



Village of New Denver

Council Procedure Bylaw

Bylaw 751, 2023

The Council Procedure Bylaw sets out the rules of procedure for Council, Committee of the Whole, committee and commission meetings, and Hearings pursuant to the *Community Charter* and *Local Government Act*; outlines the designation of a member of Council to act in the place of the Mayor; the procedures for the public to follow at meetings and hearings; the rules of procedure (agenda preparation, quorum, voting, points of order, conduct and debate, motions, etc.). Furthermore, the Procedure Bylaw sets out the regulations of minutes, bylaws and resolutions to be followed.

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Contents

| | | |
|----------------|--|-----------|
| PART 1 | TITLE | 1 |
| PART 2 | INTERPRETATION | 1 |
| 2.1. | General..... | 1 |
| 2.2. | Application of Rules of Procedure | 1 |
| 2.3. | Definitions | 1 |
| PART 3 | MEETINGS | 3 |
| 3.1. | Time and Location | 3 |
| 3.2. | Notice | 5 |
| 3.3. | Agenda Preparation | 5 |
| 3.4. | Order of Proceedings | 6 |
| 3.5. | Calling a Meeting to Order | 7 |
| 3.6. | Conduct and Debate | 8 |
| 3.7. | Public Participation..... | 9 |
| 3.8. | Correspondence | 9 |
| 3.9. | COTW | 9 |
| 3.10. | Voting..... | 10 |
| 3.11. | Motions | 11 |
| 3.12. | Amendments..... | 12 |
| 3.13. | Resolutions..... | 12 |
| 3.14. | Reconsideration..... | 12 |
| 3.15. | Points of Order | 13 |
| 3.16. | Adjournment | 13 |
| PART 4 | DESIGNATION OF A MEMBER TO ACT IN PLACE OF THE MAYOR..... | 14 |
| PART 5 | HEARINGS..... | 14 |
| PART 6 | COMMITTEES..... | 15 |
| PART 7 | COMMISSIONS..... | 15 |
| PART 8 | MINUTES | 15 |
| PART 9 | BYLAWS..... | 16 |
| PART 10 | SEVERABILITY..... | 17 |
| PART 11 | REPEAL | 17 |

VILLAGE OF NEW DENVER
Council Procedure Bylaw 751, 2023

*A Bylaw to establish the rules of procedure for council and committee meetings pursuant to the
Community Charter.*

The Council of the in open meeting assembled enacts as follows:

PART 1 TITLE

- 1.1. This bylaw may be cited as “Council Procedure Bylaw 751, 2023.”

PART 2 INTERPRETATION

2.1. General

- 2.1.1. The cover page, headings, and table of contents used in this bylaw are for convenience only and do not form part of this bylaw and are not to be used in the interpretation of this bylaw.
- 2.1.2. Any enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any bylaw referred to herein is a reference to a bylaw of the Village of New Denver, as amended, revised, consolidated, or replaced from time to time.
- 2.1.3. Unless otherwise defined in this bylaw, terms used herein shall have the meanings as set out in the
Community Charter or the *Local Government Act*, as applicable.

2.2. Application of Rules of Procedure

- 2.2.1. The provisions of this bylaw govern the proceedings of Council. The provisions of this bylaw also govern the proceedings of Committees and Commissions of Council of the Village of New Denver, provided these provisions do not conflict with alternative rules of procedure, terms of reference, or other governing documents approved by Council for each Committee or Commission.
- 2.2.2. In matters not addressed in this bylaw, Council may determine the appropriate rules of procedure, or may follow the most current edition of *Robert’s Rules of Order Newly Revised*, as amended, revised, or replaced from time to time, so long as those rules are applicable in the circumstance and are not inconsistent with the provisions of this bylaw or with the *Community Charter* or *Local Government Act*.

2.3. Definitions

- 2.3.1. In this bylaw:
- “**CAO**” or “**Chief Administrative Officer**” means the person appointed by Council as the Chief Administrative Officer for the Village, or their lawful deputy, including any person appointed as Acting Chief Administrative Officer.
- “**Chairperson**” means a Member who has the authority to preside over a meeting, which is
- I. In the case of Hearings and Regular and Special Meetings, the Mayor;

- II. In the case of COTW, the Member of Council who is the current Acting Mayor, as established under section 4.1. of this bylaw.
- III. In the case of Committees and Commissions, the Member appointed as Chairperson by that Committee or Commission.

“Charter” means the Community Charter of the Province of British Columbia.

“Commission” means a commission established under section 143 of the *Community Charter*.

“Committee” means a standing, select, or other committee of Council, but does not include the COTW.

“COTW” or “Committee of the Whole” means a committee comprised of all members of Council and no other persons.

