



**VILLAGE OF BELCARRA  
COUNCIL PROCEDURE  
BYLAW NO. 617, 2023**



**A Bylaw to regulate the proceedings of Council, Council Meetings, and  
other Council reporting bodies for the Village of Belcarra**

WHEREAS pursuant to the *Community Charter*, Council must by bylaw, establish general procedures to be followed by Council and Council committees in conducting their business;

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

**PART 1 – INTRODUCTION**

**1. Citation**

- (1) This Bylaw may be cited as the “Village of Belcarra Council Procedure Bylaw No. 617, 2023”.

**2. Definitions**

- (1) In this Bylaw:

“**Acting Mayor**” means the Council member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of mayor is vacant;

“**Agenda**” means the list of items and order of business for any meeting of Council;

“**Chair**” means the Mayor, Acting Mayor or person appointed under the *Community Charter* or this Bylaw to preside over a meeting;

“**Chief Administrative Officer**” means the chief administrative officer or designate for the Village appointed pursuant to section 147 of the *Community Charter*;

“**Closed Meeting**” means a Meeting that must or may be closed to the public under sections 90(1) and 90(2) of the *Community Charter*;

“**Committee**” means a Standing Committee, Select Committee, or other committee, commission, task force, ad hoc group established by Council or authorized by statute to provide an advisory function to Council;

“**Community Charter**” means the *Community Charter*, SBC 2003, c. 26;

“**Corporate Officer**” means the municipal employee or designate appointed as corporate officer for the Village pursuant to section 148 of the *Community Charter*;

“**Council**” means the Council of the Village of Belcarra;

“**Council Meeting**” means any gathering in which members of Council have been invited at which discussion could be seen to be making decisions or moving towards making decisions, and is a material part of Council’s decision-making process;

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

**“Deferral”** means a motion to defer consideration of a matter to a subsequent Meeting;

**“Delegation”** means an individual or group appearing before Council to present information or make a request of Council pursuant to section 28;

**“Electronic Attendee”** means a person who is attending an Electronic Meeting or Hybrid Meeting via electronic means;

**“Electronic Meeting”** means a meeting where all Members participate electronically;

**“Electronic Participation”** means the electronic participation of one or more attendees at an In Person Meeting;

**“Hybrid Meeting”** means a meeting where some Members are attending in person and some Members are attending electronically;

**“Inaugural Meeting”** means the meeting at which members elected at the most recent general local election are sworn in as a Member of Council;

**“In Person Meeting”** means a meeting where some or all Members participate in-person;

**“Local Government Act”** means the *Local Government Act*, RSBC 2015, c. 1;

**“Mayor”** means the duly elected Mayor of the Village;

**“Meeting”** means an Inaugural Meeting, Regular Council Meeting or Special Council Meeting or a committee meeting, as context requires;

**“Meeting Schedule”** means the annually published schedule of the Regular Council Meetings;

**“Member”** means the Mayor or a Councillor in relation to Council, or an appointed individual of a Committee;

**“Main Motion”** means the motion that first introduces a matter before Council;

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

**“Point of Information”** means the procedure pursuant to which a Member may raise their hand and ask the Chair to require further information on the subject being debated;

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

**“Public Input Period”** has the meaning set out in section 27;

**“Public Question Period”** has the meaning set out in section 29;

**“Public Hearing”** means a hearing held pursuant to Division 3 Part 14 of the *Local Government Act*;

**“Public Notice Posting Places”** means the notice board at the Village Hall and optionally the Village website;

**“Question”** means the subject matter of a motion currently under debate, except when referring to public question period;

**“Quorum”** means:

- a) in the case of a Council Meeting, a majority of the Members of Council; and
- b) in the case of a Committee, a majority of the voting Members appointed.

**“Referral”** means a motion to refer a matter to staff or to a Committee;

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

**“Regular Council Meeting”** means a meeting of Council held other than a special or inaugural meeting held under Part 2;

**“Robert’s Rules of Order”** means *Robert’s Rules of Order*, Newly Revised, 12<sup>th</sup> Edition By Henry M. Robert (Public Affairs, 2020), or the most recent subsequent edition;

**“Select Committee”** means a committee established by Council to consider or inquire into any matter or to report its findings and opinion to Council and to which other members are appointed who are not members of Council pursuant to section of the *Community Charter*;

**“Special Council Meeting”** means a meeting of Council other than a Regular Council Meeting or Inaugural Meeting held pursuant to section 9;

**“Standing Committee”** means a committee which must be established by the Mayor for matters the Mayor considers would be better dealt with by a committee pursuant to section 141 of the *Community Charter*;

**“Tabled”** means an item will be dealt with within the current meeting or on the next meeting agenda as unfinished business;

**“Village”** means the Village of Belcarra;

**“Village Hall”** means Belcarra Village Hall located at 4084 Bedwell Bay Road, Belcarra BC V3H 4P8; and

**“Village Website”** means the information resource found at an internet address provided by the Village.

### 3. Incorporation of Definitions and Interpretation

- (1) Unless otherwise defined in this Bylaw, the definitions used in the *Community Charter* apply to this Bylaw.
- (2) Words importing the singular include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders or the body corporate or politic where the context or the parties so require.
- (3) Headings given to sections are for convenience of reference only and do not form part of this Bylaw;

- (4) Unless expressly stated otherwise, a reference to a section or Part, means that section or Part of this Bylaw.
- (5) reference to a statute, regulation or another bylaw refers to that enactment as it may be amended or replaced from time to time.

#### **4. Application of Procedural Rules**

- (1) This Bylaw governs the proceedings of Council and all Committees of Council, as applicable;
- (2) In cases not provided for under this Bylaw or the *Community Charter*, then the most current version of *Robert's Rules of Order* applies to the proceedings of Council and Council Committees to the extent that these rules are:
  - (a) applicable in the circumstances; and
  - (b) not inconsistent with this Bylaw, the *Community Charter* or other applicable enactments;
- (3) The business of Council will be conducted in accordance with this Bylaw or the *Community Charter* and, in the absence of provision in this Bylaw or the *Community Charter*, in accordance with parliamentary procedure as set out in the current edition of *Robert's Rules of Order*.

#### **5. Public Notice Posting Place**

- (1) The Public Notice Posting Place is to be used for the purpose of giving notices under Section 94 of the *Community Charter*.

### **PART 2 – COUNCIL MEETINGS**

#### **6. Inaugural Meeting**

- (1) Following a general local election, the Inaugural Meeting must be held within the first ten (10) days of November in accordance with section 124(2)(g) of the *Community Charter* in the year of the general local election.
- (2) If a Quorum of Members elected at the general local election has not taken office by the date of the meeting referred to in subsection 6(1), the Inaugural Meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.

