

**THE CORPORATION OF THE DISTRICT OF SAANICH**

**BYLAW NO. 9660**

**TO REGULATE THE PROCEEDINGS OF  
THE COUNCIL AND COUNCIL COMMITTEES**

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The Council of The Corporation of the District of Saanich enacts as follows:

**PART 1 - INTRODUCTION**

**Title**

1. This Bylaw may be cited as the **“COUNCIL PROCEDURE BYLAW, 2021, NO. 9660”**.

**Definitions**

2. In this Bylaw:

“Acting Mayor” means the Council member who is 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.

“CAO” means the appointed Chief Administrative Officer for the District.

“C/W” means the Committee of the Whole Council.

“Chair” means the Mayor, Acting Mayor or other Councillor presiding at a meeting in accordance with this Bylaw.

“Committee” means a standing, select, advisory or other committee of Council but does not include C/W.

“Consent Agenda” means the portion of the Regular Council Meeting agenda which allows non-controversial, routine items which do not require discussion or debate to be grouped together and dealt with by means of a single resolution of Council.

“Corporate Officer” or “Municipal Clerk” means the appointed Corporate Officer for the District.

“Council” means the Municipal Council of the District.

“Councillor” means a Councillor of the District.

“Delegation” means a presentation for information from a person or persons on behalf of an organization or association.

“District” means The Corporation of the District of Saanich.

“In Camera meeting” means a meeting or part thereof closed to the public in accordance with Section 90 of the *Community Charter*.

“Mayor” means the Mayor of the District.

“Meeting” means a meeting of Council or C/W, or a committee to which this Bylaw applies.

“Motion” includes a resolution.

“Municipal Hall” means the Saanich Municipal Hall located at 770 Vernon Avenue, Saanich, British Columbia.

“Municipal Website” means the information resource found at an internet address provided by the District.

“Notice of Motion” is a motion proposal made by a member of Council to bring forward an idea and specific course of action.

“Public Hearing” means a public hearing required in relation to a proposed bylaw pursuant to Part 14 or Part 15 of the *Local Government Act*.

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

### **Application of Rules of Procedure**

3. a) The provisions of this Bylaw govern the proceedings of Council, C/W and all committees of Council, as applicable.
- b) In cases not provided for under this Bylaw, the most recent edition of *Robert's Rules of Order, Newly Revised* will apply to the proceedings of Council, C/W and all committees of Council to the extent that those Rules are:
  - i. applicable in the circumstances, and;
  - ii. not inconsistent with provisions of this Bylaw or the *Community Charter*.

### **Suspension of Rules of Procedure**

4. The rules of procedure contained in this Bylaw except those that are governed by statutory provisions, may be temporarily suspended by a 2/3 vote of the Council members present at a C/W meeting or a Council meeting, other than a public hearing.

## **PART 2 - DUTIES, ROLES AND RESPONSIBILITIES OF THE COUNCIL**

### **Designation of Member to Act in Place of Mayor**

5. a) Annually in December, Council shall, from among its members, designate Councillors to serve on a rotating basis as Acting Mayor in the place of the Mayor when the Mayor is absent or otherwise unable to act.
- b) In the event the Office of the Mayor becomes vacant, the Council shall designate a member to be Acting Mayor and such Acting Mayor shall continue in office until such time as another Mayor is elected or otherwise appointed.

- c) If both the Mayor and Acting Mayor are absent from a Council meeting, the Councillors present shall select one of their number to preside at the Council meeting, and in so doing shall consider selecting the Councillor next in succession on the rotating roster established under subsection (a).
- d) At a meeting other than a Council meeting, if both the Mayor and the Acting Mayor are absent or otherwise unable to act, the Councillor next in succession on the rotating roster established under subsection (a) shall preside at the meeting.
- e) The Acting Mayor or presiding member of Council designated under subsections (a), (b), (c) or (d) has the same powers and duties as the Mayor in relation to the applicable matter.
- f) The Mayor or, if applicable, the Acting Mayor will, make reasonable efforts to notify the Corporate Officer in advance if the Mayor or Acting Mayor will be absent from a meeting.
- g) A Councillor will make reasonable efforts to remain in the region while serving as Acting Mayor.

