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# City of Port Moody

## CONSOLIDATED FOR CONVENIENCE

### Bylaw No. 3013

A Bylaw to establish rules of procedure for Council Meetings.

The Council of the City of Port Moody enacts as follows:

#### PART 1 – INTRODUCTION

##### Title

1. This Bylaw may be cited as the “City of Port Moody Council Procedure Bylaw, 2016, No. 3013”.

##### Definitions

2. In this Bylaw,

“City” means the City of Port Moody;

“City Hall” means Port Moody City Hall located at 100 Newport Drive, Port Moody, British Columbia;

“City Website” means the information resource found at [www.portmoody.ca](http://www.portmoody.ca);

“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 COTW;

“Committee Clerk” means a Legislative Services staff member assigned to clerk a committee meeting;

“COTW” means the Committee of the Whole Council;

“Corporate Officer” means the Corporate Officer for the City;

“Council” means the Council of the City of Port Moody;

“Delegation” means an address to Council or Committee at the request of the person wishing to speak and relates to an item of business on the agenda of the Meeting at which the person wishes to appear, or includes the submission of a request;

“Deputy Corporate Officer” means the Deputy Corporate Officer for the City;

“Mayor” means the mayor of the City;

“Member(s)” means a member of the Council of Port Moody;

“Presentation” means an address to Council or Committee for the provision of information of interest to Council and residents, and generally, though not necessarily, relates to a non-business item. Requests are not submitted as part of a presentation;

“Presiding Member” means the Member chairing the meeting;

“Public Notice Posting Places” means the City Website and the notice board located in the breezeway at City Hall;

“Regular Council Meeting” means a meeting of Council held on the second or fourth Tuesday of each month, starting at 7:00pm; and

“Special Council Meeting” means a meeting of Council other than a Regular Council Meeting.

### **Application of Rules of Procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all Committees of Council, as applicable.
- (2) Robert's Rules of Order Newly Revised, 11<sup>th</sup> edition, 2011, apply to the proceedings of Council, COTW, and 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 Tuesday in November in the year of the election.

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- (2) If a quorum of 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 City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council Meetings must:
  - (a) be held on the second and fourth Tuesday of each month, except for the month of August and the second half of December, during which no regular meetings shall be scheduled;
  - (b) begin at 7:00pm or immediately following a Public Hearing to be held at 7:00pm;
  - (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 31; and
  - (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open;

Notwithstanding this subsection, Council may decide not to hold a Council meeting on the second and/or fourth Tuesday of a month, or to hold additional Council meetings in a month, when establishing the annual schedule of Council meetings.

- (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 two days' written notice.
- (4) Public Hearings:
  - (a) may be held on Tuesdays;
  - (b) may begin at 7:00pm; and
  - (c) must be adjourned at or before 9:00pm on the day scheduled for the meeting, unless Council resolves to proceed beyond that time in accordance with section 31.
- (5) Closed Council meetings must be adjourned:

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- (a) if scheduled on the same day as a Regular Council Meeting, by 6:55pm;
  - (b) if scheduled on a day other than the day on which a Regular Council Meeting is also scheduled, within three hours after the time at which the meeting started; and
  - (c) unless Council resolves to proceed beyond that time in accordance with section 31.
- (6) COTW meetings must be adjourned within three hours after the time at which the meeting started, unless Council resolves to proceed beyond that time in accordance with section 31.
- (7) Standing Committee, Select Committee, and Commission meetings must be adjourned within two hours after the time at which the meeting started, unless its members resolve to proceed beyond that time in accordance with section 31.

### **Notice of Council Meetings**

6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually on or before the second Tuesday of December, 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 [notice of council meetings]*, Council must give notice annually on or before the second Tuesday of December of the availability of the annual schedule of the dates, times, and places of Regular Council Meetings for the following year in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) Council may make revisions to the annual schedule of Regular Council Meetings, including by cancelling, rescheduling, or changing the time or location for holding a meeting. When such revisions are made, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the schedule of Regular Council Meetings.

### **Notice of Special Meetings**

7. (1) Except where notice of a Special Council Meeting is waived by unanimous vote of all Members under section 127(4) of the *Community Charter [notice of council meeting]*, 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 at City Hall;
  - (b) posting a copy of the notice at the Public Notice Posting Places; and
  - (c) advising Members of the Special Council Meeting by electronic means.

- (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 Participation at Meetings and Electronic Meetings**

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met,
  - (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities if:
    - (i) the Mayor calls for a Meeting by electronic means; or
    - (ii) in extreme emergency situations as determined by the Mayor or Corporate Officer, such as when a State of Local Emergency has been declared, Members are unable to physically meet in one location together.

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

9. (1) Annually, Council must from amongst its Members designate Councillors to serve on a rotating basis 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 section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the Members designated under section 9(1) are absent from the Council meeting, the Members present must choose a Councillor to preside at the Council meeting.
- (4) The Member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.
- (5) If the Mayor or Councillor designated under section 9(1) arrives after the start of a meeting, he or she shall preside at the meeting upon arrival.

### **PART 4 – COUNCIL PROCEEDINGS**

#### ***Community Charter Provisions***

10. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*]. The relevant extracts from the *Community Charter* are appended to this Bylaw for convenient reference.



### **Attendance of Public at Meetings**

11. (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) COTW;
  - (b) Committees;
  - (c) Parcel Tax Review Panel;
  - (d) Board of Variance;
  - (e) advisory bodies such as Advisory Design Panel; and
  - (f) Commissions, such as the Parks and Recreation 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 9 may expel or exclude from a Council meeting a Member in accordance with section 23(9).

### **Minutes of Meetings to be Maintained and Available to the Public**

12. (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 the Presiding Member.
- (2) Subject to subsection 12(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 City Hall during its regular office hours.
- (3) Subsection 12(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].

### **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, or where the Mayor wishes not to preside over a COTW meeting, the Councillor designated as the Member responsible for acting in the place of the Mayor in accordance with section 9 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 9 does not attend within 20 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.
- (3) If neither the Chair nor Vice-Chair of a Committee, Commission, or Board is able to attend a meeting, the Chair or Mayor may request that another Member of Council act in the place of the Chair at the Committee, Commission, or Board Meeting.

#### **Adjourning Meeting Where No Quorum**

14. (1) If there is no quorum of Council present within 20 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
  - (a) record the names of the Members present, and those absent;
  - (b) adjourn the meeting until the next scheduled meeting; and
  - (c) place all business on the agenda that is not dealt with at the meeting on the Agenda for the next meeting.
- (2) If quorum is lost during a meeting, the meeting will be temporarily recessed, and if not reconvened within 15 minutes, sections 14(1)(a), (b), and (c) apply.

#### **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 of items for inclusion on the Council meeting Agenda is 9:30am on the Monday of the week prior to the meeting.
- (3) The deadline for submissions by staff and Members to the Corporate Officer of items for inclusion on the Council meeting Agenda is set out in the Administrative Policy on Council Report Standards.
- (4) Notwithstanding the requirements of sections 15(2) and 15(3), the Corporate Officer has the discretion, where practical, to include on a Council Agenda

prior to its publication, an item or report which is not provided by the time and date required.

- (5) The Corporate Officer must make the Agenda available to the members of Council and the public at City Hall and on the City Website:
  - (a) for Regular Council Meetings and Public Hearings, on the Thursday afternoon prior to the meeting; and
  - (b) for Special Council Meetings, as soon as is practicable at the discretion of the Corporate Officer.
- (6) For Closed meetings of Council, the Corporate Officer must prepare an Agenda setting out the numbers of all the items for consideration at that meeting, noting the sections of the *Community Charter* under which the discussions must or may be held in a Closed meeting. This Agenda must be made available to Members of Council and the public on the Thursday afternoon prior to the meeting.
- (7) 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 19.

#### **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) 1. Call to Order
  - (b) 2. Public Input
  - (c) 3. General Matters
  - (d) 4. Adoption of Minutes
  - (e) 5. Consent Agenda
  - (f) 6. Items Removed from the Consent Agenda
  - (g) 7. Legislative Matters
  - (h) 8. Unfinished Business
  - (i) 9. New Business
  - (j) 10. Other Business
  - (k) 11. Verbal Reports from Council and Staff
  - (l) 12. Information Items
  - (m) 13. Public Input
  - (n) 14. 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.

