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**COUNCIL PROCEDURE BYLAW, 2021,  
No. 3193**

A Bylaw to establish the rules of procedure for council meetings.

The Council of the City of Langley, in open meeting assembled, enacts as follows:

**1. Title**

This bylaw shall be cited as the “Council Procedure Bylaw, 2021, No. 3193”.

**2. Definitions**

Unless otherwise defined in this bylaw, words used herein shall have the meanings defined in the Community Charter or the Local Government Act, as applicable.

- (1) “Acting Mayor” means the member who, in accordance with section 15 of this Bylaw, is responsible for acting in the place of the Mayor when the office of the Mayor is vacant.
- (2) “City” means the City of Langley.
- (3) “Corporate Officer” means the appointed Corporate Officer for the City and his or her designate.
- (4) “City Hall” means the City of Langley City Hall located at 20399 Douglas Crescent, Langley, British Columbia.

(5) “Closed Meeting” means a meeting or part thereof closed to the public.

(5)(6) “Consent Agenda” means the process by which non-controversial, routine meeting items are grouped into a single agenda item and approved in one motion, rather than through separate motions.

(6)(7) “Council Committee” means a standing or select committee, as defined in the *Community Charter*, and any other body established by Council that is composed solely of council members but does not include Committee of the Whole.

(7)(8) “Committee Clerk” means the staff person responsible for providing administrative support to a committee in compliance with the requirements of this bylaw

(8)(9) “Committee of the Whole” means the Committee of the whole Council.

- ~~(9)~~(10) “Community Spotlight” means an individual, group or organization providing information or updates on an event or activities.
- ~~(10)~~(11) “Council” means the Council of the City.
- ~~(11)~~(12) “Councillor” means a Councillor of the City.
- ~~(12)~~(13) “Delegation” means an individual group or organization making a request of Council, monetary or otherwise.
- ~~(13)~~(14) “Deputy Mayor” means the member who, in accordance with section 15 of this Bylaw, is responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act.
- ~~(14)~~(15) “Land” Acknowledgement means the formal statement made by the presiding member in recognition that the Council meeting is taking place on the traditional unceded territory of the Katzie, Kwantlen, Matsqui and Semiahmoo First Nations.
- ~~(15)~~(16) “Mayor” means the Mayor of the City.
- ~~(16)~~(17) “Motion” includes a resolution.
- ~~(17)~~(18) “Special Council Meeting” means a council meeting other than a regular meeting or an adjourned meeting.
- ~~(18)~~(19) “Public Notice Posting Places” means the notice board at City Hall and optionally the City’s website.
- ~~(19)~~(20) “Vote by Ballot” means a vote taken in such a way as to protect the secrecy of the vote of each Council member.

### 3. Application of Rules of Procedure

The provisions of this Bylaw govern the proceedings of Council, Committee of the Whole, and all Council Committees, as applicable.

4. In cases not provided for under this Bylaw, the latest edition of Robert’s Rules of Order apply to the proceedings of Council, Committee of the Whole and all Council Committees to the extent that those rules are:
- (1) applicable in the circumstances, and
  - (2) not inconsistent with the provisions of this Bylaw or the *Community Charter*.

### 5. Inaugural Meeting

An inaugural council meeting shall be held on the first Monday in November following a general election of Council, unless a quorum of Council has not yet taken office in which case the inaugural council meeting shall be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

### 6. Time, Location and Adjournment of Meetings

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- (1) Regular council meetings shall take place within City Hall.
- (2) Regular council meetings shall:
  - (a) be held on Mondays, in accordance with the schedule adopted by resolution on or before December 31 of the preceding year;
  - (b) begin:
    - (i) at 7:00 pm if there is no public hearing scheduled; or
    - (ii) immediately following a public hearing if there is a public hearing scheduled at 7:00 pm on the same night.
    - (iii) adjourn at 11:00 pm unless Council resolves by an affirmative vote of members present to proceed beyond that time.
  - (c) Notwithstanding sections (1) and (2), regular council meetings may, by an affirmative vote of the majority of the members present at an open meeting, be:
    - (i) cancelled;
    - (ii) rescheduled to a different day, time, and place;
    - (iii) held by electronic means.
- (3) Unless otherwise directed by the Chair, special council meetings will not be held earlier than 3:00 pm if a portion of the meeting is closed to the public pursuant to section 90 of the Community Charter.
- (4) Public hearings may be held on a day other than days on which regular council meetings are scheduled.

