



## COUNCIL PROCEDURE BYLAW

### 5345-2013

**THIS DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY** and is a consolidation of "District of Mission Council Procedure Bylaw 5345-2013" with the following amending bylaws:

Amending Bylaw	Date Adopted	Section Amended
5353-2013-5345(1)	April 2, 2013	Schedule D, Sec. 9(j)
5426-2014-5345(2)	June 16, 2014	Schedule A, Schedule D Sec. 7 and Sec. 9
5472-2014-5345(3)	January 5, 2015	Schedule B, Sec. 2(c)(iii) Schedule D, Sec. 7(a) Schedule D, Sec. 23
5791-2018-5345(4)	October 1, 2018	Schedule B, Sec. 1(a) Schedule D, Sec. 7(a), 7(a)16, 10(b), 10(c), 10(d), 10(m)(ii), 10(q), 11(g), 13(c), 13(c)(iii), 13(d), 14(b)(ii), 15(h), 17(c), 21(a), 21(c), 21(e)(ii), 21(g), 22(c), 23(c) Table of Contents
5799-2018-5345(5)	December 3, 2018	Schedule B, Sec. 2(c)(iii) Schedule D, Sec. 7(a), 10(f), 10(g), 10(n), 11(b)(ii)(B), 11(d), 11(k)(iii), 17, 23(a), 23(c) Table of Contents
5931-2020-5345(6)	April 20, 2020	Replace Schedule B, Section 4

Individual copies of any of the above bylaws are available from the Corporate Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

**DISTRICT OF MISSION  
COUNCIL PROCEDURE BYLAW 5345-2013**

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**DISTRICT OF MISSION**  
**COUNCIL PROCEDURE BYLAW 5345-2013**

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Whereas the *Community Charter* requires Council to establish general procedures for Council and Council Committees to follow in conducting their business.

The Council of the District of Mission, in open Meeting duly assembled, enacts as follows:

1. CITATION

This bylaw may be cited as "District of Mission Council Procedure Bylaw 5345-2013".

2. INTERPRETATION

- (a) Schedule "A" contains definitions of terms used in this Bylaw.
- (b) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, or *Local Government Act*, as the context and circumstances may require.
- (c) A reference to a statute in this Bylaw refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
- (d) Headings in this Bylaw are for convenience only and must not be construed as defining or limiting its scope or intent.
- (e) If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

3. SCHEDULES

- (a) The following schedules are attached to and form part of this Bylaw:
  - (i) Schedule "A": Definitions and Application of Rules and Procedure;
  - (ii) Schedule "B": Council Meetings;
  - (iii) Schedule "C": Designation of Member to Act in Place of Mayor;
  - (iv) Schedule "D": Council Proceedings; and
  - (v) Schedule "E": Bylaws.

4. REPEAL

“District of Mission Council Procedure Bylaw No. 3694-2004”, and all amendments thereto, are hereby repealed.

READ A FIRST TIME this 4<sup>th</sup> day of February, 2013

READ A SECOND TIME this 4<sup>th</sup> day of February, 2013

READ A THIRD TIME this 4<sup>th</sup> day of February, 2013

ADOPTED this 18<sup>th</sup> day of February, 2013

(original signed by Mayor)  
WALTER (TED) ADLEM, MAYOR

(original signed by Deputy CAO)  
PAUL GIPPS, DEPUTY CHIEF  
ADMINISTRATIVE OFFICER

## **SCHEDULE “A”: DEFINITIONS AND APPLICATION OF RULES AND PROCEDURE**

### 1. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

“District of Mission Municipal Hall” means the corporate place of business for the District, located at 8645 Stave Lake Street, Mission BC, V2V 4L9.

“Acting Mayor” means a Council Member appointed under Schedule C, Section 1(a) to act in the place of the Mayor when the Mayor is unavailable to act.

“Agenda” means the list of items and order of business for any Meeting of Council or its Committees.

“Chair” means the Mayor, Acting Mayor or other Member who presides at a Meeting.

“Committee of the Whole” means a Meeting to which all members of Council are invited to consider and recommend to Council on matters of the District’s business. Council sits in a deliberative rather than a legislative capacity, for informal debate and preliminary consideration of matters awaiting action.

“Delegation” means an individual or group who wishes to bring information to Council on a topic specified on a “Request to Appear as a Delegation” form and is an individual or group who is not acting in the capacity of District staff or Council.

