

## EXPLANATORY NOTES TO PROCEDURE BYLAW

The provisions contained in the Procedure Bylaw fit into four different categories of legislative authority contained in the *Community Charter*.

The four categories of provision contained in the Procedure Bylaw are as follows:

1. **Mandatory** -- The provisions contained in this category are required by the *Community Charter*. Unless otherwise identified, all provisions in the bylaw are mandatory. Some mandatory provisions contain blanks for information to be added as specified;
2. **Optional** -- These are provisions which a council may choose not to include. For example, providing for special council meetings to be conducted electronically or having a council or council committee member attend a council meeting or council committee meeting through electronic or other communication facilities is an optional provision found at section 8 of the Procedure Bylaw;
3. **Mandatory with Required Content** -- The provisions contained in this category are required by the *Community Charter*, however, they are general in the *Community Charter* and must be particularized. For example, the requirement in the *Community Charter* to give notice of special meetings is general and should be particularized by specifying the specific locations in the municipality where copies of the notice must be posted or left;
4. **Mandatory with Optional Content** -- The provisions contained in this category are mandatory but their content is optional. For example, s. 124 of the *Community Charter* makes it mandatory for councils to establish general procedures to be followed by council and council committees in conducting their business and councils must establish the rules of procedure for their council meetings and their meetings of council committees. However, the *Community Charter* does not prescribe the specific details of those rules and procedures and therefore, although there should be some provision related to the general topic, the content is optional. These provisions are found at sections 13 to 29 of the Procedure Bylaw.

There are other rules which apply to council meetings and other bodies as prescribed in s. 93 of the *Community Charter* which are not contained in the Procedure Bylaw. These are powers which spring directly from the *Community Charter* and specify a rule or procedure where Council has no discretion. For example, the rules contained at sections 89 to 93 regarding open meetings are not repeated in the bylaw but may be appended to the bylaw for convenient reference as suggested in section 10 of the Procedure Bylaw. The sections relevant to a provision are indicated in a box in the left margin next to the section.

COUNCIL PROCEDURE BYLAW

A BYLAW OF THE VILLAGE OF SAYWARD

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**COUNCIL PROCEDURE BYLAW**

A BYLAW OF THE VILLAGE OF SAYWARD

The Municipal Council of the Village of Sayward enacts as follows:

**PART 1 – INTRODUCTION**

**Title**

1. This Bylaw may be cited as the “COUNCIL PROCEDURE BYLAW NO. 386, 2011”.

**Definitions**

2. In this Bylaw,

“Village Office” means the Village Office located at 601 Kelsey Way, Sayward, British Columbia;

[s. 94\(7\)](#)

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

[s. 143](#)

“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 the Committee of the Whole Council;

“Corporate Officer ” means the CAO and CFO for the Village;

“Council” means the Council of the Village of Sayward;

“Mayor” means the Mayor of the Village;

[s. 124\(2\)\(e\)](#)

“Public Notice Posting Places” means the *notice board at Village Office, the Post Office Notice Board and the Village Website, etc;*

**Application of rules of procedure**

[s.124\(2\)\(a\) and \(b\)](#)

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW 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, 2nd edition, 1998 is:
  - (a) applicable in the circumstances, and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

**PART 2 – COUNCIL MEETINGS**

**Inaugural Meeting**

Mandatory with Required Content

s.124(2)(g)  
s.125(1)

4. (1) Following a general local election, the first Council meeting must be held on the first *Wednesday* in December *in accordance with s. 124(2)(g) of the Community Charter* in the year of the election.

s.125(2)

(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 CAO and held as soon as reasonably possible after a quorum has taken office.

**Time and location of meetings**

Mandatory with Required Content

s.125(2)

5. (1) All Council meetings must take place within Village Office except when Council resolves to hold meetings elsewhere.

- (2) Regular Council meetings must
  - (a) be held on the first Wednesday and the third Wednesday of each month, and
  - (b) begin at 7:00 pm;
  - (c) be adjourned at 11:00 pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29;
  - (d) when such meeting falls on a statutory holiday, be held on the next Wednesday or a time determined by the majority of Council;
- (3) Regular Council meetings may:
  - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
  - (b) be postponed to a different day, time and place by the Mayor, provided the CAO is given at least 2 days written notice,

Mandatory with Required Content

**Notice of Council Meetings**

s.127(1)

6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before January 5, 2011, 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. The following dates are suggested for this bylaw for 2011:

