



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

**“Council Procedure Bylaw, 2015, No. 8500”**

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8500**

**A Bylaw to establish the rules of procedure for City Bodies pursuant to  
section 124 of the *Community Charter*, SBC 2003, c 26**

CONTENTS

PART 1: TITLE.....	6
PART 2: INTERPRETATION .....	6
Interpretation .....	6
Definitions .....	6
Reference.....	9
Severability.....	9
PART 3: POWERS AND RESPONSIBILITIES OF COUNCIL .....	10
Council as Governing Body .....	10
Responsibilities of Council Members .....	10
Responsibilities of Acting Mayor .....	11
PART 4: CHAIR .....	11
Appointment of Chair.....	11
Responsibilities of Chair .....	11
PART 5: RULES OF CONDUCT .....	12
General Rules of Conduct .....	12
Special Rules of Conduct for Council Members.....	12
Rule of Conduct Contravened by Council Member .....	13
Rule of Conduct Contravened by Person Other Than a Council Member .....	14
PART 6: POINTS OF ORDER .....	15
Decision on Point of Order.....	15
Appeal of Decision on Point of Order.....	15
PART 7: POINTS OF PRIVILEGE.....	15
Decision on Point of Privilege .....	15
PART 8: MOTIONS.....	16
Chair and Motions .....	16
Notice of Motion .....	16
Resolutions .....	16
Withdrawal of Motion .....	16

Inadmissible Motions .....	16
Recording of Motions.....	16
Reading of Motions.....	17
Order of Precedence of Motions .....	17
Motions to Refer .....	17
Motions to Defer .....	17
Motions to Amend .....	18
Sub-Amendments.....	18
Scope of Amendments .....	18
Division of Motions .....	19
Special Motions .....	19
Reconsideration Required by Mayor.....	19
Reconsideration, Amendment or Rescission Requested by Council Member .....	20
PART 9: VOTING.....	20
General Voting Rules .....	20
Question to be Put to a Vote After Debate.....	21
Recording of Votes .....	21
Conflict of Interest .....	21
PART 10: BYLAWS .....	22
Introduction of Bylaws .....	22
Bylaws May Be Considered Jointly.....	22
Readings of Bylaws .....	22
Amendment of Bylaws.....	23
Abandonment of Bylaws .....	23
Adoption of Bylaws .....	23
When a Bylaw Comes Into Force .....	24
Amendment and Repeal of Adopted Bylaws.....	24
PART 11: RECESS.....	24
PART 12: REGULAR COUNCIL MEETINGS.....	24
Date, Time & Place.....	24
Designation of Acting Mayor .....	25
Notice .....	25
Agenda.....	26
Electronic Participation by Council Members .....	27

Call to Order .....	27
Absence of Quorum.....	27
Order of Proceedings .....	28
Public Input Period .....	28
Adoption of Minutes.....	30
Consent Agenda Items .....	30
Committee of the Whole .....	30
Reports.....	31
Delegations .....	31
Public Clarification Period.....	33
Council Inquiries.....	33
New Items of Business .....	34
Adjournment.....	34
<b>PART 13: SPECIAL COUNCIL MEETINGS .....</b>	<b>34</b>
Calling a Special Council Meeting .....	34
Date, Time & Place.....	34
Notice .....	35
Agenda.....	35
Electronic Participation by Council Members .....	35
<b>PART 14: COMMITTEES.....</b>	<b>36</b>
Establishment of Standing Committees .....	36
Finance Committee .....	36
Policy Committee .....	37
Parks and Recreation Committee .....	37
Establishment of Select Committees .....	37
<b>PART 15: COMMITTEE MEETINGS.....</b>	<b>38</b>
Date, Time & Place.....	38
Notice .....	38
Agenda.....	38
Participation by Non-Council Members.....	39
Application of Parts 4 - 11.....	39
<b>PART 16: COMMISSIONS.....</b>	<b>39</b>
Establishment.....	39
Application of Parts 4-11 .....	40

PART 17: TRANSPARENCY & ACCOUNTABILITY .....40

    Open Meetings .....40

    Electronic Transmission of Meetings .....40

    Electronic Participation of the Public in Meetings.....40

    Minutes.....40

PART 18: CORRESPONDENCE, QUESTIONS AND PETITIONS FOR COUNCIL .....41

    Correspondence .....41

    Questions .....41

    Petitions .....41

PART 19: SPECIAL DAYS & HONOURS .....42

    Municipal Days of Recognition .....42

    Freedom of the Municipality.....42

PART 20: GENERAL .....43

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8500

### A Bylaw to establish the rules of procedure for City Bodies pursuant to section 124 of the *Community Charter*, SBC 2003, c 26

#### PART 1: TITLE

- 1.1 This Bylaw shall be known and cited for all purposes as “**Council Procedure Bylaw, 2015, No. 8500**”.

#### PART 2: INTERPRETATION

##### Interpretation

- 2.1 In this Bylaw:

- (1) words importing the singular number include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders;
- (2) headings given to sections are for convenience of reference only and do not form part of this Bylaw;
- (3) unless expressly stated otherwise, a reference to a “section” is a reference to a section in this Bylaw and a reference to a “Part” is a reference to a Part in this Bylaw;
- (4) unless expressly stated otherwise, a reference to an enactment is a reference to an enactment of British Columbia and regulations promulgated thereto, as amended, revised, consolidated or replaced from time to time, and a reference to a bylaw is a reference to a City bylaw, as amended, revised, consolidated or replaced from time to time; and
- (5) 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.

##### Definitions

- 2.2 In this Bylaw:

- (1) “**Act**” means the *Local Government Act*, RSBC 1996, c 323;
- (2) “**Acting Mayor**” means the Councillor designated pursuant to section 12.4 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;
- (3) “**Chair**” means the person authorized to preside over a Meeting in accordance with section 4.1;

- (4) “**Charter**” means the *Community Charter*, SBC 2003, c 26;
- (5) “**City**” means the Corporation of the City of North Vancouver;
- (6) “**City Body**” means:
  - (a) Council;
  - (b) a Committee;
  - (c) a Commission;
  - (d) a parcel tax review roll panel established pursuant to section 204 of the Charter;
  - (e) a board of variance established pursuant to section 899 of the Act;
  - (f) an advisory body established by Council; and
  - (g) a body that under the Act or the Charter may exercise the powers of the City or Council;
- (7) “**City Clerk**” means the person appointed to the position of “City Clerk”, as described in the Officers and Officials Bylaw, 2013, No. 8322, and his or her authorized deputy;
- (8) “**City Hall**” means the City’s principal place of business at 141 West 14<sup>th</sup> Street in the City of North Vancouver;
- (9) “**City Website**” means the City’s official website (<http://www.cnv.org>);
- (10) “**Commission**” means a commission established by Council pursuant to section 16.1;
- (11) “**Committee**” means a Standing Committee or Select Committee, as the context requires;
- (12) “**Committee Meeting**” means a meeting of a Standing Committee or a Select Committee, as the context requires;
- (13) “**Committee of the Whole**” has the meaning ascribed to it by section 12.34;
- (14) “**Council**” means the elected council of the City;
- (15) “**Council Chamber**” means the chamber in the lower level of City Hall designed to hold Council Meetings;
- (16) “**Council Meeting**” means a Regular Closed Council Meeting, a Committee of the Whole, or a Special Council Meeting, as the context requires;
- (17) “**Council Member**” means the Mayor or a Councillor;

