

**CONSOLIDATED FOR CONVENIENCE TO JUNE 12, 2023**

(\*\*amended by Bylaw No. 4740.001, 4740.002 and 4740.003)

**THE CORPORATION OF THE DISTRICT OF OAK BAY  
COUNCIL PROCEDURE BYLAW NO. 4740, 2020**

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**THE CORPORATION OF THE DISTRICT OF OAK BAY  
BYLAW NO. 4740**

A Bylaw to regulate the proceedings of the Municipal Council and the Commissions and Committees of The Corporation of the District of Oak Bay

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts as follows:

**PART 1 INTERPRETATION**

**1.0 General**

1.1 In this Bylaw:

Words importing the singular number include the plural and vice versa and gender specific terms include all genders;

Headings given to sections are for convenience of reference only and do not form part of this Bylaw;

Unless expressly stated otherwise, a reference to a “section” or a “subsection” is a reference to a section or subsection in this Bylaw and reference to a “Part” is a reference to a Part in this Bylaw;

Unless expressly stated otherwise, a reference to an enactment of British Columbia and regulations thereto, is a reference to the enactment as amended, revised, consolidated or replaced from time to time, and a reference to a Bylaw is a reference to a ***District*** bylaw, as amended, revised, consolidated, or replaced from time to time;

Except as otherwise provided for in the ***Act***, the ***Charter***, or this Bylaw, reference to a resolution or vote of ***Council*** is a reference to a resolution or vote passed by an affirmative vote of a majority of ***Council Members*** present and entitled to vote on the matter; and

If any section, subsection, paragraph, or phrase of this Bylaw is for any reason held to be invalid by reason of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

## 2.0 Definitions

### 2.1 In this Bylaw:

“Act” means the *Local Government Act*, SBC 2015, c1;

“Acting Mayor” means the **Councillor** designated pursuant to this Bylaw as the **Council Member** responsible for acting in the place of the **Mayor** when the **Mayor** is absent or otherwise unable to act, or when the office of **Mayor** is vacant;

“Agenda Guidelines” means guidelines developed by the **District** for preparation and publication of agendas for meetings of **Council**, **Committee of the Whole**, **Committees** and **Commissions** as amended from time to time;

“Chair” means the **Mayor**, **Acting Mayor**, **Committee** or **Commission Member** presiding or appointed under the **Charter** or this Bylaw who is chairing a meeting;

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

“Chief Administrative Officer” (CAO) means the person appointed by Council as the Chief Administrative Officer for the **District**, or their designate;

“Commission” means a Commission established by **Council** pursuant to the **Charter** or the **Act**;

“Committee” means a Standing or Select Committee of **Council**, but does not include **Committee of the Whole**;

“Committee of the Whole” (COTW) means a session of a meeting of **Council** conducted to provide greater freedom of debate by **Council** and input from the public, as provided for in this Bylaw;

“Committee of the Whole Meeting” means a quorum of **Council** convened in a less formal capacity than a **Council Meeting** to foster **Public Engagement**, receive reports for information, and direct staff to report back with a recommendation at a future **Council Meeting**;

“Committee or Commission Member” means a Member of a **Committee** or **Commission** appointed by either the **Mayor** or **Council**;

“Correspondence Guidelines” means guidelines developed by the **District** for receiving and processing of correspondence from another government, an agency, or a member of the public addressed to **Mayor** and **Council** or the **District**, as amended from time to time;

“Corporate Officer” means the individual appointed by **Council** as the officer assigned the responsibility of corporate administration of the **District**, or their authorized deputy or designate;

“Council” means the Municipal Council of The Corporation of the District of Oak Bay;

“Council Liaison” means a **Council Member** appointed to a **Committee** or **Commission**;

“Council Member” means the **Mayor** or a **Councillor** of The Corporation of the District of Oak Bay sitting as either **Council** or **Committee of the Whole**;

“Council Meeting” means a quorum of **Council** convened in its decision-making capacity at a regular, special, or closed meeting of **Council**;

“Councillor” means a person elected and holding the office of Councillor with the **District**;

“Delegation” means an individual or an organization who has applied using the form provided by the **District** to address **Council** sitting as **Committee of the Whole** on non-restricted subject matters;

“District” means The Corporation of the District of Oak Bay;

“Electronic Meeting” means a meeting where all members may participate electronically.

(\*\*Bylaw No. 4740.002, adopted January 24, 2022)

“Inaugural Council Meeting” means the first **Council Meeting** of the newly elected **Council** held after the general local election in accordance with this Bylaw;

“Mayor” means the **Mayor** of the **District**, the person appointed by **Council** as **Acting Mayor**, or a **Council Member** who is presiding at a meeting of **Council**;

“Municipal Hall” means The Corporation of the District of Oak Bay Municipal Hall located at 2167 Oak Bay Avenue, Victoria, British Columbia;

“Municipal Website” means the information resource found at an internet address managed by the **District**;

“Present” means **Council Members** in attendance at a meeting including by means of electronic participation;

“Presentation” means an individual or an organization presenting information at the invitation of **District** administration, by **Council** resolution, or by the **Chair** of a **Committee** or **Commission** when enabled by the applicable Terms of Reference or Establishing Bylaw;

“Public Comment and Question Period” means an opportunity for members of the public to address Council at a **Council Meeting** or **Committee of the Whole Meeting** on a District-related matter in accordance with subject matter restrictions described in this Bylaw;

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

“Public correspondence” means written correspondence addressed to **Mayor** and **Council** or the **District**, received from members of the public;

“Public Engagement” is a process for making decisions that incorporates the interests and concerns of affected stakeholders in the community. The level of engagement may vary and is planned based on the International Association for Public Participation (IAP2)’s Spectrum of Public Participation, which involves five different levels of engagement - Inform, Consult, Involve, Collaborate and Empower.

“Public Hearing” means a formal open meeting of officials and citizens required to be held under the **Act**, where stakeholders are permitted to make representations to **Council** before adoption or amendment of the Official Community Plan, and certain Bylaws including but not limited to a Zoning Bylaw, or a Bylaw under section 548 of the **Act**;

“Public Hearing Guidelines” means guidelines developed by the **District** for the proceedings to be followed at a **Public Hearing**, as amended from time to time;

“Public Input” means an opportunity for members of the public to speak on agenda-related items at **Council Meetings** or **Committee of the Whole Meetings**, as permitted in this Bylaw;

“Public Notice Posting Places” means the outside Notice Boards located on the north and south sides of the Oak Bay **Municipal Hall**;

“Question” means a motion that has been formally moved and seconded for discussion;

“Recording Secretary” means the person designated to take minutes in a meeting;

“Statutory Holiday” means a day designated as a holiday by the Provincial Legislature or by the Parliament of Canada.

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- 2.2 Words that that are not defined in this Bylaw have the meanings ascribed to them in the **Act** or the **Charter**, as applicable.

