

DISTRICT OF SEHELDT

Council Procedure Bylaw No. 568, 2018

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DISTRICT OF SEHELTT

Council Procedure Bylaw No. 568, 2018

*A bylaw to provide procedures for Council and Committee meetings.*

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**WHEREAS** s. 124 of the *Community Charter, SBC 2003, c. 26* provides that a council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business;

**NOW THEREFORE**, the Council of the District of Sechelt in open meeting assembled enacts as follows:

**PART 1 – INTRODUCTION**

**Title**

1. This Bylaw may be cited for all purposes as the “District of Sechelt Council Procedure Bylaw No. 568, 2018”.

**Definitions**

2. In this Bylaw:

**“Committee”** means a standing, select or other committee of the Council but does not include Committee of the Whole;

**“Committee of the Whole”** means a committee of the whole Council;

**“Corporate Officer”** means the municipal officer assigned the responsibility of corporate administration under section 148 of the *Community Charter*;

**“Council”** means the Municipal Council of the District of Sechelt;

**“Council Body”** refers to the Council group that is having a meeting, including Council, a Committee, a Commission, and Committee of the Whole;

**“District”** means the District of Sechelt;

**“District Web Site”** means the information resource found at an internet address provided by the District;

**“Electronic Participation”** means participating in a Regular, Special, Committee or Committee of the Whole Meeting by:

- (a) Telephone,
- (b) Audio-conferencing, or
- (c) Other communications technology that provides for:

- i. meeting participants to hear, or watch and hear, the meeting, and
- ii. for the public to hear, or watch and hear the meeting, except for any part of the meeting that is closed to the public;

**“Municipal Offices”** means the Municipal Offices located at 5797 Cowrie Street, Sechelt, British Columbia;

**“Order Paper”** means the front page or pages of meeting agendas that lists the order of proceedings and items to be considered at the meeting;

**“Presiding Member”** means Mayor, Mayor’s designate or Chair of a meeting;

**“Public Notice Posting Place”** means the municipal notice board outside the Municipal Office building;

**“Quorum”** means a majority of the members:

- (a) In the case of Council, a majority of the number of members of which the Council consists under the Community Charter.
- (b) In the case of any committee, a majority of the voting members appointed.
- (c) In the case of a commission, as provided in the establishing bylaw or, if not provided in the establishing bylaw, a majority of the voting members appointed.

**“Regular Meeting”** means a meeting of Council, Committee of the Whole, or its Committees that is scheduled to take place, and notification of that meeting has been provided to the public;

**“Select Committee”** means a committee established by Council to consider or inquire into any matter, which acts in an advisory capacity to Council;

**“Special Meeting”** means a meeting of Council, Committee of the Whole or its Committees that was not scheduled, and has been called in accordance with the provisions of this bylaw or another applicable bylaw;

**“Standing Committee”** means a committee established by the Mayor, for matters that the Mayor considers would be better dealt with by committee, which acts in an advisory capacity to Council.

### **Application of Rules of Procedure**

- 3. (1) The provisions of this Bylaw govern the proceedings of Council, Committee of the Whole, committees and commissions where the establishing bylaw for the commission does not provide procedures for that commission.
- (2) In cases not provided for under this Bylaw, the current edition of Robert’s Rules of Order apply to the proceedings of Council and its committees and commissions to the extent that those Rules are:

- (a) applicable in the circumstances, and
- (b) not inconsistent with provisions of the *Community Charter*.

## PART 2 – COUNCIL MEETINGS

### Inaugural Meeting

- 4. (1) Following a general local election, the first Council meeting will be held on the first Wednesday in November in the year of the election.
- (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 Meetings

- 5. (1) All Council meetings must take place within the Municipal Offices, except in accordance with the provisions of the *Community Charter* and this bylaw, or when Council resolves to hold meetings at another physical location.
- (2) Regular Council meetings will:
  - (a) be held on the first and third Wednesdays of each month,
  - (b) begin at 7:00 p.m., and
  - (c) be adjourned no later than 10:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 29 (1).
- (3) When a meeting falls on a statutory holiday, the meeting shall automatically be cancelled unless the Council resolves, at an open meeting preceding the statutory holiday, to reschedule the meeting.
- (4) A meeting of the Council may be cancelled or rescheduled by resolution.
- (5) Closed Council meetings will be held directly following a 3:00 pm Committee of the Whole meeting on the second and fourth Wednesday of each month if there are items suitable for closed consideration and unless otherwise rescheduled by Council. A regular Council meeting will be held at 3:30 pm, before holding the Closed meeting, unless otherwise scheduled by Council.

