items must be considered during the second meeting of the month and cannot be addressed during the first meeting of the month.
2. Depending on the number of items included on the 5:00 p.m. regular agenda, Council and staff may have to wait until 7:00 p.m. to address the above-noted items.
3. Staff will need to account for these limitations when scheduling and posting statutory notices.
4. This process may cause delays for some applications.
5. This may result in more meetings, which adds more cost for things like staff support.

No concerns have been identified for Public Hearings. Consequently, staff recommend that Public Hearings continue to be held on the third Wednesday of the month at 7:00 p.m. whenever necessary.

The suggested solution involves amending Council and Committee Procedures Bylaw No. 3945 to allow Statutory Hearing matters to be considered during a regular Council meeting.

OPTIONS

1. **(Recommended Option)** Proceed with the bylaw amendments as presented. The following motions must be adopted separately and cannot be moved as one motion.
 1. THAT Council rescinds third reading of Council and Committee Procedures Bylaw No. 3945, 2024;
 2. THAT Council amends Council and Committee Procedures Bylaw No. 3945, 2024 by:
 - a. adding the heading "Statutory Hearing Matters" to section 6.11 [*council agenda*] following subsection (j) Unfinished and Postponed Business.
 - b. adding subsection 4.32 to the Statutory Hearings section as follows:
"4.32. Notwithstanding section 4.23 [*statutory hearings*] Council may consider a Statutory Hearing matter at a regular Council meeting, subject to all conditions under the provincial legislation being met and where such circumstances occur, the matter shall be placed under the "Statutory Hearing Matters" section of the regular Council meeting agenda and consideration of the matter shall be subject to the same process established under subsection 6.12(d)."
 3. THAT Council gives third reading as amended to Council and Committee Procedures Bylaw No. 3945, 2024.
2. If Council prefers to leave the existing draft bylaw as is, the recommended motion would be:
THAT Council refer Council and Committee Procedures Bylaw No. 3945, 2024 to the next regular Council meeting for adoption.

IMPLICATIONS

By revising the bylaw, staff can include Statutory Hearing matters in either a regular Council agenda or a Public and Statutory Hearing Meeting agenda. This adjustment ensures that municipal business is handled promptly.

Regardless of whether the bylaw is amended or referred to the next regular Council meeting for adoption, a notice describing the new bylaw in general terms will be published on the website, the noticeboard and social media (on or before June 27) and in the local newspaper (on July 4), in accordance with section 124 of the *Community Charter*.

Consequential amendments to the Business Licence Bylaw No. 3153 and the Delegation of Authority Bylaw No. 3814 will be presented on July 17, 2024, coinciding with Council's consideration of the adoption of Council and Committee Procedures Bylaw No. 3945.

RECOMMENDATION

1. THAT Council rescinds third reading of Council and Committee Procedures Bylaw No. 3945, 2024;
2. THAT Council amends Council and Committee Procedures Bylaw No. 3945, 2024 by:
 - a. adding the heading "Statutory Hearing Matters" to item 6.11 [*council agenda*] following subsection (j) Unfinished and Postponed Business.
 - b. adding subsection 4.32 to the Statutory Hearings section as follows:

"4.32. Notwithstanding section 4.23 [*statutory hearings*] Council may consider a Statutory Hearing matter at a regular Council meeting, subject to all conditions under the provincial legislation being met and where such circumstances occur, the matter shall be placed under the "Statutory Hearing Matters" section of the regular Council meeting agenda and consideration of the matter shall be subject to the same process established under subsection 6.12.(d)."
3. THAT Council gives third reading as amended to Council and Committee Procedures Bylaw No. 3945, 2024.

Report prepared by:



Tricia Mayea
Manager, Legislative Services

Report reviewed by:



Talitha Soldera
General Manager, Corporate Services

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachment:

- (1) Council and Committee Procedures Bylaw No. 3945, 2024.



The Corporation of the District of North Cowichan

Council and Committee Procedures Bylaw

BYLAW NO. 3945

A bylaw to establish the rules of procedure for meetings of Council, Committee of the Whole, Committees and Other Advisory Bodies.

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The Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

PART 1: GENERAL PROVISIONS

Citation

1.1. This Bylaw may be cited as "Council and Committee Procedures Bylaw No. 3945, 2024".

Interpretation

1.2. The words and terms in **semibold** font used herein shall have the respective meanings specified in section 1.4 [*definitions*] of this Bylaw.

1.3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as revised or replaced from time to time, and any bylaw or policy referred to herein is a reference to an enactment of the District of North Cowichan Council, as revised or replaced from time to time.

Definitions

1.4. In this Bylaw:

"**Acting Mayor**" means the Councillor designated in accordance with section 130 [*designation of member to act in place of mayor*] of the *Community Charter* and pursuant to section 2.1 [*annual designation of Acting Mayor*] of this Bylaw as the Council 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;

"**Adjourned Meeting**" means a **Meeting** where the **Council Body** has adopted a motion to adjourn to meet at a subsequent date, time and location, which is before the next **Regular Meeting**;

"**Agenda**" means the list of items to be considered at a meeting;

"**Agenda Package**" means the agenda for a particular meeting along with all of the relevant supporting documents for the agenda;

"**Building Inspector**" shall have the same meaning as under the Building Bylaw No. 3172, 2003;

"**Business Licence Inspector**" shall have the same meaning as under the Business Licence Bylaw No. 3153, 2002;

"**Chief Administrative Officer**" means the person appointed by Council, who is assigned the responsibility for the overall management of the operations of the District of North Cowichan under section 147 [*chief administrative officer*] of the *Community Charter*;

"**Committee**" means a standing committee established by the **Mayor** pursuant to section 141 [*standing committees of Council*] of the *Community Charter*, a select committee established by **Council Resolution** pursuant to section 142 [*select committees of council*] of the *Community Charter*, and any other body as referred to in section 93 [*application of rules to other bodies*] of the *Community Charter* [*application of open meeting rules to other bodies*] or as enabled by other legislation, in accordance with the Council Advisory Body Policy, but does not include **Committee of the Whole**;

"Committee Member" means the persons appointed by the **Mayor** to a standing committee or by **Council** to a select committee or other body as referred to in section 93 [*application of open meeting rules to other bodies*] of the *Community Charter*;

"Committee of the Whole" means a meeting to which all members of **Council** are invited to consider and provide recommendations to **Council** in a less formal, deliberative rather than legislative capacity for informal debate and preliminary consideration of matters awaiting formal action, except where the authority to take action is delegated to the Committee of the Whole under Delegation of Authority Bylaw No. 3814, 2021;

"Consent Agenda" shall have the same meaning as under the Consent Agenda Policy;

"Corporate Officer" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021, who is assigned the responsibility for corporate administration under section 148 [*corporate officer*] of the *Community Charter*;

"Council" means the Council for the Corporation of the District of North Cowichan;

"Council Body" means the **Council**, **Committee of the Whole** or a **Committee**, as applicable;

"Council Member" means any member of Council, including the **Mayor**;

"CVRD" means the Cowichan Valley Regional District;

"Delegation" means an individual or person(s) on behalf of an organization who wish to appear at a **Meeting** to present information or make a request of the **Council Body** on any matter, unless restricted by this Bylaw;

"Director of Planning and Building" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

"District" means the Corporation of the District of North Cowichan;

"Electronic Means" includes but is not limited to videoconference, audioconference, or telephone that allows participants to hear or see and hear each other;

"Electronic Meeting" means meetings where all **Members** participate by **Electronic Means**;

"Electronic Participation" means an in-person **Meeting** where one or more **Members**, **Delegations** or **Presenters** attend the **Meeting** by **Electronic Means**;

"FCM" means the Federation of Canadian Municipalities;

"Hybrid Meeting" means a meeting where **Members**, **Delegations**, **Presenters** and guests, and members of the public may attend the **Public Meeting** in person from Council Chambers or by electronic means and which will be streamed live from the District's website;

"Inaugural Meeting" means the first Council meeting, pursuant to section 3.2 [*inaugural meeting of Council*] of this Bylaw, held after a general local election where newly elected **Council Members** are sworn in;

"In-Camera Meeting" means a meeting or part thereof closed to the public in accordance with Sections 90 [*meetings that may or must be closed to the public*], 91 [*other persons attending closed meetings*] and 92 [*requirements before meeting is closed*] of the *Community Charter*;

"Incidental Motions" include questions arising incidentally in the consideration of other questions and decided before disposition of the one to which they are incident;

"Late Item" means an item submitted, pursuant to section 6.17 [*late items*] of this Bylaw, that is time sensitive and requires a decision before the next scheduled **Regular Meeting**;

"Main Motion" means the motion that first brings a matter before the **Council Body**;

"Manager of Bylaw and Business Licensing Services" means the person appointed under Delegation of Authority Bylaw No. 3814, 2021;

"Mayor" means the Mayor of the Corporation of the District of North Cowichan;

"Meeting" means a **Regular Meeting** or **Special Meeting** of the **Council Body**, and a **Public and Statutory Hearing Meeting**, as applicable;