#### 7. Notice of Regular Council Meetings

- (1) An annual schedule of the dates, times and places of regular council meetings for the following year shall be made available to the public at the Public Notice Posting Places, and notice shall be given annually, on or before December 31, of the availability of the schedule in accordance with sections 94 and 127 of the *Community Charter*.
- (2) Revisions may be made to the annual schedule of regular council meetings, including cancelling, rescheduling, or changing the time, location of meetings, or the means by which the meetings will be held. When such revisions are made, the Corporate Officer must, as soon as possible, post a revised meeting schedule at the Public Notice Posting Places.
- (3) At least two business days before a regular council meeting, the Corporate Officer must give notice of the regular council meeting, including confirmation of the time, place and date, by posting the agenda on the City's website.

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(4) If a regular council meeting is to be conducted by means of electronic or other communication facilities, at least two business days before the meeting, a notice must be posted at the Public Notice Posting Places which must:

(a) describe how the meeting is to be conducted by means of electronic or other communication facilities and how the public may attend; and

(b) identify the physical location where the public may attend to hear, or watch and hear, the proceedings that are open to the public.

#### **8. Notice of Special Meetings**

(1) Except where notice of a special meeting is waived by unanimous vote of all Council members, notice of a special council meeting must be given at least 24 hours before the time of the meeting by:

(a) Posting a copy of the notice at the entrance to the Council Chambers at City Hall;

(b) Posting a copy of the notice at the Public Notice Posting Places; and

(c) Providing an electronic copy of the agenda to each member of Council or by leaving a copy of the notice for each Council member in their respective mailbox at City Hall.

(2) The notice under subsection (1) must include the following information:

(a) The date, time, and, if applicable, place of the meeting;

(b) Describe in general terms the purpose of the meeting and be signed by the Mayor or Corporate Officer; and

(c) If the meeting is to be conducted by means of electronic or other communication facilities:

(i) describe how the meeting is to be conducted by means of electronic or other communication facilities and how the public may attend; and

(ii) identify the physical location where the public may attend to hear, or watch and hear, the proceedings that are open to the public.

#### **9. Electronic Meetings – Regular Council Meeting**

(1) A regular council meeting may be conducted by means of electronic or other communication facilities provided that:

(a) The required motion has been passed as referenced in Section 6(2)(c);

(b) The regular meeting notice requirements have been met as referenced in Section 7;

(c) The facilities enable the meeting's participants to hear, or watch and hear, the meeting;

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- (d) Except for any part of the meeting that is closed to the public, the facilities enable the public in attendance to hear, or watch and hear, the meeting; and
- (e) Except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear the meeting at a specified physical location, at which a designated municipal officer must be in attendance.

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#### **10. Electronic Meetings – Special Council Meeting**

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- (1) A special council meeting may be conducted by means of electronic or other communication facilities provided that:
  - (a) The special meeting notice requirements have been met as referenced in Section 8;
  - (b) The facilities enable the meeting's participants to hear, or watch and hear, the meeting;
  - (c) Except for any part of the meeting that is closed to the public, the facilities enable the public in attendance to hear, or watch and hear, the meeting; and
  - (d) Except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear the meeting at a specified physical location, at which a designated municipal officer must be in attendance.

#### **11. Electronic Meetings – Council Committees**

- (1) A Council Committee meeting may be conducted by means of electronic or other communication facilities provided that:
  - (a) The Council Committee meeting notification requirements have been met as referenced in Section 32 (9);
  - (b) The facilities enable the meeting's participants and members of the public in attendance to hear, or watch and hear, the meeting; and
  - (c) Except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting.

