Council Procedure Bylaw

No. 2018-035

Table of Contents

PART 1 - INTRODUCTION 1
- Title 1
- Definitions 1
- Application of Rules of Procedure 2

PART 2 – COUNCIL MEETINGS 2
- Inaugural Meeting 2
- Time and Location of Meetings 2
- Notice of Council Meetings 2
- Notice of Special Meetings 3
- Electronic Meetings 3

PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR 3
- Acting Mayor 3

PART 4 - COUNCIL PROCEEDINGS 4
- Community Charter Provisions 4
- Attendance of Public at Meetings 4
- Minutes of Meetings to be Maintained and Available to Public 4
- Calling Meeting to Order 5
- Adjourning Meeting Where no Quorum 5
- Agenda 5
- Order of Proceedings and Business 6
- Late Items 6
- Voting at Meetings 7
- Delegations 7
- Points of Order 8
- Conduct and Debate 8
- Motions Generally 9
- Motion to Commit 10
- Motion for the Main Question 10
- Amendments Generally 10
- Reconsideration by Council Member 11
- Privilege 11
- Reports from Committees 12
- Adjournment 12

PART 5 – BYLAWS 12
- Copies of Proposed Bylaws to Council members 12
- Form of Bylaws 12
- Bylaws to be Considered Separately or Jointly 12
- Reading and Adopting Bylaws 13
- Bylaws Must be Signed 13

PART 6 – RESOLUTIONS 13
- Resolutions 13
- Introducing Resolutions 13

PART 7 - COMMITTEE OF THE WHOLE 14
Going into Committee of the Whole (COTW) 14
Notice of COTW Meetings 14
Minutes of COTW Meetings to be Maintained and Available to Public 14
Presiding Members at COTW Meetings and Quorum 14
Points of Order at Meetings 14
Conduct and Debate 14
Voting at Meetings 14
Reports 15
Adjournment 15
PART 8 – COMMITTEES 15
Duties of Standing Committees 15
Duties of Select Committees 15
Duties of Advisory Committees 16
Schedule of Committee Meetings 16
Notice of Committee Meetings 16
Attendance at Committee Meetings 16
Minutes of Committee Meetings to be Maintained and Available to Public 16
Quorum 16
Conduct and Debate 17
Voting at Meetings 17
PART 9 – COMMISSIONS 17
Schedule of Commission Meetings 17
Notice of Commission Meetings 17
Minutes of Commission Meetings to be Maintained and Available to the Public 17
Quorum 18
Conduct and Debate 18
PART 10 – GENERAL 18

Note: Table of Contents is for convenience and does not form part of the bylaw.

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2018-035

Council Procedure Bylaw

CONSOLIDATED FOR CONVENIENCE TO INCLUDE: Bylaw 2019-024, 2019-028.

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;

NOW 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. 2018-035".

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, advisory, or other committee of Council, but does not include COTW;

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

"Council" means the mayor and the councillors of the District of Summerland;

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

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

unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter* or *Local Government Act*, as the context and circumstances may require.

Application of Rules of Procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all Committees of Council, as applicable.

(2) In cases not provided for under this Bylaw, the most current version of *Robert's Rules of Order* 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

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.

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 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 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.

(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 the *Community Charter* are met,

(a) a special Council meeting may be conducted by audio, electronic or other communication means 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 audio, electronic or other communication methods, 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 subsection (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, 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 subsection (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 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 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) Committees,

(c) parcel tax review panel,

(d) board of variance, and

(e) Commissions.

(5) Despite subsection (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 (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 (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.

(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 Monday prior to the meeting.
[Amended by Bylaw 2019-024]

(3) The corporate officer must make the agenda available to the members of Council and the public by 4:00 p.m. on the Wednesday prior to the meeting.
[Amended by Bylaw 2019-024]

(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

16. (1) 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) Introduction of Late Items;
(c) Approval of Agenda;
(d) Adoption of Minutes;
(e) Delegations;
(f) Public Comment Opportunity
- maximum of 15 minutes in total and 2 minutes per speaker,
- comments and questions must pertain to items on the Agenda,
- **exception**: no comments or questions on any item with a statutory requirement for public input, such as Zoning and OCP Amendments, Development Variance Permit, and Temporary Use Permit applications;

(g) Mayor's Report;
(h) CAO's Report;
(i) Business Arising from COTW and Closed Sessions;
(j) Bylaws;
(k) Business Items;
(l) Information Items [correspondence/minutes];
(m) Councillor Reports;
(n) Public/Media Comment Period
- maximum of 15 minutes in total and 2 minutes per speaker,
- comments may be on any matter of local government interest;

[Amended by Bylaw 2019-024]
(o) Adjournment.

