



District of West Vancouver

Council Procedure Bylaw No. 5005, 2019

Effective Date: November 4, 2019

Consolidated for Convenience Only

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw
Bylaw No. 5143, 2021

Effective Date
September 29, 2021

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the parent bylaw (Council Procedure Bylaw No. 5005, 2019). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Council Procedure Bylaw No. 5005, 2019

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District of West Vancouver

Council Procedure Bylaw No. 5005, 2019

A bylaw to govern Council meetings of the District of West Vancouver.

Previous amendments: *Amendment Bylaw 5143*.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for Council meeting procedures pursuant to the *Community Charter*;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

1.1 This Bylaw may be cited as “Council Procedure Bylaw No. 5005, 2019”.

Part 2 Severability

2.1 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, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Previous Bylaw Repeal

3.1 Council Procedure Bylaw No. 4730, 2013 (adopted on March 4, 2013), as amended, is hereby repealed.

Part 4 Definitions

4.1 In this Bylaw:

“**Acting Mayor**” means the Member designated under section 7.1 to act in the place of the Mayor;

“**agenda documents**” means the Council meeting agenda and agenda package;

“**amendment motion**” means a motion to amend a main motion;

“Chair” means the Mayor, Acting Mayor, or Member appointed under this Bylaw who is presiding at a Council meeting;

“Clerk” means the District employee appointed as Clerk to the Council and who is also the corporate officer for the purposes of the *Community Charter* and this Bylaw;

“Councillor” means a Member of Council other than the Mayor;

“deferral” means a motion to defer consideration of a matter to a subsequent meeting;

“District” means the Corporation of the District of West Vancouver;

“Government Official” means any officer, employee or other individual acting in an official capacity for the federal government, a provincial or territorial government, a municipal government, or an agency or instrumentality thereof (including any government-owned or controlled enterprise), other than a Member;

“inaugural meeting” means the meeting at which Members elected at the most recent general local election are sworn in;

“meeting” means an inaugural, regular or special meeting of Council, as the context requires;

“Member” means the Mayor or a Councillor;

“main motion” means the motion that first brings a matter before Council;

“motion” means a formal proposal made by a Member to consider a specified course of action;

“Municipal Hall” means the Corporation of the District of West Vancouver Municipal Hall located at 750 17th Street, West Vancouver, BC, Canada V7V 3T3;

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

“public notice posting places” means the external bulletin boards at the north and west main floor entrances to the Municipal Hall and on the District website, unless having made reasonable efforts the Clerk is unable to effect such posting to the website;

“question” means the subject matter of a motion;

“quorum” means a majority of the number of Members of which Council consists under the *Community Charter*.

“referral” means a motion to refer a matter to staff or to a committee;

“resolution” means a motion that has been carried by a majority of the Members present at a meeting, unless otherwise provided in an enactment;

“regular meeting” means a meeting of Council other than a special or inaugural meeting held under Part 6;

“special meeting” means a meeting of Council other than a regular or inaugural meeting held under Part 6.

Part 5 Interpretation

5.1 Reference in this Bylaw to:

- (a) A numbered section or Part is a reference to the correspondingly numbered section or Part of this Bylaw;
- (b) The plural is to be considered to be a reference also to the singular, unless the context otherwise requires;
- (c) A resolution or vote of Council is a reference to a resolution or vote passed by the affirmative vote of a majority of the Members present and entitled to vote on the matter except as otherwise provided by the *Community Charter* or this or any other Bylaw of the District; and
- (d) A requirement for a 2/3 vote, where the requirement is specified under the *Community Charter*, is a requirement for the affirmative vote of at least 2/3 of the number of Members of which Council consists under the *Community Charter*, unless otherwise specified in this Bylaw.

5.2 The provisions of this Bylaw govern the proceedings of Council.

Part 6 Council Meetings

Inaugural Meeting

6.1 An inaugural meeting must be held within the first 10 days of November following a general local election and on the first meeting date in November, as established in the annual Council meeting schedule.

- 6.2 If a quorum of Members elected at the general local election has not taken office by the date of the meeting referred to in section 6.1, the inaugural meeting must be called by the Clerk and held as soon as reasonably possible after a quorum has taken office.