## Public Input

17. (1) One 15-minute Public Input period is available after a Regular Council Meeting is called to order, and another immediately preceding adjournment of the Meeting. One 15-minute Public Input period is available after a COTW Meeting is called to order.
- (2) Anyone wishing to speak during a Public Input period must so indicate by registering his or her name and city of residence on a speakers' list prior to the Public Input period. The list shall determine the order of speakers.
- (3) During Public Input periods, once recognized by the presiding Member, speakers may address Council to comment on any matter coming within the competence of Council. Each speaker must state his or her name and city of residence, and will be allowed two minutes to speak. No person must speak regarding a bylaw in respect of 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) To accommodate speakers who were not given an opportunity to address Council within the 15-minute Public Input period, Council may extend Public Input periods by 15-minute increments by a majority vote.
- (5) Members of Council shall not interact with the speakers during the Public Input period, but may call speakers up for questions at the end of the Public Input period.
- (6) Once the nomination period preceding a General Local Election or By-election begins, Public Input periods shall be suspended until the meeting of Council following the Election.

## Consent Agenda

18. (1) On a Regular Council Agenda, as determined by the Corporate Officer in consultation with the Mayor, non-controversial, routine items which do not require discussion or debate may be grouped together under a Consent Agenda and dealt with under one resolution of Council.
- (2) Items to be included in the Consent Agenda are:
  - (a) Recommendations from Committees;
  - (b) Reports for Information; and
  - (c) Items for which debate is not expected.
- (3) Any Member of Council may request that an item included on the Consent Agenda be removed from the Consent Agenda and dealt with separately. Members shall request removal of items from the Consent Agenda prior to moving adoption of recommendations listed in the Consent Agenda. Any item that is removed from a Consent Agenda will be considered immediately after the consideration of the Consent Agenda.

- (4) A Member may request that an item be included on the Consent Agenda, and if no one objects, it will be so listed and considered.
- (5) Members may vote on and adopt in one motion all recommendations appearing on the Consent Agenda.

### **Late Items**

19. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council with a unanimous vote of all members present.
- (2) If the Council makes a resolution under section 19(1), information pertaining to late items must be distributed to the Members.

### **Voting at Meetings**

20. (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 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) 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, unless excused as a result of not being entitled to vote under the *Community Charter*;
    - (ii) make a noise or other disturbance; or
    - (iii) interrupt the voting procedure under paragraph (b) except to raise a point of order;
  - (d) 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;
  - (e) the Presiding Member’s decision about whether a question has been finally put is conclusive;
  - (f) whenever a vote of Council on a matter is taken, each Member present shall signify their vote by raising their hand;

- (g) the Presiding Member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative; and
- (h) should any Member refrain from voting when any question is put, the Member shall be regarded as having voted in the affirmative and the Member's vote shall be counted accordingly.

### **Presentations and Delegations**

21. (1) Presentations and Delegations to Council shall be received at COTW meetings, if:
- (a) at least eight days prior to the date of the meeting at which the presenter wishes to appear, the presenter or delegation submits his or her request to appear before Council in writing to the Corporate Officer, clearly outlining the intended subject matter to be presented and the name of the presenter and, if applicable, the organization being represented; and
  - (b) the Corporate Officer has advised the presenter or delegation of the date of the meeting at which he or she may appear.
- (2) Presentations and Delegations shall be confined to the subject which was indicated in the written request, and limited to:
- (a) 15 minutes for a Presentation; and
  - (b) five minutes for a Delegation.
- (3) Council may waive strict compliance with section 21(2) by a resolution passed by a two-thirds majority vote of all Members present.
- (4) Where written application has not been received by the Corporate Officer as prescribed in section 21(1), an individual or Delegation may address the meeting if approved by the unanimous vote of the members present.
- (5) Council must not permit a presenter or a Delegation to address a meeting of 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 prerequisite to the adoption of the bylaw.
- (6) The Corporate Officer may schedule Delegations and Presentations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the Delegation.
- (7) The Corporate Officer may refuse to place a Delegation or Presentation on the Agenda if the issue is not considered to fall within the jurisdiction of Council. Non-jurisdictional items will be dealt with in accordance with the City's Non-Jurisdictional Items Policy. A two-thirds majority vote is required when deciding to consider a non-jurisdictional item at a Council Meeting.