“Corporate Officer” means the person appointed by Council pursuant to S. 148 of the *Community Charter* and designated as the Corporate Officer for the Village, or their lawful deputy.

“Council” means the Council of the Village of New Denver.

“Delegation” means any person wishing to appear as a speaker and/or make a presentation to Council, a Committee, or Commission.

“Hearing” includes Informal Hearings and Public Hearings.

“Mayor” means the Mayor of the Village of New Denver.

“Member” means the following.

- I. In the case of Council, a Member of Council, including the Mayor;
- II. In the case of a Committee or Commission, a person appointed by Council to sit on that Committee or Commission.

“Motion” means a formal proposal made by a Member at a meeting, in order that it may be debated to a conclusion and voted upon.

“Other Committees” mean those advisory boards, panels, task force or other committees appointed by Council.

“Officer” or “Official” means a person appointed by Council to a position referred pursuant to the Municipal Officers Bylaw No.726, 2019.

“Public Hearing” means hearings held by Council pursuant to Division 3 of Part 14 of the *Local Government Act*.

“Public Notice Posting Place” means the notice board located at the main entrance to the Village Office, the Village of New Denver Facebook page and the Village of New Denver website.

“Quorum” is subject to Section 129 of the Charter and refers to:

- I. In the case of Council Meetings, COTW, and Hearings, three (3) elected Members;
- II. In the case of a Committee or Commission, a majority of the voting Members appointed to that Committee or Commission.

“Resolution” means a formal determination made by Council, a Committee, or a Commission on the basis of a Motion, which is duly passed by the applicable Council, Committee, or Commission.

“Special Meeting” means a special meeting of Council other than a regular meeting or an adjourned meeting.

“Village” means the Village of New Denver.

“Village Office” means the Village of New Denver Municipal Office located at 115 Slocan Avenue, New Denver, British Columbia

“Village Website” means the information resource found at an internet address of www.newdenver.ca or as provided by the Village.

PART 3 MEETINGS

3.1. Time and Location

- 3.1.1. **All Meetings** shall be held in the Village Office except when there is a Resolution by the applicable Members to hold their meetings elsewhere.
- 3.1.2. **Inaugural Council Meeting** shall be held on the first Monday in November following a general local election and shall begin at 7:00 p.m. If a Quorum of Council Members elected at the general local election has not taken office by this date, the first Regular Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.
- 3.1.3. **Regular Council Meetings** shall:
 - (a) be held on the second Tuesday of each month;
 - (b) begin at 7:00 p.m.;
 - (c) immediately after a public hearing or statutory hearing, if there is a public hearing or statutory hearing scheduled on the same night;
 - (d) be adjourned at 10:00 p.m. on the day of the scheduled meeting unless Council resolves by a unanimous vote to proceed beyond that time;
 - (e) when such meeting falls on a statutory holiday, be held on the next day the Village Office is open;
 - (f) be cancelled by Council Resolution or when the Chair determines there is insufficient business to convene a meeting, provided that no more than two consecutive meetings are cancelled;
 - (g) be postponed to a different day, time, and place by the Chair, provided that:
 - (i) the Corporate Officer is given at least two (2) days written notice;
 - (ii) a notice of such postponement is posted at least two (2) days prior to the meeting in

- the Public Notice Posting Place; and
- (ii) such meeting is postponed to a date that occurs prior to the next scheduled Regular Council meeting.

3.1.4. **Special Council Meetings** may be called by the Chair, or by two members of Council, in accordance with the provisions of the *Community Charter*.

3.1.5. **COTW Meetings shall:**

- (a) be held on the fourth Tuesday of each month, with the exception of July, August & December, in which meetings will only be called as needed
- (b) begin at 7:00 p.m.;
- (c) be adjourned at 10:00 p.m. on the day of the scheduled meeting unless Council resolves by a unanimous vote to proceed beyond that time;
- (d) when such meeting falls on a statutory holiday, be held on the next day the Village Office is open;
- (e) be cancelled by Council Resolution or when the Chair determines there is insufficient business to convene a meeting, provided that no more than two consecutive meetings are cancelled;
- (f) be postponed to a different day, time, and place by the Chair, provided that:
 - (i) the Corporate Officer is given at least two (2) days written notice;
 - (ii) a notice of such postponement is posted at least two (2) days prior to the meeting in the Public Notice Posting Place; and
 - (ii) such meeting is postponed to a date that occurs prior to the next scheduled COTW meeting.

3.1.6. **Hearings**, if required, shall be scheduled for 7:00 p.m. on the Second Tuesday of each month, provided that Council may specify by Resolution a different time and date of a particular Hearing.

3.1.7. **Committee and Commission Meeting** schedules shall be established by the Members at the first meeting after its establishment. The Chairperson shall call the first meeting, and may cancel or reschedule subsequent Meetings as required.