### Notice of Council and Committee Meetings

- 6. (1) In December of each year, Council must make available to the public a schedule of the dates, times and places of regular Council and Committee of the Whole meetings by publishing in local newspaper, posting it at the Public Notice Posting Place and the District's Web Site.
- (2) Where revisions are necessary to the annual schedule of Regular Council or Committee of the Whole meetings, the Corporate Officer must, as soon as possible, post

a notice on the Public Notice Posting Place and on the District's web site, which indicates any revisions to the date, time and place or cancellation of a Regular Council or Committee of the Whole meeting.

### Special Council Meetings

7. (1) Special Council meetings may be called subject to the provisions of s. 126 of the *Community Charter*.
- (2) Except where notice of a special meeting is waived by unanimous vote of all council members pursuant to provisions of the *Community Charter*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time
  - (a) posting a copy of the notice at the Public Notice Posting Place and on the District's Web Site; and
  - (b) e-mailing members at the usual address with a follow up phone call or message to the members' home or cellular telephone number.
- (3) The notice under subsection (1) must includedescribe in general terms:
  - (a) -the purpose of the meeting; and
  - (b) the way in which the meeting is to be conducted by means of electronic or other communication facilities; and
  - (c) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public; and
  - ~~(a)~~(d) be signed by the signature of the Mayor or the Corporate Officer.
- (4) A special meeting may be called only for a specific purpose or purposes and no business may be acted upon except that for which the meeting was called.

### Electronic Meetings and Participation by Members

8. (1) (a) A Council Body meeting may be conducted through Electronic Participation provided that conditions set out in this Bylaw and the *Community Charter* are met.
  - (b) Members of the public may attend and participate electronically at Council and Committee of the Whole meetings. The Order Paper for meeting agendas shall include information on how to attend to hear, or watch and hear, the proceedings that are open to the public.
  - (c) A member of any Council Body meeting who is unable to physically attend a meeting, may participate in the meeting through Electronic Participation and will be deemed to be present at the meeting."
- (2) Except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place. Further, except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.

- (3) If Electronic Participation is lost to one or more Council members during a meeting:
  - (a) staff shall make every reasonable attempt to reestablish contact. At the discretion of the Presiding Member, a maximum ten minute recess may be called while attempting to reconnect;
  - (b) if Electronic Participation cannot be reestablished, the member(s) affected will be deemed to have left the meeting;
  - (c) if, after Electronic Participation is reestablished, there is a subsequent loss of communication, no further attempts shall be made to reconnect and the member(s) affected will be deemed to have left the meeting;
  - (d) if Electronic Participation cannot be established and there is not a quorum of members, the meeting shall be adjourned.

### Meeting Etiquette

9. (1) Council members, staff and members of the meeting gallery ~~shall~~must silence electronic data or communications devices during Council and Committee proceedings, and ensure that devices are used in a manner that does not disrupt meeting proceedings;
- (2) Attendees in the public gallery, delegations and all others in attendance at the meeting shall be respectful of others speaking and refrain from any action that may interrupt or disturb the Council meeting;
- ~~(3) Members of Council must adhere to the District of Sechelt Council Code of Conduct Bylaw No. 619, and its amendments.-~~

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

10. (1) ~~Annually~~ Council must from amongst its members designate a Councillor to act 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) Each Councillor designated under subsection (1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under subsection (1) are absent from the Council meeting or vacate the Chair, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under subsection (1) or chosen under subsection (3) has the same powers and duties as the Mayor in relation to the applicable matter.

## PART 4 – COUNCIL PROCEEDINGS

### Attendance of ~~p~~Public at ~~M~~meetings

11. (1) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) Committee of the Whole
  - (b) Standing and Select Committees
  - (c) Parcel Tax Review Panel
  - (d) Board of Variance
  - (e) Advisory bodies
  - ~~(f) including Advisory Commissions~~
- (4) Despite subsection (1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 may expel or exclude from a Council meeting a person in accordance with section 20 (8).

