

**THE CORPORATION OF THE CITY OF ENDERBY**

**BYLAW NO. 1732**

A BYLAW TO ESTABLISH COUNCIL PROCEDURES

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WHEREAS under Section 124 of the *Community Charter*, Council must establish general procedures to be followed by council and council committees in conducting their business;

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

**PART 1 – INTRODUCTION**

**Title**

1. This Bylaw may be cited as the “City of Enderby Council Procedure Bylaw No. 1732, 2021”.

**Interpretation**

2. (1) In this Bylaw,

“**City**” means the Corporation of the City of Enderby;

“**City Hall**” means Enderby City Hall located at 619 Cliff Avenue, Enderby, British Columbia;

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

“**COTW**” means the Committee of the Whole of Council;

“**Commission**” means a municipal commission established by Council under Section 143 of the *Community Charter*;

“**Corporate Officer**” means the person duly appointed by Council pursuant to section 148 of the *Community Charter*;

“**Council**” means the council of the City of Enderby;

“**Mayor**” means the mayor of the City;

“**Public Notice Posting Place**” means the public notice board at City Hall.

- (2) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meaning as in the *Community Charter*, *Local Government Act* and the *Interpretation Act* as the context and circumstances may require.
- (3) A reference to an Act in this Bylaw refers to a statute of British Columbia unless expressly indicated otherwise, and a reference to any enactment refers to that enactment as it may be amended or replaced from time to time.
- (4) Words in their singular include the plural and words in the plural include the singular.
- (5) Headings are for convenience only and must not be construed as defining or limiting the scope or intent of the provisions.

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

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, and Council's committees and commissions.
- (2) In cases not provided for under this Bylaw, *Robert's Rules of Order Newly Revised* apply to meeting proceedings to the extent that those Rules are:
  - (a) applicable in the circumstances; and
  - (b) not inconsistent with provisions of this Bylaw, another enactment of the City, the *Community Charter*, or the *Local Government Act*.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural meeting**

4. (1) Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the local government 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.
- (3) In the event that section 119(4) of the *Community Charter* applies, the method for selecting the previous Councillors who will continue in office

for a transitional period, until a quorum of incoming Councillors have taken office, will be determined by a drawing of lots administered by the Corporate Officer.

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

5. (1) Notwithstanding subsection (4), all Council meetings must take place within City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must:
  - (a) be held on the first and third Monday of each month during February, March, April, May, June, September, October, November and December;
  - (b) be held on the third Monday of January, July and August;
  - (c) begin at 4:30 p.m.;
  - (d) be adjourned at 7:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with this Bylaw;
  - (e) when such meeting falls on a statutory holiday, be held on the next day City Hall is open which is not a statutory holiday; and
  - (f) only be held on the first Monday of the month in October of a general election year.
- (3) Regular Council meetings may be cancelled by Council, provided that two consecutive meetings are not cancelled.
- (4) Subject to the provisions of Section 128 of the *Community Charter*, a regular or special meeting may be conducted by means of electronic or other communication facilities.
- (5) Subject to the provisions of Section 128 of the *Community Charter*, a member who is unable to attend a meeting may participate in the meeting by means of electronic or other communication facilities and is deemed to be present at the meeting.
- (6) In accordance with Section 128(b) of the *Community Charter*, a meeting that is conducted by means of electronic or other communication facilities must:
  - (a) indicate on the agenda and at the Public Notice Posting Place that the meeting will be conducted using electronic or other communication facilities;

- (b) provide general instructions by which the public may access the meeting using electronic or other communication facilities, such that they may hear, or watch and hear, the meeting except for any part of the meeting that is closed to the public; and
  - (c) be attended by the Corporate Officer or designate who shall attend at the specified place.
- (7) In accordance with Section 465 and 494 of the *Local Government Act*, a public hearing may be conducted by means of electronic or other communication facilities, provided:
- (a) the notice posted to the Public Notice Posting Place indicates that the meeting will be held using electronic or other communication facilities;
  - (b) in accordance with section 466 of the *Local Government Act*, notice is given describing the way in which the hearing is to be conducted using electronic or other communication facilities;
  - (c) general instructions are given by which the public may access the meeting using electronic or other communication facilities, such that they may hear, or watch and hear, each other; and
  - (d) be attended by the Corporate Officer or designate who shall attend at the specified place; and
  - (e) a public hearing may be adjourned and no further notice of the hearing is necessary if the following are stated to those in attendance at the time the hearing is adjourned:
    - (i) The time and date of the resumption of the hearing;
    - (ii) The place of the resumed hearing, if applicable; and
    - (iii) The way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable.

### **Notice of regular council meetings**

6. In accordance with section 127 of the *Community Charter*, Council must make available to the public, on or before January 1 of each year, a schedule of the date, time and, if applicable, place of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place.