3.1.8. **Electronic Meetings** - Provided that the *Community Charter* is complied with, conditions set out in the *Community Charter* are met, and Council policies pertaining to electronic meetings are followed, any and all meetings and hearings may be conducted or complemented by electronic means or other communications facilities

- (a) A Member including the Chair and up to all Members, staff, volunteers, delegations, the public, etc, may participate in the meeting by means of electronic audio, video or other communication as outlined in the Public Participation Policy
- (b) Advance public notice of meetings that are open to the public, will be posted in the public notice posting places according to the procedures established in this bylaw , and will include:
 - (i) The way in which the electronic meetings will be conducted, and
 - (ii) The place where the public may attend to hear, or watch and hear, the proceedings

3.2. Notice

- 3.2.1. **Regular Council Meetings** - An annual schedule shall be advertised to the public via the Public Notice Posting Place, and notice of the availability of the Council meeting schedule shall be advertised by January 5th in each year in accordance with the public notice provisions set out in the *Community Charter*. Where revisions to the annual schedule are necessary, the Corporate Officer must post a notice at the Public Notice Posting Place that indicates any cancellations or revisions to the date, time, and place.
- 3.2.2. **Special Council Meetings** - At least twenty-four (24) hours before a Special Meeting of Council, the Corporate Officer must give notice of the meeting, including the time, place, date, and a general description of the purpose of the meeting, by:
- (a) posting a copy of the notice at the regular Council meeting place;
 - (b) posting a copy of the notice at the Public Notice Posting Places; and
 - (c) sending each Council Member an electronic notice to the e-mail address the Member directed notices be sent.
- 3.2.3. The notice under subsection 3.2.2. must be signed by the Mayor or the Corporate Officer. Notwithstanding subsection 3.2.2., notice of a Special Meeting of Council may be waived by unanimous vote of all Council Members.
- 3.2.4. **Committee and Commission Meetings** - After the annual schedule of regular meetings is established, a copy of the schedule will be posted at the Public Notice Posting Place. Such notice must be posted at least three (3) days before a regularly scheduled meeting is to occur.
- 3.2.5. In reference to subsection 3.2.4., where revisions are necessary, the Corporate Officer must post a notice at the Public Notice Posting Place that indicates any cancellations or revisions to the date, time, and place of meeting(s). Such notice must be posted at least twenty-four (24) hours prior to the time of the next added meeting. Further, the Chairperson must also cause notice of the revision in schedule to be given to all Members of the Committee or Commission at least twenty- four (24) hours prior to the time of the next added meeting.
- 3.2.6. **Hearings** – notice of a Hearing on an official community plan or zoning bylaw or amendment, or a development variance permit shall be in accordance with the provisions set out in the *Local Government Act*.
- 3.2.7. All correspondence or information relating to the bylaw, permit, or licence that is the subject of the Hearing shall be made available to the public electronically by posting it to the Village’s Website, by the Corporate Officer until 4:00 PM on the date of the Hearing.

3.3. Agenda Preparation

- 3.3.1. Prior to each regular or special council or committee of the whole meeting, the Corporate Officer shall prepare an agenda setting out all items for consideration at that meeting.
- 3.3.2. On the Friday afternoon, prior to the meeting, the Corporate Officer shall make the agenda available to Members via electronic format, and shall cause the agenda to be posted on the Village’s Public Notice posting places.

- 3.3.3. Items that are not included on the agenda shall not be considered unless a new matter of consideration is properly introduced as a late item and distributed to Members. In such instances or where the subject matter is of an urgent nature, a late item may be approved for addition to an agenda by the CAO or by Resolution.
- 3.3.4. Once the agenda is approved, Members may make motions, introduce new business, make inquiries, and make suggestions upon being recognized by the Chairperson for items of new business that are not included in the agenda, by way of first making a Motion to suspend the rules carried by a 2/3 vote of Members present. If carried, the Member may then introduce new business, make inquiries, and make suggestions. The following provisions shall also apply in such instances.
- (a) Items that are of a complex nature, or that may affect existing Village bylaws or policies, shall be introduced as a "Notice of Motion" for placement on an agenda for a future meeting.
 - (b) Other items of new business that are not of a complex nature may be accepted as verbal reports from any Member.
 - (c) Members who request that a letter of appreciation or support shall require approval by vote, and letters shall be sent by the end of the week with the Mayor's signature.

3.4. Order of Proceedings

- 3.4.1. Matters on the agenda must be considered in the order appearing on the agenda, unless otherwise resolved by Council.

