



DISTRICT OF SOOKE

COUNCIL PROCEDURE BYLAW, 2009

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DISTRICT OF SOOKE

BYLAW No. 422

COUNCIL PROCEDURE BYLAW, 2009

A bylaw to establish the rules of proceedings for the Council of the District of Sooke pursuant to the *Community Charter*.

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw is cited as *Council Procedure Bylaw, 2009*.

Definitions

2. In this Bylaw,

Commission means a municipal commission established under s.143 of the *Community Charter*;

Committee means a standing, select, or other committee of Council, but does not include COW;

COW means the Committee of the Whole Council;

Corporate Officer means the appointed Corporate Officer for the District;

Council means the Council of the District of Sooke;

Council Chambers means the District of Sooke Council Chambers located at 2225 Otter Point Road;

District means the District of Sooke;

District Website means the information resource found at an internet address provided by the District;

Mayor means the Mayor of the District of Sooke;

Municipal Hall means the District of Sooke Municipal Hall located at 2205 Otter Point Road, Sooke, British Columbia;

Public Notice Posting Places means the notice board located outside the main entrance to the Municipal Hall and the District Website;

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COW and Commissions and all committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, the current edition of ***Robert's Rules of Order Newly Revised***, apply to the proceedings of Council, COW, Commissions and all standing and select committees of Council to the extent that those Rules are
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

PART 2 – COUNCIL MEETINGS

Inaugural Meeting

4. (1) Following a general local election, the first Council meeting must be held on the first Monday in December in the year of the election.
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

Time and location of meetings

5. (1) All Council meetings must take place within the Municipal Hall Council Chambers, except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
 - (a) be held on the second and fourth Monday of each month;
 - (b) when such meeting falls on a statutory holiday, be held on the next day Municipal Hall is open following which is not a statutory holiday;

- (c) begin at 7:00 pm; and
 - (d) be adjourned at 11:00 pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 33.
- (3) Regular Council meetings may:
- (a) be cancelled by Council resolution, provided that two consecutive meetings are not cancelled; and
 - (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 days written notice.

Notice of Council Meetings

6. (1) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 15, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 15 of the time and duration that the schedule of regular Council meetings will be available beginning on January 15 in accordance with section 94 of the *Community Charter* [requirements for public notice].
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Calling of Special Council Meeting

7. (1) If a Special Council meeting is called under section 126 of the *Community Charter*, the Mayor or Corporate Officer must sign the notice under section 8.

Notice of Special Council meetings

8. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter*, a notice of the date, hour, and place of a Special Council meeting must be given at least 24 hours before the time of meeting, by

- (a) posting a copy of the notice in the Council Chambers at Municipal Hall;
 - (b) posting a copy of the notice at the Public Notice Posting Places; and
 - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at Municipal Hall.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

Electronic Meetings

9. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met,
- (a) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting, as applicable, because of illness or injury or has obtained leave of the Council may participate in the meeting by means of visual and audio electronic or other communication facilities, or
 - (b) a Special Council meeting may be conducted by means of visual and audio electronic or other communication facilities if the Mayor requires.
- (2) The member presiding at a Special Council or Council Committee meeting must not participate electronically.
- (3) No more than one (1) member of Council or Council Committee at one time may participate at a meeting under subsection (1).

Meetings Outside the Municipality

10. (1) Council may hold the following meetings, hearings and other proceedings outside of the boundaries of the municipality:
- (a) Council meetings;
 - (b) Council committee meetings;
 - (c) other public meetings conducted by or on behalf of Council or a Council committee;

- (d) Council hearings that are required by law or authorized by an enactment;
- (e) Council proceedings in which a person is entitled under the *Community Charter* to make representations to Council.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

11. (1) Annually in December, Council must from amongst its members designate Councillors to serve as the 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 the Mayor is vacant.
- (2) Each Councillor designated under subsection (1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under subsection (1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section subsection (1) or chosen under section subsection (3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 – COUNCIL PROCEEDINGS

Community Charter Provisions

12. (1) Matters pertaining to Council proceedings are governed by the *Community Charter*, including those provisions found in Division 2 of Part 5 [*Council Proceedings*] and Division 3 of Part 4 [*Open Meetings*].

Attendance of Public at Meetings

13. (1) Except where the provisions of section 90 of the *Community Charter* [*meetings that may or must be closed to the public*] apply, all Council meetings must be open to the public.
- (2) 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* [*requirements before Council meeting is closed*].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:

- (a) COW,
 - (b) standing and select committees,
 - (c) parcel tax review panel,
 - (d) board of variance,
 - (e) advisory bodies such as advisory planning commission,
 - (f) Commissions such as economic development commission.
- (4) Despite section 11(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 11 may expel or exclude from a Council meeting a person in accordance with section 24(8).