“District” means the District of Mission.

“District Web Site” means the information resource found at an Internet address as provided by the District.

“Committee” means a select, standing or other committee of Council but does not include the Committee of the Whole.

“Corporate Officer” means the Corporate Officer for the District, appointed under Section 148 of the *Community Charter*.

“Council” means the Council of the District.

“Mayor” means the duly elected Mayor of the District.

“Meeting” means a Meeting of Council or a Committee.

“Member” means a Member of Council and includes the Mayor.

“Motion” means a formal proposal made by a Member at a Meeting that the Council or a Committee resolve to undertake or approve a specified course of action.

“Presentation” means an individual or group that has been requested by staff or Council in order to inform or update Council on a subject relevant to business being conducted on the agenda. The presenter’s name and title (if applicable) and topic will be placed on the meeting agenda and accompanied by a staff liaison report (if applicable).

“Public Notice Posting Place” means the lobby of the District of Mission Municipal Hall.

“Quorum” means,

- (a) for a Meeting of Council, four (4) elected Members.
- (b) for a Meeting of a Committee, a majority of the voting members appointed.

“Roberts Rules of Order” means the text, Robert’s Rules of Order, Newly Revised, 10th Edition by Henry M. Robert (Perseus Publishing, 2000), or the most recent subsequent edition.

“Select Committee” means a Committee that may be appointed by Council to address an inclusive single topic that includes a range of inter-connected topics or groups, as defined by the committee’s terms of reference. It is distinguished from a commission by the narrower nature of its focus, in that it addresses inter-connected topics that are of importance to an easily recognizable portion of the community. The Select Committee is dissolved upon completing its terms of reference. In accordance with the *Community Charter* a Select committee must include at least one Member of Council, with another Member of Council appointed as an alternate.

“Standing Committee” means a Committee appointed by the Mayor at the Inaugural Meeting of in accordance with Section 141 of the *Community Charter*. The Mayor appoints the Standing Committee Chairs and Members. These Committees have a continuing responsibility in a general field of legislative activity, such as Administration and Finance, Public Safety and Health, Parks, Recreation and Culture, Engineering and Public Works, Development Services and Forestry.

## 2. APPLICATION OF RULES OF PROCEDURE

- (a) The provisions of this Bylaw govern the proceedings of Council, Committee of the Whole and Committees, as applicable.
- (b) In cases not provided for under this Bylaw, Roberts Rules of Order apply to the proceedings of Council, Committee of the Whole, and Committees to the extent that those Rules are:
  - (i) applicable in the circumstances, and
  - (ii) not inconsistent with provisions of this Bylaw or the *Community Charter*.

## **SCHEDULE "B": COUNCIL MEETINGS**

### **1. INAUGURAL MEETING**

- (a) Following a general local election, the first regular Council Meeting must be held in the first 10 days of November in the year of the election.
- (b) If the number of persons elected as Members who have taken office is not sufficient for a Quorum by the time of the Meeting scheduled under Section 1(a), the Corporate Officer must set another time or date for the first Council Meeting, to be held as soon as reasonably possible after a Quorum has taken office.

### **2. TIME AND LOCATION OF MEETINGS**

- (a) All Council Meetings must take place within the boundaries of the District and at District of Mission Municipal Hall unless Council has resolved to hold a Meeting elsewhere.
- (b) Where a Council Meeting is to be held at a place other than the District of Mission Municipal Hall, the Corporate Officer must publish a notice as to the alternative place in a newspaper that is distributed at least weekly within the District, not less than 24 hours and not more than 10 days before the date for which that Meeting is scheduled.
- (c) Regular Council Meetings must:
  - (i) be held in accordance with the schedule of Council Meetings, as approved by Council;
  - (ii) when scheduled for a Monday that is a statutory holiday, must be held on the next day the municipal offices are open; and
  - (iii) begin at 6:00 p.m.
- (d) Council may cancel or postpone a regular Council Meeting, and establish a different day, time or place for that Meeting, provided that two consecutive regular Council Meetings are not cancelled.
- (e) The Council shall always adjourn at the hour of 9:30 p.m. if in session at that hour, unless otherwise determined by a two-thirds vote of the members present.