### Minutes and ~~D~~igital ~~R~~ecording of ~~M~~meetings

12. (1) Minutes of the proceedings of Council must be:
  - (a) legibly recorded and reflect resolutions passed by Council with minimum commentary;
  - (b) certified as correct by the Corporate Officer; and
  - (c) signed by the Mayor or other member presiding at the meeting.
- ~~(2)~~ ~~(d)~~—When an open meeting is held prior to a Closed meeting pursuant to section 92 of the *Community Charter*, the Minutes shall reflect the time that the open meeting was closed to the public and the time that the meeting was reconvened after the Closed meeting.
- ~~(3)~~ ~~Subject to subsection (4), and in accordance with section 97(1) (b) of the Community Charter, pSubject to subsection (3), and in accordance with section 97(1) (b) of the public records of meetings must be available for inspection at the municipal office during scheduled office hours. Community Charter, minutes of the proceedings of Council must be open for public inspection at the municipal offices during its regular office hours.~~
- ~~(4)~~ Subsection (3) does not apply to Minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.
  - (a) minutes of Council Meetings held under section 90 shall be released only after



a majority of Council agrees to do so, and only the approved motion shall be released.

- (54) While not considered an official record of meetings, for convenient reference, ~~audio~~-recordings shall be made of open Council, Committee of the Whole and Standing Committee meetings and made available to the public by the most efficient means. This includes posting on the District's website, for a minimum of six months from the meeting date.
- (6) Live streaming via the internet shall be conducted for all Regular Council Meetings and Standing Committee meetings. Should technical difficulties occur which prevent live streaming, the video shall be ~~uploaded to the District's YouTube channel~~ made available to the public as soon as possible thereafter.

### Calling a ~~M~~meeting to ~~O~~order

- 13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 12 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 12 do not attend within 10 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 ~~M~~meeting ~~W~~where no ~~Q~~quorum

- 14. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
  - (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

### Agenda

- 15. (1) Prior to each Council, Committee of the Whole or Standing Committee meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at the meeting, noting in short form a summary for each item on the agenda.
- (2) The agendas referred to in section 15(1) shall be reviewed by the ~~presiding member~~ Chief Administrative Officer in advance and they shall have final discretionary approval of items placed on agendas.

- (3) Submissions ~~by Councillors and the public~~ for inclusion on the Council agenda must be provided to the Corporate Officer nine (9) calendar days prior to the meeting.
- (4) The Corporate Officer must make the agenda available to the members of Council and the public on the Friday prior to the meeting. Council and Committee of the Whole agendas may also be published on the District's Web Site. Upon a request received, one paper copy per person of a Council, Committee of the Whole or Standing Committee agenda will be provided at no cost. Photocopying fees for additional copies of the same agenda will be applied based on the District's adopted Fees and Charges Bylaw.
- (5) An item of business not included on the Agenda shall not be considered at a Council meeting unless approved by a ~~unanimous~~ majority vote of members present. Consideration shall be given to whether or not the matter is time sensitive.
- (6) If the Council makes a resolution under subsection (5), information pertaining to late items must be distributed to the members prior to the item being considered.
- (7) The Order Paper for Council, Committees and Committee of the Whole Agendas must provide information on how Electronic Participation at meetings shall occur, when applicable.

### **Order of ~~P~~roceedings and ~~B~~usiness**

16. (1) The agenda for all regular Council meetings shall contain the following matters ~~in the order in which they are~~ listed below:
  1. ~~“Land Acknowledgement”~~
  2. ~~“Call to Order and Declaration of Conflict”~~
  - ~~3.~~ ~~“Adoption of Agenda”~~ ~~da”~~
  - ~~4.~~ ~~“Delegations & Proclamations”~~
  - ~~5.~~ ~~“Business Items”~~ ~~“Proclamations”~~
  - ~~6.~~ ~~“Bylaws”~~ ~~“Adoption of Minutes of Previous Council Meetings”~~
  - ~~7.~~ ~~“Adoption of Minutes of Previous Meetings”~~ ~~“Business Arising from the Minutes”~~
  - ~~8.~~ ~~“Business Arising from the Minutes”~~  
~~“Committee/Commission Minutes and Reports”~~
  - ~~9.~~ ~~“Council Reports”~~ ~~“Bylaws”~~  
~~(a) Sunshine Coast Regional District Representatives~~  
~~(b) Councillors~~
  - ~~10.~~ ~~“Correspondence”~~ ~~“New Business”~~
  - ~~11.~~ ~~“Release of Closed Meeting Items”~~ ~~“Business Items”~~
  - ~~12.~~ ~~“Adjournment”~~ ~~“Reports from Councillors”~~
  - ~~13.~~ ~~“Items for Information/Release of Closed Meeting Items”~~