Date, Time and Place of Regular Council Meetings

- 6.3 Council shall establish annually by resolution a schedule of regular meetings for the subsequent year.

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- 6.4 Unless Council otherwise resolves, regular meetings will:
- (a) take place in the Council Chamber in Municipal Hall and by electronic or other communication facilities, such that all members of Council and the public have the option for attendance either in-person or by electronic or other communication facilities;
 - (b) begin at 6 p.m. or immediately following the closure or adjournment of a preceding public hearing, if applicable; and
 - (c) have a designated municipal officer in attendance at the Council Chamber in Municipal Hall, or that person's deputy.
- 6.5 During a meeting the Chair may declare a recess for a short period and may state the approximate time that the meeting will be reconvened.

Notice of Regular Council Meeting Schedule

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- 6.6 The Clerk must post notice of regular meetings as follows:
- (a) by annually posting a schedule of the date, time and in-person location of regular meetings at the public notice posting places; and
 - (b) at least 48 hours prior to each regular meeting, by posting a notice at the public notice posting places which indicates the way in which the regular meeting will be held by electronic or other communication facilities, including notice of the place where the public may attend to hear or watch and hear the proceedings that are open to the public, in the event the place is different than the Council Chamber in Municipal Hall.

Cancelled, Rescheduled, or Called Regular Meetings

- 6.7 Council may by resolution:
- (a) cancel or reschedule any regular meeting;
 - (b) change the time or place for holding the meeting; or

- (c) call an additional regular meeting at the time and place stipulated in the resolution.

6.8 The resolution to cancel or reschedule a regular meeting postpones the business on the agenda for that meeting to the next or the rescheduled regular meeting.

Notice of Regular Council Meetings

6.9 If Council cancels or reschedules a regular meeting or calls an additional regular meeting pursuant to section 6.7, the Clerk must:

- (a) in the event of a cancelled regular meeting, post a notice at the public notice posting places informing of the cancellation of that meeting as soon as is practicable;
- (b) in the event of an additional regular meeting, post a notice at the public notice posting places which indicates the date, time and place of that meeting at least 48 hours prior to the date of that meeting; and
- (c) in either event, revise and repost the Council meeting schedule referred to in section 6.6 as soon as practicable.

6.10 If the agenda for the meeting contains a proposed resolution to close all or part of the meeting to the public, the notice must state:

- (a) the basis under the *Community Charter* on which all or part of the meeting is to be closed; and
- (b) briefly outline the purpose of the meeting;

but the notice must not otherwise describe the matter in respect of which all or part of the meeting is to be closed.

Notice of Special Meetings

6.11 A special meeting may be called in compliance with applicable enactments.

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6.12 Except where notice of a special meeting is waived by unanimous vote of all Members, the Clerk must give notice of the date, time and place of a special meeting at least 24 hours prior to the time of the meeting by:

- (a) posting a copy of the notice in the Council Chamber at Municipal Hall;
- (b) posting a copy of the notice at the public notice posting places;

- (c) delivering a hard copy of the notice to the Member's mailbox at Municipal Hall, delivering a hard copy of the notice to the Member's residence, or providing a digital copy of the notice to the Member; and
 - (d) ensuring that the notice includes notice of the way in which the special meeting will be held by electronic or other communication facilities, if applicable, including notice of the place where the public may attend to hear or watch and hear the proceedings that are open to the public.
- 6.13 The notice under section 6.12 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Clerk.
- 6.14 If the agenda for the meeting contains a proposed resolution to close all or part of the meeting to the public, the notice must state:
- (a) the basis under the *Community Charter* on which all or part of the meeting is to be closed; and
 - (b) briefly outline the purpose of the meeting;
- but the notice must not otherwise describe the matter in respect of which all or part of the meeting is to be closed.

Electronic Participation in Special Meetings

Amendment
Bylaw 5143

- 6.15 Subject to applicable enactments:
- (a) a special meeting may be conducted either entirely or in part by means of electronic or other communication facilities; and
 - (b) a special meeting may be conducted both in-person and via electronic or other communication facilities, such that all members of Council and the public have the option for attendance either in-person or by electronic or other communication facilities.

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- 6.16 The Chair at a special meeting may participate electronically.