"Member" means a **Council Member** or a **Committee Member**, as applicable;

"Minutes" are a historical record of a **Meeting's** deliberations and decision-making processes, focusing on what was decided by the **Council Body** and not on what each **Member** said or did;

"Motion" means a formal proposal made by a **Member** for discussion and a decision by vote in a **Meeting**; also referred to as the "question" when the **Presiding Member** calls for a vote;

"Municipal Hall" means the North Cowichan Municipal Hall located at 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1;

"Notice of Motion" shall have the same meaning as defined under the Notice of Motion Policy;

"Officer" means a person appointed under Officers Bylaw No. 3538, 2014;

"Peace Officer" shall have the same meaning as defined under Bylaw Enforcement Officer Bylaw No. 3948, 2024;

"Point of Order" means the procedure by which a **Member** interrupts another speaker to ask the **Presiding Member** to rule on a procedural matter;

"Presenter" means a person(s) or organization(s) invited by the **District** to make a presentation to a **Council Body**;

"Presiding Member" means the **Mayor** or Chair of a committee, or the person authorized to act in the **Mayor** or Chair's absence or inability to act;

"Previous Question" means to immediately stop debate on the primary motion and any amendments and to move immediately to a vote on the motion;

"Privileged Motions" are motions that are unrelated to the current motion, but are of such urgency or importance that they are considered immediately;

"Public and Statutory Hearing Meeting" means a meeting of **Council** established under section 4.1 [*general public and statutory hearing rules*] of this Bylaw;

“Public Hearing” means a formal meeting of **Council** and citizens required to be held under the *Local Government Act*, where persons are permitted to make representations to **Council** before adoption or amendment of the Official Community Plan, and a Zoning Bylaw, or a bylaw under section 548 [*process for early termination of land use contract*] of the Act;

“Public Hearing Information Package” means the records related to the proposed bylaw, which is the subject of the public hearing, including but not limited to the proposed bylaw, all staff reports, including supplemental documents that were previously presented to Council, the public hearing notice, excerpts of the **Minutes** from previous Council meetings, and submissions from the public and/or the applicant;

“Public Input” and **“Question Period”** means an opportunity for members of the public to address **Council** at **Council** or **Committee of the Whole** meeting, related to matters contained within the **Agenda** or discussed at that meeting;

“Public Meeting” means a **Meeting** that is open and accessible to the public to attend to observe the proceedings;

“Public Notice Posting Places” means the notice board located inside at the main entrance of the **Municipal Hall** and the municipal website;

“Question of Privilege” relates to the rights of the **Council Body** or one or more **Members** in attendance and takes precedence over all other motions, with the exception of motions related to adjournment and recess, a **Member** may rise to a question of privilege to address:

- (a) the comfort of its **Members**, such as the heating, lighting, ventilation, etc.,
- (b) the freedom from noise and other disturbance in the **Meeting**; or
- (c) the conduct of its **Members**;

“Regular Meeting” means a **Council Body** meeting that is published on the (annual) regular meeting schedule pursuant section 5.1 [*notice of regular meeting schedule*] of this Bylaw;

“Resolution” means a formal decision passed by an affirmative vote of the majority of the **Members** present at a **Meeting** and who are entitled to vote on the matter;

“Secondary Motions” help the assembly decide what to do with the main motion or how to get things done in the meeting. Secondary motions enable more than one motion to be pending at a time but still follow the principle of taking up business one item at a time;

“Special Meeting” means a **Meeting** other than a **Regular Meeting**, the **Inaugural Meeting**, or an **Adjourned Meeting**;

“Staff Liaison” shall have the same meaning as defined under the Council Advisory Body Policy;

“Statutory Hearing” means a formal meeting of **Council**, other than a **Public Hearing**, where certain persons have a statutory right to be heard pursuant to provincial legislation, or where a decision under Delegation of Authority Bylaw No. 3814, 2021, or Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020, is being reconsidered by **Council**;

“Subsidiary Motions” are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it;

“Substantive Motion” is a self-contained proposal from a Member that is complete and is neither incidental to nor dependent upon any proceeding motion;

“**UBCM**” means the Union of British Columbia Municipalities;

“**Unanimous Consent**” is the silent consent of the **Council Body** proposed by the **Presiding Member** for non-controversial matters to make the **Meeting** more efficient by eliminating the discussion and formal voting process of a **Motion**.

Application of Rules of Procedure

- 1.5. The provisions of this Bylaw govern the proceedings of all **Council Body** meetings, unless otherwise specified in this Bylaw.
- 1.6. In cases not provided for under this Bylaw, the most recent edition of Robert’s Rules of Order Newly Revised, applies to the proceedings of **Council Body** to the extent that those rules are applicable in the circumstances, and not inconsistent with provisions of this Bylaw or the *Community Charter*.
- 1.7. The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended for the current meeting by a vote passed by two-thirds of the **Council Members** present at a **Committee of the Whole** or a **Council** meeting, excluding a **Public and Statutory Hearing Meeting**.

Meetings Open to the Public

- 1.8. Every **Meeting** must be open to the public unless the **Meeting** is permitted to be closed in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.9. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body** must pass a **Resolution** in a **Public Meeting** in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter* which includes the reason for the **In-Camera Meeting** as described in section 90 [*meetings that may or must be closed to the public*] of the *Community Charter*.
- 1.10. Despite section 1.8 [*meeting open to the public*] of this Bylaw, the **Presiding Member** may expel or exclude a person from a **Meeting** for disrespectful or disruptive behaviour, in accordance with sections 93 [*application of rules to other bodies*] and 133 [*expulsion from meetings*] of the *Community Charter*.

Severability

- 1.11. If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed, and the remainder of this Bylaw remains valid.

PART 2: APPOINTMENTS

Annual Designation of Acting Mayor

- 2.1. At the **Inaugural Meeting** held pursuant to section 3.2 [*inaugural meeting*] of this Bylaw, and thereafter at the first regular **Council** meeting held in December, the **Council** must by resolution, designate a Councillor to serve as the **Acting Mayor** for the ensuing calendar year.

- 2.2. The **Council** member designated under section 2.1 [*annual designation of Acting Mayor*] or chosen under section 2.3 [*designation of Presiding Member at meeting*] of this Bylaw:
- (a) must fulfill the responsibilities of the **Mayor** in their absence; and
 - (b) has the same powers and duties as the **Mayor**.

Designation of Presiding Member at a Meeting

- 2.3. If both the **Mayor** and the **Acting Mayor** designated under section 2.1 [*annual designation of Acting Mayor*] of this Bylaw are absent from the **Council** or **Committee of the Whole** meeting, the **Council Members** present must choose a **Council Member** to preside at the **Council** or **Committee of the Whole** meeting.

PART 3: MEETINGS, DATES, TIME & LOCATION

Meeting Location

- 3.1. All **Meetings** must take place within the **Municipal Hall** except when resolved to hold a **Meeting** elsewhere and notice is given pursuant to sections 5.1 [*notice of regular meeting schedule*] or 5.4 [*notice of a special meeting*] of this Bylaw, in accordance with section 134.1 [*meetings and hearings outside municipality*] of the *Community Charter*.

Inaugural Meeting of Council

- 3.2. Despite sections 3.5 [*meeting date and time*] and 6.11 [*Council agenda*] of this Bylaw, following a general local election, in accordance with section 124(2)(g) [*procedure bylaws*] of the *Community Charter*, the first **Council** meeting must be held on the first Wednesday in November in the year of the election.
- 3.3. If a quorum of **Council Members** elected at the general local election has not taken office by the date of the meeting referred to in section 3.2 [*inaugural meeting*] of this Bylaw, the first **Council** meeting must be called by the **Corporate Officer** and held as soon as reasonably possible after a quorum has taken office in accordance with section 120(1) [*oath or affirmation of office*] of the *Community Charter*.

Council Meetings

- 3.4. The **Mayor** must preside at a **Council** meeting when in attendance, including when participating by **Electronic Means**, in accordance with section 116(2)(c) [*Mayor must preside when in attendance*] of the *Community Charter*.
- 3.5. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Council** meetings must be held on the first and third Wednesday of each month at 5:00 p.m., unless resolved by **Council** to be held on a different date or time.
- 3.6. A **Council Member** may speak more than once in connection with the same question only
- (a) with the permission of **Council**, or
 - (b) if the **Council Member** is explaining a material part of a previous speech without introducing a new matter.

- 3.7. Subject to section 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** must not speak to a question or speak in reply for longer than a total time of 10 minutes without the approval of **Council**.

Committee of the Whole Meetings

- 3.8. The **Mayor** must preside at a **Committee of the Whole** meeting, unless the **Mayor** appoints another **Council Member** to do so.
- 3.9. Subject to section 3.22 [*statutory holiday*] through to section 3.27 [*cancel or postpone meeting*] of this Bylaw, regular **Committee of the Whole** meetings must be held on the second Tuesday of each month at 5:00 p.m., unless resolved by **Council** or the **Committee of the Whole** to be held on a different date or time.
- 3.10. Despite subsection 3.6 [*speaking limitations*] of this Bylaw, a **Council Member** may speak more than once in connection with the same question at a **Committee of the Whole** meeting.

