



The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

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**3:30 PM Special Meeting of Council, Tuesday, November 7<sup>th</sup>, 2023**

**AGENDA**

*This meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.*

- 1. ADOPT AGENDA**
- 2. GOVERNMENT**  
G-1— Procedural Bylaw Amendment Bylaw #460.2, 2023
- 3. ADJOURNMENT**



# REPORT TO COUNCIL

Author: Elizabeth Cumming, Deputy CAO  
Date: November 7<sup>th</sup>, 2023  
RE: Procedural Bylaw Amendment Bylaw

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## BACKGROUND:

The Mayor would like to change the starting time of the November 20<sup>th</sup>, 2023 Regular Council Meeting to start at 6:00 PM as a 7:00 PM start conflicts with his travel arrangements on his return to Haida Gwaii, so an earlier meeting start time would enable him to be able to attend the meeting. This is currently not permitted in our procedural bylaw.

## DISCUSSION:

While our Procedural Bylaw permits the Mayor (or the Corporate Officer in certain circumstances) to postpone or cancel a meeting to a later date, time or place, it does not permit a Regular Council Meeting to be changed so that it is held at an earlier date, time or place than the 7:00 PM on the date it is originally scheduled. As such, to make this change, the Procedural Bylaw needs to be amended to permit such flexibility.

Potentially, the delegated ability to postpone or cancel meetings, but not to prepone a meeting was given to ensure that all Councillors and members of the public have proper notice of the Regular Council meeting time to ensure that they have the reasonable ability to attend the meetings. Changing a meeting to occur earlier may pose more challenges for people's personal schedule than postponing a meeting to a later date. As with the ability to postpone or cancel meetings, there is also the potential for misapplication or misuse.

However, given that there is already the ability to change meeting times (date and place) by postponing them, it is not unreasonable to give the ability to prepone them. Concerns can be addressed or mitigated by ensuring that such flexibility has limitations. For example, if Council is given the ability to reschedule a meeting by resolution this would either require a special meeting to be called, or to know in far enough advance that it could be put on the Agenda for the preceding Regular Council Meeting. If the Mayor is delegated the ability to change the meeting times to occur earlier to avoid having to call a Special Meeting, then it can be balanced by requiring that such rescheduling is jointly approved by the Chief Administrative Officer and/or has at least seventy-two (72) hours given notice (ex. changing a Regular Council Meeting to be held at 12 PM on the Monday would require notice to go out at the latest by 12 PM on the preceding Friday).

## CONCLUSION:

It is Council's discretion on whether they want to change the procedural bylaw to give the ability to change the Regular Council Meetings to be held earlier than originally scheduled. It is recommended that if such an approach is desired, then there should be some built-in limitations to reduce potential issues.

<b>STRATEGIC</b>	<b>(Guiding Documents Relevancy)</b> N/A
<b>FINANCIAL</b>	<b>(Corporate Budget Impact)</b> N/A
<b>ADMINISTRATIVE</b>	<b>(Workload Impact and Consequence)</b> This has temporarily increased staff workload as it has required scheduling special meetings to be held on short notice. Changes to a procedural bylaw also have notice requirements, so the Special Meeting for reconsideration and adoption must be held on November 16 <sup>th</sup> or 17 <sup>th</sup> .

## Recommendation:

THAT Council does 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading of "Procedural Bylaw Amendment Bylaw #460.2, 2023".

**Respectfully submitted:** Elizabeth Cumming, Deputy CAO.

**VILLAGE OF PORT CLEMENTS**

**BYLAW NO 460.2 2023**

**A Bylaw of the Village of Port Clements  
to amend Procedural Bylaw #460, 2020.**

The Council of the Village of Port Clements deems it desirable to amend the Village of Port Clements Procedural Bylaw;

The Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

1. Where the Procedural Bylaw for the Village of Port Clements #460, 2020 is amended in its wordings from:

5.(2) Regular Council meetings must:

(b) begin at 7:00 PM;

(c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council has passed a motion to proceed beyond that time that states the revised adjournment time;

To:

5.(2) Regular Council meetings must:

(b) begin at 7:00 PM unless Council otherwise passes a motion for a particular meeting to start at a different time, or the Mayor and Chief Administrative Officer jointly approve starting at a different time provided that there is at least seventy-two (72) hours' notice given of the changed time.

(c) be adjourned at the latest at 10:00 PM or after three (3) hours of meeting duration from the start time of the meeting (whichever is lesser) unless Council has passed a motion to proceed beyond that time with said motion stating the revised adjournment time;

This Bylaw may be cited for all purposes as "Procedural Amendment Bylaw No. 460.2, 2023"

READ a first time this \_\_\_\_ day of November 2023

READ a second time this \_\_\_\_ day of November 2023

READ a third time this \_\_\_\_ day of November 2023

FINALLY PASSED AND ADOPTED this \_\_\_\_ day of November 2023

\_\_\_\_\_  
Mayor Scott Cabianca

\_\_\_\_\_  
Chief Administrative Officer Marjorie Dobson

**CERTIFIED A TRUE COPY OF 'THE AMENDED PROCEDURAL BYLAW #460.2 2023'**

## Village of Port Clements Procedural Bylaw #460, 2020

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

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## **PART 1 – INTRODUCTION**

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

WHEREAS Council deems it expedient to repeal and substitute Village of Port Clements Bylaws #422, 2015 and 422-1, 2018 and has given notice of the proposed changes as required by the Community Charter;

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

### **Title**

1. This Bylaw may be cited as the "Council Procedure Bylaw #460, 2020"

### **Definitions**

2. In this Bylaw,

**Commission** means a municipal commission established under the Community Charter;

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

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

**COTW** means the Committee of the Whole

**Council** means the municipal Council for the Village of Port Clements

**Inaugural Meeting** means the meeting at which the members elected at the most recent general local election are sworn in

**Mayor** means the Mayor for the Village of Port Clements

**Member** means a member of Council

**Deputy Mayor** means a member of Council, other than the Mayor, appointed to act in the place of the Mayor per 10(1) of Part3 of this bylaw.