### 3.0 Application of Rules of Procedure

- 3.1 The provisions of this Bylaw govern the proceedings of **Council**, **Committee of the Whole**, **Public Hearings**, and **Committees** and **Commissions** as applicable.
- 3.2 In cases not provided for under this Bylaw, the latest published edition of the Robert's Rules of Order Newly Revised apply to the proceedings of **Council**, **Committee of the Whole**, **Public Hearings**, and **Committees** and **Commissions** to the extent that those Rules are:
- 1) applicable in the circumstances; and
  - 2) not inconsistent with provisions of this Bylaw, the **Charter** or the **Act**.

### 4.0 Suspension of Rules of Procedure

- 4.1 The rules of procedure contained in this Bylaw may be suspended for a temporary time period specified by **Council** with an affirmative 2/3 vote of those **Council Members present**, except for those provisions of this Bylaw that:
- 1) are mandated in accordance with the **Charter** or the **Act**, or
  - 2) require the unanimous consent of **Council**.

## PART 2 SCHEDULE, LOCATION AND NOTICE OF MEETINGS

### 5.0 Inaugural Council Meeting

- 5.1 An **Inaugural Council Meeting** shall be held on the first Monday in November in the year of the general local election of **Council**, unless a quorum of **Council** has not yet taken office in which case the **Inaugural Council Meeting** must be called by the **Corporate Officer** as soon as reasonably possible after a quorum of **Council** has taken office.

### 6.0 Council Meetings

- 6.1 After the Inaugural **Council Meeting**, regular **Council Meetings** must be held on the second and fourth Monday of each month, except August, the month of the municipal election, and December. The closed meeting shall begin at 6:00 p.m. and the open meeting shall begin at 7:00 p.m. unless:
- 1) a quorum is not **present** within fifteen (15) minutes after the time appointed for the **Council Meeting**, or it has been confirmed in advance to the **Corporate Officer** that a quorum will not be **present** for the **Council Meeting**;
  - 2) such Monday falls on a **Statutory Holiday**, in which case the **Council** shall meet on the next business day after the **Statutory Holiday**;
  - 3) a **Public Hearing** has been scheduled to be held at the time normally scheduled for a regular meeting of **Council**, in which case the regular **Council Meeting** will be held immediately following the **Public Hearing**;

- 4) a resolution is passed at a meeting of **Council** that a subsequent regular **Council Meeting** shall be held at another date, time, and/or location; or
- 5) **Council** by resolution suspends the regular **Council Meeting** schedule provided for under this Bylaw.

(\*\*Bylaw No. 4740.003, adopted June 12, 2023)

## 7.0 Public Hearings

- 7.1 **Public Hearings** shall be scheduled by resolution of **Council**.

## 8.0 Committee of the Whole

- 8.1 **Council** may sit as **Committee of the Whole** as determined by the Annual Schedule of Meetings or as resolved by **Council** at any other time.
- 8.2 **Committee of the Whole Meetings** shall be scheduled to begin at 7:00 p.m. on the third Monday of the month unless **Council** passes a resolution to change the time and/or date of a particular meeting.

(\*\*Bylaw No. 4740.003, adopted June 12, 2023)

## 9.0 Special and Closed Meetings

- 9.1 A special **Council Meeting**, which is any **Council Meeting** other than a regular **Council Meeting** scheduled pursuant to this Part or an adjourned **Council Meeting**, may be called by the **Mayor** or by two or more **Council Members** in accordance with the provisions of the **Charter**.
- 9.2 A closed **Council Meeting** is any **Council Meeting**, or part of a **Council Meeting**, that is closed to the public in accordance with the provisions of the **Charter**.

## 10.0 Location and Duration of Meetings

- 10.1 **Council Meetings, Committee of the Whole Meetings, and Public Hearings** shall be held in the Council Chambers at the Oak Bay **Municipal Hall** unless **Council** passes a resolution to hold a particular meeting elsewhere and notice is given in accordance with section 13.0 of this bylaw.
- 10.2 Regular and special **Council Meetings** and **Committee of the Whole Meetings** shall be adjourned or recessed no later than three (3) hours from the scheduled start time of these meetings unless **Council** resolves to proceed beyond that time by a unanimous vote of all of those **Council Members present**.

## 11.0 Electronic Meetings and Electronic Participation in Meetings

(\*\*Bylaw No. 4740.002, adopted January 24, 2022)



- 11.1 Meetings of **Council, Committee** and **Committee of the Whole** may be conducted by means of electronic or other communication facilities.  
(\*\*Bylaw No. 4740.002, adopted January 24, 2022)
- 11.2 **Council Members** must make all reasonable efforts to attend meetings in person. Provided the conditions set out in the **Charter** are met, a **Council Member** who is unable to attend a **Council Meeting** or **Committee of the Whole Meeting** in person may participate in the **Council** or **Committee of the Whole Meeting** by electronic or other communication facilities. **Council Members** must notify the **Corporate Officer** or **Chief Administrative Officer** prior to the meeting of their requirement to participate electronically.
- 11.3 Written material at a **Council** or **Committee of the Whole Meeting** at which there is electronic participation that is presented to the **Council** or **Committee of the Whole Meeting**, without being included in either the agenda package or late agenda items, may be provided to **Council Members** by electronic means.

## 12.0 Notice of Regular Meetings

- 12.1 The **Corporate Officer** shall, by January 1 of each calendar year:
- 1) post a schedule of the date, time, and place of regular **Council Meeting** and **Committee of the Whole Meetings** for that calendar year in the **Public Notice Posting Places**; and
  - 2) give notice of the availability of the schedule in accordance with the **Charter**.
- 12.2 The **Corporate Officer** shall, as soon as reasonably possible, post any revisions made to the schedule of regular meetings in the **Public Notice Posting Places**.
- 12.3 At least 24 hours before a regular **Council Meeting** or **Committee of the Whole Meeting**, the **Corporate Officer** must give notice of these meetings including confirmation of the time, place, and date, by:
- 1) posting the agenda at the **Public Notice Posting Places**;
  - 2) leaving copies of the agenda at a public counter at the **Municipal Hall** for distribution to members of the public as requested;
  - 3) providing a paper or electronic copy to each **Council Member**, and,
  - 4) Where a Regular meeting is being held as an **Electronic Meeting**, the Agenda referred to in this section must include:
    - a) the way in which the meeting is to be conducted electronically,
    - b) how the public may participate to hear, or see and hear, the proceedings, and
    - c) the location where the public may attend to hear, or see and hear, the meeting.

(\*\*Bylaw No. 4740.002, adopted January 24, 2022)

### 13.0 Notice of Special or Closed Meetings

13.1 At least 24 hours before a special **Council Meeting** or **Committee of the Whole Meeting**, the **Corporate Officer** must give notice of these meetings, including the date, time, and location, and a general description of the purpose of these meetings, in the same manner as provided for in subsection 12.3 of this Bylaw.

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

13.2 A notice of a special **Council Meeting** or **Committee of the Whole Meeting** must be signed by the **Mayor** or the **Corporate Officer**.

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

13.3 Notwithstanding subsections 13.1 and 13.2 of this Bylaw, notice of a special **Council** or **Committee of the Whole Meeting** may be waived by unanimous vote of all **Council Members** in accordance with the provisions of the **Charter**.

