



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
MARCH 16, 2021 – 7:00 PM
TEAMS Electronic Meeting**

1. Call to Order

2. Public Input (maximum 30 minutes)

Mayor: "Public Input is for the purpose of permitting people in the gallery to provide input and shall be no longer than 30 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the Agenda of the meeting; the public input opportunity is meant for input and questions and answers. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record, please state your name and address."

Recommended Resolution:

THAT the public input section be moved to the end of the agenda after public question period.

3. Introduction of Late Items

4. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for March 16, 2021 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on March 2, 2021 be adopted.

6. Petitions and Delegations

a) JP Fraser, Executive Director, BC Salmon Farmers Association; Michelle Franze, Manager of Communications.

Recommended Resolution:

THAT the delegation of the BC Salmon Farmers Association of BC be received.

7. Correspondence

a) Feb. 25, 2021 correspondence from Chair Hory, (RDMW) to Premier Horgan.

b) March 1, 2021 correspondence from George Hanson, Vancouver Island Economic Alliance to Minister Jordan, Minister of Fisheries, Oceans and the Canadian Coast Guard.

Recommended Resolution:

THAT correspondence (a) to (b) be received.

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report – None

11. Unfinished Business - None

12. Staff Reports

a) Solid Waste Service – Additional Receptacle Program

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Recommended Resolutions:

THAT Council receives the Solid Waste Service – Additional Receptacle Program report for information and discussion, and;

THAT Council directs Staff to amend the Fees & Charges Bylaw to reflect the new charge of \$5.00 for a sticker that enables citizens to dispose of additional solid waste.

b) Staff Report: Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw (Bylaw 471)

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Recommended Resolutions:

THAT Council receive the Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw Report for information and discussion, and;

THAT Staff post notice of the proposed revisions on the Village Website, the Campbell River Mirror, the notice boards, and the Sayward News, April 2021 edition, and;

FINALLY, THAT staff return to the April 6, 2021 Council meeting with a summary of public comments received on the proposed revisions, and request that Council consider fourth reading and final adoption of the bylaw.

c) Staff Report: Sayward Valley Fire Department (SVFD) Monthly Report - February 2021.

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Recommended Resolution:

THAT Council receive the SVFD monthly report for information and discussion.

13. Bylaws

a) Revenue Anticipation Bylaw, Bylaw No. 470, 2021

Recommended Resolution:

THAT Revenue Anticipation Bylaw No. 470, 2021 be given fourth and final reading.

b) Council Procedure Amendment Bylaw No. 471, 2021

Recommended Resolution:

THAT Council Procedure Amendment Bylaw No. 471, 2021 be given first, second and third reading.

c) 2021-2025 Financial Plan Bylaw 472, 2021

Recommended Resolution:

THAT Five Year Financial Plan Bylaw No. 472, 2021 be given first, second and third reading.

d) Zoning Amendment Bylaw No. 473, 2021

Recommended Resolutions:

THAT Zoning Amendment Bylaw No. 473, 2021 be given first and second reading, and;

THAT a Public Hearing for Zoning Amendment Bylaw No. 473, 2021, being a bylaw to amend Bylaw No. 309, Village of Sayward Zoning Bylaw, be set for _____ 2021 at 7 pm.

14. New Business

15. Public Question Period (maximum 15 minutes)

Mayor: "The purpose of the public question period is to permit people in the gallery to ask questions about the issues discussed by Council during the meeting. Speakers will be allowed to ask one question each. If time permits, after everyone has had an opportunity to ask questions, speakers will be allowed to ask a second question. For the record, please state your name and address." Given the meeting is being held electronically, any questions will have to be submitted in writing in advance of meeting adjournment.

16. In-Camera

Prepare to go In-Camera

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(i) of the *Community Charter* to discuss advice that is subject to solicitor-client privilege.

17. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for March 16, 2021 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
MARCH 2, 2021
TEAMS Electronic Meeting**

Present: Mayor Mark Baker
Councillor Norm Kirschner
Councillor Sue Poulsen
Councillor Wes Cragg

Regrets: Councillor Tom Tinsley

In Attendance: Ann MacDonald, CAO
Lisa Clark, CFO
Melissa Coates, Finance/Admin Clerk

1. Call to Order

Meeting was called to order at 7:00 PM.

2. Public Input

MOTION R21/63

MOVED AND SECONDED

THAT the Public Input section be moved to the end of the meeting after Public Question Period.

CARRIED

3. Introduction of Late Items – None

4. Approval of Agenda

MOTION R21/64

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for March 2, 2021 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R21/65

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on February 16, 2021 be adopted.

CARRIED

6. Petitions and Delegations

a) BC Assessment Presentation - Maurice Primeau, RI, Deputy Assessor - Vancouver Island Region; Presentation on Investment Trends and Assessed Values in Sayward & North VI.

MOTION R21/66

MOVED AND SECONDED

THAT the delegation and presentation be received.

CARRIED

7. Correspondence

- a) BC Salmon Farmers Association Feb. 23, 2021
- b) BC Salmon Farmers Association Discovery Islands Report
- c) LCRB Liquor Policy Reinstatement of temporary authority for BC liquor manufacturers
- d) Event Resilience Summits, Youth and First Nations
- e) MP Blaney invites Minister to locate economic development office in North Island
- f) CRI FireSmart Community Funding & Supports Approval & Conditions of Funding
- g) ICET Rural Business and Community Recovery Program Grant Opportunity
- h) Volunteer on a Committee with the College of Pharmacists of BC

MOTION R21/67

MOVED AND SECONDED

THAT correspondence (a) to (h) be received.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report – Rise and Report on In Camera meeting Feb 16, 2021

MOTION IC21/6

MOVED AND SECONDED

THAT Council compile criteria to conduct a performance review of the CAO by March 31, 2021 per the CAO's contract.

CARRIED

11. Unfinished Business – None

12. Staff Reports

a) Staff Report: January & February 2021 Administrative Office Report

MOTION R21/68

MOVED AND SECONDED

THAT Council receive the January & February 2021 Administrative Office report for information and discussion.

Opposed Cllr Cragg

CARRIED

b) Staff Report: Streetlighting Replacement Schedule - BC Hydro

MOTION R21/69

MOVED AND SECONDED

THAT Council receive the Streetlighting Replacement Schedule - BC Hydro Report for information and discussion.

CARRIED

c) Staff Report: Revenue Anticipation Bylaw No. 470

MOTION R21/70

MOVED AND SECONDED

THAT Council receive the Revenue Anticipation Bylaw 2021 Report for information and discussion.