#### **Mayor May Require Council Reconsideration**

- 6. The Mayor may require Council to reconsider a matter in accordance with section 131 of the *Community Charter*.

#### **Closed (In Camera) Meetings**

- 7. Every meeting must be open to the public unless the meeting is permitted to be closed in accordance with Section 90 of the *Community Charter*.

### **PART 3 - TIME, PLACE, NOTICE AND MINUTES OF COUNCIL MEETINGS**

#### **Inaugural Meeting of Council**

- 8.
  - a) Following a general local election, the first Council meeting shall be held on the first Monday in November in the year of the election.
  - b) If a quorum of Council elected in a general local election has not taken office by the date of the meeting referred to in subsection (a), the first Council meeting shall be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

#### **Time, Place and Adjournment of Meetings**

- 9.
  - a) Regular Council and C/W meetings and Public Hearings shall take place within the Municipal Hall, except when Council resolves to hold regular Council and C/W meetings and Public Hearings elsewhere in the Municipality.

- b) Regular Council and C/W meetings will be held bi-weekly on the opposite Mondays except that there will be no regular Council, C/W meetings or Public Hearings:
  - (i) during any week in which a statutory holiday falls;
  - (ii) during the weeks in which the annual general meetings of the Union of British Columbia Municipalities and the Federation of Canadian Municipalities are held;
  - (iii) on the last Monday in July and the last Monday in August;
  - (iv) during the three weeks prior to and the week following a general local election;
  - (v) on general voting days of Provincial and Federal elections.
- c) Public Hearings may be held as part of a regular Council meeting or on another day to be set out in the schedule of Council meetings.
- d) Regular Council and C/W meetings and Public Hearings shall begin at 7 p.m. and be adjourned at 11 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time by an affirmative 2/3 vote of the Council members present.
- e) Notwithstanding subsection (d), regular Council meetings may begin at 3 p.m. or later if any part of the meeting is closed in accordance with Section 90 of the *Community Charter*, and provided that the portion of the regular meeting that is held in the Council Chambers begins at 7 p.m.
- f) Regular Council and C/W meetings and Public Hearings may be cancelled by an affirmative 2/3 vote of the Council members present at a meeting or by the Corporate Officer where there is insufficient business to warrant the holding of a regular Council or C/W meeting or a Public Hearing. The Corporate Officer, prior to cancelling a regular Council or C/W meeting or a Public Hearing, shall consult with the CAO, and shall advise the Mayor.

### Notice of Meetings

- 10. a) A schedule of the date, time and place of regular Council and Committee of the Whole meetings and Public Hearings shall be made available to the public and notice shall be given annually, on or before January 30, of the availability of the schedule in accordance with Section 94 of the *Community Charter*.
- b) Except where notice of a special meeting is waived by unanimous vote of all Council members, a notice of the date, time and place of a special Council meeting shall be given at least 24 hours before the time of the meeting by:
  - (i) posting a copy of the notice in the Council Chambers at the Municipal Hall; and
  - (ii) posting a copy of the notice at the public notice posting place.
- c) The notice under subsection (a) shall describe in general terms the purpose of the meeting and must include the date, time and place of the meeting and be signed by the Mayor or Corporate Officer.

### Electronic Meetings

- 11. a) A Council member who is unable to attend a Council or C/W meeting may participate in the meeting by means of electronic or other communication facilities provided that:

- (i) the facilities must enable the meeting's participants to hear, or watch and hear, each other;
  - (ii) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the place specified for public attendance.
- b) A special Council meeting may be conducted by means of electronic or other communication facilities if the Mayor, CAO or Corporate Officer calls for such a meeting to deal with an urgent matter.
  - c) Where reasonably practicable by means of the electronic or other communication facilities in use, any person who has an interest in a matter being considered by Council at a special meeting conducted by electronic or other communication facilities may be afforded an opportunity to provide written or verbal input.
  - d) Section 11 (b) does not apply to public hearings.