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

13.4 Where a Special meeting is being held as an **Electronic Meeting**, the Notice referred to in this section must include:

- a) the way in which the meeting is to be conducted electronically,
- b) how the public may participate to hear, or see and hear, the proceedings, and
- c) the location where the public may attend to hear, or see and hear, the meeting.

(\*\*Bylaw No. 4740.002, adopted January 24, 2022)

#### 14.0 Cancelled or Rescheduled Regular or Special Council Meetings and Committee of the Whole Meetings

- 14.1 **Council** may by resolution cancel, reschedule or change the location for holding any **Council Meeting, Committee of the Whole Meeting, or Public Hearing**.
- 14.2 The resolution to cancel or reschedule a regular **Council Meeting** or **Committee of the Whole Meeting** postpones the business on the associated agenda to the rescheduled **Council Meeting, Committee of the Whole Meeting**. If the **Council Meeting** or **Committee of the Whole Meeting** has not been rescheduled, business on the associated agenda is postponed to the next regularly scheduled **Council Meeting, Committee of the Whole Meeting**.
- 14.3 A **Council Meeting** or **Committee of the Whole Meeting** may be cancelled by the **Mayor**, in consultation with the **Chief Administrative Officer** or the **Corporate Officer**.

### PART 3 DESIGNATION OF A COUNCIL MEMBER TO ACT IN PLACE OF THE MAYOR

#### 15.0 Establishment of Acting Mayor Rotation

- 15.1 At the first regular **Council Meeting** in November following a general local election **Council** shall, by resolution, adopt an **Acting Mayor** Rotation that assigns the role of the **Acting Mayor** to a **Councillor** for a prescribed period of time for the year.
- 15.2 In each subsequent year following an election **Council** shall, at the first **Council Meeting** held in December, adopt an **Acting Mayor** rotation that assigns the role of the **Acting Mayor** to a **Councillor** for a prescribed period of time during the year.
- 15.3 During the absence, illness, or other disability of the **Mayor**, the **Acting Mayor** has all the powers and duties of, and is subject to, the same rules as the **Mayor**.
- 15.4 If both the **Mayor** and the **Councillor** designated to act under subsection 15.1 or 15.2 of this Bylaw are absent or otherwise unable to act, the **Councillor** who is next on the **Acting Mayor** Rotation shall be the **Acting Mayor**.
- 15.5 If, during an emergency, neither the **Mayor** nor the person designated as **Acting Mayor** pursuant to subsection 15.1 or 15.2 of this Bylaw is within the Capital Regional District, or is for any other reason unavailable or unable to assume the role of head of a local authority within the meaning of the *Emergency Program Act*, then for the purpose of section 12.0 of the *Emergency Program Act* regarding the declaration of a state of local emergency, the designation of **Acting Mayor** shall for that purpose only be conferred upon the first **Councillor** arriving at the **Municipal Hall** or alternate location after having been called to that location by either the **Chief Administrative Officer** or the Emergency Operation Centre Director of the **District** to consider the making of that declaration.

## PART 4 PUBLIC ATTENDANCE AT MEETINGS AND ENGAGEMENT OPPORTUNITIES

### 16.0 Meetings to be Open to the Public

- 16.1 Unless a **Council Meeting** or part of a **Council Meeting** is authorized to be closed to the public by the **Charter**, all **Council Meetings** shall be open to the public.
- 16.2 The requirement in subsection 16.1 of this Bylaw also applies to meetings of bodies referred to in accordance with the provisions of the **Charter** including, without limitation:
- 1) Board of Variance;
  - 2) A **Commission**;
  - 3) **Committee of the Whole**;
  - 4) Parcel Tax Review Panel;
  - 5) Select **Committees**;
  - 6) Standing **Committees**; and
  - 7) A body that, under the **Act** or any other enactment, may exercise the powers of the **District** or its **Council**.
- 16.3 Despite subsection 16.1 of this Bylaw, the **Chair** may expel a person from a **Council Meeting**, **Committee of the Whole Meeting**, **Public Hearing** or a meeting of a body listed in subsection 16.2 of this Bylaw in accordance with the provisions of the **Charter** or the **Act**.

### 17.0 Presentations at Council Meetings

- 17.1 The **District** may invite a person, persons, or organization(s) to make a **presentation** to **Council** at a regular or special **Council Meeting** as follows:
- 1) all **presentations** shall be limited to ten (10) minutes unless a longer period is approved by the **Mayor**, the **Chief Administrative Officer**, or the **Corporate Officer** prior to the **Council Meeting** or by a majority vote of those **Council Members present**;
  - 2) a maximum of one **presentation** will be permitted at a **Council Meeting** unless an additional **presentation** is approved by the **Mayor**, **Chief Administrative Officer**, or the **Corporate Officer** prior to the **Council Meeting**.

### 18.0 Delegations at Committee of the Whole Meetings

- 18.1 Subject to the restrictions set out in subsections 21.1 and 21.2 of this Bylaw, an organization or a person who is not an officer or employee of the **District** may request to address **Council** sitting as **Committee of the Whole** as a **delegation** on a matter as follows:

- 1) the request shall be made in writing on the **District's** prescribed form and received by the **Corporate Officer** no later than ten (10) days before the **Committee of the Whole Meeting** is to take place. The written request must clearly state the reason for the **delegation** and any requests being made of **Council** sitting as **Committee of the Whole**;
  - 2) all **delegations** shall be limited to five (5) minutes;
  - 3) a maximum of two (2) **delegations** will be permitted at a **Committee of the Whole Meeting** unless an additional **delegation** is approved by the **Mayor, Chief Administrative Officer,** or the **Corporate Officer** prior to the **Committee of the Whole Meeting**; and
  - 4) applicants associated with the annual Grant-in-Aid or Permissive Tax Exemption process are not included in the maximum number of permitted **delegations** noted in subsection 3) above.
- 18.2 A **Council Member** may ask questions of the **delegation** to clarify or correct information but must not enter into debate on the item which is the subject of the **delegation**. **Council** itself will not enter into debate on the information received. The **delegation** should be formally received for information and can be:
- 1) referred to staff for preparation of a staff Report or Memorandum as appropriate for inclusion on a future **Council Meeting** or **Committee of the Whole Meeting** agenda;
  - 2) referred to a **Committee** or **Commission** with an accompanying staff Report or Memorandum as appropriate; or
  - 3) provided a letter of comment or support if requested, where **Council** determines no additional information or **public input** is necessary.
- 18.3 The **Corporate Officer** shall refuse to place a **delegation** on the **Committee of the Whole** agenda if the matter is outside the jurisdiction of **Council** or if the **delegation** has already addressed **Council** sitting as **Committee of the Whole** on the same topic in the past 6 months. If the delegation wishes to appeal the **Corporate Officer's** decision, the **delegation** must provide written rationale for the appeal to the **Chief Administrative Officer** and the **Mayor** for their consideration. Outcome of the appeal consideration will be provided by the **Chief Administrative Officer** to the **delegation** and copied to all **Council Members**.