January	Wednesday	5
January	Wednesday	19
February	Wednesday	2
February	Wednesday	16
March	Wednesday	2
March	Wednesday	16
April	Wednesday	6
April	Wednesday	20
May	Wednesday	4
May	Wednesday	18
June	Wednesday	1
June	Wednesday	15
July	Wednesday	20
August	Wednesday	17
September	Wednesday	7
September	Wednesday	21
November	Wednesday	2
November	Wednesday	16
December	Wednesday	7
December	Wednesday	21

(2) Where revisions are necessary to the annual schedule of regular Council meetings, the CAO 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**

Mandatory with Required Content

s.127(2)

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 [notice of council meeting]*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours [option: could be a greater time period] before the time of meeting, by

(a) posting a copy of the notice in the Council chambers at Village Office,

- (b) posting a copy of the notice at the Public Notice Posting Places, and
- (c) leaving one copy of the notice for each Council member in the Council member’s mailbox at Village Office.

s.127(3)

- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the CAO.

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

Optional  
 Mandatory with required content

s. 130

- 8. (1) *In December of each year Council* must from amongst its members designate a *Councillor to serve* 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.

The Deputy Mayor for 2011 will be: Councillor Debbie Coates

- (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 to the applicable matter.

**PART 4 – COUNCIL PROCEEDINGS**

**Community Charter Provisions** Optional

- 9. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*]. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

**Attendance of Public at Meetings**

s. 89

- 10. (1) Except where the provisions of section 90 of the *Community Charter* [*meetings that may or must be closed to the public*] apply, all Council meetings must be open to the public.

s. 92

- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in

accordance with section 92 of the *Community Charter [requirements before Council meeting is closed]*.

- [s. 93](#)
- (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 advisory planning commission*,
  - (f) *Commissions such as recreation commission*.

#### Minutes of meetings to be maintained and available to public

- [s. 124](#)  
[s.124\(2\)\(c\)](#)
11. (1) Minutes of the proceedings of Council must be
- (a) legibly recorded,
  - (b) certified as correct by the CAO, and
  - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- [s.97\(1\)\(b\)](#)  
[s.97\(2\)](#)
- (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 Village Office during its regular office hours.
- [s.97\(1\)\(b\)](#)
- (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 [meetings that may be closed to the public]*.

#### Calling meeting to order

- [s.124\(1\)](#)  
[s.124\(2\)\(a\)](#)
12. (1) As soon after the time specified for a Council meeting as there is a quorum present (3 members of Council), 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 CAO 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**

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

### **Agenda**

- 14. (1) Prior to each Council meeting, the CAO must prepare an Agenda setting out 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 CAO of items for inclusion on the Council meeting Agenda must be **noon on the Wednesday prior to the meeting.**
- (3) The CAO must make the **agenda available to the Mayor for review on Friday afternoon at 4:00 and the full Agenda Packages available to Council at noon on the Monday 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**

- 15. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Public Input – 15 minutes
  - (b) Approval of agenda;
  - (c) Adoption of minutes;
  - (d) Introduction of late items;
  - (e) Public and statutory hearings,

- (f) Delegations – requests to address Council;
  - (g) Unfinished business;
  - (h) Correspondence and emails;
  - (i) Reports of committees, COTW and Commissions;
  - (j) CAO Report
  - (k) Requests for Decisions and Resolutions including Financial report (every second meeting)
  - (l) Reports from Fire Chief, Public Works Supervisor, Recreation Coordinator and Emergency Program Coordinator at the second meeting of the month
  - (m) Question and Answer Period (Maximum 15 minutes);
  - (n) Bylaws (introduction or review of);
  - (o) New business;
  - (p) Adjournment.
- (2) 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**

16. (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**

17. (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."

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;
- (c) 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;
- (d) the presiding member's decision about whether a question has been finally put is conclusive; and
- (e) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand
- (f) 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**

18. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application on a prescribed form has been received by the CAO **by noon on the Wednesday prior to the meeting**. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (2) Where written application has not been received by the CAO as prescribed in section 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) 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.
- (4) The CAO may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) The CAO 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 CAO's decision, the information must be distributed under separate cover to Council for their consideration.

### Points of order

s. 132

19. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, 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

20. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members 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
- (a) must immediately stop speaking,
  - (b) may explain their position on the point of order, and

s. 132

- (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.

(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.

s. 133(1)

(8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and

- (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
- (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

s. 133(2)

(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 15 minutes only with the permission of Council.