#### **7. Time and location of meetings**

- (1) All Council meetings must take place within the Village Hall unless Council resolves to hold meetings elsewhere. Council must establish prior to December 31, by Resolution, a Meeting Schedule for Regular Council Meetings.
- (2) Regular Council Meetings will:
  - (a) be held on two (2) Mondays of each month, where practical, unless the Chief Administrative Officer or Corporate Officer determine there are insufficient items for the Agenda to hold a Council Meeting or the Monday falls on a statutory holiday;

- (b) commence at 7:00 pm on the day scheduled for the Regular Council Meeting;
  - (c) be adjourned at 11:00 pm on the day scheduled for the Regular Council Meeting unless Council resolves to proceed beyond that time; and
  - (d) have a designated municipal officer in attendance, or that person's deputy.
- (3) Closed Council Meetings will:
- (a) be scheduled where it has been determined that a meeting or part of a meeting must or may be closed to the public pursuant to sections 90 and 91 of the *Community Charter*, and
  - (b) be adjourned:
    - (i) if scheduled on the same day as a Regular Council Meeting, by 6:30 pm; or
    - (ii) if scheduled on a day other than the day on which a Regular Council Meeting is also scheduled, within three hours after the time at which the meeting started;
    - (iii) unless Council resolves to proceed beyond that time in accordance with section 42 [Adjournment].
- (4) Public Hearings will:
- (a) be held on a day other than days on which Regular Council Meetings are scheduled;
  - (b) begin at 6:00 pm; and
  - (c) be adjourned at or before the end of the third hour after the start time unless Council resolves to proceed beyond that time in accordance with section 42 [Adjournment].
- (5) Council may, by Resolution:
- (a) reschedule or cancel meetings;
  - (b) change the time or location for holding meetings;
  - (c) recess for a short period with a statement of approximate time a meeting will be reconvened; and
  - (d) call an additional meeting(s) at the time and place stipulated in the Council Resolution.
- (6) The Corporate Officer may, in accordance with the Mayor and the Chief Administrative Officer or by a Resolution of Council, cancel, postpone, or reschedule any meeting of Council, and establish a different day, time or place for that meeting.

## 8. Notice of Council Meetings

- (1) In accordance with section 127 of the *Community Charter*, Council will prepare annually on or before December 31, a Meeting Schedule that includes the dates, times and places of Regular Council Meetings. The Meeting Schedule will be made available to the public by posting it at the Public Notice Posting Place, and optionally, the Village website.
- (2) Council will give notice annually on or before December 31 of the time and duration that the Meeting Schedule or Regular Council Meetings will be available.

- (3) Council may revise the Meeting Schedule, including by cancelling, rescheduling, or changing the time or location for holding a Regular Council Meeting. When such revisions are made, the Corporate Officer will, as soon as possible, post a notice at the Public Notice Posting Place, and optionally, the Village website, indicating any revisions to the date, time and place or the cancellation of the meeting.

## 9. Calling and Notice of Special Council Meetings

- (1) The Mayor may call a Special Council Meeting at their discretion by sending a written notice of the date, time, place and nature of the meeting to the Chief Administrative Officer or Corporate Officer who will provide the information to Council.
- (2) Two or more Councillors may, in writing, request that the Mayor call a Special Council Meeting.
- (3) Two or more Councillors may request that the Mayor call a Special Council Meeting by sending a written request to all Council Members, the Chief Administrative Officer and the Corporate Officer if:
  - (a) within 24 hours after receiving a request pursuant to section 9(2), the Mayor has not made arrangements for a Special Council Meeting to be held within the next 7 days; or
  - (b) the Mayor and the Acting Mayor are absent or otherwise unable to call a Special Council Meeting.
- (4) Except where notice of a Special Council Meeting is waived by unanimous vote of all Members under 127(4) of the *Community Charter*, a notice of the date, time, and place of the Special Council Meeting must be given at least 24 hours before the time of the meeting, by:
  - (a) posting a copy of the notice at the Regular Council Meeting place;
  - (b) posting a copy of the notice at the Public Notice Posting Places;
  - (c) leaving one copy for each Council Member in the Council Member's mailbox at the Village Hall and providing an electronic copy for each member through Village email.
- (5) Unless waived under subsection (4), notice of a Special Council Meeting must describe in general terms the purpose of the meeting and be signed by the Chief Administrative Officer or the Corporate Officer.
- (6) If the meeting Agenda contains a proposed Resolution to close all or part of the meeting to the public, the notice must state:
  - (a) the basis under sections 90 and 91 of the *Community Charter* on which all or part of the meeting is to be closed; and
  - (b) briefly outline the purpose of the meeting;but the notice must not otherwise describe the matter in respect of which all or part of the meeting is to be closed.
- (7) Before the time of a Special Council Meeting, the person or persons calling the meeting may, by written notice to the Chief Administrative Officer or Corporate Officer:
  - (a) cancel the meeting; or
  - (b) postpone the meeting and reschedule it to a different day and time.

## 10. Electronic Meeting Participation by Council Members

- (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* [electronic meetings and participation by members] are met:
  - (a) Council meetings may be conducted by electronic means.
  - (b) The Chair and Chief Administrative Officer or designate will determine if a meeting of Council will be held as a Hybrid Meeting or Electronic Meeting.
  - (c) A Member of Council or a Council committee, who is unable to attend a Council meeting or a Council committee meeting in person, may participate in the meeting by means of electronic or other communication facilities if:
    - (i) the facilities enable the other members of Council to hear and be heard by the Electronic Attendees;
    - (ii) Council members attending an Electronic Meeting or Hybrid Meeting must, at all times, be visible on camera; and
    - (iii) except for any part of the Council meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the Council member.
  - (d) The Chair and at least one Councillor along with the Chief Administrative Officer or the Corporate Officer must personally attend in the Village Hall for any Hybrid Meeting of Council. In extenuating circumstances, all members of Council including the Mayor, and either the Chief Administrative Officer or the Corporate Officer may attend an Electronic Meeting of Council.
  - (e) A Council Member who wishes to attend an In-Person Meeting via electronic means must provide notice to the Chair, the Chief Administrative Officer or the Corporate Officer of their intent no less than 24 hours in advance of the meeting.
  - (f) Priority for Electronic Participation will be granted in order that the request is received, based on notification date and time, and will not exceed the electronic participation limits established in this section. Requests for an accommodation process will always be considered.
  - (g) A Council Member may not exercise the option to participate electronically in an in person meeting more than ten (10) times per calendar year without the general consent or approval by Resolution of Council.
  - (h) The name of Electronic Attendees will be noted in the meeting minutes as having participated electronically.
  - (i) If a Member of Council participates in an Electronic Meeting of Council:
    - (i) the Chair shall advise Council when the Member joins the meeting;
    - (ii) the Member shall advise when they leave the meeting and shall state the reason why if associated with an item up for discussion.
  - (j) Members who are participating in a Closed Council Meeting electronically must ensure and verbally acknowledge that they are in a secure area where no one else can hear them and that they will maintain that confidentiality for the duration of the meeting;
  - (k) The verbal acknowledgement of confidentiality will be recorded in the minutes of the Closed Council meeting.

- (l) Electronic Attendees who lose connectivity with the electronic platform for more than five (5) consecutive minutes during the meeting will be noted in the minutes as having left the meeting. Reasonable effort will be made to re-establish communication, however the meeting will continue without the Electronic Attendees so long as there is quorum present.
- (m) Should a Member participating electronically be disconnected while speaking, the Chair will move on to the next speaker. Once communications are re-established, the Member will be provided another opportunity to speak as long as the Motion on the item has not been voted on.
- (n) If a Council Member is not connected or cannot be re-connected to a Council meeting when a motion is on the floor and voted on, the Council Member will be recorded as absent in the minutes.
- (o) The Corporate Officer will provide an electronic copy of the Agenda and specific information to the Electronic Attendees.

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

#### **11. Designation of Acting Mayor**

- (1) Annually, in December, Council must, from amongst its Members, designate Councillors to serve on a rotating basis, each 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. If a Councillor is unable or unwilling to participate in an Acting Mayor rotation, that Councillor may, by resolution of Council, be excused from being designated as Acting Mayor for up to one year.
- (2) Each Council Member designated under section 11(1) must fulfill the responsibilities of the Mayor in the absence of the Mayor.
- (3) The Member designated as Acting Mayor shall chair meetings in the absence of the Mayor at the beginning of a meeting or during a meeting should the Mayor recuse from discussion of an item.
- (4) If both the Mayor and the Acting Mayor designated under section 11(1) are absent from the Council meeting, the next designated Council Member for the next three-month period shall take the Chair.
- (5) The Member designated under this section has the same powers and duties as the Mayor in relation to the applicable matter.
- (6) Where possible, the Mayor shall notify the Chief Administrative Officer or the Corporate Officer if an Acting Mayor will be requested to act as Chair due to an absence or conflict of interest.

### **PART 4 – COUNCIL PROCEEDINGS**

#### **12. Community Charter Provisions**

- (1) Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*].



### 13. Application of Rules in This Part to Other Bodies

- (1) In addition to applying to Council meetings, this Part also applies to meetings of the following:
  - (a) Standing Committees;
  - (b) Select Committees;
  - (c) An advisory body established by Council;
  - (d) A municipal commission;
  - (e) The Board of Variance;
  - (f) A body prescribed by Provincial Regulation.

### 14. Attendance of Public at Meetings

- (1) Except where the provisions of section 90 of the *Community Charter* [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (2) Before closing a meeting or part of a meeting to the public, Council must adopt a Resolution in a public meeting in accordance with section 92 of the *Community Charter* [requirements before Council meeting is closed].
- (3) Despite subsection (1), the Chair may expel or exclude a person other than a Council Member from a Council meeting in accordance with Section 133 of the *Community Charter* and:
  - (a) if the person refuses to leave, the Chair 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.

### 15. Attendance at Closed Meetings

- (1) In accordance with Section 91(1) of the *Community Charter*, if all or part of a meeting is closed to the Public, Council may allow one or more municipal officers and employees to attend or may exclude them from attending as it considers appropriate
- (2) In accordance with Section 91(2) of the *Community Charter* Council may allow persons other than municipal officers and employees to attend a Closed Meeting or a portion of a Closed Meeting if Council considers this necessary, including, without limitation, if the person
  - (a) already has knowledge of confidential information, or
  - (b) is a lawyer attending to provide advice in relation to a matter.
  - (c) in other cases, that Council may consider necessary

### 16. Resolution Required Before Closed Meeting

- (1) Before a Closed Meeting or portion of a meeting is held, Council must state by Resolution passed in a public meeting in accordance with section 92 of the *Community Charter*, the fact that the meeting or part of the meeting is closed, and the basis for closing the meeting to the public pursuant to section 90 of the *Community Charter*.

## 17. Closed Meetings and Bylaws

- (1) Council will not vote on the reading or adoption of a bylaw at a Closed Meeting.

## 18. Confidentiality

- (1) All Council Members must keep in confidence information that was considered or is scheduled to be considered at a Closed Meeting, until and unless Council by Resolution agrees to make such information available to the public, or otherwise as required by law.

## 19. Minutes of Meetings

- (1) Minutes of meetings of Council must be:
  - (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer; and
  - (c) signed by the Mayor or the Chair presiding at the Council meeting.
- (2) The minutes of a Closed Meeting or portion will record the names of all persons in attendance and when they entered and left the meeting,
- (3) The Corporate Officer may amend the wording of Council's motions provided the substance and intent of the motion are not altered.
- (4) The minutes of a previous meeting of Council may, be adopted by Resolution of Council. An error or omission in the minutes may be identified by a Member orally and rectified by Resolution, failing which the adoption of the minutes will be postponed to the next meeting of Council.
- (5) Subject to section 19(3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of Council meetings will be open for public inspection at the Village Hall during its regular office hours.
- (6) Section 19(4) does not apply to minutes of a Closed Meeting. Closed Meeting minutes will be adopted at a subsequent Closed Meeting.
- (7) As per Section 15(1), should all staff be excluded from a Closed meeting, the Corporate Officer remains responsible for ensuring minutes are accurate, thereby, elected officials may want to limit circumstances in which responsibility for minute-taking must be assigned to a Councillor.

## 20. Calling the Meeting to Order

- (1) As soon as possible after the time specified for the commencement of a Council meeting, if there is a quorum present:
  - (a) the Mayor, if present, must take the Chair and call the meeting to order; or
  - (b) if the Mayor is absent, the Acting Mayor must take the Chair and call the meeting to order.

- (2) If a Quorum of Council is present but neither the Mayor nor the Acting Mayor are present at the time at which the meeting is scheduled and are not in attendance within 15 minutes of the scheduled time for the Council meeting, the Councillor designated under section 11.4 shall call the meeting to order.
- (3) Upon arrival, the Mayor or the Acting Mayor will take the Chair and preside.

## 21. Adjourning Meeting Where No Quorum

- (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;
  - (b) adjourn the meeting until the next scheduled meeting; and
  - (c) place all business on the Agenda that is not dealt with at the meeting on the Agenda for the next meeting.
- (2) If Quorum is lost during a meeting, the names of the Members present and those absent must be recorded and the meeting will be temporarily recessed until a Quorum is present. If a Quorum does not reconvene within 15 minutes, paragraphs (a), (b) and (c) of subsection (1) apply.

## 22. Agenda

- (1) Prior to each meeting of Council, the Corporate Officer will prepare an Agenda that lists and briefly summarizes each item to be considered at the meeting.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Regular Council Meeting Agenda must be no later than 12:00 pm on the Tuesday prior to the Regular Council Meeting.
- (3) The deadline for submissions by Village staff or Members to the Corporate Officer of items for inclusion on the Council meeting Agenda must be no later than 12 noon on the Tuesday prior to the meeting.
- (4) Notwithstanding section 22(2) and 22(3), the Chief Administrative Officer or the Corporate Officer may, where practical, include an item which is not provided by the time and date required on a Council Agenda prior to its publication.
- (5) The Corporate Officer will make the Agenda available to members of Council and to the public by the Thursday afternoon prior to the Regular Council Meeting, unless there are unforeseeable circumstances outside of the Corporate Officer's control, then in such cases the Agenda will be made available as soon as reasonably practical.
- (6) For Closed Meetings that are scheduled in advance, the Corporate Officer will prepare an Agenda which notes the sections of the *Community Charter* under which the discussion may or must be closed to the public. Where a Closed Meeting is a Special Meeting or part thereof, unless notice is waived unanimously, the Agenda for the Closed Meeting, along with notice, will be made available to Members of Council and the public at least 24 hours prior to a scheduled Closed Meeting.