~~13. "Mayor, Council and Staff Emergency Items"~~

~~14. "Adjournment"~~

- (2) A Question and Answer Period will be provided after adjournment of the Council, Committee of the Whole and Standing Committee meetings. Individuals in the chamber gallery who wish to speak to any municipal issue may do so at that time.
- (3) Question period shall be suspended for meetings held between nomination day and regular voting day for any regular municipal election or by-election.
- (4) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### Voting at ~~M~~meetings

17. The following procedures apply to voting at Council meetings:
  - (1) When debate on a matter is ended, or when a Council member calls the question (calls for a vote), the presiding member must ask Council for a vote on the matter;
  - (2) Members will clearly indicate their vote by a show of hands. Votes against the matter will be recorded upon request of the member(s) voting against the matter;
  - (3) Considerate conduct will be observed by the members when the presiding member is putting the matter to a vote. No member is permitted to cross or leave the room, or make noise or other disturbance;
  - (4) Voting procedures may be interrupted if a member is raising a point of order;
  - (5) After the vote is taken, a member must not speak to the question or make a motion concerning it;
  - (6) A tie vote (equal number of votes in favour and votes opposed) constitutes defeat of the matter;
  - (7) No member present at the time of discussing the matter and voting on the matter may be absent ~~him or herself~~ from the vote – abstaining from the vote will not be noted and is ~~considered counted as~~ a vote in the affirmative;
  - (8) Should a member wish not to discuss or vote on a matter for reasons of perceived conflict of interest, the member must declare prior to discussion of the ~~the~~ matter the reason they will not be participating in the discussion, and will leave the meeting room until after the matter is discussed and voted upon. The reason the member is not participating in the discussion of the matter, and the time at which they left the room and returned to the room, will be recorded in the minutes of the meeting.

## Delegations

18. (1) (a) Individuals or groups wishing to appear as a delegation before Council, on a matter within the jurisdiction of Council, may do so only if they have submitted a written request in the prescribed form and their application reviewed by the presiding member. Once approved, applicants shall receive written confirmation approving their request and placed on the agenda in the order received.
- (b) Any materials to be distributed to a Council Body or Committee of the ~~the~~ Whole as part of ~~the~~ delegation's presentation must be received by the Corporate Officer nine (9) calendar days before the meeting to which the delegation is scheduled. The Corporate Officer ~~shall~~ circulate ~~such items~~ under the Delegations section of the agenda distributed to Council. Delegations shall be encouraged to provide condensed materials for inclusion on the agenda and any extensive, or bulky presentations will be accepted electronically only.
- (c) Delegations will be accommodated by means of Electronic Participation.
- (2) Unless otherwise permitted by the presiding member, each delegation shall be allowed ten minutes to present its submission. Delegations shall be limited to two per meeting.
- (3) Where a written application has not been received by the Corporate Officer as prescribed in subsection (1), an individual or delegation may address the meeting if approved by the unanimous vote of the Council members present.
- (4) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a Public Hearing has been held, where the Public Hearing is required under an enactment as prerequisite to the adoption of the bylaw.
- (5) The Corporate Officer may schedule delegations to another meeting of Council, Committee or advisory body as deemed appropriate according to the subject matter of the delegation.
- (6) The Corporate Officer may refuse to place a delegation on the agenda if:
  - (a) the issue is not considered to fall within the jurisdiction of Council; or,
  - (b) if the delegation topic is a matter previously considered by Council;
- (7) If the delegation wishes to appeal the Corporate Officer's decision, they may do so to the Mayor or in the absence of the Mayor the member designated to act in place of the Mayor.

**Points of Order**

19. (1) Without limiting the presiding member's duty under section 132(1) 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 subsection (2)(a).

**Conduct and Debate**

20. (1) A Council member may speak to a question or motion at a Council, Committee of the Whole or Standing Committee meeting by addressing the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, Chair 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, spoke first.
- (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 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) The presiding member may order another person at the meeting expelled from the meeting or removed by a peace officer if the presiding member considers the person to be acting improperly.
- (10) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (11) The following rules apply to limit speech on matters being considered at a Council meeting:
  - (a) A member may speak more than once in connection with the same question only:
    - (i) after all other eligible members have been afforded the opportunity to speak;
    - (ii) with the permission of Council; or
    - (iii) if the member is explaining a material part of a previous speech without introducing a new matter or responding to an issue raised by another member.
  - (b) A member who has made a substantive motion to the Council may reply to the debate;
- (12) Members must conduct themselves according to Roberts Rules of Order for any meeting protocols not covered in this bylaw.

