



COUNCIL PROCEDURE BYLAW NO. 799/G/2004

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

Bylaw No. 799/G/2004 – adopted February 17, 2004

Includes the Following Amending Bylaws:	Date Adopted
Bylaw No. 923, 2010	June 7, 2010
Bylaw No. 1046, 2016	February 6, 2017
Bylaw No. 1059, 2017	June 5, 2017

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

DISTRICT OF CHETWYND

COUNCIL PROCEDURE BYLAW NO. 799/G/2004

A bylaw of the District of Chetwynd to establish rules of procedure for Council.

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

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DEFINITIONS

In this bylaw:

“District” means the District of Chetwynd;

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1046, 2016

“Municipal Office” means the Chetwynd District Office located at ~~5400 North Access Road~~ 5400 Hospital Road, Chetwynd, BC;

“Committee” means a standing, select or other committee of council but does not include Committee of the Whole;

“Corporate Officer” means the Corporate Officer for the District of Chetwynd;

“Council” means the Council of the District of Chetwynd;

“Mayor” means the Mayor of the District of Chetwynd;

“Public Notice Posting Place” means the notice board at the municipal office.

PART 1 - REGULAR MEETINGS

1.1 Date

Bylaw No.
923, 2010

Regular meetings of council shall commence at 4:30 p.m. in the council chambers on the first and third ~~Tuesday~~ Monday of each month except for one meeting in the months of July and August, at the call of the chairperson and except when:

- 1.1.1 A quorum is not present within thirty (30) minutes after the time appointed for commencement of the meeting.
- 1.1.2 The specified day is a holiday, in which case council shall meet on the first subsequent day that is not a holiday.
- 1.1.3 Council resolves that a regular meeting be held at some other place or hour or on some other day specified in the resolution, in which case the regular meeting that is the subject of the resolution shall convene as specified in the resolution.
- 1.1.4 A notice of the day, hour and place of regular meetings shall be given not less than twenty four (24) hours before the time of meeting by posting a copy of the notice at the public notice posting place and leaving one copy for each council member at each individual council member’s desk.
- 1.1.5 The notice shall be signed by the mayor or designated municipal officer.
- 1.1.6 Council must prepare annually on or before January 15th, a schedule of the dates, times and places of regular council meetings and must make the schedule available to the public by posting a copy of the schedule at the municipal office.

1.1.7 Council must give notice annually on or before January 1st, of the time and duration that the schedule of regular council meetings will be available beginning on January 15th.

1.2 Inaugural Meeting

Bylaw No.
1046, 2016

1.2.1 Following a general local election, the first council meeting ~~must be held on the first Tuesday in December~~ will be held in the first 10 days of November in the year of the election.

1.2.2 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 (1.2.1), the first council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

1.3 Cancelling or rescheduling meetings

Council may, by resolution, cancel or re-schedule meetings provided for under section 1.1 of this bylaw.

1.4 Order of business

1.4.1 Except as council otherwise agrees, and in any event only to the extent that business exists at a regular meeting under each of these subject headings and numbers, the usual order of business at a regular meeting is as follows:

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923, 2010

1. Call to Order
2. Adoption of Agenda ~~and Addendum~~
3. Minutes
4. Delegations and/or Presentations
5. Bylaws
6. Committee and Liaison Reports
7. ~~Correspondence—Discussion~~ Discussion Items
8. ~~Correspondence—Information~~ Correspondence
9. ~~Correspondence—Information Items~~ Information Items
10. ~~Reports—Discussion~~ Reports for Action
11. ~~Reports—Information~~ Reports for Information
12. ~~Addendum~~ New Business
13. Public Question Period
14. ~~Adjournment Notice of In-Camera Meeting~~ Adjournment
15. ~~Adjournment~~

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1059, 2017

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1.4.2 Only those items that are included on the agenda ~~or the addendum~~ when the meeting is called to order shall be discussed at that meeting, except for matters which are addressed under section 1.4.3 of this bylaw.

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923, 2010

1.4.3 If a matter arises during a meeting that must be addressed at that meeting then council may include such an item ~~on the addendum~~ under New Business by a vote of majority of the votes cast.

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1.5 Delegations

A delegation is allowed a maximum of ten (10) minutes to address a regular or special council meeting. Any extension of this time limit shall be by resolution of council.

1.6 Presentations

Groups or individuals making presentations at the request of council shall be permitted such time as is necessary at the discretion of council.

1.7 Distribution of agenda

Bylaw No.
1046, 2016

The designated municipal officer shall prepare an agenda for each regular meeting not less than ~~forty-eight (48) hours~~ twenty-four (24) hours before the day of the meeting and leave a copy for each member of council at each individual council member's desk.