CARRIED

d) Staff Report: Financial Plan 2021 – 2025

MOTION R21/71

MOVED AND SECONDED

THAT Council receive the Financial Plan 2021-2025 Final report for information and discussion.

CARRIED

MOTION R21/72

MOVED AND SECONDED

THAT Council approves the 2021-2025 Financial Plan as amended.

**Opposed Cllr Cragg, Cllr Kirschner
DEFEATED**

MOTION R21/73

MOVED AND SECONDED

THAT Council approves the 2021-2025 Financial Plan.

CARRIED

e) Staff Report: Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw (Bylaw 471)

MOTION R21/74

MOVED AND SECONDED

THAT Council receive the Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw Report for information and discussion.

CARRIED

MOTION R21/75

MOVED AND SECONDED

THAT staff return to the April 20, 2021 regular council meeting with revisions to Council Procedure Bylaw 471 tabled by Councillor Cragg for Council's review and consideration.

CARRIED

f.) Staff Report: Proposed Amendment to Bylaw 309, Zoning Bylaw, Section 602, Residential Commercial(R/C)

MOTION R21/76

MOVED AND SECONDED

THAT Council receive the Proposed Amendment to Bylaw 309, Zoning Bylaw, Section 602, Residential Commercial(R/C) report for information and discussion, and;

THAT Council direct staff to return to Council with a bylaw to amend Bylaw No. 309, Village of Sayward Zoning Bylaw to remove subsection 602 1 (d) Dwelling, Single Family as a principal use.

CARRIED

13. Bylaws

a) Revenue Anticipation Bylaw No. 470, 2021

MOTION R21/77

MOVED AND SECONDED

THAT Revenue Anticipation Bylaw No. 470, 2021 be given first, second and third reading.

CARRIED

14. New Business – None

15. Public Question Period (maximum 15 minutes) - None

16. In-Camera - None

17. Adjournment

MOTION R21/78

MOVED AND SECONDED

THAT the Regular Meeting of Council for March 2, 2021 be adjourned.

CARRIED

The meeting was adjourned at 9:14 PM.

Mayor

Corporate Officer



Regional District of Mount Waddington

PO Box 729 2044 McNeill Road, Port McNeill, BC V0N 2R0

Telephone (250) 956-3161 Fax (250) 956-3232

Web-site: www.rdmw.bc.ca Email: info@rdmw.bc.ca

File No. 310.01

February 25, 2021

The Honourable John Horgan, MLA
Premier of British Columbia
PO Box 9422 STN PROV GOVT
Victoria, BC B8W 9V1
Email: premier@gov.bc.ca

Dear Premier:

Re: Closure of Salmon Farms in the Discovery Islands

The Board of Directors for the Regional District of Mount Waddington (RDMW) has asked me to convey their concerns at the lack of adequate consultation leading up to the recent decision by the Honourable Bernadette Jordan, Minister of Fisheries, Oceans and the Canadian Coast Guard (DFO) directing the closure of all salmon farms in the Discovery Islands by June 30, 2022. The RDMW Board believes that the decision is not based on an adequate process of review and assessment and will result in severe disruption to our local economies and the possible loss of over 1,500 jobs. It is somewhat ironic that the RDMW is the recipient of funding from your government to attract new residents while decisions by the federal government may be expected to contribute to further population losses for our area.

I am requesting that you intervene with the Prime Minister and the DFO to affect a suspension of the closure order and encourage the DFO to undertake an enquiry into the rationale underlying Minister Jordan's decision to help develop an equitable and reasonable plan to address the concerns that led to the current situation. The Minister's arbitrary decision will result in considerable disruption to the lives of families in our communities and may also cause investment decisions by firms in the aquaculture sector to be placed on hold, or possibly cancelled. Furthermore, the terms of the inflexible timeline that the Minister has imposed may be expected to result in the euthanasia of up to 10.7 million salmon; an extreme waste of a valuable food resource.

INCORPORATED JUNE 13, 1966

MUNICIPALITIES: VILLAGE OF ALERT BAY, VILLAGE OF PORT ALICE, DISTRICT OF PORT HARDY, TOWN OF PORT MCNEILL
ELECTORAL AREAS: "A" (BROUGHTON ARCHIPELAGO, SOINTULA / MALCOLM ISLAND, MAINLAND); "B" (COAL HARBOUR, HOLBERG, QUATSINO, WINTER HARBOUR);

"C" (FORT RUPERT, HYDE CREEK, TSULQUATE); "D" (CORMORANT ISLAND, TELEGRAPH COVE, WOSS)



Your direct intervention with the DFO to suspend the closure order and convene an enquiry and consultation process into the rationale and consequences of the decision, would be greatly appreciated.

Please do not hesitate to have your office contact me directly, if I can provide any additional information concerning the impacts of this regrettable process.

Yours sincerely,



Andrew Hory
Chair

C: Rachel Blainey, MP
Michele Babchuk, MLA

INCORPORATED JUNE 13, 1966

MUNICIPALITIES: VILLAGE OF ALERT BAY, VILLAGE OF PORT ALICE, DISTRICT OF PORT HARDY, TOWN OF PORT MCNEILL
ELECTORAL AREAS: "A" (BROUGHTON ARCHIPELAGO, SOINTULA / MALCOLM ISLAND, MAINLAND); "B" (COAL HARBOUR, HOLBERG, QUATSINO, WINTER HARBOUR);
"C" (FORT RUPERT, HYDE CREEK, TSULQUATE); "D" (CORMORANT ISLAND, TELEGRAPH COVE, WOSS)





March 1, 2021

The Honourable Bernadette Jordan
Minister of Fisheries, Oceans and the Canadian Coast Guard
Bernadette.Jordan@parl.gc.ca

Minister Jordan,

This is to register our concern that sweeping closures of salmon farms in coastal BC will have enormous impact on the Island region economy—eliminating jobs in rural communities; reducing food production capacity; and discouraging investment in BC's \$1.6 billion industry at a time when our economy, especially in rural communities, is reeling from COVID-19.

While we are supportive of progressive solutions and continued improvements to sustainability, we believe that a phased approach that includes government support for changes necessary in the industry could accomplish the intended results without industry-wide disruption. Such an approach would add rather than subtract from the local economy by facilitating new industry infrastructure and development of industry-leading methodologies.