## 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. General discussion may take place before a motion is made at the discretion of the presiding member. When a motion has been moved and seconded, any member of Council may call the question, triggering a vote and ending debate on the topic.

- (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 by way of Notice of Motion in accordance with section 26 with Council's permission, and will be included as New Business.
- (3) A Council member may make only the following motions, when the Council is considering a question:
  - (a) to refer (to Committee, Commission or staff for further information)
  - (b) to amend,
  - (c) to defer,
  - (d) to postpone indefinitely,
  - (e) to postpone to a certain time, or
  - (g) to adjourn.
- (4) Motions made under subsections (3)(c) to (g) cannot be amended or debated.
- (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.

#### Referral of a **M**otion to a Committee

22. A matter referred to a committee for further review cannot be amended until the main matter is decided.

#### Motion for the **M**ain **Q**uestion

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.
  - (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.
  - (c) A member of Council may not reintroduce a motion previously defeated at the same meeting unless the motion is materially altered so as to make it a new matter.

#### Amendments **G**enerally

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 unless there is a call for the main question.
- (5) An amendment may be amended only once.
- (6) An amendment that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amendment motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

### Reconsideration

25. (1) Without limiting the authority of Council to reconsider a matter, the Mayor may require Council to reconsider and vote again on a matter that was the subject of a vote subject to the provisions of s. 131 of the *Community Charter*.
- (2) Subject to subsection (5), a Council member may, at the next Council meeting:
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (3) A Council member who voted in the majority on a resolution adopted by Council may at any time move to reconsider that resolution.
- (4) Council must not discuss the main matter referred to in subsection (2) unless a motion to reconsider that matter is adopted by 2/3 of the votes cast. If the motion to reconsider is successful, the matter shall be put before Council for reconsideration and may be dealt with by Council by a majority vote.
- (5) A vote to reconsider must not be reconsidered.
- (6) Council may only reconsider a matter that has not:
  - (a) had the approval or assent of the electors and been adopted, (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*, or
  - (c) been acted on by an officer, employee, or agent of the District.
- (7) The conditions that applied to the adoption of the original bylaw, resolution, or



proceeding apply to its rejection under this section.

- (8) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

### Notice of Motion

26. (1) Any Councillor desiring to bring forward to Council any new matter, other than a point of order or privilege, must do so by way of a "Notice of Motion" and the matter shall be dealt with as provided by section 26(2).

- (2) A Councillor may give notice of motion:

- (a) to the Council or Committee of the Whole during a meeting, at the discretion of the presiding member (Mayor, Mayor's designate, or Committee Chair). Once acknowledged by the presiding member, a Councillor shall read the resolution into the meeting and provide the Corporate Officer with a copy of such motion at the meeting.

The Corporate Officer shall record the motion in the Minutes of the meeting as a notice of motion and shall add the motion to the agenda of the next appropriate meeting along with any background information identified; or

- (b) provide the Corporate Officer with a written copy of such motion, no later than nine calendar days prior to the scheduled meeting and the Corporate Officer shall add the motion to the agenda for said meeting.

### Privilege

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

### Reports from Committees

28. (1) Council may take any of the following actions in connection with a recommendation it receives from a Standing Committee or the Committee of the Whole:
  - (a) agree or disagree with the recommendation; (b)

- amend the recommendation;
- (c) refer the recommendation back to the committee; (d) postpone consideration of the recommendation.

### Adjournment

29. (1) A Council may continue a Council meeting after 10:00 p.m. only by an affirmative vote of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

### Copies of Proposed Bylaws to Council Members

30. (1) Bylaws to be considered by Council must be included on the prepared agenda.
- (2) A bylaw that is not on the published agenda may be introduced at a Council Meeting with unanimous consent of Council.

### Form of Bylaws

31. A bylaw introduced at a Council meeting must: ~~(a)~~  
~~be printed;~~
- (1~~a~~) Have a distinguishing name;
  - (2~~b~~) (b) have a distinguishing number;
  - (3~~c~~) Contain an introductory statement of purpose;
  - (4~~e~~) (d) be divided into sections.