- (18) “**Councillor**” means a person presently holding the office of councillor in the City;
- (19) “**Delegation**” has the meaning ascribed to it by section 12.40;
- (20) “**Delegation Request**” has the meaning ascribed to it by section 12.41;
- (21) “**Finance Committee**” has the meaning ascribed to it by section 14.3;
- (22) “**Government Official**” means an elected or appointed official or officer of:
- (a) the federal government;
  - (b) a provincial or territorial government; or
  - (c) a municipal government;
- other than a Member;
- (23) “**Mayor**” means the person presently holding the office of mayor in the City;
- (24) “**Meeting**” means a meeting of a City Body;
- (25) “**Member**” means a member of a City Body;
- (26) “**Member’s Address**” means the e-mail address or postal address to which all notices, agendas and other communications are to be sent to the applicable Member by the City Clerk;
- (27) “**Motion**” means a formal proposal made by a Member to consider a specified course of action;
- (28) “**Notice of Motion**” means a written Motion provided by a Council Member to the City Clerk pursuant to section 8.2;
- (29) “**Parks and Recreation Committee**” has the meaning ascribed to it by section 14.7;
- (30) “**Point of Order**” means a point or query concerning procedure;
- (31) “**Point of Privilege**” means a point relating to:
- (a) the rights of those in attendance at a Meeting collectively, including their safety, dignity, and ability to participate in a Meeting;
  - (b) the integrity of a Meeting; or
  - (c) the rights, reputation and conduct of a Member, other than a contravention of section 5.1(2);
- (32) “**Policy Committee**” has the meaning ascribed to it by section 14.5;
- (33) “**Public Clarification Period**” has the meaning ascribed to it by section 12.48;



- (34) **“Public Input Period”** has the meaning ascribed to it by section 12.20;
- (35) **“Public Notice”** means public notice provided in accordance with section 94 of the Charter;
- (36) **“Public Notice Places”** means the notice kiosk in the main entrance foyer of City Hall and the City Website;
- (37) **“Question”** means the subject matter of a Motion;
- (38) **“Quorum”**, subject to an order issued pursuant to section 129 of the Charter, means a majority of Council Members;
- (39) **“Regular Council Meeting”** means a Council Meeting held under Part 12, other than a Committee of the Whole;
- (40) **“Select Committee”** means a committee established by Council pursuant to section 14.9;
- (41) **“Special Council Meeting”** means a Council Meeting held under Part 13;
- (42) **“Special Council Meeting Notice”** has the meaning ascribed to it by section 13.1; and
- (43) **“Standing Committee”** means a committee established by the Mayor pursuant to section 14.1.

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

### **Reference**

2.4 A procedural matter not addressed by the Act, the Charter or this Bylaw must be addressed in accordance with the most recent edition of Robert's Rules of Order to the extent that those rules are:

- (1) applicable in the circumstances; and
- (2) consistent with the Act, the Charter and this Bylaw.

### **Severability**

2.5 If any part, section, sub-section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it must be severed and the validity of the remaining provisions of this Bylaw must not be affected.

### **Paramountcy**

2.6 To the extent of any inconsistency between the provisions of this Bylaw and the provisions of the Act or the Charter, the provisions of the Act and the Charter prevail.

## **PART 3: POWERS AND RESPONSIBILITIES OF COUNCIL**

### **Council as Governing Body**

- 3.1 Despite a change in its membership, Council is a continuing body and may complete any proceedings started but not completed before the change.
- 3.2 The powers, duties and functions of the City are to be exercised and performed by Council, except as otherwise provided under the Charter or another enactment, and Council, in exercising or performing its powers, duties and functions, is acting as the governing body of the City.
- 3.3 Council has all necessary power to do anything incidental or conducive to the exercise or performance of any power, duty or function conferred on Council or the City by the Charter or any other enactment.

### **Responsibilities of Council Members**

- 3.4 Every Council Member has the following responsibilities:
  - (1) to consider the well-being and interests of the City and its community;
  - (2) to contribute to the development and evaluation of the policies and programs of the City respecting its services and other activities;
  - (3) to participate in Council Meetings, Committee Meetings and meetings of other City Bodies to which the Council Member is appointed;
  - (4) to carry out other duties assigned by Council;
  - (5) to keep in confidence any record held in confidence by the City, until the record is lawfully released to the public;
  - (6) to keep in confidence information considered in any part of a Council Meeting that was lawfully closed to the public, until Council discusses the information at a Meeting that is open to the public or otherwise lawfully releases the information to the public; and
  - (7) to carry out other duties assigned under the Charter or any other enactment.

### **Responsibilities of Mayor**

- 3.5 The Mayor is the head and chief executive officer of the City. In addition to the Mayor's responsibilities as a Council Member, the Mayor has the following responsibilities:
  - (1) to provide leadership to Council, including by recommending bylaws, resolutions and other measures that, in the Mayor's opinion, may assist the peace, order and good government of the City;
  - (2) to communicate information to Council;

- (3) to preside at Council Meetings when in attendance;
- (4) to provide, on behalf of Council, general direction to City officers respecting implementation of City policies, programs and other directions of Council;
- (5) to establish Standing Committees in accordance with sections 14.1 to 14.2;
- (6) to suspend City officers and employees in accordance with section 151 of the Charter;
- (7) to reflect the will of Council and to carry out other duties on behalf of Council; and
- (8) to carry out other duties assigned under this Bylaw, the Charter or any other enactment.

### **Responsibilities of Acting Mayor**

3.6 During the absence of the Mayor, the Acting Mayor has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4: CHAIR**

### **Appointment of Chair**

4.1 The Chair of each Council Meeting is:

- (1) the Mayor,
- (2) in the Mayor's absence, the Acting Mayor, or
- (3) in the Mayor and Acting Mayor's absence, the Council Member chosen by Council, as its first item of business after roll call, to serve as the Chair for that Council Meeting,

except that if the Mayor or Acting Mayor (in the Mayor's absence) joins a Council Meeting in progress, the Mayor or Acting Mayor (in the Mayor's absence) shall act as Chair for the remainder of that Council Meeting.

### **Responsibilities of Chair**

4.2 At each Council Meeting, the Chair shall, as needed:

- (1) maintain order and preserve decorum;
- (2) call a Council Member to order;
- (3) rule on each Point of Order and Point of Privilege;
- (4) rule on which Council Member has a right to speak;
- (5) rule on whether or not a Motion or amendment to Motion is out of order; and

- (6) fulfill any other responsibilities assigned to the Chair under this Bylaw or by Council.

## **PART 5: RULES OF CONDUCT**

### **General Rules of Conduct**

- 5.1 During a Council Meeting, a person and a Council Member must:
- (1) address a Council Member by their title of Mayor, Acting Mayor or Councillor;
  - (2) not engage in bullying or harassing behaviour in respect of a Council Member, Government Official or a City Employee and, for certainty, a person and a Council Member must not:
    - (a) question the motives of a Council Member, Government Official or City employee;
    - (b) express a negative opinion about the personality or character of a Council Member, Government Official or City employee;
    - (c) speak disrespectfully about a Council Member, a Government Official or a City employee; or
    - (d) speak or act aggressively towards a Council Member, a Government Official or a City employee;
  - (3) not use rude or offensive language or engage in rude or offensive conduct;
  - (4) not disrupt or unnecessarily delay the conduct of business at the Council Meeting;
  - (5) not speak on electronic communication devices when a person or Council Member is speaking, except in the case of emergencies;
  - (6) if called to order by the Chair, cease speaking;
  - (7) adhere to the provisions of this Bylaw; and
  - (8) adhere to the rulings of the Chair and decisions of the Council made pursuant to this Bylaw.

### **Special Rules of Conduct for Council Members**

- 5.2 During a Council Meeting a Council Member must, in addition to complying with the General Rules of Conduct set out in section 5.1:
- (1) conduct themselves at all times in a manner befitting an elected official and in furtherance of their statutory responsibilities;

- (2) not interrupt a person or Council 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 Chair's permission; or
  - (b) if the Council Member is explaining a material part of a previous speech without introducing a new matter;
- (4) not speak to a matter outside of closing remarks for more than 5 minutes, inclusive of questions, answers and debate, without the Chair's permission;
- (5) not speak to a matter in closing remarks for more than 3 minutes without the Chair's permission;
- (6) reply to debate on a Motion only if the Council Member made the Motion; and
- (7) 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 of Council, except for the purpose of moving that such vote be reconsidered or rescinded;
  - (c) any record held in confidence by the City unless specifically authorized to do so by Council; and
  - (d) any information considered in a Council Meeting closed to the public unless specifically authorized to do so by Council.

