

# Considered at the November 19, 2024, GLC meeting

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## Memorandum

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Date: November 19, 2024  
 Submitted by: Legislative Services Division  
 Subject: Council Procedure Bylaw – Housekeeping Updates

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As required by the *Community Charter*, the City's Council Procedure Bylaw sets out the procedures of governance, order, and administration with regards to Council meetings.

### **Housekeeping Update #1: Public Hearing start times on Regular meeting days**

The *Community Charter* also requires that the City annually adopt a Regular Council meeting schedule (date and time). Public Hearings are called as needed and are typically, but not exclusively, held on the first Tuesday of each month.

At a recent regular meeting, it came to light that there were conflicting clauses in the Council Procedure Bylaw related to the scheduling of Public Hearings on the same evening as Regular meetings.

Public Hearings have the potential to be long meetings as the length of time is determined by the volume of persons wishing to speak. It is typical for municipalities to call a Special meeting "immediately following the Public Hearing which commences at [insert time]". Per the *Community Charter*, Special meetings are meetings other than Regular meetings. As Council is not permitted to consider new information between the close of a Public Hearing and third reading, it is typical for Special meetings to be called immediately following a Public Hearing in order to consider third reading and/or adoption of the bylaw that was the subject of the Public Hearing.

Special meetings do not have a time limit; however, pursuant to section 33(1) the Council Procedure Bylaw sets a three-hour time limit for Regular meetings.

From time to time, Public Hearings may be scheduled on the same days as Regular Council meetings. Section 5(1)(b) of the Council Procedure bylaw was written with the intent of allowing a Regular meeting to be called to order in the same way that Special meetings scheduled immediately following a Public Hearing are called to order.

### **Time and Location of Meetings: Section 5(1)(b)**

*Regular Council Meetings must:*

*begin generally, but not exclusively, at 7:00pm and if needed, immediately following a Public Hearing;*

*Earlier start times for Regular meetings and Public Hearings will be applied when circumstances, determined by the Mayor and/or staff require them (including but not limited to: high volume of business, special presentation(s), or a large Public Hearing is anticipated);*

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With respect to calling Regular meetings to order, sections 14(1) implies that Regular meetings should be called to order “as soon after the time specified for a Council meeting”, or it may be interpreted as 20 minutes per section 14(2). The “time specified” is 7:00pm per Council’s adopted annual schedule of council meetings

Though section 5(1)(b) specifically speaks to the occasions when a Public Hearing needs to be scheduled on the same evening as a Regular meeting, this language appears to conflict with sections 14(1) and (2) and it is recommended that it be amended for clarity.

**PROPOSED CHANGE:** Staff are proposing the following additions to section 14 (outlined in red) in order to address this error:

## **Calling Meeting to Order: Sections 14 (1) and (2)**

- 14(1) *With the exception of Regular meetings held on the same night as a Public Hearing, 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 Standing Committee meeting for which they are the Chair, the Councillor designated as the Member responsible for acting in the place of the Mayor in accordance with section 10 must take the Chair and call such meeting to order.*
- 14(2) *With the exception of Regular meetings held on the same night as a Public Hearing, 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 10 does not attend within 20 minutes of the scheduled time for a Council meeting;*
- (a) *the Corporate Officer or their designate must call to order the Members present; and*
- (b) *the Members present must choose a Member to preside at the meeting.*

It is also important to note that, as it currently stands, the Council Procedure Bylaw’s three-hour limit for Regular meetings could mean that there is a risk, when a Public Hearing is scheduled on a Regular meeting night, that Council may not complete the business of the Regular agenda if the meeting is not extended past the three hours. The proposed amendment will address this issue as well.

## **Housekeeping Update #2: Public Notice Posting Place**

As websites and technology can be subject to unanticipated issues (ie: loss of internet, the website or server does not work), listing the website as an official public notice posting place poses a vulnerability to the City issuing notice. As such, it is proposed that the website be removed from the definition of “public notice posting place”. It is important to note that staff will continue to post to the website regardless even though it will not be officially defined as a “public notice posting place”.