According to an independent report commissioned by the BC Salmon Farmers Association responding to the December 17, 2020 decision by the Ministry of Fisheries, Oceans and the Canadian Coast Guard that salmon farms in the Discovery Islands be removed by June 30, 2022 and that those farms not be re-stocked starting immediately, 'left un-altered, this decision will cost 1,500+ jobs and force the industry to kill more than 10 million juvenile salmon in the short term, while having lasting and far-reaching implications for numerous communities.

We concur with the BCSFA suggestion that this decision be revisited in a process that brings all parties together in a genuine dialogue. We also support the BCSFA request for:

- **Time** – Give everyone with a stake in salmon farming time to develop a plan to minimize the serious impacts of this decision.
- **Transfer** – Allow salmon farmers to transfer fish already in their systems to the farms to complete their lifecycle.
- **Table** – Bring all parties together in an inclusive and transparent process to find a better way forward and create unity in communities.

A handwritten signature in black ink, appearing to be 'GH', with a long horizontal line extending to the left.

George Hanson, President & CEO

Cc:

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STAFF REPORT

To: Mayor and Council
From: Ann MacDonald, CAO
Subject: Solid Waste Service – Additional Receptacle Program
Meeting date: March 16, 2021

BACKGROUND

Illegal dumping in the Sayward area has been a concern for the last several years. In 2019 two large dump sites were discovered and a third has been identified in February of this year. Once the Village is made aware of these sites, Comox Strathcona Waste Management is contacted, and clean-up efforts are started. Many small dump sites are never reported and remain a potential hazard to the environment indefinitely.

Citizens in Sayward have various options to dispose of their residential solid waste. Households are serviced weekly by Waste Management to collect garbage, which is then transported to the landfill in Campbell River. Additionally, household garbage that is too large for curbside pick-up can be brought to the Main Road yard 3 times a year for "Sayward Clean-Up Days".

Bylaw No 260, 1994 (as amended) outlines the volume of refuse allowed per dwelling unit as follows:

7. (1) The occupants of each dwelling unit are permitted to have collected each week residential refuse which is easily contained within 2 approved receptacles not to exceed a weight of 25 kilograms per receptacle.

The Bylaw allows for additional receptacles, if a fee is paid to the Village, as outlined in the Village of Sayward Fees & Charges Bylaw:

SCHEDULE D SOLID WASTE COLLECTION

Fees for collection of solid waste from approved receptacles and excess receptacles

DESCRIPTION	FEE
Up to two approved receptacles	\$223.25
Each additional receptacle	\$2.00 for each additional

DISCUSSION

The additional receptacle program has not been utilized in several years, and the charge outlined in the Fees & Charges Bylaw has not been updated since 2013. Staff propose the reintroduction of the

program will potentially reduce illegal dumping and allow residents to dispose of their excess garbage if required. If residents would like to dispose of excess garbage over and above the two approved receptacles per week, a sticker tag can be placed on any additional receptables or bags (up to 25 kg) for a fee. Staff are proposing a charge of \$5.00 to cover the additional costs to the Village, this includes the added tipping fees and the cost of the stickers purchased from Waste Management. Residents can purchase these stickers at the front counter. Information will also be posted in the Sayward News and on the Village of Sayward social media sites to inform residents of the reintroduction of this program.

STAFF RECOMMENDATIONS

THAT Council receives the Solid Waste Service – Additional Receptacle Program report for information and discussion, and;

THAT Council directs Staff to amend the Fees & Charges Bylaw to reflect the new charge of \$5.00 for a sticker that enables citizens to dispose of additional solid waste.

Respectfully submitted,

Ann MacDonald, CAO

Prepared by: Lisa Clark, CFO



STAFF REPORT

For: Mayor and Council
Prepared by: Ann MacDonald, CAO
Subject: **Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw (Bylaw 471)**
Meeting date: March 16, 2021

BACKGROUND

Section 124 of the *Community Charter* states that Council must, by bylaw, establish the general procedures to be followed by Council in conducting their business. The Village of Sayward has adopted Bylaw 416, Council Procedure Bylaw to comply with this requirement. The Council Procedure Bylaw is intended to ensure that the Village of Sayward conducts its business in such a way as to meet the required principle and standard of open, accountable, and accessible government. Any amendments to the bylaw must be done by bylaw also; hence, Bylaw No. 471 is being introduced tonight in order to carry out the amendments to Bylaw No. 416.

Providing for public input has been challenging during the COVID-19 pandemic and the subsequent Public Health Orders that have restricted public gatherings, including public council meetings and allowing the public to attend these meetings in person.

The Ministry has responded with a series of Ministerial Orders and legislation to allow Councils to meet set out the legal standard during this time. Ministerial Order 192 was the original legal framework that allowed local governments to continue their work while disallowing public attendance. This was recently replaced with the *COVID Related Measures Act*.

At its February 4th, 2021 meeting, Council directed staff to return to Council with proposed revisions to Bylaw 416 in order to clarify how public input and correspondence will be received by Council.

At that meeting, Council passed the following resolution:

MOTION R21/41

MOVED AND SECONDED

THAT the letter be received; and

THAT Staff return to Council in March with proposed revisions to the procedure bylaw known as Council Procedure Bylaw No. 416, 2015 to provide for public input.

CARRIED

DISCUSSION

Time and Location of Meetings Part 5, Section 2 (b)

In this set of revision there is also a change to clarify the start time, now shown in Bylaw 416 as meetings to commence at 2:30 pm per amendment Bylaw 423, 2016; Section 2 (b). This change was made in order to accommodate the schedule of former council members; however, a start time of 7 pm is the current practice and provides for participation on Council by members working during the day and for public to participate in normal times.

Finally, the bylaw already provides for members of the public to appear as Delegates, subject to resolution by Council, and at any meeting, provided that the individuals apply in writing before Wednesday at 12 pm on the week prior to the council meeting. This remains unchanged and is the current bylaw. While this deadline is in advance of the publishing of the Village agenda, the intent is to allow for members of the public to understand and question Council on a decision, not to participate in the actual deliberations at the time of the item, as the elected officials have that responsibility. This meets the standards of the provincial publication entitled *Procedures Bylaw Guide: for B.C.'s Local Governments*, released December 5, 2020.

The timelines allow for staff to contact the potential delegate and obtain their email address in order to invite them to attend the meeting as a delegate via TEAMS. In the event that the member of the public does not have access to a computer or account, staff will endeavour to assist their participation through setting them up in the administrative office to enable their participation.