### **3. NOTICE OF COUNCIL MEETINGS**

- (a) Council must prepare annually a schedule of dates, times and places of regular Council Meetings, to be made available to the public on the first business day in any year, by posting at the Public Notice Posting Place.
- (b) The schedule for regular Council Meetings will be published annually on or before December 31st of the preceding year.
- (c) At least 24 hours before a regular Council Meeting, the Corporate Officer must give public notice of the time, place, and date of the Meeting by posting a notice and a copy of the Agenda, at the Public Notice Posting Place.



- (d) Where revisions to the annual schedule of regular Council Meetings are made as a result of a cancellation or a change to the date, time, place of a regular Council Meeting, the Corporate Officer must post a notice at the Public Notice Posting Place indicating the cancellation or change in date, time and place of the Meeting and advise Members of the cancellation by electronic means.

#### 4. ELECTRONIC PARTICIPATION AT MEETINGS

Provided the conditions set out in Section 128(2) of the *Community Charter* are met,

- (a) A special Council Meeting may be conducted by means of electronic or other communication facilities if:
  - (i) the Mayor calls for a Meeting by electronic means; or
  - (ii) the Emergency Operations Centre has been activated.
- (b) A Member who is unable to attend at a Council or Committee Meeting, may participate in the Meeting by means of electronic or other communication facilities, provided that:
  - (i) the facilities by which the absent Member participates enable the Meeting's participants to hear, or watch and hear, each other;
  - (ii) except for any part of the Meeting that is closed to the public, the facilities by which the absent Member participates enable the public to hear, or watch and hear, the participation of the Member; and
  - (iii) not more than three Members are attending that Meeting by means of electronic or other communication facilities.
- (c) All Members may participate in a Council or Committee Meeting by means of electronic or other communication facilities if the Emergency Operations Centre has been activated.

#### 5. NOTICE OF SPECIAL MEETINGS

- (a) The Mayor may call a special Council Meeting at his or her discretion.
- (b) Two or more Members of the Council may, in writing, request that the Mayor call a special Meeting.
- (c) If the Mayor or Acting Mayor is absent or unable to act, or for any reason neither have arranged, within 24 hours after receiving a request under Section 5(b) then two or more Members of the Council may themselves call for a special Meeting to be held within the next 7 days.
- (d) Notice of any Meeting called under Section 5(b) will be signed by the Members calling the Meeting, or by the Corporate Officer in place of the Mayor.
- (e) Except where notice of a special Meeting is waived by a unanimous vote of all Council Members, at least 24 hours before a special Meeting of Council, the Corporate Officer must give public notice of the time, place and date of the special Meeting by posting a notice and a copy of the Agenda in the Public Notice Posting Place and advising Members of the special Council Meeting by electronic means.

**SCHEDULE “C”: DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

1. DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- (a) Council must from amongst its Members designate a Member to serve on a rotating basis as the Acting Mayor, to act 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.
- (b) The Acting Mayor must fulfill the responsibilities of the Mayor in his or her absence.
- (c) If the Mayor is absent from a Council Meeting, the Acting Mayor must preside at the Council Meeting.
- (d) The Acting Mayor has the same powers and duties as the Mayor in relation to the applicable matter.

## **SCHEDULE "D": COUNCIL PROCEEDINGS**

### 1. COMMUNITY CHARTER PROVISIONS

Matters pertaining to Council proceedings are governed by the *Community Charter*.

### 2. ATTENDANCE OF PUBLIC AT MEETINGS

- (a) Except where the provisions of the *Community Charter* apply, all Council Meetings must be open to the public.
- (b) Before closing a Meeting or part of a Meeting to the public, Council must, by resolution passed in a public Meeting, state the fact that the Meeting or part of it is to be closed, and the basis for closing it under the *Community Charter*.
- (c) If the Chair considers that a person is disrupting the Meeting, he or she may order that the person be expelled from the Meeting. If, having being ordered to leave, the person subject to the order refuses, the person presiding may request assistance from a peace officer.

### 3. MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

- (a) Minutes of the proceedings of Council must be
  - (i) legibly recorded;
  - (ii) certified as correct by the Corporate Officer; and
  - (iii) signed by the Chair at the Meeting or at the next Meeting at which the minutes are adopted.
- (b) Minutes of the proceedings of Council, other than minutes for a Meeting or part of a Meeting that was closed to the public, will be available for public inspection at the District of Mission Municipal Hall during its regular office hours.