### Bylaws to be Considered separately or jointly

32. Council must consider a proposed bylaw at a Council meeting either:
- (1) Separately when directed by the presiding member or requested by another Council member, or
  - (2) Jointly with other proposed bylaws in the sequence determined by the presiding member.

### Reading and **a**Adopting **B**ylaws

33. (1) The presiding member of a Council meeting:
  - (a) may call upon a member of staff to provide a detailed description of a bylaw or group of bylaws and then,
  - (b) will request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Local Government Act*.
- (4) Subject to section 447 of the *Local Government Act* each reading of a proposed zoning bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter* Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter* and in accordance with section 477(6) 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.
- (7) Bylaws requiring other approval, must receive those approvals prior to being adopted.

### Bylaws **M**ust be **s**igned

34. After a bylaw is adopted, it must include the dates of its readings and adoptions, dates of other approvals required, and be signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted and then placed by the Corporate Officer in the District's records for safekeeping.

## PART 6 – RESOLUTIONS

### Introducing Resolutions

35. A resolution may be introduced at a Council meeting in accordance with sections 20, 21, 22, 23, 24, 25 and 26 of this Bylaw.

### Form of Resolutions

36. The presiding member may require a Council member introducing a lengthy resolution to provide the resolution in writing to the Corporate Officer.

## PART 7 – COMMITTEES

### Committee ~~P~~rocedures

37. Procedures of Council apply to Committees and Commissions unless otherwise provided for by any of the sections in Part 7 or by the establishing bylaw of the commission.

### Standing Committees/Committee of the Whole

38. (1) Standing Committees are established by the Mayor. Acting as either individual Standing Committees, or as Committee of the Whole, the Committee(s) must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are related to the general subject indicated by the name of the Committee,
  - (b) matters that are assigned by Council, and
  - (c) matters that are assigned by the Mayor.

### Duties of Select Committees

39. (1) The Council may establish Select Committees to consider, inquire into, report, and make recommendations to Council about the matters referred to the Committee by the Council.
- (2) Select Committees must report and make recommendations to the appropriate Standing Committee of Council or to Committee of the Whole at the next meeting of that Committee, unless a different date and time is specified by Standing Committee or Committee of the Whole.

### Schedule of Committee meetings

40. (1) The schedule of Standing Committees/Committee of the Whole will be decided at the first meeting of Council after the local general election, where the Committees are established, and chairpersons and members appointed.
- (2) At its first meeting after its establishment a Select Committee must establish a regular schedule of meetings.
- (3) The chair of the Committee may call a meeting of the Committee in addition to the scheduled meetings or may cancel a meeting.

### Notice of Committee ~~M~~meetings

41. (1) After the Committee has established the regular schedule of committee meetings, including the times, dates and places of the Committee meetings, notice of the schedule must be given by:

- (a) posting a copy of the schedule at the Public Notice Posting Places; and
- (b) providing a copy of the schedule to each member of the Committee.

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

- 42. (1) Council members who are not members of a committee may attend the meetings of the committee and may:
  - (a) participate in the discussion of matters with the permission of a majority of committee members present, but
  - (b) not vote on any matters.
- (2) The Mayor may be appointed as a voting member to all Committees.

#### **Minutes of Committee Meetings**

- 43. (1) Minutes of Committee meetings must be produced and kept in the same manner as Council minutes except that:
  - (a) minutes shall summarize discussion that takes place and record recommendations passed;
  - (b) minutes of Committees must be signed by the Chair of the Committee and the Corporate Officer or the municipal officer acting as staff liaison to the Committee.

### **PART 8 – GENERAL**

- 44. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- 45. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

*The remainder of this page is intentionally left blank.*

**Repeal**

46. The District of Sechelt Council Procedure Bylaw No. 521, 2012 is hereby repealed.

READ A FIRST TIME THIS	1 <sup>st</sup>	DAY OF	August, 2018
READ A SECOND TIME THIS	1 <sup>st</sup>	DAY OF	August, 2018
READ A THIRD TIME THIS	1 <sup>st</sup>	DAY OF	August, 2018
THIRD READING RESCINDED	5 <sup>th</sup>	DAY OF	September, 2018
READ A THIRD TIME THIS	5 <sup>th</sup>	DAY OF	September, 2018
ADOPTED THIS	19 <sup>th</sup>	DAY OF	September, 2018

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Mayor

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Corporate Officer

DRAFT