Part 7 Designation of Acting Mayor

- 7.1 Council must from among its Members designate by resolution Members 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 Mayor is vacant.
- 7.2 The Acting Mayor must fulfill the responsibilities of the Mayor in his or her absence.

- 7.3 If both the Mayor and the Acting Mayor are absent from a meeting, the Members present must by resolution choose a Member to preside at the meeting.

Part 8 Council Proceedings

Meeting Minutes

- 8.1 Minutes of the proceedings of Council must be:
- (a) legibly recorded with decisions and action items;
 - (b) certified as correct by the Clerk; and
 - (c) signed by the Chair of the meeting.
- 8.2 The Clerk must record in the minutes:
- (a) the text of every motion;
 - (b) the names of any Members who vote in the negative regarding a motion;
 - (c) the name of any Member who leaves the meeting, as well as the time that the Member leaves and returns to the meeting, if applicable; and
 - (d) the name of any Member absent from the meeting at a vote.
- 8.3 Discussion may be recorded in the minutes at the discretion of the Clerk.

Adoption of Minutes

- 8.4 The Clerk must prepare and deliver meeting minutes to each Member's mailbox at Municipal Hall by 4:30 p.m. on the Friday prior to the meeting at which they are scheduled for adoption.
- 8.5 The minutes of every meeting must be adopted by resolution of Council.
- 8.6 The minutes may be adopted by resolution of Council without their being read to the meeting.
- 8.7 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 will be postponed to the next meeting.
- 8.8 The minutes of a meeting from which the public is excluded must be adopted at a subsequent meeting from which the public is excluded.

Calling Meeting to Order

- 8.9 As soon as possible after the time specified for the commencement of a Council meeting, if there is a quorum present:
- (a) the Mayor, if present, must take the Chair and call the meeting to order; or
 - (b) if the Mayor is absent, the Acting Mayor must take the Chair and call the meeting to order.
- 8.10 If a quorum is present but neither the Mayor nor Acting Mayor are present at the time at which the meeting is scheduled to begin:
- (a) the Clerk must call the meeting to order; and
 - (b) by resolution Council must appoint a Member as Chair for that meeting until the Mayor or Acting Mayor arrives.
- 8.11 The Chair of a meeting has the powers and duties of the Mayor in respect of that meeting.

Mayor or Acting Mayor Arrives after Commencement

- 8.12 If the Mayor arrives after commencement of a meeting, he or she will assume the Chair upon arrival.
- 8.13 Subject to section 8.12, if the Acting Mayor arrives after commencement of a meeting referred to in section 8.10, he or she will assume the Chair upon arrival.

Adjourning Meeting where no Quorum

- 8.14 If there is no quorum present within 15 minutes of the scheduled time for a meeting the Clerk must:
- (a) record the names of the Members present and those absent and adjourn the meeting until the next scheduled meeting; and
 - (b) place all agenda business that was not dealt with at that meeting on the agenda for the next scheduled meeting of the same meeting type, unless otherwise determined by Council.
- 8.15 If a quorum of Council is lost during a meeting the Clerk must record the names of the Members present and those absent, and temporarily adjourn the meeting until a quorum is present. If a quorum does not reconvene within 15 minutes, the Clerk must proceed in accordance with section 8.14(a) and (b).

Types of Council Meetings

8.16 Meetings are to be structured as follows:

- (a) Special (Open) Council Meetings: means a meeting of Council, other than a regular or inaugural meeting, held under Part 6.
- (b) Special (Closed) Council Meetings: means a meeting of Council, other than a regular or inaugural meeting, held under Part 6 and from which the public is excluded under the *Community Charter*.
- (c) Regular Council Meetings: means a meeting of Council, other than a special or inaugural meeting, held under Part 6.

Agendas

8.17 Prior to each meeting the Clerk must prepare an agenda that sets out all items for consideration at that meeting, noting the recommendation, if there is one, for each item on the agenda.

8.18 The agenda for all regular meetings must contain the following sections:

- (a) Call to Order;
- (b) Approval of Agenda;
- (c) Adoption of Minutes;
- (d) Delegations;
- (e) Presentations;
- (f) Reports;
- (g) Bylaws;
- (h) New Business;
- (i) Consent Agenda;
- (j) Other Items/Notices of Motion;
- (k) Reports from Mayor and Councillors;
- (l) Public Questions and Comments; and
- (m) Adjournment.