### **Minutes of Council and Committee of the Whole Meetings**

- 12. a) It is the responsibility of the Corporate Officer or designate to ensure that minutes of Council and Committee of the Whole meetings, representing a summary of the proceedings and action items, are prepared and certified as accurate. The Corporate Officer may make minor corrections that do not affect the substance of the minutes.
- b) The minutes of a Council meeting shall be signed by the Chair of the meeting and the Corporate Officer.
- c) The minutes of a Council meeting must be available for public inspection unless the meeting has been closed to the public.

## **PART 4 - ATTENDANCE OF PUBLIC AT MEETINGS**

### **Conduct at Meetings**

- 13. a) The Chair at a meeting may refuse to allow a person to be heard or continue to be heard if the person is using profane or vulgar language or making offensive signs or gestures.
- b) If the Chair at a meeting considers that another person at the meeting is acting improperly, the Chair may order that the person is expelled from the meeting.
- c) If the person who is expelled does not leave the meeting, a peace officer may enforce the order under subsection (a) or (b) as if it were a court order.

## **PART 5 – COUNCIL PROCEEDINGS**

### **Call to Order**

14. The Mayor shall take the chair and, if quorum is achieved, call the meeting to order as soon after the time advertised as possible.

### **Non Attendance of Mayor**

15. If the Mayor and the Acting Mayor do not attend the meeting within 15 minutes after the time scheduled for the meeting, the Corporate Officer shall call the meeting to order and if a quorum is present, a Chair shall be chosen to preside during the meeting or until the arrival of the Mayor or Acting Mayor.

### **No Quorum**

16. If there is no quorum present within 30 minutes after the time scheduled for the meeting, the Corporate Officer shall record the names of the members present at the expiration of the 30 minutes and the Council shall stand adjourned.

### **General Rules of Conduct and Debate**

17.
  - a) Every member in speaking to any motion shall address themselves to the Chair.
  - b) Debates shall be strictly relevant to the motion before the meeting and the Chair shall warn speakers who violate this rule.
  - c) Members shall address the Mayor as “Mr. Mayor or Madam Mayor” and shall address each other as “Councillor”, followed by the name of the person referred to.
  - d) No member shall speak until recognized by the Chair. A member of Council may speak to a motion twice for a maximum of five (5) minutes each time. No member of Council shall speak a second time until all Council members have had their first opportunity to speak.
  - e) A question of privilege (an urgent matter dealing with the welfare of the Council as a whole or of a member personally) may be raised at any time and shall be ruled on immediately by the Chair before resumption of business.
  - f) Points of order to correct a breach in the rules of procedure shall be raised at the time the breach occurs. After the motion has been discussed, it is too late to raise the question as to whether it was in order for the Chair to rule the motion out of order unless the motion is in violation of the law, or of the rules and orders of this Bylaw.
  - g) The Chair shall preserve order at the meeting and decide points of order which may arise, subject to an appeal by the other members of the Council then present.
  - h) On an appeal by a Council member of the decision of the Chair on a point of order, the motion shall be immediately put by the Chair and decided without debate “shall the chair be sustained?” and the Chair shall be governed by the vote of the majority of the members then present, excluding the Chair. In the event of the votes being equal, the motion shall pass as in the affirmative. The names of the Council members voting for or against the motion shall be recorded in the minutes.

- i) If the Chair refuses to put the motion “shall the Chair be sustained?”, the Council shall immediately appoint a member to preside temporarily and that member shall proceed in accordance with subsection (h). A resolution or motion carried under this subsection is as binding as if carried under subsection (h).

### **Phrasing of Motions**

18. Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result. The Chair or Corporate Officer may require that motions be put in writing for purposes of clarity.

### **Motions Must be Seconded**

19. No motion shall be debated unless it has been seconded. A motion that is not seconded will not be documented in the minutes.

### **Withdrawal of Motion**

20. After a motion has been seconded, it shall be deemed to be in the hands of Council but the mover may, with the permission of the seconder, withdraw the motion at any time before the motion is amended or a decision on the motion is made.