#### **Rule of Conduct Contravened by Council Member**

- 5.3 If a Council Member is of the opinion that another Council Member has contravened section 5.1 or 5.2:
- (1) the first Council Member must state on the record how the second Council Member has contravened section 5.1 or 5.2; and
  - (2) Council must vote on whether the second Council Member has contravened section 5.1 or 5.2.
- 5.4 If a majority of Council decides that the second Council Member has contravened section 5.1 or 5.2, the Chair may:
- (1) permit the Council Member to apologize immediately to Council for the conduct that contravened section 5.1 or 5.2; or
  - (2) order the Council Member to leave the Council Meeting immediately.

- 5.5 If a Council Member is permitted to apologize pursuant to section 5.4(1), and does so apologize, Council shall:
- (1) adopt a resolution permitting the Council Member to remain in the Council Meeting; or
  - (2) adopt a resolution ordering the Council Member to leave the Council Meeting immediately if Council is of the opinion that the Council Member's apology was inadequate.
- 5.6 If a Council Member does not voluntarily comply with an order pursuant to section 5.4(2) or 5.5(2), that Council Member may be removed from the Council Meeting by a peace officer at the Chair's direction.

#### **Rule of Conduct Contravened by Person Other Than a Council Member**

- 5.7 If a Council Member is of the opinion that a person has contravened section 5.1, the Council Member must state on the record which rule of conduct was contravened and how that rule of conduct was contravened.
- 5.8 If a Council Member alleges a contravention of a rule of conduct pursuant to section 5.7, and the Chair is of the opinion that the named person did not contravene the rule of conduct, the Chair must state on the record why they believe the rule of conduct was not contravened.
- 5.9 If a Council Member alleges a contravention of a rule of conduct pursuant to section 5.7, and the Chair is of the opinion that the named person contravened the rule of conduct, the Chair shall:
- (1) permit the person to apologize immediately to Council for the conduct that contravened section 5.1; or
  - (2) order the person to leave the Council Meeting immediately.
- 5.10 If a person who has contravened section 5.1 is permitted to apologize pursuant to section 5.9, and does so apologize, the Chair shall:
- (1) permit the person to remain in the Council Meeting; or
  - (2) order the person to leave the Council Meeting immediately if the Chair is of the opinion that the apology was inadequate.
- 5.11 If a person does not voluntarily comply with an order pursuant to section 5.9(2) or 5.10(2), that person may be removed from the Council Meeting by a peace officer at the Chair's direction.
- 5.12 If a person repeatedly contravenes the General Rules of Conduct set out in section 5.1, Council may adopt a resolution authorizing legal counsel to pursue legal remedies against the person.

## **PART 6: POINTS OF ORDER**

### **Decision on Point of Order**

- 6.1 A Council Member may raise a Point of Order at any time, whereupon the Chair must:
- (1) interrupt the matter currently under consideration on the agenda;
  - (2) interrupt any Council Member who was speaking at the time the Point of Order is raised, until it has been ruled on;
  - (3) ask the Council 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 rule of order applicable to the Point of Order.

### **Appeal of Decision on Point of Order**

- 6.2 A Council Member who is dissatisfied with a decision of the Chair pursuant to section 6.1 has the right to appeal such a decision at which time:
- (1) the Chair shall immediately ask "shall the ruling of the Chair be sustained?" and the Question must be decided without debate;
  - (2) the Chair must not vote on the Question; and
  - (3) the Motion passes in the affirmative if the votes are equal, or if a majority of Council Members vote in the affirmative.
- 6.3 Where Council has voted not to sustain the Chair, the decision of the Chair is negated and the business of Council must proceed as if his or her decision had never been made.

## **PART 7: POINTS OF PRIVILEGE**

### **Decision on Point of Privilege**

- 7.1 A Council Member may raise a Point of Privilege at any time, whereupon the Chair must:
- (1) interrupt a matter currently under consideration on the agenda;
  - (2) interrupt any Council Member who had been speaking at the time the Point of Privilege is raised, until it has been ruled on;
  - (3) ask the Council Member raising the Point of Privilege to state the substance of and the basis for the Point of Privilege; and
  - (4) order any actions necessary to address the Point of Privilege.

## **PART 8: MOTIONS**

### **Chair and Motions**

8.1 The Chair may speak to any Motion.

### **Notice of Motion**

8.2 A Notice of Motion resulting from an item of business that is not listed as being for Council action on the Council Meeting agenda must be provided to the City Clerk by 12:00 pm on the Wednesday prior to the next Council Meeting [see section 12.10].

8.3 Council may not proceed with any Notice of Motion on the agenda in the absence of the Council Member at whose request the item was placed on the agenda unless:

- (1) the written consent of the absent Council Member is presented to the Chair; or
- (2) Council resolves to proceed with the Notice of Motion despite the absence of the Council Member.

8.4 Council may waive strict compliance with section 8.3 and present a Motion for immediate consideration by a 2/3 vote of all the Council Members present at the Council Meeting.

### **Resolutions**

8.5 Council actions must be dealt with by voting on a Motion put forth by a Council Member and seconded by another Council Member.

### **Withdrawal of Motion**

8.6 A Motion may be withdrawn by the mover of a Motion, with the consent of all Council Members present.

8.7 A Motion may not be withdrawn after it has been voted on by Council.

### **Inadmissible Motions**

8.8 If the Chair considers that a Motion is contrary to law (including this Bylaw), the Chair must inform Council at once and refuse to permit debate on the Motion and refuse to put the Question to a vote.

8.9 If the Chair considers that a Motion may be contrary to law, the Chair may refer the motion to staff or to legal counsel for further consideration.

8.10 The Chair must immediately give reasons for any refusal made pursuant to section 8.8.

### **Recording of Motions**

8.11 The City Clerk must record in the minutes the text of every Motion that is duly moved and seconded.



## **Reading of Motions**

8.12 After a Motion has been made by a Council Member and seconded by another Council Member and recorded by the City Clerk, the City Clerk, if so requested by a Council Member, must read the Motion aloud before the Motion is debated or put to a vote by the Chair.

## **Order of Precedence of Motions**

8.13 When a Motion is on the floor and before the Question has been called, only the following Motions are permitted, in the following order of precedence:

- (1) a Motion to amend;
- (2) a Motion to refer; and
- (3) a Motion to defer.

## **Motions to Refer**

8.14 A Council Member may propose a Motion to refer either:

- (1) a matter that is on the agenda of a Council Meeting, but on which a Motion has not yet been made; or
- (2) a Motion that is on the floor.

8.15 Upon a Motion to refer being seconded, such Motion:

- (1) is debatable, but only as to the merits of the referral;
- (2) may not be deferred; and
- (3) applies to an amendment or an original Motion.

8.16 Where a Motion to refer has been adopted that refers an original Motion that has been amended, the referral applies to the original Motion, as amended.

8.17 Before the Question is called on a referral Motion, any Council Member may give direction on such Motion on matters that the Council Member feels should be investigated further before the matter is presented to Council again.

## **Motions to Defer**

8.18 A Council Member may propose a Motion to defer a Motion that is on the floor either:

- (1) to a later time during the same Council Meeting and in such Motion must specify when in the order of business, or after which circumstances, the Motion must be dealt with; or
- (2) to another Council Meeting and in such Motion, may specify:

- (a) the date of the Council Meeting at which the deferred Motion is to be considered;
- (b) any conditions that must be fulfilled in order for the deferred Motion to be considered further; or
- (c) both (a) and (b).

8.19 A Motion to defer is debatable, but only as to the merits of deferral.

### **Motions to Amend**

8.20 A Council Member, other than the mover of a Motion, may propose an amendment to a Motion.

8.21 A proposed amendment must be disposed of before any subsequent amendments are proposed.

8.22 When an amendment to a Motion has been moved and seconded, debate is limited to the amendment only.

8.23 If the amendment is defeated, debate may continue on the original Motion, and if no further amendments are proposed, the Chair must call the Question on the original Motion.