Minutes of meetings to be maintained and available to public

14. (1) Minutes of the proceedings of Council must be
- (a) legibly recorded,
 - (b) certified as correct by the Corporate Officer, and
 - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Subject to subsection (3), and in accordance with section 97(1)(b) of the *Community Charter* [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at Municipal Hall during its regular office hours.
- (3) Subsection (2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter* [meetings that may be closed to the public]; except where, by affirmative vote of those members present at the closed meeting, Council may bring forward to the minutes of an open meeting:
- (a) Motions introduced or resolutions made in the closed meeting; and,
 - (b) Written material included in the closed meeting agenda.

Calling meeting to order

15. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 11 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 11 do not attend within fifteen (15) minutes of the scheduled time for a Council meeting:
 - (a) the Corporate Officer must call to order the members present, and
 - (b) the members present must choose a member to preside at the meeting.

Adjourning meeting where no quorum

16. (1) If there is no quorum of Council present within fifteen (15) minutes of the scheduled time for a Council meeting, the Corporate Officer must
 - (a) record the names of the members present, and those absent, and
 - (b) adjourn the meeting until the next scheduled meeting.

Agenda

17. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.
- (2) The deadline for submissions by Council, staff and the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be 4:30 pm on the Tuesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public by 4:30 pm on the Thursday prior to the meeting and by
 - (a) placing a copy of the agenda in each member's mailbox at the Municipal Hall, and

- (b) placing copies for the public at the public service counter at the Municipal hall.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as New Business pursuant to section 19.

Order of Business

- 18. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
 - (a) Call to Order
 - (b) Motion to close the meeting to the public
 - (c) Call the open portion of the meeting to Order
 - (d) Introduction of New Business/Supplementary Information
 - (e) Approval of agenda
 - (f) Adoption of Council and Committee of the Whole meeting minutes
 - (g) Receipt of Council committee and Capital Regional District meeting minutes for information
 - (h) Delegations – requests to address Council
 - (i) Unfinished business
 - (j) Public Question and Comment Period
 - (k) Public and statutory hearings, and third reading or adoption of bylaws where applicable after each hearing
 - (l) Public Input and Information meetings and related reports
 - (m) Bylaws
 - (n) Reports requiring action
 - (o) Reports for Information - Council, Committees, COW and Commissions and Staff
 - (p) New business
 - (q) Correspondence, requiring action
 - (r) Correspondence and Council reports for information
 - (s) Notices of Motion
 - (t) Motion to close the meeting to the public
 - (u) Report of In Camera Resolutions
 - (v) Adjournment

- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.
- (3) A Public Hearing may be held at another time as specified by Council resolution.

Public Question and Comment Period

19. (1) Public Question and Comment Period is limited to ten (10) minutes in duration, unless extended by Council.
- (2) A member of the public may have two (2) minutes during the Public Question and Comment Period to address Council on items on the agenda for the meeting, unless extended by Council.
- (2) A member of the public wishing to address Council must begin their presentation by stating their name and address.
- (3) A member of the public must not address Council or Committee regarding a bylaw for which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) A Council or Committee member may ask or answer questions of a member of the public who is addressing Council or Committee, but must not enter into debate.
- (5) The Mayor or Chair may refer members of the public to the appropriate department or committee for response.

New Business

20. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the New Business is approved by Council at the time allocated on the Agenda for such matters.
- (2) The Corporate Officer or a member of Council introducing the New Business must provide written information on the New Business to Council and the public prior to the commencement of the meeting.

Minutes Approval and Amendment

21. (1) Minutes of previous meetings (section 18(1)(f)) may be approved either as circulated or as amended.

- (2) The minutes of a previous meeting may be amended, but not debated or reflected on, at the time they are considered for approval.

Voting at meetings

22. (1) 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 ready to vote, the presiding member must put the matter to a vote by stating:

"Those in favour raise your hands." and then "Those opposed raise your hands."
 - (c) whenever a vote on a matter is taken, each member present shall signify their vote by raising their hand;
 - (d) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (e) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
 - (f) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative;
 - (g) the presiding member's decision about whether a matter has been finally put is conclusive; and
 - (h) the names of the Council members who voted against a motion or question shall be entered in the minutes at the members request and the Mayor will state the names aloud.