### **Secondary Motions Allowed During Debate**

21. When a question is under consideration, no motion shall be received unless it is one of the following:

#### **Subsidiary Motions** (related to the main motion)

- a) to postpone indefinitely;
- b) to amend;
- c) to refer to a committee;
- d) to postpone to a future meeting;
- e) to close debate and take the vote immediately; or
- f) to lay on the table (set aside temporarily).

#### **Privileged Motions** (related to matters of immediate importance)

- g) to raise a question of privilege (dealing with the welfare of the assembly or the individual);
- h) to recess (take a short break); or
- i) to adjourn.

#### **Incidental Motions** (related to matters of procedure)

- j) to raise a point of order; or
- k) to suspend the rules.

### **Order of Motions Allowed During Debate/Certain Motions Not Amendable or Debatable**

22. a) The subsidiary and privileged motions (a) through (i) inclusive listed in Section 21 of this Bylaw shall have precedence in the order in which they are named.
- b) The motions to close debate and take the vote immediately, to lay on the table, to raise a question of privilege, to recess, to adjourn, to raise a point of order, or to suspend the rules shall not be amendable or debatable.

### **Amendments to the Main Motion**

23. Only one amendment shall be allowed at one time and shall be dealt with before the main motion is decided. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.

### **Motions to Close Debate and Take the Vote Immediately**

24. a) If a motion to close debate and take the vote immediately carries, the original motion shall be put without any amendment or debate.
- b) If a motion to close debate and take the vote immediately fails, then the motion is once again debatable.

### **Motions to Adjourn**

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

### **Motion to Postpone**

26. A motion to postpone requires that the time, date and place be provided for when the motion would be considered or that it be referred to the Corporate Officer.

### **Reading of the Motion**

27. Any member may require the motion under discussion to be read at any time during debate, but not so as to interrupt a member while speaking. The motion must be clarified by the mover.

### **Reconsideration of Council Decisions**

28. a) Subject to Section 6 of this Bylaw, after any motion has been decided, it shall not be reconsidered by Council for a period of six months unless a motion to reconsider is passed by a 2/3 vote of the Council members present.
- b) Subsection (a) shall not apply to any bylaw, motion, proceeding or decision which has been returned for reconsideration by the Mayor under Section 6 of this Bylaw, or which has been acted upon by an officer, employee or agent of the Municipality.



## **Voting**

29. When debate on a motion is closed and Council is ready to vote, the Chair shall proceed to put the question, "is the Council ready for the motion?" The Chair shall then proceed by saying, "those in favour of the motion" (or amendment as the case may be) and "those opposed to the motion". Members of Council shall vote by raising their hand. When the supporters and opponents of the motion or amendment have given their vote for and against, the Chair shall declare the result and announce those opposed for the record.

## **Majority Decision unless Otherwise Required**

30. Unless otherwise provided by statute or this Bylaw, a motion on a bylaw or resolution, or any other question before Council, is decided by a majority of the Council members present at the meeting, including the Mayor.

## **One Vote per Council Member**

31. Each Council member has one vote on any motion or question.

## **Voting Compulsory if Present**

32. a) Each Council member present at the time of a vote must vote on the matter.  
b) If a Council member abstains from voting or does not indicate how they vote, the member is deemed to have voted in the affirmative.

## **Tie Vote**

33. If the vote of the members present at a Council meeting at the time of the vote are equal for and against a motion, the motion is defeated.

## **Affirmative Vote of Specified Portion of All Members of Council**

34. A requirement under an enactment for an affirmative vote of a specified portion of all members of Council means an affirmative vote of that portion of nine (9) members of Council.