Inaugural Council Meeting

- 3.4.2. The agenda for the Inaugural Council Meeting shall contain the following matters in the following order:
- (a) Administration of Oaths of Office of the Mayor and Councillors;
 - (b) Sign Code of Conduct Acknowledgment
 - (c) Call to Order;
 - (d) Approval of Agenda and late items (subject to section 3.3.3.);
 - (e) Inaugural Address by the Mayor;
 - (f) Council Appointments
 - (i) Acting mayor appointments
 - (ii) Appointments to standing and select committees
 - (iii) Appointments to other boards and partner organizations
 - (iv) Signing authority
 - (g) Adjournment.

Hearings

- 3.4.3. Subject to an enactment of the Province of British Columbia or a bylaw of the Village of New Denver, the agenda for all Hearings shall contain the following matters in the following order:
- (a) Convene Hearing;
 - (b) Reading or Summarizing the Notice of Hearing;
 - (c) Staff Presentation;

- (d) Summarizing any correspondence received in relation to the item being heard;
- (e) If applicable, presentation by applicant or their agent;
- (f) Call for Submissions from the floor;
- (g) Applicant or Agent's response to submissions from the floor or Council;
- (h) Close Hearing.

All Other Council Meetings

- 3.4.4. The agenda for all other Council Meetings shall contain the following matters in the following order:
- (a) Call to Order;
 - (b) Approval of Agenda and late items (subject to section 3.3.3.);
 - (c) Adoption of Minutes of previous meeting(s) of Council;
 - (d) Petitions, Delegations, and Other Presentations;
 - (e) Correspondence
 - (f) Public Questions & Comments
 - (g) Staff Reports;
 - (h) Reports of Committees, COTW and Commissions
 - (i) Old Business;
 - (j) New Business;
 - (k) In Camera;
 - (l) Adjournment.

All Committee and Commission Meetings

- 3.4.5. The agenda for all Committee and Commission meetings shall contain the following matters in the order in which they are listed:
- (a) Call to Order;
 - (b) Approval of Agenda and late items (subject to section 3.3.3.);
 - (c) Adoption of Minutes;
 - (d) Delegations and Other Presentations;
 - (e) Public Questions & Comments
 - (f) Business;
 - (g) Reports from members, except for Committee of the Whole meetings;
 - (h) Adjournment.
- 3.4.6. Any correspondence received shall undergo an administrative review. Depending on the nature of the correspondence, the item may be circulated to Council via e-mail or placed on the next Council agenda as "Correspondence". Any items placed on the agenda under "Correspondence" may be accepted as information unless a member of Council makes a motion to take action on an item.

3.5. Calling a Meeting to Order

- 3.5.1. Upon a quorum being present after the time specified for a meeting to commence, the Chairperson, if present, must assume the Chair call the meeting to order. In the event that the Chairperson is absent, the Member designated as acting in the place of the

Chairperson, must assume the Chair and call the Meeting to order. If no such person has been appointed, or such person is also absent, within (15) minutes of the time specified for the Meeting, the Corporate Officer shall call the meeting to order and the Members present must choose a Member to Chair the Meeting.

- 3.5.2. If there is no quorum within fifteen (15) minutes of the time specified for the meeting, the Corporate Officer or Recording Secretary shall record the names of the members present and those absent and shall adjourn the meeting to the next regular scheduled meeting.

3.6. Conduct and Debate

- 3.6.1. A Member shall not speak, or interrupt another Member who is speaking, at a meeting until being recognized by the Chairperson, except to raise a point of order. Members shall at all times use respectful language and shall not use offensive gestures.
- 3.6.2. Members shall address the Chairperson by that Member's title and their surname.
- 3.6.3. Members shall address other Members by their title and their surname, if applicable.
- 3.6.4. If more than one Member speaks, the Chairperson must call on the Member who, in the Chairperson's opinion, spoke first.
- 3.6.5. Members who are called to order by the Chairperson, must immediately stop speaking.
- 3.6.6. During Regular and Special Council meetings, Members must only speak in connection with the matter being considered. A Member may only speak more than once in connection with a same question, with the permission of the Chairperson, after all Members have had an opportunity to speak once, or if explaining a material part of a previous speech without introducing a new matter.
- 3.6.7. During COTW, or meetings of Committees and Commissions, a member may speak any number of times on the same question.
- 3.6.8. Notwithstanding subsections 3.6.6. and 3.6.7., a Member may not speak longer than ten (10) minutes to a question without the permission of the Chairperson.
- 3.6.9. A Member may require the question being considered to be read at any time during the debate if that does not interrupt another Member who is speaking.
- 3.6.10. Members shall turn off cell phone or other electronic communication devices during a meeting, unless prior approval of the presiding member is obtained. This section shall not apply to the use of iPads or other tablets used for the purpose of accessing the meeting agenda in accordance with Village policy.
- 3.6.11. Members must adhere to the rules of procedure established under this bylaw and the decisions of the Chairperson in accordance with this bylaw and the *Community Charter*.
- 3.6.12. The Chairperson may expel and exclude from a meeting a person, including another Member, which the Chairperson considers is engaging in inappropriate conduct, and