Delegations

23. (1) The Council may, by resolution, allow a delegation to address Council at the meeting provided written application on a prescribed form has been received by the Corporate Officer by noon on the Wednesday prior to the meeting. Each address must be limited to five (5) minutes unless a longer period is agreed to by unanimous vote of those members present.
- (2) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- (3) The Corporate Officer may schedule delegations to another Council meeting or committee as deemed appropriate according to the subject matter of the delegation.
- (4) Council or 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. If the delegation wishes to appeal the Council or Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- (5) Council may take action following a delegation.

Points of order

24. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion
- (a) if the motion is contrary to the rules of procedure in this bylaw, and
- (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
- (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and,

- (c) the presiding member may reserve the decision until the next Council meeting.

Conduct and debate

25. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
 - (3) Members must address other non-presiding members by the title Councillor.
 - (4) No member must interrupt a member who is speaking except to raise a point of order.
 - (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
 - (6) Members who are called to order by the presiding member
 - (a) must immediately stop speaking,
 - (b) may explain their position on the point of order, and
 - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter* [authority of *presiding member*].
 - (7) Members speaking at a Council meeting
 - (a) must use respectful language,
 - (b) must not use offensive gestures or signs,
 - (c) must speak only in connection with the matter being debated,
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) 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.
 - (8) If a member does not adhere to subsection (7), 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.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) a member who has made a substantive motion to the Council may reply to the debate;
 - (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
 - (d) a member may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with the permission of Council.
- (11) Permission to leave a meeting prior to adjournment must be sought from the presiding member.

Motions generally

26. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:

- (a) to refer to committee or staff;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to postpone indefinitely;
 - (e) to postpone to a certain time;
 - (f) to move the previous question;
 - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

Motion to Refer to Committee

27. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

Motion for the main question

28. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

Amendments generally

29. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.

- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that Council has voted in the negative for cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
 - (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
 - (c) the main question.

Reconsideration by Council Member

30. (1) Subject to subsection (5), 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, and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
 - (a) had the approval or assent of the electors and been adopted,

- (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*,
 - (c) been acted on by an officer, employee, or agent of the District.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

Privilege

31. (1) In this section, a matter of privilege refers to any of the following motions:
- (a) fix the time to adjourn;
 - (b) adjourn;
 - (c) recess;
 - (d) raise a question of privilege of the Council;
 - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

Reports from committees

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

Adjournment

33. (1) A Council may continue a Council meeting after 11:00 pm only by an affirmative vote of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
 - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – BYLAWS

Copies of proposed bylaws to Council members

34. (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 meeting, or all Council members unanimously agree to waive this requirement.

Form of bylaws

35. (1) A bylaw introduced at a Council meeting must:
- (a) be printed;
 - (b) have a distinguishing name;
 - (c) have a distinguishing number;
 - (d) contain an introductory statement of purpose;
 - (e) be divided into sections.

Bylaws to be considered separately or jointly

36. (1) Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the presiding member or requested by another Council member, or

- (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

Reading and adopting bylaws

37. (1) The presiding member of a Council meeting may
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw is given third reading.

Bylaws must be signed

38. (1) After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping and endorse upon it:
- (a) the dates of its readings and adoption; and,
 - (b) the date of Ministerial approval or approval of the electorate if applicable.

PART 6 – NOTICE OF MOTION

Copies of Notice of Motion to Council members

39. (1) A Notice of Motion may be introduced at a Council meeting only if a copy of it has been delivered to the Mayor or Corporate Officer at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

Form of Notice of Motion

40. (1) A Notice of Motion introduced at a Council meeting must be in writing.

Introducing Notice of Motion

41. (1) The presiding member of a Council meeting may:
- (a) have the Corporate Officer read the Notice of Motion; and
 - (b) request a motion that the Notice of Motion be introduced.

PART 7 - COMMITTEE OF THE WHOLE

Committee of Whole (COW) Meetings

42. (1) COW meetings may
- (a) be held on the first and third Monday of each month,
 - (b) when such meeting falls on a statutory holiday, be held on the next day Municipal Hall is open following which is not a statutory holiday;
 - (c) begin at 7:00 pm; and
 - (d) be adjourned at 11:00 pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 33.
- (2) The Mayor or Corporate Officer may cancel a COW meeting.
43. Prior to each COW meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.

- (1) In order to be considered for inclusion on an agenda for a COW meeting, correspondence and other items from the public to the Corporate Officer of items for inclusion on the COW meeting Agenda must be 4:30 on the Tuesday prior to the meeting.
- (2) The Corporate Officer must make the agenda available to the members of Council and the public by 4:30 pm on the Thursday prior to the meeting by
 - (a) placing a copy of the agenda in each member's mailbox at the Municipal Hall, and
 - (b) placing copies for the public at the public service counter at the Municipal hall.

