

Village of Port Clements Procedural Bylaw #422, 2015

A BYLAW TO REPEAL PREVIOUS PROCEDURAL BYLAWS AND REPLACE IT WITH THIS PROCEDURE BYLAW FOR THE MEETINGS AND COMMITTEES OF COUNCIL IN ACCORDANCE WITH THE COMMUNITY CHARTER.

Contents

PART 1 – INTRODUCTION.....	4
Title.....	4
Definitions.....	4
Application of rules of procedure.....	5
PART 2 – COUNCIL MEETINGS.....	5
Inaugural Meeting.....	5
Time and location of meetings.....	5
Annual meeting.....	6
Notice of Council Meetings.....	6
Notice of Special Meetings.....	6
Electronic meetings.....	6
PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR.....	7
PART 4 – COUNCIL PROCEEDINGS.....	7
Attendance of Public at meetings.....	7
Minutes of meetings to be maintained and available to public.....	8
Calling meeting to order.....	8
Adjourning meeting where no quorum.....	8
Agenda.....	8
Order of proceedings and business.....	9
Late items.....	9
Voting at meetings.....	9
Delegations.....	10
Points of order.....	10
Conduct and debate.....	11
Motions generally.....	12
Motion for the main question.....	12
Amendments generally.....	13
Reconsideration by Council Member.....	13
Reports from committees.....	13

Adjournment.....	14
PART 5 – BYLAWS.....	14
Forms of bylaws.....	14
Bylaws to be considered separately or jointly.....	14
Reading and adopting bylaws.....	14
Bylaws must be signed.....	15
PART 6 – RESOLUTIONS.....	15
PART 7 – COMMITTEE OF THE WHOLE.....	15
Going into Committee of the Whole.....	15
Notice for COTW meetings.....	15
Minutes of COTW meetings to be maintained and available to public	15
Presiding members at COTW meetings and Quorum.....	16
Points of order at meetings.....	16
Conduct and debate.....	16
Voting at meetings.....	16
Reports.....	16
Rising without reporting.....	16
PART 8 – COMMITTEES.....	16
Establishment of Standing committees.....	16
Duties of standing committees.....	17
Establishment of Select committees.....	17
Duties of select committees.....	17
Schedule of committee meetings.....	17
Notice of committee meetings.....	17
Minutes of committee meetings to be maintained and available to	
the public.....	18
Quorum.....	18
Conduct and debate.....	18
Voting at meetings.....	18
PART 9 – COMMISSIONS.....	18
Establishing a Commission.....	18
Schedule of Commission meetings.....	18
Notice of Commission meetings.....	19
Minutes of Commission meetings to be maintained and available	
to the public.....	19
Quorum.....	19
Conduct and debate.....	19

PART 1 – INTRODUCTION

WHEREAS the Community Charter requires a Council, by bylaw, to establish the general procedures to be followed by the Council and Council committees in conducting their business; and

WHEREAS Council deems it expedient to repeal and substitute Village of Port Clements Bylaws #336-2004, 383-2010 & 396-2012 and has given notice of the proposed changes as required by the Community Charter;

NOW THEREFORE in open meeting assembled, the Council for the Village of Port Clements enacts as follows:

Title

1. This Bylaw may be cited as the “Council Procedure Bylaw #422-2015”.

Definitions

2. In this Bylaw,

Commission means a municipal commission established under the Community Charter;

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

Corporate Officer means the municipal officer assigned the responsibility of corporate administration;

COTW means the Committee of the Whole

Council means the municipal Council for the Village of Port Clements

Mayor means the Mayor for the Village of Port Clements

Public Notice Posting Place means the notice screen facing the exterior of the building at the Village Office and shall also fulfill the requirement for posting notices at the regular Council meeting place;

Village means the Village of Port Clements, and;

Village Office means the Village of Port Clements municipal offices located at #36 Cedar Avenue West, Port Clements, BC.

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The Robert's Rules of Order Newly Revised 10th Edition apply to the proceedings of the Council, COTW and Council committees 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 Council Chambers except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
 - (a) be held on the first and third Monday of each month, and
 - (b) begin at 7:00pm;
 - (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time;
 - (d) when such meeting falls on a statutory holiday, be held on the next day the Village Office is open following which is not a statutory holiday.
- (3) Regular Council meetings may
 - (a) be cancelled by Council, 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 full days written notice.

Annual Meeting

6. (1) An Annual Meeting must be held in accordance with provisions of the Community Charter. At the Annual Meeting the Council must consider the annual report and any submissions or questions from the public related to same. Other business of the Council may also be transacted at the Annual Meeting.
- (2) Notice of the Annual Meeting must be given in accordance with provisions of the Community Charter and in addition to that set out in sections 7 and 8 of this Bylaw.