8.24 If the amendment is adopted and no further amendments are proposed, the Chair must then call the Question on the original Motion, as amended.

### **Sub-Amendments**

8.25 A Council Member may propose a sub-amendment to an amendment.

8.26 A Council Member may not propose a sub-amendment to a sub-amendment.

8.27 The Chair must call the Question on a Motion that has been amended, in the following order:

- (1) a sub-amendment, if any;
- (2) the amendment to the original Motion;
- (3) the original Motion, as amended, if applicable.

### **Scope of Amendments**

8.28 The amendments permitted by sections 8.20 through 8.27 may take the form of deletion, addition or substitution of words or figures, provided such deletions, additions or substitutions do not, in the opinion of the Chair, negate the intent of the original Motion.

- 8.29 If any Council Member, by Point of Order, states that a proposed amendment to a Motion would negate the intent of that Motion, the Chair must at once rule whether that would be the case.
- 8.30 A ruling made pursuant to section 8.29 may be appealed to Council as if the ruling were a Point of Order [see sections 6.2 and 6.3].

### **Division of Motions**

- 8.31 If requested by any Council Member, the Question on a Motion that comprises several clearly identified 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.
- 8.32 Where a Motion does not contain clearly identified parts, sections or clauses, and where in the opinion of the Chair it is not possible to separate such Motion into clearly identified components, the Motion must be called as one Question.
- 8.33 Sections 8.31 and 8.32 apply whether or not such Motion has been the subject of amendments.

### **Special Motions**

- 8.34 A Motion to honour an individual or an organization must be carried by all Council Members (not just Council Members in attendance at the Council Meeting).

### **Reconsideration Required by Mayor**

- 8.35 The Mayor may require Council to reconsider and vote again on a resolution that was the subject of a vote:
- (1) at the same Council Meeting as the vote took place, or
  - (2) at a Council Meeting held within 30 days after the Council Meeting referred to in section 8.35(1),
- provided that:
- (3) there has not already been a reconsideration of the resolution under this section 8.35,
  - (4) the resolution did not receive approval of the electors or assent of the electors and subsequent adoption by Council, and
  - (5) the resolution has not been acted upon irreversibly by:
    - (a) a City officer, employee or agent, or
    - (b) a third party who reasonably relied on the resolution.

8.36 If the Mayor requires a reconsideration pursuant to section 8.35, the Mayor must provide Council with written reasons for the reconsideration so that:

- (1) Council will know why it is being asked to reconsider the resolution,
- (2) the reconsideration can be properly debated, and
- (3) a public record of the reconsideration and the reasons for it will be made.

### **Reconsideration, Amendment or Rescission Requested by Council Member**

8.37 A Council Member may bring a Motion that Council:

- (1) reconsider and vote again on a resolution that was the subject of a vote,
- (2) amend a resolution that was the subject of a vote, or
- (3) rescind a resolution that was the subject of a vote,

provided that:

- (4) the Motion is brought at the same Council Meeting as the vote took place or at a Council Meeting held within 30 days after the Council Meeting where the vote took place,
- (5) the resolution did not receive approval of the electors or assent of the electors and subsequent adoption by Council, and
- (6) the resolution has not been acted upon irreversibly by:
  - (a) a City officer, employee or agent, or
  - (b) a third party who reasonably relied on the resolution.

8.38 Before Council can reconsider, amend or rescind a resolution pursuant to section 8.37, it must adopt a resolution to that effect.

8.39 If a Motion to reconsider, amend or rescind a resolution is defeated twice within three months, the same or substantially the same Motion may not be brought before Council for at least six months, unless Council permits this by unanimous resolution.

## **PART 9: VOTING**

### **General Voting Rules**

9.1 Unless otherwise provided, 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.

9.2 Each Council Member has one vote on any Question.

9.3 Each Council Member present at the time of a vote must vote on the matter.

- 9.4 No Council Member may leave a Council Meeting once a vote on a matter has been called.
- 9.5 If a Council Member does not indicate how he or she votes, the Council Member is deemed to have voted in the affirmative.
- 9.6 If the votes of the Council Members present at a Council Meeting at the time of the vote are equal for and against a Motion, the Motion is defeated, except as otherwise provided in this Bylaw.

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

- 9.7 The Chair must put every Question to a vote immediately after debate on that Question is closed.

#### **Recording of Votes**

- 9.8 If a Council Member calls for a recorded vote, the City Clerk must record in the minutes of a Council Meeting the name of every Council Member who voted on a Motion, and whether they voted in favour of, or against, the Motion.

#### **Conflict of Interest**

- 9.9 If a Council Member attending a Council Meeting considers that he or she has a direct or indirect pecuniary interest in a matter, or another interest in a matter that constitutes a conflict of interest, the Council Member must declare this and state in general terms the reason why the Council Member considers this to be the case.
- 9.10 After making a declaration pursuant to section 9.9, it is the Council Member's responsibility to ensure that they do not:
- (1) remain or attend any part of a Council Meeting during which the matter is under consideration;
  - (2) participate in any discussion of the matter at such a Council Meeting;
  - (3) vote on a Question in respect of the matter at such a Council Meeting; or
  - (4) attempt in any way, whether before, during or after such a Council Meeting, to influence the voting on any Question in respect of the matter.
- 9.11 When a declaration is made pursuant to section 9.9, the City Clerk must record the Council Member's declaration or statement, the reasons given for it and the time of the Council Member's departure from the Council Meeting room and, if applicable, of the Council Member's return.
- 9.12 The Chair at the Council Meeting or any following Council Meetings in respect of the matter must ensure that the Council Member is not present at any part of the Council Meeting during which the matter is under consideration.

9.13 Sections 9.9 through 9.12 do not apply if one or more of the following circumstances applies:

- (1) the pecuniary interest of the Council Member is a pecuniary interest in common with electors of the City generally;
- (2) in the case of a matter that relates to a local area service, the pecuniary interest of the Council Member is in common with other persons who are or would be liable for the local service tax imposed in relation to the local area service;
- (3) the matter relates to remuneration, expenses or benefits payable to one or more Council Members in relation to their duties as Council Members; and
- (4) the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Council Member in relation to the matter.

## **PART 10: BYLAWS**

### **Introduction of Bylaws**

10.1 A bylaw may only be introduced at a Council Meeting if:

- (1) a copy of the bylaw was sent to each Council Member at least 24 hours before the Council Meeting; or
- (2) Council Members unanimously agree to waive the requirement set out in section 10.1(1).

10.2 A bylaw introduced at a Council Meeting must:

- (1) have a distinguishing name and number;
- (2) contain an introductory statement of purpose; and
- (3) be divided into sections.

### **Bylaws May Be Considered Jointly**

10.3 If a number of related bylaws are introduced at a Council Meeting, the Chair may direct that the bylaws be considered jointly.

### **Readings of Bylaws**

10.4 The Chair may:

- (1) ask the City Clerk to read a synopsis of a bylaw or group of bylaws; and then
- (2) request that a Motion that the bylaw or group of bylaws be read.

10.5 A bylaw may be read by stating its title, name, number and purpose.

- 10.6 Subject to the Act and the Charter, a bylaw may be given up to three readings at one Council Meeting.
- 10.7 Each reading of an official community plan bylaw must receive an affirmative vote of a majority of all Council Members.
- 10.8 Each reading of a bylaw other than an official community plan bylaw must receive an affirmative vote of a majority of Council Members present at the Council Meeting during which the reading takes place.
- 10.9 Council may, by resolution, rescind 2<sup>nd</sup> or 3<sup>rd</sup> reading of a bylaw and then give the bylaw that reading, with or without amendment.

### **Amendment of Bylaws**

- 10.10 A bylaw must be given at least one reading before it is amended.
- 10.11 After a public hearing on a bylaw, Council may not amend the bylaw to:
- (1) alter the use,
  - (2) increase the density, or
  - (3) without the owner's consent, decrease the density,
- of any area from that originally specified in the bylaw [see section 894(1)(b) of the Act].