### **Motions generally**

21. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (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**

22. 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**

23. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:

- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; 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**

24. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
  - (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
  - (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
  - (5) An amendment that has been negated by a vote of Council cannot be proposed again.
  - (6) A Council member may propose an amendment to an adopted amendment.
  - (7) 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**

*Mayor's right of reconsideration found at s.131 of the Community Charter*

25. (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 24 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 approval or assent of the electors and been adopted,
  - (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 Village.
- (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 [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

### **Privilege**

- 26. (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

27. Council may take any of the following actions in connection with a resolution it receives from COTW:
- (a) agree or disagree with the resolution;
  - (b) amend the resolution;
  - (c) refer the resolution back to COTW;
  - (d) postpone its consideration of the resolution.

### Adjournment

28. (1) A Council may continue a Council meeting after 11:00 only by an affirmative vote of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 – BYLAWS

Mandatory with optional content except s.34 which is mandatory

### Copies of proposed bylaws to Council members

- s.124(2)(a) 29. A proposed bylaw may be introduced at a Council meeting only if a 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

30. 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;
- (e) be divided into sections;

### **Bylaws to be considered separately or jointly**

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

### **Reading and adopting bylaws**

32. (1) The presiding member of a Council meeting may
- (a) have the CAO 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 [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- s.135(2) (4) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (5) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, 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**

s.135(6)

33. After a bylaw is adopted, and signed by the CAO and the presiding member of the Council meeting at which it was adopted, the CAO must have it placed in the Village's records for safekeeping

s.148(a)

## PART 6 - RESOLUTIONS

Mandatory with optional content

### Copies of resolutions to Council members

- s.124(1)(a) 34. A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least [*option: 24 hours*] before the Council meeting, or all Council members unanimously agree to waive this requirement.

### Form of resolution

35. A resolution introduced at a Council meeting must be printed and have a distinguishing number.

### Introducing resolutions

36. (1) The presiding member of a Council meeting may:
- (a) have the CAO 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

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 Village's business, is a meeting of COTW.
- (3) Notice for COTW meetings

- s.124(2)(d) 38. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 48 hours by posting a copy of the notice at the Public Notice Posting Places; and
- (a) leaving a copy of the notice for each Council member in the Council member's mailbox at Village Office.

- (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.

[s.124\(2\)\(c\)](#)  
[s.145](#)

### **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 CAO,

[s.97\(1\)\(c\)](#)

### **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. 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. 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) a majority of 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 CAO.

### **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**

s. 141

- 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 of 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 if the Council or Mayor does not specify a time.

- (iii) On the first Council meeting in December of each year, the Mayor shall present to Council a list of the Standing Committees and their members for the following year, and the Mayor may make changes in the membership of any Committee throughout the ensuing year if he/she considers it necessary to do so.
- (iv) The Mayor is entitled to sit on any Committee and is entitled to vote on any matter that may arise within the jurisdiction of the Committee.
- (v) The following standing committees are approved by the Mayor for 2011:
  - (a) MIFLAG: Councillor Croteau and Councillor Kirschner (alternate)
  - (b) Sayward Futures: Councillor Croteau and Councillor Braybrook (alternate)
  - (c) Vancouver Island Library Board: Councillor Coates and Councillor Kirschner (alternate)
  - (d) RCMP Liaison: Councillor Coates and Mayor John Macdonald (alternate)

#### **Duties of select committees**

s. 142

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**

s.124(2)(d)

49. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:

- (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the CAO 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 [*option: 12 hours*] before the time of the meeting.

### **Attendance at Committee meetings**

50. 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**

[s.124\(2\)\(c\)](#)  
[s.97\(1\)\(c\)](#)

51. Minutes of the proceedings of a committee must be
- (a) legibly recorded,
  - (b) certified by the CAO,
  - (c) signed by the chair or member presiding at the meeting, and
  - (d) filed in date order in the “municipal library” which is located in Council Chambers for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

### **Quorum**

52. The quorum for a committee is a majority of all 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. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

## PART 9 - COMMISSIONS

Optional

s. 143  
s. 145

### 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 scheduled meetings or may cancel a 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 *[option: CAO]* 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 *[option: 12 hours]* before the time of the meeting.

### Minutes of Commission meetings to be maintained and available to the public

57. Minutes of the proceedings of a Commission must be:
- (a) legibly recorded;

- (b) certified by the CAO or,
- (c) 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* [other records to which public access must be provided].

**Quorum**

58. 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 gives notice in accordance with section 94 of the *Community Charter* [public notice].

62. Village of Sayward Procedure Bylaw No. 374 (2009) is repealed.

READ A FIRST TIME THIS 1<sup>st</sup> day of December 2010.

READ A SECOND TIME THIS 1st day of December 2010

READ A THIRD TIME THIS day of 20 .

ADOPTED THIS day of 20 .

\_\_\_\_\_  
CAO

\_\_\_\_\_  
MAYOR