7. In accordance with section 127 of the *Community Charter*, Council must give notice of the availability of the schedule of regular Council meetings on or before January 1 of each year.
8. 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 indicating the date, time and place or cancellation of a regular Council meeting.

### **Notice of special meetings**

9. (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 meeting must be given at least 24 hours before the time of meeting, by:
  - (a) posting a copy of the notice at the Public Notice Posting Place;  
and
  - (b) either leaving one copy of the notice for each member in the member's mailbox at City Hall or notifying each member by telephone or electronic communication.
- (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.

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

10. (1) Annually, Council must, from amongst its members, designate Councillors to serve on a rotating basis, with a line of succession, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act for periods of less than 90 days.
- (2) In the event of a foreseeable absence by the Mayor that is likely to be greater than 90 days, or if the office of Mayor becomes vacant, Council shall elect, by ballot from amongst its members, a non-rotating Acting Mayor until such time as the Mayor returns to office or a newly elected Mayor makes an oath or solemn affirmation of office in accordance with section 120 of the *Community Charter*.
- (3) If the Mayor is absent from the Council meeting, the Acting Mayor must preside at the Council meeting.
- (4) Each Councillor designated as Acting Mayor under this section must fulfill the responsibilities of the Mayor in the latter's absence.

- (5) The Acting Mayor has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4 – COUNCIL PROCEEDINGS**

### **Attendance of public at meetings**

- 11. (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) committees;
  - (c) parcel tax roll review panel;
  - (d) board of variance;
  - (e) commissions; and
  - (f) an advisory body established by Council.
- (4) Despite subsection (1), the Mayor or, when applicable, Acting Mayor, may expel or exclude from a Council meeting a person in accordance with section 133 of the *Community Charter*.

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

- 12. (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, Acting Mayor, or presiding member at the meeting when the minutes are adopted.
- (2) In accordance with section 97(1)(b) of the *Community Charter* minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.

- (3) Subsection (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*.

### **Calling meeting to order**

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, or otherwise the Acting Mayor, must take the chair and call the Council meeting to order.
- (2) If a meeting quorum is present but the presiding member does not attend within 15 minutes of the scheduled time for the meeting, and section 10(3) of this Bylaw does not apply:
  - (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.

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

14. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, or if a member of Council either physically leaves or is disconnected from an electronic meeting, and does not return within 15 minutes, the Corporate Officer must:
  - (1) record the names of the members present, and those absent; and
  - (2) adjourn the meeting.

### **Agenda**

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.
- (2) All items or reports for the agenda of a meeting of Council, other than a special Council meeting, must be delivered to the Corporate Officer no later than 3 business days prior to the meeting. Any item not delivered in a complete format by that deadline shall be held to the next agenda, unless approved as a late item by the Chief Administrative Officer prior to the distribution of the agenda to Council members, or otherwise added to the agenda by resolution of Council as a late item.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public at least 48 hours 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.

## **Order of proceedings and business**

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Approval of Agenda;
  - (b) Adoption of the Minutes;
  - (c) Delegations;
  - (d) Public Hearings;
  - (e) Development Matters and Related Bylaws;
  - (f) Continuing Business and Business Arising from Committees and Delegations;
  - (g) Bylaws;
  - (h) Reports;
  - (i) New Business;
  - (j) Notices of Motion;
  - (k) Correspondence and Information Items;
  - (l) Public Question Period;
  - (m) Adjournment.
- (2) When preparing the agenda, the Corporate Officer may vary the order set out in subsection (1) and may delete agenda sections if there is no business under those items.
- (3) 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.
- (4) With unanimous consent of the members, including the presiding member, any or all of the items under subsection (1)(k) may be received and filed with a single resolution.

## **Late Items**

17. (1) An item of business not included on the agenda must not be considered at a Council meeting unless the late item is introduced by Council and approved by majority vote during Approval of Agenda.
- (2) Late items shall be restricted to essential items, which would include matters arising after the presentation of the Agenda and which, if not acted upon in a timely manner, would adversely affect the City's position or the position of a constituent or group of constituents.

## Voting at meetings

18. (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;
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not:
    - (i) 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 subsection (b), a member must not speak to the question or make a motion concerning it;
  - (e) the presiding member's decision about whether a question has been finally put is conclusive;
  - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
  - (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (2) The way in which the members vote on a motion shall be recorded in the minutes.
- (3) No vote shall be taken in a Council meeting by ballot or by any other method of secret voting unless expressly authorized in this Bylaw.

## Delegations

19. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting provided written application on a prescribed form has been received by the Corporate Officer in accordance with section 15(2) of this Bylaw.
- (2) Where written application has not been received by the Corporate Officer as prescribed in subsection (1), an individual or delegation may

address the meeting if approved by a majority vote of the members present.