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## **Housekeeping Update #3: Public Input and “Public Hearings not held”**

As the Province has indicated instances where a Public Hearing must not be held, this also means that Public Input is not permitted with respect to that matter. This has been reflected in an amendment under section 18(4).

## **Housekeeping Updates #4: Order of Business for Art at Council and Delegations**

As artists and delegations are external persons scheduled on the Council agendas, a change to section 17(1) to consider Art at Council and Delegations immediately following adoption of the agenda is proposed in order to provide more certainty to the timing of these items. Currently, these items are considered following public input, which has meant, at times, that presenters have had to wait for an extended period of time prior to their item being considered.

## **Housekeeping Updates #5: General Updates**

Other general housekeeping amendments to add further clarity to conducting Council's business at meetings is outlined in tracked changes.

## **Next Steps**

The recommended amendments will be scheduled for three readings at an upcoming Regular meeting. If Council wishes to make any further amendments to the Bylaw, resolutions are requested and those updates will also be brought forward at that time.

**THAT the memo November 19, 2024 from the Legislative Services Division regarding Council Procedure Bylaw – Updates be received for information.**

Attachment(s)

1. Council Procedure Bylaw No. 3393 with tracked changes

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## Report Approval Details

Document Title:	Council Procedure Bylaw - Housekeeping Updates.docx
Attachments:	- Attachment 1 - Council Procedure Bylaw No. 3393 with tracked changes.pdf
Final Approval Date:	Nov 13, 2024

This report and all of its attachments were approved and signed as outlined below:

Angie Parnell, General Manager of Corporate Services - Nov 12, 2024

Anna Mathewson, City Manager - Nov 13, 2024

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## City of Port Moody

### CONSOLIDATED FOR CONVENIENCE

#### Bylaw No. 3393

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 and Repeal

1. This Bylaw may be cited as the “City of Port Moody Council Procedure Bylaw, 2023, No. 3393”.
- 1.1 “City of Port Moody Council Procedure Bylaw, 2016, No. 3013” and all amendments thereto are hereby repealed.

##### Definitions

2. In this Bylaw,
  - “Advisory Body” means a Committee, Board, Task Force, Commission, or like group established by a Council approved terms of reference and/or mandate;
  - “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 the *Community Charter*;
  - “Committee” means a standing, select, or other committee of Council;
  - “City Clerk and/or Corporate Officer” means the Corporate Officer for the City;
  - “Council” means the Council of the City of Port Moody;

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“Council Standing Committee Meeting” means a recurring meeting of Council other than a Regular or Special Council Meeting held for the purpose of conducting Standing Committee business.

“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 and/or Legislative Services Advisor” means the Deputy Corporate Officer for the City;

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

“Mayor” means the mayor of the City;

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

Added by BL3427

“Motion Served” means motion given with notice by a Member at a previous Council Meeting.

“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 per the adopted schedule of meetings approved in accordance with the Community Charter; 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, 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, Advisory Bodies of Council, 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*.



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## 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.
- (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 in accordance with the schedule adopted by resolution by Council on or before December 31 of the preceding year;
  - (b) begin generally, but not exclusively, at 7:00pm and if needed, immediately following a Public Hearing;  
 Earlier start times for Regular meetings and Public Hearings will be applied when circumstances, determined by the Mayor and/or staff require them (including but not limited to: high volume of business, special presentation(s), or a large Public Hearing is anticipated);
  - (c) be adjourned three (3) hours from the scheduled start time unless Council resolves to proceed beyond that time in accordance with section 33 of this Bylaw (Adjournment);
  - (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open; and
  - (e) Notwithstanding this subsection, Council may hold additional Council meetings in a month, when establishing the annual schedule of 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) Council Standing Committee Meetings:
  - (a) may be held on a day other than days on which Regular Council Meetings are scheduled or in accordance with the Standing Committee Meeting schedule adopted by resolution by Council on or before December 31 of the preceding year;