Section 8 (4) Electronic Meetings

A new section has been added to provide for electronic meetings, as approved by council at the onset of the meeting to provide for emergency situations, with council supporting the need for an electronic meeting by resolution and providing the rationale at the beginning of the meeting.

Section 16 (1) Order of proceedings and business

(a) to remove the public input at the beginning of the meeting, now allowed at the end. New subsection 16 (1) (a) now to read *Call to Order*.

(o) to add Notices of Motions to provide for councillors to table new motions, per Councillor Cragg's suggested edits at the March 2 council meeting.

Section 20 (1) to (7) Correspondence

The most significant proposed revisions include the proposed new addition of Section 20. Correspondence. This section provides direction to staff on how to manage public correspondence. This includes requirements for the writer's name and address for administrative purposes, the deadline for receipt, and how to handle anonymous, illegible, or defamatory correspondence.

The proposed revisions also clarify what correspondence will not be placed on Council's agenda including that related to staff performance, administrative matters or items received after the 12:00 pm deadline on the Wednesday preceding the scheduled council meeting and matters that have previously been decided by Council within the past 12 months.

It is important to note that the proposed new Section 20 of Bylaw 416, Procedures Bylaw provides discretion to the Chief Administrative Office to discern how correspondence will be handled, in accordance with the criteria included in Section 20, subsections (1) through (7). As well, correspondence going forward to Council will be published on the Village of Sayward website and agenda showing the writer's name, and for privacy purposes the address and phone number and other required information will be redacted. The proposed revisions are intended to maintain the principle of open, accountable, and transparent government, meet the objectives of Bylaw 442, A Bylaw to Establish a Code of Conduct for Village of Sayward Council, and to enable Council to carry out its duties as elected and to ensure that administrative matters are handled by its CAO. As well, the vetting of correspondence that is disrespectful and/or defamatory. While not defined in the Village of Sayward proposed revisions, defamatory includes remarks that are damaging the reputation of someone, slanderous or libelous. Staff intend to forward correspondence to Council or post on the proposed new Village website in a confidential correspondence portal for Council; however, correspondence withheld from being placed on the council agenda per Section 20 subsections (1) through (7) will be handled as administrative correspondence and not placed on the public agenda or website.

Delegations Section 19 (6)

A new subsection has also been added to Section 19 (6) that clarifies that Council's role is to listen and ask questions of delegates, (and a similar clause per correspondence in revised Subsection 20 (7)) and that Council refrain from responding to requests or questions from delegates, (or that raised in Correspondence) nor engage in debate other than to ask clarifying questions, instead choosing to refer the matter to staff or a COTW meeting with a request that the mater return to a future meeting with more information, take no further action, table the mater to closed meeting if Section 90 of the *Community Charter* provides for the matter to be considered in camera, or consider the matter at that meeting or a future meeting. The intent of these sections is to re-enforce the public's right to ask questions and raise concerns but also to clarify that it is the role of the elected officials to deliberate matters among themselves in an orderly manner with a planned agenda rather than a debate among Council and the public representatives.

Staff has worked with the Ministry staff to complete the proposed revisions. Upon their recommendation, staff reviewed recent revisions to the District of Sparwood Council Procedure Bylaw, Bylaw No. 1245, 2020 as their recent review included a newly defined section on how to receive and mange public correspondence, and that is the bulk of the proposed revisions here.

Once a local government has adopted a bylaw it can only be amended or repealed by bylaw. Generally, bylaws to amend or repeal an existing bylaw are subject to the same approval and other requirements as the power to adopt a new bylaw under that authority, per section 339 of the BC *Local Government Act*.

Before adopting an amendment to the Council Procedure Bylaw, Council must give public notice in accordance with section 94 (public notice) of the *Community Charter* describing the proposed changes in general terms. Staff intend to place an ad in the Campbell River Mirror and on the Village website and Facebook page in advance of returning to Council for final adoption on April 6, 2021.

RECOMMENDATIONS

THAT Council receive the Proposed Revisions to Bylaw 416, 2015 Council Procedure Bylaw Report for information and discussion, and;

THAT Staff post notice of the proposed revisions on the Village Website, the Campbell River Mirror, the notice boards, and the Sayward News, April 2021 edition, and;

FINALLY, THAT staff return to the April 6, 2021 Council meeting with a summary of public comments received on proposed revisions, and request that Council consider fourth reading and final adoption of the bylaw.

Respectfully prepared,

Ann MacDonald, CAO

Attached: Council Procedure Bylaw No. 416, 2015 (consolidated) with proposed revisions

References:

1. District of Sparwood Council Procedure Bylaw (civicweb.net) Bylaw
2. BC Covid Related Measures Act
3. Ministerial Order 192/2020 (gov.bc.ca)
4. Procedure Bylaw Guide: For B.C.'s Local Governments



VILLAGE OF SAYWARD

BYLAW NO. 416 Village of Sayward Council Procedure Bylaw, 2015 (Consolidated)

A BYLAW TO ESTABLISH THE RULES OF PROCEEDINGS FOR THE COUNCIL OF THE VILLAGE OF SAYWARD PURSUANT TO THE *COMMUNITY CHARTER AND LOCAL GOVERNMENT ACT*.

The following is a consolidated version of Bylaw No. 416, Village of Sayward Council Procedure Bylaw, 2015 and includes the following amendment bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
423	Council Procedure Amendment Bylaw No. 423, 2016	March 15, 2006	To amend Part 2, section 5(2)(b)

CONSOLIDATED COPY FOR CONVENIENCE PURPOSES ONLY. This version of the bylaw may not be complete due to pending updates or revisions and therefore is here for reference purposes only. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.** Please come into the Village office to view the complete bylaw when required.

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VILLAGE OF SAYWARD

BYLAW NO. 416

A BYLAW TO ESTABLISH THE RULES OF PROCEEDINGS FOR THE COUNCIL OF THE VILLAGE OF SAYWARD PURSUANT TO THE *COMMUNITY CHARTER AND LOCAL GOVERNMENT ACT*.

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. 416, 2015**”.