Notice of Council Meetings

7. (1) The Council must prepare annually, on or before January 15, a schedule of the dates, time and places of Regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place.
- (2) The Council must give notice annually on or before January 31 that the schedule of Regular Council meetings referred to in 7(1) of this Bylaw is available. Such notice shall be in accordance with that required by the Community Charter.
- (3) Where revision to the annual schedule of Regular Council meetings is required, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time or place, or cancellation of, a Regular Council meeting.

Notice of Special meetings

8. (1) Except where notice of a Special Meeting is waived by a unanimous vote of all Council members in accordance with the provisions of the Community Charter, a notice of the date, hour and place of a Special Council meeting must be given at least twenty-four hours before the time of the meeting by:
 - (a) Posting a copy of the notice at the Public Notice Posting Place; and
 - (b) Leaving a copy of the notice for each Council member in the Council member's mail slot in Council Chambers.
- (2) The notice under section 8(1) of this Bylaw must describe in general terms the purpose of the meeting and be signed by either the Mayor or the Corporate Officer.
- (3) A Special Meeting may be called only for a specific purpose or purposes and no business may be acted upon except that for which the meeting was called.

Electronic Meetings

9. (1) The preference is for Council members to physically attend meetings. However electronic attendance, as provided for under the Community Charter, is allowed when a member of Council is unable to attend physically. A member of Council attending via electronic means shall be deemed to be present at the meeting for all purposes. This section applies to all types of meetings of Council or Council committees.

(2) The person presiding at a meeting shall not participate electronically. In instances where it is the Mayor who will be participating electronically, the Deputy Mayor shall preside over the meeting. In absence of the Deputy Mayor, the members present shall elect from among themselves a presiding member for that meeting. For committees, when it is the committee chair who is participating electronically, the members present shall elect from among themselves a chair for the meeting.

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

10. (1) Annually, Council must designate a Councillor 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 Mayor is vacant.
- (2) Each Councillor designated under Section 10(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 10(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 10(1) or chosen under section 10(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 – COUNCIL PROCEEDINGS

Attendance of Public at Meetings

11. (1) Except where the Community Charter permits or requires all or part of a meeting to be closed to the public, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, the Council must state in a resolution passed in a public meeting the fact that the meeting or part of the meeting is to be closed and the applicable section of the Community Charter that is the basis for that decision.
- (3) This section applies to all meetings of the following bodies:
 - (a) COTW;
 - (b) Standing and Select committees;
 - (c) Parcel Tax review panels;
 - (d) Board of variance;
 - (e) Commissions; and,
 - (f) Advisory bodies
- (4) Despite section 11(1) of this Bylaw, the Mayor or the presiding member may expel or exclude from a Council meeting a person in accordance with section 21(8) or 21(9) of this Bylaw.
- (5) In accordance with the Community Charter, Council may invite persons the Council considers materially relevant to the discussion of the matter for which the meeting is closed.

Minutes of Meeting to be Maintained and Available to the Public

12. (1) Minutes of the proceedings of the Council and Council committees must be:
 - (a) Legibly recorded;
 - (b) Certified as correct by the Corporate Officer; and,
 - (c) Signed by the Mayor or presiding member at the meeting for which the minutes are adopted.
- (2) Subject to section 12(3) of this Bylaw, minutes of the proceedings of the Council or Council committees must be open for public inspection at the Village Office during regular office hours.
- (3) Section 12(2) of this Bylaw does not apply to minutes of a meeting or part of a meeting from which persons were excluded under section 11 of this Bylaw.

Calling Meeting to order

13. (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 Deputy Mayor must take the Chair and call such meeting to order.
- (2) If a quorum is present but the Mayor and Deputy Mayor do not attend within fifteen minutes of the scheduled time for the 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

14. If there is no quorum of the Council present within 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

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer or designate of items for inclusion on the Council meeting agenda is 1:00pm on the Wednesday prior to the meeting.
- (3) The Corporate Officer or designate must make the agenda available to the members of Council and the public on the Friday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17 of this Bylaw.

Order of proceedings and business

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
- (a) Approval of agenda including additions or deletions and consideration of late items;
 - (b) Petitions, Delegations & Opening of Sealed Tenders;
 - (c) Adoption of minutes;
 - (d) Business arising & Unfinished Business;
 - (e) Original Correspondence
 - (f) Finance
 - (g) Government (Bylaws and Statutory Requirements)
 - (h) New Business
 - (i) Reports and Discussions
 - (j) Action Items
 - (k) Questions from the public & press
 - (l) Adjourn to In-camera
 - (m) Adjournment
- (2) Item 16(1)(k) is for the purpose of members of the public to ask single questions of the Council. The maximum time allotted for this agenda item shall be ten minutes.
- (3) 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.

