

DISTRICT OF VANDERHOOF

PROCEDURES BYLAW NO. 962, 2004

A bylaw to establish rules of procedure for Council meetings in the District of Vanderhoof.

WHEREAS pursuant to Section 124(1) of the *Community Charter*, a Council must establish, by bylaw, the general procedures to be followed for the conduct of its business;

NOW THEREFORE The Council of the District of Vanderhoof in open meeting assembled enacts as follows:

PART 1 REGULAR MEETINGS

Time, Date and Place

- 1.1 Regular meetings of Council shall commence at 7:00 pm in the Vanderhoof Council Chambers on the second and fourth Wednesdays of each month except when:
 - 1.1.1 a quorum, consisting of a majority of Council members, is not present within thirty (30) minutes after the time appointed for commencement of the meeting;
 - 1.1.2 the Wednesday 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 object of the resolution shall convene as specified in the resolution.
- 1.2 Council may by resolution cancel meetings provided for under this part.
- 1.3 *The first regular meeting following a general local election, shall be the first Wednesday in December.*

Public Attendance

- 1.4 Subject to Section 90 and Section 92 of the *Community Charter*, all council meetings shall be open to the public, except as provided for in Section 133 of the *Community Charter*;
- 1.5 Public attendance at council meetings applies to meetings of bodies referred to in Section 93 of the *Community Charter*, including:
 - (i) select or standing committees of Council;
 - (ii) the Board of Variance
 - (iii) the Court of Revision

Posting Notice of Meetings

- 1.6 A schedule of regular council meetings shall be published in January of each year in accordance with Section 94 and Section 127 of the Community Charter.
- 1.7 The posting place for public notice of meetings shall be the notice board at the Municipal Office.
- 1.8 Public notice, including the date, time and place of all regular meetings, shall be posted on the notice board at least 72 hours prior to the meeting.
- 1.9 Copies of the agenda shall be made available to the public at the reception counter at the Municipal Office.

Presiding Member

- 1.10 In the Mayor's absence, each Councillor shall act for a term of two (2) months as the Acting Mayor. Designation of the 2-month terms shall be determined by the alphabetical order of councillor surnames.
- 1.11 The member designated under section 1.10 has the same responsibilities, powers and duties as the Mayor while the member is acting in the absence of the Mayor.

Agenda

- 1.12 Except as Council otherwise resolves, and in any event only to the extent that business exists at a particular meeting under each of these subject headings, the usual order of business at a regular meeting is as follows:
 - adoption of the agenda
 - adoption of minutes as printed and, if necessary, as amended
 - reception of delegations
 - council committee reports
 - correspondence
 - administration reports
 - old business
 - consideration of bylaws
 - addendum
 - new business
 - adjournment

page three/
Bylaw 962

- 1.13 A delegation is allowed a maximum of fifteen (15) minutes to make its presentation to a regular or special council meeting. Any extension of this time limit shall be by resolution of Council.
- 1.14 The deadline for submission by the public of items for inclusion on the Council meeting agenda shall be 12:00 noon on the Friday prior to the meeting.

Minutes of the proceedings of a regular council meeting

- 1.15 Minutes of the proceedings of a regular council meeting
 - must be legibly recorded in a minute book
 - must be certified as correct by the Corporate Officer and signed by the Mayor or other member presiding at the meeting or at the next meeting at which they are adopted
 - must be open for inspection by any person and any person may make copies and extracts of the minutes at all reasonable times
 - adoption of minutes is 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 and the Corporate Officer shall make all such changes in order to conform with the terms of the resolution.

PART 2 SPECIAL MEETINGS

Call for a special meeting

- 2.1 A special meeting is any meeting other than a regular meeting or an adjourned meeting.
- 2.2 Requests to hold a special meeting shall be conducted in accordance with Section 126 of the *Community Charter*.
- 2.3 Where Council wishes to close a meeting to the public, a resolution shall be passed in an open meeting in accordance with provisions in Section 90 and Section 92 of the *Community Charter*.