1.8 Regular meeting open to the public

All regular council meetings must be open to the public and no person shall be expelled or excluded unless the mayor or other person presiding at the meeting considers that that person's behaviour constitutes improper conduct.

1.9 Minutes of the proceedings of a regular council meeting

1.9.1 Shall be legibly recorded in a minute book.

1.9.2 Shall be subject to all additions, deletions and amendments that members, by resolution, decide are necessary in order to record accurately the proceedings of the previous meeting or meetings. The designated municipal officer shall make all such changes prior to adoption.

1.9.3 Shall be certified as correct by the designated municipal officer and signed by the mayor or other member presiding at the meeting or at the next meeting at which they are adopted.

1.9.4 Shall be open for inspection by any person during regular office hours excepting minutes of that part of a council meeting from which persons were excluded under section 90 of the *Community Charter*.

1.10 Public question period

1.10.1 During the public question period the chair shall permit questions only. There shall be no debate on questions that are raised by the public.

1.10.2 Public question period shall be not more than fifteen (15) minutes in duration.

PART 2 - SPECIAL MEETINGS

2.1 Notice of a special meeting

- 2.1.1 A notice of the day, hour and place of special meetings shall be given not less than twenty four (24) hours before the time of the meeting by posting a copy of the notice at the municipal office and leaving one copy for each council member at each individual council member's desk.
- 2.1.2 The notice must describe in general terms the purpose of meeting and be signed by the mayor or designated municipal officer.
- 2.1.3 Notice of a special meeting may be waived by unanimous vote of all council members.

2.2 Request for a special meeting

- 2.2.1 Two or more council members may, in writing, request the mayor to call a special council meeting.
- 2.2.2 Two or more council members may call a special council meeting if, within twenty four (24) hours after receiving a request under section 2.2.1 of this bylaw the mayor refuses or neglects to arrange for a special council meeting to be held within seven (7) days after receiving the request, or the mayor is absent.
- 2.2.3 The council members calling the meeting shall sign the notice.

2.3 Exclusion from a special meeting

- 2.3.1 If, in the opinion of the council, the public interest so requires, persons other than members may be excluded by resolution from a special council meeting or part of a regular council meeting provided that the subject matter complies with section 92 of the *Community Charter*.
- 2.3.2 A special council meeting or part of a regular council meeting must be closed to the public if the subject matter relates to one or more of the items set out in section 92 of the *Community Charter*.

2.4 Minutes of the proceedings of a special council meeting

- 2.4.1 Shall be legibly recorded in a minute book.
- 2.4.2 Shall be certified as correct by the designated municipal officer and signed by the mayor or other member presiding at the meeting or at the next meeting at which they are adopted.
- 2.4.3 Shall be open for inspection by any person during regular office hours unless the meeting was held in-camera and the public excluded under section 2.3 of this bylaw.

2.4.4 Shall be subject to all additions, deletions and amendments that members, by resolution, decide are necessary in order to record accurately the proceedings of the previous meeting or meetings. The designated municipal officer shall make all such changes prior to adoption.

PART 3 - COMMITTEE OF THE WHOLE MEETINGS

3.1 Members

The committee of the whole shall consist of all members of council.

3.2 Authority to call a meeting

Meetings may be called by the mayor or chief administrative officer to deal with such matters as they consider necessary.

3.3 Notice

A notice of the day, hour and place of special meetings, shall be given at least twenty four (24) hours before the time of meeting by posting a copy of the notice at the municipal office and leaving one copy for each council member at each individual council member's desk.

3.4 Quorum

A quorum shall consist of four (4) council members.

3.5 Recommendations

Recommendations to a regular or special meeting shall be by a motion duly moved, seconded and voted on.

3.6 Minutes

Minutes of the proceedings of a committee of the whole meeting:

3.6.1 Shall be received at a regular meeting of council and the recommendations shall be adopted or otherwise.

3.6.2 Shall be subject to all additions, erasures and corrections that members by resolution decide are necessary in order to record accurately the proceedings of the previous meeting or meetings. The designated municipal officer shall make all such changes prior to adoption.

3.6.3 Shall be open for public inspection by any person during regular office hours.

3.6.4 Shall be certified as correct by the Corporate Officer.

3.7 Exclusion from a Meeting

Section 2.3 applies to meetings of the Committee of the Whole.

