

# THE CORPORATION OF THE DISTRICT OF SUMMERLAND

## BYLAW NUMBER 2000-156

### Council Procedure Bylaw

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| <b>CONSOLIDATED FOR CONVENIENCE TO INCLUDE: Bylaw 2000-334, 2000-354, 2015-001 and 2017-037.</b> |
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WHEREAS, pursuant to the requirements of the *Community Charter*, Municipal Council must, by bylaw, establish the general procedures to be followed by Council and Council Committees in conducting their business;

THEREFORE the Municipal Council of the District of Summerland enacts as follows:

#### PART 1 - INTRODUCTION

##### Title

1. This Bylaw may be cited as the "Council Procedure Bylaw No. 2000-156".

##### Definitions

2. In this Bylaw,

"Municipal Hall" means Summerland Municipal Hall located at 13211 Henry Avenue, Summerland, British Columbia;

"Municipal Website" means the information resource found at an internet address provided by the District;

"Commission" means a municipal commission established under s.143 of the *Community Charter*;

"Committee" means a standing, select, or other committee of Council, but does not include COTW;

"COTW" means a Committee of the Whole of Council;

"Corporate Officer" means the Corporate Officer for the District;

"Council" means the Council of the District of Summerland;

"District" means the Corporation of the District of Summerland;

"Mayor" means the Mayor of the District;

"Public Notice Posting Places" means the notice board at Municipal Hall and the Municipal Website, if available;

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

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2<sup>nd</sup> edition, 1998, apply to the proceedings of Council, COTW, Commissions, and Council committees to the extent that those Rules are
  - (a) applicable in the circumstances, and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

### **PART 2 – COUNCIL MEETINGS**

#### ***Bylaw 2017-037 adopted December 7, 2017 amended section 4.(1)*** **Inaugural Meeting**

4. (1) Following a general local election, the first Council meeting must be held on the first Monday 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.

#### ***Bylaw 2000-334 adopted June 23, 2008 amended the following section*** ***Bylaw 2000-354 adopted December 22, 2008 amended the following section to read.*** ***Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following section to read:***

#### **Time and Location of Meetings**

5. (1) All Council meetings must take place within Municipal Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Meetings must:
  - (a) be held on the second and fourth Monday of each month beginning at 7:00 p.m.; and
  - (b) be adjourned at 10:00 p.m. unless Council resolves to proceed beyond that time in accordance with section 29.
- (3) Regular Meetings may be cancelled:
  - (a) by Council provided that two consecutive meetings are not cancelled; or
  - (b) by the Corporate Officer in consultation with the Mayor if there are no business items for the agenda.
- (4) When a Regular Meeting falls on a statutory holiday, the meeting shall be held on the next day the Municipal Hall is open following the statutory holiday.

#### **Notice of Council Meetings**

6. (1) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 1st, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting

Places.

- (2) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 1st of the time and duration that the schedule of regular Council meetings will be available beginning on January 1st in accordance with section 94 of the *Community Charter*.
- (3) 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**

7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter* a notice of the day, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
  - (a) posting a copy of the notice at the Public Notice Posting Places, and
  - (b) leaving one copy of the notice for each Council member in the Council member's mailbox at Municipal Hall
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

### **Electronic Meetings**

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met,
  - (a) a special Council meeting may be conducted by means of audio electronic or other communication facilities if:
    - (i) the Mayor requires or
    - (ii) the Council requires.
  - (b) a member of Council who is unable to attend at a Council meeting, may participate in the meeting by means of audio electronic or other communication facilities, if:
    - (i) the meeting is a regular or special meeting; and
    - (ii) the member is unable to attend because of other commitments.
- (2) The member presiding at a special or regular council meeting must not participate electronically.
- (3) No more than two members of council at one time may participate at a council meeting under section 8(1)(b).
- (4) Council members participating electronically must have received copies of agendas and other written information being presented to Council prior to the meeting in which they are participating electronically.

### **PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

#### **Acting Mayor**

9. (1) Annually in December, Council must from amongst its members designate 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.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation of the applicable matter.

### **PART 4 - COUNCIL PROCEEDINGS**

#### **Community Charter Provisions**

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

#### **Attendance of Public at 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 of 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) COTW,
  - (b) standing and select committees,
  - (c) parcel tax review panel,
  - (d) board of variance
  - (e) advisory bodies such as commissions.
- (5) Despite subsection 11(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 21 (8).

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

12. (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 12(3), and in accordance with section 97 (1)(b) of the *Community Charter* [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at Municipal Hall during its regular office hours.
- (3) Subsection 12(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 of the *Community Charter*.