Definitions

2.) In this Bylaw,

"Village Office" means the Village Office located at 652 H'Kusam Way, Sayward, British Columbia;

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

"CAO" means the Chief Administrative Officer for the Village;

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

"COTW" means the Committee of the Whole Council;

"Corporate Officer" means the Corporate Officer for the Village;

"Council" means the Council of the Village of Sayward;

"Mayor" means the Mayor of the Village of Sayward;

“Public Notice Posting Places” means the Notice Board at the Village Office and the Village Website;

Application of rules of procedure

- 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, 11th edition, 2011* 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

- 4.) (1) Following a general local election, the first Council meeting must be held on the first Tuesday in December 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 Village Office except when Council or the Mayor decides to hold meetings elsewhere.
- (2) Regular Council meetings must:
- (a) be held on a schedule that generally follows the first and third Tuesday of each month, and
 - ~~(b) begin at 2:30 pm;~~
 - (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 section 30;
 - (d) when such meeting falls on a statutory holiday, be held on the next Tuesday or a time determined by Council;
- (3) Regular Council meetings may:

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- (a) be cancelled or rescheduled 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 at least 2 days written notice is given.

Notice of Council Meetings

- 6.) (1) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before December 31st, 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; and give notice in accordance with Section 94 of the *Community Charter*.
- (2) 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 date, 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 Village Office.
 - (c) contacting each member of Council by telephone to notify them of the special meeting.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting.

Electronic meetings

- 8.) (1) Provided that conditions set out in Section 128 (2) of the *Community Charter* are met regular or special Council meetings may be conducted by means of audio electronic or other communication facilities provided that the members participating have received a copy of the agenda material.
- (2) The member presiding at a Council or Council committee meeting must not participate electronically.

(3) No more than 2 members of Council at one time may participate at a Council or Council Committee meeting under Section 8 (1).

(4) Notwithstanding subsections 8 (2) and (3), in an emergency, special circumstances or public health event that prevents or restricts members from being able to physically meet in one location, members may participate in a meeting by means of electronic or other communication facilities provided that the rationale for the electronic meeting is agreed to by members and endorsed by a resolution explaining the rationale at the beginning of the meeting.

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

- 9.) (1) In December of each year Council must, from amongst its members designate a Councillor to serve as Deputy Mayor who is 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) The Councillor designated under section 9 (1) must fulfil 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

- 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. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

Attendance of Public at Meetings

- 11.) (1) Except where the provisions of section 90 of the *Community Charter* apply all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.

(3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:

- (a) COTW,
- (b) standing and select committees,
- (c) parcel tax review panel,
- (d) board of variance,
- (e) advisory committees.
 - i.) Despite Section 11 if the presiding member considers that a person at the meeting is acting improperly, the member may order that the person be expelled from the meeting.
 - ii.) If the person who is expelled does not leave the meeting, a peace officer may enforce the order as if it were a court order.

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 following the meeting at which the minutes are adopted.
- (2) Subject to subsection 12 (3) and in accordance with section 97 (1) (b) of the *Community Charter* minutes of the proceedings of Council must be open for public inspection at Village Office during its regular office hours.
- (3) Subsection 12 (2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

Calling meeting to order

- 13.) (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order. 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 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) 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) Public Input – 15 minutes;~~

(a) Call to Order

- (b) Introduction of late items;
- (c) Approval of agenda;
- (d) Adoption of minutes;
- (e) Public and statutory hearings;
- (f) Petitions and delegations;
- (g) Correspondence and emails;
- (h) Council Reports;

- (i) Reports of committees and COTW;
- (j) Mayor's Report;
- (k) Unfinished business;
- (l) Staff Reports;
- (m) Reports from Fire Chief, Public Works Supervisor, Recreation Coordinator and Emergency Program Coordinator;
- (n) Bylaws;
- (o) New business and Notices of Motions;
- (p) Question and Answer Period (Maximum 15 minutes);
- (q) 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

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

Voting at meetings

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

"All in favour." and then "Those opposed."
- (2) When the presiding member is putting the matter to a vote under section 18 (1) (a) and (b) a member must not:
- (a) cross or leave the room;
 - (b) make a noise or other disturbance, or;

- (c) 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 section 18 (1) (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;
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand;
- (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. Where the number of votes on a motion are equal, the motion is defeated and the presiding member shall so indicate;
- (h) the presiding member must state the names of members voting in opposition to the motion; and
- (i) the result of the vote and the names of the members voting in opposition to the motion shall be recorded in the minutes.

Delegations

- 19.) (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 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 majority 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 pre-requisite 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.

(6) Council members must refrain from responding to requests or questions from a delegation, nor engage in debate except to ask clarifying questions or to correct incorrect information. Following the delegation's presentation, Council may:

(a) refer the request to staff, a committee of the whole meeting for a report or further investigation if the matter relates to village funding or village resources, current priorities or initiatives;

(b) take no further action;

(c) table that matter to a meeting closed to the public if Section 90 of the *Community Charter* applies to the matter; or

(d) consider the matter at the meeting at which the delegation has appeared or consider the matter at a future regular meeting of Council.

Correspondence

20.) (1) If correspondence is to be considered by Council or its Committee it must include the author's full name and current contact information including, at a minimum, the author's residential address, and telephone number or e-mail address.

(2) The deadline for correspondence from the public to the Corporate Officer of items for inclusion on the meeting agenda is noon p.m. on the Wednesday prior to the meeting.

(3) The Corporate Officer will neither respond to nor place on an agenda any correspondence which, is anonymous, illegible, or defamatory.

(4) Correspondence addressed to Mayor and/or Council:

(a) that is related to staff performance will not be considered by Council and shall be referred to the CAO;

(b) that, in the Corporate Officer's determination, is of a purely administrative or operational nature which shall be referred to the CAO or the appropriate Officer or Official, and copied to Council;

(c) that is related to an item of business before Council, a Committee, or Commission received after 12:00 PM on the Wednesday prior to the meeting, if that agenda has been published, will be distributed as a late agenda item.

(d) that relates to the following will not be placed on an agenda:

- (i) matters that have been decided upon by Council within the previous twelve (12) months;
- (ii) matters that are of a purely administrative or operational nature; and
- (iii) matters that have been referred to staff for a report, until the matter is before Council, Committee, or Commission.

(5) Notwithstanding subsection 20 (4) (c) correspondence unrelated to an item of business before Council, received after the deadline under subsection 20 (2) shall be included in a subsequent meeting agenda.

(6) Staff may prepare recommendations related to correspondence for Council, Committee, or Commission consideration.

(7) The provisions of subsection 19 (6) Delegations shall apply to any correspondence included in an agenda for which a proposed Resolution has not been provided.

Points of order

- 21.) (1) Without limiting the presiding member's duty under section 132 (1) of the *Community Charter*, the presiding member must apply the correct procedure to a motion:
- (a) if the motion is contrary to the rules of procedure in this bylaw, and
 - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order:
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and
 - (c) the presiding member may reserve the decision until the next Council meeting.

Conduct and debate

- 22.) (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, by using the words "Your Worship" or "Mayor", or "Deputy Mayor".
- (3) Members must address other non-presiding members by the title Councillor.

- (4) No member may 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
 - (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 (22) (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.
- (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 3 minutes only with the permission of Council.

Motions generally

- 23.) (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

- 24.) 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

- 25.) (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

- 26.) (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 defeated 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

- 27.) (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 Section 26 (1) of this Bylaw 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 Section 26 (1) of this Bylaw or section 131 of the *Community Charter* is valid and has the same effect as it had before reconsideration.

Privilege

- 28.) (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

- 29.) 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

- 30.) (1) A Council may continue a Council meeting after 11:00 p.m. 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

Copies of proposed bylaws to Council members

- 31.) 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

- 32.) 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

- 33.) 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

- 34.) (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;
- (5) 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;
- (6) 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

- 35.) 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.

PART 6 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

- 36.) (1) At any time during a council meeting, Council may by resolution go into Committee of the Whole.

(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.

Notice for COTW meetings:

37.) (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 48 hours previously 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.

(b) contacting each member of Council by telephone to notify them of the COTW meeting.

(2) Subsection (1) does not apply to a COTW meeting that is called in accordance with section 36 during a Council meeting for which public notice has been given under section 6 or 7.

Minutes of COTW meetings to be maintained and available to public

38.) (1) Minutes of the proceedings of COTW must be:

(a) legibly recorded,

(b) certified by the Corporate Officer.

Presiding members at COTW meetings and Quorum

39.) (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

40.) 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

41.) 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 3 minutes on any one question;
- (e) the chair may speak to a motion without vacating the chair, but must vacate the chair to move a motion.

Voting at meetings

- 42.) (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

- 43.) (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.

Rising without reporting

- 44.) (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 36 (1), the Council meeting must resume and proceed to the next order of business.

PART 7 – COMMITTEES

Duties of standing committees

- 45.) (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:

(c) as required by Council or the Mayor, or

(d) at the next Council meeting if the Council or Mayor does not specify a time.

Duties of select committees

46.) (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

47.) (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

48.) (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 Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.

(3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 47 (2) to be given to all members of the committee at least 24 hours before the time of the meeting.

Attendance at Committee meetings

- 49.) 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

- 50.) Minutes of the proceedings of a committee must be:
- (a) legibly recorded,
 - (b) certified by the person designated to record minutes,
 - (c) signed by the chair or member presiding at the meeting, and
 - (d) filed in date order in the Village Office for public inspection in accordance with section 97 (1) (c) of the *Community Charter*.

Quorum

- 51.) The quorum for a committee is a majority of all of its members.

Conduct and debate

- 52.) (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

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

PART 8 – GENERAL

- 54.) 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.
- 55.) 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].
- 56.) Village of Sayward Procedure Bylaw No. 386, 2011 and 388, 2011 are repealed.

READ A FIRST TIME THIS 8th day of September, 2015.

READ A SECOND TIME THIS 8th day of September, 2015.

READ A THIRD TIME THIS 8th day of September, 2015.

ADOPTED THIS 17th day of November, 2015

Original signed by "J. MacDonald"

Mayor

Original signed by "D. Kiedyk"

Chief Administrative Officer

Public Notice of the intention to adopt this bylaw was given by way of advertising in the Campbell River Mirror on the 30th day of October, 2015 and in the November 2015 edition of the Sayward News.

Active Members: 13

Monthly Operations:

SCBA Checks: No defects reported.

Equipment Checks: No problems or defects reported.

Vehicle Inspections: No problems or defects reported.

Training:

Week 1: 2 Members and 2 Officers attended. Topic: Man down and self-rescue techniques.

Week 2: 4 Members and 2 Officers attended. Topic: De-brief & PTSD counselling.

Week 3: 3 Members and 3 Officers attended. Topic: Kelsey Centre Pool Rescue familiarisation.

Week 4 3 Members and 2 Officers attended. Topic: Fire pump familiarisation.

Calls This Month: 7

Fire: 2 Chimney Fires (Locations: Village: 2, Valley: 0)

Medical: 3 (Locations: Village: 0, Valley: 3)

MVI: 1

Duty Officer: 1 - Hydro Trouble

Other Rescue: 0

Maintenance:

Fire Hall #1. None Required

Fire Hall #2. None Required

Office:

Training preparation. First Responder kit replacement due to extreme contamination.

Contacts/Emails/Phone Calls etc.:

None

Notes:

Five firefighters responded to a traumatic medical call on the 8th Feb. They are being closely monitored for signs of stress or PTSD related to this call.



VILLAGE OF SAYWARD

BYLAW NO. 470

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE

WHEREAS the Village of Sayward may not have sufficient cash on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the Community Charter that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

- a.) The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year; and
- b.) The whole amount of any sums of money remaining due from other governments;

AND WHEREAS there are no liabilities outstanding under Section 177;

AND WHEREAS the total amount of liability that Council may incur is seven hundred thousand dollars (\$700,000) made up of the sum of two hundred and fifty thousand dollars (\$250,000), being 75% of the whole amount of the taxes levied for all purposes in 2020, and four hundred and fifty thousand dollars (\$450,000), being the whole amount of the sum of money remaining due from other governments;

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **"Village of Sayward Revenue Anticipation Bylaw No. 470, 2021"**.
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the municipality an amount or amounts not exceeding the sum of seven hundred thousand dollars (\$700,000).
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and Financial Officer.
4. All unpaid taxes, the taxes of the current year when levied, and sums due from other governments or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

5. All the monies so borrowed and the interest payable thereon shall be payable on or before the 31st day of December 2021.
6. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Read a first time on the 2nd day of March 2021.

Read a second time on the 2nd day of March 2021.

Read a third time on the 2nd day of March 2021.

Adopted on the ____ day of _____ 2021.

Certified a true copy of Bylaw
No. 470 this ____ day of
_____, 2021

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer



**VILLAGE OF SAYWARD
BYLAW NO. 471**

A BYLAW TO AMEND COUNCIL PROCEDURE BYLAW 416, 2015

WHEREAS the Council of the Village of Sayward has adopted a Council Procedure Bylaw;

AND WHEREAS the Council of the Village of Sayward wishes to amend "Council Procedure Bylaw No. 416, 2015";

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the Village of Sayward, in open meeting assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited as "**Council Procedure Amendment Bylaw No. 471, 2021**".