#### **12. Electronic Participation by Members of Council at In-Person Regular or Special Council Meeting**

- (1) Up to three members of Council who are unable to attend in person at a regular or special Council meeting may participate in the meeting by means of electronic or other communication facilities provided that:
  - (a) The member(s) have provided notice to the Corporate Officer of their intention to participate in the meeting by means of electronic or other communication facilities in sufficient time to fulfill the meeting notification requirements as referenced in Section 7 or 8 as applicable;
  - (b) The facilities enable the meeting's participants to hear, or watch and hear, the participation of the member(s);
  - (c) Except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the participation of the member(s);
  - (d) At least a majority of the members of Council are physically present at the meeting; and

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(e) The Chair of the meeting is physically present at the meeting.

(2) A member of Council may participate electronically in no more than two consecutive regular or special council meetings unless the absence is because of illness or injury or is with the leave of Council.

### **13. Electronic Participation by Committee Members at In-Person Committee Meetings**

(1) Up to three members of a committee who are unable to attend in person at a council committee meeting may participate in the meeting by means of electronic or other communication facilities provided that:

(a) The member(s) have provided notice to the Committee Clerk of their intention to participate in the meeting by means of electronic or other communication facilities in sufficient time to fulfill the meeting notification requirements as referenced in Section 32(9) as applicable;

(b) The facilities enable the meeting's participants to hear, or watch and hear, the participation of the member(s);

(c) Except for any part of the meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the participation of the member(s);

(d) At least a majority of the members of the committee are physically present at the meeting; and

(e) The Chair of the meeting is physically present at the meeting.

(2) A member of a committee may participate electronically in no more than two consecutive committee meetings unless the absence is because of illness or injury or is with the leave of the committee.

### **14. Electronic Participation by Council Members at In-Person Public Hearings**

(1) Up to three members of Council who are unable to attend in person at a public hearing may participate in the hearing by means of electronic or other communication facilities provided that:

(a) The member(s) have provided notice to the Corporate Officer of their intention to participate in the hearing by means of electronic or other communication facilities by no later than the Wednesday immediately preceding to the public hearing;

(b) The facilities enable the public hearing's participants to hear, or watch and hear, the participation of the member(s);

(c) At least a majority of the members of Council are physically present at the hearing; and

(d) The Chair of the hearing is physically present at the hearing.

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- (2) A member of Council may participate electronically in no more than two consecutive public hearings unless the absence is because of illness or injury or is with the leave of Council.

#### 15. Designation of Councillor to Act in Place of Mayor

- (1) At the inaugural meeting and annually thereafter, Council shall from amongst its members designate councillors to serve on a two-month rotating basis each year as Deputy Mayor in the place of the Mayor when the Mayor is absent or otherwise unable to act.
- (2) If both the Mayor and the Council member designated under section 15(1) are absent or otherwise unable to act, the Council member who is next on the rotation shall be the Deputy Mayor.
- (3) Further to sections 15(1) and 15(2), in the event the Office of the Mayor becomes vacant, the Council may designate a member as Acting Mayor and such Acting Mayor shall continue in office until such time as another Mayor is elected or otherwise appointed.
- (4) Further to sections 15(1) and 15(2), in the event the Mayor is absent or unable to act for a minimum of six (6) months, the Council may designate a member as Acting Mayor and such Acting Mayor shall continue in office until such time as the Mayor returns, vacates the offices or the position of Acting Mayor is otherwise appointed.
- (5) Each Council member designated under section 15(1), 15(2), 15(3) or 15(4) has the same powers and duties as the Mayor in relation to the applicable matter.

#### 16. Attendance at Public Meetings

- (1) In addition to applying to council meetings, this section also applies to the meetings of the following:
  - (a) Committee of the Whole;
  - (b) Council Committees;
  - (c) an advisory body established by Council;
  - (d) a municipal commission established under section 143 of the *Community Charter*;
  - (e) a body that under the *Community Charter* or another Act may exercise the powers of Council;
  - (f) the Board of Variance;
  - (g) a parcel tax roll review panel established under section 204 of the *Community Charter*; and
  - (h) a body prescribed by Provincial regulation.

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- (2) Meetings of Council must be open to the public except as provided in this section.
- (3) In accordance with section 90 of the *Community Charter*, a council meeting or a part thereof may or must be closed to the public, and shall be called a Closed meeting.
- (4) Despite section 16(2):
  - (a) the presiding member may order that persons that the presiding member consider to be acting improperly be expelled from a regular or special council meeting; and
  - (b) if the person who is expelled does not leave the meeting, a peace officer may enforce the order under subsection (a) as if it were a court order.
- (5) Before closing a council meeting or part of a council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.