Late Items

17. (1) Late items are discouraged as neither Council nor the Corporate Officer may have had time to review and bring any related information forward pertaining to the issue.
- (2) An item of business not included on the agenda must not be accepted by Council until the Corporate Officer or designate has first read the item and determined that it is not information that would taint an ongoing action of Council. After that vetting Council may, by resolution, choose to add the item as a late item.
- (3) If the Council makes a resolution under section 17(2) of this Bylaw, information pertaining to the late item(s) must be distributed to the members.

Voting at Meetings

18. (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) whenever a vote of the Council on a matter is taken, each member shall signify their vote by raising their hand in a clear and obvious manner at the appropriate time to vote accordingly.
 - (c) when the presiding member is putting the matter to vote under paragraph (a) a member must not:

- (i) cross or leave the room;
- (ii) make a noise or other disturbance, or
- (iii) interrupt the voting procedure unless raising a point of order;
- (d) after the presiding member finally puts the question to a vote, a member must not speak to the question or make a motion concerning it;
- (e) the presiding member's decision about whether a question has been finally put is conclusive; and
- (f) the presiding member must declare the result of voting by stating that the question is decided in either the affirmative or the negative.

Delegations

19. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an agenda item provided written application stating the purpose of the delegation has been received by the Corporate Officer by 1:00pm on the Wednesday prior to the meeting. The address must be limited to 10 minutes unless a longer period is agreed to by two-thirds vote of those members present.
- (2) Where written application has not been received by the Corporate Officer as prescribed in 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) 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.
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory board as deemed appropriate according to the subject matter of the delegation.
- (5) 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 Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.

Points of order

20. (1) Without limiting the presiding member's duty under the Community Charter, 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 20(2)(a), and
 - (c) the presiding member may reserve the decision until the next Council meeting.

Conduct and debate

21. (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, Deputy 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 the Council for its decision on a point of order in accordance with the Community Charter.
- (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 remove, and
 - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) The presiding member may order any other person at the meeting expelled from the meeting:
 - (a) if the presiding members considers that person to be acting inappropriately; and
 - (b) if the person refuses to leave, may cause that person to be removed.
- (10) 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.
- (11) 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) after all other eligible members have been afforded the opportunity to speak
 - (ii) with the permission of the Council; or

- (iii) 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 may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with permission of Council.
- (12) A person is disqualified from holding office who is absent from meetings for a period of sixty consecutive days or four consecutive regularly scheduled meetings, whichever is the longer time period, unless the absence is because of illness or injury or is with the leave of Council.

Motions Generally

22. (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 a committee;
 - (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 for the main question

23. (1) In this section, "main question", in relation to a matter, means that 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, 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 must proceed to the next order of business; and
 - (c) a member of the Council must not reintroduce a motion previously defeated at the same meeting unless the motion is materially altered so as to make it a new subject.

Amendments Generally

24. (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 decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may only be amended once.
- (5) An amendment that has been negative by a vote of Council cannot be proposed again.
- (6) 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

25. (1) Subject to subsection 25(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 section 25(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 section 25(1) of this this bylaw or provisions of the Community Charter, or
 - (c) been acted on by an officer, employee or agent of the Village.
- (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 section 25(1) or provisions of the Community Charter is as valid and has the same effect as it had before reconsideration.

Reports from Committees

26. Council may take any of the following actions in connection with a resolution it receives from a committee:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to the committee or a different committee
- (d) postpone consideration of the resolution.

Adjournment

27. (1) A Council may continue a Council meeting after 10:00pm only by an affirmative vote of 2/3 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.

PART 5 – BYLAWS

Form of Bylaws

28. 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;

Bylaws to be considered separately or jointly

29. 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

30. (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 must be given by stating its title.
- (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 provisions in the Local Government Act, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) Subject to provisions in the Local Government Act or the Community Charter, Council may give up to three readings to a proposed bylaw at the same Council meeting.

(6) In accordance with provisions in 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.

Bylaws must be signed

31. 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 City's records for safekeeping.

PART 6 – RESOLUTIONS

32. (1) The presiding member of a Council meeting may:

- (a) require that a member, introducing a lengthy resolution, provide the resolution to the Corporate Officer in writing;
- (b) have the Corporate Officer read the resolution; and
- (c) request a motion that the resolution be introduced.

PART 7 – COMMITTEE OF THE WHOLE

Going into Committee of the Whole

33. (1) At any time during a council meeting, Council may by resolution go into a COTW.
(2) In addition to section 33(1), a meeting, other than a standing or select committee meeting, at which all members of Council are invited to consider but not to decide on matters of the Village's business, is a meeting of COTW.