### **Abandonment of Bylaws**

- 10.12 A bylaw that fails to receive a mover and seconder at any reading or at adoption, and which has not been the subject of a Motion or Council resolution for 2 years,
- (1) is deemed to have been abandoned, and
  - (2) may be removed from the City's bylaw registry by the City Clerk.

### **Adoption of Bylaws**

- 10.13 An official community plan bylaw, a zoning bylaw or an early termination of land use contract bylaw may be adopted at the same Council Meeting at which that bylaw receives third reading. There must be at least one day between the third reading and the adoption of any other bylaw.
- 10.14 If the Charter or another enactment requires that a bylaw receive:
- (1) approval of the Lieutenant Governor in Council, a minister or the inspector, or
  - (2) approval of the electors or assent of the electors,
- the approval or assent must be obtained after the bylaw has been given third reading and before it is adopted.

10.15 If a bylaw is subject to both requirements referred to in section 10.14, the approval referred to in section 10.14(1) must be obtained before the bylaw is submitted for the approval or assent referred to in section 10.14(2).

10.16 Once a bylaw is adopted:

- (1) the City Clerk must set out the following information on the last page of the bylaw;
  - (a) the dates of its reading;
  - (b) the date of its adoption;
  - (c) where required, the date upon which provincial approval was granted; and
  - (d) where required, the date upon which assent of the electors was received;
- (2) the Chair and the City Clerk must sign the bylaw;
- (3) the City Clerk must affix the City’s corporate seal to the bylaw; and
- (4) the City Clerk must place the bylaw in the City’s records for safekeeping.

**When a Bylaw Comes Into Force**

10.17 A bylaw comes into force on the later of:

- (1) the date it is adopted by Council; or
- (2) the date specified in the bylaw.

**Amendment and Repeal of Adopted Bylaws**

10.18 Subject to the Act and the Charter, an adopted bylaw may only be amended or repealed by the same process by which it was originally adopted.

**PART 11: RECESS**

11.1 At any time while a Council Meeting is in progress, the Chair may call a recess for a specified period of time.

**PART 12: REGULAR COUNCIL MEETINGS**

**Date, Time & Place**

12.1 The first Regular Council Meeting (the “**Inaugural Council Meeting**”) shall be scheduled by the City Clerk and must be held no later than the first Monday in December in the year of the general local election, unless a Quorum of Council has not taken office by that date, in which case the Inaugural Council Meeting must be held as soon as reasonably possible after a Quorum of Council has taken office.



- 12.2 After the Inaugural Council Meeting, Regular Council Meetings must:
- (1) be held on three Mondays of each month, unless the Monday falls on a statutory holiday, in which case a Council Meeting shall not be held that week;
  - (2) commence at 6:00 pm on the day scheduled for the Regular Council Meeting;
  - (3) be adjourned at 10:30 pm on the day scheduled for the Regular Council Meeting unless Council resolves to proceed beyond that time in accordance with section 12.59; and
  - (4) not be held during the month of August.
- 12.3 Regular Council Meetings must be held at City Hall unless, at least 7 days before a Regular Council Meeting,
- (1) Council adopts a resolution permitting the Regular Council Meeting to be held at a different location; and
  - (2) the City Clerk posts notice of the alternate location of the Regular Council Meeting in the Public Notice Places.

#### **Designation of Acting Mayor**

- 12.4 At the Inaugural Council Meeting, Council shall adopt a resolution designating a Council Member as the Acting Mayor for each two month period until the next general local election.

#### **Notice**

- 12.5 The City Clerk shall, by January 1<sup>st</sup> of each calendar year:
- (1) post a schedule of the date, time and place of Regular Council Meetings for that calendar year in the Public Notice Places; and
  - (2) give notice of the availability of the schedule referred to in section 12.5(1) in accordance with section 94 of the Charter.
- 12.6 The City Clerk shall, as soon as reasonably possible:
- (1) post any revisions made to the schedule, including revisions made due to cancellation of one or more Regular Council Meetings, referred to in section 12.5(1) in the Public Notice Places; and
  - (2) give notice of the availability of the revisions referred to in section 12.6(1) in accordance with section 94 of the Charter.

## Agenda

- 12.7 Prior to each Regular Council Meeting, the City Clerk shall prepare an agenda for the Regular Council Meeting that lists and briefly summarizes the matters to be considered at the Regular Council Meeting.
- 12.8 The agenda for each Regular Council Meeting will contain the following headings, listed in an order deemed appropriate by the City Clerk:
- A. Adoption of Minutes;
  - B. Public Input Period;
  - C. Consent Agenda Items;
  - D. Committee of the Whole;
  - E. Report of Committee of the Whole;
  - F. Proclamations;
  - G. Bylaws;
  - H. Delegations;
  - I. Correspondence;
  - J. Reports;
  - K. Motions and Notices of Motion;
  - L. Public Clarification Period;
  - M. Council Inquiries;
  - N. New Items of Business; and
  - O. Adjournment.
- 12.9 The City Clerk shall list non-controversial items (i.e. items that are not likely to result in questions, discussion or debate) under the “Consent Agenda Items” heading of each Regular Council Meeting agenda.
- 12.10 Subject to section 12.11, items for inclusion on a Regular Council Meeting agenda, including Notice of Motions, must be submitted to the City Clerk by 12:00 pm on the Wednesday prior to the Regular Council Meeting.
- 12.11 The City Clerk may include items submitted after the deadline described in section 12.10 on a Regular Council Meeting agenda if, in the opinion of the City Clerk, there are compelling reasons to do so.

- 12.12 The City Clerk will only include items on a Regular Council Meeting Agenda, including Notice of Motions, that are lawful, related to the City’s business and respectful of Council Members, Government Officials and City employees.
- 12.13 At least 24 hours prior to the scheduled time of a Regular Council Meeting, the City Clerk shall:
  - (1) deliver the Regular Council Meeting agenda to each Member’s Address; and
  - (2) post the Regular Council Meeting agenda at the Public Notice Places.

**Electronic Participation by Council Members**

- 12.14 A Council Member who is unable to attend a Regular Council Meeting in person may participate in the Regular Council Meeting by electronic or other communication facilities if:
  - (1) the facilities enable the other Council Members to hear and be heard by the Council Member; and
  - (2) except for any part of the Council Meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the Council Member.
- 12.15 A Council Member who intends to participate in a Regular Council Meeting by electronic or other communication facilities shall give the City Clerk notice of this intention at least 72 hours prior to the Regular Council Meeting. The City Clerk shall, as soon as reasonably possible thereafter, provide the Council Member with instructions on how to connect to and participate in the Regular Council Meeting by electronic or other communication facilities.
- 12.16 If a Council Member participates in a Regular Council Meeting by electronic or other communication facilities:
  - (1) the Council Member shall advise Council when they join the Regular Council Meeting and when they leave the Regular Council Meeting; and
  - (2) the Chair shall repeat the results of each vote, including the names of Council Members voting in favour and opposition, immediately following each vote.

**Call to Order**

- 12.17 As soon as there is a Quorum present at a Regular Council Meeting, the Chair must call the Regular Council Meeting to order.

**Absence of Quorum**

- 12.18 If no Quorum is present within 15 minutes after a Regular Council Meeting is to begin, the City Clerk must:
  - (1) record the names of the Council Members present, and those absent;

- (2) adjourn the Regular Council Meeting until the next scheduled Regular Council Meeting; and
- (3) place items on the agenda for the Regular Council Meeting adjourned pursuant to section 12.18(2) on the agenda for the next scheduled Regular Council Meeting.

### **Order of Proceedings**

12.19 Council shall deal with items on the agenda for each Regular Council Meeting in the order listed on the agenda for that Regular Council Meeting unless:

- (1) the Chair orders that the items be dealt with in an alternative order and clearly specifies that alternative order; or
- (2) Council adopts a resolution that the items be dealt with in an alternative order and clearly specifies that alternative order.