### 23. Order of Proceedings and Business

- (1) The Agenda for all Regular Council Meetings will contain the following matters in the order in which they are listed below:
  - (a) Call to Order
  - (b) Approval of the Agenda (including Matters Deemed Expedient)
  - (c) Adoption of Minutes
  - (d) Public Input
  - (e) Delegations
  - (f) Items on Consent Agenda
  - (g) Items Removed from the Consent Agenda
  - (h) Correspondence/Proclamations (Action Items)
  - (i) Unfinished Business
  - (j) Staff Reports
  - (k) Bylaws
  - (l) Release of Items from Closed Council Meetings
  - (m) Mayor and Councillor Reports
  - (n) Other Matters Deemed Expedient<sup>1</sup>
  - (o) Notices of Motions and Matters for Introduction at Future Meetings<sup>2</sup>
  - (p) Public Question Period
  - (q) Adjournment
- (2) Unless the Council otherwise resolves, Council will follow the order of business at every Regular Council Meeting pursuant to subsection (1).

### 24. Late Items

- (1) An item of business not included on the Agenda will not be considered at a Council meeting unless introduction of the late item is approved by Council with a unanimous vote of all Members present.
- (2) If Council makes a resolution under Section 24.1, information pertaining to late items will be distributed to the Members.
- (3) Late items not considered as urgent or emergent issues must be brought forward through the Notice of Motion process as per Section 36.

### 25. Consent Agenda Items

- (1) Items that, in the opinion of the Chief Administrative Officer or Corporate Officer that are non-controversial, routine items which do not require discussion or debate may be grouped together under the "Consent Agenda", section of the Regular Council Meeting Agenda (the "**Consent Agenda**") and dealt with under one Resolution of Council. Consent agenda items may be considered in total and without debate or amendment.

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<sup>1</sup> See Section 24 – Late Items and Section 26 – Other Matters Deemed Expedient

<sup>2</sup> Council must not consider matters raised under this section at the same meeting the matter is introduced.

- (2) Once a Motion to receive items on the Consent Agenda has been moved and seconded, any Member of Council may request that an item on the Consent Agenda be removed and dealt with separately. Members shall request removal of items from the Consent Agenda prior to the final vote to receive the balance of items. When there are no more items to be removed, the Chair shall read out the numbers of the remaining consent items and call the question on the Motion.
- (3) Any item that is removed from a Consent Agenda will be considered immediately after the consideration of the Consent Agenda as an item under the "Items Removed from the Consent Agenda" section of the Regular Council Meeting Agenda without Resolution, to discuss such item(s) in more detail or to provide an opportunity for motions on the removed item(s). Each item removed from the Consent Agenda will be debated and voted on by Council separately.

## 26. Other Matters Deemed Expedient

- (1) An item of business not included on the Agenda must, in the opinion of at least one Council Member, be a matter of urgent business in order to be considered for a resolution under section 24 (1).
- (2) A Member must, when making a request, inform Council of the nature of the business and the reason for urgent consideration.
- (3) If Council makes a Resolution under section 24(1), information pertaining to such item(s) must be distributed to Members and to the public as soon as reasonably possible.
- (4) Non-urgent items not included on the Agenda may be introduced and scheduled for consideration at the next Regular Council Meeting through the Notice of Motion pursuant to section 36.

## 27. Public Input

- (1) A period of fifteen (15) minutes will be made available on each Regular Council Meeting Agenda for members of the public to make submissions to Council (the "**Public Input Period**"). There will be another opportunity for the public to ask questions at the end of the meeting under Public Question Period [Section 29].
  - (a) Anyone wishing to speak during Public Input Period must so indicate by raising their hand.
  - (b) When the Chair commences the Public Input Period, the Chair will call on those persons wishing to speak to Council and present comments on any item that appears on the Regular Council Meeting Agenda by order of when persons indicated they wished to speak.
  - (c) A person must first be acknowledged by the Chair before speaking and when called by the Chair, each speaker must state their name and address for the record and will be allowed 2 minutes to speak. A second opportunity to speak is permitted when all other interested parties have had an opportunity to provide their comments.
  - (d) Council Members will not respond to public comment nor engage in debate except to ask clarifying questions or to correct inaccurate information. There is no opportunity to engage in discussion with Council.

- (e) Following a submission, Council may refer an issue to staff for further consideration through a report by Motion.
- (2) To accommodate speakers who were not given an opportunity to address Council within the 15-minute Public Input Period, Council may extend Public Input period by a majority vote.
- (3) A person must not make a submission regarding a proposed official community plan bylaw or a proposed zoning bylaw in respect of which a Public Hearing has been held, except where a second or subsequent Public Hearing is to be held on the matter.
- (4) Once the nomination period preceding a general local election or by-election begins, the Public Input Period will be suspended until the first Regular Council Meeting following the election.
- (5) The Chair may determine if a submission from a member of the public is appropriate to be raised or discussed in that meeting or portion thereof.

## **28 Delegations**

- (1) Delegations to a Regular Council Meeting may be received if:
  - (a) a request in writing is received by the Chief Administrative Officer or the Corporate Officer in writing by 12:00 pm on the Tuesday prior to the Council meeting at which the presenter wishes to appear, clearly outlining the intended subject matter to be presented and the name of the presenter and, if applicable, the organization being represented;
  - (b) the Delegation has been advised on the date of the meeting at which they may appear; and
  - (c) the Delegation has not presented to Council on the same topic in the last 12 months unless requested by Council at a previous meeting
- (2) Material for Delegations must be provided to the Corporate Officer at least three (3) business days prior to the preferred meeting date. Delegations intending to use audio or audio-visual equipment must advise the Corporate Officer at least three business days prior to the meeting, with the understanding that the Village will assist with, but not be responsible for, the provision of the necessary equipment.
- (3) The Corporate Officer may schedule Delegations to any Council meeting at their discretion with consideration to scheduling constraints and the subject matter of the Delegation.
- (4) The Corporate Officer may refuse to place a Delegation on the Agenda if the issue is not considered to fall within the jurisdiction of Council. If the person making the Delegation request wishes to appeal the Corporate Officer's decision, the Corporate Officer will distribute the appeal to Council for their consideration. A two-thirds majority vote is required when deciding to consider a non-jurisdictional item at a Council meeting.
- (5) A maximum of three (3) Delegations may be scheduled during one Regular Council Meeting.
- (6) Delegations will be confined to the subject which was indicated in the written request and will be allowed a maximum of 10 (ten) minutes to make their presentation, excluding the time taken for questions posed by Council.