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## 19.0 Public Input on Council and Committee of the Whole Agenda Items

- 19.1 Members of the public will be afforded the opportunity to provide input on business items included in the **Council Meeting** or **Committee of the Whole Meeting** agenda when invited by the **Mayor** or **Chair** as follows:
- 1) at regular **Council Meetings** each speaker shall be limited to three (3) minutes per agenda item, as permitted in this Bylaw;
  - 2) at **Committee of the Whole Meetings**, and in accordance with subsections 21.1 and 21.2 of this Bylaw, each speaker shall be limited to three (3) minutes; and
  - 3) all comments and questions shall be addressed through the **Mayor, Acting Mayor, or Chair**. For certainty, members of the public are not permitted to direct their questions or comments to staff or person(s) attending as a **presentation** or **delegation**.

## 20.0 Public Comment and Question Period at Committee of the Whole Meetings

- 20.1 In addition to **presentations** and **delegations** as outlined in section 17.0 and 18.0 of this Bylaw, a maximum of thirty (30) minutes shall be allowed for a **Public Comment and Question Period** on each regular **Council Meeting** and **Committee of the Whole Meeting** agenda. Members of the public will be invited to address **Committee of the Whole** on non-agenda related matters as follows:
- 1) by stating their name and municipality of residence;
  - 2) subjects must relate strictly to municipal matters or community concerns as determined appropriate by the **Chair** and cannot address a matter restricted under subsections 21.1 and 21.2 of this Bylaw;
  - 3) each speaker shall be limited to three (3) minutes;
  - 4) subjects shall be addressed through the **Chair** and answers given likewise. Debates with or by individual **Council Members** will not be permitted by the **Chair**;
  - 5) all questions from members of the public must be directed to the **Chair**. For certainty, members of the public are not permitted to direct their questions or comments to staff or **delegations**;
  - 6) no commitments shall be made by the **Chair** in replying to a question; and
  - 7) matters which may require action of **Council** shall be referred to a future meeting of **Council**, other than those actions described in subsection 18.2 of this Bylaw.

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

## 21.0 Restrictions on Subject Matter

Section 21.0 applies to any person or organization appearing before **Council** by way of a **presentation, delegation** or during the **Public Comment and Question Period**.  
(\*Bylaw No. 4740.001, adopted February 14, 2022)

21.1 A person or organization may not speak on any matter that:

- 1) must be, or has been, considered by **Council** at a closed meeting pursuant to the provisions of the **Charter**;
- 2) is before the Courts or for which legal action is being pursued or is pending;
- 3) relates to a claim for damages against the **District**;
- 4) is the subject of current bylaw enforcement action by the **District**;
- 5) is, or has been, the subject of a **Public Hearing** held in accordance with an enactment that is a pre-requisite to the adoption of the subject Bylaw, until after the Bylaw has been adopted or defeated;
- 6) relates to an application before the Board of Variance;
- 7) involves an application for a Grant-in-Aid or Property Tax Exemption that has been, or will be, considered as part of the **District's** annual grant application review process; or
- 8) discloses the personal information of a third party without that party's express consent.

21.2 For certainty, a person or organization must not speak to **Council** sitting as **Committee of the Whole** on any matter that involves an application, project or other initiative that will be, or has been, dealt with through another process under this Bylaw or another **District** Bylaw.

21.3 A person or organization may submit written comments to **Council** at any time on any matters including those listed in subsection 21.1 of this Bylaw. Written comments will be processed in accordance with the **Correspondence Guidelines** or the **Public Hearing Guidelines**.

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**PART 5 MEETING PROCEDURES AT COUNCIL, COMMITTEE OF THE WHOLE, AND PUBLIC HEARINGS**

**22.0 Agenda**

- 22.1 The **Corporate Officer** shall, in consultation with the **Mayor**, prepare an agenda for the meeting that lists and briefly summarizes the matters to be considered.
- 22.2 A copy of the agenda with supporting documents, as applicable, must be delivered to each **Council Member** at least 24 hours in advance of the **Council Meeting** or **Committee of the Whole Meeting** and, except for closed **Council Meetings**, will be made available to the public at the same time.
- 22.3 Should a Statutory Holiday fall on a Friday preceding a regular **Council Meeting** or **Committee of the Whole Meeting**, the agenda deadline as noted in subsection 22.2 of this Bylaw shall be delivered 24 hours earlier.
- 22.4 Late agenda items received by the **Corporate Officer** shall not be placed on the agenda for the next regular **Council Meeting** or **Committee of the Whole Meeting** unless, in the opinion of the **Mayor, Chief Administrative Officer**, or the **Corporate Officer**, the item is deemed to be urgent in nature.
- 22.5 Despite subsection 22.4 of this Bylaw, **Council** may, by an affirmative vote of a majority of those **Council Members present**, add items to the **Council Meeting** or **Committee of the Whole Meeting** agenda at any regular meeting, in accordance with section 23.0 of this Bylaw.

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### 23.0 Order of Proceedings and Business

23.1 A change to the prescribed order of business may be determined by the **Corporate Officer** in advance of the meeting or otherwise be resolved by a majority vote of **Council Members present**.

23.2 The order of business at all regular **Council Meetings** shall be as follows:

- 1) Call to Order
- 2) Approval of the Agenda
- 3) Adoption of **Council Meeting** Minutes and **Public Hearing** Reports
- 4) Receipt of **Committee and Commission** Minutes
- 5) Rise and Report (from Closed **Council Meeting**)
- 6) **Mayor's** Remarks
- 7) **Public Comment and Question Period**
- 8) Awards and Recognition by **Council**
- 9) **Presentations** (as per section 17.0 of this Bylaw)
- 10) Reports and Memorandums (not subject to public input)
  - Reports for Council Information
  - Requests for Council Direction
  - **Committee of the Whole, Committee or Commission** Recommendations (Land Use and subject to a **Public Hearing**)
- 11) Reports and Memorandums\* (subject to public input)
  - Staff Reports Requesting Council Resolution
  - **Committee of the Whole, Committee or Commission** Recommendations (Non-Land Use)
- 12) Bylaws and Permits (not subject to public input)
  - Bylaws for Final Reading;
  - Bylaws for First and Second Reading Subject to Public Hearing;
  - Ratification of Permit Approval (not DVP)
  - Notification of Development Variance Permit
- 13) Bylaws and Permits (subject to public input)\*
  - Bylaw Readings Not Subject to a **Public Hearing**
  - Development Variance Permit Approval
- 14) New Business\* (at the call of the Chair, non-land use issues)
- 15) Notices of Motion
- 16) Correspondence from Other Governments or Agencies (as per the **Correspondence Guidelines**)\*
- 17) Motion to Close the Meeting in Accordance with the Applicable Provisions of the **Charter** (if applicable)
- 18) Adjournment

\* Chair to call for public comment on business item

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

23.3 The order of business at a regular **Committee of the Whole Meeting** shall be as follows:

- 1) Call to Order
- 2) Approval of Agenda
- 3) Adoption of **Committee of the Whole** Minutes
- 4) **Delegations** (as per section 18.0 of this Bylaw)
- 5) **Mayor** and **Council** Verbal Reports
- 6) **Public Comment and Question Period**
- 7) Non-Land Use Bylaws\*
- 8) Draft Policies and Regulations\*
- 9) Corporate Reporting Documents\*
- 10) New Business\* (at the call of the Chair, non-land use issues)
- 11) Notices of Motion
- 12) Adjournment