# **PART 6 - COUNCIL MEETINGS**

## **Order and Scheduling of Business**

35. The order of business at all regular Council meetings shall be as follows:
- a) Mayor's Introduction;
  - b) Public Hearing;
  - c) Notice Against Land Title that Building Regulations Contravened;
  - d) Appeals;
  - e) Presentations from Other Government Agencies;
  - f) Adoption of Minutes;
  - g) Ratification of Motions from C/W meetings;
  - h) Rise and Report of Motions from Closed Meetings;

- i) Notices of Motion;
  - j) Council Deliberations following Receipt of Public Input at C/W;
  - k) Bylaws for Final Reading, Ratification of Permit Approval, Bylaws for First Reading (Subject to a Public Hearing);
  - l) Public Input on Business Items;
  - m) Consent Agenda Items;
  - n) Bylaws for Three Readings;
  - o) Resolutions for Adoption;
  - p) Reports from the CAO or Directors;
  - q) Recommendations from Advisory Committees;
  - r) Reports from Members of Council.
36. a) Recommendations from Advisory Committees may be scheduled for a C/W meeting rather than a regular Council meeting at the request of the Advisory Committee Chair, provided that the request is made to the Corporate Officer in advance of scheduling.
- b) Reports from Members of Council may be scheduled for a C/W meeting rather than a regular Council meeting at the request of the Council member, provided that the request is made to the Corporate Officer in advance of scheduling.

### **Consent Agenda**

37. a) The Corporate Officer may prepare a Consent Agenda for any regular Council meeting.
- b) Council may vote on and adopt in one motion all recommendations appearing in the Consent Agenda.
- c) A Council member may make a request to remove an item from the Consent Agenda for the purpose of:
- (i) debate or discussion;
  - (ii) voting in opposition to a recommendation in the consent items; or
  - (iii) declaring a conflict of interest.
- d) If a Council member requests that an item be removed from the Consent Agenda, the item will be dealt with as it would in accordance with the Order and Scheduling of Business.

### **Notice of Motion**

38. a) Any member who during a regular Council meeting wishes to bring before Council any new matter, other than a point of order or of privilege, shall do so by way of a motion.
- b) If any member present at the time such motion is presented, and before debate thereon, calls for notice of motion, then the motion, in its exact wording as stated in the motion, shall be placed on the agenda of a future Council meeting.
- c) Any member may give notice of motion which they intend to present to Council by giving a copy of the motion to the Corporate Officer, during a Council meeting or in advance, and upon it being acknowledged by the Mayor, it shall appear in the minutes of that meeting as notice of motion.

### Opportunity to be Heard (Public Input)

39. Any person who has an interest in any of the following matters being considered by Council at a regular Council meeting may be afforded an opportunity to be heard in person provided they identify themselves by first providing their name and address:
- a) Consent Agenda Items
  - b) Bylaws for Three Readings
  - c) Resolutions for Adoption
  - d) Reports from the CAO or Directors
  - e) Recommendations from Advisory Committees
  - f) Reports from Members of Council

### Time Limitation

40. a) No person shall address Council at a regular Council meeting:
- (i) more than one time; or
  - (ii) for longer than three (3) minutes.
- b) For certainty, no person shall be permitted to address Council on any matter listed in Section 41 of this Bylaw.
- c) A speaker who requires assistance to present to Council and is present at the meeting may have another person read a statement that they have prepared.

### Restrictions on Subject Matter

41. a) This section applies to any person or organization addressing Council as a delegation, any person addressing Council on agenda items at regular Council meetings, or any person addressing Council members during the Open Forum.
- b) A person or organization must not, without the leave of Council, address Council on any matter:
- (i) that must be or has been considered by Council at a closed meeting under the authority of Section 90 of the *Community Charter*;
  - (ii) that is before the courts or for which legal action is being pursued or is pending;
  - (iii) that is or has been the subject of a claim for damages against the District;
  - (iv) that is or has been the subject of bylaw enforcement action by the District;
  - (v) that has been the subject of a public hearing held in accordance with an enactment is a pre-requisite to the adoption of a Bylaw;
  - (vi) that involves an application before the Board of Variance that is pending or has been decided;
  - (vii) that is or has been the subject of an appeal under Part 9 of this Bylaw or reconsideration under Sections 6 or 28 this Bylaw with the exception of a Remedial Action Order;
  - (viii) that involves an application that will be or has been considered under the Saanich Community Grant Program Policy;
  - (ix) that has been referred to committee or staff.