### **Public Input Period**

12.20 Subject to section 12.21, Council shall permit up to five members of the public to make submissions to Council for two minutes each during a public input period (the “**Public Input Period**”).

12.21 Council may permit more than five members of the public to make submissions during the Public Input Period by a unanimous vote.

12.22 To make submissions to Council during the Public Input Period, a person must complete the paper Public Input Period sign-up form at City Hall prior to the Regular Council Meeting. For certainty, a person who fails to complete, or who partially completes, the Public Input Period sign-up form will not be permitted to make submissions to Council during the Public Input Period.

12.23 The Mayor shall permit the first five persons who register themselves in accordance with section 12.22, and such other persons permitted to speak pursuant to section 12.21, to make submissions during the Public Input Period.

12.24 A person may not speak twice during the Public Input Period.

12.25 A person who makes submissions during the Public Input Period must:

- (1) state their name and address for the record;
- (2) confine their submissions to items of relevance to Council, and, for certainty, may not speak about:

- (a) an official community plan bylaw, a zoning bylaw, a land use contract bylaw, a development permit, a development variance permit, a heritage alteration permit or a temporary use permit, unless the Council Meeting at which the Delegation appears is also the public hearing for the bylaw or permit in relation to which the Delegation makes submissions;
  - (b) the City's labour relations or other employee relations;
  - (c) litigation or potential litigation affecting the City;
  - (d) a record held in confidence by the City, unless that record has been lawfully released to the public by the City;
  - (e) information considered in a Council Meeting that was closed to the public, unless that information has been lawfully released to the public by the City;
  - (f) a request for access to information under the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c 165;
  - (g) a statutory reconsideration or appeal of a Council decision, unless the person making submissions to Council is the person entitled to request the statutory reconsideration or appeal or their legal representative;
  - (h) compliance with City bylaws or policies;
  - (i) the promotion of commercial products or services;
  - (j) an election campaign or election-related issues;
  - (k) publicly tendered contracts or proposal calls for the provision of goods or services for the City between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded; or
  - (l) the same matter they spoke about during the Public Input Period in the last 3 months;
- (3) not speak for more than 2 minutes; and
  - (4) for certainty, must comply with the General Rules of Conduct set out in section 5.1.

12.26 A person who makes submissions to Council during the Public Input Period may:

- (1) display written materials on the document camera at the podium in Council Chamber, and
- (2) provide written materials to the City Clerk for distribution to Council,

provided those written materials do not discuss or reference any of the matters listed in section 12.25(2).

- 12.27 If written materials provided pursuant to section 12.26(2) comply with the requirements of section 18.1, the City Clerk shall distribute those materials to Council.
- 12.28 At the end of the Public Input Period, the Chair shall advise those present at the Regular Council Meeting that the Public Input Period has ended.

### **Adoption of Minutes**

- 12.29 At the commencement of each Regular Council Meeting, Council shall adopt the minutes of the previous Regular Council Meeting, and of any previous Special Council Meeting, either as circulated with the agenda or as amended by Council.

### **Consent Agenda Items**

- 12.30 After the adoption of minutes, the City Clerk shall read aloud the items on the Consent Agenda and thereafter any Council Member may request to have an item included in, or excluded from, the Consent Agenda.
- 12.31 If a Council Member requests to have an item included on the Consent Agenda pursuant to section 12.30, and no other Council Member objects to the request, the item must be included on the Consent Agenda.
- 12.32 If a Council Member requests to have an item excluded from the Consent Agenda pursuant to section 12.30, and no other Council Member objects to the request, the item must be excluded from the Consent Agenda and dealt with at a later time in the Regular Council Meeting.
- 12.33 After requests made pursuant to section 12.30 have been addressed, Council shall adopt a resolution providing that:

“That the resolutions listed within the Consent Agenda be approved, as follows:

1. title and recommendation;
2. title and recommendation, etc.”

### **Committee of the Whole**

- 12.34 After the “Consent Agenda Items” on the Regular Council Meeting agenda have been addressed by Council, Council may adopt a resolution that it resolve itself into a “Committee of the Whole” for the purpose of discussing or debating the details of a Motion or Bylaw (a “**Committee of the Whole**”).
- 12.35 A Motion in Committee of the Whole to rise without reporting will always be in order, and will take precedence over any other Motion. On such a Motion, debate will be allowed, but no Council Member shall speak more than once to such Motion.

12.36 When all matters referred to a Committee of the Whole have been considered, a Motion to rise and report will be in order, provided that the Committee of the Whole, when it has partly considered the matter, may report progress to Council and ask leave to sit again.

12.37 On resumption of Council business in a Regular Council Meeting:

- (1) the Chair of the Committee of the Whole shall report to Council on those matters that are of an urgent nature; and
- (2) a Motion to adopt the resolutions recommended by the Committee of the Whole will be in order and will take precedence.

12.38 On matters that are not of an urgent nature, the report of the Committee of the Whole will be considered as an item under "Reports" on the agenda of the next Regular Council Meeting.

**Reports**

12.39 During a Regular Council Meeting, a Member or a City officer or employee may report to Council on any subject(s) relevant to City business, provided the report is listed on the agenda for that Regular Council Meeting.

**Delegations**

12.40 During a Regular Council Meeting, a member of the public or several members of the public (a "**Delegation**") may make submissions to Council in accordance with sections 12.41 through 12.46.

12.41 To make submissions to Council, a Delegation must submit the following items to the City Clerk by 12:00 pm on the Wednesday prior to the Regular Council Meeting at which the Delegation wishes to appear:

- (1) a written request to make submissions to Council during a specific Regular Council Meeting, and
- (2) a summary of the submissions the Delegation intends to make to Council, (together, a "**Delegation Request**").

12.42 Provided the submissions summarized in a Delegation Request:

- (1) have not been made to Council in the last 12 months, and
- (2) are not in relation to a subject described in section 12.45(3),

the City Clerk shall:

- (3) advise the Delegation of the date of the Regular Council Meeting when they will be permitted to appear, which date will be chosen by the City Clerk, in her sole discretion, and

- (4) list the Delegation on the agenda for the Regular Council Meeting when they will be permitted to appear.

12.43 A Delegation must submit the following items to the City Clerk by 12:00 pm on the Wednesday prior to the Regular Council Meeting at which they will appear:

- (1) a copy of any presentation the Delegation intends to make to Council, and
- (2) a copy of any written materials that the Delegation would like distributed to Council.

12.44 If materials provided pursuant to section 12.43 comply with the requirements of section 18.1, the City Clerk shall distribute those materials to Council.

12.45 A Delegation that makes submissions to Council must:

- (1) state their name(s) and address(es) for the record;
- (2) not speak for more than 10 minutes;
- (3) not speak about any of the following matters:
  - (a) an official community plan bylaw, a zoning bylaw, a land use contract bylaw, a development permit, a development variance permit, a heritage alteration permit or a temporary use permit, unless the Council Meeting at which the Delegation appears is also the public hearing for the bylaw or permit in relation to which the Delegation makes submissions;
  - (b) the City's labour relations or other employee relations;
  - (c) litigation or potential litigation affecting the City;
  - (d) a record held in confidence by the City, unless that record has been lawfully released to the public by the City;
  - (e) information considered in a Council Meeting that was closed to the public, unless that information has been lawfully released to the public by the City;
  - (f) a request for access to information under the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c 165;
  - (g) a statutory reconsideration or appeal of a Council decision, unless the person making submissions to Council is the person entitled to request the statutory reconsideration or appeal or their legal representative;
  - (h) compliance with City bylaws or policies;
  - (i) the promotion of commercial products or services;
  - (j) an election campaign or election-related issues; or



(k) publicly tendered contracts or proposal calls for the provision of goods or services for the City between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded; and

(4) for certainty, must comply with the General Rules of Conduct set out in section 5.1.

12.46 A Delegation that makes submissions to Council may display written materials on the document camera at the podium in Council Chamber.

12.47 Council Members may ask clarification questions of a Delegation, and hear responses from the Delegation to those clarification questions, for up to 3 minutes each.

### **Public Clarification Period**

12.48 A 10 minute public clarification period shall be held at the end of each Regular Council Meeting (the “**Public Clarification Period**”).

12.49 The Chair shall specify which person(s) may ask clarification questions during the Public Clarification Period, and for what amount of time.

12.50 The only questions that are permitted during the Public Clarification Period are those that seek to clarify one or more items on the agenda for the Regular Council Meeting in which the Public Clarification Period is held.

12.51 If a person asks a question that does not comply with section 12.50, the Chair shall advise the person that:

(1) their question will not be answered during the Public Clarification Period; and

(2) they may submit their question in writing to the City Clerk.

### **Council Inquiries**

12.52 Council Members have the right to seek information about any matter before Council or related to the affairs of the City.

12.53 A Council Member’s inquiry or question may be addressed to:

(1) the Chair; or

(2) another Council Member through the Chair.

12.54 Inquiries or questions must not include opinion or argument.

12.55 Inquiries or questions unrelated to the matter currently under discussion or debate may only be raised as an item under “New Items of Business” on the Regular Council Meeting agenda.

12.56 The Chair may require that a Council Member’s inquiry or question be put in writing.

12.57 If an inquiry or question is put in writing pursuant to section 12.56, the inquiry or question shall be provided to the City Clerk and responded to in writing at the next Regular Council Meeting as a report item, or as soon as practicable thereafter.

**New Items of Business**

12.58 An item of business not included in the agenda for a Regular Council Meeting may only be considered in that Regular Council Meeting if permitted by a unanimous vote of Council.

**Adjournment**

12.59 A Regular Council Meeting must be adjourned at 10:30 pm unless:

- (1) the Regular Council Meeting is adjourned at an earlier time pursuant to section 12.18(2);
- (2) a 2/3 vote of Council Members present at the Regular Council Meeting permits the Regular Council Meeting to be adjourned at 11:00 pm; or
- (3) a unanimous vote of Council permits the Regular Council Meeting to be adjourned after 11:00 pm.

**PART 13: SPECIAL COUNCIL MEETINGS**

**Calling a Special Council Meeting**

13.1 The Mayor may call a Special Council Meeting at any time by sending a written notice of the date, time, place and nature (i.e. in-person or by means of electronic or other communication facilities) of the Special Council Meeting (a “**Special Council Meeting Notice**”) to all Council Members and to the City Clerk.

13.2 Two or more Council Members may, in writing, request that the Mayor call a Special Council Meeting.

13.3 Two or more Council Members may call a Special Council Meeting by sending a Special Council Meeting Notice to all Council Members and to the City Clerk if:

- (1) within 24 hours after receiving a request pursuant to section 13.2, the Mayor has not made arrangements for a Special Council Meeting to be held within the next 7 days, or
- (2) the Mayor and the Acting Mayor are absent or otherwise unable to call a Special Council Meeting.

**Date, Time & Place**

13.4 A Special Council Meeting must be held on the date, at the time and in the place specified in the Special Council Meeting Notice for that Special Council Meeting.

## **Notice**

- 13.5 Unless a Special Council Meeting Notice is waived by unanimous vote of Council, the City Clerk shall, at least 24 hours prior to the scheduled time of a Special Council Meeting:
- (1) post the Special Council Meeting Notice in the Public Notice Places; and
  - (2) deliver the Special Council Meeting Notice to each Member's Address.

## **Agenda**

- 13.6 Prior to each Special Council Meeting, the City Clerk shall prepare an agenda for the Special Council Meeting which lists and briefly summarizes the matters to be considered at the Special Council Meeting.
- 13.7 Subject to section 13.8, items for inclusion on a Special Council Meeting agenda must be submitted to the City Clerk at least 48 hours prior to the scheduled time of the Special Council Meeting.
- 13.8 The City Clerk may include items submitted after the deadline described in section 13.7 on a Special Council Meeting agenda if, in the opinion of the City Clerk, there are compelling reasons to do so.
- 13.9 At least 24 hours prior to the scheduled time of a Special Council Meeting, the City Clerk shall:
- (1) deliver the Special Council Meeting agenda to each Member's Address; and
  - (2) post the Special Council Meeting agenda at the Public Notice Places.

## **Electronic Participation by Council Members**

- 13.10 A Special Council Meeting may be conducted by means of electronic or other communication facilities if:
- (1) the facilities enable Council Members to hear, or watch and hear, each other; and
  - (2) except for any part of the Council Meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, Council Members.
- 13.11 If a Special Council Meeting is to be conducted by means of electronic or other communication facilities:
- (1) the Special Council Meeting Notice must specify the way in which the Special Council Meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public; and

- (2) the City Clerk must, as soon as reasonably possible after receipt of the Special Council Meeting Notice, provide Council Members with instructions on how to connect to and participate in the Special Council Meeting by electronic or other communication facilities.

13.12 If a Special Council Meeting is conducted by means of electronic or other communication facilities:

- (1) Council Members shall advise when they join the Special Council Meeting and when they leave the Special Council Meeting; and
- (2) the Chair shall repeat the results of each vote, including the names of Council Members voting in favour and opposition, immediately following each vote.

## **PART 14: COMMITTEES**

### **Establishment of Standing Committees**

14.1 The Mayor may, by proclamation in a Regular Council Meeting:

- (1) establish and name a Standing Committee;
- (2) establish the terms of reference and duties of, and the budget for, a Standing Committee;
- (3) appoint persons to a Standing Committee;
- (4) rescind the appointment of a Member of a Standing Committee and appoint another person in their place;
- (5) appoint a Member of a Standing Committee as the Chair of that Standing Committee; and
- (6) rescind the appointment of a Member of a Standing Committee as the Chair of that Standing Committee and appoint another Member as the Chair in their place.

14.2 At least half of the Members of a Standing Committee must be Council Members.

### **Finance Committee**

14.3 The Mayor shall, by proclamation in the Inaugural Council Meeting, or in another Regular Council Meeting soon thereafter, establish a Standing Committee called the "Finance Committee" (the "**Finance Committee**") and appoint all Council Members thereto.

14.4 The Finance Committee shall consider and make recommendations to Council on the following matters:

- (1) the City's annual budget, both operating and capital expenditures;

- (2) the City's Five-Year Capital Expenditure Program and Long-Term Capital Expenditures;
- (3) the City's annual grant requests;
- (4) major non-budgeted expenditure requests;
- (5) financial policy reviews;
- (6) audit;
- (7) borrowing bylaws; and
- (8) any other matter that the Mayor considers should be dealt with by the Finance Committee.

### **Policy Committee**

- 14.5 The Mayor shall, by proclamation in the Inaugural Council Meeting, or in another Regular Council Meeting soon thereafter, establish a Standing Committee called the "Policy Committee" (the "**Policy Committee**") and appoint all Council Members thereto.
- 14.6 The Policy Committee shall consider and make recommendations to Council on the following matters:
- (1) new or amending bylaws;
  - (2) review and establishment of standards for City services; and
  - (3) any other matter that the Mayor considers should be dealt with by the Policy Committee.

### **Parks and Recreation Committee**

- 14.7 The Mayor shall, by proclamation in the Inaugural Council Meeting or in another Regular Council Meeting soon thereafter, establish a Standing Committee called the "Parks and Recreation Committee" (the "**Parks and Recreation Committee**") and appoint all Council Members thereto.
- 14.8 The Parks and Recreation Committee shall consider and make recommendations to Council on the following matters:
- (1) parks and recreation issues affecting the City; and
  - (2) any other matter that the Mayor considers should be dealt with by the Parks and Recreation Committee.