\* Chair to call for public comment on business item

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

23.4 The order of business at all special **Council Meetings or Committee of the Whole Meetings** shall be as follows:

- 1) Call to Order
- 2) Approval of Agenda
- 3) Adoption of Minutes (if necessary to facilitate timely adoption of minutes; preferred practice is to consider adoption at a regular meeting)
- 4) **Mayor's** Remarks
- 5) Special Meeting Matters
- 6) Resolution to Close the Meeting in Accordance with the Applicable Provisions of the **Charter** (if applicable)
- 7) Adjournment

(\*\*Bylaw No. 4740.001, adopted February 14, 2022)

23.5 The order of business at all closed **Council Meetings**, whether regular or special, shall be as follows:

- 1) Call to Order
- 2) Approval of Closed **Council Meeting** Minutes
- 3) Closed **Council Meeting** Matters
- 4) Rise and Report - Resolution to Release Closed **Council Meeting** Matters (if applicable)
- 5) Adjournment

23.6 The order of business at all **Public Hearings** shall be as outlined in the **Public Hearing Guidelines**.

## 24.0 Quorum of Council and Committee of the Whole Meetings

- 24.1 A quorum, unless otherwise stated in this Bylaw, is a majority of all of **Council**.
- 24.2 A quorum must be **present** before the **Mayor** or **Chair** may call a **Council Meeting** or **Committee of the Whole Meeting**, to order.
- 24.3 If a quorum is present but neither the **Mayor** nor the **Chair** is in attendance within fifteen (15) minutes of the advertised start time, then the **Councillor** who is next on the **Acting Mayor** Rotation shall take the Chair and call the **Council Meeting** or **Committee of the Whole Meeting** to order.
- 24.4 If there is no quorum of **Council present** within fifteen (15) minutes of the advertised start time for the meeting then the **Corporate Officer** must:
- 1) record the names of the **Council Members present** and those absent;
  - 2) adjourn the **Council Meeting** or **Committee of the Whole Meeting** until the next regularly scheduled meeting; and
  - 3) place items on the agenda for the meeting adjourned, pursuant to subsection (2) above, on the agenda for the next scheduled meeting. Alternatively, the **Mayor** or **Chair** may call a special meeting in accordance with section 9.0 of this Bylaw and direct that all or some of the business on the agenda for the cancelled or adjourned meeting be incorporated in the agenda for the special meeting.

## 25.0 Mayor and Presiding Members

- 25.1 The **Mayor**, if in attendance, shall preside at **Council Meetings**.
- 25.2 The **Acting Mayor** shall preside in the absence of the **Mayor** or when the **Mayor** vacates the Chair.
- 25.3 In the event that neither the **Mayor** nor the **Acting Mayor** is in attendance or able to take the Chair, the **Councillor** who is next on the **Acting Mayor** Rotation, shall take the Chair.
- 25.4 The **Mayor** may appoint another **Council Member** to preside over the **Committee of the Whole Meeting** who shall maintain order therein.

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## 26.0 Points of Order

- 26.1 A **Council Member** or a **Committee** or **Commission Member** may raise a Point of Order at any time, whereupon the **Mayor** or **Chair** must:
- 1) interrupt the matter currently under consideration on the agenda;
  - 2) interrupt any **Council Member** or a **Committee** or **Commission Member** who was speaking at the time the Point of Order is raised, until it has been ruled on;
  - 3) ask the **Council Member** or a **Committee** or **Commission Member** raising the Point of Order to state the substance of, and the basis for, the Point of Order; and
  - 4) decide the Point of Order and state the authority for the ruling from this Bylaw or other applicable rule of order.

## 27.0 Appeal of Decision on Point of Order

- 27.1 A **Council Member** or a **Committee** or **Commission Member** who is dissatisfied with a decision of the **Mayor** or **Chair** pursuant to subsection 26.1 of this Bylaw has the right to appeal such a decision at which time:
- 1) the **Mayor** or **Chair** shall immediately ask “shall the ruling be sustained?” and the **Question** must be decided without debate;
  - 2) the **Mayor** or **Chair** must not vote on the **Question**;
  - 3) the motion passes in the affirmative if the votes are equal, or if a majority of **Council Members** or **Committee** or **Commission Members present** or in attendance vote in the affirmative; and
  - 4) the business must proceed as if his or her decision had never been made.

## 28.0 Points of Privilege

- 28.1 In this section, a Point of Privilege refers to any of the following motions:
- 1) to fix the time to adjourn;
  - 2) to adjourn;
  - 3) to recess; and
  - 4) to raise another Point of Privilege.
- 28.2 A Point of Privilege must be immediately considered when it arises at a meeting.
- 28.3 For the purposes of subsection 28.2 of this Bylaw, a Point of Privilege listed in subsection 28.1 of this Bylaw has precedence over those matters listed after it.

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## PART 6 RULES OF CONDUCT

### 29.0 General Rules of Conduct

29.1 During a meeting a member of the public, a **Council Member**, and a **Committee** or **Commission Member** must:

- 1) address a **Council Member** or a **Committee** or **Commission Member** by their title of **Mayor**, Your Worship, **Chair**, or **Councillor** as appropriate;
- 2) not engage in bullying or harassing behaviour in respect of a **Council Member** or a **Committee** or **Commission Member**, Government Official, **District** employee, or another member of the public and, for greater certainty, a person and a **Council Member** or a **Committee** or **Commission Member** must not:
  - a. question the motives of a **Council Member** or a **Committee** or **Commission Member**, Government Official, **District** employee, or member of the public,
  - b. express a negative opinion about the personality or character of a **Council Member** or a **Committee** or **Commission Member**, Government Official, **District** employee, or member of the public,
  - c. speak disrespectfully about a **Council Member** or a **Committee** or **Commission Member**, Government Official, **District** employee, or member of the public, or
  - d. speak or act aggressively towards a **Council Member** or a **Committee** or **Commission Member**, Government Official, **District** employee, or member of the public;
- 3) not use rude or offensive language or gestures, or engage in rude or offensive conduct;
- 4) not disrupt or unnecessarily delay the conduct of business at that meeting;
- 5) not speak on electronic communication devices when an individual is speaking, except in the case of emergencies, or for **Council Members** attending a meeting by electronic means pursuant to section 11.0;
- 6) cease speaking if called to order by the **Mayor** or **Chair**;
- 7) adhere to the provisions of this Bylaw; and
- 8) adhere to the rulings of the **Mayor** or **Chair** and voting decisions pursuant to this Bylaw.