- (7) Delegations are to present information to Council. Council Members will not engage in debate on the Delegation topic.
- (8) There will be no opportunity for members of the public to ask questions or comment on the Delegation. Delegations will not entertain questions from the public. Once the submission is complete, following any acknowledgements and questions from Council, the Delegation will be asked to leave the floor.
- (9) Council may waive strict compliance with the time limit as per subsection (6) by a Resolution passed by a two-thirds majority vote of all Members present.
- (10) The Corporate Officer will not permit a Delegation regarding:
  - (a) a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw, except where a second or subsequent Public Hearing is to be held on the matter;
  - (b) the promotion of commercial products or services which have no connection to the business of the Village; (c) publicly tendered contracts or proposal calls for the provision of goods and services for the Village, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or Village staff;
  - (d) an issue which is before the courts or on which Council has authorized legal action; or
  - (e) in the Corporate Officer's view, is a matter that may be subject to discussion at a Closed Meeting.

## 29. Public Question Period

- (1) At the end of a Regular Council Meeting, Council business, the public may be afforded an opportunity to ask questions of Council (the "**Public Question Period**").
- (2) A period of twenty (20) minutes will be allocated for the Public Question Period. Questions from the public pertaining to the Council Agenda will be addressed first, followed by questions on other topics.
- (3) A person wishing to make a submission will be limited to a maximum of two (2) minutes and the submission must be in the form of a question.
- (4) The Public Question Period will be completed by 11:00 pm pursuant to section 7.2(c), unless extended with approval of Council through an affirmative vote.
- (5) Members of Council will not interact or debate with the speakers during Public Question Period unless receiving permission from the Chair to answer a question or refer the matter to staff at the meeting for clarification.
- (6) If a question to staff arises during the Public Question Period, the question must be addressed to the Chair. The Chair can request clarification from staff in attendance, however, Council reserves the right to defer responding to a question in order to obtain the information required to provide a complete and accurate response.

- (7) The Chair may determine whether Council can respond to a question from the public, including questions involving:
- (a) a proposed official community plan bylaw, a proposed zoning bylaw, or a development variance permit application;
  - (b) the promotion of commercial products or services which have no connection to the business of the Village;
  - (c) publicly tendered contracts or proposal calls for the provision of goods and services for the Village, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or Village staff;
  - (d) an issue which is before the courts or on which Council has authorized legal action; or
  - (e) a topic that may be the subject of a Closed Council Meeting under section 90 of the *Community Charter*.

### 30. Voting at Meetings

- (1) The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the Chair must put the matter to a vote of Members;
  - (b) when Council is ready to vote, the Chair must put the Motion to a vote by stating something similar to:
    - “All those in favour raise your hands and say aye.”, and then,
    - “All those opposed raise your hands and say nay.”
  - (c) when the Chair is putting a Motion to a vote a Member must not:
    - (i) cross or leave the room, if attending electronically, the Council Member must be visible;
    - (ii) make a noise or other disturbance; or
    - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting Council Member is raising a Point of Order.
  - (d) if requested by a Member, Council must:
    - (i) vote separately on each distinct part of a Motion that is under consideration; or
    - (ii) vote separately on one or more distinct parts of the Motion, as specified by the Member who requested division.
  - (e) if a Motion does not contain clearly identifiable distinct parts, and, in the opinion of the Chair, it is not possible to divide the Motion into distinct parts, the Motion will not be divided and must be voted on as a single Motion;
  - (f) after the Chair puts the Question to a vote under paragraph (b), a Member must not speak to the question or make a Motion concerning it, except to:
    - (i) move to postpone to a certain time or postpone indefinitely; or
    - (ii) refer the item back to staff at which that Motion will supersede the Main Motion and must be voted on first;



- (g) the Chair's decision regarding whether a Question has been finally put, is conclusive;
- (h) whenever a vote of Council on a Motion is taken, each Council Member present will signify their vote by raising their hand;
- (i) should any Member refrain from voting when any Question is put, the Member shall be regarded as having voted in the affirmative and the Member's vote shall be counted accordingly;
- (j) if the votes of the Members present at a Council Meeting at the time of the vote are equal for and against a Motion, the Motion is defeated;
- (k) the Chair must declare the result of the vote by stating that the Motion is decided in either the affirmative or the negative and the result will be recorded in the minutes as "CARRIED" or "DEFEATED" as circumstances dictate;
- (l) the names of those who vote negative, against a question, will be entered into the minutes; and
- (m) the names of those who attend the meeting but are absent at the time of the vote on a matter will be entered into the minutes.

### 31. Points of Order

- (1) Without limiting the Chair's duty under the section 132(1) of the *Community Charter [authority of the presiding member]*, a Member may raise a Point of Order at any time during a Council meeting.
- (2) When a Point of Order is raised, the Chair must:
  - (a) immediately interrupt the matter of consideration on the Agenda;
  - (b) interrupt the Member who is speaking, until the Point of Order is ruled upon;
  - (c) ask the Member raising the Point of Order to state the substance of and the basis for the Point of Order; and
  - (d) rule on the Point of Order without debate.
- (3) The Member who raised the Point of Order:
  - (a) must, upon request by the Chair, state the substance and the basis for the Point of Order; and
  - (b) may, appeal the Chair's ruling on the Point of Order. If the ruling of the Chair is appealed, the Chair must put the appeal to a vote of Council pursuant to section 132 of the *Community Charter*.
- (4) If a Council Member wishes to appeal the Chair's decision on the Point of Order:
  - (a) the Chair will immediately ask "shall the Chair be sustained?" and the Motion must be decided without debate;
  - (b) the Chair must not vote on the Motion under paragraph (b);
  - (c) the Motion passes in the affirmative if the votes are equal, or if a majority of Council Members vote in the affirmative; and
  - (d) the Chair must be governed by the result.
- (5) Where Council has voted not to sustain the Chair, the decision of the Chair is negated and the business of Council must proceed as if the decision had never been made.

- (6) If a Member puts a Question to the Chair regarding any matter connected to the affairs of Council or the Village, the Chair may respond, or may:
  - (a) require the Member to put the Question in writing; and
  - (b) take the question on notice and respond during the next Regular Council Meeting.

### **32. Conduct and Debate**

- (1) The Chair may speak at a meeting at any time without leave but may not interrupt a Member except to restore order.
- (2) A Council Member may speak to a question or Motion at a Council meeting only if that Member first addresses and is recognized by the Chair.
- (3) If a Council Member wishes to speak at the same time the Chair begins to speak, the Chair may speak first.
- (4) If two or more Members wish to speak at the same time, the Chair will designate the order in which each is to speak.
- (5) Council Members will address the Chair by the title of the person such as Mayor, Acting Mayor, or Councillor.
- (6) Council Members will address other non-presiding members by the title Councillor.
- (7) No Council Member may interrupt a Council Member who is speaking except to raise a Point of Order pursuant to section 31 of this Bylaw;
- (8) The Council Member who moved the Motion may speak first relative to the Motion and the Council Member who seconded Motion may speak second relative to the motion.
- (9) If more than one Council Member speaks, the Chair will call on the Council Member who, in the opinion of the Chair, first spoke.
- (10) Council members who are called to order by the Chair:
  - (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]*.
- (11) Council 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 or reconsidered pursuant to section 40 of this Bylaw; and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of Council in connection with the rules and points of order.
- (12) If a Member does not adhere to a call to order under subsection (10),
  - (a) the Mayor may order the Member to leave their seat in accordance with section 133(1) of the *Community Charter*;

- (b) the Mayor may request the Member to be removed by a peace officer if the Member refuses to leave their seat; and
  - (c) Council may by Resolution allow the Member to retake their seat if the Member apologizes to all Members of Council.
- (13) A Member may request that a Question being debated at a Council meeting, be read during the debate, but may not interrupt another Council Member who is speaking.
- (14) The following rules apply to Council Members wishing to speak at a Council meeting:
- (a) a Council member may speak more than once in connection with the same Question only:
    - (i) with the permission of Council; or
    - (ii) if the Council member is explaining a material part of a previous speech without introducing a new matter;
  - (b) a Council member who has made a substantive motion to Council may reply to the debate;
  - (c) a Council member who has moved an amendment, the previous Question, or an instruction to a committee, may not reply to the debate;
  - (d) a Council member may speak to a question, or may speak in reply, for longer than a total time of five (5) minutes, only with the permission of Council.