PART 4 - STANDING AND SELECT COMMITTEE MEETINGS

4.1 Standing Committees

- 4.1.1 Standing committees shall consist of those members appointed by the mayor and no changes to these committees shall be made without the express approval of the mayor.
- 4.1.2 Meetings will be at the call of the committee chairperson or chief administrative officer.
- 4.1.3 A notice of the day, hour and place of standing committee meetings, shall be given at least twenty four (24) hours before the time of meeting by posting a copy of the notice at the public notice posting place and leaving one copy for each committee member at each individual committee member's desk.
- 4.1.4 A quorum shall be the majority of the members appointed to such committee.
- 4.1.5 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.
- 4.1.6 Verbal and/or written reports and/or minutes submitted as written reports shall be received by council at a regular meeting as committee and liaison reports.
- 4.1.7 Minutes shall be kept of the proceedings of standing committees and shall be open for public inspection by any person during regular office hours.
- 4.1.8 Minutes shall be certified as correct by the Corporate Officer.
- 4.1.9 Council members attending a meeting of a council committee of which they are not a member must not vote on a question.

4.2 Select Committees

- 4.2.1 Select committees shall consist of those members appointed by the council.
- 4.2.2 Meetings will be at the call of the committee chairperson or chief administrative officer.
- 4.2.3 A notice of the day, hour and place of select committee meetings, shall be given at least twenty four (24) hours before the time of meeting by posting a copy of the notice at the municipal office and leaving one copy for each committee member at each individual committee member's desk.
- 4.2.4 A quorum shall be the majority of the members appointed to such committee.

- 4.2.5 Select committees must consider, inquire into, report and make recommendations to council about the matters referred to the committee by the council.
- 4.2.6 Minutes should be adopted at a subsequent meeting of that select committee.
- 4.2.7 Minutes shall be kept of the proceedings of select committee meetings and shall be open for public inspection by any person during regular office hours.
- 4.2.8 Minutes shall be certified as correct by the Corporate Officer.
- 4.2.9 Council members attending a meeting of a committee of which they are not a member must not vote on a question.

4.3 Exclusion from Committee Meetings

Section 2.3 applies to meetings of committee referred to in this section.

4.4 Electronic Meetings

A member of council or a council committee member who is unable to attend at a council meeting or council committee meeting, as applicable, may participate in the meeting by means of audio electronic or other suitable communication facilities, if:

- 4.4.1 The meeting is a regular, special and/or council committee meeting.
- 4.4.2 The member is unable to attend because of extraordinary or unforeseen circumstances.
- 4.4.3 The member presiding at a special council or council committee meeting must not participate electronically.
- 4.4.4 No more than 2 members of council at one time may participate at a council meeting under section 4.4.
- 4.4.5 No more than 2 members of a council committee at one time may participate at a council committee meeting under section 4.4

PART 5 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

5.1 Acting Mayor

- 5.1.1 Annually in December, council must provide for the designation of a councillor 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.
- 5.1.2 Each councillor designated under section 5.1.1 must fulfill the responsibilities of the mayor in his or her absence.

5.1.3 If both the mayor and the member designated under section 5.1.1 are absent from the council meeting, the council members present must choose a councillor to preside at the council meeting.

5.1.4 The member designated under 5.1.1 or chosen under section 5.1.3 has the same powers and duties as the mayor in relation to the applicable matter.

PART 6 - BYLAWS

6.1 Copies of Proposed Bylaws

Bylaw No.
923, 2010

A proposed bylaw may be introduced at a council meeting only if a copy of it has been delivered to each council member as part of the regular agenda or addendum.

6.2 Form of Bylaws

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; and
- (e) be divided into sections.

6.3 Bylaws to be Considered Separately or Jointly

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.

6.4 Readings

6.4.1 Before a bylaw is adopted, it must be given three readings by the council. There must be at least one full day between the third reading and the final adoption of the bylaw.

6.4.2 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter.

6.4.3 Council may give any or all of the first three readings of a proposed bylaw at a regular or special meeting.

6.4.4 Notwithstanding section 5.1.1., and in accordance with section 890(9) of the *Local Government Act*, council may adopt a proposed Official Community Plan or Zoning Bylaw at the same meeting at which the Plan or Bylaw passed third reading.

6.5 Approvals

- 6.5.1 If this or another Act requires that a bylaw receive the assent of the electors, the approval of the lieutenant governor in council or the provincial government, the approval must be obtained after the bylaw has been given third reading and before it is adopted.
- 6.5.2 If this or another Act requires that a bylaw receive both the assent of the electors and the approval of the lieutenant governor in council or the provincial government, the approval must be obtained before the bylaw is submitted for assent.

6.6 Adoption

- 6.6.1 Once adopted, a bylaw shall be signed by the mayor or other presiding member of the council meeting at which it was adopted and signed by the designated municipal officer.
- 6.6.2 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 the dates of its readings and adoption.