- (3) No one delegation to Council on any one or more matters shall exceed a total speaking time of ten (10) minutes. The maximum time allotted for delegations per meeting shall be twenty (20) minutes, unless a resolution is passed to authorize additional time for delegations and/or speaking time.
- (4) 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.
- (5) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (6) 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.
- (7) Where a delegation has addressed Council on a particular issue, if a subsequent request is received from a delegation to address Council on the same issue, and no significant new information is provided, the Corporate Officer will be granted the authority not to place the item on the Agenda but will circulate the request under separate cover as an item of general information.
- (8) Council shall not act on a request from a delegation until the next regular meeting, unless a two-thirds affirmative vote of the members present is given to consider the matter at the same meeting as the delegation presentation.

#### **Points of order**

20. (1) The presiding member must preserve order and decide points of order that may arise, subject to an appeal in accordance with section 132 of the *Community Charter*.

#### **Conduct and debate**

21. (1) A member may speak to a question or motion at a 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, Councillor, or Chairperson.
- (3) Members must address other non-presiding members by their respective title.
- (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, subject to an appeal under section 132 of the *Community Charter*, 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 Council Chamber; 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 three times 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.

### **Motions generally**

- 22. (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) When a question (main motion) is under consideration, a motion shall be received if it is in order and one of the following:
  - (a) **Subsidiary Motion**
    - (i) To reconsider;
    - (ii) To postpone indefinitely;
    - (iii) To divide the question;
    - (iv) To amend;
    - (v) To refer to a committee;
    - (vi) To postpone to a future meeting;
    - (vii) To close debate and take the vote immediately; and

- (viii) To lay on the table (set aside temporarily for consideration later in the meeting).
- (b) Privileged Motions (related to matters of procedure)
  - (i) To raise a question of privilege;
  - (ii) To raise a point of order;
  - (iii) To appeal the presiding member's decision on a point of order;
  - (iv) To recess;
  - (v) To suspend the rules;
  - (vi) To adjourn; and
  - (vii) To fix the time to adjourn.

**Motion to refer to a committee**

23. Until it is decided, a motion made at a Council meeting to refer to committee or staff takes precedence over an amendment of the main question.

**Amendments generally**

24. (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 decided in the negative 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 carried;
  - (c) the main question.

**Reconsideration by Council member**

25. (1) Subject to subsection (4), and notwithstanding the power of reconsideration by the Mayor under section 131 of the *Community Charter*, a Council member who voted affirmatively for a resolution adopted by Council may, at the next 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) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (3) A vote to reconsider must not be reconsidered.
- (4) 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 City.
- (5) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (6) 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.
- (7) If the original decision was the adoption of a bylaw, resolution or proceeding, and that decision is rejected on reconsideration, the bylaw, resolution, or proceeding is of no effect and is deemed to be repealed.

### **Reports from committees**

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

### **Adjournment**

27. (1) Council may continue a meeting after 8:00 p.m. only by an affirmative vote of a majority of the Council members present, and past 10:00 p.m. only by a unanimous 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 a motion to fix the time to adjourn.

## **PART 5 – BYLAWS**

### **Copies of proposed bylaws to Council members**

28. 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 48 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of bylaws**

29. A bylaw introduced at a Council meeting must:
- (1) be printed;
  - (2) have a distinguishing name;
  - (3) have a distinguishing number;
  - (4) be divided into sections.

### **Bylaws to be considered separately or jointly**

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

### **Reading and adopting bylaws**

31. (1) The presiding member of a Council meeting may read, or:
- (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 name and number.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present, subject to any specific, additional Provincial requirements, including but not limited to official community plan bylaws, which must meet the requirements of section 477(2) of the *Local Government Act*.
- (5) In accordance with section 135 of the *Community Charter*, Council may give up to three readings of a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter*, and in accordance with sections 477 and 480 of the *Local Government Act*, Council may adopt a proposed official community plan bylaw or zoning bylaw at the same meeting at which the bylaw passed third reading.

### **Bylaws must be signed**

32. 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 City's records for safekeeping and endorse upon it:
- (1) the City's corporate seal;

- (2) the dates of its readings and adoption; and
- (3) the date of Ministerial approval or approval of the electors if applicable.

## **PART 6 – NOTICE OF MOTION**

### **Copies of notice of motion to Council members**

33. A notice of motion may be introduced at a Council meeting only if a copy of it has been delivered to the Corporate Officer and each member of Council at least 48 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of notice of motion**

34. A notice of motion introduced at a Council meeting must be printed and have a distinguishing title or number assigned by the Corporate Officer.

### **Introducing notice of motion**

35. The presiding member of a Council meeting may:
- (1) have the Corporate Officer read the resolution contained in the notice of motion; and
  - (2) request a motion that the resolution contained in the notice of motion be introduced.