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- (b) may be held generally, but not exclusively on the third Tuesday of each month;
  - (c) must be adjourned eight (8) hours from the scheduled start time unless Council resolves to proceed beyond that time in accordance with section 33 of this Bylaw (Adjournment); and
  - (d) may be cancelled by Council or postponed to a different day, time, and place by the Mayor, provided the Corporate Officer is given at least two days' written notice.
- (5) Public Hearings:
- (a) may be held on a day other than days on which Regular Council Meetings are scheduled;
  - (b) must be adjourned at or before the end of the third hour after the start time, unless Council resolves to proceed beyond that time in accordance with section 33; and
  - (c) if a Public Hearing is held on a day where a Regular meeting was not scheduled, a Special Council meeting may be held immediately following the Public Hearing to consider the subjects of the Public Hearing.
- (6) Closed Council meetings must be adjourned:
- (a) 30 minutes prior to the next scheduled meeting unless Council resolves to extend the meeting;
  - (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 33.
- (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 33.

## 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~~ December 31 of the preceding year, 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~~ before December 31 of the preceding year 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]*.

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- (3) Council may revise the annual schedule of Regular Council Meetings, including 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.

## Notice of Council Standing Committee Meetings

8. (1) A notice of the day, hour, and place of a Council Standing Committee 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 Council of the meeting by electronic means.

## Electronic Participation at Meetings and Electronic Meetings

### *Electronic Meetings*

9. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met, Regular Council Meetings, Council Standing Committee Meetings, Public Hearings, Standing Committee meetings, and Advisory Committee meetings may be conducted by means of electronic or other communication facilities.

Special Council Meetings may be conducted by means of electronic or other communication facilities if:

- (a) the Mayor calls for a meeting by electronic means; or
- (b) 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.

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## *Electronic Participation*

- (2) A Member may only participate electronically in a meeting of Council if the requirements of the Corporate Policies on Electronic Participation and Remote Attendance and Work Outside of Canada are observed.
- (3) A Member must notify the Corporate Officer, City Manager, and Council of their electronic participation or absences no later than three (3) hours prior to the commencement of a meeting.

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

10. (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 10(1) must fulfill the responsibilities of the Mayor in their absence.
- (3) If both the Mayor and the Members designated under section 10(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 10(1) or chosen under section 10(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 10(1) arrives after the start of a meeting, they shall preside at the meeting upon arrival.
- (6) If the Mayor is granted a leave of absence for a period greater than one month, or if the Acting Mayor or Second Acting Mayor is granted a leave of absence for a period greater than one month and the Member is unable to fulfil their obligations under section 10, Council must reconsider the Acting Mayor Schedule at its earliest convenience after the Member's leave comes into effect.
- (7) For the purposes of section 10(6), Council may, by a majority vote, establish the length(s) of the acting assignment(s) and determine the assignments by lot.

## **PART 4 – COUNCIL PROCEEDINGS**

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

11. 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

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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

12. (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) Standing and Advisory Committees;
  - (b) Parcel Tax Review Panel;
  - (c) Board of Variance;
  - (d) advisory bodies such as Advisory Design Panel; and
  - (e) Commissions, such as the Parks and Recreation Commission.
- (4) Despite section 12(1), the Mayor or the Councillor designated as the Member responsible for acting in the place of the Mayor under section 10 may expel or exclude from a Council meeting a Member in accordance with section 24(9).
- (5) Members of the public in attendance at any proceedings held pursuant to this Bylaw must conduct themselves in accordance with the City's Respectful Communications Policy. A member of the public may be excluded or expelled from a meeting pursuant to s. 133 of the *Community Charter* if the person presiding over the meeting determines that they are not complying with the expectations set out in the City's Respectful Communications Policy.

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

13. (1) Minutes of the proceedings of Council must be:
- (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer or their designate; and
  - (c) signed by the Mayor or the Presiding Member.
- (2) Subject to subsection 13(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 13(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*].

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## Calling Meeting to Order

14. (1) *With the exception of Regular meetings held on the same night as a Public Hearing, 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 Standing Committee meeting for which they are the Chair, the Councillor designated as the Member responsible for acting in the place of the Mayor in accordance with section 10 must take the Chair and call such meeting to order.
- (2) *With the exception of Regular meetings held on the same night as a Public Hearing, 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 10 does not attend within 20 minutes of the scheduled time for a Council meeting:
- (a) the Corporate Officer or their designate 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.
- (4) Council Standing Committee Meetings may be generally scheduled back-to-back, and when so scheduled may be scheduled at the same time for the purpose of giving notice and on the basis that subsequent Standing Committee meetings will be called to order once the Standing Committee coming before it is adjourned.

## Adjourning Meeting Where No Quorum

15. (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 15(1)(a), (b), and (c) apply.

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## Agenda

16. (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 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, as set out in the Administrative Policy on Council Report Standards.
- (3) Notwithstanding the requirements of section 16(2), 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.
- (4) The Corporate Officer must make the Agenda available to the Members of Council and the public at City Hall and providing there are no technical difficulties, on the City Website (publication day):
  - (a) for Regular Council Meetings and Public Hearings, before end of day the Thursday prior to the meeting;
  - (b) for Special Council Meetings and Council Standing Committee Meetings, as soon as is practicable and at the discretion of the Corporate Officer.
- (5) 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 before end of day the Thursday prior to the meeting.
- (6) If publication day of the Regular/Public Hearing agendas fall upon a statutory holiday, or City Hall is closed for business, the agenda must be published by end of day Friday of the week 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 20.

## Order of Proceedings and Business

17. (1) The Agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below:
  - (a) Call to Order
  - (b) Territorial Land Acknowledgement
  - (c) Adoption of the Agenda
  - (d) Art at Council
  - (e) Delegations

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- ~~(d)~~(f) Public Input
- ~~(e)~~(g) General Matters
- ~~(f)~~(h) Adoption of Minutes
- ~~(g)~~(i) Consent Agenda
- ~~(h)~~(j) Items Removed from the Consent Agenda
- ~~(i)~~(k) Legislative Matters
- ~~(j)~~(l) Unfinished Business
- ~~(k)~~(m) New Business
- ~~(l)~~(n) Other Business
- ~~(m)~~(o) Verbal Reports from Council and Staff
- ~~(n)~~(p) Information Items
- ~~(o)~~(q) Public Input
- ~~(p)~~(r) Adjournment

(2) When a Public Hearing has been scheduled on the same night as a Regular meeting, the items that were the subject of the public hearing will be considered following "adoption of the agenda".

~~(2)~~(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.

~~(3)~~(4) The agenda for all Council Standing Committee Meetings contains the following matters in the order in which they are listed below:

- (a) Call to Order
- (b) Territorial Land Acknowledgement
- (c) Adoption of the Agenda
- (d) Public Input
- (e) Recess
- (f) Standing Committee Business
- (g) Reconvene
- (h) Receive Standing Committee Business (to consider action recommended by or arising from the Standing Committees held that day)
- (i) Adjournment

## Public Input

18. (1) One 30-minute Public Input period is available after Adoption of the Agenda in a Regular Council Meeting and another immediately preceding adjournment of a Regular Council Meeting.
- (2) One 30-minute Public Input period is available after adoption of the Agenda in a Council Standing Committee Meeting (typically the 3<sup>rd</sup> Tuesday of the month) in advance of the scheduled Standing Committee business.