### 4. CALLING MEETING TO ORDER

- (a) As soon after the time specified for a Council Meeting as there is a Quorum present, the Mayor, if present, must take the Chair and call the Council Meeting to order. Where the Mayor is absent, the Acting Mayor must take the Chair and call the Meeting to order.
- (b) If a Quorum of Council is present but neither the Mayor or Acting Mayor attend within 10 minutes of the scheduled time for a Council Meeting:
  - (i) the Corporate Officer must call the Meeting to order; and
  - (ii) the Members present must choose a Member to preside at the Meeting as the Chair.

### 5. ADJOURNING MEETING WHERE NO QUORUM

If there is no Quorum of Council present within 20 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.

6. AGENDA

- (a) Prior to each Council Meeting, the Corporate Officer must prepare an Agenda, setting out all the items for consideration at that Meeting.
- (b) The order of business at any Council Meeting may be altered by an affirmative vote by a majority of the Members present.
- (c) All submissions by the public to the Corporate Officer for consideration of inclusion on the Council Agenda are to be submitted by 4:30 pm Friday, 10 days in advance of the date of the Council Meeting.
- (d) The Corporate Officer must make the Agenda available to the Members on the Thursday afternoon before the Meeting, and to the general public on the Friday afternoon before the Meeting.
- (e) 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 8.

7. ORDER OF PROCEEDINGS AND BUSINESS

- (a) The Agenda for all regular Council Meetings contains the following matters in the order in which they are listed below, unless otherwise amended by the Corporate Officer at the time of publication, or by a resolution of Council during the meeting:
  - 1. Call to Order
  - 2. Adoption of Agenda
  - 3. Delegations
  - 4. Presentations
  - 5. Proclamations
  - 6. Public Hearings
  - 7. Resolution to Resolve into Committee of the Whole
  - 8. Resolution to Rise and Report
  - 9. Adoption of Committee of the Whole Report
  - 10. Council Committee Reports and Minutes
  - 11. Council Meeting Minutes for Adoption
  - 12. Bylaws for Consideration
  - 13. Permits for Consideration
  - 14. Resolutions Released from Closed
  - 15. Correspondence
  - 16. New/Other Business
  - 17. Notices of Motion
  - 18. Question Period
  - 19. Adjournment

8. LATE ITEMS

- (a) An item of business not included on the Agenda will only be considered at a Council Meeting if:
  - (i) Council, by resolution, allows the inclusion of the late item; and
  - (ii) the item is in written form and any resolution proposed is in written form and distributed in advance of the Meeting.

9. NOTICE OF MOTION

- (a) Any council member may give a “notice of motion” which he or she intends to present to council by giving a copy of such motion to the Corporate Officer during or prior to the meeting of the Council.
- (b) In the event that the Notice of Motion is received prior to the agenda deadline, it will be placed on the agenda as a motion for consideration at the meeting with introduction by that member of Council.
- (c) Alternatively, if the Notice of Motion is provided during a meeting of the Council, the notice of motion shall be read out at the meeting and shall appear in the minutes of that meeting as a Notice of Motion and must be placed on the agenda of the next regular meeting of Council for consideration.
- (d) Should the Notice of Motion be considered time-sensitive and/or urgent, the Notice of Motion can be dealt with at the same meeting when it is introduced subject to a 2/3 vote of all members present to waive the next meeting requirement.

10. COMMITTEE OF THE WHOLE

**Going into Committee of the Whole**

- (a) At any time during a Council Meeting, Council may by resolution go into Committee of the Whole.
- (b) In addition to Section 10(a), a Meeting, other than a Standing or Select Committee Meeting, to which all Members are invited to consider and recommend to Council on matters of the District's business, is a Meeting of Committee of the Whole.

**Notice for Committee of the Whole Meetings**

- (c) Subject to Section 10(d) a notice of the day, hour and place of a Committee of the Whole Meeting must be given at least 24 hours before the time of the Meeting by:
  - (i) posting a copy of the notice at the Public Notice Posting Place; and
  - (ii) advising each Member of the Meeting by electronic means.
- (d) Section 10(c) does not apply to a Committee of the Whole Meeting that is called, in accordance with Section 10(a), during a Council Meeting for which public notice has been given under Schedule B(3) and (5).

### **Minutes of Committee of the Whole Meetings to be maintained and available to public**

- (e) Minutes of the proceedings of Committee of the Whole must be:
  - (i) legibly recorded,
  - (ii) certified by the Corporate Officer,
  - (iii) signed by the member presiding at the Meeting, and
  - (iv) open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.