2. AMENDMENT

Council Procedure Bylaw No. 416, 2015 is hereby amended as follows:

a.) THAT Part 2, Time and location of meetings, section 5 (2) be amended by deleting (b) and replacing it with "(b) begin at 7:00 pm"

b.) THAT Part 2, Electronic meetings, section 8 be amended by adding (4) as follows:

(4) Notwithstanding subsections 8 (2) and (3), in an emergency, special circumstances, or public health event that prevents or restricts members from being able to physically meet in one location, members may participate in a meeting by means of electronic or other communication facilities provided that the rationale for the electronic meeting is agreed to by members and endorsed by a resolution explaining the rationale at the beginning of the meeting.

c.) THAT Part 4, Order of proceedings and business, section 16 (1) be amended by deleting (a) and replacing it with "(a) Call to Order".

d.) THAT Part 4, Order of proceedings and business, section 16 (1) (o) be amended by adding "and Notice of Motions".

e.) THAT Part 4, Delegations, section 19 be amended by adding (6) as follows:

(6) Council members must refrain from responding to requests or questions from a delegation, nor engage in debate except to ask clarifying questions or to correct incorrect information. Following the delegation's presentation, Council may:

(a) refer the request to staff, a Committee of the Whole meeting for a report or further investigation if the matter relates to Village funding or village resources, current priorities or initiatives;

(b) take no further action;

(c) table the matter to a meeting closed to the public, if Section 90 of the *Community Charter* applies to the matter; or

(d) consider the matter at the meeting at which the delegation has appeared or consider the matter at a future regular meeting of Council.

f.) THAT Part 4 be amended by adding a new section as follows:

Correspondence

20. (1) If correspondence is to be considered by Council or its Committee it must include the author's full name and current contact information including, at a minimum, the author's residential address, and telephone number or e-mail address.

(2) The deadline for correspondence from the public to the Corporate Officer of items for inclusion on the meeting agenda is 12:00 pm on the Wednesday prior to the meeting.

(3) The Corporate Officer will neither respond to nor place on an agenda any correspondence which, is anonymous, illegible, or defamatory.

(4) Correspondence addressed to Mayor and/or Council:

(a) that is related to staff performance will not be considered by Council and shall be referred to the CAO;

(b) that, in the Corporate Officer's determination, is of a purely administrative or operational nature shall be referred to the CAO or the appropriate Officer or Official, and copied to Council;

(c) that is related to an item of business before Council, a Committee, or Commission received after 12:00 pm on the Wednesday prior to the meeting, if that agenda has been published, will be distributed as a late agenda item.

(d) that relates to the following will not be placed on an agenda:

(i) matters that have been decided upon by Council within the previous twelve (12) months;

(ii) matters that are of a purely administrative or operational nature; and

(iii) matters that have been referred to staff for a report, until the matter is before Council, Committee, or Commission.

(5) Notwithstanding subsection 20 (4) (c) correspondence that is unrelated to an item of business before Council, received after the deadline under subsection 20 (2) shall be included in a future meeting agenda.

(6) Staff may prepare recommendations related to correspondence for Council, Committee, or Commission consideration.

(7) The provisions of subsection 19 (6) Delegations shall apply to any correspondence included in an agenda for which a proposed resolution has not

been provided.

g.) THAT sections 20 to 55 be renumbered to sections 21 to 56.

h.) THAT the Table of Contents be updated to reflect the amendments outlined in a.) to g.)

Read a first time on the ____ day of _____ 2021.

Read a second time on the ____ day of _____ 2021.

Read a third time on the ____ day of _____ 2021.

Adopted on the ____ day of _____ 2021.

Certified a true copy of Bylaw No. 471
this ____ day of _____, 2021

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer



VILLAGE OF SAYWARD

BYLAW NO. 472

A BYLAW TO CONFIRM AND ADOPT THE 2021 – 2025 FINANCIAL PLAN

WHEREAS under section 165 of the Community Charter the Council for the Village of Sayward is required to adopt a financial plan before the annual property tax bylaw is adopted.

NOW THEREFORE the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **"Five Year Financial Plan Bylaw No. 472, 2021"**.
2. Schedule "A" attached hereto and forming part of this Bylaw is hereby adopted and is the Financial Plan for the Village of Sayward for the period 2021-Jan-01 to 2025-Dec-31.
3. The expenditures set forth in Schedule "A" are hereby authorized.
4. Schedule "B" attached hereto and forming part of this Bylaw is hereby adopted and is the Financial Plan Objectives and Policies for Funding Sources and Distribution of Property Value Taxes.
5. Bylaw No. 463 cited as "Five Year Financial Plan Bylaw No. 463, 2020" is hereby repealed.

Read a first time on the ____ day of _____ 2021.

Read a second time on the ____ day of _____ 2021.

Read a third time on the ____ day of _____ 2021.

Adopted on the ____ day of _____ 2021.

Certified a true copy of Bylaw
No. 472 this ____ day of _____,
2021

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer

Village of Sayward
2021 – 2025 Five Year Financial Plan Bylaw No. 472, 2021
Schedule A

	2021	2022	2023	2024	2025
REVENUES					
Taxation					
Property Value Taxes	345,834	354,480	363,342	372,425	381,736
Parcel Taxes	8,108	8,108	8,108	8,108	8,108
Utilities/Payments in Lieu of Taxes	10,783	10,999	11,219	11,444	11,672
Total Taxation	364,725	373,587	382,669	391,976	401,516
Fees and Charges					
Recreation	14,800	14,870	14,941	15,014	15,089
Licences/Permits	6,000	6,000	6,000	6,000	6,000
Sewer Utility	69,383	71,811	74,325	76,926	79,618
Water Utility	131,279	140,468	150,301	160,822	172,080
Solid Waste Fees	37,982	39,881	41,875	43,968	46,167
Other Revenue	77,596	72,905	73,223	73,551	73,888
Total Fees and Charges	337,039	345,935	360,665	376,282	392,842
Other Revenue					
Federal Government Grants	71,562	71,562	75,143	75,143	75,143
Provincial Government Grants	393,370	401,237	409,262	417,447	425,796
Capital Asset Grants	100,228	366,000	1,081,000	539,500	0
Other Grants	436,100	404,500	123,500	115,000	4,500
Total Other Revenue	1,001,260	1,243,299	1,688,905	1,147,090	505,439
Proceeds From Borrowing	0	0	0	0	0
Transfers Between Funds					
Statutory Reserve Funds	0	0	0	0	0
Surplus/Reserve Accounts	737,806	123,050	14,000	14,000	0
TOTAL REVENUE	2,440,830	2,085,870	2,446,238	1,929,348	1,299,797
EXPENSES					
Municipal Purposes					
General Government Services	568,134	415,211	415,389	421,301	427,378
Fire, Emergency & Protective Services	223,395	53,503	53,412	54,805	54,805
Public Works, Roads, Drainage	135,607	111,489	113,639	115,873	118,196
Parks & Recreation	290,265	274,636	280,743	287,105	293,737
Sewer Utility	82,896	71,264	72,682	74,152	75,678
Water Utility	129,055	131,648	134,342	137,144	140,062
Solid Waste Operations	43,000	43,000	43,000	43,770	44,555
Interest Payment on Municipal Debt	2,337	2,337	2,337	2,337	1,480
Amortization	195,803	195,803	195,803	195,803	195,803
Annual Surplus/(Deficit)	770,338	786,980	1,134,891	597,060	-51,896