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- (3) Anyone wishing to speak during a Public Input period must so indicate by registering their name and city of residence on a speakers' list prior to the Public Input period. The list shall take priority and determine the order of speakers.
- (4) 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 their 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. No person must speak regarding a bylaw which notice of a "Public Hearing not held" was issued.
- (5) To accommodate speakers who were not given an opportunity to address Council within the 30-minute Public Input period, Council may extend Public Input periods by 15-minute increments by a majority vote.
- (6) 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.
- (7) On evenings where notice for public input was given in relation to a specific item (e.g.: the annual report, consideration of Development Variance Permits/ Temporary Use Permits, etc.), public input related to this specific matter will be held when the item is considered on the Agenda.
- (8) 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

19. (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) Bylaws and 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.

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- (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

- 20. (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 20(1), information pertaining to late items must be distributed to the Members.

## Voting at Meetings

- 21. (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 either:
    - (i) “Those in favour, raise your hands,” and then, “Those opposed, raise your hands.”; or
    - (ii) stating “please enter your vote electronically” if electronic voting is being used.
  - (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 or by entering their vote into the electronic voting system if such a system is being used;
  - (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;

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- (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 so counted; and
- (i) The Corporate Officer or designate may, at any time, request clarification on the motion or voting results for the record.

## Presentations and Delegations

22. (1) Presentations and Delegations to Council shall be received if:
- (a) at least eight (8) days prior to the date of the meeting at which the presenter wishes to appear, the presenter or Delegation submits their 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 they may appear.
- (2) Presentations and Delegations shall be confined to the subject that was indicated in the written request, and limited to:
- (a) 15 minutes for a Presentation; and
  - (b) five (5) minutes for a Delegation.
- (3) Council may waive strict compliance with section 22(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 22(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.
- (8) The maximum number of Delegations is set out in the Corporate Policy on Delegations. A two-thirds majority vote is required to increase the maximum number of Delegations for a subsequent meeting.

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## Points of Order

23. (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

24. (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 Council Code of Conduct Bylaw.
- (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;

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- (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.
  - (f) must not use cellular phones while a Council meeting is in session.
- (9) If a Member is considered to be acting contrary to the standards of conduct set out in this Bylaw and the Council Code of Conduct Bylaw, or any other applicable policy or bylaw, 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

25. (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 Officer 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:

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- (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

26. 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

27. (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

28. (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.

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- (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.

## Notices of Motion

**Section 29  
 "Notices of  
 Motion" in  
 its entirety  
 replaced by  
 BL3427**

29. (1) Any Member has the right to give a Notice of Motion under Council Verbal Reports.
- (2) The associated background memo for the Notice of Motion must be written and submitted in accordance with the City's operational policies, including the Notice of Motion and Accompanying Submissions by Council Members policy and the Council Report Standards policy.
- (3) The Notice of Motion will appear on the next Council meeting or appropriate Standing Committee meeting agenda, along with the associated background memo, as a "Motion Served" under "New Business", where Council will consider one of the following recommendations:
- (a) Receive for information;
  - (b) Refer to staff for a response (staff will determine if the nature of the work warrants a project proposal or a staff report and will include considerations with respect to feasibility, resources, funding source, timeline, strategic plan alignment, and legislative analysis); or
  - (c) Other.
- (4) Any resolution or direction considered from a Motion Served must not take effect unless the following conditions are met:
- (a) Council has considered the information provided by staff pursuant to section 29(3)(b); or
  - (b) If Council has provided "other" direction on their Motion Served pursuant to section 29(3)(c), Council must then ask the City Manager if there are any impacts to the budget, operational workplan, and Council Priorities.
- (5) As an exception to section 29(3)(b), the City Manager may indicate that a report is not necessary to move forward."

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## Reconsideration by Member

30. (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 reconsideration 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

31. (1) In this section, a matter of privilege refers to any of the following motions:
- (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council; 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.



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- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

## Reports from Committees

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

## Adjournment

33. (1) A Council may continue a Regular Council Meeting for an additional hour after the three-hour limit has been met 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 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.
- (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 that encroaches the 30-minute break before the next scheduled meeting only by an affirmative unanimous vote of the Members present.
- (4) A Council may continue a Council Standing Committee Meeting for an additional hour beyond the first eight 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:

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- (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

34. 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

35. 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

36. 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

37. (1) The Presiding Member of a Council meeting may:
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 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.