Notice of special meeting

- 2.4 Notice of a special meeting shall be conducted in accordance with Section 127 of the *Community Charter*.
- 2.5 The notice under Section 2.4 must describe in general terms the purpose of the meeting and signed by the Mayor or Corporate Officer.

Minutes of proceedings of a closed meeting

- 2.6 Minutes of the proceedings of a closed council meeting
- must be legibly recorded in a minute book
 - must be certified as correct by the Corporate Officer and signed by the Mayor or other member presiding at the meeting or at the next meeting at which they are adopted
 - adoption of minutes is 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 and the Corporate Officer shall make all such changes in order to conform with the terms of the resolution.

Minutes of the proceedings of other special meetings

- 2.7 All other special meetings include Committee of the Whole meetings and meetings of all other bodies as listed in Section 93 of the *Community Charter*.
- 2.8 Legible notes of the proceedings of all other special meetings shall be taken and signed by the presiding member.

PART 3 BYLAWS

- 3.1 Bylaws shall be adopted in accordance with Division 3, Part 5 of the *Community Charter*.
- 3.2 The Corporate Officer shall specify at the end of any bylaw the dates of readings and adoption, and the dates any applicable statutory requirements were fulfilled.
- 3.3 Once adopted, a bylaw must be signed by the presiding member at the council meeting at which it was adopted and signed and sealed by the Corporate Officer with the corporate seal of the municipality.

- 3.4 Once signed and sealed, the bylaw shall be placed in the Municipal record for safekeeping.
- 3.5 Despite Section 135 (3) of the Community Charter, 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 bylaw passed third reading.

PART 4 RULES OF CONDUCT AND DEBATE

4.1 General conduct

- 4.1.1 A member may speak in a meeting after he has raised his hand and the presiding member has recognized him.
- 4.1.2 When the presiding member desires to speak in debate, he may address himself to the other members and speak in turn.
- 4.1.3 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.
- 4.1.4 A member may speak
 - only in relation to the matter in debate
 - not more than five minutes at a time
 - not more than twice to the same matter
 - to ask a question for purposes of clarification

4.2 Privilege

- 4.2.1 Every member may at any time during debate require that the matter under discussion be read for his information, but shall not exercise this right in order to interrupt a member speaking without the acquiescence of that member.
- 4.2.2 Every member may require the presiding member to state the rule applicable to a point of practice or order pertaining to an item on the agenda and the presiding member shall then state the rule without argument or comment.
- 4.2.3 Every member may, by means of a question to the presiding member, seek information relating to any matter included on the agenda and the question shall be in writing if so required by the presiding member.

4.3 Public inquiries

4.3.1 a verbal inquiry or comment by a member of the public shall relate only to an item on the agenda and shall be heard only when Council agrees without objection or so resolves.

4.4 Parliamentary procedure

4.4.1 All points of order or procedure not provided for in this bylaw shall be decided in accordance with the rules of parliamentary procedure of *Roberts Rules of Order Newly Revised*.

PART 5 MOTIONS AND AMENDMENTS

5.1 Notice of motion

5.1.1 All procedural resolutions and all bylaw readings shall be by motion duly moved and seconded by members.

5.1.2 All items brought forward by a member as new business, require a motion to be moved and seconded prior to discussion of the issue.

5.1.3 Unless the members otherwise resolve, nonprocedural resolutions do not require a mover and seconder prior to debate of the matter, except those in 5.1.2 above.

5.1.4 Once the mayor has read aloud a motion that has been duly moved and seconded, no member may withdraw it without permission of the members.

5.1.5 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:

- to adjourn
- to table
- to amend
- to refer

5.2 Motion to adjourn

5.2.1 A member at any time may make a motion to adjourn and the members shall promptly decide the motion without debate, and no member shall make a second adjournment motion if the first is defeated unless other proceedings intervene.

5.3 Motion to table

5.3.1 Except when a motion to adjourn has been made, a member may make a motion to table and the members may debate the motion to table when it is made, but shall not debate the content of the motion that is the subject of the tabling motion.