- (a) If the person, or Member, refuses to leave, the Chairperson may cause the person or Member to be removed from the meeting by a peace officer;
 - (b) If a Member is expelled or excluded from a meeting, if the Member apologizes to the Council, Committee, or Commission for the inappropriate conduct, the same may, by Resolution, allow the Member to return to the meeting. A Member may only be expelled or excluded from the meeting at which such inappropriate conduct occurred.
- 3.6.13. Council Members who are attending a meeting of a Committee or Commission of which they are not a Member may participate in a discussion only with the permission of the majority of all Members of said Committee or Commission. In any instance, the Member must not vote on a question of said Committee or Commission.
- 3.6.14. The procedures within section 3.6 are to be applied in conjunction with the Village of New Denver Council Code of Conduct Policy.

3.7. Public Participation

- 3.7.1. Unless a meeting or part of a meeting is authorized to be closed to the public by the *Community Charter*, all meetings shall be open to the public. Before closing a meeting or part of a meeting to the public, Members must pass a Resolution in accordance with section 92 and 93 of the *Community Charter*. This provision applies to all meetings of the bodies referred to in the *Community Charter*, including without limitation:
- (a) COTW;
 - (b) Committees;
 - (c) Commissions;
 - (d) Parcel Tax Review Panel; and
 - (e) Board of Variance.
- 3.7.2. A person who is not a Member shall only address the applicable Council, Committee, or Commission during a meeting if that person is providing a report or presentation that has been scheduled on the agenda for the meeting, or if the Members pass a Motion to hear from that person at that time.
- 3.7.3. A Delegation may be invited to appear at a meeting to speak to an agenda item, as outlined in the Public Participation Policy.

3.8. Correspondence

- 3.8.1 Correspondence to be considered by Council, Committee, or Commission shall be as per guidelines set out in the Public Participation Policy.

3.9. COTW

- 3.9.1. At any time during a Regular or Special Council meeting, Council may, by Resolution, go into COTW.
- 3.9.2. COTW provides an opportunity for Council to receive reports or information, informally discuss an agenda item with staff or other resources present, and provide direction or request additional information regarding an agenda item. Council, sitting as COTW, cannot make a decision on Village business, but may provide guidance to staff or make recommendations (i.e. rise and report) to Council for consideration during a Regular or Special Council meeting.

- 3.9.3. If a Motion to rise without reporting is adopted by the COTW, Council meeting must resume and proceed to the next order of business on the agenda. A Motion made during COTW 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
- 3.9.4. If a Motion to rise and report is adopted by the COTW, Council meeting resumes and the Corporate Officer shall present the COTW report to Council. Council may then choose the following actions:
- (a) Adopt the COTW report recommendations;
 - (b) Reject the COTW report recommendations;
 - (c) Adopt the COTW report recommendations with amendments;
 - (d) Postpone action on the COTW report;
 - (e) Refer the subject matter for further consideration, either whole or in part.

3.10. Voting

- 3.10.1. When debate on a Motion is closed, the Chairperson must put the Motion to a vote by asking who is in favour of the Motion, and then who is opposed.
- 3.10.2. If a vote on a motion is taken, each Council Member present will signify their vote by:
- (a) Raising their hand;
 - (b) Pushing the appropriate button on any automated voted system being used at the meeting;
 - (c) Indicating whether they vote in favour or against the motion when their name is called; or
 - (d) By any other means specified by the Chair, except as prohibited by the Community Charter or this section.
- 3.10.3. When the Chairperson is putting the question to a vote under subsection 3.10.2., a Member shall not cross or leave the room, make a noise or other disturbance, or interrupt the voting procedure except to raise a point of order.
- 3.10.4. The Chairperson must declare that result of voting by stating whether the Motion is carried or defeated.
- 3.10.5. After the Chairperson has declared the results of a vote, a Member shall not further speak to that question.
- 3.10.6. Other than an appeal of a decision of the presiding member on a point of order, anytime votes for and against are equal, the Motion is defeated.
- 3.10.7. If a recorded vote on a question is requested, the Member making the request must make the request before the question is voted on. The Corporate Officer shall then record in the minutes the names of the Members who voted in favour and opposed to the motion.

3.10.8. The Chairperson's decision about whether a question has been finally put is conclusive.

3.11. Motions

3.11.1. Members may debate and vote on a Motion only if it is first made by one Council member and seconded by another.

3.11.2. In this section, "main Motion", in relation to a matter, means the Motion that first brings the matter before the Members. The main Motion may only be addressed when there are no subsidiary of privileged Motions pending.