#### 17. Attendance at Closed Meetings

- (1) Council may allow one or more City officers or employees to attend or exclude them from attending closed meetings, as it considers appropriate.
- (2) Council may allow a person other than a City officer or employee to attend a closed meeting if Council considers this necessary, and in the case of closed meetings under section 90(2) of the *Community Charter* if the Council considers it necessary and the person already has knowledge of the confidential information or is a lawyer attending to provide legal advice in relation to the matter.
- (3) The minutes of a closed meeting must record the names of all persons in attendance.

## 18. Minutes of Meetings

- (1) It is the responsibility of the Corporate Officer to ensure that minutes of council meetings and Committee of the Whole meetings are prepared which represent a summary of the proceedings and are certified as accurate.
- (2) It is the responsibility of the Committee Clerk to ensure that minutes of Council Committee meetings to which they are assigned to provide administrative support, are prepared which represent a summary of the proceedings and are certified as accurate.
- (3) Minutes content shall conform with the City's Minute-taking Standards Policy as amended from time to time.
- (4) The minutes of council meetings shall be signed by the Mayor or Deputy Mayor and the Corporate Officer. In cases where the Corporate Officer is not in attendance for all, or a portion of a council meeting, the minutes shall be signed by the person appointed as minute-taker for the meeting or portion of the meeting.
- (5) The minutes of Council Committee meetings shall be signed by the Chair or Deputy Chair and the Committee Clerk. In cases where the Committee Clerk is not in attendance for all or a portion of a council meeting, the minutes shall be signed by the person appointed as minute-taker for the meeting or portion of the meeting.
- (6) The Corporate Officer and Committee Clerk may make minor amendments to approved minutes including but not limited to typographical errors, sequential numbering errors, grammatical errors or completing missing information.

## 19. Quorum

A quorum for conducting business at a council meeting shall be four Council members.

## 20. Call to Order

- (1) As soon after the time specified for a council meeting and if there is a quorum present, the Mayor shall take the chair and call the meeting to order.
- (2) If the Mayor and the Deputy Mayor do not attend the meeting within 15 minutes of the scheduled time for a council 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 Deputy Mayor.

## 21. No Quorum

If there is no quorum present within 15 minutes of the scheduled time for a council meeting, the Corporate Officer shall record the names of the Council members present at the expiration of the 15 minutes and the Council shall stand adjourned.

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## 22. Agenda

- (1) Prior to each Council meeting, the Corporate Officer shall prepare an agenda of all items to be considered by Council at the meeting.
- (2) All items, delegations and reports for the agenda of a meeting of Council, other than a special meeting, must be delivered to the Corporate Officer by noon on the Wednesday immediately preceding the Council meeting. Any item not delivered complete and in an agenda ready format by the deadline shall be held to the next meeting of Council unless:
  - (a) the item is approved as a late item by the Chief Administrative Officer prior to the distribution of the agenda to Council members; or
  - (b) the item is added to the agenda by an affirmative vote of the majority of the Council members present during Adoption of Agenda at a council meeting if the subject matter is of an urgent nature such that the item cannot be held to the next meeting of Council and information pertaining to the late item has been circulated to Council.
- (3) Items added to the Agenda at time of Adoption of the Agenda will be considered under the New and Unfinished Business section of the Agenda.

## 23. Delegations and Community Spotlights

- (1) The Council may allow an individual or a delegation to address Council at a meeting on a specified subject provided a written application from the individual or the delegation has been received by the Corporate Officer by the deadline in accordance with section 22.
- (2) The Council may allow a Community Spotlight delegation to address Council at a meeting on a subject provided a written application from the individual or the delegation has been received by the deadline in accordance with section 22, or at the invitation of Council.
- (3) A maximum of three (3) delegations and a maximum of two (2) Community Spotlight delegations are permitted at each regular Council meeting.
- (4) Where a written request has not been received by the Corporate Officer as prescribed in subsections (1) and (2), an individual or delegation may address the meeting, if approved by unanimous vote of the Council members present.
- (5) Each delegation must be limited to 5 minutes and each Community Spotlight must be limited to 10 minutes for presentation unless a longer period is agreed by a majority of those Council members present.
- (6) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has already been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

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- (7) The Corporate Officer may schedule delegations to a later Council meeting or advisory body as deemed appropriate to the subject matter of the delegation.
- (8) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council.
- (9) If the delegation wishes to appeal the Corporate Officer's decision under subsection (8), the information must be distributed under a separate cover to Council for their consideration. A majority of Council must support the delegation being placed on a future agenda.

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## 24. Order of Business

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- (1) The agenda for all regular council meetings shall contain the following items where there are items pertaining to them and in the order in which they are listed unless otherwise resolved by Council:

(a) Land Acknowledgement

~~(a)(b)~~ Adoption of agenda

~~(b)(c)~~ Committee of the Whole

~~(e)(d)~~ Adoption of the Minutes

(e) Business Arising from Committee of the Whole/Public Hearing

(f) Consent Agenda

~~(d)~~

~~(e)(g)~~ Awards, Petitions, Delegations and Community Spotlights

~~(f)(h) Mayor/Council Reports;'s Report~~

~~(g)(i)~~ Bylaws;

~~(h)(j)~~ Committee Reports

~~(i)(k)~~ Administrative Reports;

~~(j)(a) Correspondence;~~

(l) New and Unfinished Business;

~~Correspondence; and~~

~~(k)(m) -and~~

~~(n)~~ Adjournment

- (2) The agenda for all special council meetings may contain whatever items are listed for consideration at that meeting.

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## **25. Consent Agenda**

- (1) On a Regular Council Agenda, as determined by the Corporate Officer in consultation with the Mayor, non-controversial, routine items which do not require discussion or debate may be grouped together under a Consent Agenda and dealt with under one resolution of Council.
- (2) Any Council Member may request that an item included on the Consent Agenda be removed from the Consent Agenda and dealt with separately.
- (3) Council Members shall request removal of items from the Consent Agenda prior to the motion being made to adopt the recommendations listed in the Consent Agenda.
- (4) A Member may request that one or more items on the Regular Council Agenda be included on the Consent Agenda, and if no one objects, it will be so listed and considered.
- (5) Members may vote on and adopt in one motion all recommendations appearing on the Consent Agenda.

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## **25-26. General Rules of Conduct and Debate**

- (1) Every Council member in speaking to any motion shall address themselves to the presiding member.
- (2) Debates shall be strictly relevant to the motion before the Council and the presiding member shall warn speakers who violate this rule.
- (3) Council members shall address the presiding member by that person's title of Mayor, Acting Mayor or Councillor followed by the name of the person referred to and other non-presiding members by the title Councillor followed by the name of the person referred to.
- (4) If more than one Council member speaks, the presiding member must call on the Council member who, in the presiding member's opinion, spoke first.
- (5) No Council member shall speak until recognized by the presiding member and no Council member shall speak more than once on the same motion without the permission of Council, except in explanation of a material part of their speech which may have been misconstrued, and in so doing must not introduce new matters. A reply shall be allowed to a Council member who has made a substantive motion to Council, but not to a Council member who has moved an amendment, the previous questions, or an instruction to a committee. No Council member shall speak to any question, or in reply for longer than a total time of 5 minutes without the permission of Council.
- (6) A question of privilege (motion relating to the rights and privileges of the Council as a whole or an individual Council member) may be raised at any time and shall be ruled on immediately by the presiding member before resumption of business.

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- (7) Points of order to correct a breach in the rules of procedure shall be raised at the time the breach occurs. The presiding member 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.
- (a) Without limiting the presiding member's duty under the section 132(1) of the Community Charter, the presiding member must apply the correct procedure to a motion:
- (i) if the motion is contrary to the rule of procedure in this Bylaw; and
  - (ii) whether or not another member has raised a point of order in connection with the motion.
- (b) When the presiding member is required to decide a point of order:
- (i) the presiding member must cite the applicable rule or authority, if requested by another member;
  - (ii) another council member must not question or comment on the rule or authority cited by the presiding member under subsection (b)(i); and
  - (iii) the presiding member may reserve the decision until the next Council meeting.
- (c) A council member who is called to order by the presiding member:
- (i) must immediately stop speaking;
  - (ii) may explain his or her position on the point of order;
  - (iii) may appeal to Council for its decision on the point of order in accordance with section 132 of the Community Charter.
- (d) Where Council has voted not to sustain the ruling of the presiding member, the decision of the presiding member is negated and the business of Council must proceed as if his or her decision had never been made.
- (8) Members at a Council meeting:
- (a) must not engage in bullying or harassing behavior in respect of a council member, government official or City employee;
  - (b) must not express a negative opinion about the personality or character of a council member, government official or City employee;
  - (c) must not speak or act aggressively towards a council member, government official or City employee;
  - (d) must use respectful language;
  - (e) must not use offensive gestures or signs;

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- (f) must not engage in rude or offensive conduct;
  - (g) must not disrupt or unnecessarily delay the conduct of business at the Council meeting;
  - (h) must not speak on or use electronic communication devices when a person or council member is speaking, except in the case of emergencies;
  - (i) must speak only in connection with the matter being debated;
  - (j) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded;
  - (k) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order;
- (9) If a council member does not adhere to subsection (8), the presiding member may order the member to leave the member's seat and:
- (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat and
  - (b) if the member apologizes to the Council, Council, may, by resolution, allow the member to retake the member's seat.

#### 26-27. **Motions**

- (1) Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result.
- (2) No motion shall be debated unless it is seconded.
- (3) 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 decision or amendment.
- (4) When a question is under consideration, no motion shall be received unless it is a(n):
  - (a) Subsidiary Motion (related to the main motion)
    - (i) to postpone indefinitely;
    - (ii) to amend;
    - (iii) to refer to a committee;
    - (iv) to postpone to a future meeting;
    - (v) to close debate and take the vote immediately; or

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- (vi) to lay on the table (set aside temporarily for consideration later in the same meeting)
  - (b) Privileged Motions (related to matters of immediate importance)
    - (i) to raise a question of privilege (dealing with the welfare of the assembly or the individual);
    - (ii) to recess (take a short break) or
    - (iii) to adjourn.
  - (c) Incidental Motion  
(related to matters of procedure)
    - (i) to raise a point of order
    - (ii) to suspend the rules
      - (A) requires 2/3rds vote of members present to suspend, and
      - (B) must not be inconsistent with or in contravention of any statutory requirement.
- (5) Any Council member may require the motion under discussion to be read at any time during debate, but not so as to interrupt a Council member while speaking.
- (6) The presiding member may make a motion, second a motion or debate a motion while presiding.

#### 27-28. **Reconsideration**

- (1) The Mayor may, at any time within 30 days after its adoption, require Council to reconsider and vote again on a matter that was the subject of a vote, provided the matter has not had the approval of the electors, the assent of the electors or already been reconsidered under this section.
- (2) Notwithstanding subsection (1) and section 33, a Council member may, at the next council meeting,
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; or
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (3) A Council member who voted affirmatively for a motion adopted by Council may at any time move to rescind that motion.
- (4) Council must not discuss the main matter referred to in subsection (2) unless a motion to reconsider that matter is adopted in the affirmative.

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- (5) A vote to reconsider must not be reconsidered.
- (6) Council may only reconsider a matter that has not:
  - (a) had the approval or assent of the electors and been adopted;
  - (b) already been reconsidered under this section; or
  - (c) been acted on by an officer, employee, or agent of the City.
- (7) On a reconsideration under this section, the Council
  - (a) Must deal with the matter as soon as convenient; and
  - (b) On that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (8) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- (9) A bylaw, resolution or proceeding that is reaffirmed under subsection (2) or (8) is valid and had the same effect as it had before reconsideration.

#### **28-29. Notice of Motion**

- (1) Any member may give notice of a motion which they intend to present to Council by giving a copy of the motion to the Corporate Officer during a meeting of Council and upon it being acknowledged by the presiding member, it shall appear in the minutes of that meeting as notice of motion and be placed on the agenda of the next regular council meeting or a subsequent meeting if additional time or information is required.

#### **29-30. Voting**

- (1) In accordance with section 123 of the *Community Charter*, a Council member present at a council meeting at the time of a vote who abstains from voting is considered to have voted affirmatively.
- (2) If the votes of the Council members present at a council meeting at the time of a vote are equal for and against a question, the question is defeated and the presiding member must declare this result.
- (3) The following procedures apply to voting at council meetings:
  - (a) When debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) When the Council is putting the matter to a vote, a Council member must not:
    - (i) cross or leave the room;

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- (ii) make a noise or other disturbance, or
  - (iii) interrupt the voting procedure unless the interrupting Council member is raising a point of order.
- (c) After the presiding member finally puts the question to a vote, Council members must not speak to the question or make a motion concerning it;
- (d) The presiding member's decision about whether a question has been finally put is conclusive;
- (e) Whenever a vote of Council on a matter is taken, each Council member present will signify his or her vote by raising their hand; and
- (f) The presiding member must declare the result of the vote.
- (g) Notwithstanding section (e), if approved by a majority vote of Council members present, a vote on the following types of motions may be taken by ballot to preserve the secrecy of the vote of each member:
- (i) Approval of appointment of Council members to the following organizations as required per City Policy GE-10 Travel and Expense Policy as amended from time to time:
    - (A) Federation of Canadian Municipalities;
    - (B) Union of BC Municipalities;
    - (C) Lower Mainland Local Government Association.
  - (ii) Appointment or endorsement of appointment of Council members to organizations deemed by City Council to further enhance or support the objectives of local government as per City Policy GE-10 Travel and Expense Policy as amended from time to time.
- (h) Following a vote by ballot, the ballots will be placed in the custody of the Corporate Officer or their designate who will destroy them immediately following the meeting at which the vote by ballot was taken.
- (4) 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.
- (5) With the exception of a vote taken by ballot, the names of those who voted against a motion or question shall be entered in the minutes and the presiding member shall read the names aloud to ensure accuracy of the minutes.

### **30.31 Bylaws**

- (1) A proposed bylaw may be introduced at a council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the council

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meeting unless all Council members unanimously agree to waive this requirement.

- (2) Council must not vote on the reading or adoption of a bylaw at a closed meeting.
- (3) Subject to section 135 of the *Community Charter*, a bylaw may be given up to three readings at one council meeting, all of which may be given in one motion.
- (4) 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 subsection (6) of this Bylaw does not apply.
- (5) 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".
- (6) 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.
- (7) A bylaw introduced at a council meeting must:
  - (a) be printed;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number; and
  - (d) be divided into sections.
- (8) Unless otherwise specified by statute, every bylaw shall be passed by an affirmative vote of the majority of the members of the Council present.
- (9) The Corporate Officer may consolidate one or more of the City's bylaws.
- (10) Once a bylaw is adopted, the presiding member 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.
- (11) It is the responsibility of the Corporate Officer to maintain and keep in safe custody all bylaws of Council.

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### **31.32 Committee of the Whole**

- (1) At any time during a council meeting, Council may, by resolution go into Committee of the Whole.
- (2) The Mayor may act as the presiding member in Committee of the Whole.
- (3) For certainty, the rules and procedures of the council under sections 16 through 29 of this Bylaw, inclusive, shall be observed in Committee of the Whole as far as they may be applicable.
- (4) Notwithstanding subsection 3, the following rules on conduct and debate apply to Committee of the Whole meetings:
  - (a) a motion does not require a seconder;
  - (b) a Council member may speak any number of times on the same question provided they do not speak longer than a total of 10 minutes on any one question.
  - (c) any person who has an interest in a matter being considered by Council at a Committee of the Whole meeting may be afforded an opportunity to be heard in person or through a representative provided they first identify themselves by stating their name and address and the names and addresses of the person or persons they represent.
  - (d) no person shall address Committee of the Whole on one matter for longer than five minutes unless the time limitation is waived by a majority of the Council members present.
  - (e) Notwithstanding subsection (d), the presiding member shall always have the discretion to waive the time limitation for any person addressing Committee of the Whole when land use and development applications are being considered.
- (5) Committee of the Whole may consider reports and bylaws if
  - (a) they are printed and the Council members each have a copy, or
  - (b) a majority of Council members present decide without debate to waive this requirement.
- (6) A motion for Committee of the Whole to rise and report to Council must be decided without debate.

### 32-33. Council Committees

~~(4)~~ In accordance with the *Community Charter*, ~~standing committees~~

(1) 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 of the members must be Council members.

(2) Standing committees must consider, inquire into, report and make recommendations to Council about all of the following matters:

(a) matters that are assigned by Council; and

(b) matters that are assigned by the Mayor.

In accordance with the *Community Charter*, ~~select committees~~

(3) Council may establish and appoint select committees to consider or inquire into any matter and to report their findings and opinion to Council. At least one member of a select committee must be a Council member.

~~(2)~~(4) The Mayor shall be an ex officio member of each Council ~~standing committee~~ and shall have the right to participate and vote in meetings but is not counted in determining whether a quorum is present.:

~~(a) Standing committees must consider, inquire into, report and make recommendations to Council about all of the following matters:~~

~~(i) matters that are assigned by Council; and~~

~~(ii)(i) matters that are assigned by the Mayor.~~

~~(3)~~(1) ~~Select committees~~

~~Council may establish and appoint select committees to consider or inquire into any matter and to report their findings and opinion to Council. At least one member of a select committee must be a Council member.~~

(4)(5) With the exception of the Mayor, who is an ex officio member of Council Committees, Council members who are not members of a Council Committee may attend the meetings of any Council Committee but shall not be allowed to vote nor may they take part in any discussion or debate except by permission of the presiding member.

(5)(6) At the first meeting after appointment annually by the Mayor or the Council, as the case may be, each Council Committee shall establish a regular schedule of meetings.

(6)(7) The presiding member of a Council Committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

(7)(8) A member, other than a Council member, of a select committee who is absent, except for reasons of illness or with leave granted by the select

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committee, for three consecutive meetings shall have his or her appointment terminated and his or her position deemed vacant.

~~(8)~~(9) Quorum shall be a majority of the voting members appointed to compose any Council Ccommittee.

~~(9)~~(10) The deadline for submissions by staff and the public to the respective Council Ccommittee's Committee Clerk of items for inclusion on the agenda for a ~~c~~committee meeting is 10 days prior to the meeting date.

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### Notice of Meetings

~~(10)~~(11) At least 72 hours before the Council Committee meeting, the Committee Clerk must give notice of the meeting by:

- (a) providing a copy of the agenda to each member of the Council Committee; and
- (b) posting the agenda on the City's website.

~~(11)~~(12) The agenda under subsection (11)(a) must include the following information:

- (a) The date, time, and, if applicable, place of the meeting; and
- (b) If the meeting is to be conducted in whole or in part by means of electronic or other communication facilities:
  - (i) describe how the meeting is to be conducted by means of electronic or other communication facilities and how the public may attend.

### 33-34. Reports from Committees

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

### 34-35. Appeal

- (1) Wherever Council has delegated specific powers, duties and functions in a City bylaw to a staff member, this part will apply.
- (2) If a person wants Council to reconsider a decision made by a City employee or Committee to whom Council has delegated its powers, duties or functions, that person must submit a written request to the Corporate Officer. The reconsideration will be scheduled for a Council meeting as soon as all information necessary for the reconsideration can be prepared and distributed to Council.
- (3) The written request for reconsideration must contain the reasons why the person wishes to have the matter reconsidered.
- (4) The person requesting the reconsideration is entitled to receive a copy of any report which is submitted by City staff in response to the request for

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reconsideration in advance of the Council meeting at which the reconsideration will take place.

- (5) The person requesting the reconsideration may appear before Council at the Council meeting at which the reconsideration is taking place in order to present his or her position to Council.
- (6) When deliberating over the reconsideration, Council has the same authority that it delegated to the staff member.

**35-36. General**

If any provision of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

**36-37. Repeal**

Council Procedure Bylaw, 2013, No. 2904 and its amendments are repealed.

READ A FIRST, SECOND, THIRD this fourth day of October, 2021.

NOTICE WAS PLACED this seventh and fourteenth days of October, 2021.

FINALLY ADOPTED this eighteenth day of October, 2021.

*Val van den Broek*

\_\_\_\_\_  
**MAYOR**

*Helf Uy*

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

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