Committee Meetings

- 3.11. At its first meeting after its establishment, a **Committee** must establish a regular schedule of meetings in accordance with the Council Advisory Body Policy.
- 3.12. Despite sections 3.6 [*speaking limitations*] and 3.7 [*10-minute speaking limit*] of this Bylaw, **Committee Members** are not limited to how many times or how long they may speak on any one question in a **Committee** meeting.
- 3.13. **Council Members** who are not members of the **Committee** may attend the **Committee** meeting to observe its deliberations.
- 3.14. The **Mayor** is an ex-officio member of all **Committees** and as such has the same rights as other **Committee Members**. While not obligated to attend meetings, the **Mayor** must, when attending, be counted in determining whether a quorum is present.
- 3.15. A **Committee** may only revisit its recommendations to **Council** with permission of **Council** or if directed to do so by **Council**.

In-Camera Meetings

- 3.16. Notwithstanding sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, regular **Council** and **Committee of the Whole** meetings may begin at 3:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 [*meetings that may or must be closed to the public*] of the *Community Charter and* provided that the portion of the:
- (a) regular **Council** meeting that is open to the public begins at the time specified under section 3.5 [*meeting date and time*] of this Bylaw; or,
 - (b) regular **Committee of the Whole** meeting that is open to the public begins at the time specified under section 3.9 [*meeting date and time*] of this Bylaw.

- 3.17. The **Council Body** may, by **Resolution** passed by a majority vote of the **Members** of the **Council Body** present:
- (a) refer a matter that arises during the **In-Camera Meeting**, which in the opinion of **Council**, does not meet the criteria to be held in an **In-Camera Meeting**, to a **Public Meeting** for discussion; or
 - (b) release to a **Public Meeting**, any or all of the written material provided to an **In-Camera Meeting** or any or all of the **Resolutions** passed at such **In-Camera Meeting**, subject to section 12 [*cabinet and local public body confidences*] of the *Freedom of Information and Protection of Privacy Act*.

Calling a Special Meeting

- 3.18. The **Mayor**, at the **Mayor's** discretion, or two or more **Council Members** may call a **Special Meeting of Council** in accordance with section 126 [*calling of special Council meetings*] of the *Community Charter*.
- 3.19. The **Mayor**, in consultation with the **Chief Administrative Officer** or the **Corporate Officer**, may call a **Special Meeting of Committee of the Whole**.
- 3.20. The **Committee Chair** may call a **Special Meeting** of the **Committee**, in consultation with the **Staff Liaison** or the **Corporate Officer**, subject to staff resources being available to support the **Special Meeting**.
- 3.21. The **Presiding Member** shall determine whether the **Special Meeting** shall be conducted in person, by **Electronic Means**, or as a **Hybrid Meeting**, subject to staff resources being available to support the **Special Meeting**.

Meetings that fall on a Statutory Holiday

- 3.22. When a **Regular Meeting** falls on a statutory holiday, the **Meeting** must be held on the next day the **Municipal Hall** is open following the statutory holiday.

Cancelled or Postponed Meetings

- 3.23. Despite sections 3.5 [*Council meeting date and time*] and 3.9 [*Committee of the Whole meeting date and time*] of this Bylaw, the regular **Council**, **Committee of the Whole**, or **Public and Statutory Hearing Meetings** scheduled:
- (a) for the first Wednesday in January, July and August
 - (b) during the same week as the **FCM Annual Conference** or the **UBCM Convention**
 - (c) during the two weeks prior to a general local election
 - (d) between general voting day and the **Inaugural Meeting** referred to in section 3.2 [*inaugural meeting*] of this Bylaw
- are cancelled.
- 3.24. A **Regular Meeting** may be cancelled, by an affirmative vote of a majority of the **Members** present or rescheduled to another date and time that is not a holiday.

- 3.25. The **Presiding Member** may cancel a **Regular Meeting** where:
- (a) it is known in advance that quorum cannot be achieved, or
 - (b) There are no items of business, in consultation with the **Chief Administrative Officer** or **Corporate Officer**.
- 3.26. The **Presiding Member** may postpone a **Regular Meeting** or cancel the meeting pursuant to section 3.25 [*cancel regular meeting*] of this Bylaw by giving notice through the **Corporate Officer's** office at least 2 days before the date for which the **Regular Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Regular Meeting** at the **Public Notice Posting Places** and social media.
- 3.27. The **Presiding Member** may cancel or postpone a **Special Meeting** by giving notice through the **Corporate Officer's** office at least 2 hours before the time for which the **Special Meeting** is scheduled. The Corporate Officer shall post notice of a postponed or cancelled **Special Meeting** at the **Public Notice Posting Places** and social media.

Electronic and Hybrid Meetings

- 3.28. The following meetings are hereby authorized to be conducted by **Electronic Means**:
- (a) Regular **Council** meetings in accordance with section 128 [*electronic regular Council meetings*] of the *Community Charter*;
 - (b) Special **Council** meetings in accordance with section 128.1 [*electronic special Council meetings*] of the *Community Charter*;
 - (c) Regular and special **Committee of the Whole** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*;
 - (d) Regular and special **Committee** meetings in accordance with section 128.2 [*electronic Council committee meetings*] of the *Community Charter*; and,
 - (e) **Public and Statutory Hearing Meetings** in accordance with section 465(1.1) [*public hearing may be conducted electronically*] of the *Local Government Act*.
- 3.29. A regular **Council**, **Committee of the Whole** and **Public and Statutory Hearing Meeting (Public Meeting)** shall be conducted as a **Hybrid Meeting** with in person participation from Council Chambers, subject to section 5.2 [*technical difficulties*] of this Bylaw. The way in which members of the public may join electronically, in accordance with the Electronic Meeting Participation Policy, will be published to the **Agenda**.
- 3.30. Where notice has been given that a **Special Meeting** shall be conducted as a **Hybrid Meeting** or by **Electronic Means**, the **Special Meeting** must be conducted as a **Hybrid Meeting** or by **Electronic Means**.
- 3.31. Where a **Council** meeting is conducted solely by **Electronic Means**, the public may attend the **Municipal Hall** to watch and hear or hear any part of the **Public Meeting** with an **Officer** in attendance.
- 3.32. **Committee** meetings may be conducted as a **Hybrid Meeting** if scheduled during regular office hours and staff resources are available. The **Hybrid Meeting** would be conducted in person from Council Chambers where members of the public may observe, or they may join

the meeting electronically. Instructions on how to join the meeting electronically will be published to the **Agenda**.

Electronic Participation by Members

- 3.33. **Council Members** may not participate electronically in an **Inaugural Meeting**.
- 3.34. A **Member** who is unable to attend a **Meeting** in person, may participate in the **Meeting** by **Electronic Means** pursuant to section 128.3 [*electronic participation by members in Council and Council committee meetings*] of the *Community Charter*, and subject to section 3.36 [3 *consecutive meetings*] of this Bylaw. A **Member** must:
- (a) notify the **Presiding Member** and the **Corporate Officer** prior to the **Meeting** if they will be participating electronically;
 - (b) turn their camera on while participating by **Electronic Means** in the **Meeting**;
 - (c) advise the **Presiding Member** and the **Corporate Officer**, if they are participating by telephone or their video is not turned on, before leaving a **Meeting** [*e.g., to answer the door, take a bio break, etc.*] and when the **Member** returns to the **Meeting** so that the **Member's** absence can be recorded in the **Minutes**.
- 3.35. The **Corporate Officer** shall provide **Members** with instructions on how to connect to and participate in the **Meeting** by **Electronic Means**.
- 3.36. A **Member** may participate electronically in more than 3 consecutive **Meetings** with the approval of the **Presiding Member**.

PART 4: PUBLIC & STATUTORY HEARINGS

General Public and Statutory Hearing Rules

- 4.1. Meetings for conducting a **Public and Statutory Hearing Meeting** shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by **Council**.
- 4.2. A **Council Member** will:
- (a) limit their questions to the speaker to seek clarification or additional details;
 - (b) not engage the speaker in a debate; and,
 - (c) not comment on the merits of the bylaw, licence, permit or other matter during a **Public and Statutory Hearing Meeting**.
- 4.3. Only a **Council Member** may put a question to a person who speaks at a **Public and Statutory Hearing Meeting**.
- 4.4. No person may make a reply, rebuttal, or further submission at a **Public and Statutory Hearing Meeting** unless permitted in this Bylaw, the Public Input and Meeting Conduct Policy, or without the **Mayor's** permission, subject to sections 4.20 [*report from staff*], and 4.28 [*business licence reconsideration procedures*] through 4.31 [*clean up order reconsideration procedures*] of this Bylaw.