- c) For certainty, a person or organization must not address Council 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 the Land Use and Development Procedures Bylaw.

## **PART 7 - PUBLIC HEARINGS**

### **Order of Business**

42. The order of Business at a Public Hearing shall be as follows:
  - a) the Notice of Public Hearing is summarized;
  - b) any staff reports are identified and any staff recommendations are summarized;
  - c) any correspondence received is identified;
  - d) the applicant details their application;
  - e) the Chair calls for any person to be heard or to present a written submission respecting the bylaw;
  - f) the applicant responds to new information or factual matters raised by previous speakers or Council.

### **Opportunity to be Heard (Public Input)**

43. a) All persons who believe their interest in property is affected by the proposed bylaw shall be afforded an opportunity to be heard in person or by a representative in matters contained in the bylaw provided they first identify themselves by stating their name and address and the name and address of the person or persons they represent.

### **Council May Ask Questions**

44. Only members of Council may ask questions of any person who has been heard.

### **No Reply, Rebuttal or Further Submission**

45. No person, having been heard, may make a reply or rebuttal or further submission without the leave of Council.

## **PART 8 - COMMITTEE OF THE WHOLE MEETINGS**

### **Order and Scheduling of Business**

46. The order of business at all C/W meetings shall be as follows:
  - a) Awards
  - b) Open Forum
  - c) Delegations
  - d) C/W Business Items
  - e) Adjourn to Council to ratify motions made at C/W.Recommendations from C/W meeting will be ratified at a Council meeting immediately following.

### **Appointment of Chair by Mayor**

47. C/W may be chaired by Councillors on a rotating basis as determined by the Mayor.

### **Opportunity to be Heard (Public Input)**

48. a) Any person who has an interest in the following matters being considered by Council at a C/W meeting may be afforded an opportunity to be heard in person provided they first identify themselves by stating their name and address:
- (i) C/W Business Items.
- b) A speaker who requires assistance to present to Council and is present at the meeting may have another individual read a statement they have prepared.

### **Time Limitation**

49. a) No person shall address Council at a C/W meeting:
- (i) more than one time on one C/W Business Item; or
  - (ii) for longer than three (3) minutes.
- b) Notwithstanding subsection (a), the Chair may permit one representative on behalf of a neighbourhood community association up to six (6) minutes to address Council on a C/W Business Item.

### **No Reply, Rebuttal or Further Submission**

50. No person, having been heard, may make a reply or rebuttal or further submission without the leave of Council.

### **Council Rules and Procedure Apply**

51. For certainty, the rules and procedures of the Council under Parts 4 and 5 of this Bylaw shall be observed in C/W as far as may be applicable.

### **Delegations**

52. a) A person or persons on behalf of an organization or association, who wishes to address Council as a delegation at a C/W meeting must submit a written request on a form prescribed by the Corporate Officer at least ten (10) days in advance of the meeting.
- b) The Corporate Officer may schedule the delegation for the C/W meeting requested or a future meeting, or in consultation with the CAO, may refer the delegation to an Advisory Committee.
- c) Notwithstanding subsection (b), the CAO may direct the Corporate Officer to refer the organization or association to staff for direct action and/or response if deemed appropriate, and the Council will be so advised.
- d) Subject to subsection (a), a maximum of one (1) delegation will be permitted at each C/W meeting and the delegation shall have no more than 10 (ten) minutes to address the Council unless a longer period is agreed to by an affirmative vote of the majority

of the Council members present. Video presentations used as part of a delegation will be included in the time permitted for the delegation.

- e) An organization or association may only address Council as a delegation every six (6) months on the same topic or subject matter unless prior consent has been obtained by resolution of Council.
- f) If an organization or association wishes to address Council as a delegation on a matter that is urgent or time sensitive but is unable to meet the deadline under subsection (a), the delegation may be heard by Council if agreed to by an affirmative vote of the majority of the Council members present. For certainty, subsections (b), (c), (d), and (e) apply in this circumstance.
- g) 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 and Council itself will not enter into debate on the information received.
- h) Council will not act on the information received from a delegation except to:
  - (i) receive the information
  - (ii) refer the matter to an Advisory Committee or staff, or
  - (iii) provide a letter of comment or support if requested and where Council determines no additional information or public input is necessary.
- i) For certainty, no delegation addressing Council shall be heard on any matter listed in Section 41 of this Bylaw.