### **Presiding Members at Committee of the Whole Meetings and Quorum**

- (f) The Mayor or Acting Mayor shall preside in Committee of the Whole.
- (g) The quorum of Committee of the Whole is the majority of Members.

### **Points of order at Meetings**

- (h) The presiding Member must preserve order at a Committee of the Whole Meeting and, subject to an appeal to other Members present, decide points of order that may arise.

### **Conduct and debate**

- (i) The following rules apply to Committee of the Whole Meetings:
  - (i) a motion is not required to be seconded;
  - (ii) a motion for adjournment is not allowed;
  - (iii) a Member may speak any number of times on the same question;
  - (iv) a Member must not speak longer than a total of 10 minutes on any one question without the approval of a majority of Members; and
  - (v) section 10(j)(ii) does not apply to a Committee of the Whole Meeting that is called in accordance with Section 10(b).

### **Voting at Meetings**

- (j) Votes at a Committee of the Whole Meeting must be taken by a show of hands if requested by a Member.
- (k) The presiding Member must declare the results of voting.

### **Reports**

- (l) Committee of the Whole may consider reports only if:
  - (i) they are printed and the Members each have a copy, or are in electronic form; or
  - (ii) the Members present decide without debate that the requirements of Section 10(m)(i) do not apply.
- (m) The Committee of the Whole's reports to Council must be presented by the Corporate Officer.

### **Rising without reporting**

- (n) A motion made at a Committee of the Whole Meeting to rise without reporting:
  - (i) is always in order and takes precedence over all other motions;
  - (ii) may be debated; and
  - (iii) may not be addressed more than once by any one Member.
- (o) If a motion to rise without reporting is adopted by the Committee of the Whole at a Meeting constituted under Section 10(a), the Council Meeting must resume and proceed to the next order of business.

## **11. STANDING AND SELECT COMMITTEES**

### **Duties of Standing Committees**

- (a) Standing Committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
  - (i) matters that are related to the general subject indicated by the name of the Committee;
  - (ii) matters that are assigned by Council;
  - (iii) matters that are assigned by the Mayor.
- (b) Standing Committees must report and make recommendations to Council at all of the following times:
  - (i) in accordance with the schedule of the Committee's Meetings;
  - (ii) on matters that are assigned by Council or the Mayor,
    - A. as required by Council or the Mayor, or
    - B. within six months if the Council or Mayor does not specify a time.

### **Duties of Select Committees**

- (c) Select Committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the Committee by the Council.
- (d) Select Committees must report and make recommendations to Council within six months unless Council specifies a different date and time.

### **Schedule of Committee Meetings**

- (e) At its first Meeting after its establishment, a Standing or Select Committee must establish a regular schedule of Meetings.
- (f) 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**

- (g) Subject to Section 11(h), 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:
  - (i) posting a copy of the schedule at the Public Notice Posting Places.
- (h) Where revisions are necessary to the annual schedule of Committee Meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a Committee Meeting.
- (i) The Chair of a Committee must cause a notice of the day, time and place of a Meeting called under Section 11(f) to be given to all Members of the Committee at least 24 hours before the time of the Meeting.

### **Attendance at Committee Meetings**

- (j) 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**

- (k) Minutes of the proceedings of a Committee must be:
  - (i) legibly recorded;
  - (ii) certified by the Corporate Officer;
  - (iii) open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.

### **Quorum**

- (l) The quorum for a Committee is a majority of all of its Members.

### **Conduct and Debate**

- (m) 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.
- (n) Members attending a Meeting of a Committee, of which they are not a Member, may participate in the discussion only with the permission of a majority of the Committee Members present.
- (o) A motion made at a Meeting of a Committee is not required to be seconded.

### **Voting at Meetings**

- (p) Members attending a Meeting of a Committee of which they are not a Member must not vote on a question.

## **12. DELEGATIONS**

- (a) Delegations are permitted to appear at the Council Meetings occurring on the first and third Mondays of the month, with the number of delegations for Meetings on



the first and third Monday Meetings limited to two. Delegations shall be placed on the agenda on a first come basis.