PART 7 - RULES OF CONDUCT AND DEBATE FOR REGULAR AND SPECIAL MEETINGS OF COUNCIL

7.1 General conduct

- 7.1.1 All matters for discussion shall be preceded by a duly moved and seconded resolution except those items under committee and liaison reports.
- 7.1.2 A member may speak to a matter in a meeting after he/she has raised his/her hand and the presiding member has recognized him/her.
- 7.1.3 When the presiding member wishes to speak in debate, he/she shall raise his/her hand and speak in turn.
- 7.1.4 Members shall not interrupt a member who is speaking except to raise a point of order and shall not make any disturbance during the meeting.
- 7.1.5 Except by resolution of the members, a member may only speak:
 - a) in relation to the resolution in debate;
 - b) for not more than five minutes at a time;
 - c) not more than twice to the same matter; or
 - d) to ask a question for purposes of clarification.

7.2 Privilege

- 7.2.1 Any member may at any time during debate require that the subject resolution be read for his/her information, but shall not exercise this privilege in order to interrupt a member speaking without the permission of that member.
- 7.2.2 Any member may require the presiding member to state the rule applicable to a point of order and the presiding member shall then respond accordingly.
- 7.2.3 Any member may, by means of a question to the presiding member, seek additional information relating to any matter included on the agenda.

7.3 Procedure

All matters not provided for in this bylaw shall be decided in accordance with the rules of the *Local Government Act*, the *Community Charter* and/or *Roberts Rules of Order Newly Revised*.

PART 8 - MOTIONS AND AMENDMENTS

8.1 Motions

- 8.1.1 All resolutions and all bylaw readings shall be by motion duly moved and seconded by members.
- 8.1.2 A member may make any of the following procedural motions at any time notwithstanding the members are actively considering another motion, and these motions take precedence over one another in the following order:
- a) to adjourn;
 - b) to table;
 - c) to refer; and
 - d) to amend.

8.2 Motion to adjourn

- 8.2.1 A member at any time may make a motion to adjourn and the members shall promptly decide the motion without debate. Such motion shall be duly seconded.
- 8.2.2 No member shall make a second adjournment motion after the first is defeated unless other matters have been addressed subsequent to the first motion.

8.3 Motion to table

A member at any time may make a motion to table and the members shall promptly decide the motion without debate. Such motion shall be duly seconded.

8.4 Improper motion

When the presiding member is of the opinion that a motion proposed by a member is contrary to a provision of the *Local Government Act and/or Community Charter*, this bylaw or relates to matters beyond the jurisdiction of council, he/she may inform the members immediately, giving reasons for his/her opinion and he/she may refuse to put the question to a debate or a vote.

8.5 Amendment of motion

- 8.5.1 No member shall move any motion to amend that negates the purpose of the main motion.
- 8.5.2 Members shall withdraw or decide any amendment to a motion before the main question is put to a vote.
- 8.5.3 If the mover or seconder of the main motion states that a proposed amending motion would negate the main motion, the presiding member shall immediately rule on the matter.
- 8.5.4 If an amendment to a motion is carried, the previous motion is then voted on as amended.
- 8.5.5 If an amendment to a motion is defeated, the previous motion is voted on in its original form.
- 8.5.6 A main motion may be amended to a maximum of two times and a member may move only one amendment to any main motion.
- 8.5.7 A motion need not be subject to this amendment procedure. A motion may be withdrawn or defeated and an acceptable motion duly moved and seconded.

8.6 Notice of motion

- 8.6.1 Members may serve “notice of motion” at an appropriate point during the meeting. Such “notice of motion” may be verbal or written.
- 8.6.2 A “notice of motion” shall state the future meeting at which the motion is to be considered by the members.
- 8.6.3 There shall be no debate on a “notice of motion”.
- 8.6.4 A “notice of motion” may be given an extension with the approval of the members.
- 8.6.5 A “notice of motion” may be withdrawn by the originator of the said notice.

PART 9 - VOTING

9.1 Debate

When debate on a question is closed, the presiding member shall immediately put the question to a vote.

9.2 Signify vote

Each member shall signify his/her vote on the question openly and individually by raising his/her hand.

9.3 Record of vote

Any member may call for his/her vote on any matter to be recorded and, each time this request is made the designated municipal officer shall record in the minute book the name of the member.

9.4 Refrain from voting

Any member who is present at the meeting at the time of the vote who refrains from voting shall be deemed to have voted in the affirmative.

PART 10 - GENERAL PROVISIONS

10.1 General provisions

10.1.1 If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

10.1.2 The District of Chetwynd Council Procedure Bylaw No. 793/G/2003 and all amendments thereto are hereby repealed in their entirety.

10.1.3 This bylaw shall be cited for all purposes as the District of Chetwynd Council Procedure Bylaw No. 799/G/04.

Read a First time this 3rd day of February, 2004.

Read a Second time this 3rd day of February, 2004.

Read a Third time this 3rd day of February, 2004.

Adopted this 17th day of February, 2004.

Director of Corporate Administration

Mayor