Notice for COTW meetings

34. (1) Subject to section 34(2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the public notice posting place; and
- (b) leaving a copy of the notice for each Council member in the Council member's mail slot in Chambers.

(2) Section 34(1) does not apply to a COTW meeting that is called, in accordance with section 33(1), during a Council meeting for which public notices has already been given.

Minutes of COTW meetings to be maintained and available to public

35. Minutes of the proceedings of a COTW 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 provisions of the Community Charter.

Presiding members at COTW meetings and Quorum

36. (1) Any Council member may preside at a COTW.
- (2) The members of Council attending a meeting of the COTW must appoint a presiding member for the COTW meeting.
- (3) Quorum for a COTW meeting is the majority of Council members.

Points of Order at meetings

37. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and Debate

38. The following rules apply to COTW 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

39. (1) Voting at a COTW 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

40. (1) A motion for the COTW to rise and report to Council must be decided without debate.
- (2) The COTW's reports to Council must be presented by the Corporate Officer.

Rising without Reporting

41. (1) A motion made at a COTW 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 a COTW at a meeting constituted under section 33(1), the Council meeting must resume and proceed to the next order of business.

PART 8 – COMMITTEES

Establishment of a Standing Committee

42. (1) The Mayor must establish standing committees for matters the Mayor considers would be better dealt with by the committee and must appoint persons to those committees.
- (2) At least half of the members of a standing committee must be Council members.

(3) Subject to section 42(2), persons who are not Council members may be appointed to a standing committee.

Duties of standing committees

43. (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 Mayor,
 - (i) as required by Council or Mayor, or
 - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

Establishment of Select Committees

44. (1) A Council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the Council.
- (2) At least one member of a select committee must be a Council member.
- (3) Subject to section 44(2), persons who are not Council members may be appointed to a select committee.

Duties of Select Committees

45. (1) Select committees must consider, inquire into, report and make recommendations to Council about the matter referred to the committee by 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

46. (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

47. (1) Annually, on or before January 15, committees must prepare a schedule of dates, time and places of meetings and make the schedule available:
- (a) to the public by posting it at the public notice posting place; and

- (b) providing a copy of the schedule to each committee member.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as practical, post a notice at the public notice posting place which indicates any revisions to the date, time or place or of cancellation of a committee meeting.
- (3) The chair of a committee must notify committee members of the day, time and place of a meeting called under section 47(2) at least 12 hours before the time of the meeting.

Minutes of committee meetings to be maintained and available to public

48. Minutes of the proceedings of a committee must be:
- (a) legibly recorded,
 - (b) certified by the Corporate Officer or designate
 - (c) signed by the presiding member at the meeting, and
 - (d) open for public inspection in accordance with the Community Charter.

Quorum

49. The quorum for a committee is a majority of its members.

Conduct and Debate

50. (1) The rules of the Council procedure must be observed during committee meetings, so far as possible, and unless as otherwise provided by 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 committee meeting is not required to be seconded.

Voting at meetings

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

PART 9 – COMMISSIONS

Establishing a Commission

52. Council may establish a Commission to operate a service on their behalf or undertake enforcement of something within Council's authority.

Schedule of Commission meetings

53. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.

(2) The Chair of the Commission may call a meeting of the commission in addition to the scheduled meetings or may cancel a meeting.

Notice of Commission meetings

54. (1) After the Commission has established the regular meeting schedule, notice of the schedule must be:
- (a) posted at the Public Notice Posting place; and
 - (b) given 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 practical, post notice at the Public Notice Posting Place indicating the revision or cancellation of the Commission meeting.
- (3) The Chair of a Commission 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 Commission at least 12 hours before the time of the meeting.

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

55. Minutes of the proceedings of a Commission must be:
- (a) legibly recorded;
 - (b) signed by the Chair or presiding member at the meeting; and
 - (c) open for public inspection at the Village Office during regular office hours.

Quorum

56. The quorum of a Commission is a majority of all of its members.

Conduct and Debate

57. The rules of the Council procedures must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this Bylaw.

PART 10 – GENERAL

58. 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.
59. This bylaw may not be amended or repealed and substituted unless the Council first gives notice in accordance with the provisions stipulated in the Community Charter.
60. The Village of Port Clements Procedural Bylaw #336, 2004 and its amendments #383, 2010 and #396, 2012 are hereby repealed.

READ A FRIST TIME THIS 20th day of April, 2015


READ A SECOND TIME THIS 20th day of April, 2015

READ A THIRD TIME THIS 20th day of April, 2015

RECONSIDERED AND FINALLY ADOPTED THIS 4th day of May, 2015



Mayor Ian Gould



Administrator Kim Mushynsky

Certified a true copy of Bylaw #422, 2015

Administrator