### **Calling Meeting to 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 9 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 9 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 Meeting Where no Quorum**

14. (1) 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 meeting, the Corporate Officer must prepare an Agenda outlining all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

***Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following section (2) and (3) to read:***

- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on

the Council meeting Agenda must be noon on the Tuesday prior to the meeting.

- (3) The Corporate Officer must make the agenda available to the members of Council and the public by 4 p.m. on the Wednesday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17.

### Order of proceedings and business

**Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following sections (1) and (2) to read:**

16. (1) The agenda for Committee of the Whole shall contain the following matters in the order in which they are listed below:
  - (a) Call to Order;
  - (b) Adoption of minutes;
  - (c) Introduction of Late Items;
  - (d) Regular Meeting Agenda Review;
  - (e) Unfinished Business;
  - (f) New Business;
  - (g) Resolution to close meeting to the public in accordance with section 92 of the *Community Charter*, and to rise to a Regular Meeting of Council;
  - (h) Closed session to consider those matters outlined in section 90 of the *Community Charter*;
  - (i) Adjournment.
  
- (2) The agenda for all Regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Call to Order;
  - (b) Adoption of minutes;
  - (c) Introduction of late items, Resolution to Amend the Agenda;
  - (d) Public and Statutory Hearings
  - (e) Delegations
  - (f) Public Comment Opportunity – 15 minutes maximum  
(2 minutes per speaker)  
Comments/Questions must pertain to Agenda Items  
\*items that can be commented on marked with asterisk  
**(exception:** no comments on any item with a statutory requirement, such as Zoning/OCP Amendments, DVP and TUP applications)
  - (g) Mayor's Report;
  - (h) CAO's Report
  - (i) Unfinished business;
  - (j) Correspondence;
  - (k) Development Services Reports;
  - (l) Staff and Other Reports;
  - (m) New Business;
  - (n) Bylaws;
  - (o) Councillor Reports;
  - (p) Public/Media Question Period – up to 15 minutes on any matter of Local Government interest  
(2 minutes per speaker)
  - (q) Adjournment.

- (3) 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.

### **Late Items**

17. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 17(1), information pertaining to late items must be distributed to the members.

### **Voting at Meetings**

18. (1) The following procedures apply to voting at Council meetings:
  - (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

“Those in favour raise your hands.”, and then

“Those opposed raise your hands.”;
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
    - (i) cross or leave the room,
    - (ii) make a noise or other disturbance, or
    - (iii) interrupt the voting procedure under paragraph 9 (b) unless the interrupting member is raising a point of order
  - (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
  - (e) the presiding member’s decision about whether a question has been finally put is conclusive; and
  - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
  - (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

### **Delegations**

19. (1) The Council may allow an individual or a delegation to address Council at the meeting provided a written request outlining the nature of the presentation has been received by the Corporate Officer by noon on the Tuesday prior to the meeting. The Corporate Officer shall assign a time limit for each delegation and shall include this limit on the agenda. In general, the Corporate Officer shall allow a delegation a 5 minute time limit unless the Officer believes

additional time is warranted. The members of Council present at the meeting may approve an extension to the time limit set by the Corporate Officer by unanimous consent.

- (2) The Corporate Officer must only place delegations on the agenda which have been approved for inclusion by the Chief Administrative Officer and Mayor or Acting Mayor. If a delegation wishes to appeal the decision to deny their inclusion on an agenda, the Corporate Officer must forward any information on the application for appearance as a delegation to Council under separate cover, for their consideration.
- (3) Where written request to appear as a delegation has not been received by the Corporate Officer as prescribed in section 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the 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 a prerequisite to the adoption of the bylaw.
- (5) The Corporate Officer may schedule delegations to another Council meeting 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 the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.

#### **Points of Order**

20. (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), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

#### **Conduct and Debate**

21. (1) A Council member may speak to a question or a motion at a Council meeting only if that member first addresses the presiding member.
- (2) Member 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 must 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 must
  - (a) 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)(e), 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 may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with the permission of Council.

### **Motions Generally**

- 22. (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) A Council member may make only the following motions when the Council is considering a question:
  - (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely
  - (e) to postpone to a certain time;
  - (f) to move the previous question;
  - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) 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**

- 23. (1) 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**

- 24. (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**

- 25. (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 works 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 once only.
- (6) An amendment that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The 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 amended motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

#### **Reconsideration by Council Member**

26. (1) Subject to section 131 of the *Community Charter*, 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 25 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
  - (a) had the assent of the electors,
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*,
  - (c) been acted on by an officer, employee, or agent of the District.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) 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.

### **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 resolution it receives from a committee, commission or COTW:
- (a) agree or disagree with the resolution;
  - (b) amend the resolution;
  - (c) refer the resolution back to the committee, COTW or Commission;
  - (d) postpone its consideration of the resolution.

### **Adjournment**

29. (1) A Council may continue a Council meeting after 10:00 p.m. only by an affirmative vote 2/3 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 the 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) A proposed bylaw may be introduced at a Council meeting only if a true copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of Bylaws**

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

### **Bylaws to be Considered Separately or Jointly**

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

### **Reading and Adopting Bylaws**

33. (1) The presiding member of a Council meeting may
- (a) have the Corporate Officer read 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 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 *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter*, and in accordance with section 890(9) 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.
- (6) Despite section 135(3) of the *Community Charter*, and in accordance with section 890(9) 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**

34. (1) 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, and endorse upon it:

- (a) the District'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 6 – RESOLUTIONS**

### **Copies of Resolutions to Council Members**

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

### **Introducing Resolutions**

36. (1) 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 (COTW)**

37. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection 1, a meeting, other than a standing or select committee 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 the COTW.

### **Notice of COTW Meetings**

38. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member at the Council member's mailbox at Municipal Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 38 during a Council meeting for which public notice has been given under section 6 or 7.

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

39. (1) Minutes of the proceedings of COTW 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) of the *Community Charter*.

### **Presiding Members at COTW Meetings and Quorum**

- 40. (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

### **Points of Order at Meetings**

- 41. (1) The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

### **Conduct and Debate**

- 42. (1) The following rules apply to COTW meetings:
  - (a) a motion is not required to be seconded;
  - (b) a motion for adjournment is not allowed;
  - (c) a member may speak any number of times on the same question
  - (d) a member must not speak longer than a total of 10 minutes on any one question.

### **Voting at Meetings**

- 43. (1) Votes at a COTW 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**

- 44. (1) COTW may consider reports and bylaws only if
  - (a) they are printed and the members each have a copy, or
  - (b) the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

### **Rising Without Reporting**

- 45. (1) A motion made at a COTW 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 COTW at a meeting constituted under section 38(1), the Council meeting must resume and proceed to the next order of business.

## **PART 8 – COMMITTEES**

### **Duties of Standing Committees**

- 46. (1) Standing committees 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;
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all the following times:
  - (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are assigned by Council or the Mayor,
    - (i) as required by Council or the Mayor, or
    - (iii) at the next Council meeting of the Council if the Mayor does not specify a time.

### **Duties of Select Committees**

- 47. (1) Select committees must 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 Council at the next Council meeting unless Council specifies a different date and time.

### **Schedule of Committee Meetings**

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

### **Notice of Committee Meetings**

- 49. (1) Subject to subsection (2), after the committee has established the regular schedule of 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.
- (2) Where revisions are necessary to the annual schedule of committee 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 committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 49(2) to be given to all members of the committee at least 12 hours before the time of the meeting.

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

- 50. (1) Council members who are not members of a committee may attend the meetings of the committee.

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

- 51. (1) Minutes of the proceedings of a committee must be
  - (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) signed by the chair or member presiding at the meeting, and
  - (d) open for public inspection in accordance with section 97(1) (c) of the *Community Charter*.

#### **Quorum**

- 52. (1) The quorum for a committee is a majority of its members.

#### **Conduct and Debate**

- 53. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

#### **Voting at Meetings**

- 54. (1) Council members attending a meeting of a committee of which they are not a member must not vote on a question.

### **PART 9 – COMMISSIONS**

#### **Schedule of Commission Meetings**

- 55. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.

- (2) The Chair of a Commission may call a meeting of the Commission in addition to the schedule meetings or may cancel the meeting.

### **Notice of Commission Meetings**

56. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates, and places of the Commission 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 Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called under section 56(2) to be given to all members of the Commission at least 12 hours before the time of the meeting.

### **Minutes of Commission Meetings to be Maintained and Available to the Public**

57. (1) Minutes of the proceedings of a Commission must be:
  - (a) legibly recorded;
  - (b) signed by the Chair or a member presiding at the meeting, and open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

### **Quorum**

58. (1) The quorum of a Commission is a majority of all of its members.

### **Conduct and Debate**

59. (1) The rules of the Council procedure must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this bylaw.

## **PART 10 – GENERAL**

60. 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.
61. This bylaw may not be amended or repealed and substituted unless Council first give notice in accordance with section 94 of the *Community Charter*.
62. Council Procedure Bylaw Number 2000-045 is hereby repealed.

Read a first, second and third time this 13<sup>th</sup> day of April, 2004.

Adopted by the Municipal Council of the Corporation of the District of Summerland this 26<sup>th</sup> day of April, 2004.

'Tom Johnson'  
Mayor

'Gillian Matthews'  
Corporate Officer