- (b) No individual delegation may speak to the same topic again until the passage of at least two months' time from the date of their most recent presentation or as space permits.
- (c) Persons or groups of persons wishing to appear as a delegation before Council shall request permission to appear by 4:00 pm Friday, 10 days in advance of the date of the Council Meeting. This request must be made to the Corporate Officer and must include the name and address of the person who wishes to speak on behalf of the delegation and the purpose of the presentation. Written submissions that will form part of the presentation must be provided at the time of application.
- (d) Every delegation shall be allowed a maximum time of ten (10) minutes to present its petition or submission unless extended by a two-thirds vote of the Council, after which the Council may dispose of the petition or submission at the Meeting, refer the subject matter to a Committee, or take such other action as is deemed expedient.
- (e) Persons or groups wishing to appear as a delegation before a regular Council Meeting, and who have not submitted a request in accordance with Section 6(c), will be permitted to appear only with the agreement of a majority of the members of Council, and shall be limited to a presentation of not more than five (5) minutes unless extended by a majority of the members of Council, after which the Council may dispose of the petition or submission at the Meeting or take such action as is deemed expedient and appropriate.
- (f) Every petition presented to Council shall include the name of the petitioner and the petitioner's address. In the case of a corporation, society or other registered body the authority given by the same to sign the petition shall be produced in connection therewith. The notice of petition shall name a spokesman for the delegation, and shall indicate the purpose for which it is desired to appear. Petitions given to Council may appear in an Agenda as well on the District of Mission's website. Addresses, signatures and names appearing on the petitions will not be removed.
- (g) Where a Public Hearing has been held in accordance with an enactment as a prerequisite to the adoption of a Bylaw, an individual or delegation must not address a Meeting of the Council regarding that Bylaw unless a further Public Hearing has been scheduled.
- (h) The Corporate Officer may schedule delegations to another Council Meeting, a Committee, or ask staff to address the delegates issue, as deemed appropriate according to the subject matter of the delegation.
- (i) The Corporate Officer may decline to place a delegation on the Agenda if he or she considers that the issue is not within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the appeal must be in writing and will be distributed under separate cover to Council for their consideration.
- (j) Late delegations for emergent matters may be accepted at that Meeting by Council resolution and speakers will be limited to a 5 minutes speaking time.

### 13. VOTING AT MEETINGS

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 the Council is ready to vote, the Chair must put the matter to a vote by stating:  
"Those in favour raise your hand" and then "Those opposed raise your hand."
- (c) When the Chair is putting the matter to a vote under Sections 13(a) and 13(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 Section 13(b), unless the interrupting Member is raising a point of order.
- (d) After the Chair finally puts the question to a vote under Section 13(b), a Member must not speak to the question or make a Motion concerning it.
- (e) The Chair's decision about whether a question has been finally put is conclusive.
- (f) Whenever a vote of Council on a matter is taken, each Member present shall signify their vote by raising their hand.
- (g) The Chair must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (h) 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.

### 14. POINTS OF ORDER

- (a) Without limiting the Chair's duty under Section 132(1) of the *Community Charter*, the Chair must apply the correct procedure to a Motion:
  - (i) if the Motion is contrary to the rules of procedure in this Bylaw; and
  - (ii) whether or not another Council Member has raised a point of order in connection with the Motion.
- (b) When the Chair is required to decide a point of order:
  - (i) the Chair must cite the applicable rule or authority if requested by another Council Member;
  - (ii) another Member must not question or comment on the rule or authority cited by the Chair under Section 14(b)(i); and
  - (iii) the Chair may reserve the decision until the next Council Meeting.

## 15. CONDUCT AND DEBATE

- (a) A Council Member may speak to a question or Motion at a Council Meeting only if that Member first addresses the Chair.
- (b) Members must address the Chair by that person's title of Mayor, Acting Mayor, Mr. Mayor or Madam Mayor or Councillor.
- (c) Members must address other non-Chairs by the title Councillor.
- (d) A Member must not interrupt a Member who is speaking except to raise a point of order.
- (e) If more than one Member speaks at the same time, the Chair must call on the Member who, in the Chair's opinion, first spoke.
- (f) Members who are called to order by the Chair:
  - (i) must immediately stop speaking;
  - (ii) may explain their position on the point of order; and
  - (iii) may appeal to Council for its decision on the point of order in accordance with Section 132 of the *Community Charter*.
- (g) Members speaking at a Council Meeting:
  - (i) must use respectful language;
  - (ii) must not use offensive gestures or signs;
  - (iii) must speak only in connection with the matter being debated;
  - (iv) may speak about a vote of Council only for the purpose of making a Motion that the vote is rescinded; and
  - (v) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and Council in connection with the rules and points of order.
- (h) If a Member does not adhere to Section 15(g), the Chair may order the Member to leave the Member's seat and in that event:
  - (i) if the Member refuses to leave, the Chair may cause the Member to be removed by a peace officer from the Member's seat; and
  - (ii) if the Member apologizes to the Council, Council may, by resolution, allow the Member to retake the Member's seat.
- (i) 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.
- (j) The following rules apply to limit speech on matters being considered at a Council Meeting:
  - (i) a Member may speak more than once in connection with the same questions only:
    - A. with the permission of the Chair, or
    - B. if the Member is explaining a material part of a previous speech without introducing a new matter;

- (ii) a Member who has made a substantive Motion to the Council may reply to the debate; and
- (iii) a Member who has moved an amendment, the previous question, or an instruction to a Committee may not reply to the debate.

#### 16. PROCEDURES FOR MOTIONS

- (a) Every Motion shall be recorded in writing.
- (b) Debate shall not be permitted unless a Motion is before Council.
- (c) At the direction of the Chair, a Member may be required to submit a Motion to the Corporate Officer in writing.
- (d) When a Motion is made and seconded, the Chair shall propose it as a question to open the debate.
- (e) The Chair shall call the question to close the debate.
- (f) Once stated or read, a Motion is deemed possessed by Council, and may only be withdrawn by unanimous consent of the Members that are present.
- (g) The Chair may speak to a Motion in his or her capacity as Chair.

#### 17. MOTIONS GENERALLY

- (a) Council may debate and vote on a Motion only if it is first made by one Member and then seconded by another.
- (b) A Member may make only the following Motions, when the Council is considering a question:
  - (i) to refer to committee;
  - (ii) to amend;
  - (iii) to lay on the table;
  - (iv) to postpone indefinitely;
  - (v) to postpone to a certain time;
  - (vi) to move the previous question;
  - (vii) to adjourn.
- (c) A Motion made under Section 17(b)(i) to (vii) is not amendable or debatable.
- (d) Council must vote separately on each distinct part of a question that is under consideration at a Meeting if requested by a Member.

#### 18. MOTION TO COMMIT

Until it is decided, a Motion made at a Council Meeting to refer to Committee precludes an amendment of the main question.

#### 19. MOTION FOR THE MAIN QUESTION

- (a) In this Section, "main question", in relation to a matter, means the Motion that first brings the matter before the Council.

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

## 20. AMENDMENTS GENERALLY

- (a) Scope of Amendments
  - (i) An amendment may take the form of the deletion, addition, or substitution of words or figures.
  - (ii) A proposed amendment must be reproduced in writing by the mover if requested by the Chair.
- (b) Amending Motions
  - (i) A Member, other than the mover of a Motion, may propose an amendment to a Motion, and that amendment must be disposed of before any subsequent amendments are proposed.
  - (ii) When an amendment to a Motion has been moved and seconded, a Member may request that the original Motion and the amendment be stated, with the debate being limited to the amendment only.
  - (iii) If the amendment is defeated, debate may continue on the original Motion, and if no further amendments are proposed, the Chair must call the question on the original Motion.
  - (iv) If the amendment is adopted, and no further amendments are proposed, the Chair must then call the question on the original Motion, as amended.
- (c) Sub-Amendments
  - (i) A Member may propose a sub-amendment to an amendment.
  - (ii) An amendment may be sub-amended once only.
- (d) Order of Voting
  - (i) The Chair must put the main question and its amendments in the following order for the vote of Council:
    - A. a sub-amendment, if any;
    - B. an amendment to the original motion; and
    - C. the original Motion.

## 21. RECONSIDERATION BY COUNCIL MEMBER

- (a) Subject to Section 21(f), a Member may, at the next Council Meeting:
  - (i) move to reconsider a matter on which a vote has been taken; and
  - (ii) move to reconsider an adopted Bylaw after an interval of at least 24 hours following its adoption.