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### 30.0 Conduct and Debate at Meetings

30.1 During a meeting a **Council Member** and **Committee** and **Commission Member**, in addition to complying with the General Rules of Conduct set out in section 29.0 of this Bylaw, must:

- 1) conduct themselves at all times in a manner that is compliant with **Council's** Code of Ethics in furtherance of their statutory responsibilities;
- 2) not interrupt a person, **Council Member**, or **Committee** or **Commission Member** who is speaking, except to raise a Point of Order or Point of Privilege or to request a statement of the rule that applies to a Point of Order or Point of Privilege;
- 3) speak more than once in connection with the same matter only:
  - a. with the **Mayor** or **Chair's** permission, or
  - b. if the **Council Member**, **Committee**, or **Commission Member** is explaining a material part of a previous speech without introducing a new matter;
- 4) not speak to a **Question**, or speak in reply, for more than five (5) minutes without the **Mayor** or **Chair's** permission;
- 5) not speak more than once in connection with the same **Question** unless every other **Council Member** and **Committee** and **Commission Member** has spoken, or has had the opportunity to speak; and
- 6) not speak about:
  - a. a matter which is not being debated, except to raise a Point of Order or Point of Privilege,
  - b. a vote, except for the purpose of moving that such vote be reconsidered, amended, or rescinded,
  - c. any record held in confidence by the **District** unless specifically authorized to do so by **Council**, and
  - d. any information considered in a meeting closed to the public unless specifically authorized to do so by **Council**.

30.2 The **Mayor** or **Chair** at a meeting may call a recess or adjourn the meeting if appropriate conduct is not observed.

30.3 The **Mayor** or **Chair** at a meeting may expel from any meeting a person, including another **Council Member** or **Committee** or **Commission Member**, which the **Mayor** or **Chair** considers is engaging in inappropriate conduct as per sections 29.0 and 30.0 of this Bylaw.

### 31.0 Public Hearings

31.1 The conduct at a **Public Hearing** shall be in accordance with section 29.0 of this Bylaw and the **Public Hearing Guidelines**.

31.2 Notwithstanding subsection 31.1, in accordance with the **Act**, the **Chair** has statutory authority to establish procedural rules for conduct of a **Public Hearing**.

## PART 7 MOTIONS

### 32.0 General

32.1 The **Mayor** or **Chair** may speak to any motion.

32.2 A motion must:

- 1) be seconded before discussion can take place on the motion; and
- 2) be phrased in a clear and concise manner so as to express an opinion or achieve a result, and the **Mayor** or **Chair** may require a motion to be put in writing.

32.3 A motion may be withdrawn by the mover of the motion, with consent of the seconder.

32.4 A motion may not be withdrawn after it has been voted on.

32.5 A motion to adjourn the meeting or to adjourn the debate shall always be in order.

32.6 The **Mayor** or **Chair** may divide a motion that comprises several clearly identifiable parts, sections or clauses if the **Mayor** or **Chair** determines this would produce a fairer or clearer result, and the same shall be voted on in the form in which it is divided.

32.7 If requested by any **Councillor**, the **Question** on a motion that comprises several clearly identifiable parts, sections or clauses, must be called separately on such parts, sections or clauses, and in such circumstances a new mover and seconder are not required.

### 33.0 Motions: Committees and Commissions

33.1 A **Committee or Commission Member** may make any of the following motions:

- 1) to recommend approval to Council;
- 2) to recommend denial to Council; or
- 3) to amend a recommendation.

### 34.0 Motions: Committee of the Whole

34.1 A **Council Member**, sitting as **Committee of the Whole**, may make any of the following motions:

- 1) to receive reports for information;
- 2) to direct staff to review and report back with a recommendation at a future meeting;
- 3) to refer the matter to a **Committee** or **Commission** with specific instructions for review and; or
- 4) to make a recommendation to **Council**.

### 35.0 Motions: Council

- 35.1 A **Council Member** may make any of the following subsidiary motions at any time notwithstanding when a matter is under consideration, and those motions take precedence over each other in the following order:
- 1) to table;
  - 2) to close debate (the previous **Question**) requires 2/3 affirmative vote of **Council Members present**;
  - 3) to limit or extend limits of debate;
  - 4) to postpone to a certain time;
  - 5) to refer;
  - 6) to amend; and
  - 7) to postpone indefinitely.
- 35.2 The following motions are not amendable or debatable:
- 1) to table;
  - 2) to close debate (the previous **Question**); or
  - 3) to adjourn.
- 35.3 Any **Council Member** desiring to bring before **Council** any new matter, other than a Point of Order or Privilege, shall do so by way of motion.
- 35.4 Any new matter of major import, which may require further information than could or would normally be available to **Council** at such meeting, may be ruled by the **Mayor** as a Notice of Motion and shall be dealt with in accordance with section 37.0 of this Bylaw.

### 36.0 Amendments

- 36.1 A **Council Member** or a **Committee or Commission Member** may without notice move to amend a motion that is being considered at a meeting.
- 36.2 A proposed amendment must be reproduced in writing by the mover if requested by the **Mayor** or **Chair**.
- 36.3 A proposed amendment must be decided or withdrawn before the main motion being considered is put to a vote.
- 36.4 Only one motion to amend an amending motion shall be permitted to be before the meeting at the same time.
- 36.5 A motion to amend that has been defeated by a vote of the majority of the **Council Members or a Committee or Commission Members** in attendance cannot be proposed again.



### 37.0 Notice of Motion

- 37.1 Any **Council Member** may give a Notice of Motion to **Council** by either of the following methods:
- 1) during a **Council Meeting** or **Committee of the Whole Meeting**, upon the **Council Member** being acknowledged by the **Mayor** and the Notice of Motion being read to the meeting, the **Corporate Officer** will include it in the minutes of that meeting as a Notice of Motion and shall add the motion to the agenda of an upcoming regular **Council meeting** or to the agenda of a special **Council meeting** scheduled for that purpose; or
  - 2) providing the **Corporate Officer** with a written copy of such motion, not later than ten (10) days prior to the scheduled meeting date, and the **Corporate Officer** shall add the motion to the agenda for said meeting.
- 37.2 **Council** may waive strict compliance with subsection 37.1 of this Bylaw and present a motion for immediate consideration by a 2/3 affirmative vote of all the **Council Members present** at the **Council meeting** if:
- 1) the matter is time sensitive;
  - 2) the matter is minor or inconsequential; or
  - 3) the purpose is to direct that a letter be sent to another government body or agency, and where **Council** determines no additional information or public input is necessary.
- 37.3 **Council** may proceed with the Notice of Motion in the absence of the **Council Member** in whose name the business is listed on the agenda only if that **Council Member** has given written permission to the **Corporate Officer** for another **Council Member** to proceed with that business.

### 38.0 Reconsideration

- 38.1 The **Mayor** may require the **Council** to reconsider and vote again on a matter that was the subject of a vote in accordance with the **Charter**.
- 38.2 A **Council Member** who voted on the prevailing side of a motion, may at any time within 30 days of the vote, introduce a motion to reconsider a matter, if the matter has not been acted upon irreversibly by an officer, employee or agent of the District.
- 38.3 A motion brought back under this section can only be reconsidered once.