(2) The agenda for all Special Council meetings contains the following matters in the order in which they are listed below:

(a) Call to Order;
(b) Introduction of Late Items;
(c) Approval of Agenda;
(d) Business Items;
(e) Adjournment.

(3) 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) Introduction of Late Items;
(c) Approval of Agenda;
(d) Unfinished Business;
(e) New Business;
(f) Adjournment.

(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.

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 subsection (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 (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) A delegation may address Council at a meeting provided a written request outlining the nature of the presentation has been received by the corporate officer prior to the meeting and is approved by the chief administrative officer for inclusion on the agenda. Each delegation will have a 5-minute time limit to address Council. The members of Council present at the meeting may approve an extension to the time limit by unanimous consent.

(2) 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.

(3) Delegations may be scheduled for another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.

(4) Where written request to appear as a delegation has not been received by the corporate officer as prescribed in subsection (1), a delegation may address the meeting if approved by

the unanimous vote of the members present.

(5) 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.

(6) 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.

Points of Order

20. (1) Without limiting the presiding member's duty under 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 the presiding member, 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 *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 25 hours following its adoption.

(2) Subject to subsection (5), a Council member who voted affirmatively for a resolution adopted by Council may, within 30 days of the adoption, 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 [mayor may require council reconsideration of a matter],*

(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 of 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 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) have a distinguishing name;

(b) have a distinguishing number;

(c) contain an introductory statement of purpose; and

(d) 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.

(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 dates of its readings and adoption; and

(b) the date of Ministerial approval or approval of the electorate if applicable.

PART 6 – RESOLUTIONS

Resolutions

35. (1) All resolutions shall be by motion duly moved and seconded by Council members in accordance with section 22.

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.

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 during a Council meeting for which public notice has been given.

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.

(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) If the mayor and acting mayor are not in attendance, the members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.

(2) 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) Notwithstanding the foregoing, the following rules apply to COTW meetings:

(a) a member may speak any number of times on the same question

(b) a member must not speak longer than a total of 10 minutes on any one question.

Voting at Meetings

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.

(3) The COTW's reports to Council must be presented by the corporate officer.

Adjournment

45. (1) A motion to adjourn is always in order if that motion has not been preceded at the meeting by the same motion.

(2) If a motion to adjourn 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

(ii) 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.

Duties of Advisory Committees

48 (1) Advisory committees must consider, inquire into, report, and make recommendations to Council, District staff, or another body designated by Council for that purpose, regarding the matters referred to the committee by the Council or within the committee's terms of reference.

Schedule of Committee Meetings

49. (1) At its first meeting after its establishment a 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

50. (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 but no later than 24 hours before the time of the first revised meeting, 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 date, time and place of a meeting called under subsection (2) to be given to all members of the Committee at least 24 hours before the time of the meeting.

Attendance at Committee Meetings

51. (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

52. (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

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

Conduct and Debate

54. (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

55. (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

56. (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

57 (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 Commission meetings, the corporate officer must, as soon as possible but no later than 24 hours before the time of the first revised meeting, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a Commission meeting.

(3) The chair of a Commission must cause a notice of the date, time and place of a meeting called under subsection (2) to be given to all members of the Commission at least 24 hours before the time of the meeting.

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

58. (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

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

Conduct and Debate

60. (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

61. 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.

62. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

63. Council Procedure Bylaw Number 2000-156 and all amending bylaws thereof, are hereby repealed.

Read a first time this 26th of November, 2018.

Read a second time this 26th day of November, 2018

Read a third time this 26th day of November, 2018.

Notice of intention to proceed with this bylaw was published on the 29th day of November and the 6th day of December, 2018 in the Summerland Review.

Adopted by the Municipal Council of the Corporation of the District of Summerland this 10th day of December, 2018.

_____
Mayor

_____
Corporate Officer