### Points of Order

22. (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 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 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

23. (1) A 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) Members must adhere to the Code of Conduct for Elected Officials Corporate Policy.
- (5) No Member may interrupt a Member who is speaking except to raise a point of order.
- (6) If more than one Member speaks, the Presiding Member must call on the member who, in the presiding member's opinion, first spoke.
- (7) 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]*.
- (8) Members 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.
- (9) If a Member is considered to be acting improperly, 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.
- (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) 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; and
  - (d) a Member may speak to a question, or may speak in reply, for longer than a total time of five minutes only with the permission of Council.

### **Motions Generally**

24. (1) Council may debate and vote on a motion only if it is first made by one Member and then seconded by another.



- (2) Whenever possible, Members are encouraged to share with the Corporate Office and with all Members of Council in advance wording of motions that they intend to introduce at Council meetings, as amendments or as motions arising.
- (3) A Member may make only the following motions, when the Council is considering a question:
  - (a) to refer to 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; and
  - (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 Member.

#### **Motion to Commit**

25. 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**

26. (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**

27. (1) A Member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting, 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) A motion to amend that has been defeated by a vote of Council cannot be proposed again.
- (7) A 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; and
  - (c) the main question.

#### **Reconsideration by Member**

28. (1) Subject to subsection (5), a 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 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) If a motion to reconsider is defeated, the subject matter may not be open for consideration by Council within a certain time period except by way of a new and substantially different motion.
- (6) 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]*; and
  - (c) been irreversibly acted on by an officer, employee, or agent of the City.
- (7) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (8) 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**

29. (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; and
  - (e) raise a question of privilege of a Member.
- (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**

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

### **Adjournment**

31. (1) A Council may continue a Regular Council meeting for an additional hour after 10:00pm only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to

continue the meeting for an additional hour is required, as well as every hour thereafter.

- (2) Council may continue a Public Hearing for an additional hour after 9:00pm only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (3) A Council may continue a Closed Council meeting scheduled on the same day as a Regular Council Meeting for an additional specified amount of time beyond 6:55pm only by an affirmative unanimous vote of the Members present.
- (4) A Council may continue a Committee of the Whole meeting for an additional hour beyond the first three hours only by an affirmative unanimous vote of the Members present. At the expiration of the additional hour, another affirmative unanimous vote to continue the meeting for an additional hour is required, as well as every hour thereafter.
- (5) Members of a Standing or Select Committee, Commission, or Board may continue a Committee, Commission, or Board meeting for an additional 30 minutes beyond the first two hours only by an affirmative unanimous vote of the members present. At the expiration of the additional half hour, another affirmative unanimous vote to continue the meeting for an additional half hour is required, as well as every half hour thereafter.
- (6) 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.
- (7) Subsection (6) does not apply to either of the following motions:
  - (a) a motion to adjourn to a specific day; or
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## **PART 5 – BYLAWS**

### **Copies of Proposed Bylaws to Members**

32. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Member at least 24 hours before the Council meeting, or all Members unanimously agree to waive this requirement.

### **Form of Bylaws**

33. 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 as necessary.

### **Bylaws to be Considered Separately or Jointly**

34. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the Presiding Member or requested by another Member; or
  - (b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.

### **Reading and Adopting Bylaws**

35. (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 477 of the *Local Government Act* [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the 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) In cases where a bylaw is amended prior to receiving third reading, the third reading of the bylaw must be given at a meeting subsequent to the meeting in which it received second reading.
- (7) Each reading of a bylaw must be moved separately.
- (8) Despite section 135(3) of the *Community Charter* [requirements for passing bylaws], and in accordance with section 477(6) and 480 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.