3.11.3. A Member may make only the following subsidiary Motions, when the Council, Committee, or Commission is considering a question (when the main Motion is already on the floor):

- (a) to postpone indefinitely;
- (b) to amend;
- (c) to refer to staff or committee;
- (d) to postpone to a certain time;
- (e) to limit or extend limits of debate;
- (f) to move the previous question; or
- (g) to lay on the table.

3.11.4. Before calling the question on the main Motion, if more than one (1) subsidiary motion has been moved and seconded, there must be a vote on the Motion in the order of precedence as listed under subsection 3.11.3.

3.11.5. A matter of privilege must be immediately considered when it arises at a Council meeting. For the purposes of this section, a matter of privilege has priority in the order listed below. In this section, a matter of privilege refers to any of the following Motions:

- (a) to fix the time to adjourn;
- (b) to adjourn;
- (c) to recess;
- (d) to raise a question of privilege of Council; and
- (e) to raise a question of privilege of a member of Council.

3.11.6. If requested by a Member, a Committee, Commission, or Council must vote separately on each distinct part of a question that is under consideration at a meeting, by moving to divide the question.

3.11.7. The following motions are not amendable:

- (a) to adjourn;
- (b) to postpone indefinitely;
- (c) to move the previous question;
- (d) to lay on the table.

3.11.8. The following motions are not debatable:

- (a) to fix the time to adjourn;
- (b) to adjourn;
- (c) to recess;
- (d) to raise a question of privilege;

- (e) to limit or extend limits of debate;
- (f) to move the previous question;
- (g) to lay on the table.

3.11.9. The following motions require a 2/3 vote of all members present to be carried:

- (a) to limit or extend limits of debate;
- (b) to suspend the rules;
- (c) to move the previous question; or
- (d) as required by the *Community Charter*

3.12. Amendments

- 3.12.1. A Member may, without notice, move to amend a Motion being considered at a meeting.
- 3.12.2. A proposed amendment must be reproduced in writing by the mover if requested by the Chairperson.
- 3.12.3. A proposed amendment must be decided or withdrawn before the Motion being considered on the main question is put to a vote, unless there is a call for the main question.
- 3.12.4. A Member may propose an amendment to an adopted amendment. However, an amendment may only be amended once.
- 3.12.5. A Motion to amend that has been defeated by a vote of Members cannot be proposed again.

3.13. Resolutions

- 3.13.1. Notwithstanding subsection 3.3.4., a proposed Resolution may be introduced at a Council meeting only if a copy of it has been made available to each Council Member prior to the Council meeting, or if all Council Members present unanimously agree to waive this requirement.
- 3.13.2. Subsection 3.13.1. does not apply if Council is changing a Resolution previously proposed by an Officer, Official, COTW, a Committee, or Commission.
- 3.13.3. The Chairperson of a Council meeting may read, or have the Corporate Officer read the proposed Resolution and may then request a Motion that the Resolution be introduced.
- 3.13.4. A Resolution must be printed and have a distinguishing number.

3.14. Reconsideration

- 3.14.1. The Mayor may, at the same meeting where a vote took place or within thirty (30) days of a Council decision, require the Council to reconsider and vote again on a matter that was the subject of a vote, in accordance with section 131 of the *Community Charter*.
- 3.14.2. A Member of Council, who voted on the prevailing side of the question, may at the same meeting where a vote took place or prior to 4:00 p.m. on the Thursday preceding the next regular meeting, request Council to consider a Motion to reconsider a matter, and if adopted, vote again on a matter that was the subject of a vote.
- 3.14.3. Council may only reconsider a matter that has not
 - (a) had the approval or assent of the electors or adopted by Council; or

- (b) been reconsidered under subsection 3.14.1. or 3.14.2.
- (c) been acted on by an officer, employee, or agent of the Village

- 3.14.4. A Member who voted affirmatively for a Resolution adopted by a Committee, Commission, or Council may at any time move to rescind that Resolution.
- 3.14.5. Council must not discuss the main matter referred to in subsection 3.14.6. unless a Motion to reconsider that matter is adopted in the affirmative.
- 3.14.6. A vote to reconsider must not be reconsidered.
- 3.14.7. The conditions that applied to the adoption of the original bylaw, Resolution, or proceeding apply to its rejection under this section.
- 3.14.8. A bylaw, Resolution, or proceeding that is reaffirmed under subsection 3.14. or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- 3.14.9. If the original decision is rejected on reconsideration, the bylaw or Resolution is of no effect and is deemed to be repealed.