5.4 Inadmissible motion

5.4.1 When a presiding member is of the opinion that a motion offered to the members is contrary to this bylaw or relates to matters beyond the powers of the members, he may inform the members immediately, giving reasons for his opinion, and he may refuse to put the question to a vote.

5.5 Amendment of motion

5.5.1 No member shall move any motion to amend that negates the purpose of the main motion.

5.5.2 Members shall withdraw or decide any amendment to a motion before the main question is put to a vote.

5.5.3 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 whether it does and the ruling is subject to an appeal to the members.

5.5.4 If an amendment to a motion is carried, the previous motion is then voted on as amended.

5.5.5 If an amendment to a motion is defeated, the previous motion is again before the members.

5.5.6 A main motion may be amended to a maximum of two times and any member may move only one amendment to any main motion.

5.5.7 A motion need not be subject to this amendment procedure. A motion may be defeated and an acceptable motion duly introduced.

PART 6 RECONSIDERATION BY A COUNCIL MEMBER

- 6.1 The Mayor may require the Council to reconsider a matter in accordance with Section 131 of the Community Charter.
- 6.2 *Subject to subsection 6.5 and subject to new information being presented that was not available at the time of the vote, a Council member may, at the next Council meeting,*
- 6.2.1 *move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and*
- 6.2.2 *move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.*
- 6.3 A council member who voted affirmatively for a resolution adopted by Council, may at any time move to rescind that resolution.
- 6.4 Council must not discuss the main matter referred to in subsection 6.2 unless a motion to reconsider that matter is adopted in the affirmative.
- 6.5 A vote to reconsider must not be reconsidered.
- 6.6 Council may only reconsider a matter that has not
- 6.6.1 had the assent of the electors;
- 6.6.2 been reconsidered under subsection 6.2 or Section 131 of the Community Charter;
- 6.6.3 been acted on by an officer, employee or agent of the District of Vanderhoof.
- 6.7 The conditions that applied to the adoption of the original bylaw, resolution or proceeding apply to its rejection under this section.
- 6.8 A bylaw, resolution or proceeding that is reaffirmed under subsection 6.2 of Section 131 of the Community Charter, is as valid and has the same effect as it had before reconsideration.

PART 7 VOTING

- 7.1 When debate on a question is closed, the presiding member shall immediately put the question to a vote.
- 7.2 Each member shall signify his vote on the question openly and individually by raising his hand.

page nine/
Bylaw 962, 2004

- 7.3 The presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- 7.4 Any member may call for his vote on any issue to be recorded and, each time this request is made, the Corporate Officer shall record in the minute book the name of the member and the way in which he voted.
- 7.5 The Corporate Officer shall record in the minute book immediately following entry of any motion, the name of any member who votes in the negative, only if requested by that member.

PART 8 PUBLIC HEARINGS

- 8.1 When the Council has heard the public, the proposed bylaw that was the subject of the public hearing shall be referred without debate to a meeting of the council for a vote on the next reading of it.
- 8.2 A written report of all public hearings shall be kept. The Mayor shall sign the report certifying it as a true and accurate report of the proceedings.

PART 9 GENERAL PROVISIONS

- 9.1 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.
- 9.2 This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter*.
- 9.3 The District of Vanderhoof Council Procedure Bylaw No. 854, 1998 and all amendments thereto are hereby repealed.
- 9.4 This bylaw shall be cited for all purposes as the District of Vanderhoof Procedure Bylaw No. 962, 2004.

READ A FIRST TIME THIS _____ DAY OF _____, 2004.

READ A SECOND TIME THIS _____ DAY OF _____, 2004.

page ten/
Bylaw 962, 2004

READ A THIRD TIME THIS _____ DAY OF _____, 2004.

ADOPTED THIS _____ DAY OF _____, 2004.

MAYOR

CORPORATE OFFICER

Corporate Officer-04/bylaw962