- 4.5. Despite section 4.1 [*hearing date and time*] of this Bylaw, a **Public and Statutory Hearing Meeting** shall only be scheduled where:
- (a) **Council** has directed staff to give notice;
 - (b) the **Director of Planning and Building** has given notice in accordance with sections 466 [*public hearing procedures*], 494 [*public notice and hearing requirements*] or 503 [*notice of permit on land title*] of the *Local Government Act*;
 - (c) the **Corporate Officer** has given notice in accordance with sections 40 [*permanent closure and removal of highway dedication*], 59 [*powers to require and prohibit*] or 99 [*annual meeting on report*] of the *Community Charter*; or
 - (d) the **Corporate Officer** has given notice in accordance with Delegation of Authority Bylaw No. 3814, 2021.
- 4.6. All comments made during a **Public and Statutory Hearing Meeting** are to be directed to **Council** and must relate to the proposed bylaw, permit or other matter that is the subject of the hearing as per the Public Hearing Procedures Policy.
- 4.7. All comments must be respectful of **Council**, the applicant, staff and other members of the public. The **Mayor** may expel a person from the **Public and Statutory Hearing Meeting** who is acting improperly or disrupting the proceedings, or the **Council** may adjourn the **Public and Statutory Hearing Meeting** to reconvene on a future date where order cannot be restored.

Public Hearings

- 4.8. The **Public Hearing Information Package** shall be published to the public hearing webpage at least four (4) calendar days prior to the **Public and Statutory Hearing Meeting**.
- 4.9. All people who believe they are affected by the proposed bylaw will be given a reasonable opportunity to be heard or present a written submission. Submissions may be provided in writing in advance in accordance with the deadline set out in the **Public Hearing** notice under section 5.9 [*public and statutory hearing notice*] of this Bylaw, or orally during the **Public Hearing**.
- 4.10. All written submissions received pursuant to section 4.9 [*people affected by proposed bylaw*] of this Bylaw, shall be made available to the public for review by placing them in the **Public Hearing** binder and by appending them to the **Public Hearing Information Package** located on the public hearings webpage.
- 4.11. The **Mayor** will provide an explanation of the **Public Hearing** process and may establish a time limit for speakers, if necessary, to ensure that all members of the public present who wish to share their comments with **Council** are able to make their submissions.
- 4.12. Where more than one bylaw is to be considered at the same **Public Hearing**, the explanation provided by the Mayor under section 4.11 [*explanation of public hearing process*] of this Bylaw, shall apply as the **Public Hearing** process for all **Public Hearing** matters, unless otherwise established by the **Mayor**.
- 4.13. Staff may make a presentation to **Council** during the **Public Hearing** regarding the proposed permit or bylaw application.

- 4.14. The applicant, if applicable, shall be provided a reasonable amount of time to make a presentation to **Council** during the **Public Hearing** regarding their application.
- 4.15. The **Corporate Officer** shall provide a summary of all correspondence, including petitions, received by 1:00 p.m. on the day of the **Public Hearing** and/or added to the **Public Hearing Information Package** that was published in accordance with section 4.10 [*public hearing information package*] of this Bylaw.
- 4.16. Written submissions that have not been published in accordance with section 4.15 [*received by 1:00pm on day of hearing*] of this Bylaw, shall be read out by the **Corporate Officer** during the **Public Hearing**.
- 4.17. The **Mayor** will ask if there is any person who wishes to speak at the **Public Hearing**, whether or not there is a speakers' list. All persons with an interest in the proposed bylaw which is the subject of a **Public Hearing** will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the proposed bylaw.
- 4.18. Those wishing to speak at the **Public Hearing** must state their name and address for identification, or the name and address of the person or body they represent (if applicable) and whether they are in support of or opposed to the proposed bylaw prior to sharing their comments. If a person wishes to speak a second time, they will be given further opportunity to address **Council** after all interested members of the public have been heard a first time.
- 4.19. A **Motion** to request a report from staff on a matter raised in a **Public Hearing** is in order at the **Public Hearing**.
- 4.20. Staff and the applicant shall be given an opportunity to respond to comments or questions raised during the **Public Hearing** before the hearing is closed on the application.
- 4.21. When the **Mayor** considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, the **Mayor** shall close the **Public Hearing** after calling three times for further submissions. **Council** may debate further consideration of the bylaw immediately following the close of the **Public Hearing**.
- 4.22. Once a **Public Hearing** is closed, **Council** may not receive additional information from the applicant or public. **Council** may request clarification of an issue raised at the **Public Hearing**, but not any new information.

Statutory Hearings

- 4.23. Where a person has a statutory right to be heard under provincial legislation, that person shall be provided such an opportunity, and the **Corporate Officer** shall place their request on the **Public and Statutory Hearing Meeting Agenda**, subject to all conditions under the provincial legislation being met.
- 4.24. Where **Council** is considering adoption of a bylaw to establish, amend or replace:
 - (a) Business Licence Bylaw No. 3153, 2002 in accordance with section 59(2) [*notice required before adopting bylaw*] of the *Community Charter*,
 - (b) A bylaw that removes a reservation or dedication of property as a park or public square in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*,

- (c) A bylaw that removes a reservation or dedication of property for heritage or heritage conservation in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*, or
- (d) A bylaw that closes a road permanently in accordance with section 40 [*permanent closure and removal of highway dedication*] of the *Community Charter*,

Council must provide an opportunity for any person who considers they are affected by the bylaw to be heard.

- 4.25. Where **Council** will consider passing a resolution to issue a temporary use permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with sections 493 [*temporary use permits for designated areas and other areas*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.26. Where **Council** will consider passing a resolution to issue a development variance permit, as per Development Procedures Bylaw No. 3924, 2024, in accordance with section 499 [*notice to affected property owners and tenants*] of the *Local Government Act*, **Council** must provide anyone who believes their interests will be affected by the proposed permit an opportunity to be heard.
- 4.27. Where a decision was delegated under Delegation of Authority Bylaw No. 3814, 2021, a person may request **Council** reconsider that delegated decision. The reconsideration by Council is final and cannot be reconsidered further by **Council** [*may only be reconsidered once*].
- 4.28. The procedures for requesting **Council's** reconsideration of the **Business Licence Inspector's** decision to refuse to grant, transfer, or renew a business licence are established under Delegation of Authority Bylaw No. 3814, 2021.
- 4.29. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to issue a development permit, a development variance permit, or a temporary use permit, or require security are established under Delegation of Authority Bylaw No. 3814, 2021 and Development Procedures Bylaw No. 3924, 2024.
- 4.30. The procedures for requesting **Council's** reconsideration of the **Director of Planning and Building's** decision to require a development approval information report are established under Development Approval Information Bylaw No. 3942, 2024.
- 4.31. The procedures for requesting **Council's** reconsideration of the **Manager of Bylaw and Business Licensing Services'** decision ordering a person to clean up their property are established under Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020.

PART 5: NOTICE REQUIREMENTS

Notice of Regular Meeting Schedule

- 5.1. The **Corporate Officer** shall, by December 31 of each year:
 - (a) Post a schedule of the date, time, and place of **Regular Meetings** for that calendar year in the **Public Notice Posting Places**;

- (b) Include in the notice whether the **Regular Meetings** are to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**;
- (c) Include instructions in the notice for connecting virtually to a **Hybrid Meeting** or where the **Meeting** is held by **Electronic Means**, in accordance with sections 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] and 128.2(2)(b) [*notice and procedure requirements for how the electronic committee meeting is conducted*] of the *Community Charter* and the District's Electronic Meeting Participation Policy; and
- (d) Give notice of the availability of the schedule in accordance with section 127(1) [*notice of Council meetings*] of the *Community Charter* and Public Notice Bylaw No. 3906, 2023.

- 5.2. Where, due to technical difficulties and in accordance with the District's Electronic Meeting Participation Policy, a regular **Council** or **Committee of the Whole** meeting cannot be held as a **Hybrid Meeting**, pursuant to section 3.29 [*hybrid meetings conducted in person and electronically*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post notice to the **Public Notice Posting Places** how the meeting shall be conducted.
- 5.3. Where revisions are necessary to the annual schedule under section 5.1 [*notice of regular meeting schedule*] of this Bylaw, the **Corporate Officer** shall, as soon as reasonably possible, post any revisions or cancellations made to the **Regular Meeting** schedule under section 5.1(a) [*notice of regular meeting schedule*] of this Bylaw, to the **Public Notice Posting Places**.

Notice of a Special Meeting

- 5.4. At least 24 hours before a **Special Meeting**, in accordance with section 127(3) [*notice must be signed*] of the *Community Charter*, the **Corporate Officer** must give notice of the meeting, including:
 - (a) the date, time, location, and a general description of the items to be discussed at the meeting; and,
 - (b) whether the **Special Meeting** is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**; and
 - (c) if the meeting is a **Council** meeting which is to be conducted by **Electronic Means** or as a **Hybrid Meeting**, the notice shall include that the public may attend the **Municipal Hall** to observe the meeting that is open to the public with an **Officer** in attendance, in accordance with section 128(2)(b)(i) [*notice and procedure requirements for how the electronic Council meeting is conducted and the place where the public may observe*] of the *Community Charter*.
- 5.5. If the **Special Meeting** is to be conducted by **Electronic Means**, or as a **Hybrid Meeting**, the notice must include the way in which electronic participation shall be conducted, in accordance with sections 128.1 [*electronic special Council meetings*] and 128.2 [*electronic Council committee meetings*] of the *Community Charter*.
- 5.6. If the **Agenda** for the **Meeting** contains a proposed **Resolution** to close all or part of the **Meeting** to the public, the notice, in accordance with section 92 [*requirements before meeting is closed*] of the *Community Charter*, must state:
 - (a) that the meeting is to be closed; and

(b) the basis under the *Community Charter* on which all or part of the meeting is to be closed and may include a general description of the item to be discussed without compromising the reason for closing the meeting.