3.15. Points of Order

- 3.15.1. Without limiting the Chairperson's duty pursuant to section 132(1) of the *Community Charter*, the Chairperson must apply the procedure set out in this bylaw to a Motion:
 - (a) if the Motion is contrary to this bylaw; and
 - (b) whether or not another Member has raised a point of order in connection with the Motion.
- 3.15.2. When the Chairperson is required to decide a point of order:
 - (a) the Chairperson must cite the applicable rule or authority if requested by another Member, and another Member shall not question or comment on the rule or authority cited by the Chairperson; or
 - (b) the Chairperson may reserve the decision until the next meeting.
- 3.15.3. A Member may appeal the decision of the Chairperson in accordance with section 132 of the *Community Charter*.

3.16. Adjournment

- 3.16.1. A council meeting may continue after 10:00 p.m. only by an affirmative vote of 2/3 of the Members present.
- 3.16.2. A Motion to adjourn either a meeting or the debate is always in order if that Motion has not been previously defeated at that meeting, unless further business has gone forward prior to reintroducing the Motion to adjourn.
- 3.16.3. Subsection 3.16.2. 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 clarify a preceding Motion to adjourn.
- 3.16.4. At the conclusion of the meeting agenda the Chairperson shall declare the meeting adjourned.

PART 4 DESIGNATION OF A MEMBER TO ACT IN PLACE OF THE MAYOR

- 4.1. Annually, in December of each year following a general local election, Council must from amongst its members designate a Councillor, or Councillors to serve on a rotating basis, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act, or when the office of the Mayor is vacant, for the four-year term. The Acting Mayor must fulfill the responsibilities of the Mayor in the absence of the Mayor, or when the Mayor is otherwise unable to act, or when the office of the Mayor is vacant. In such instances, the Acting Mayor has the same powers and duties as the Mayor in relation to the applicable matter.
- 4.2. If both the Mayor and the member designated under section 4.1 are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting. The member designated under this section has the same powers and duties as the Mayor in relation to the applicable matter.
- 4.3. In the event of a long-term leave of absence of more than three months, the Acting Mayor position will be designated through election by the members of Council.

PART 5 HEARINGS

- 5.1. All persons with an interest in the proposed bylaw pursuant to Division 3 of Part 14 of the *Local Government Act*, permit or licence for which a Hearing may be required, shall be afforded a reasonable opportunity to be heard, or to present written submissions, on matters contained in the bylaw, permit, licence, or staff report at the Hearing after first stating their name and address, and, if applicable, the name and address of the person or body they represent.
- 5.2. The Corporate Officer shall make available to each member of Council at the Hearing a copy of any correspondence pertaining to the subject of the Hearing that has been received relating to the subject bylaw, permit, or licence. All correspondence or information relating to the bylaw, permit, or licence that is the subject of the Hearing shall be made available to the public electronically by posting it to the Village's Website, by the Corporate Officer until 4:00 PM on the date of the Hearing.
- 5.3. If an application under Division 3 of Part 14 of the *Local Government Act*, other than a matter that requires a Public Hearing prior to adoption of a bylaw, receives a negative recommendation from staff to Council, the owner or applicant, or their representative, shall be permitted to address Council, to a maximum of fifteen (15) minutes, to express their views regarding an application under consideration by Council on a regular meeting agenda that is open to the public.
- 5.4. The Chairperson shall only entertain submissions that are germane to the purpose of the proposed bylaw or matter under consideration.
- 5.5. Presentations by an owner or applicant or their agent shall be limited to a maximum of fifteen (15) minutes. Owners or applicants may provide written information or submissions to the Corporate Officer by 4:00 PM on the Thursday preceding the Hearing.
- 5.6. The Chairperson may set a limit for presentations from individuals who are not an Officer, employee or agent of the Village, or the owner or applicant of the matter that is the subject of the Hearing. If a person has additional information that he or she is unable to provide within that time frame, he or she shall be given further opportunities to address Council after all other interested members of the public have been heard a first time. Without limiting the opportunity provided for in section 5.4. of this bylaw, speakers shall be encouraged to confine their comments to new information.
- 5.7. The owner or applicant shall be given an opportunity limited to responding to comments or

questions raised during the Hearing only before the hearing is closed on their application. The response shall be limited to a maximum of ten (10) minutes unless extended by resolution of Council passed in accordance with subsection 3.11.9. of this bylaw [motions that require a 2/3 vote].

- 5.8. Notwithstanding time limits for presentations set out in sections 5.5. and 5.7. of this bylaw, Council may ask questions of any presenter and of staff for clarification purposes. Debate on the matter shall take place at the next regular meeting of Council where the matter will be presented for consideration.
- 5.9. Under no circumstances will any submission or information be received by Council from any person, excepting from staff and in accordance with Sections 465(5) and 470 of the *Local Government Act*, after the close of a Public Hearing.
- 5.10. Notwithstanding subsection 3.2.7., a Public Hearing may be waived for a zoning bylaw in accordance with Section 464(2) of the *Local Government Act*.