8.19 When preparing the agenda, the Clerk may, at his or her discretion:

- (a) vary the order set out in section 8.18; and/or
- (b) delete agenda sections if there is no business under those items.

8.20 The Clerk must make the agenda documents available to:

- (a) Members, by delivering a hard copy of the agenda documents to the Member's mailbox at Municipal Hall, delivering a hard copy of the agenda documents to the Member's residence, or providing a digital copy of the agenda documents to the Member; and
- (b) the public, by placing a hard copy of the agenda documents immediately outside of the Council Chamber for public inspection or posting a digital copy of the agenda documents to the District's website;

at least 48 hours prior to that meeting, except as otherwise determined by Council.

8.21 Subject to section 8.22 the agenda package must contain all documents in possession of the Clerk to be referred to in the consideration of items on the agenda.

8.22 If a portion of an agenda refers to items to be considered at a meeting from which the public is excluded, that portion of the agenda must not be made available to the public.

Consent Agenda

8.23 Items listed under the Consent Agenda section are considered for approval in one motion, unless a Member wishes to debate an item and requests that it be excluded. If an item is excluded from the Consent Agenda it will be considered as an agenda item. The rule of order establishing a Consent Agenda provides that Consent Agenda items may be considered in total and without debate or amendment.

8.24 Items will be listed in the Consent Agenda section that, in the opinion of the Chief Administrative Officer and/or Clerk, require little or no discussion.

Addition of Agenda Items

8.25 Prior to Council approval of the meeting agenda, the Chair must query whether any Member wishes to add an item of urgent business to the meeting agenda.

8.26 In response to the Chair's query, any Member may, without prior notice, request the addition of an item of urgent business to the meeting agenda.

- 8.27 The Member must, when making the request, inform Council of the general nature of the item and the reason for urgent consideration.
- 8.28 The Chair must immediately call a vote on the request.
- 8.29 If the request is approved the item of urgent business must be placed on the agenda under the New Business section.
- 8.30 When the item is considered under the New Business section, the Member must present any supporting information on which the Member intends to rely.
- 8.31 Sections 8.25 through 8.30 do not apply in the case of a meeting or portion of a meeting from which the public is excluded.

Voting

Dividing a Motion

- 8.32 If a Member requests that a motion be divided, Council must either:
- (a) vote separately on each distinct part of a motion that is under consideration; or
 - (b) vote separately on one or more distinct parts of the motion, as specified by the Member who requested division.
- 8.33 If the motion does not contain clearly identifiable distinct parts, and, in the opinion of the Chair, it is not possible to divide the motion into distinct parts, the motion cannot be divided and must be voted on as a single motion.

Poll Vote

- 8.34 If a poll vote is requested by a Member, Council must conduct a poll vote on the motion that is under consideration.
- 8.35 If a poll vote on a question is conducted, the Clerk must record in the minutes the name of each Member present and the way in which each Member voted on the question.

Leaving During Voting

- 8.36 Unless excused as a result of not being entitled to vote under the *Community Charter*, no Member may leave a meeting once a vote on a matter has been called until the vote on that matter has concluded.

Effect of Abstention from Voting and Tie Vote

- 8.37 Any Member present who does not vote in opposition will be deemed to have voted in the affirmative on the question.
- 8.38 If the votes of the Members present at a Council meeting at the time of the vote are equal for and against a motion, the motion is defeated.

Reconsideration

- 8.39 The following applies to reconsideration of a resolution, motion, or proceeding:
- (a) A Member who voted with the majority either for or against a motion, may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding, including the defeat of a motion, if the resolution, motion or proceeding has not been acted upon irreversibly by an officer, employee or agent of the District.
 - (b) A motion under section 8.39(a) must be introduced as a scheduled agenda item.
 - (c) If a motion to reconsider is defeated, the subject matter of the motion, resolution or proceeding may not be open for consideration by Council within six months except by way of a new and substantially different motion, subject to the Mayor's authority to require Council's reconsideration of a matter under the *Community Charter*.