### **33. Conduct of the Public**

- (1) Members of the public are permitted to speak at a meeting only when recognized by the Chair.
- (2) Members of the public will be offered an opportunity to speak on matters during the Public Input or the Public Question Period during a Regular Council Meeting. Only members of Council will speak on and debate items on the Agenda.
- (3) A member of the public attending a meeting must not address Council once Council debate on an Agenda item has begun.
- (4) No member of the public may use any rude tone or offensive language, express any point of view or opinion, or make any allegation that directly or indirectly reflects upon the public conduct or private character of any person when addressing Council.
- (5) No member of the public attending a meeting may cause a disturbance, disrupt or in any manner delay the conduct of the business at a Council meeting.
- (6) The Chair may order that a person acting improperly be expelled from the meeting. If that person refuses the request to leave the meeting, the presiding Chair may further request a peace officer to enforce the order if the person to be expelled does not leave the meeting in accordance with section 133 of the *Community Charter*.
- (7) The following topics will not be permitted for public discussion during a meeting and may cause the participant to be expelled from the meeting:
  - (a) any topic not permitted under the *Community Charter*;
  - (b) any matter pertaining to a bylaw or zoning application that is the subject of a public hearing (unless at the public hearing) and has not yet been adopted;
  - (c) any matter that is before the courts, has been the subject of a claim for damages, or pertains to active requests for proposals;

- (d) any matter that may or must be deemed closed to the public under Sections 90 and 91 of the *Community Charter*; and
- (e) other topics deemed inappropriate, vexatious, frivolous, defamatory in nature, or containing abusive language.

### **34. Motions Generally**

- (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) Once a Motion has been moved and seconded, only Members of Council will speak on and debate items on the Agenda. and a member of the public attending a meeting must not address Council once Council debate on an item has begun as per Section 33.3.
- (3) A Motion that deals with a matter than is not on the Agenda of the Council meeting at which the motion is introduced may be introduced with Council's approval through the Notice of Motion process as per Section 36.
- (4) No more than one main Motion may be on the floor at any given time.
- (5) A Council Member may make only the following Motions when the Council is considering a Question:
  - (a) to refer;
  - (b) to defer;
  - (c) to amend;
  - (d) to lay on the table;
  - (e) to postpone indefinitely;
  - (f) to postpone to a certain time;
  - (g) to move the previous Question; and
  - (h) to adjourn.
- (6) A Motion made under paragraphs (d) to (h) of subsection (5) is not amendable or debatable.
- (7) Council must vote separately on each distinct part of a Question that is under consideration at a Council meeting if requested by a Member.
- (8) The Chair may speak to any Motion.

### **35. Motions Defined**

- (1) Motion to Refer
  - (a) A Council Member may propose a Motion to refer which means to return a matter to staff to address details and additional information required in order for the matter to be brought back to a Council meeting. That Motion can refer either to:
    - (i) a matter that is on the Agenda of a Council meeting, but on which a Motion has not yet been made; or
    - (ii) a Motion that is on the floor.

- (b) Upon a Motion to refer is seconded, such Motion:
    - (i) is debatable, but only as to the merits of the referral;
    - (ii) may not be deferred or amended; and
    - (iii) applies to an amendment or to an original motion.
  - (c) Where a Motion to refer refers to a Main Motion which has been amended, the referral applies to the Main Motion as amended.
  - (d) Before the Question is called on a referral Motion, any Council Member may give direction on such Motion on matters which the Member feels should be investigated further before the matter is presented to Council again.
- (2) Motion to Defer
- (a) A Council Member may propose a Motion to defer a Motion which is on the floor either:
    - (i) to a later time during the same meeting and such a Motion must specify when in the order of business, or after which circumstances, the Motion will be dealt with; or
    - (ii) to another meeting and in such Motion must specify:
      - 1. the date of the meeting at which the deferred Motion is to be considered; or
      - 2. any conditions which must be fulfilled in order for the deferred Motion to be considered further; or
      - 3. both 1 and 2.
  - (b) A Motion to defer is debatable, but only to the merits of deferral.
- (3) Motion to Amend
- (a) A Council Member, other than the mover of a Motion, may without notice, propose an amendment to a Motion that is being considered.
  - (b) An amendment may propose removing, substituting, or adding to the words of a Main Motion.
  - (c) When an amendment to a Main Motion has been moved and seconded, debate is limited to the amendment only.
  - (d) A proposed amendment must be decided upon or withdrawn before the main Question is put to a vote unless there is a call for the main question.
  - (e) If the amendment is defeated, debate may continue on the Main Motion, and if no further amendments are proposed, the Chair must call the Question on the Main Motion. An amendment that has been defeated by a vote of Council cannot be proposed again.
  - (f) If the amendment is adopted and no further amendments are proposed, the Chair will then call the Question on the Main Motion, as amended.
- (4) Motion to Sub-Amend (an amendment of an amendment)
- (a) A Council Member may propose a sub-amendment to an adopted amended Motion, however an amended Motion is subject to only one sub-amendment at any given time. No sub-amendments to sub-amendment may be proposed.

- (b) The Chair will call the question on a Motion which has been amended, in the following order:
  - (i) a sub-amendment, if any;
  - (ii) an amendment to the Main Motion; and
  - (iii) the Main Motion, as amended (if applicable).
- (5) Scope of Amendments
  - (a) The amendments permitted under section 35(3) may take the form of deletion, addition or substitution of words or figures, provided such deletions, additions or substitutions do not, in the opinion of the Chair, negate the intent of the Main Motion.
  - (b) If a Member states that a proposed amendment to a Motion would negate the intent of the Motion, the Chair will rule whether that would be the case.
  - (c) A ruling made pursuant to subsection 36(5)(b) may be appealed to Council as if the ruling were a Point of Order.
- (6) Motion to Lay on the Table
  - (a) A Council Member may propose a Motion to lay on the table or “table” which means the Main Motion is temporarily put aside to be dealt with within the current meeting or on the next meeting Agenda as unfinished business.
  - (b) The Motion to table is carried by majority vote and is not debatable or amendable. Council may not debate or take any action that would affect the tabled question until a subsequent Motion to withdraw the Motion to table is moved, seconded and carried.
- (7) Motion to Postpone
  - (a) A Council Member may propose to postpone a matter indefinitely. The matter must be disposed of by majority vote;
  - (b) A Council Member may propose to postpone a matter to a certain time and date. The matter must be rescheduled for a vote at a specified later time (date).
- (8) Motion for the Question
  - (a) A Council Member may put forward a Motion to call the Question on a Motion;
  - (b) The following rules apply to a Motion to call the Question on a Motion:
    - (i) If a Motion to call the Question is made, the Motion to call the Question takes precedence over any other Motion on the floor and must be voted on immediately without debate; and
    - (ii) If the Motion to call the Question is defeated, Council may once again debate the Motion that was the subject of the Motion to call the question, prior to voting on that Motion.

### **36. Notice of Motion Process**

- (1) If a Member during a meeting wishes to bring before Council a matter for consideration at a future Council Meeting, they may do so by Notice of Motion. A Notice of Motion announced during a meeting must be:
  - (a) presented in writing to the Corporate Officer or Recording Secretary;
  - (b) read aloud by the Member or the Corporate Officer or Recording Secretary; and
  - (c) recorded in the minutes of the meeting.
- (2) Upon the Member being acknowledged by the Chair, the Member will read aloud the Motion.

- (3) The Motion and any supporting materials provided by the Council Member presenting the Motion will be placed on the Agenda of the next Council meeting.
- (4) At the meeting at which the Motion is scheduled for consideration:
  - (a) only the Council Member making the Motion may make introductory remarks prior to the Motion being moved and seconded; and
  - (b) after the Motion is moved and seconded, it may be debated and voted on by Council.
- (5) If the Member who submitted the Motion is not in attendance at the Council meeting where the Motion is brought forward, the matter will not be considered until the Member who submitted the Motion is in attendance.

### **37. Main Motion**

- (1) At a Council meeting, the following rules apply to a Main Motion, or for the Main Motion as amended:
  - (a) if a member of Council moves to put the Main Motion, or the Main Motion as amended, to a vote, that Motion must be dealt with before any other amendments are made to the Motion on the Main Motion; and
  - (b) if the Main Motion, or for the Main Motion as amended, is decided in the negative, Council may again debate the question, or proceed to other business.

### **38. Withdrawal of Motion**

- (1) A Motion may be withdrawn by the mover of a Motion, with the consent of all Council Members present.
- (2) A Motion may not be withdrawn after it has been voted on by Council.

### **39. Inadmissible Motions**

- (1) If the Chair considers that a Motion is contrary to law, the Chair will inform Council at once and refuse to permit debate on the Motion and refuse to put the question to a vote.
- (2) If the Chair considers that a Motion may be contrary to law, the Chair may refer the Motion to staff or to legal counsel for further consideration.
- (3) The Chair will immediately give reasons for any refusal made pursuant to subsection 39(1).

### **40. Council Reconsideration of a Matter**

- (1) In accordance with section 131 of the *Community Charter*, and subject to the provisions of this section, the Mayor may, at the same meeting or within 30 days following the meeting at which a vote was taken, require Council to reconsider and vote again on a matter that was the subject of a vote.

- (2) Subject to the provisions of this section, a Council member who voted with the majority on a Resolution, either for or against a Motion, may bring a motion, other than to postpone indefinitely, that Council:
  - (a) move to reconsider and vote again on the Resolution;
  - (b) amend the Resolution or
  - (c) rescind the Resolution; and

the Member seeking reconsideration must provide the Mayor and Corporate Officer with written reasons for the reconsideration so that Council will know why it is being asked for reconsideration, the matter can be debated, and a public record of the reconsideration will be included in the minutes of the meeting.

- (3) A matter may not be the subject of reconsideration under subsection (1) or (2) if:
  - (a) reconsideration is initiated later than the 30 days following the meeting at which the vote was taken;
  - (b) the matter has had the approval of the electors or the assent of the electors and was subsequently adopted;
  - (c) there has already been a reconsideration under this section in relation to the matter; and
  - (d) the matter has been acted upon irreversibly by a Village officer, employee or agent.
- (4) A vote to reconsider can be debated but must not be reconsidered.
- (5) If a Motion to reconsider is defeated, the subject matter of the Resolution or proceeding may not be open for consideration by the Council for at least six months except by way of substantially different motion.
- (6) Subject to applicable enactments, the Council may be resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading again with or without amendment.
- (7) A Bylaw, resolution, or proceeding that is reaffirmed under subsection (5) is as valid and has the same effect as it had before reconsideration.

#### **41. Reports from Committees**

- (1) Council may take any of the following actions in connection with a Resolution it receives from any Committee:
  - (a) agree or disagree with the Resolution, support or deny support;
  - (b) amend the Resolution;
  - (c) refer the Resolution back to the Committee or other body;
  - (d) postpone consideration of the Resolution.

#### **42. Adjournment**

- (1) Council may continue a Council meeting after 11:00 pm only by an affirmative vote of the Council Members present to extend the meeting by an established length of time. A Council meeting may only be extended once.



- (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 42(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**

### **43. Copies of Proposed Bylaws to Council Members**

- (1) A proposed bylaw may be introduced at a Council meeting if a copy of it has been delivered to each Council Member at least 24 hours before the Council meeting, or if all Council Members unanimously agree to waive this requirement.

### **44. Form of Bylaws**

- (1) A bylaw introduced at a Council meeting will:
  - (a) be printed;
  - (b) have a distinguishing title;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose; and
  - (e) be divided into sections if applicable.

### **45. Bylaws to be Considered Separately or Jointly**

- (1) Council will consider a proposed bylaw at a Council meeting either:
  - (a) separately when directed by the Chair or requested by another Council Member;  
or
  - (b) jointly with other proposed bylaws in the sequence determined by the Chair.

### **46. Reading and Adopting Bylaws**

- (1) The readings of a proposed bylaw may be given by stating its title, bylaw number and object.
- (2) Subject to the *Community Charter* and *Local Government Act*, a proposed bylaw may be debated and amended at any time during the first three readings and, if amended, a Motion at third reading will be “to give the bylaw (name) third reading as amended.”
- (3) A Council member may only propose an amendment to a bylaw when such a bylaw is on the floor for either first, second or third reading, but may not do so, subject to subsection 46.5, when such bylaw is on the floor for adoption. Bylaws may not be debated or amended at adoption.
- (4) Subject to applicable enactments, Council may by Resolution rescind second or third reading of a proposed bylaw and then give the proposed bylaw that reading with or without amendment.
- (5) After a public hearing on a proposed bylaw, Council may not amend the bylaw to:
  - (a) alter the use;
  - (b) increase the density;

- (c) without the owner's consent, decrease the density of any area from that originally specified in the bylaw, or
- (d) alter the bylaw in relation to residential rental tenure in any area.
- (6) To amend a proposed bylaw that has been granted third reading, third reading of that bylaw must be rescinded.
- (7) Each reading of a proposed bylaw other than an official community plan bylaw must receive the affirmative vote of a majority of the Council members present.
- (8) Each reading of an official community plan bylaw must receive an affirmative vote of a majority of all Council Members.
- (9) Subject to the *Community Charter* and the *Local Government Act*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (10) Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading. For all other bylaws there must be at least one day between third reading and the adoption of the bylaw.
- (11) If a bylaw fails to receive a mover and seconder at any reading or at adoption and no outstanding matter applies to it, the bylaw is deemed to be abandoned.
- (12) If a bylaw has been abandoned or has been defeated at a vote, it will not be considered again by Council for a period of one year unless by way of reconsideration under section 40 of this Bylaw.

