



**VILLAGE OF BELCARRA
COUNCIL PROCEDURE BYLAW No. 356, 2004
Consolidated**

***A Bylaw to Regulate the Procedure at Council Meetings
for the Village of Belcarra***

This consolidation is a copy of a bylaw consolidated under the authority of Section 139 of the *Community Charter*. This consolidation is not a legal document. Individual copies of the bylaw may be obtained by contacting the Village Office. This bylaw is printed under and by authority of the Chief Administrative Officer of the Village of Belcarra.

Amendment Bylaw No. 391, 2006 effective date November 20, 2006
Amendment Bylaw No. 433, 2010 effective date December 13, 2010
Amendment Bylaw No. 509, 2017 effective date November 20, 2017
Amendment Bylaw No. 527, 2018 effective date December 10, 2018
Amendment Bylaw No. 575, 2020 effective date December 7, 2020
Amendment Bylaw No. 588, 2021 effective date September 27, 2021

The Municipal Council of the Council of the Village of Belcarra, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw may be cited as the “**COUNCIL PROCEDURE BYLAW No. 356, 2004**”.

Definitions

2. In this Bylaw:

Village Hall	means Village Hall located at 4084 Bedwell Bay Road, Belcarra BC V3H 4P8
Chairperson	means the person presiding at a meeting of a select committee of council;
Committee	means a standing, select, or other committee of Council;
Public Notice Posting Place	means the notice board at Village Hall.

PART 2 – COUNCIL MEETINGS

Inaugural Meeting

3. The first Council meeting following a general local election must be held on the first Monday of November in the year of the election.
(Amendment Bylaw No. 509, 2017)

Time and location of meetings

4. (1) All Council meetings must take place within Village Hall except when Council resolves to hold meetings elsewhere.
- (2) Council shall establish annually by resolution a schedule of Council meetings:
 - (a) beginning at 7:00 pm;
(Amendment Bylaw No. 527, 2018)
 - (b) concluding at 11:00 pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time.”
(Amendment Bylaw No. 391, 2006)

Notice of Council Meetings

5. (1) Council must prepare annually on or before December 31, 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 Place**.
- (2) Council must give notice annually on or before December 31 of the time and duration that the schedule of regular Council meetings will be available.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the **Corporate Officer** must, as soon as possible, post a notice at the **Public Notice Posting Place** which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Electronic Meetings

6. (1) Subject to the *Community Charter*
 - (a) a special meeting may be conducted by means of electronic or other communication facilities,
 - (b) a member of Council or a council committee who is unable to attend a council meeting or a council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities,

- (2) No more than 2 members of Council at any one time may participate at a Council meeting under section 6(1)(b).
- (3) The **Corporate Officer** must provide an electronic copy of the Agenda and specific information to the members participating electronically.

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

7. (1) Annually, before December 31st, Council must from amongst its members designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under Section 7(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under Section 7(1) are absent from the Council meeting, the next designated Councillor for the next three month period shall take the Chair and call the meeting to order.

PART 4 – COUNCIL PROCEEDINGS

Attendance of Public at Meetings

8. The Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under Section 7 may expel or exclude from a Council meeting a person other than a member and:
 - (a) if the person refuses to leave, the presiding member may cause the member to be removed by a peace officer; and
 - (b) if the person apologizes to the Council, Council may, by resolution, allow the person to return to the place where the Council meeting is being held.

Minutes of Meetings to be Maintained and Available to the Public

9. Minutes of the proceedings of Council must be:
 - (a) legibly recorded;
 - (b) certified as correct by the **Corporate Officer**; and
 - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

Call Meeting to Order

10. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, if the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with Section 7 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 7(1) do not attend within 15 minutes of the scheduled time for a Council meeting, the person designated under section 7(3) shall call the meeting to order.

Adjourning Meeting Where No Quorum

11. 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

12. (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 summary for each item on the agenda.
- (2) The deadline for submissions by the public to the **Corporate Officer** of items for inclusion on the Council meeting Agenda must be no later than 12 noon the Tuesday prior to the meeting.
(Amendment Bylaw No. 575, 2020)
- (3) The deadline for submissions by staff to the **Corporate Officer** of items for inclusion on the Council meeting Agenda must be no later than 12 noon the Tuesday prior to the meeting.
(Amendment Bylaw No. 575, 2020)
- (4) The **Corporate Officer** must make the Agenda available to members of Council by Thursday afternoon prior to the meeting and to the public on the Thursday afternoon prior to the meeting.
(Amendment Bylaw No. 575, 2020)
- (5) 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 14.