PART 6 COMMITTEES

- 6.1. The Mayor is an ex-officio member of all Committees and Commissions and is a voting member of those Committees or Commissions.
- 6.2. The Mayor may establish Committees in accordance with the provisions of the *Community Charter*.
- 6.3. Standing Committees must consider matters that the Mayor considers would be best dealt with by committee and perform such duties as assigned by the Mayor. Standing Committees must report and make recommendations to Council as required by Council or the Mayor.
- 6.4. Select Committees must consider, inquire into, report on, and make recommendations to Council about matters referred to the committee by Council. Select Committees must report and make recommendations to Council as soon as possible, unless a date and time is established by Council.
- 6.5. Other Committees must consider, inquire into, report on, and make recommendations to Council about matters referred to the committee by Council as defined by the Terms of Reference for that Other Committee. Other Committees must report and make recommendations to Council at least annually, or as specified by the Committee's Terms of Reference, or at the request of Council.

PART 7 COMMISSIONS

- 7.1. Council may establish and appoint a Commission to do one or more of the following:
 - (a) operate services;
 - (b) undertake operation and enforcement in relation to the council's exercise of its authority to regulate, prohibit and impose requirements;
 - (c) manage property and licences held by the municipality.

PART 8 MINUTES

- 8.1. Minutes of the proceedings of a Committee, Commission, and Council must be legibly recorded, certified
as correct by the Corporate Officer, and signed by the Chairperson at the meeting.
- 8.2. Minutes of the proceedings of Council must be open for public inspection at the Village Office during regular office hours. This does not apply to minutes of a Council meeting, or part of a meeting, from which persons were excluded in accordance with the provisions under the *Community Charter*.

- 8.3. Where, during a closed meeting, Council has requested that all staff leave the meeting, Council must immediately, by resolution, appoint a member as the recording secretary for that portion of the meeting.
- 8.4. If a Member has declared a conflict of interest pursuant to the *Community Charter*, the reason the Member is not participating in the discussion of the matter, and the time at which they left the room and returned to the room, will be recorded in the minutes.
- 8.5. The Corporate Officer may make minor amendments to approved minutes including, but not limited to, typographical errors, sequential numbering errors, and grammatical errors.
- 8.6. An error or omission in the minutes may be identified by a Member orally and rectified by a Resolution, failing which the adoption of the minutes shall be postponed to the next meeting.
- 8.7. The provisions for minutes under Part 8, apply to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
 - (a) COTW;
 - (b) Committees;
 - (c) Commissions; and
 - (d) Board of Variance.

PART 9 BYLAWS

- 9.1. A bylaw introduced at a Council meeting must be printed or circulated electronically; have a distinguishing name and a distinguishing number; and must be divided into sections.
- 9.2. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been made available to each Council member at least twenty-four (24) hours prior to the Council meeting, or if all Council members unanimously agree to waive this requirement.
- 9.3. Council must consider a proposed bylaw at a Council meeting either:
 - (a) separately when requested by a Member; or
 - (b) jointly with other proposed bylaws in the sequence determined by the Chairperson.
- 9.4. The Chairperson may read, or have the Corporate Officer read, a synopsis of each proposed bylaw or group of bylaws and may then either request a Motion or read a Motion that the proposed bylaw, or group of bylaws, be read.
- 9.5. The readings of the bylaw may be given by stating its title and object.
- 9.6. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- 9.7. Each reading of a proposed bylaw must receive the affirmative vote of a majority of Council Members present, unless the *Community Charter* or the *Local Government Act* requires otherwise.
- 9.8. A bylaw may receive up to three readings at the same Council meeting, unless otherwise stipulated by the *Community Charter* or the *Local Government Act*.
- 9.9. Council may adopt a proposed official community plan or zoning bylaw at the same meeting

at which the plan or bylaw passed third reading in accordance with the provisions of the *Local Government Act*, provided that the approval of a Minister of the Government of British Columbia is not required prior to the adoption of the bylaw

- 9.10. 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 Village's records for safekeeping and endorse upon it:
- (a) the Village's corporate seal;
 - (b) the dates of its readings and adoption; and
 - (c) the date of Ministerial approval or approval of the electorate if applicable.

PART 10 SEVERABILITY

- 10.1. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, or phrase.

PART 11 REPEAL

- 11.1. Procedure Bylaw 713, 2018 and all amendments thereto are hereby repealed.

READ A FIRST TIME this day of 2023
READ A SECOND TIME this day of 2023.
READ A THIRD TIME this day of 2023
ADOPTED this day of 2023.

Mayor

Corporate Officer