### **Debating notice of motion**

36. (1) A notice of motion must be seconded by another member in order to be debated.
- (2) Debate of a notice of motion is postponed until the next regular meeting if the member who introduced it is not present at the meeting and it is on the agenda, unless the introducing member has provided written consent to the presiding member or Corporate Officer.

## **PART 7 - COMMITTEE OF THE WHOLE**

### **COTW procedures and conduct**

37. (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 committee or commission meeting, to which all members of Council are invited to

consider but not to decide on matters of the City's business, is a meeting of COTW.

- (3) COTW meetings are to be conducted in the same manner of rules and procedures as regular Council meetings, except that:
  - (i) Any member may serve as presiding member for COTW except that, in the absence of an affirmative resolution to this effect, the presiding member shall be the Mayor;
  - (ii) A motion to adjourn is not allowed;
  - (iii) A member may speak any number of times on the same question; and
  - (iv) A member must not speak longer than a total of 10 minutes on any one question.

#### **Notice for COTW meetings**

38. (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 in the same manner as notice is given of a regular Council meeting.
- (2) Subsection (1) does not apply to a COTW meeting that is called during a meeting for which public notice has been already been given.

#### **Reporting**

39. (1) A motion for COTW to rise and report to Council must be decided without debate.
- (2) The COTW's report to Council may be presented by the Corporate Officer, the COTW presiding member, or the Mayor.
- (3) A motion for COTW 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.
- (4) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 36(1), the regular meeting must resume and proceed to the next order of business.

## **PART 8 – COMMITTEES AND COMMISSIONS**

### **Duties of standing committees**

40. The Mayor must establish standing committees for matters that the Mayor considers would be better dealt with by committee and must appoint persons, at least half of which being Council members, to those standing committees who will consider, inquire into, report, and make recommendations to Council.

### **Duties of select committees**

41. Council may establish select committees and appoint persons, at least one of which being a Council member, to consider or inquire into any matter and report its findings and opinion to Council.

### **Duties of commissions**

42. Council may establish and appoint a commission to do one or more of the following:
- (1) Operate services;
  - (2) Undertake operation and enforcement in relation to Council's exercise of its authority to regulate, prohibit, and impose requirements; and
  - (3) Manage property and licenses held by the City.

### **Appointments and the authority to rescind appointments**

43. (1) The authority to appoint to a committee or commission includes the authority to rescind the appointment at any time and appoint another person in place of the person whose appointment was rescinded.
- (2) The authority to appoint to a commission may be limited by, and must be consistent with, any establishment or delegation bylaw in force and effect at the time of the appointment.

### **Schedule of meetings**

44. Meetings held under this Part shall be held at the call of the presiding member.

### **Notice of meetings**

45. Notice of meetings held under this Part must be given at least 24 hours before the time of the meeting in the same manner as notice is given of a regular Council meeting.

### **Attendance at meetings**

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

### **Minutes to be maintained and available to public**

47. Minutes of the proceedings of a committee or commission must be:
- (1) legibly recorded;
  - (2) certified by the Corporate Officer;
  - (3) signed by the Chair or presiding member at the meeting when the minutes are adopted; and
  - (4) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

### **Quorum and presiding member**

48. The quorum for a committee or commission is a majority of all of its members.
49. At the first committee or commission meeting of the year, the members must elect a presiding member from amongst its members. In the absence of the presiding member, the members who are in attendance will elect an acting presiding member from amongst the present members.

### **Conduct and debate**

50. (1) The rules of Council procedure must be observed during committee and commission meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee or commission, of which they are not a member, may participate in the discussion with the permission of the Chair.
- (3) Council members attending a meeting of a committee or commission of which they are not a member must not vote on a question.

## **PART 9 – GENERAL**

51. 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.
52. Notwithstanding the revisions authorized pursuant to Section 1(2) of *Bylaw Revision Regulation 367/2003*, this bylaw may not be amended or repealed

and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

53. Council authorizes the revision of this Bylaw in accordance with the revisions authorized pursuant to Section 1(2) of *Bylaw Revision Regulation 367/2003*.
54. This Bylaw, as revised under a Revision Bylaw, shall be brought before Council for consideration of first, second and third readings and adoption in accordance with Part 5 of this Bylaw, as amended from time to time, except that before third reading, the Corporate Officer must certify that the proposed revision bylaw has been revised in accordance with Section 3 of *Bylaw Revision Regulation 367/2003*.
55. Council Procedure Bylaw No. 1506, 2012 is hereby repealed at 11:59 p.m. on September 28, 2021.
56. This Bylaw shall be effective at 12:00 a.m. on September 29, 2021.

READ a FIRST time this \_\_\_ day of \_\_\_\_\_, 2021.

READ a SECOND time this \_\_\_ day of \_\_\_\_\_, 2021.

READ a THIRD time this \_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER