



EXPLANATORY MEMO

COUNCIL PROCEDURE BYLAW, 2013,
AMENDMENT NO. 3 BYLAW, 2018
No. 3060

PURPOSE:

The purpose of this amending bylaw is to:

- re-introduce provisions related to conduct and behaviour from repealed Council Procedure Bylaw No. 2537 back into the current Council Procedure Bylaw No. 2904;
- add new provisions relative to conduct and behaviour;
- re-introduce procedures from repealed Council Procedure Bylaw No. 2537 relative to appealing a ruling of the chair, adjournment proceedings, readings of bylaws and reports from committees.



**COUNCIL PROCEDURE BYLAW, 2013,
AMENDMENT NO. 3 BYLAW, 2018
No. 3060**

A Bylaw to amend the Council Procedure Bylaw.

1. Title

- (1) This bylaw shall be cited as the “Council Procedure Bylaw, 2013, Amendment No. 3 Bylaw, 2018, No. 3060.”

2. Amendments

Council Procedure Bylaw, 2013, No. 2904 is hereby amended as follows:

- a) In section 6 Time, Location and Adjournment of Meetings, by adding:
 - “(2)(c) adjourn:
 - i. at 11:00 pm unless Council resolves by an affirmative vote of members present to proceed beyond that time.”
- b) In section 21 General Rules of Conduct and Debate, subsection (7), by adding the following:
 - “(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.”
- c) In section 21 General Rules of Conduct and Debate, by adding the following:
 - “(8) Members at a Council meeting:
 - (a) must not engage in bullying or harassing behaviour 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;
 - (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, except for City business purposes, 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 decision of 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."
- d) In section 26 Bylaws, by replacing the following wording:
 - "(3) Subject to section 135 of the *Community Charter*, a bylaw must be given three readings, all of which may be given at one council meeting."
- with
 - "(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."
- e) By adding a new section 29 as follows:

"29. 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.”

f) By renumbering the remaining sections accordingly.

READ A FIRST, SECOND AND THIRD TIME this seventh day of May, 2018.

ADOPTED this day of , 2018.

MAYOR

CORPORATE OFFICER