#### **47. Bylaws Must Be Signed**

- (1) After a bylaw is adopted, and pursuant to Section 135(6) of the *Community Charter*, it will be signed by the Chair and the Corporate Officer and the Corporate Officer will have it placed in the Village's records for safekeeping and endorse upon it:
  - (a) the Village's corporate seal;
  - (b) the dates of its readings and adoption; and
  - (c) the date of Ministerial approval or approval of the electorate if applicable.

### **PART 6 – RESOLUTIONS**

#### **48. Form of Resolution**

- (1) Council actions must be dealt with by voting on a Motion put forth by a Council Member and seconded by another Council Member.

#### **49. Introducing Resolutions**

- (1) The Chair may:
  - (a) have the Chief Administrative Officer or Corporate Officer read the Resolution; and
  - (b) request that the Resolution be introduced.

#### **50. Return of Defeated Resolution**

- (1) A Resolution that has been defeated at a vote will not be considered again by Council unless by way of reconsideration under section 40 of this bylaw.

## PART 7 – PUBLIC HEARINGS

### 51. Order of Business

- (1) The order of business at a Public Hearing shall be as follows:
  - (a) the notice of the Public Hearing is summarized;
  - (b) any staff reports are identified and any staff recommendations are summarized;
  - (c) any correspondence received is identified;
  - (d) the applicant details their applicant;
  - (e) the Chair calls for any person to be heard or to present a written submission respecting the bylaw
  - (f) the applicant responds to new information or factual matters raised by previous speakers or Council.
- (2) Public Hearings are to be held in Council Chambers at the Village Hall except when the scope of a Public Hearing may warrant holding it in a larger location.
- (3) Public Hearings will normally be held after the second reading of a bylaw and before third reading.
- (4) More than one item for consideration that is the subject of a bylaw may be included in a notice of the Public Hearing and more than one bylaw may be considered at a Public Hearing.
- (5) A written report in the form of minutes of each Public Hearing item containing a summary of the nature of the representations respecting the bylaws that were made at the Public Hearing must be prepared and maintained as a public record.
- (6) The report under subsection 52(5) must be certified as being fair and accurate by the person who prepared the report and, if applicable, by the person who was delegated to hold the public hearing.
- (7) A Public Hearing may be adjourned and no further notice of the hearing is necessary if a time, date and place and the way in which the hearing and the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable is stated to those present at the time that the hearing is adjourned.
- (8) Despite section 135(3) the *Community Charter* [at least one day between third reading and adoption] a Council may adopt an official community plan or zoning bylaw at the same meeting at which the bylaw(s) were given third reading.

### 52. Opportunity to be Heard (Public Input)

- (1) All persons who believe that their interest in property is affected by the proposed bylaw which is subject of a Public Hearing will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw. A person must first be acknowledged by the Chair before speaking. Speakers must identify themselves by stating their name and place of residence, and the name and place of residence or business of the person or body they represent if applicable.

- (2) Presentations by members of the public at a Public Hearing will be limited to a maximum of five minutes per call. After each speaker has been heard a first time, they may be provided the opportunity to speak again, after the list of speakers for first call has been exhausted. Without limiting the opportunity provided for in subsection 52(1), speakers shall be encouraged to confine comments to new information on second call.
- (3) A speaker will not debate a point of view with any speaker but can ask for clarification from the Chair. Only Members of Council may ask questions of any person who has been heard, however, Members of Council are to listen to the public, not to debate the merits of the proposal. The applicant of the proposed bylaw may provide clarification or respond to questions at the request of the Chair.

### **53. Adjournment of Public Hearing**

- (1) Once all speakers have been heard, the Public Hearing is then adjourned and considered closed.
- (2) No new information or correspondence may be submitted to Members of Council after the Public Hearing is closed.

## **PART 8 – COMMITTEES**

### **54. Duties of Standing Committees**

- (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 the Mayor.
- (2) Standing Committees must report and make recommendations to Council at all of the following times:
  - (a) in accordance with the committee meetings schedule or as required;
  - (b) on matters that are assigned by Council or the Mayor at the time specified.

### **55. Duties of Select Committees**

- (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.

### **56. Schedule of Committee Meetings**

- (1) At its first meeting after its establishment, a Standing Committee 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 regular scheduled meetings or may cancel or reschedule a meeting by notifying the Corporate Officer in writing.

**57. Notice of Committee Meetings**

- (1) 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 will be given by:
  - (a) posting a copy of the schedule at the Public Notice Posting Place, or optionally, the Village website; 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 designated staff resource person must, as soon as possible, inform the Corporate Officer who will post a notice at the Public Notice Posting Place, or optionally, the Village website 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 provide a notice of the day, time and place of a meeting called under subsection (2) to be given to all members of the Committee before the time of the meeting.

**58. Attendance and Voting at Committee Meetings**

- (1) Council members who are not members of a Committee may attend the meetings of the Committee, however, those members may not vote or participate on discussions.

**59. Minutes of Committee Meetings to be Maintained and Available to Public**

- (1) Minutes of the proceedings of a Committee must be:
  - (a) legibly recorded;
  - (b) certified by the designate who is assigned as the staff resource person 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.

**60. Conduct and Debate**

- (1) The rules of the Council procedure will 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.
- (3) As per the *Community Charter*, the Chair must preserve order. If the Chair considers that another person at the meeting is acting improperly or disrupting the meeting, the behaviour of that person will be addressed. The Chair may order the person expelled from the meeting should the person choose to not adhere to the decisions of the Chair.

## PART 9 – ANNUAL REPORT

### 61. Annual Report

- (1) The Corporate Officer will give notice of the Council meeting or other public meeting in respect of which Council has resolved to consider:
  - (a) the Annual Report prepared under Section 98 of the *Community Charter*, and
  - (b) submissions and questions from the public,by giving public notice by:
  - (c) posting notice of the date, time and place when the Annual Report will be considered, in the posting locations, and
  - (d) publishing notice of the date, time and place of the consideration of the Annual Report in accordance with Section 94 of the *Community Charter*.

## PART 10 - GENERAL

### 62. Severance

- (1) If any provision 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.
- (2) 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].
- (3) Village of Belcarra Procedure Bylaw No. 593, 2021 is repealed.

READ A FIRST TIME on September 25, 2023

READ A SECOND TIME on October 10, 2023

READ A THIRD TIME on October 23, 2023

ADOPTED by the Council on

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Jamie Ross  
Mayor

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Amanda Seibert  
Corporate Officer

This is a certified true copy of  
Village of Belcarra Council Procedure Bylaw No. 617, 2023

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Chief Administrative Officer