- (b) A Member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (c) Council must not discuss the main matter referred to in Section 21(a) unless a Motion to reconsider that matter is adopted in the affirmative.
- (d) A vote to reconsider must not be reconsidered.
- (e) Council may only reconsider a matter that has not:
  - (i) had the approval or assent of the electors and been adopted;
  - (ii) been reconsidered under Section 21(a) or Section 131 of the *Community Charter*; or
  - (iii) been acted on by an officer, employee, or agent of the District.
- (f) The conditions that applied to the adoption of the original Bylaw, resolution or proceeding apply to its rejection under this Section.
- (g) A Bylaw, resolution, or proceeding that is reaffirmed under Section 21(a) or Section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

## 22. PRIVILEGE

- (a) In this Section, a matter of privilege refers to any of the following Motions:
  - (i) fix the time to adjourn;
  - (ii) adjourn;
  - (iii) recess;
  - (iv) raise a question of privilege of the Council;
  - (v) raise a question of privilege of a Member; and
  - (vi) includes any motions that deal with things relating to the comfort of the assembly or other situations that are so important they may interrupt pending business and must be decided immediately by the Chair or by the members without debate.
- (b) A matter of privilege must be immediately considered when it arises at a Council Meeting.
- (c) For the purposes of Section 22(b), a matter of privilege listed in Section 22(a) has precedence over those matters listed after it.

## 23. QUESTION PERIOD

- (a) Question Period shall provide the opportunity for members of the public to direct questions related to matters on the subject agenda to Council.
- (b) Questions asked during Question Period and responses from Council shall be recorded in the minutes of the meeting.

24. ADJOURNMENT

- (a) 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.
- (b) Section 24(a) does not apply to either of the following Motions:
  - (i) a Motion to adjourn to a specific day; or
  - (ii) a Motion that adds an opinion or qualification to a preceding Motion to adjourn.

## SCHEDULE "E": BYLAWS

### 1. COPIES OF PROPOSED BYLAWS

A proposed bylaw is available to view at a Council Meeting at which it will be considered, or during normal business hours after Council has given readings.

### 2. FORM OF BYLAWS

- (a) A bylaw introduced at a Council Meeting must:
  - (i) be printed;
  - (ii) have a distinguishing name;
  - (iii) have a distinguishing number; and
  - (iv) be divided into Sections as necessary.
- (b) The resolution required for first reading of a bylaw shall be: "That Bylaw No.\_\_\_\_, cited as ' \_\_\_\_\_', be read a first time".
- (c) Subject to any statutory requirements, bylaws considered by Council may be given three readings with one resolution at any Meeting by stating: "That Bylaw No. \_\_\_\_, cited as ' \_\_\_\_\_', be read a first, second and third time".

### 3. BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY

- (a) Council must consider a proposed bylaw at a Council Meeting, either:
  - (i) separately when directed by the Chair or requested by another Member; or
  - (ii) jointly with other proposed bylaws in the sequence determined by the Chair.

### 4. READING AND ADOPTING BYLAWS

- (a) The Chair of a Council Meeting may:
  - (i) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then
  - (ii) request a Motion that the proposed bylaw or group of bylaws be read.
- (b) All readings of a bylaw may be given in an abbreviated form, but all or any part of a bylaw shall be read if Council so directs.
- (c) The readings of the bylaw may be given by stating its title and object.
- (d) A proposed bylaw may be debated and amended at any time during the first three readings subject to any statutory restrictions.
- (e) In accordance with Section 135 of the *Community Charter*, Council may give up to three readings to a proposed bylaw at the same Council Meeting.
- (f) Council may consider every bylaw, which is the subject of a Public Hearing, at a Council Meeting immediately following the Public Hearing and may, by resolution, do any of the following:
  - (i) give the bylaw up to three readings;



- (ii) deny readings of the bylaw;
  - (iii) adopt the bylaw if authorized by applicable legislation;
  - (iv) rescind the bylaw to one or more previous readings;
  - (v) defer the bylaw for consideration at a subsequent Meeting;
  - (vi) extend the Public Hearing or hold another Public Hearing on the matter; or
  - (vii) otherwise deal with the bylaw as authorized or required by an enactment.
- (g) Despite Section 135(3) of the *Community Charter*, and in accordance with Section 890(9) of the *Local Government Act*, Council may adopt a proposed Official Community Plan or Zoning Bylaw at the same Meeting at which the plan or bylaw passed third reading.

5. BYLAWS MUST BE SIGNED

After a bylaw is adopted and signed by the Corporate Officer and the Chair of the Council Meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping, and endorse upon it:

- (a) the dates of its readings and adoption;
- (b) the dates of required public notice, if applicable; and
- (c) the date of Ministerial approval or approval or assent of the electors, if applicable.