- (6) Public Question Period:
- (a) Public Question Period not be limited to questions or comments related to topics on the Council meeting agenda; and
 - (b) Questions from the Council meeting agenda be addressed first, followed by questions on other topics; and
 - (c) when a Council meeting is held virtually, the full name and video of the person asking a question must be visible; and
 - (d) a maximum of 2 minutes be allowed for each question; and
 - (e) a maximum of 20 minutes be allowed for Public Question Period with completion by 11:00 pm, as per Council Procedure Bylaw No. 356, 2004, Section 20.
 - (f) The Mayor, or whoever is Chairing the Council meeting, be granted the authority to consider if a question or comment from a member of the public is appropriate to be raised in a Regular Council meeting i.e. a matter of litigation, or personnel, or other topics that are included in the *Community Charter, Section 90 (1) and (2)*, as Council meeting topics that may or must be closed to the public.
(Amendment Bylaw No. 588, 2021)

Order of Proceedings and Business

13. (1) The Agenda for all Council meetings contains the matters listed in Schedule "A", Order of Council Business, in the order in which they are listed, attached to this bylaw.
- (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.
(Amendment Bylaw 433, 2010)

Late Item

14. (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 14(1), information pertaining to Late Items must be distributed to the members.

Voting at Meetings

15. (1) The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:
"Those in favour raise your hands.", and then
"Those opposed raise your hands."

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

Conduct and Debate

- 16.**
- (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
 - (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 reconsidered; 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) 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.
- (9) 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.
- (10) Robert's Rules of Order apply to all regular, special and/or committee meetings, unless otherwise provided in, or in conflict with, this bylaw or the *Community Charter*.

Motions Generally

- 17.** (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) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting, if a motion by a Council member to *Consider Seriatim* is adopted by Council.

Amendments Generally

18. (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 decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may be amended once only.
- (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.

Reconsideration by Council Member

19. (1) Subject to subsection (4), 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 reconsider 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.

Adjournment

- 20.** A Council may continue a Council meeting after 11:00 pm only by an affirmative vote of the Council members present.

PART 5 – BYLAWS

Form of Bylaws

21. 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

22. 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

23. (1) The readings of the Bylaw may be given by stating its title and object.
- (2) A proposed Bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (3) Subject to the *Local Government Act*, each reading of a proposed Bylaw must receive the affirmative vote of a majority of the Council members present.

Bylaws Must Be Signed

24. After a Bylaw is adopted, and signed by the **Corporate Officer** and the presiding member of the Council meeting at which it was adopted, the **Corporate Officer** must have it placed in the Village's records for safekeeping.

PART 6 – RESOLUTIONS

Introducing Resolutions

25. (1) The presiding member of a Council meeting may request a motion that a resolution be introduced.

PART 7 – COMMITTEES

Duties of Standing Committees

- 26.** (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 or delegated 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 or as required;
 - (b) on matters that are assigned by Council or the Mayor at the time specified.

Duties of Select Committees

- 27.** (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

- 28.** (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

- 29.** (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 Staff Resource person must, as soon as possible, notify the

Corporate Officer who will 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 staff resource person to a committee must cause a notice of the day, time and place of a meeting called under Section 30(2) to be given to all members of the committee before the time of the meeting.

Attendance at Committee Meetings

30. 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

31. Minutes of the proceedings of a committee must be:
 - (a) legibly recorded;
 - (b) certified by the Department Head or designate who is assigned as staff resource to the Committee;
 - (c) signed by the chair or member presiding at the meeting; and
 - (d) filed with the **Corporate Officer** and be open for public inspection..

Conduct and Debate

32. (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 the committee members present.

Voting at Meetings

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

PART 8 – ANNUAL MEETING

Annual Meeting

34. The **Corporate Officer** must give notice of the council meeting or other public meeting in respect of which Council has resolved to consider
 - (1) the annual report prepared under Section 98 of the *Community Charter*, and
 - (2) submissions and questions from the public,

by giving public notice by

- (3) posting notice of the date, time and place of the annual meeting in the posting locations, and
- (4) publishing notice of the date, time and place of the annual meeting in accordance with Section 94 of the Community Charter.

PART 8 - GENERAL

- 35.** 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.
- 36.** 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]*.
- 37.** Village of Belcarra Procedure Bylaw No. 298 as amended is repealed.

Public Notice given as of this 23rd day of February, 2004.

Read a first time by the Municipal Council this 8th day of March, 2004.

Read a second time by the Municipal Council this 8th day of March, 2004.

Read a third time by the Municipal Council this 22nd day of March, 2004.

Reconsidered finally passed and adopted by the Municipal Council of the Village of Belcarra this 5th day of April, 2004.

Mayor

Village Clerk

Certified to be a true and correct copy of the "Village of Belcarra Council Procedure Bylaw No. 356, 2004" adopted by the Council of the Village of Belcarra this 5th day of April, 2004.

Moira McGregor
Administrator

Schedule “A”

Order Of Business at Regular Council Meetings

Unless the Council otherwise resolves, Council shall deal with business at every regular meeting in the following order:

- (a) Call to Order;
- (b) Approval of the agenda;
- (c) Adoption of the minutes;
- (d) Delegations and Presentations;
- (e) Reports;
- (f) Reports from Mayor and Committees;
- (g) Bylaws;
- (h) Correspondence/Proclamations;
- (i) New Business;
- (j) Public Question Period;
- (k) Adjournment.

(Amendment Bylaw 433, 2010)