Debate

- 8.40 The following governs when Members may speak:
- (a) The Chair may speak at a meeting at any time without leave, but may not interrupt a Member except to restore order.
 - (b) No Member may speak in a meeting until the Chair has recognized the Member.
 - (c) If a Member wishes to speak at the same time the Chair begins to speak, the Chair may speak first.
 - (d) If two or more Members wish to speak at the same time, the Chair must designate the order in which each is to speak.

- (e) A Member may speak to a question or motion at a meeting only if that Member first addresses the Chair.
- (f) With regard to a motion:
 - (i) the Member who moved the motion may speak first relative to that motion; and
 - (ii) the Member who seconded the motion may speak second relative to that motion.
- (g) No Member may interrupt a Member who is speaking except to raise a Point of Order.

Points of Order

- 8.41 Without limiting the Chair's duty under the *Community Charter*, a Member may raise a Point of Order at any time.
- 8.42 When a Point of Order is raised, the Chair must:
- (a) interrupt a matter of consideration on the agenda;
 - (b) interrupt a Member who had been speaking, until the Point of Order is ruled upon;
 - (c) ask the Member raising the Point of Order to state the substance of and the basis for the Point of Order; and
 - (d) rule on the Point of Order without debate.
- 8.43 The Member who raised the Point of Order:
- (a) must, upon request by the Chair, state the substance of and the basis for the Point of Order; and
 - (b) may, once the Chair has ruled on the Point of Order, appeal the Chair's ruling. If the ruling of the Chair is appealed, the Chair must put the appeal to a vote, pursuant to the *Community Charter*.
- 8.44 If a Member puts a question to the Chair regarding any matter connected to the affairs of Council or the District, the Chair may respond, or may:
- (a) require the Member to put the question in writing; and
 - (b) take the question on notice and respond during the next regular meeting.

Terms of Address

- 8.45 A person must address the Mayor as either “Your Worship”, the Mayor’s surname preceded by “Mayor”, or “Mister Mayor” or “Madam Mayor”, as the case may be.
- 8.46 A person must address a Councillor by his or her surname preceded by “Councillor”.
- 8.47 If a Member is chairing a meeting that person may alternatively be addressed as either “Chair”, the Chair’s surname preceded by “Chair”, or “Mister Chair” or “Madam Chair”, as the case may be.

Members Speaking at a Council Meeting

- 8.48 Except as otherwise unanimously resolved by the Members present and voting, a Member must:
- (a) only speak to an item of business that is on the meeting agenda, and only when that item is called for consideration by the Chair;
 - (b) only ask questions pertinent to the item of business before a motion dealing with the substance of the item has been moved and seconded;
 - (c) not speak to an item on the agenda until a motion dealing with the substance of the item has been moved and seconded;
 - (d) not speak more than twice to a matter, except that a Member may speak more than twice to a matter with the approval of the Chair:
 - (i) to explain a material part of his or her speech which may have been misunderstood; or
 - (ii) to ask a question pertinent to the matter under debate;
 - (e) not speak to a matter already disposed of by Council except on a motion for reconsideration in accordance with section 8.39.

General Rules of Conduct

- 8.49 No Member or person attending the meeting may interrupt a Member who is speaking, except to raise a Point of Order as permitted under section 8.41.
- 8.50 No Member or person attending the meeting may cause a disturbance, disrupt or unnecessarily delay the conduct of business at a meeting.

- 8.51 No Member or person attending the meeting may engage in bullying or harassing behaviour in respect of a Member, Government Official or a District employee, which includes, but is not limited to:
- (a) expressing a negative opinion about the personality or character of a Member, Government Official or District employee;
 - (b) speaking disrespectfully about a Member, Government Official or District employee;
 - (c) speaking or acting aggressively towards a Member, Government Official or District employee;
 - (d) questioning the motives of a Member, Government Official or District employee;
 - (e) using offensive gestures or signs; or
 - (f) using rude or offensive language or engaging in rude or offensive conduct.
- 8.52 If a Member or person attending the meeting is called to order by the Chair, that Member or person must immediately cease speaking.