5.7. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be signed by the **Corporate Officer** or the **Mayor**. Where two or more **Council Members** have themselves called the **Special Meeting** pursuant to section 3.18 [*calling a special meeting*] of this Bylaw, the **Corporate Officer** or the **Council Members** calling the meeting must sign the notice, in accordance with sections 126(4) [*sign special meeting notice*] and 127(3) [*content for special meeting notice*] of the *Community Charter*.

5.8. The notice under section 5.4 [*notice of a special meeting*] of this Bylaw must be posted in the **Public Notice Posting Places**, at the entrance to the **Regular Meeting** place and be emailed to each **Member**, in accordance with section 127(2) [*24-hours' notice*] of the *Community Charter*.

Public and Statutory Hearing Notice

5.9. The notice for a **Public and Statutory Hearing Meeting** held pursuant to section 4.24 [*adoption of bylaw*] through to section 4.26 [*issuing permit*] of this Bylaw, must state:

- (a) the time, date and place of the hearing,
- (b) whether the public hearing or statutory hearing is to be held in person, by **Electronic Means**, or as a **Hybrid Meeting**,
- (c) the deadline for submitting comments in writing,
- (d) in general terms, the purpose of the bylaw, permit or matter to be reconsidered by Council,
- (e) the address of the property (if applicable) that is subject to the matter considered at the hearing, and
- (f) the place where copies of the relevant documents may be inspected.

5.10. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published in accordance with Public Notice Bylaw No. 3906, 2023 if the matter is a **Public Hearing** matter.

5.11. The notice under section 5.9 [*hearing notice*] of this Bylaw must be published to the **Public Notice Posting Places** if the matter is a **Statutory Hearing** matter.

PART 6: AGENDAS & MINUTES

Deadline for Submission of Agenda Items

6.1. The deadline for submission to the **Corporate Officer** of items for inclusion on the **Agenda** is one (1) week prior to the **Regular Meeting**.

6.2. Despite section 6.1 [*agenda item deadline*] of this Bylaw, supplemental materials from an applicant to be included in the **Agenda** must be received by the **Corporate Officer** at least four (4) working days prior to the **Meeting**.

Publishing Agendas

- 6.3. At least 48 hours before a **Regular Meeting** or a **Public and Statutory Hearing Meeting**, and in accordance with section 6.4 [*corporate officer to prepare agenda*] of this Bylaw, the **Corporate Officer** must, in accordance with the Agenda and Minutes Policy:
- (a) Post the **Agenda** at the **Public Notice Posting Places**;
 - (b) Leave a copy of the **Agenda Package** at a public counter at the **Municipal Hall** for the public to review;
 - (c) Email a link to, or copy of, the **Agenda Package** to each **Member**;
 - (d) Upon request, leave a printed copy of the **Agenda Package** in the **Council Member's** mailbox at the **Municipal Hall** or at the front counter at the **Municipal Hall** for a **Committee Member**; and
 - (e) If the meeting is a **Special Meeting**, post the **Agenda** at the Public Notice Posting Places as soon as reasonably possible (if applicable).

Order of Business in Agendas

- 6.4. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Corporate Officer** shall prepare an **Agenda**, in accordance with the Agenda and Minutes Policy, setting out the items for consideration at that **Meeting** pursuant to the order established under section 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw. If a matter is to be considered at an **In-Camera Meeting**, the item description must include the applicable section of the *Community Charter* under which the meeting or part of the meeting is to be closed to the public, and may include a general description of the item to be discussed without compromising the reason for closing the meeting.
- 6.5. Particular business at a **Meeting** must be taken up in the order in which it is listed on the **Agenda** unless otherwise resolved, subject to sections 1.7 [*temporarily suspend the rules*], 6.6 [*only items on agenda considered*] and 6.7 [*vary order of agenda*] of this Bylaw.
- 6.6. Only matters listed on the **Agenda** may be considered at the **Council** meeting unless the **Council** has added the matter to the **Agenda** as a **Late Item** under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.7. The **Presiding Member** and **Corporate Officer** may vary the order of the **Council Body** meeting **Agenda** set out under sections 6.11 [*Council agenda*] through to section 6.14 [*committee agenda*] of this Bylaw, and delete headings that have no business under the item(s) prior to publishing the **Agenda Package** under section 6.3 [*publishing agendas*] of this Bylaw, with the exception of New Business which must not be deleted in case of a **Late Item** being added under section 6.17 [*distribution of late item*] of this Bylaw.
- 6.8. The **Mayor** may provide an update to **Council** on the **Mayor's** recent activities and important announcements during the **Mayor's** Report portion of the regular **Council** meeting **Agenda**.
- 6.9. The introduction of a **Resolution** is not permitted under section 6.8 [*Mayor's update*] of this Bylaw.

Inaugural Agenda

6.10. The **Agenda** for the **Inaugural Meeting** established under section 3.2 [*inaugural meeting*] of this Bylaw may be primarily ceremonial.

Council Agenda

6.11. Subject to sections 6.7 [*vary order of agenda*] and 6.17 [*distribution of late item*] of this Bylaw, the **Agenda** for each **Council** meeting must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera meeting **Agenda**
 - (ii) Adoption of in-camera meeting **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
- (c) Recess until 5:00 p.m.
- (d) Awards and Recognition by **Council**
- (e) Approval of **Consent Agenda**
 - (i) Items for Decision
 - (ii) Items for Information
- (f) Approval of Meeting **Agenda**
 - (i) Introduction of **Late Items**
 - (ii) Changes to Order of Business
- (g) Mayor's Report
- (h) **Public Input** on Agenda Items
- (i) Presentations and Petitions
 - (i) **Presenters**
 - (ii) **Delegations**
 - (iii) Petitions
- (j) Unfinished and Postponed Business
- (k) Bylaws
- (l) Reports
- (m) New Business
- (n) **Notice of Motions**
- (o) **Question Period**
- (p) Adjournment

Public and Statutory Hearing Agenda

6.12. Subject to section 6.7 [*vary order of agenda*] of this Bylaw, the **Agenda** for a **Public Hearing** and/or a **Statutory Hearing** must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call to Order
- (b) Approval of **Agenda**
- (c) **Public Hearing** Matters

- (i) Explanation of the public hearing process
- (ii) *[bylaw name and number]*
 - (a) Call public hearing to order
 - (b) Public hearing for bylaw
 - 1. Introductory presentation provided by staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from the public
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Close of public hearing for *[bylaw name and number]*
 - (c) Consideration of further readings of the bylaw
- (d) **Statutory Hearing Matters**
 - (i) Statutory Right to be Heard
 - (a) Explanation of the hearing process
 - (b) *[temporary use permit or development variance permit or adoption of a bylaw]*
 - 1. Introductory presentation provided by Staff
 - 2. Applicant provides details of their application
 - 3. Summary by the Corporate Officer of correspondence received
 - 4. Comments from persons affected by the *[bylaw or permit]*
 - 5. Response by staff and the applicant to new information or factual matters raised
 - 6. Consideration of *[issuance of permit or adoption of bylaw]*
 - (ii) Reconsideration of Delegate's Decision
 - (a) Explanation of the reconsideration process
 - (b) *[licence, permit, development approval information, security requirement, clean up order to be reconsidered by Council]*
 - 1. Introductory presentation provided by Staff
 - 2. Applicant to detail the grounds on which reconsideration is requested
 - 3. Response by staff to any new information or factual matters raised by the applicant
 - 4. Reconsideration of decision by Council
- (e) Adjournment.

Committee of the Whole Agenda

- 6.13. Subject to section 6.7 *[vary order of agenda]* of this Bylaw, the **Agenda** for each **Committee of the Whole** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Resolution to close the meeting to the public
 - (i) Approval of in-camera **Agenda**
 - (ii) Adoption of in-camera **Minutes**
 - (iii) In-camera meeting items
 - (iv) Rise and report
 - (c) Recess until 5:00 p.m.
 - (d) Approval of **Agenda**

- (e) Adoption of **Minutes**
- (f) **Public Input** on Agenda Items
- (g) Delegations and Presentations
 - (i) **Presenters**
 - (ii) **Delegations**
- (h) Unfinished and Postponed Business
 - (i) Staff Reports
 - (j) Items for Discussion
- (k) **Question Period**
- (l) Adjournment

Committee Agenda

- 6.14. Subject to section 6.7 [vary order of agenda] of this Bylaw, the **Agenda** for each **Committee** meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to Order
 - (b) Approval of the **Agenda**
 - (c) Adoption of **Minutes**
 - (d) Unfinished and Postponed Business
 - (e) Business
 - (f) Adjournment

Consent Agenda

- 6.15. **Consent Agenda** items shall be added to the regular **Council Agenda** in accordance with the **District's** Consent Agenda Policy.

Late Items

- 6.16. An item of business not included on the **Agenda** may only be considered at a **Council** meeting if **Council** adds the item to the agenda at the time **Council** approves the agenda.
- 6.17. If **Council** adds a **Late Item** to the **Agenda** under section 6.16 [*approved when agenda adopted*] of this Bylaw:
- (a) written information pertaining to the **Late Item**, if any, must be immediately distributed to **Council Members**, and,
 - (b) the **Late Item** must be added under the New Business heading of the agenda.

Meeting Minutes

- 6.18. The **Minutes** of every **Meeting** must be recorded in accordance with the Agendas and Minutes Policy, be certified as correct by the **Corporate Officer**, and signed by the **Presiding Member** at the meeting or at the next **Meeting** at which the **Minutes** are adopted.
- 6.19. A negative vote must be recorded in the **Minutes**.

- 6.20. The **Minutes** from a **Public Meeting** shall be made available for public inspection at the **Municipal Hall** during regular office hours and will be published on the **District's** website in accordance with the Agenda and Minutes Policy.
- 6.21. Despite section 6.20 [*minutes made available to public*] of this Bylaw, **Minutes** from an **In-Camera Meeting** shall not be published to the website unless released by the **Council Body** in accordance with section 6.22 [*release of in-camera resolutions*] of this Bylaw.
- 6.22. **Resolutions** from an **In-Camera Meeting** shall be released to the public in accordance with the Agenda and Minutes Policy.
- 6.23. The **Minutes** from a **Public Hearing** must reflect the name and address of each speaker or written submission, whether in favour or opposed to the subject of the **Public Hearing**, and a summary of the speaker's comments.
- 6.24. Despite subsection 6.18 [*certified by corporate officer*] of this Bylaw, where the **Corporate Officer** or the **Chief Administrative Officer** are not present at an **In-Camera Meeting**, the **Minutes** must be signed by the **Presiding Member** and certified as correct by the **Council Member** appointed to take the **Minutes** at the **In-Camera Meeting**.

PART 7: PRESENTATIONS & PUBLIC PARTICIPATION

General Rules for Presentations & Public Participation

- 7.1. The **Corporate Officer** shall refuse to place a **Delegation** or a petition on an **Agenda** if the matter is related to:
 - (a) personnel and labour relations,
 - (b) an issue that is before the courts or where legal action has been authorized,
 - (c) promotion of the applicant's business or solicitation of goods or service for financial gain, excluding nonprofit organizations that operate independently of any government,
 - (d) a staff report that has not yet been presented to **Council**,
 - (e) the issuance of a development variance permit or a temporary use permit if the **Public and Statutory Hearing Meeting** is held on the same day as the **Council** meeting,
 - (f) a record that is held in confidence, unless the record has been lawfully released to the public,
 - (g) information considered in an **In-Camera Meeting**, unless the information has been released by **Council**, or
 - (h) a proposed bylaw in respect of which a **Public Hearing** has been held, where the **Public Hearing** is required under an enactment as a prerequisite to the adoption of the bylaw.
- 7.2. **Council** will not act on a request from a **Delegation** or a petitioner until the next regular **Council** meeting.
- 7.3. Despite section 7.2 [*not act on request till next regular meeting*] of this Bylaw, the **Mayor**, or **Council** by **Resolution**, may refer a request from a **Delegation** or a petitioner to:
 - (a) the department where the matter relates to their scope of responsibility for response,

- (b) staff for a report to be included on a future **Council** meeting **Agenda**, or
- (c) a **Committee** for feedback and recommendation prior to **Council** considering the request at a future meeting.

7.4. All speakers addressing a **Council Body** must comply with this Bylaw and, as appropriate, with:

- (a) Respectful Spaces Bylaw No. 3796, 2020;
- (b) Delegations and Presenters Policy;
- (c) Public Input and Meeting Conduct Policy; and
- (d) Petitions Policy

7.5. Where a person is being disrespectful to members of the **Council Body**, staff, **Delegations**, **Presenters**, or to members of the public in attendance at the **Meeting**, the **Presiding Member** will take action to cease the behaviour, which may include expulsion from the **Meeting** as per section 1.10 [*presiding member may expel person*] of this Bylaw.

Delegations

7.6. Subject to section 6.1 [*agenda item deadline*] of this Bylaw, a request to be a **Delegation** must be submitted in writing to the **Corporate Officer** in accordance with the Delegations and Presenters Policy.

7.7. The **Corporate Officer** may place up to two (2) **Delegations** to present at the same **Council** or **Committee of the Whole** meeting. **Delegations** may participate in person at the **Municipal Hall** or by **Electronic Means**.

7.8. A **Delegation** may address a **Council Body** at a meeting where the **Corporate Officer** has included the **Delegation** on the **Agenda**, pursuant to sections 7.1 [*reject delegation or petition*] and 7.9 [*multiple delegations from same organization*] of this Bylaw.

7.9. Multiple **Delegations** from the same organization who wish to address the same matter will be combined and treated as a single **Delegation**.

7.10. Each address from a **Delegation** shall be limited to 10 minutes.

Presenters

7.11. The **District** may invite a person(s) or organization(s) to make a presentation to a **Council Body**.

7.12. Despite section 7.6 [*request must be in writing*] of this Bylaw, a **Presenter** does not have to request to be a **Delegation** and is not subject to the speaking limitation under section 7.10 [*10-minute speaking limit*] of this Bylaw.

Petitions

7.13. A petition must be submitted in accordance with section 6.1 [*agenda item deadline*] of this Bylaw, to be included in a Council **Agenda Package**.

7.14. A petition must be in writing, signed by each person named in the petition, and comply with this Bylaw and the Petitions Policy.

- 7.15. Petitions will form part of the public record and be published to website in accordance with the Petitions Policy.
- 7.16. A petition being presented to **Council** shall include:
- (a) the spokesperson's contact information,
 - (b) the requested action and/or pertinent information on the top of each page of the petition, and
 - (c) the names and addresses of the petitioners all legibly printed and then a signature.
- 7.17. A petitioner shall be limited to 5 minutes to address **Council** at the meeting where the **Corporate Officer** has included the petition on an agenda.
- 7.18. The **Corporate Officer** must notify a petitioner if their petition has been referred to staff or a **Committee** under section 7.3 [*refer request*] or rejected under section 7.1 [*reject delegation or petition*] of this Bylaw.

Public Input

- 7.19. Members of the public shall be provided an opportunity to address **Council** at a **Council** or **Committee of the Whole** meeting regarding matters to be considered at the meeting during **Public Input**, subject to sections 7.20 [*maximum 5 speakers at 3 minutes each*], and 7.21 [*Presiding Member may terminate address*] of this Bylaw. All comments shall be addressed to **Council** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their comments to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.20. A maximum of five (5) speakers, allotted up to three (3) minutes each, will be permitted to address **Council** once during **Public Input** at a **Council** or **Committee of the Whole** meeting. All speakers must adhere to the Public Input and Meeting Conduct Policy.
- 7.21. The **Presiding Member** is authorized to terminate an address being delivered pursuant to section 7.5 [*disrespectful behaviour*] of this Bylaw, where a person fails to comply with the Public Input and Meeting Conduct Policy. If the person fails to comply with the action ordered by the **Presiding Member**, the **Presiding Member** may expel the person from the meeting in accordance with section 1.10 [*presiding member may expel person*] of this Bylaw.

Question Period

- 7.22. Members of the public shall be provided an opportunity to ask questions of **Council** at a **Council** or **Committee of the Whole** meeting regarding matters discussed at the meeting during **Question Period** and shall be allotted up to 30 seconds each to ask their question, subject to section 7.5 [*disrespectful behaviour*] of this Bylaw. All questions shall be addressed through the **Mayor** and must be in accordance with the Public Input and Meeting Conduct Policy. For certainty, members of the public are not permitted to direct their questions to staff or person(s) attending as a **Presenter** or **Delegation**.
- 7.23. **Question Period** is limited to 15 minutes.

PART 8: CONDUCT AT MEETINGS

Code of Conduct for all Attendees

- 8.1. **Members** shall conduct themselves at all times in a manner that is compliant with the code of conduct set out in the Standards of Conduct Policy.
- 8.2. No **Member** shall disobey the decision of the **Presiding Member** on points of order or fail to adhere to section 8.1 [*code of conduct*] of this Bylaw. If the **Member** resists the **Presiding Member's** ruling, the **Presiding Member** may order the **Member** to leave the meeting.
 - (a) If the **Member** does not leave the meeting, the **Presiding Member** may cause the **Member** to be removed by a **Peace Officer**.
 - (b) If the **Member** apologizes to the **Council Body**, the **Council Body** may by **Resolution**, allow the **Member** to retake their seat.
- 8.3. The public shall not applaud or otherwise interrupt any speech or action of the **Members** or any other person addressing the **Council Body**.

Attendance at Meetings

- 8.4. The **Presiding Member** will make reasonable efforts to notify the **Corporate Officer** in advance if the **Presiding Member** will be absent from a **Meeting**.
- 8.5. **Members** must make all reasonable efforts to attend **Meetings** in person. A **Member** who will be participating by **Electronic Means** must notify the **Presiding Member** and the **Corporate Officer** in advance of the **Meeting** in accordance with section 3.34 [*unable to attend in person*] of this Bylaw.

Calling Meeting to Order

- 8.6. As soon after the time specified for a **Meeting** as there is a quorum present, the **Presiding Member** must take the chair and call the **Meeting** to order.
- 8.7. If quorum is present, but the **Presiding Member** does not attend within 15 minutes of the scheduled time for a **Meeting**,
 - (a) the **Corporate Officer**, or their delegate, must call to order the **Members** present, and
 - (b) the **Members** present must choose a **Member** to preside at the **Meeting**.

Closing the Meeting to the Public

- 8.8. Before closing a **Meeting** or part of a **Meeting** to the public, the **Council Body**, must pass a **Resolution** in a **Public Meeting** in accordance with section 1.9 [*resolution to close meeting*] of this Bylaw.

Voting at Meetings

- 8.9. **Members** must remain in the **Meeting** when the **Presiding Member** is putting the **Motion** to a vote, unless the **Member** has declared they have a conflict of interest in accordance with section 100 of the *Community Charter*, except if the **Member** has withdrawn their conflict of interest as per the Reimbursement of Legal Fees in relation to Conflict of Interest Policy.

- 8.10. When debate on a **Motion** is closed, the **Presiding Member** must put the **Motion** to a vote of **Members** by stating, "those in favour raise your hands" and then "those opposed raise your hands".
- 8.11. When the **Presiding Member** puts a **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not
 - (a) cross or leave the room,
 - (b) make a noise or other disturbance,
 - (c) interrupt the voting procedure under section 8.10 [*call the question*] of this Bylaw, unless the interrupting **Member** is raising a **Point of Order**.
- 8.12. After the **Presiding Member** finally puts the **Motion** to a vote under section 8.10 [*call the question*] of this Bylaw, a **Member** must not speak to the **Motion** or make a **Motion** concerning it.
- 8.13. Whenever a vote on a **Motion** is taken, each **Member** present must signify their vote by raising their hand, or, if participating by **Electronic Means**, in the manner directed by the **Presiding Member**.
- 8.14. The **Presiding Member** must declare the result of the vote by stating whether the **Motion** is carried or defeated.
- 8.15. The **Presiding Member** must state the name of each **Member** who voted in opposition.
- 8.16. The **Presiding Member's** decision about whether a **Motion** has been finally put is conclusive.

Discussion and Debate

- 8.17. When a **Member** wishes to speak at a **Meeting**, the **Member** shall obtain approval of the **Presiding Member** before doing so.
- 8.18. A **Member** will address:
 - (a) the **Presiding Member** by that person's title of **Mayor, Acting Mayor**, or Chair and their last name;
 - (b) another **Council Member** by the title of Councillor and their last name;
 - (c) a staff member by their official title or their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy; and,
 - (d) a **Committee Member**, excluding the Committee Chair, by their preferred pronoun (e.g., Dr., Mr., Ms. or Mx.) and last name, in accordance with the Use of Gender-Neutral Language and Pronouns Policy.
- 8.19. A **Member** who has made a substantive **Motion** to the **Council Body** may reply to the debate.
- 8.20. No **Member** may interrupt a **Member** who is speaking except to raise a **Point of Order**.
- 8.21. If more than one **Member** speaks, the **Presiding Member** must call on the **Member** who, in the **Presiding Member's** opinion, first spoke.

- 8.22. **Members** who are called to order by the **Presiding Member**
- (a) must immediately stop speaking,
 - (b) may explain their position on the point of order when asked by the **Presiding Member**, and
 - (c) may appeal to the **Council Body** for its decision on the **Point of Order**.
- 8.23. **Members** speaking at a **Meeting**
- (a) must speak only in connection with the matter being discussed or the **Motion** being debated [*germane*], statements must have a bearing on whether the motion should be adopted,
 - (b) never attack or make any allusion to the motives of another **Member**,
 - (c) shall avoid injecting a personal note into the debate,
 - (d) may speak about a previous vote only for the purpose of making a **Motion** that the **Resolution** be reconsidered or rescinded, and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the **Presiding Member** and the **Council Body**, in connection with the rules and **Point of Order**.
- 8.24. A **Member** may require the **Motion** under discussion to be read out for their information at any point during the debate but may not interrupt another **Member** who is speaking to make the request.
- 8.25. A **Member** who has moved an amendment, the **Previous Question**, or an instruction to a **Committee** may not reply to the debate, subject to the Council Advisory Body Policy.

Adjourning a Meeting when No Quorum

- 8.26. If there is no quorum present within 15 minutes of the scheduled time for a **Meeting**, the **Corporate Officer**, or their delegate, must
- (a) record in the **Minutes** the names of the **Members** present, and those absent, and
 - (b) adjourn the **Meeting** until the next scheduled meeting.

Meeting Adjournment

- 8.27. **Meetings** must be adjourned no later than three (3) hours after the **Meeting** begins, unless resolved by a majority vote of **Members** present to proceed beyond that time.

PART 9: BYLAWS

Proposed Bylaws

- 9.1. A proposed bylaw may be considered 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.
- 9.2. A proposed bylaw may be considered at a **Committee of the Whole** meeting to:
- (a) provide direction to staff prior to the bylaw being considered at a **Council** meeting; or,
 - (b) make recommendation to **Council** to consider the bylaw as proposed.

Form of Bylaw

- 9.3. A bylaw introduced at a **Council** meeting must
- (a) be printed or in an electronic format,
 - (b) have a distinguishing name,
 - (c) have a distinguishing number, and
 - (d) be divided into sections.

Bylaws to be considered separately or jointly

- 9.4. **Council** must consider a proposed bylaw at a **Council** meeting either
- (a) separately when directed by the **Presiding Member** or requested by another **Council Member**, or
 - (b) jointly with other proposed bylaws in the sequence determined by the **Presiding Member**.

Reading and adopting bylaws

- 9.5. The **Presiding Member** of a **Council** meeting may
- (a) have the **Corporate Officer** present a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a **Motion** that the proposed bylaw or group of bylaws be read.
- 9.6. The readings of a bylaw must be given by stating its title.
- 9.7. Each reading of a proposed bylaw must receive an affirmative vote of a majority of the **Council Members** present, except for an official community plan bylaw or official community plan bylaw amendment, where the vote required for each reading to pass is a majority of all **Council Members**.
- 9.8. A proposed bylaw may be debated and amended at any time during the first three readings, unless prohibited by the *Community Charter*. If amended at any time before third reading, a motion to read the bylaw shall be to give the bylaw [*second or third*] reading as amended.
- 9.9. In accordance with section 135 [*requirements for passing bylaws*] of the *Community Charter*, **Council** may give up to three readings to a proposed bylaw at the same **Council** meeting.
- 9.10. **Council** may read a bylaw up to three times in one resolution, except where a **Council Member** objects that the bylaw be read more than once on the same day.
- 9.11. In accordance with section 477 [*adoption procedures for official community plan*] of the *Local Government Act*, **Council** may adopt a proposed official community plan bylaw, at the same meeting at which the plan or bylaw passed third reading.
- 9.12. In accordance with section 480 [*adoption of municipal zoning bylaw*] of the *Local Government Act*, **Council** may adopt a proposed zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Bylaws must be signed

- 9.13. After a bylaw is adopted and signed by the **Corporate Officer** and the **Presiding Member** of the **Council** meeting at which it was adopted, the **Corporate Officer** must have it placed in the **District's** records for safekeeping.

PART 10: RESOLUTIONS & OTHER MOTIONS

Resolutions

- 10.1. A **Resolution** may be introduced at a **Meeting** only if a copy of it has been delivered to each **Member** before the meeting begins, unless the **Council Body** has waived this requirement under section 1.7 [*temporarily suspend the rules*] of this Bylaw or through **Unanimous Consent**.
- 10.2. Unless otherwise stated in this Bylaw, a **Resolution** requires a majority vote of the **Members** present to pass.
- 10.3. The **Presiding Member** of a meeting may
- (a) have the **Corporate Officer**, or their delegate, read the **Motion**, and
 - (b) request a **Motion** that a **Resolution** be introduced.