#### **Open Forum – Comment and Question Period**

- 53. a) Council will hold a fifteen (15) minute Open Forum session at the beginning of the first C/W meeting of each month providing an opportunity for the public to address Council on District-related topics.
- b) No person shall address Council at Open Forum for a period longer than three (3) minutes.
- c) For certainty, no person shall be permitted to address the members of Council on any matter listed in Section 41 of this Bylaw.

### **PART 9 - APPEALS**

#### **Appeal of Council or C/W Decision within 30 Days**

- 54. a) Any person may appeal any decision of the Council or the C/W at a Council meeting within 30 days of the decision being made public but not at any future meeting except that the Corporate Officer may extend the appeal period for a sufficient number of days to include one additional regular Council meeting where there are fewer than three regular Council meetings during the appeal period.
- b) Notwithstanding subsection (a) no person may appeal:
  - (i) a decision reached after a Public Hearing;
  - (ii) a decision to issue any permit after the permit has been issued;

- (iii) a decision to enter into a contract after the contract has been entered into;
- (iv) a decision authorizing some action to be carried out where the action has been fully or partially carried out; or
- (v) a recommendation from the C/W to the Council.

### **Corporate Officer Must be Advised of Appeal and Presenters**

55. Any person wishing to make an appeal shall so advise the Corporate Officer either orally or in writing at least six (6) days in advance of the meeting at which they wish to appeal and shall at the same time provide the names of all persons who will be presenting the appeal.

### **Appeal Procedure at Council Meeting**

56. a) No person shall speak for more than five (5) minutes in presenting an appeal.
- b) If at any one meeting, the total time of appeals presented to Council exceeds thirty (30) minutes, any appeals not yet heard by Council shall be referred to the following Council meeting.

### **Council Action Following Appeal**

57. After hearing an appeal, Council may either confirm its earlier decision or refer the question to a Council meeting at least one week later.

### **Decisions May Only be Appealed Once**

58. No person may appeal any decision of the Council or the C/W more than once without receiving permission from the Council.

## **PART 10 - BYLAWS**

### **Requirements for Passing Bylaws**

59. a) Before a bylaw is adopted by Council, it must be given three readings, all of which may be given at one Council meeting.
- b) There must be at least one day between third reading and adoption of a bylaw, notwithstanding which, Council may adopt an Official Community Plan, Zoning Bylaw or Heritage Designation Bylaw at the same meeting at which the plan or bylaw received third reading providing Section 61 of this Bylaw does not apply.

### **Amendments to Bylaws**

60. Any amendment to a bylaw shall be made by a motion of Council after the bylaw has received second reading and before it receives third reading. If the bylaw has been amended, the motion at third reading shall be "to give the bylaw third reading as amended".

### **Bylaws Requiring Provincial or Elector Approvals**

61. Where a bylaw requires the approval of the Lieutenant Governor in Council, a Minister or the Inspector of Municipalities, or the approval or assent of the electors, the approval or assent must be obtained after the bylaw has received third reading and before it is adopted.

### **Majority of Council Required Unless Specified by Statute**

62. Unless otherwise specified by statute, every bylaw shall be passed by an affirmative vote of the majority of the members of the Council present.

### **Bylaws Must be Signed and Sealed**

63. Once a bylaw is adopted, the Mayor or other member presiding at the meeting at which it was adopted and the Corporate Officer must sign the bylaw and it must be sealed with the Corporate Seal.