### **Bylaws Must be Signed**

36. 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 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 – RESOLUTIONS**

### **Introducing Resolutions**

37. (1) Resolutions must be dealt with on a motion put by a Member and seconded by another Member.

## **PART 7 – PUBLIC HEARINGS**

### **Presentations at Public Hearings**

38. (1) All persons with an interest in a proposed bylaw which is the subject of a Public Hearing shall be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw. A person must first be acknowledged by the Presiding Member before he or she may speak. Speakers must first identify themselves by stating their name and city of residence, and the name and address of the person or body they represent if applicable.
- (2) Presentations by members of the public at a Public Hearing shall be limited to a maximum of five minutes each. If a person has additional information that he or she is unable to provide within that time, he or she shall be given further opportunities to address Council after all other interested members of the public have been heard a first time. Without limiting the opportunity provided for in subsection (1), speakers shall be encouraged to confine their comments to new information.

## **PART 8 – COMMITTEE OF THE WHOLE**

### **Going into Committee of the Whole**

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

### **Notice for COTW Meetings**

40. (1) Subject to subsection (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 Places; and
  - (b) advising Members of the COTW meeting by electronic means.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 41, during a Council meeting for which public notice has been given under sections 6 or 7.

### **Minutes of COTW Meetings to be Maintained and Available to the Public**

41. (1) Minutes of the proceedings of COTW must be:
- (a) legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the Mayor 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]*.

### **Presiding Members at COTW Meetings and Quorum**

- (1) The Mayor shall preside over the COTW and may appoint the Acting Mayor to preside in order to participate in the discussion.
- (2) The quorum of COTW is the majority of Members.

### **Points of Order at Meetings**

42. 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**

43. (1) The following rules apply to COTW meetings:

- (a) a motion for adjournment is not allowed;
- (b) a Member may speak any number of times on the same question; and
- (c) a Member must not speak longer than a total of 10 minutes on any one question.

### **Voting at Meetings**

- 44. (1) Votes 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**

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

### **Rising Without Reporting**

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

## **PART 9 – COMMITTEES**

### **Duties of Standing Committees**

- 47. (1) Standing committees must consider, inquire into, report on, 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; and
  - (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; and
  - (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**

48. (1) Select committees must consider, inquire into, report on, 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**

49. (1) At its first meeting after its establishment, a 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**

50. (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 51(2) to be given to all members of the committee at least 24 hours before the time of the meeting.

### **Attendance at Committee Meetings**

51. 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 the Public**

52. (1) Minutes of the proceedings of a Committee must be:
  - (a) legibly recorded;
  - (b) certified by the Committee Clerk;
  - (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**

53. The quorum for a Committee is a majority of all of its members.

### **Conduct and Debate**

54. (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) 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.

### **Voting at Meetings**

55. Members attending a meeting of a Committee of which they are not a member must not vote on a question.

## **PART 10 – COMMISSIONS**

### **Schedule of Commission Meetings**

56. (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**

57. (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, a notice must, as soon as possible, be posted 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 58(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**

58. (1) Minutes of the proceedings of a Commission must be:
  - (a) legibly recorded;
  - (b) certified by the Committee Clerk; and
  - (c) signed by the Chair or a member presiding at the meeting, and 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 of a Commission is a majority of all of its members.

### **Conduct and Debate**

60. (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 11 – GENERAL**

61. 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.
62. 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]*.
63. City of Port Moody Council Procedure Bylaw No. 2988, 2014 and all amendments thereto are repealed.

**Read a first time** this 9<sup>th</sup> day of February, 2016.

**Read a second time** this 9<sup>th</sup> day of February, 2016.

**Read a third time** this 9<sup>th</sup> day of February, 2016.

**Public Notice of Intention to Consider given on**

**Adopted** this 8<sup>th</sup> day of March, 2016.

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M.E. Clay  
Mayor

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D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3013 of the City of Port Moody.

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D. Shermer  
Corporate Officer

**BYLAW 3013 ADOPTED  
AMENDMENT No. 1, 2018, No. 3131**

March 8, 2016  
April 10, 2018