Village of Sayward
2021 – 2025 Five Year Financial Plan Bylaw No. 472, 2021
Schedule A, cont.

Capital Expenditures					
General Capital Expenditures	79,000	289,000	1,214,000	664,000	0
Sewer Capital Expenditures	120,000	200,000	0	0	0
Water Capital Expenditures	677,594	395,000	0	0	0
Principal Payment on Municipal Debt	17,400	17,400	17,400	17,400	6,628
Adjustment for Non-Cash Items (Amortization)	-195,803	-195,803	-195,803	-195,803	-195,803
Transfers Between Funds					
Statutory Reserve Funds	0	0	0	0	0
Surplus/Reserve Accounts	72,148	81,383	99,295	111,464	137,280
FINANCIAL PLAN BALANCE	0	0	0	0	0

Village of Sayward
2021 – 2025 Five Year Financial Plan Bylaw No. 472, 2021
Schedule B

Financial Plan Objectives and Policies for Funding Sources and Distribution of Property Value Taxes

A. Funding Sources

Over the term of the plan funding sources as defined in S(165)(7) of the Community Charter are derived as shown in Table 1; amounts and proportions shown for fiscal 2021.

Table 1: Funding Sources, Fiscal 2021

Taxation	\$	364,725	14.94%
Fees, Charges & Other Revenue	\$	337,039	13.81%
Federal & Provincial Grants	\$	1,001,260	41.02%
Appropriation from Surplus/Reserves	\$	737,806	30.23%
	\$	2,440,830	100.00%

Objectives and Policies:

- Seek and identify alternative revenue sources.
- Reduce dependency on taxation.
- Annually review proportion of revenue that is received from user fees and charges and increase rates as required.

B. Distribution of Municipal Property Taxes Across Property Classes

Over the term of the plan municipal property taxes are distributed across eight property tax classes as shown in Table 2; approximate amounts and proportions shown for fiscal 2021.

Table 2: Distribution of Municipal Property Taxes, Fiscal 2021

Class 1 - Residential	205,155	59.322%
Class 2 - Utilities	1,477	0.427%
Class 4 - Major Industry	-	0.000%
Class 5 - Light Industry	109,062	31.536%
Class 6 - Business & Other	21,788	6.300%
Class 7 - Managed Forest	4,880	1.411%
Class 8 - Recreation/Non-Profit	3,476	1.005%
Class 9 - Farm	-	0.000%
	<hr/>	
\$	345,834	100.00%

Objectives and Policies:

- Tax rates are fully adjusted to eliminate the impact of changes in assessment due only to market changes as identified by the BC Assessment Authority.
- Attract and sustain commercial and industrial development to/in the Village.
- Maintain property tax rates at a level that attracts families to the Village.
- Council will continue to encourage economic development initiatives designed to attract more businesses to the area.
- Regularly review and compare the Village's distribution of tax burden relative to other small BC municipalities.

C. Permissive Tax Exemptions

The Village of Sayward believes that Permissive Tax Exemptions are an appropriate way to recognize the value of the services provided to the community by non-profit organizations. Exemptions are granted by Bylaw and are reviewed annually.

Objectives and Policies:

- Continue to provide permissive tax exemptions to non-profit societies that contribute social, economic and cultural benefits to the community.

Excerpt from Village of Sayward Zoning Bylaw No. 309, 2000

602 RESIDENTIAL /COMMERCIAL (R/C)

1. PERMITTED PRINCIPLE USES

On any lot:

- a) Dwelling, Apartments;
- b) Dwelling, Row and Town Houses;
- c) Dwelling, Duplexes;
- d) Dwelling, Single Family; TO BE REMOVED
- e) Retail;
- f) Offices;
- g) Service establishments;
- h) Restaurants.

2) PERMITTED ACCESSORY USES

- a) Secondary suites;
- b) Buildings and structures accessory to the uses permitted.

3. LOT SIZE

The minimum lot area for subdivision is 1200m² (0.3ac).

4. LOT COVERAGE

Buildings and structures shall not cover more than 70% of the lot area.

5. Siting of Structures

Except where otherwise specified in this Bylaw, no building or structure shall be located within:

- a) 6.0m (19.6ft) of front and rear lot lines;
- b) 3.0m (9.8ft) of any side lot line;
- c) 4.5m (14.5ft) of side lot line abutting a public road right-of-way, in the case of a corner lot;
- d) No accessory buildings shall be located within 1.5m (4.9ft.) of a rear or side lot line.



VILLAGE OF SAYWARD
BYLAW NO. 473

A BYLAW TO AMEND ZONING BYLAW NO. 309, 2000

WHEREAS the Council of the Village of Sayward has adopted a Zoning Bylaw pursuant to Section 903 of the *Local Government Act*;

AND WHEREAS the Council of the Village of Sayward wishes to amend "Zoning Bylaw No. 309, 2000"

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the Village of Sayward, in open meeting assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited as "**Zoning Amendment Bylaw No. 473, 2021**".

2. AMENDMENT

Section 602 (1) (d) of Zoning Bylaw No. 309, 2000 is hereby repealed.

Read a first time on the ____ day of _____ 2021.

Read a second time on the ____ day of _____ 2021.

Public Hearing held on the ____ day of _____ 2021.

Read a third time on the ____ day of _____ 2021.

Adopted on the ____ day of _____ 2021.

Certified a true copy of Bylaw No. 473
this ____ day of _____, 2021

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer