

# Village of Tahsis

## Council Procedure Bylaw No. 495, 2004

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**VILLAGE OF TAHSIS**

**BYLAW NO. 495, 2004**

**A BYLAW TO PROVIDE FOR COUNCIL PROCEDURES**

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Whereas under Section 124 (1) (2) of the Community Charter Council must by bylaw, establish the procedures to be followed for the conduct of its business and, in particular, must by law, establish procedures to be followed for the conduct of Council business.

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

**PART 1 - INTRODUCTION**

**1. Title**

This Bylaw may be cited as the "VILLAGE OF TAHSIS COUNCIL PROCEDURE BYLAW NO. 495, 2004".

**2. Definitions**

In this Bylaw,

"Chair" means the Mayor, Acting Mayor, or presiding officer appointed under this bylaw, who is chairing a meeting;

"Charter" means the *Community Charter*

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

"COTW" means the Committee of the Whole;

"Corporate Officer" means the person appointed by Council as the Corporate officer, and includes every person appointed by Council by name of office or otherwise to act in the place of the Corporate office;

"Council" means the Council of the Village of Tahsis;

"inaugural meeting" means the meeting at which the members elected at the most recent general election are sworn in;

"Mayor" means the mayor of the Village;

“meeting” means an inaugural, regular or special meeting, as the context requires;

s. 94(7)

"Municipal Hall" means the village's principal business address located at 977 South Maquinna, Tahsis British Columbia;

s.124(2)(e)

“Public Notice Posting Place” means the notice board at the Municipal Hall

“Village” means the Village of Tahsis;

### **Application of rules of procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW and all standing and select committees of Council, as applicable.

s.124(2)(a)  
and (b)

(2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 10<sup>th</sup> edition, 2000, 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**

### **Inaugural Meeting**

4. (1) Following a general local election, the first Council meeting must be held on the first Tuesday in December in the year of the election.

s.124(2)(g)  
s.125(1)

(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.

s.125(2)

### **Time and location of meetings**

5. (1) All Council meetings must take place within the municipal hall except when Council resolves to hold meetings elsewhere and directs the corporate officer to give notice of the different meeting place by posting a notice of the change on the public notice posting place at least 24 hours prior to the time of the regular council meeting.

s.125(2)

(2) Regular Council meetings must

a) be held on the first and third Tuesday of each month.

- b) begin at 7:00 p.m.
- c) be adjourned at 11:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29 of this bylaw
- d) If a regularly scheduled meeting of Council falls on a statutory holiday, or on a day which is being observed as a holiday in Tahsis, the meeting shall be held on the following day when the municipal office is open at the time fixed by bylaw.

### **Cancelled, Rescheduled or Called Meetings**

The Council may by resolution

- a) Cancel or reschedule a regular meeting provided that two consecutive meetings are not cancelled; and
- b) Change the time or location for the holding of a meeting, , provided the Corporate Officer is given at least 2 days written notice.
- c) Call an additional regular meeting at the time and place stipulated in the resolution.
- d) The resolution to cancel or reschedule a regular meeting postpones the business on the agenda for the meeting to the next or the rescheduled regular meeting.
- e) Except in the case of a meeting for which there is no quorum or a quorum is lost, the corporate officer must give public notice of the cancelled, rescheduled or called meeting or of the change of time or location before the date and time on which the regular meeting was to be held by posting and publishing the notice in the manner referred to in section 6 (1) (3).

### **Notice of Regular Council Meetings**

- 6. (1) In accordance with section 127 of the *Community Charter* Council must prepare annually on or before January 1<sup>th</sup> , a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place.
- (2) In accordance with section 127 (1)(b) of the *Community Charter* Council must give notice annually on or before *January 1<sup>st</sup>* of the time and duration that the schedule of regular Council meetings will be available for public review in accordance with section 94 of the *Community Charter*

s.127(1)

- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

### **Notice of Special Council Meetings**

7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter* , a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
  - a) posting a copy of the notice in the Council chambers at the Municipal Hall,
  - b) posting a copy of the notice at the Public Notice Posting Place, and
  - c) leaving one copy of the notice for each Council member in the Council member's mailbox at the Village Office.
- (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.

### **Notice of Annual Meeting**

8. The corporate officer must 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 (*Annual municipal report*) and
  - b) Submissions and questions from the public

By giving public notice by

- c) Posting notice of the date, time and place of the annual meeting at the public notice posting place, and
- d) Publishing notice of the date, time and place of the annual meeting in accordance with Section 94 of the Community Charter (*Requirements for public notice*)

## Electronic Meetings

9. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter (Electronic meetings and participation by members)* are met,
- s. 128
- a) a special Council meeting may be conducted by means of electronic or other communication facilities,
  - b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting as a result of being out of town on Village business, illness or injury may participate in the meeting by means of land line telephone at Council's discretion.
- (2) The member presiding at a regular, special council or council committee meeting must not participate electronically.
- (3) No more than 1 member of council at one time may participate at a council meeting under section 9(1)(b).
- (4) No more than 1 member of a Council Committee at one time may participate at a Council Committee meeting under s.8(1)(b).

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

10. (1) Annually in January Council must from 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.
- s. 130
- (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 by resolution 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

### Community Charter Provisions

11. 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.

### Attendance of Public at Meetings

12. (1) Except where the provisions of section 90 (Meetings that may or must be closed to the public) of the *Community Charter* apply, all Council meetings must be open to the public.
- s. 89
- (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*.
- s. 92
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
- s. 93
- (a) Committee of the Whole
  - (b) standing and select committees,
  - (c) parcel tax review panel,
  - (d) board of variance,
  - (e) Commissions
- (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).

### Minutes of meetings to be maintained and available to public

13. (1) Minutes of the proceedings of Council must be
- s.124(2)(c)
- 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.
  - d) Need not be read, prior to their adoption
- s.97(1)(b)  
s.97(2)

- (2) Subject to subsection 13(3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.

s.97(1)(b)

- (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 [meetings that may be closed to the public]*.

### **Calling the meeting to order**

14. Once a quorum is present at the appointed meeting time, the Mayor must call the meeting to order and be the chair for the meeting.

If the Mayor is not in attendance at the appointed meeting time 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.

s.124(1)  
s.124(2)(a)

### **Appointment of Acting Chair - Mayor and Acting Mayor Absent**

15. If a quorum of Council (3 members) is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 do not attend within fifteen minutes of the scheduled time for a Council meeting:
- a) the Corporate Officer must call to order the members present, and by a resolution the council must appoint a Councillor as chair for that meeting until the Mayor or Acting Mayor arrives.
  - b) If the Mayor arrives after commencement of a meeting, he or she will preside on arrival.
  - c) Subject to section 15 (b) if the Acting Mayor arrives after commencement of a meeting referred to in section 15, he or she will preside on arrival.

### **Adjourning Regular meeting where no quorum**

16. If there is no quorum of Council present within fifteen minutes of the scheduled time for a Council meeting, or the quorum is lost during a meeting, the Corporate Officer must
- a) record the names of the members present in the minutes book and
  - b) adjourn the meeting until the following Tuesday at the same time the aforementioned meeting was called.

- c) Post the minute book notation stating the time, date and location of the adjourned meeting on the public notice posting place.
- d) All business on the agenda for that regular meeting not dealt with at that regular meeting is incorporated in the agenda for the meeting held on the date referred to in section 16 (b)

### **Agenda**

- 17. (1) Subject to section 6 (4) and 7 (3) prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be 12:00 noon on the Wednesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council the Friday afternoon prior to the meeting.
- (4) 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 (1) (b) of this bylaw.
- (5) After the agenda has been made available to Council, the corporate officer shall
  - a) post a copy of the agenda at the public notice posting place
  - b) Leave a copy of the agenda at the reception counter at the village office for the purpose of making the agenda available to members of the public.

### **Order of proceedings and business**

- 18. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - a) Call to Order
  - b) Introduction of late items;
  - c) Approval of the Agenda
  - d) Petitions and Delegations (15 min)
  - e) Adoption of minutes;
  - f) Business Arising
  - g) Public Input

- h) Reports and Questions;
  - i) Bylaws;
  - j) Correspondence;
  - k) Financial Reports
  - l) New Business
  - m) Public Input
  - n) Adjournment.
- (2) Unless the Mayor or resolution of Council shall otherwise direct, the business at a Council meeting shall in all cases proceed in the order set out in section 18 (1)
- (3) When any order, resolution, or question is lost by reason of the Council or any Committee breaking up for want of a quorum, the order, resolution, or question lost shall be the first item of business under that particular heading to be proceeded with and disposed of at the next meeting of Council.

#### **Late Items**

19. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 19(1), information pertaining to late items must be distributed to the members and the Corporate Officer.

#### **Addition of Agenda Items**

20. A member may in a meeting without notice, request leave to introduce an item of business not on the agenda which the member deems to be urgent.
- a) The member must when making the request inform the Council of the general nature of the business and the reason immediate consideration is required.
  - b) The member must make the request at the time the Council considers Introduction of late items.
  - c) If leave is granted by an affirmative vote of Council the item of business must be placed on the agenda as "New Business", at which time the member must present the Corporate Officer any supporting information on which the mover intends to rely.

## **Voting at meetings**

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

"All those in favour raise your hands." and then "Those opposed raise your hands."
  - c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
    - (i) cross or leave the room,
    - (ii) make a noise or other disturbance, or
    - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
  - d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
  - e) the presiding member's decision about whether a question has been finally put is conclusive; 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 (carried) or the negative (defeated);
  - h) Each Council member present at the time of a vote must vote on the matter at hand. If a council member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.

## **Delegations, Petitions and Correspondence**

22. (1) The Council may by resolution allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application has been received by the Corporate Officer by 12:00 noon on the Wednesday prior to the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those members present.

This written submission should include

- a) Full particulars of the subject matter to be submitted to Council;
  - b) The proposed action, which is within the authority of the Village which the delegation wishes the Village to take in response to the submission
  - c) Names and addresses of the persons or the organization comprising the delegation
  - d) The name, address and telephone number of the person who will speak to the Council on behalf of the delegation.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 22 (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
  - (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
  - (4) The 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) A petition shall include the name, signature and civic address of each petitioner, and in the case of a corporation, the authority given by the corporation to sign the petition shall be produced with it. Petitions shall be considered public documents.
  - (7) The corporate officer must place on the regular agenda under correspondence written communications addressed to the Mayor and Council or to Council which are delivered in person, by post, electronically, not later than six days before the posting of the agendas for a meeting, if such communications are:
    - a) To be reviewed by Council for information or action; or
    - b) not excluded under section (8).

8. The corporate officer must deliver to members at members mailboxes written of electronic communications:
  - a. That are confidential in nature; or
  - b. If they have been acted on by an officer, employee or agent of the Village

### **Points of order**

23. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, 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 (3)(a), and
  - c) the presiding member may reserve the decision until the next Council meeting.

s. 132

### **Conduct and debate**

24. (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.
- (4) No member shall speak until recognized by the presiding member.
- (5) No member must interrupt a member who is speaking except to raise a point of order.
- (6) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (7) Members who are called to order by the presiding member

s. 132

- 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]*.

(8) 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.

s. 133(1)

(9) 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.

s. 133(2)

(10) A member may request the question being debated at a Council meeting be read at any time during the debate if that does not interrupt another member who is speaking.

(11) 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;
  - (iii) After all other members have had an opportunity to speak to the question

## Motions generally

- 25 (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.\*
- \* Items 3 ( c ) to ( g ) are not amendable or debatable*
- (4) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

## Motion to commit

26. Until it is decided, a motion made at a Council meeting to refer to committee precludes<sup>1</sup> an amendment of the main question.

## Motion for the main question

27. (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

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<sup>1</sup> Preclude – to make impossible or impractical by prior action

any other amendments are made to the motion on the main question;  
and

- b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

### **Amendments generally**

- 28. (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 negatived 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.

### **Reconsideration by Council**

- 29. (1) Subject to subsection 29 (5), a Council member may, at the next Council meeting,
  - a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and

- b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
  - a) had the approval or assent of the electors and been adopted,
  - b) been reconsidered under subsection (1) or section 131 of the *Community Charter* [*mayor may require Council reconsideration of a matter*],
  - c) been acted on by an officer, employee, or agent of the City.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* [*mayor may require Council reconsideration of a matter*] is as valid and has the same effect as it had before reconsideration.

## **Privilege**

30. (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;
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

## Reports from committees

31. Council may take any of the following actions in connection with a resolution it receives from COTW:
- a) agree or disagree with the resolution;
  - b) amend the resolution;
  - c) refer the resolution back to COTW;
  - d) postpone its consideration of the resolution.

## Adjournment

32. (1) A Council may continue a Council meeting after 11:00 p.m. only by an affirmative vote of 2/3 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 the motion to adjourn is negative no second motion to the same effect shall be made until some intermediate business or matter has been disposed of.
- (3) Subsection (2) does not apply to either of the following motions:
- a) a motion to adjourn to a specific day;
  - b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## PART 5 - BYLAWS

### Copies of proposed bylaws to Council members

33. 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.

[s.124\(2\)\(a\)](#)

### Form of bylaws

34. A bylaw introduced at a Council meeting must:
- a) be printed;
  - b) have a distinguishing name;
  - c) have a distinguishing number;
  - d) contain an introductory statement of purpose;
  - e) be divided into sections;

## Bylaws to be considered separately or jointly

35. Council must consider a proposed bylaw at a Council meeting either:
- a) separately when directed by the presiding member or requested by another Council member, or
  - b) jointly with other proposed bylaws in the sequence determined by the presiding member.

## Reading and adopting bylaws

36. (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 [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (4) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting with the requirement that there must be at least one day between the third reading and the adoption of a bylaw.
- (5) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

[s.135\(2\)](#)  
(3)

## Bylaws must be signed

37. 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 endorse upon it the Village's corporate seal, dates of readings and adoptions and date of Ministerial approval or approval of the electorate if applicable and have it placed in the City's records for safekeeping

[s.135\(6\)](#)

[s.148\(a\)](#)

## PART 6 - RESOLUTIONS

### Copies of resolutions to Council members

38. 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.

### Form of Resolution

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

### Introducing resolutions

40. (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

### Going into Committee of the Whole

41. (1) At any time during a Council meeting, Council may by resolution go into COTW "...that the Council does now resolve itself into a Committee of the Whole".
- (2) A meeting of the Committee of the Whole may be called at any time by the Mayor.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the Village's business, is a meeting of COTW.

### Notice for COTW meetings

42. (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:

[s.124\(2\)\(d\)](#)

- a) posting a copy of the notice at the Public Notice Posting Place; and
  - b) leaving a copy of the notice for each Council member in the Council member's mailbox at the Municipal Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 41, during a Council meeting for which public notice has been given under section 6 or 7.

**Minutes of COTW meetings to be maintained and available to public**

43. (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 [other records to which public access must be provided]*.

[s.97\(1\)\(c\)](#)  
124 (c)

**Presiding members at COTW meetings and Quorum**

- 44.. (1) Any Council member may preside in COTW..
- (2) The quorum of COTW is the majority of Council members.

**Points of order at meetings**

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

**Conduct and debate**

- 46.. 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 ten (10) minutes on any one question.

### **Voting at meetings**

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

### **Reports**

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

### **Rising without reporting**

- 49. (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 41(1), the Council meeting must resume and proceed to the next order of business.

## **PART 8 - COMMITTEES**

### **Duties of standing committees**

- 50. (1) Standing Committees must consider, inquire into, report and make recommendations to Council about all the following matters:

s. 141  
s. 142

- a) matters that are related to the general subject indicated by the 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 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, or
  1. as required by Council or the Mayor, or
  2. at the next Council meeting if the Council or Mayor does not specify a time.

### **Duties of Select Committees**

- 51 (1) Select committees must consider, inquire into, report and make recommendations to Council about the matters referred to the committee by Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

### **Schedule of committee meetings**

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

### **Notice of committee meetings**

53. (1) Subject to subsection 52 (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 must be given by:
- s.124(2)(d)
- a) posting a copy of the schedule at the Public Notice Posting Place and
  - b) providing a copy of the schedule to each member of the committee and the corporate officer at least 24 hours before the meeting..
- (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 52 (2) to be given to all members of the committee at least 24 hours before the time of the meeting.

### **Attendance at Committee meetings**

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

### **Minutes of committee meetings to be maintained and available to public**

55. (1) 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 [other records to which public access must be provided]*.
- (2) If a staff person has not been assigned by Council to take minutes, then the committee from amongst its members shall select a member to be responsible to take minutes of the committee meetings.

[s.124\(2\)\(c\)](#)  
[s.97\(1\)\(c\)](#)

### **Quorum**

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

### **Conduct and debate**

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

### **Voting at meetings**

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

**PART 9 - GENERAL**

- 59. 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.
- 60. 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]*.
- 61. Village of Tahsis Procedure Bylaw No. 477 is hereby repealed.

READ A FIRST TIME THIS 6<sup>th</sup> day of April, 2004.

READ A SECOND TIME THIS 6<sup>th</sup> day of April, 2004.

READ A THIRD TIME THIS 6<sup>th</sup> day of April, 2004.

ADOPTED THIS 20<sup>th</sup> day of April, 2004.

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CORPORATE OFFICER

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MAYOR

## **Appendix**

### Community Charter Provisions

Division 3 – Part 4 (Open Meetings) – Sections 89-93

Division 2 – Part 5 (Council Proceedings) – Sections 122-134