Reconsideration

- 10.4. In addition to the **Mayor's** power to direct reconsideration under section 131 [*mayor may require reconsideration*] of the *Community Charter*, a **Council Member** who voted with the prevailing side may, at the same or next regular meeting,
- (a) move to reconsider a **Resolution** adopted or defeated by **Council**, or
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- 10.5. Despite section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw, a **Resolution** must not be reconsidered under this section if
- (a) it had the approval or assent of the electors and been adopted,
 - (b) it has been reconsidered under section 10.3 of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter*,
 - (c) it was a delegated decision reconsidered by **Council** under section 4.23 of this Bylaw, or
 - (d) it has been acted on by an officer, employee, or agent of the **District**.
- 10.6. For certainty, each **Resolution** or reading of a bylaw may be reconsidered under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw.
- 10.7. Despite section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw, resolutions for final adoption of an official community plan bylaw or zoning bylaw must not be reconsidered.
- 10.8. **Council** must not discuss the main matter referred to in section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw unless a motion to reconsider that matter is adopted in the affirmative.

- 10.9. A vote to reconsider must not be reconsidered.
- 10.10. A voting requirement that applied to the adoption of the original **Resolution** or bylaw applies to its reconsideration under this section, subject to section 10.7 [*may not reconsider adoption of a zoning or OCP bylaw*] of this Bylaw.
- 10.11. An adopted bylaw or **Resolution** that is reaffirmed under section 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- 10.12. An adopted bylaw or **Resolution** that is not reaffirmed under subsection 10.4 [*reconsideration by Mayor or Councillor*] of this Bylaw or section 131 [*mayor may require reconsideration*] of the *Community Charter* is of no effect and is deemed to be repealed.

Notices of Motion

- 10.13. A **Council Member** may bring forward an item of business to be added to an **Agenda** by giving notice in accordance with the Notice of Motion Policy. The **Motion** must not be discussed until the next regular **Council** meeting, unless authorized by a unanimous vote of all **Council Members**.

Recommendations to Council

- 10.14. **Council** may take any of the following actions in connection with a recommendation it receives from the **Committee of the Whole** or a **Committee**:
 - (a) agree or disagree with the recommendation;
 - (b) amend the recommended motion;
 - (c) suggest an alternative course of action pursuant to section 10.1 [*introduce a resolution*] of this Bylaw;
 - (d) refer the recommendation back to the **Committee of the Whole** or **Committee**;
 - (e) postpone its consideration of the recommendation.

Points of Order

- 10.15. The **Presiding Member** must preserve order at a **Meeting** and, subject to an appeal of the **Presiding Member's** decision to other **Members** present, decide on any **Point of Order** that may arise.
- 10.16. Without limiting the **Presiding Member's** duty under section 132 (1) [*authority of presiding member*] of the *Community Charter*, the **Presiding Member** must apply the correct procedure to a **Motion**
 - (a) if the **Motion** is contrary to the rules of procedure in this Bylaw, and
 - (b) whether or not another **Member** has raised a **Point of Order** in connection with the **Motion**.
- 10.17. When the **Presiding Member** is required to decide a **Point of Order**
 - (a) the **Presiding Member** must cite the applicable rule or authority if requested by another **Member**,

- (b) another **Member** must not question or comment on the rule or authority cited by the **Presiding Member** under paragraph (a), and
- (c) the **Presiding Member** may reserve the decision until the next **Meeting**.

Motions Generally

- 10.18. **Members** may debate and vote on a **Motion** only if it is first made by one **Member** and then seconded by another.
- 10.19. **Members** must vote separately on each distinct part of a **Motion** that is under consideration at a **Meeting** if a **Member** moves an **Incidental Motions** to divide the question.

Main Motion

- 10.20. At a **Meeting**, the following rules apply to a main **Motion**, or for the main **Motion** as amended:
- (a) if a **Member** moves to put the main **Motion**, or the main **Motion** as amended, to a vote [*i.e., move previous question*], that **Motion** must be dealt with before any other amendments are made to the main **Motion** or the main **Motion** as amended; and
 - (b) if the main **Motion**, or the main **Motion** as amended, is decided in the negative, the **Council Body** may:
 - (i) introduce a new **Motion** that is substantially different from the main **Motion** that was defeated;
 - (ii) introduce a **Motion** to reconsider the main **Motion** or the main **Motion** as amended, subject to section 10.4 [*reconsideration by Mayor or Councillor*] through to section 10.12 [*resolution is not reaffirmed*] of this Bylaw; or
 - (iii) proceed to the next order of business.

Secondary Motions

- 10.21. During debate on a main **Motion**, a **Member** may make only the following **Secondary Motions**:
- (a) **Subsidiary Motions**
 - (i) to lay on the table [*motion to temporarily set the main motion aside is not debatable or amendable*]
 - (ii) to move the previous question [*motion to close debate requires a 2/3 vote and is not debatable or amendable*]
 - (iii) to limit or extend limits of debate [*motion requires a 2/3 vote and is not debatable*]
 - (iv) to postpone definitely
 - (v) to refer to committee
 - (vi) to amend
 - (vii) to postpone indefinitely [*motion is not amendable*]
 - (b) **Privileged Motions**
 - (i) to fix the time to adjourn [*motion is not debatable*]
 - (ii) to adjourn [*motion is not debatable or amendable*]
 - (iii) to recess [*motion is not debatable*]
 - (iv) to raise a question of privilege [*motion is not debatable or amendable and is ruled by the Chair*]

(c) **Incidental Motions**

- (i) to withdraw a motion [*motion is not debatable or amendable*]
- (ii) to divide the question [*motion is not debatable*]
- (iii) to take from the table [*motion must be made before the end of the next regular meeting and is not debatable or amendable*]
- (iv) to raise a point of order [*motion is not debatable or amendable and is ruled by the Chair*]
- (v) to appeal the decision of the chair [*motion is not debatable or amendable*]
- (vi) to reconsider [*motion is not amendable*]
- (vii) to rescind [*motion requires a 2/3 vote*]
- (viii) to suspend the rules [*motion requires a 2/3 vote and is not debatable or amendable*]

10.22. The following **Secondary Motions** are

- (a) NOT debatable or amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (i) and (ii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (ii) and (iv)
 - (iii) subsection 10.21 (c) [*incidental motions*] (i), (iii), (v) and (viii)
- (b) NOT debatable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (iii)
 - (ii) subsection 10.21 (b) [*privileged motions*] (i) and (iii)
 - (iii) subsection 10.21 (c) [*incidental motions*] (ii), (iv) and (vii)
- (c) NOT amendable under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (vii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vi)
- (d) require a 2/3 vote for the motion to pass under:
 - (i) subsection 10.21 (a) [*subsidiary motions*] (ii) and (iii)
 - (ii) subsection 10.21 (c) [*incidental motions*] (vii) and (viii)

10.23. Until it is decided, a **Motion** made at a **Council** or **Committee of the Whole** meeting to refer to **Committee** [*this includes Council referring the motion to the Committee of the Whole*] precludes an amendment of the main **Motion** unless the motion to amend was adopted prior to the motion to refer [*i.e., the motion as amended is referred to committee*].

10.24. A matter of privilege must be immediately considered when it arises at a **Meeting**.

Motion to Amend

10.25. A **Member** may, without notice, move to amend a **Motion** that is being considered at a **Meeting**.

10.26. An amendment may propose removing, substituting for, or adding to the words of an original **Motion**.

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

10.28. A proposed amendment must be decided or withdrawn before the **Main Motion** being considered is put to a vote.

10.29. An amendment may be amended once only.

- 10.30. An amendment that has been defeated by a vote cannot be proposed again.
- 10.31. A **Member** may propose an amendment to an adopted amendment.
- 10.32. The **Presiding Member** must put the **Main Motion** and its amendment for the vote in the following order:
 - (a) a motion to amend a **Motion** amending the **Main Motion**;
 - (b) a motion to amend the **Main Motion**, or an amended **Motion** amending the **Main Motion** if the vote under paragraph (a) is positive; and
 - (c) the **Main Motion**.

Motion to Rise with or without Report

- 10.33. If a **Motion** to rise with or without report is adopted during an **In-Camera Meeting**, pursuant to sections 1.9 [*resolution to close meeting*] and 3.16 [*meeting is open to the public at 5:00pm*] of this Bylaw, the **Meeting** shall resume in open and proceed to the next order of business that is open to the public.

Unanimous Consent

- 10.34. When the **Presiding Member** introduces a proposal for **Unanimous Consent** for a non-controversial matter, such as taking a recess, the **Presiding Member** shall preface their proposal with "if there is no objection" to make it clear to the **Council Body** that a **Member** can object and require a formal **Motion** and debate.
- 10.35. The use of **Unanimous Consent** is not permitted where a vote on a **Motion** is required to be passed unanimously by all of the **Members**.

PART 11: REPEAL

- 11.1. Council Procedure Bylaw No. 3602, 2015, and all amendments thereto, is hereby repealed.

 READ a first time on April 17, 2024.

READ a second time on April 17, 2024.

RESOLUTION to amend section 7.2.1 to replace "Mayor" with "Presiding Member".

READ a third time on April 17, 2024 as amended.

This bylaw was advertised on the municipality's social media site on April 26, 2024, in the Cowichan Valley Citizen and the Chemainus Valley Courier on May 2, 2024, and was posted to the municipality's public notice places on April 26, 2024.

ADOPTED on _____.

 CORPORATE OFFICER

 PRESIDING MEMBER