Removal of Those Behaving Improperly

- 8.53 Pursuant to the *Community Charter*, if the Chair considers that another person at a meeting is acting improperly, including by contravening the General Rules of Conduct, the Chair may order that person expelled from the meeting.
- (a) If a Member is of the opinion that a person has contravened the General Rules of Conduct, the Member must state on the record how the General Rules of Conduct were contravened.
 - (b) If the Chair is of the opinion that the named person did not contravene the General Rules of Conduct, the Chair must state on the record why they believe that the General Rules of Conduct were not contravened.
 - (c) If a Member alleges a contravention of the General Rules of Conduct and the Chair is of the opinion that the named person contravened the General Rules of Conduct, the Chair will:
 - (i) permit the person to apologize immediately to Council for the conduct that contravened the General Rules of Conduct; or
 - (ii) order the person to leave the meeting.
 - (d) If a person who has contravened the General Rules of Conduct is permitted to apologize and does so apologize, the Chair will:
 - (i) permit the person to remain in the meeting; or

- (ii) order the person to leave the meeting immediately if the Chair is of the opinion that the apology was inadequate.

8.54 If a person does not voluntarily comply with an order of the Chair to leave a meeting, that person may be removed from the meeting by a peace officer at the direction of the Chair.

8.55 If a person repeatedly contravenes the General Rules of Conduct set out in this Bylaw, Council may adopt a resolution authorizing legal counsel to pursue legal remedies against the person.

Submissions by Those Attending a Special or Regular Council Meeting

8.56 A member of the public attending a special (open) or regular meeting may:

- (a) address Council once for a maximum of three minutes per agenda item; and/or
- (b) present written submissions;

only for agenda items listed under the Reports or Consent Agenda sections, or during the Public Questions and Comments section, except as otherwise determined by the Chair.

Persons Who Must Not Address Council

8.57 A member of the public attending a meeting must not address Council:

- (a) unless they meet the criteria outlined in section 8.56; or
- (b) if they have been or are in the process of being removed or ordered removed from the meeting in accordance with sections 8.53 and 8.54;

except as otherwise permitted by the Chair.

8.58 A member of the public attending a meeting must not address Council regarding:

- (a) an item relating to an issue which is before the courts or on which Council has authorized legal action;
- (b) a Notice of Motion;
- (c) an agenda item that contains a procedural recommendation for Council to set a date for consideration of the item at a future meeting or public hearing, and for which public notification prior to Council consideration of the item is required by enactment; or
- (d) a reading or adoption of a Zoning Bylaw, or an Official Community

Plan Bylaw, or any other bylaw which is the subject of a public hearing, after the close of a public hearing on the bylaw.

- 8.59 A member of the public attending a meeting must not address Council once Council debate on an item has begun.

Motions

Motions Generally

- 8.60 Resolutions, the reading of bylaws and the adoption of bylaws must be dealt with on a motion put by a Member and seconded by another Member.
- 8.61 Council may debate and vote on a motion only if it is first moved by any Member (including the Mayor) and seconded by another Member.
- 8.62 No more than one main motion may be on the floor at any given time.

Procedural Motions

- 8.63 Any motion to:
- (a) approve or amend the agenda;
 - (b) adopt minutes;
 - (c) defer a matter;
 - (d) refer a matter;
 - (e) call the question;
 - (f) adjourn a meeting;
 - (g) set a date for consideration of an item at a future meeting, and for which public notification prior to Council consideration of the item is required by enactment; or
 - (h) reconsider a motion that has previously been voted on;

is a procedural motion and is not subject to the procedure in section 8.77.

- 8.64 The list of procedural motions in section 8.63 is not exhaustive, but only a motion which Council resolves is to be considered a procedural motion is deemed to be a procedural motion.

Inadmissible Motion

- 8.65 If the Chair considers that a motion is contrary to an enactment or is otherwise inadmissible the Chair must immediately inform Council and

may refuse to permit debate on the motion and to put the question to a vote. The Chair must immediately give reasons for any such refusal.

Deferral or Referral of Business

8.66 The following rules apply to a motion to defer or refer an item of business:

- (a) a motion to defer or refer an item of business may only be made at the time that Council approves or amends the meeting agenda, or once that item of business is called for consideration by the Chair;
- (b) if a motion to defer or refer an item of business is made, that motion takes precedence over any main or amendment motion that may be on the floor and becomes the subject of debate;
- (c) a motion to defer or refer an item of business may only be debated relative to the merits of deferring or referring that item of business; and
- (d) if a motion to defer or refer an item of business is defeated, Council may once again debate the motion that was on the floor prior to the motion to defer or refer that item of business.

Withdrawal of Motions

8.67 A motion must not be withdrawn after it has been moved and seconded unless the mover and seconder both agree to withdraw the motion.

Amendment of Motions

8.68 An amendment motion may propose removing, substituting, or adding words to the main motion.

8.69 An amendment motion must be:

- (a) relevant to the main motion; and
- (b) moved and seconded.

8.70 No more than one amendment motion may be on the floor at any given time.

8.71 Once an amendment motion has been moved and seconded it takes precedence over the main motion and becomes the subject of debate.

Effect of Motion to Amend

8.72 An amendment motion must either be voted on or withdrawn before debate reverts to the main motion.

8.73 If a motion to amend is:

- (a) carried, the motion which has been amended:
 - (i) may be further debated as amended; and
 - (ii) must either be voted on as amended, or may be the subject of further motions to amend; or
 - (b) defeated or withdrawn, the motion in respect of which the amendment was moved:
 - (i) may be further debated unchanged; and
 - (ii) must either be voted on unchanged, or may be the subject of further motions to amend.
- 8.74 A motion, once defeated, cannot be introduced as an amendment to some other motion.
- 8.75 If the mover and seconder both agree to an amendment to the main motion then the amendment is a friendly amendment and must be incorporated into the main motion without requiring a vote of Council.

Question to be Put After Debate

- 8.76 The Chair must put every question to a vote immediately after debate on that question is closed.

Procedure if Proponent Absent

- 8.77 Council may not proceed with any item of business on the agenda in the absence of the Member at whose request the item was placed on the agenda, unless the:
- (a) written consent of the absent Member is presented to the Chair of the meeting; or
 - (b) Council resolves to proceed with that item of business despite the absence of that Member.

Motion for the Question

- 8.78 A Member may put forward a motion to call the question on a motion.
- 8.79 The following rules apply to a motion to call the question on a motion:
- (a) if a motion to call the question is made, the motion to call the question takes precedence over any other motion on the floor and must be voted on immediately and without debate; and
 - (b) if the motion to call the question is defeated, Council may once again debate the motion that was the subject of the motion to call

the question, prior to voting on that motion.

Notice of Motion

8.80 A notice of motion must:

- (a) be in the form prescribed by the Clerk;
- (b) state the date of the meeting at which the motion will be considered;
- (c) be signed by the mover and seconder of the motion;
- (d) be provided to the Clerk in writing no later than 12:00 p.m. (noon) on the Wednesday prior to the next meeting;
- (e) be added by the Clerk to the agenda for the next meeting under the Other Items/Notices of Motion section; and
- (f) be added by the Clerk to the Reports section of the agenda for the meeting at which the motion is to be considered, once the notice of motion has been given at a prior meeting.

8.81 A notice of motion must not include procedural motions or motions arising from recommendations of a working group or a standing or select committee.

8.82 At the meeting at which the motion is scheduled for consideration:

- (a) only the Member making the motion may make introductory remarks; and
- (b) after the motion is moved and seconded it may be debated and voted on by Council.

Adjourning a Meeting

8.83 Council may either:

- (a) adjourn a meeting to a specific date, time and place, in which case the date, time and place at which the meeting will be reconvened must be specified in the adjournment motion; or
- (b) adjourn a meeting without specifying a date, time and place, in which case all agenda business that was not dealt with at that meeting must be placed on the agenda for the next scheduled meeting of the same meeting type.

Confidentiality

- 8.84 All Members must keep in confidence information that was considered, or is scheduled to be considered, at any closed meeting, until and unless Council by resolution agrees to make the confidential information available to the public.

Part 9 Bylaws

Copies of Proposed Bylaws to Members

- 9.1 Council must not consider readings of a proposed bylaw unless the Clerk has provided a copy of it to each Member, except as otherwise permitted by Council.

Form

- 9.2 A bylaw introduced at a meeting must:
- (a) be provided to Council and be available for public inspection;
 - (b) have a distinguishing name and number;
 - (c) contain an introductory statement of purpose; and
 - (d) be divided into sections.

Readings and Adoption

- 9.3 The readings of a bylaw may be given by stating its distinguishing name and number.
- 9.4 Subject to this Bylaw and any enactments, Council may give a bylaw first, second and third reading at the same meeting.
- 9.5 Unless expressly authorized to do so by statute, Council must not adopt a bylaw at the same meeting at which it gives third reading.

Modification Prior to Adoption

- 9.6 A Member may only propose a modification to a bylaw when such bylaw is on the floor for either first, second or third reading, but may not do so, subject to section 9.8, when such bylaw is on the floor for adoption.
- 9.7 Subject to applicable enactments, Council may by resolution rescind the most recent reading of a proposed bylaw, other than first reading or

adoption, and then give the proposed bylaw that reading with or without modification.

- 9.8 In order to modify a bylaw which has received first, second and third reading, but which has not yet been adopted, the rescission of the third reading of that bylaw is required.

Recording Readings and Adoption

- 9.9 On the last page of every bylaw that is enacted by Council, the Clerk must set out the dates on which the readings and the adoption of the bylaw occurred.

Signed and Sealed

- 9.10 After a bylaw is adopted, the bylaw must be signed by the Clerk and the Chair of the meeting at which the bylaw was adopted, and must be sealed with the Corporate Seal.
- 9.11 After an adopted bylaw has been signed and sealed, the Clerk must have the bylaw placed in the District's permanent records for safekeeping.

Part 10 Delegations

- 10.1 Any person, persons, or organization wishing to appear as a delegation before Council shall submit a written delegation request to the Clerk for Council's consideration at an upcoming meeting.
- 10.2 Delegation requests must include:
- (a) the full particulars of the subject matter;
 - (b) the proposed action which is within the jurisdiction of the District that the delegation wishes the District to undertake in response to their submission;
 - (c) the name and division of the District staff that the delegation has consulted with;
 - (d) the names and addresses of the person(s) or the organization comprising the delegation; and
 - (e) the name, address and telephone number of the designated speaker(s).

- 10.3 Delegations must not be heard to address the following:
- (a) a bylaw in respect of which a public hearing has been or will be held where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw;
 - (b) an issue which is before the courts or on which Council has authorized legal action;
 - (c) a matter in respect of which a District-led public consultation process is planned or is in progress;
 - (d) the promotion of commercial projects and services;
 - (e) the promotion of a political party or of a candidate for elected office;
 - (f) publicly tendered contracts or proposal calls for the provision of goods and services for the District, between the time that such contract or proposal call has been authorized and the time that such a contract or proposal call has been awarded, either by Council or District staff;
 - (g) a request for funding; or
 - (h) a purpose or subject that is beyond the jurisdiction of Council;
- except as otherwise permitted by Council.
- 10.4 Council is responsible for considering and either approving or denying delegation requests in accordance with the criteria set out in sections 10.2 and 10.3.
- 10.5 Council may, by resolution, delegate its responsibility for considering delegation requests in accordance with the criteria set out in sections 10.2 and 10.3 to the Mayor and/or Clerk.
- 10.6 If a delegation request is approved, the Clerk will notify the person who wishes to appear as a delegation of the scheduled date for the delegation and the maximum time for appearance of a delegation before Council.
- 10.7 Only one delegation is permitted at each meeting of Council unless Council by resolution permits additional delegations at a meeting.
- 10.8 The maximum time for appearance of a delegation before Council is 10 minutes, with an additional allowance to respond to Council's questions, if any.
- 10.9 Council may waive strict compliance with section 10.8 by resolution passed by a majority of Members present.

Part 11 General

Irregularity

11.1 The failure of Council to observe the provisions of this Bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.

Waiver

11.2 Where all Members are present at a meeting, the absence of a call for such a meeting or failure to give notice to all or any Member will not render the meeting invalid if the unanimous consent of those Members present is obtained prior to transacting any business.

NOTICE given in accordance with sections 94 and 124(3) of the *Community Charter* by way of posting notices in the public notice posting places and by publication in the *North Shore News* newspaper on October 16, 18, 23, and 25, 2019.

READ A FIRST TIME on October 28, 2019

READ A SECOND TIME on October 28, 2019

READ A THIRD TIME on October 28, 2019

ADOPTED by the Council on November 4, 2019.

[Original signed by Mayor]

Mayor

[Original signed by Corporate Officer]

Corporate Officer