

DISTRICT OF STEWART

COUNCIL PROCEDURE BYLAW NO. 892, 2015

WHEREAS section 124 (1) of the *Community Charter* requires that Council must, by bylaw, establish the general procedures to be followed by Council and Council Committees in conducting their business;

NOW THEREFORE the Council of the District of Stewart enacts as follows:

PART 1 - INTRODUCTION

1. Title

This Bylaw may be cited as the "Council Procedure Bylaw No. 892-2015"

2. Definitions

In this Bylaw,

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

"COTW" means the *Committee of the Whole Council*;

"Corporate Officer" means the *Corporate Officer for the District*;

"Council" means the *Council of the District of Stewart*;

"Closed Special Meeting" means a *Special Meeting closed to the public*, under Section 90 of the *Community Charter*;

"District" means the *District of Stewart*;

"District Office" means the *District of Stewart Office* located at 705 Brightwell Street, Stewart, British Columbia;

"District Web Site" means *the information resource found at an internet address, www.districtofstewart.com* provided by the District;

"Mayor" means the *Mayor of the District*; and includes the Deputy Mayor and/or a Councillor acting in the capacity of Mayor

"Quorum" means *four (4) members of Council* including Mayor or Deputy / Acting Mayor for a Regular or Special Council Meeting, *and two (2) members of Council* for a Committee Meeting;

"Regular Meeting" means a *Meeting of Council, other than a Special Meeting*, held under Section 2 of this Bylaw;

"Public Notice Posting Places" means the *notice board at the District Office, District Website and the notice board on 5th Avenue beside the Post Office.*

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3. Application of Rules of Procedure

- (1) The provisions of this Bylaw govern the proceedings of Council, COTW and all standing and select Committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council COTW, and Council committees to the extent that those Rules are
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

PART 2 - COUNCIL MEETINGS

4. Inaugural Meeting

- (1) Following a general local election, the first Council meeting must be held on the first Monday in December in the year of the election.
- (2) If a quorum of Council Members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office

5. Time and Location of Meetings

- (1) All Council meetings must take place within the District Office, or at another location from time to time, as specified by resolution of Council.
- (2) Regular Council meetings must
 - (a) Be held on the second and fourth Monday of each month, or at another date from time to time, as specified by resolution of Council. For the month of December, the Meeting on the fourth Monday is cancelled, unless specifically resolved by Council to meet, and
 - (b) Begin at 7:00pm, or such other time as fixed by resolution of Council from time to time.
 - (c) Be adjourned at 10:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 28;
 - (d) When such meeting falls on a statutory holiday, be held on the next day the District Office is open following which is not a statutory holiday;

- (3) Unfinished business: any unfinished business shall be dealt with at the next Regular or Special Meeting of Council.
- (4) Regular Council meetings may:
 - (a) Be cancelled by Council and/or Mayor, provided that two consecutive meetings are not cancelled; and
 - (b) Be postponed to a different day, time and place by the Council and/or Mayor, provided the Corporate Officer is given at least 2 days written notice.

6. Notice of Council Meetings

- (1) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 31st, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 31st of the time and duration that the schedule of regular Council meetings will be available beginning on February 1 in accordance with section 94 of the *Community Charter*.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

7. Notice of Special Meetings

- (1) Except where notice of a special meeting is waived by unanimous vote of all Council Members under section 127 (4) of the *Community Charter*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
 - (a) Posting a copy of the notice in the Council chambers at the District Office,
 - (b) Posting a copy of the notice at the Public Notice Posting Places and the District official website, and
 - (c) Leaving one copy of the notice for each Council member in the Council member's mailbox at the District Office
 - i. Council Members may request a Special Meeting – two or more Council members may, in writing, request the Mayor to call a Special Meeting, under Section 126 of the *Community Charter*.
 - ii. Unfinished Business – any unfinished business shall be dealt with at the next Regular or Special Meeting of Council
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.
- (3) **Closed Special Meetings** may be scheduled prior to the commencement of a Regular Meeting with sufficient notice under Section 7 of this Bylaw, or at other such times as mutually convenient to the majority of Council, or with the passing of a resolution prior to the closing of a Meeting to the public, stating the fact that the Meeting or future Meeting is to be closed and the basis under Section 90 of the *Community Charter* on which the Meeting is to be closed, as follows:
 - (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position

- appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or employee negotiations;
- (d) the security of property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure might reasonably be expected to harm the interests of the municipality;
- (f) law enforcement, if the council considers that disclosure might reasonably be expected to harm the conduct of an investigation under or enforcement of a Act, regulation or bylaw;
- (g) litigation or potential litigation affecting the municipality;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purpose of preparing an annual report under section 98[*annual municipal report*];
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
- (o) the consideration of whether the authority under section 91 [*other persons attending closed meetings*] should be exercised in relation to a council meeting.

A part of a council meeting must be closed to the public if the subject matter relates to one or more of the following:

- (a) a request under the *Freedom of Information and Protection of Privacy Act* if the council is designated as the head of the public body for the purposes of that Act in relation to a matter;
 - (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
 - (c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 [*Ombudsman to notify authority*] of that Act;
 - (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- (4) If the only subject matter being considered at a council meeting is one or more of the

matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

8. Release of In-Camera Resolutions and Information

Council may, by resolution passed by a majority vote of the members of Council present, release to the public portion of a Council Meeting, any or all of the written material provided to a closed Special Meeting or any or all of the Resolutions passed at such closed Special Meeting, subject to the Freedom of Information and Protection of Privacy Act.

The release of confidential deliberations and information shall not be made public unless specific authorization to do so has been given by Council resolution adopted at a duly constituted Meeting by a majority of the members of Council present.

Unauthorized disclosure of such confidential information is deemed to be improper conduct.

9. Electronic Meetings

- (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met,
 - (a) a special Council meeting may be conducted by means of visual and audio or audio electronic or other communication facilities;
 - (b) a member of Council who is unable to attend at a Council meeting may participate in the meeting by means of visual and audio or audio electronic or other communication facilities.
- (2) The member presiding at a special Council meeting must not participate electronically.
- (3) A quorum of Council must be present in person at the meeting place.
- (4) Members who are participating by electronic means are deemed to be present at the meeting.
- (5) There is no restriction on the number of members that can participate electronically, including the Mayor/Chair, in a Regular or Special Council Meeting or Committee Meeting, provided the quorum requirements are met.
- (6) Members who are participating by electronic means must have received an agenda package prior to the start of the meeting.
- (7) Members may only participate by electronic means once per quarter of the calendar year with a maximum of three times per calendar year unless further participations are approved by Council by motion.
- (8) If there is an interruption in the communications link to a member or members participating electronically that results in the loss of a quorum:
 - i. members may decide on a short recess until it is determined whether or not the link can be re-established; or
 - ii. the meeting shall be dissolved and rescheduled as per Section 5.3 of this bylaw.

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

10.
 - (1) Annually in January, Council must form amongst its members designate a Councillor to serve as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
 - (2) Each Councillor designated under section 10(1) must fulfill the responsibilities of the Mayor in his or her absence.

- (3) If both the Mayor and the member designated under section 10(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 10(1) or chosen under section 10(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 – COUNCIL PROCEEDINGS

11. Community Charter Provisions

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

12. Attendance of Public Meetings

- (1) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
 - (a) COTW,
 - (b) Standing and select committees,
 - (c) Parcel tax review panel,
 - (d) Board of variance,
- (4) Despite section 12(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 may expel or exclude from a Council meeting a person in accordance with section 22(8)

13. Minutes of meetings to be maintained and available to public

- (1) Minutes of the proceedings of Council must be
 - (a) Legibly recorded
 - (b) Certified as correct by the Corporate Officer, and
 - (c) Signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Subject to subsection 13(3) and in accordance with section 97(1)(b) of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at the Municipal Office during its regular office hours.
- (3) Subsection 13(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

14. Calling Meeting to Order

- (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting

in the place of the Mayor in accordance with section 10 must take the Chair and call such meeting to order.

- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 does not attend within 15 minutes of the scheduled time for a Council meeting:
 - (a) The Corporate Officer must call to order the members present, and
 - (b) The members present must choose a member to preside at the meeting.

15. Adjourning Meeting Where No Quorum

If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must

- (a) Record the names of the members present, and those absent, and
- (b) Meeting shall be adjourned to the same hour the next regular business day or to a time mutually convenient to the majority of Council members
- (c) There is no requirement for a quorum of Council members to be present for a Committee Meeting, provided at least two (2) members of Council are present

16. Agenda

- (1) Prior to each regular meeting, the CAO shall, in consultation with the Mayor, prepare a statement of the order of business to be known as the "Agenda" of all business to be brought before the Council at the regular meeting.
- (2) To enable the CAO to prepare a proper agenda, all documents and notice of delegations intended to be submitted to the Council shall be submitted to the CAO not later than 4:00 in the afternoon at least five days before the regular meeting (Thursday).
- (3) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 18.

17. Order of Proceedings and Business

- (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
 - i. Call to order;
 - ii. Adoption of minutes;
 - iii. Unfinished business;
 - iv. Delegations, petitions & public input;
 - v. Correspondence;
 - vi. Information items;
 - vii. Reports of committees;
 - viii. Reports of Mayor, Councillors and Staff;
 - ix. Legislation
 - x. Late items;
 - xi. Other business;
 - xii. Question period;
 - xiii. Adjournment.
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council;

18. Late Items

- (1) Additions placed on the agenda at the meeting shall be discouraged. An item of business not included on the Agenda must not be considered approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 18(1), information pertaining to late items must be distributed to the members

19. Voting at Meetings

- (1) The following procedures apply to voting at Council meetings:
 - (a) When debate on a matter is closed, the presiding member must put the matter to a vote of Council members;
 - (b) When the Council is ready to vote, the presiding member must put the matter to vote by stating: "Those in favour raise your hands." And then "Those opposed raise your hands."
 - (c) When the presiding member is putting the matter to vote under paragraphs (a) and (b) a member must not
 - i. Cross or leave the room,
 - ii. Make a noise or other disturbance, or
 - iii. Interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (d) After the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
 - (e) The presiding member's decision about whether a question has been finally put is conclusive; and
 - (f) Whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
 - (g) The presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative;
 - (h) A Council Member present at the Meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.

20. Delegations

- (1) Individuals or delegations may address Council at the meeting provided written application has been received by the Corporate Officer by 1:00pm on the *Thursday* prior to the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by vote of those members present.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 20(1), an individual or delegation may address the meeting if approved by the unanimous vote of the Council members present.
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

No delegations shall be made to Council or Committees on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals affecting the District unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegate to be heard. No delegate shall speak on a matter that is not within the jurisdiction of the Council or Committee. The

Chair in consultation with the CAO will determine if a matter is within the jurisdiction of the Committee or Council. Council members may address a delegate only to ask questions and not to express opinions or enter into debate or discussion.

- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) 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 delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- (6) Public Decorum at Meetings: Members of the public who constitute the audience at a meeting, shall not:
 - (a) Address Council without permission;
 - (b) Bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized;
 - (c) Engage in any activity or behavior that would affect the Council or Committee deliberations
 - (d) No alcohol or drugs are permitted

21. Points of Order

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

22. Conduct and Debate

- (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-presiding members by the title Councillor.
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member
 - (a) Must immediately stop speaking,
 - (b) May explain their position on the point of order, and
 - (c) May appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- (7) Members speaking at a Council meeting
 - (a) Must use respectful language,
 - (b) Must not use offensive gestures or signs,

- (c) Must speak only in connection with the matter being debated,
 - (d) May speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) Must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and
- (a) If the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - (b) If the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) A member may speak more than once in connection with the same question only
 - i. With the permission of Council, or
 - ii. If the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) A member who has made a substantive motion to the Council may reply to the debate;
 - (c) A member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
 - (d) A member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council
- (11) In order to maintain order and uphold the dignity and decorum of the municipal business, members of Council are expected to adhere to a business casual dress code while in attendance.

23. 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) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:
 - (a) To refer to committee;
 - (b) To amend;
 - (c) To lay on the table;
 - (d) To postpone indefinitely;
 - (e) To postpone to a certain time;
 - (f) To move the previous question;
 - (g) To adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

24. 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.

25. Motion for the Main Question

- (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) If a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) If the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

26. Amendments Generally

- (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been negated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
 - (a) A motion to amend a motion amending the main question;
 - (b) A motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;
 - (c) The main question.

27. Reconsideration by Council Member

- (1) Subject to subsection (5) a Council member may, at the next Council meeting,
 - (a) Move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
 - (b) Move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution during the term of Council.

A motion to reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution under the section 36 of this by-law at a subsequent regular meeting of Council.

- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
 - (a) Had the approval or assent of the electors and been adopted,
 - (b) Been reconsidered under subsection (1) or section 131 of the *Community Charter*,
 - (c) Been acted on by an officer, employee, or agent of the District.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

Only a member of Council who voted with the majority in respect of a previous decision or was absent from the vote or was not a member of Council at the time may move or second a motion for reconsideration.

A motion to reconsider must be carried in the affirmative by a minimum of a majority of the Whole of Council.

If a motion to reconsider is decided in the affirmative, reconsideration of the original motion shall become the next order of business unless the motion for reconsideration called for a future definite date.

28. Privilege

- (1) In this section, a matter of privilege refers to any of the following motions:
 - (a) Fix the time to adjourn;
 - (b) Adjourn;
 - (c) Recess;
 - (d) Raise a question of privilege of the Council;
 - (e) Raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

29. Reports from Committees

Council may take any of the following actions in connection with a resolution it receives from COTW:

- (a) Agree or disagree with the resolution;
- (b) Amend the resolution;
- (c) Refer the resolution back to COTW;
- (d) Postpone its consideration of the resolution.

30. Adjournment

- (1) A Council may continue a Council meeting after 10:00pm only by an affirmative vote of the Council members present.

- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
 - (a) A motion to adjourn to a specific day;
 - (b) A motion that adds an opinion or qualification to a preceding motion to adjourn.
- (4) Meeting may be adjourned by Chair's declaration:
 - (a) When the hour adopted for adjournment has arrived;
 - (b) When Council reach the end of the Agenda;
 - (c) In case of emergency or immediate danger.

PART 5 - BYLAWS

31. Copies of Proposed Bylaws to Council Members

A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

32. Form of Bylaws

A bylaw introduced at a Council meeting must:

- (a) Be printed;
- (b) Have a distinguishing name;
- (c) Have a distinguishing number;
- (d) Contain an introductory statement of purpose;
- (e) Be divided into sections;

33. Bylaws to be Considered Separately or Jointly

Council must consider a proposed bylaw at a Council meeting either:

- (a) Separately when directed by the presiding member or requested by another Council member, or
- (b) Jointly with other proposed bylaws in the sequence determined by the presiding member.

34. Reading and Adopting Bylaws

- (1) The presiding member of a Council meeting may
 - (a) Have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) Request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time, during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.

- (6) Despite section 135(3) of the Community Charter, 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.

35. Bylaws Must Be Signed

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

- (a) The District'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

36. Copies of Resolutions to Council Members

A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

37. Form of Resolution

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

38. Introducing Resolutions

- (1) The presiding member of a Council meeting may:
 - (a) Have the Corporate Officer read the resolution; and
 - (b) Request a motion that the resolution be introduced.

PART 7 - COMMITTEE OF THE WHOLE

39. Going Into Committee of the Whole

- (1) At any time during a Council meeting, Council may by resolution go into COTW
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the District's business, is a meeting of COTW.

40. Notice for COTW Meetings

- (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
 - (a) Posting a copy of the notice at the Public Notice Posting Places; and
 - (b) Leaving a copy of the notice for each Council member in the Council member's mailbox at the District Office.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 39, during a Council meeting for which public notice has been given under section 6 or 7

41. Minutes of COTW Meetings to be Maintained and Available to the Public

- (1) Minutes of the proceedings of COTW must be

- (a) Legibly recorded,
- (b) Certified by the Corporate Officer
- (c) Signed by the member presiding at the meeting, and
- (d) Open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

42. Presiding Members at COTW Meetings and Quorum

- (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

43. Points of Order at Meetings

The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

44. Conduct and Debate

The following rules apply to COTW meetings:

- (a) A motion is not required to be seconded;
- (b) A motion for adjournment is not allowed;
- (c) A member may speak any number of times on the same question;
- (d) A member must not speak longer than a total of 10 minutes on any one question.

45. Voting at Meetings

- (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member
- (2) The presiding member must declare the results of voting.

46. Reports

- (1) COTW may consider reports and bylaws only if
 - (a) They are printed and the members each have a copy, or
 - (b) A majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate
- (3) The COTW's reports to Council must be presented by the Corporate Officer

47. Rising without Reporting

- (1) A motion made at a COTW meeting to rise without reporting
 - (a) Is always in order and takes precedence over all other motions,
 - (b) May be debated, and
 - (c) May not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 39(1), the Council meeting must resume and proceed to the next order of business.

PART 8 - COMMITTEES

48. 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 Council;
 - (c) Matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
 - (a) In accordance with the schedule of the committee's meetings;
 - (b) On matters that are assigned by Council or the Mayor,
 - i. As required by Council or the Mayor, or
 - ii. At the next Council meeting if the Council or Mayor does not specify a time.

49. 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.

50. Schedule of Committee Meetings

- (1) At its first meeting after its establishment, a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

51. Notice of Committee Meetings

- (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
 - (a) Posting a copy of the schedule at the Public Notice Posting Places; and
 - (b) Providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 50(2) to be given to all members of the committee at least 24 hours before the time of the meeting.

52. Attendance at Committee Meetings

Council members who are not members of a committee may attend the meetings of the committee.

53. Minutes of Committee Meetings to be Maintained and Available to Public

Minutes of the proceedings of a committee must be

- (a) Legibly recorded
- (b) Certified by the Corporate Officer
- (c) Signed by the chair or member presiding at the meeting, and
- (d) Open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

54. Quorum

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

55. Conduct and debate

- (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

56. Voting at Meetings

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

PART 9 – GENERAL


57. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
58. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.
59. District of Stewart Procedure Bylaws No. 795-2004 and No. 822-2006 is repealed.

READ A FIRST TIME THIS 23rd DAY OF November, 2015

READ A SECOND TIME THIS 23rd DAY OF November, 2015

READ A THIRD TIME THIS 15th DAY OF December, 2015

ADOPTED THIS 11th DAY OF January, 2016



Mayor



Corporate Officer