### **Safe Custody**

64. It is the responsibility of the Corporate Officer to maintain and keep in safe custody all bylaws of Council.

## **PART 11 - COMMITTEES AND COMMITTEE PROCEEDINGS**

### **Appointments on Committees (except Standing Committees) and Other Bodies**

65. (a) The Council shall appoint all District representatives on committees and on all boards, commissions or other bodies to which the District is entitled to appoint representatives, with the exception of standing committees.
- (b) The Council shall appoint Directors to the Capital Regional District in accordance with the *Local Government Act*, and in so doing shall take into consideration the tradition of appointing the Mayor along with the four Councillors who received the most votes from the electors in response to ballot question on the subject during the most recent general local election.

### **Voting on Appointments**

66. (a) The names of all nominees for an appointment shall be submitted to Council before any vote is taken.
- (b) In the taking of a vote by secret ballot for any appointment by the Council, the Corporate Officer shall provide each member of the Council with one ballot marked with the Corporate Officer's initials on which each member shall indicate their choice. The nominee or nominees receiving the highest majority of votes from the members of the Council then present shall be declared appointed. In only that case where no nominee received a majority vote on any ballot, the name of the nominee receiving the lowest number of votes shall be dropped and shall not appear on the succeeding ballot or ballots. Ballots shall proceed until the requisite number of nominees has been appointed. The Corporate Officer or a person designated by the Corporate Officer for that purpose shall act as scrutineer in the taking of any vote by secret ballot.



### **Standing Committees**

67. The Mayor must establish standing committees for matters the Mayor considers would be better dealt with by committee and must appoint persons to those committees. At least half the members of a standing committee must be Council members. The Mayor shall be an ex officio member of each standing committee.

### **Select Committees**

68. The Council may establish and appoint select committees to consider or inquire into any matter and to report their findings and opinions to the Council. At least one member of a select committee must be a Council member. The Mayor shall be an ex officio member of each select committee.

### **Advisory Committees**

69. The Council may establish and appoint advisory committees to consider and make recommendations to Council on matters set out in the committees' terms of reference or on matters referred by the Council. The Mayor shall be an ex officio member of each advisory committee.

### **Councillors May Attend**

70. Councillors may attend the meetings of any standing, select or advisory committee, but shall not be allowed to vote; nor may they take part in any discussion or debate except by permission of the majority of the members of the committee.

### **Appointment of Chair by Mayor or Committee**

71. The Mayor may appoint one of the committee members as Chair of the committee in advance. Where the Mayor does not appoint a Chair, the committee shall elect a Chair from among its members.

### **Quorum**

72. Of the number of members appointed to compose any committee, a majority shall be a quorum.

### **Schedule of Regular Committee Meetings**

73. At the first meeting after appointment annually by the Mayor or the Council, as the case may be, each committee shall establish a regular schedule of meetings including the date, time and place of the committee meetings and be made available to the public via the municipal website.

### **Notice of Special Committee Meetings**

74. The Chair of a committee may call a special meeting provided that the members of the committee are given at least 24 hours notice of the date, time and place of the meeting and that a notice of the meeting is posted at the public notice posting place.

### **Committee Meeting Cancellation**

75. The Chair of a committee may cancel a meeting. The Corporate Officer may cancel a meeting due to extraordinary circumstances, such as snowfall or severe weather conditions.

### **Minutes of Committee Meetings**

76. (a) It is the responsibility of the Corporate Officer or designate to ensure that minutes of committee meetings, representing a summary of the proceedings, are prepared and certified as accurate.
- (b) The minutes of committee meetings shall be signed by the Chair presiding at the meeting and the record of minutes must be available for public inspection.

### **Council Rules and Procedures Apply**

77. For certainty, the rules and procedures of the Council under Parts 4 and 5 of this Bylaw shall be observed in the committees as far as may be applicable.

## **PART 12 - REPEAL**

78. Bylaw No. 9321 being the "Council Procedure Bylaw, 2015", and any amendments thereto, are hereby repealed except insofar as they may repeal any other bylaw.

Read a first time this 10<sup>th</sup> day of May, 2021.

Read a second time this 10<sup>th</sup> day of May, 2021.

Read a third time this 10<sup>th</sup> day of May, 2021.

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the 21<sup>st</sup> day of, June 2021.

"Angila Bains"

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Municipal Clerk

"Fred Haynes"

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Mayor