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## PART 8 VOTING

### 39.0 General Voting Rules

- 39.1 Each voting **Council Member** and **Committee** and **Commission Member** has one vote on any **Question**.
- 39.2 Each voting **Council Member** and **Committee and Commission Member present** or in attendance at the time of a vote must vote on the matter.
- 39.3 If a voting **Council Member** or **Committee** or **Commission Member** does not indicate their vote, the **Council Member** or **Committee** or **Commission Member** is deemed to have voted in the affirmative.
- 39.4 No **Council Member** or **Committee** or **Commission Member** may leave a meeting once a vote on a matter has been called.
- 39.5 If the votes of the **Council Members present** or **Committee and Commission Members present** or in attendance at a meeting are equal for and against a motion, the motion is defeated, except as otherwise provided in this Bylaw and the **Charter**.
- 39.6 Unless otherwise provided for, a motion on a bylaw or resolution, or on any other **Question** before **Council**, is decided by a majority of **Council Members present** at the **Council meeting** except as otherwise provided in this Bylaw, the **Charter** or the **Act**.

### 40.0 Question to be Put to a Vote After Debate

- 40.1 The **Mayor** or **Chair** must put every **Question** to a vote immediately after debate on that **Question** is closed.
- 40.2 The **Mayor** or **Chair** must declare the result of the voting by stating whether the motion is carried or defeated and must then state the names of those **Council Members** or **Committee** or **Commission Members** voting in opposition, and the **Corporate Officer** must enter those names in the minutes.

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#### 41.0 Conflict of Interest

- 41.1 **Council Members** and **Committee** and **Commission Members** shall familiarize themselves and act in accordance with the provisions set out in the Disclosure of Conflict section within the **Charter**.
- 41.2 **Council Members** and **Committee** and **Commission Members** who have a direct or indirect financial interest in a matter or another interest that constitutes a conflict of interest are not entitled to participate in the discussion of a matter or to vote on a matter. **Council Members** and **Committee and Commission Members** are required to state, in general terms, the reason why they consider a conflict of interest to exist, and this statement will be recorded in the meeting minutes.
- 41.3 The **Council Member** or **Committee** or **Commission Member** with the declared conflict must exit the meeting until the matter is decided.

### PART 9 MINUTES

#### 42.0 Production and Availability of Minutes

- 42.1 In accordance with the **District's** Meeting Minutes Guidelines, the minutes of every meeting must:
- 1) be legibly recorded;
  - 2) record the names of all **Council Members** and **Committee and Commission** Members in attendance and record votes in opposition of each motion voted upon in the meeting;
  - 3) be signed and certified as correct by the **Corporate Officer**; and
  - 4) signed by the **Mayor, Acting Mayor** or **Chair** presiding at the meeting at which the minutes were adopted.
- 42.2 Subject to subsection 42.3 of this Bylaw, the minutes of every meeting must be made available for public inspection at the **Municipal Hall** during its regular office hours and may be posted to the **Municipal website**.
- 42.3 Subsection 42.2 of this Bylaw does not apply to minutes of a meeting, or part of a meeting, from which the public was excluded under the provisions of the **Charter**.

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## PART 10 BYLAWS

### 43.0 Introduction of Bylaws

- 43.1 A proposed Bylaw may be introduced at a **Council meeting** only if a copy of it has been made available to each **Council Member** prior to the **Council meeting** unless all **Council Members present** unanimously agree to waive this requirement and receive a copy of the Bylaw at the meeting.
- 43.2 A Bylaw must be printed and have a distinguishing name and number.

### 44.0 Readings of Bylaws

- 44.1 Bylaws shall be introduced and moved for first Reading by Bylaw number and citation only and without debate or amendment.
- 44.2 After a Bylaw has been introduced and Read a first time, a motion to Read the Bylaw a second time may be made.
- 44.3 Following second Reading but before third Reading, **Council** may, by resolution adopted by a majority of the **Council Members present**, amend a Bylaw or refer the Bylaw to a Standing or Select **Committee** of **Council** for detailed examination.
- 44.4 Subject to the **Act** and the **Charter**, a Bylaw may be given up to three Readings at one **Council meeting**.
- 44.5 Each Reading of a proposed Bylaw must receive the affirmative vote of a majority of **Council Members present**, unless the **Act** or the **Charter** requires otherwise.
- 44.6 **Council** must not vote on the Reading or adoption of a Bylaw when its meeting is closed to the public.

### 45.0 Adoption of Bylaws

- 45.1 There must be at least one day between the third Reading and the Adoption of a bylaw.
- 45.2 Despite subsection 45.1 of this Bylaw, a Bylaw may be adopted at the same **Council Meeting** at which that Bylaw receives third Reading where permitted under the **Act** or the **Charter**.
- 45.3 Once a Bylaw is Adopted, it must be signed by the **Corporate Officer** and the **Mayor**, or **Acting Mayor**, presiding at the **Council Meeting** at which it was adopted and the **Corporate Officer** must:
- 1) set out the dates of its Readings, adoption, and any required approvals that have been obtained;
  - 2) affix the **District's** corporate seal to the Bylaw; and
  - 3) place the Bylaw in the **District's** permanent records for safekeeping.

- 45.4 A signed copy of every Bylaw shall be made available for public inspection at the **Municipal Hall**.
- 45.5 The **Corporate Officer** is authorized to consolidate a Bylaw by incorporating all amendments that have been made to the Bylaw, and by omitting any provision that has been repealed or that has expired.

## **PART 11 COUNCIL COMMITTEES AND COMMISSIONS**

### **46.0 Establishment of Committees and Commissions**

- 46.1 **Committees** and **Commissions** may be established in accordance with the **Charter** and the **District's** Committee and Commission Policy.

### **47.0 Standing Committees**

- 47.1 Standing **Committees** are established by the **Mayor** for matters considered best dealt with by a **Committee**.
- 47.2 At least half of the Standing **Committee Members** must be **Council Members** appointed by the **Mayor**.
- 47.3 Duties will be defined by an established Terms of Reference approved by the **Mayor** for that Standing **Committee**.

### **48.0 Select Committees**

- 48.1 Select **Committees** are established by **Council** to consider or inquire into a matter and report their findings and recommendations back to **Council**.
- 48.2 At least one appointee of the Select **Committee** must be a **Council Member**.
- 48.3 The duration, duties, and reporting requirements will be defined by a Terms of Reference established by **Council** for that Select **Committee**.

### **49.0 Commissions**

- 49.1 **Council** may establish **Commissions** in accordance with the provisions of the **Act** or **Charter**.
- 49.2 At least one **Council Member** will be appointed as a **Council Liaison** to each **Commission**.
- 49.3 The terms, duties, and reporting requirements will be defined in the Establishing Bylaw for that **Commission**.

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## 50.0 Location, Duration and Schedule of Committee and Commission Meetings

50.1 A **Committee** and **Commission** shall develop an annual schedule of Regular meetings at the first meeting of each calendar year and shall submit the schedule to the Chief Administrative Officer or Director of Corporate Services for approval.

(\*\*Bylaw No. 4740.002, adopted January 24, 2022)

50.2 **Committee** and **Commission** Meetings will not be held in August or December. During an election year, **Committee** and **Commission** Meetings will not be held in the month of the municipal election.