Going into COW

44. (1) At any time during a council meeting, Council may by resolution go into COW.
- (2) In addition to section 41 and subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the District's business, is a meeting of COW.

Notice for COW meetings

45. (1) Subject to subsection (2) a notice of the day, hour and place of a COW meeting must be given at least 24 hours before the time of the meeting by:
 - (e) posting a copy of the notice at the Public Notice Posting Places; and
 - (f) leaving a copy of the notice for each Council member in the Council member's mailbox at Municipal Hall.
- (2) Subsection (1) does not apply to a COW meeting that is called, in accordance with section 43, during a Council meeting for which public notice has been given under section 6 or 7.

Minutes of COW meetings to be maintained and available to public

46. (1) Minutes of the proceedings of COW must be
 - (a) legibly recorded,

- (b) certified by the Corporate Officer,
- (c) signed by the member presiding at the meeting, and
- (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

Presiding members at COW meetings and Quorum

47. (1) Unless a member of Council is appointed under subsection 2, the Mayor or Acting Mayor will preside in COW.
- (2) The members of Council attending a meeting of COW may appoint a presiding member for the COW meeting.
- (3) The quorum of COW is the majority of Council members.

Points of order at meetings

48. (1) The presiding member must preserve order at a COW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and debate

49. (1) The following rules apply to COW meetings:
- (a) a motion is not required to be seconded;
 - (b) a motion for adjournment is not allowed;
 - (c) a member may speak any number of times on the same question;
 - (d) a member must not speak longer than a total of 10 minutes on any one question.

Voting at meetings

50. (1) Votes at a COW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

Reports

51. (1) COW may consider reports and bylaws only if
- (a) they are printed and the members each have a copy, or
 - (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COW to rise and report to Council must be decided without debate.
- (3) The COW's reports to Council must be presented by the Corporate Officer.

Rising without reporting

52. (1) A motion made at a COW meeting to rise without reporting
- (a) is always in order and takes precedence over all other motions,
 - (b) may be debated, and
 - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COW at a meeting constituted under section 43(1), the Council meeting must resume and proceed to the next order of business.

PART 8 – COMMITTEES

Duties of standing committees

53. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are related to the general subject indicated by the name of the committee;
 - (b) matters that are assigned by Council;
 - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:

- (a) in accordance with the schedule of the committee's meetings;
- (b) on matters that are assigned by Council or the Mayor,
 - (i) as required by Council or the Mayor, or
 - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

Duties of select committees

54. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

Schedule of committee meetings

55. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

Notice of committee meetings

56. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
 - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 54(2) to be given to all

members of the committee at least 24 hours before the time of the meeting.

Attendance at Committee meetings

57. Council members who are not members of a committee may attend the meetings of the committee.

Minutes of Committee meetings to be maintained and available to public

58. Minutes of the proceedings of a committee must be

- (a) legibly recorded,
- (b) certified by the Corporate Officer,
- (c) signed by the chair or member presiding at the meeting, and
- (d) open for public inspection in accordance with section 97(1)(c) of the Community Charter *[other records to which public access must be provided]*.

Quorum

59. The quorum for a committee is a majority of all of its members.

Conduct and debate

60. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

61. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 9 - COMMISSIONS

Schedule of Commission meetings

62. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

Notice of Commission meetings

63. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates and places of the Commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
 - (b) providing a copy of the schedule to each member of the Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called under section 61(2) to be given to all members of the Commission at least 24 hours before the time of the meeting.

Minutes of Commission meetings to be maintained and available to the public

64. (1) Minutes of the proceedings of a Commission must be:
- (a) legibly recorded,
 - (b) certified by the Corporate Officer,
 - (c) signed by the chair or member presiding at the meeting, and

- (d) open for public inspection in accordance with section 97(1)(c) of the Community Charter *[other records to which public access must be provided]*.

Quorum

- 65. (1) The quorum of a Commission is a majority of all of its members.

Conduct and Debate

- 66. (1) The rules of the Council procedure must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this bylaw.

PART 10 – GENERAL

- 67. (1) If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- (2) This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter* [public notice].
- (3) Bylaw No. 278, *Council Procedure Bylaw, 2007* and amendments is repealed.

Introduced and read a first time the 23rd day of November, 2009.

Public input received the 23rd day of November, 2009.

Read a second time the 23rd day of November, 2009.

Read a third time the 23rd day of November, 2009.

Notice published in the Sooke News Mirror the 18th and 25th day of November, 2009

Adopted on the 14th day of December, 2009.

Janet Evans
Mayor

Bonnie Sprinkling
Corporate Officer