### **Establishment of Select Committees**

- 14.9 Council may, by resolution:
- (1) establish and name a Select Committee;

- (2) establish the terms of reference and budget for a Select Committee;
- (3) appoint persons to be Members of a Select Committee;
- (4) rescind the appointment of a Member of a Select Committee and appoint another person in their place;
- (5) appoint a Member of a Select Committee as the Chair of that Select Committee; and
- (6) rescind the appointment of a Member of a Select Committee as the Chair of that Select Committee and appoint another Member as the Chair in their place.

14.10 At least one Member of a Select Committee must be a Council Member.

## **PART 15: COMMITTEE MEETINGS**

### **Date, Time & Place**

15.1 At its first meeting after its establishment, a Committee shall adopt a resolution setting out the date, time and place of its Meetings.

15.2 Committee Meetings must be held on a date, at a time and in a place, set out in the resolution adopted pursuant to section 15.1.

15.3 The Chair of a Committee may:

- (1) cancel a Committee Meeting; or
- (2) call a Committee Meeting at a date and time, and in a place, not set out in the resolution adopted pursuant to section 15.1,

provided the Chair gives each Committee Member 24 hours prior written notice of same.

### **Notice**

15.4 The City Clerk shall, at least 24 hours prior to the scheduled time of a Committee Meeting:

- (1) post notice of the Committee Meeting in the Public Notice Places; and
- (2) deliver notice of the Committee to each Member's Address.

### **Agenda**

15.5 Prior to each Committee Meeting, the City Clerk shall prepare an agenda for the Committee Meeting which lists and briefly summarizes the matters to be considered at the Committee Meeting.

15.6 Subject to section 15.7, items for inclusion on a Committee Meeting agenda must be submitted to the City Clerk at least 72 hours prior to the scheduled time of the Committee Meeting.

- 15.7 The City Clerk may include items submitted after the deadline described in section 15.6 on a Committee Meeting agenda if, in the opinion of the City Clerk, there are compelling reasons to do so.
- 15.8 At least 24 hours prior to the scheduled time of a Committee Meeting, the City Clerk shall:
- (1) deliver the Committee Meeting agenda to each Member's Address; and
  - (2) post the Committee Meeting agenda at the Public Notice Places.

### **Participation by Non-Council Members**

- 15.9 A member of the public, or a Councillor who is not a Member of a Committee, may be invited by the Chair to speak to the Committee on a matter under consideration by the Committee.

### **Application of Parts 4 - 11**

- 15.10 Parts 4 through 11 apply to Committee Meetings to the extent that the application of those provisions is consistent with Part 15.

## **PART 16: COMMISSIONS**

### **Establishment**

- 16.1 Council may, by resolution:
- (1) establish and name a Commission to:
    - (a) operate services;
    - (b) undertake operation and enforcement in relation to Council's exercise of its authority to regulate, prohibit and impose requirements; and
    - (c) manage property and licences held by the City;
  - (2) establish the terms of reference and budget for a Commission;
  - (3) appoint persons to a Commission;
  - (4) rescind the appointment of a Member of a Commission and appoint another person in their place;
  - (5) appoint one Member of a Commission as the Chair of that Commission; and
  - (6) rescind the appointment of a Member of a Commission as the Chair of that Commission and appoint another Member as the Chair in their place.

## **Application of Parts 4-11**

16.2 Parts 4 through 11 apply to Commission Meetings to the extent that the application of those provisions is consistent with Part 16.

## **PART 17: TRANSPARENCY & ACCOUNTABILITY**

### **Open Meetings**

17.1 Every Meeting must be open to the public except that:

- (1) part of a Meeting may be closed to the public if the subject matter being considered relates to or is one of the matters described in section 90(1) of the Charter; and
- (2) part of a Meeting must be closed to the public if the subject matter being considered relates to one or more of the matters described in section 90(2) of the Charter.

17.2 Before holding a Meeting or part of a Meeting that is closed to the public, the Council Members must state, by resolution passed in a Meeting that is open to the public:

- (1) the fact that the Meeting is to be closed to the public; and
- (2) the Charter provision pursuant to which the Meeting will be closed to the public.

17.3 Council shall not vote on the reading or adoption of a bylaw in a Council Meeting closed to the public.

### **Electronic Transmission of Meetings**

17.4 Meetings open to the public will, where practical:

- (1) be live broadcast on the City Website; and
- (2) be archived on the City Website for later viewing.

### **Electronic Participation of the Public in Meetings**

17.5 Persons attending a Meeting open to the public may electronically record, store, reproduce, adapt, transfer, and publish information about that Meeting to the public, provided such actions do not disrupt the conduct of business at the Meeting.

### **Minutes**

17.6 The minutes of every Meeting must:

- (1) be legibly recorded;
- (2) if a Council Member calls for a recorded vote, record the names of all Members in attendance and record whether they voted in favour or in opposition of each Motion voted upon in the Meeting;



- (3) be signed and certified as accurate and complete by the City Clerk; and
- (4) be made available for public inspection on the City Website and at City Hall during its regular office hours.

## **PART 18: CORRESPONDENCE, QUESTIONS AND PETITIONS FOR COUNCIL**

### **Correspondence**

18.1 Correspondence intended for Council must be:

- (1) legible and coherent;
- (2) signed by, or identified as being from, at least one person who provides a name and mailing address;
- (3) not libelous, impertinent or improper; and
- (4) sent to the e-mail, fax number or postal address specified for the City Clerk on the City Website.

18.2 If correspondence intended for Council meets the requirements of section 18.1, the City Clerk shall circulate the correspondence to Council Members for information and may do either or both of the following:

- (1) place the correspondence on the agenda for an appropriate Council Meeting or Committee Meeting; or
- (2) refer the correspondence to the appropriate City department for action and reply.

18.3 If correspondence intended for Council does not meet the requirements of section 18.1, the City Clerk shall advise the sender of the correspondence that:

- (1) the correspondence does not comply with section 18.1;
- (2) no action will be taken with respect to the correspondence; and
- (3) the sender may submit revised correspondence that complies with section 18.1.

### **Questions**

18.4 Other than questions posed during a Public Clarification Period, questions for Council must be submitted in writing to the City Clerk in accordance with section 18.1 and will be dealt with by the City Clerk in accordance with sections 18.2 and 18.3.

### **Petitions**

18.5 A petition for Council must clearly identify:

- (1) the name and residential address of each petitioner; and
- (2) the action requested by the petitioners.

## **PART 19: SPECIAL DAYS & HONOURS**

### **Municipal Days of Recognition**

- 19.1 Council may declare a day of recognition that is to be observed in the City of North Vancouver by adopting a resolution to that effect.
- 19.2 The Mayor may proclaim a day of recognition that is to be observed in the City of North Vancouver by making a proclamation on the record to that effect.

### **Freedom of the Municipality**

- 19.3 Council may, by unanimous vote, confer freedom of the municipality on:
- (1) a distinguished individual; or
  - (2) a distinguished unit of the armed forces of Canada or another nation.
- 19.4 Unless the Council revokes the honour granted pursuant to section 19.3, an individual given freedom of the municipality or the commander of the armed forces unit, as applicable,
- (1) is deemed to be an elector of the City of North Vancouver and is eligible to be registered as such and to vote in an election for mayor or councillor, and
  - (2) despite any other enactment, if the person is a Canadian citizen, is deemed to be qualified to be nominated, be elected and hold office on the Council.

**PART 20: GENERAL**

- 20.1 This Bylaw must not be amended, repealed or substituted unless Council first gives Public Notice describing the proposed changes in general terms.
- 20.2 Council Procedure Bylaw, 2004, No. 7590 is hereby repealed.
- 20.3 This Bylaw is to come into force and take effect on the date of its enactment.

READ a first time by the Council on the 11<sup>th</sup> day of May, 2015.

READ a second time by the Council on the 11<sup>th</sup> day of May, 2015.

READ a third time and passed by the Council on the 11<sup>th</sup> day of May, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the 22<sup>nd</sup> day of June, 2015.

“Darrell R. Mussatto”

---

MAYOR

“Karla D. Graham”

---

CITY CLERK