50.3 The **Chair** of a **Committee** or **Commission** may call a regular or special **Committee** or **Commission** Meeting only with the approval of the **Chief Administrative Officer** or **Corporate Officer** in consideration of department workloads.

50.4 The **Chief Administrative Officer** or **Corporate Officer** can cancel a **Committee** or **Commission Meeting** by advising the **Committee** or **Commission Chair** and the **Council Liaison** that there is insufficient meeting business.

50.5 Regular **Committee** and **Commission** Meetings shall be adjourned no later than two (2) hours from the advertised start time. If business cannot be completed within two (2) hours, the **Staff Liaison** may request a time extension in advance of the meeting or the scheduling of a special **Committee** and **Commission** Meeting, through the **Chief Administrative Officer** or the **Corporate Officer**, for the purpose of completing the unfinished business.

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50.6 Electronic Participation in case of Emergency or Special Circumstance

- 1) In an emergency, special circumstance, or public health event that prevents or restricts **Committee** or **Commission** Members from being able to physically meet in one location, **Committee** and **Commission** Members or persons appointed by the Council may participate in a **Committee** or **Commission** meeting by means of electronic or other communication facilities when deemed operationally feasible by the **Chief Administrative Officer**.
- 2) Such participation will:
  - a. enable the **Committee** or **Commission** Meeting's participants to hear, or see and hear, each other;
  - b. enable the public to hear, or see and hear, the **Committee** or **Commission** Member(s) and person(s) participating by electronic or other communication facilities, except for a **Committee** or **Commission** Meeting that is closed to the public, in accordance with the **Charter**, and
  - c. be at the call of the **Chief Administrative Officer** or **Corporate Officer** in consultation with the **Committee** or **Commission Chair**.

**51.0 Notice of Committee and Commission Meetings**

51.1 At least once a year, after approval of the annual schedule of meetings referred to in Section 50.1, the **Corporate Officer** shall post a schedule of the date, time, and place of regular **Committee** and **Commission** Meetings in the **Public Notice Posting Places**.

*(\*\*Bylaw No. 4740.002, adopted January 24, 2022)*

51.2 Where a **Committee** meeting is being held as an **Electronic Meeting**, the Agenda referred to in Section 52.2 must include:

- a) the way in which the meeting is to be conducted electronically,
- b) how the public may participate to hear, or see and hear, the proceedings, and
- c) the location where the public may attend to hear, or see and hear, the meeting.

*(\*\*Bylaw No. 4740.002, adopted January 24, 2022)*

## 52.0 Agenda

- 52.1 Prior to each **Committee** or **Commission** Meeting, the **Corporate Officer** shall prepare an agenda which lists and briefly summarizes the matters to be considered at the **Committee** or **Commission** Meeting.
- 52.2 The **Corporate Officer** shall, at least 24 hours prior to the advertised start time of a **Committee** or **Commission** Meeting:
- 1) post the **Committee** or **Commission** Meeting agenda in the **Public Notice Posting Places**; and
  - 2) deliver the **Committee** or **Commission** Meeting agenda to all **Committee** and **Commission Members** either by hard copy or electronic means, as feasible.
- 52.3 Late items shall not be placed on the **Committee** or **Commission** Meeting agenda unless, in the opinion of the **Chair**, in cooperation with the **Chief Administrative Officer** or the **Corporate Officer**, the item is deemed to be urgent in nature.

## 53.0 Order of Proceedings and Business for Committee and Commission Meetings

- 53.1 The order of business at regular **Committee** or **Commission** Meetings shall be as follows:
- 1) Call to Order
  - 2) Adoption of Minutes
  - 3) Approval of Agenda
  - 4) Unfinished Business from Previous Meeting
  - 5) Meeting Matters
    - a. Staff Reports, Applications, and Resulting Recommendations to **Council**
    - b. **Staff Liaison** Updates
    - c. **Council Liaison** Updates
    - d. Deleted (\*\*Bylaw No. 4740.002, adopted January 24, 2022)



- 6) Late Items (as per the **District's** Council Procedure Bylaw as amended from time to time)
- 7) Next Meeting Date
- 8) Adjournment

#### **54.0 Public Attendance at Committee or Commission Meetings**

- 54.1 Unless a **Committee** or **Commission** Meeting, or part of a **Committee** or **Commission** Meeting, is authorized to be closed to the public in accordance with the provisions of the **Charter**, all **Committee** and **Commission** Meetings shall be open to the public.
- 54.2 **Public input** or **presentations** are only permitted at **Committee** and **Commission** Meetings where provided for in the applicable Terms of Reference or Establishing Bylaw.

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## 55.0 Quorum

- 55.1 Unless otherwise stated in the Terms of Reference of the **Committee** or the Establishing Bylaw of the **Commission** as adopted by **Council**, the quorum for a **Committee** or **Commission** is a majority of all its members, excluding vacancies.
- 55.2 If there is no quorum of **Committee** or **Commission** in attendance within fifteen (15) minutes of the advertised start time, the Recording Secretary shall record the names of the **Committee** or **Commission Members** in attendance and those absent and shall adjourn the **Committee** or **Commission** Meeting to the next regularly scheduled **Committee** or **Commission** Meeting.
- 55.3 If a Committee or Commission Meeting is adjourned because there is no quorum, a Special meeting may be called as per subsection 50.4 of this Bylaw.

## 56.0 Conduct and Debate

- 56.1 A Councillor who is attending a **Committee** or **Commission** Meeting of which they are not an appointed member may participate in a discussion only with the permission of the majority of all **Committee** or **Commission** Members present.
- 56.2 A Councillor who is attending a **Committee** or **Commission** Meeting of which they are not an appointed member must not vote on a **Question** and may not be counted towards **quorum**.
- 56.3 The **Mayor** is an ex-officio member of all **Committees** and **Commissions**. As an ex-officio member, the **Mayor** may participate in a discussion when attending a **Committee** or **Commission** Meeting of which the Mayor is not an appointed member, but must not vote on a **Question** and may not be counted towards quorum.

## 57.0 Applicability

- 57.1 For greater certainty, sections 26.0, 27.0, 28.0, 29.0, 30.0, 32.0 (specifically subsections 32.1 through 32.66), 33.0, 36.0, 39.0 (specifically subsections 39.1 through 39.6), 40.0, 41.0 and 42.0 of this Bylaw also apply at **Committee** and **Commission** Meetings.

## PART 12 REPEALS

### 58.0 Repeals

- 58.1 Bylaw No. 4052, "Procedure Bylaw, 1999", together with all amendments, is hereby repealed.

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**PART 13 CITATION**

**59.0 Citation**

59.1 This Bylaw may be cited for all purposes as “Council Procedure Bylaw No. 4740, 2020”.

READ a first time by the Municipal Council on November 23, 2020

READ a second time by the Municipal Council on November 23, 2020

READ a third time by the Municipal Council on November 23, 2020

ADOPTED and FINALLY PASSED by the Municipal Council on December 14, 2020

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Kevin Murdoch, Mayor

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Selina Williams, Corporate Officer

Sealed with the Seal of the Corporation of the District of  
Oak Bay.