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- (5) In accordance with section 135 of the *Community Charter [requirements for passing bylaws]*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 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 received third reading.

## Bylaws Must be Signed

- 38. 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

- 39. (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

- 40. (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 they 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 (5) minutes each. If a person has additional information that they are unable to provide within that time, they 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.

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## PART 8 – COUNCIL STANDING COMMITTEE MEETINGS

### Purpose of Council Standing Committee Meetings

41. (1) Council Standing Committee Meetings are intended to be regularly scheduled meetings of Council, other than Regular Council Meetings, for the purpose of considering Standing Committee business.

### Minutes of Council Standing Committee Meetings to be Maintained and Available to the Public

42. (1) Minutes of the proceedings of Council Standing Committee Meetings 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 Council Standing Committee Meetings and Quorum

43. (1) The Mayor shall preside over the Council Standing Committee Meeting and may appoint the Acting Mayor to preside in order to participate in the discussion.
- (2) The quorum of Council for Standing Committee Meetings is a majority of Council.

### Conduct and Debate

44. (1) The rules of Council apply to Council Standing Committee Meetings.

### Voting at Meetings

45. (1) Votes at Council Standing Committee Meetings must be taken by a show of hands if requested by a Member.
- (2) The Presiding Member must declare the results of voting.

### Reports

46. (1) Council Standing Committee Meetings 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.

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- (2) Committee Business Report will be presented as an on-table item by the Corporate Officer and consist of Standing Committee recommendations considered earlier. Recommendations to be received for consideration and ratification will be brought forward to Council and the public as follows:
  - (a) by displaying the recommendations at the meeting, and if the display technology does not work, the recommendations will be read into the record; and
  - (b) by emailing the recommendations to Council prior to when the Council Standing Committee Meeting is called to order.

## PART 9 – COMMITTEES

### Duties of Standing Committees

47. (1) Standing Committees must consider, inquire into, report on, and make recommendations to Council about all the following matters:
  - (a) matters that are related to the general subject indicated by the name of the Committee;
  - (b) matters that fit the criteria as defined in the Standing Committee's terms of reference;
  - (c) matters that are assigned by Council; and
  - (d) matters that are assigned by the Mayor.
- (2) Standing Committees must report and make recommendations to Council at all the following times:
  - (a) immediately following the adjournment of the Standing Committee meeting when the Standing Committee meets as part of an Agenda of a Council Standing Committee Meeting;
  - (b) when scheduled by the Corporate Officer and/or Chairperson; and
  - (c) 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.

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## 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.
- (3) Standing Committees are called on an as-needed basis and are generally held on the third Tuesday of each month.
- (4) A Standing Committee may be scheduled on the same day, at the same place, and may have the same starting time as one or more other Standing Committees.

## 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 electronically 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 that indicates any revisions to the date, time, and place, or cancellation of, a Committee meeting at the Public Notice Posting Places .
- (3) The Chair of a Committee must cause a notice of the day, time, and place of a meeting called under section 49(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 correct by the Legislative Services Coordinator;
- (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]*.

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## 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 that indicates any revisions to the date, time, and place for cancellation of a Commission meeting must, as soon as possible, be posted at the Public Notice Posting Places.
- (3) The Chair of a Commission must cause a notice of the day, time, and place of a meeting called under section 56(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:

# Considered at the November 19, 2024, GLC meeting

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City of Port Moody Council Procedure Bylaw, 2023, No. 3393  
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- (a) legibly recorded;
- (b) certified correct by the Legislative Services Coordinator; 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 its members.

## Conduct and Debate

60. 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. This Bylaw shall be brought forward for review at the beginning of each term of Council and at any other time that Council considers appropriate.

**BYLAW ADOPTED**

May 9, 2023

**AMENDMENT NO. 1, 2023, 3427**

October 10, 2023