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**Public Notice Posting Place** means the bulletin board beside the Council Chambers door and/or on the Village Website.

**Village** means the Village of Port Clements, and;

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

## **Application of rules of procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, Robert's Rules of Order (2011) applies to the proceedings of the Council, Committee of the Whole, and Council Committees and Commissions 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) The first regular Council meeting following a general election must be held on the first Monday in the month following the general election or as otherwise legislated
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

### **Time and location of meetings**

5. (1) All Council meetings must take place within Council Chambers except when Council resolves to hold meetings elsewhere, or in circumstances where it is not possible or inadvisable to hold meetings within the Council Chambers due to health and safety reasons such as:
  - (a) The facility is not accessible due to threats posed by emergency events requiring evacuation or where evacuation is likely to occur; or
  - (b) The facility has been damaged or destroyed and cannot be safely utilized until repairs or rebuilding has been completed; or
  - (c) To accommodate a Public Health Order.

In these circumstances, the Corporate Officer will organize a new location for meeting to be held until Council Chambers is accessible again. The meeting may also be held electronically as

per section 9(1) in lieu of a physical relocation. The Corporate Officer will post notice of this meeting relocation or if it will be held electronically as per section 7(3).

(2) Regular Council meetings must:

- (a) be held on the first and third Monday of each month, and
- (b) begin at 7:00pm;
- (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council has passed a motion to proceed beyond that time that states the revised adjournment time;
- (d) when such meeting falls on a statutory holiday, be held on the next day the Village Office is open following which is not a statutory holiday.

(3) Regular Council meetings may

- (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
- (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 full days written notice;
- (c) be cancelled or postponed by the Corporate Officer if the meeting is considered unnecessary for the reason of lack of business or due to emergency or operational requirements, provided that two consecutive meetings are not cancelled and that:
  - (i) Notice of this cancellation is posted in accordance to section 7(3) and all Council members are notified of the cancellation as per section 8(b); and
  - (ii) the Corporate Officer provides a report on the rationale for cancellation at the next Council Meeting

## **Annual Meeting**

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

## **Notice of Council Meetings**

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

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### **Notice of Special meetings**

8. (1) Except where notice of a Special Meeting is waived by a unanimous vote of all Council members in accordance with the provisions of the Community Charter, a notice of the date, hour and place of a Special Council meeting must be given at least twenty-four hours before the time of the meeting by:
- (a) Posting a copy of the notice at the Public Notice Posting Place; and
  - (b) Leaving a copy of the notice for each Council member in the Council member's mail slot in Council Chambers or sending the notice to the Council member's email for Council business.
- (2) The notice under section 8(1) of this Bylaw must describe in general terms the purpose of the meeting and be signed by either the Mayor or the Corporate Officer.
- (3) A Special Meeting may be called only for a specific purpose or purposes and no business may be acted upon except that for which the meeting was called.
- (4) If the agenda for the meeting contains a proposal to close all or part of the meeting to the public, the notice must state the basis under the Community Charter on which the portion of the meeting is to be closed, but the notice must not otherwise describe the matter in respect of which the meeting is to be closed.

### **Electronic Meetings**

9. (1) The preference is for Council Meetings and other meetings to be held in-person at the location of the Council Chambers. However, electronic meeting are permitted to be held according to the provisions of the Community Charter in circumstances wherein an in-person meeting is not advisable or possible as per section 5(1)(a) to (c). A meeting in these circumstances may be held by either audio only or a combination of both audio or visual meaning that are secure:
- a. In the circumstances identified in section 5(1)(a) to (c) the person presiding at a meeting can participate electronically as well.
  - b. Access must be available for the public if it is a public meeting, unless otherwise authorized by legislation that public meetings can be held without public attendance.
- (2) The preference is for Council members to physically attend meetings when the meeting is being held physically in Council Chambers. However, electronic attendance, as provided for under the Community Charter, is allowed when a member of Council is unable to attend physically. A member of Council may attend the meeting by either audio only or a combination of both audio or visual means that are secure. A member of Council attending via electronic means shall be deemed to be present at the meeting for all purposes. This section applies to all types of meetings of Council or Council committees.

a. The person presiding must be in physical attendance in Council Chambers. In instances where it is the Mayor who will be participating electronically, the Deputy Mayor shall preside over the meeting. In absence of the Deputy Mayor, the members present shall elect from among themselves a presiding member for that meeting. For committees, when it is the committee chair who is participating electronically, the members present shall elect from among themselves a chair for the meeting.

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

10. (1) Annually, Council must designate a Councillor to serve as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
- (2) A Councillor designated under Section 10(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 10(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 10(1) or chosen under section 10(3) has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4 – COUNCIL PROCEEDINGS**

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

11. (1) Except where the Community Charter permits or requires all or part of a meeting to be closed to the public, all Council meetings must be open to the public unless legislated otherwise:
- a. A meeting shall be considered open to the public if the public is given physical access to the space in which the meeting is occurring; or
  - b. The public has access to the meeting through electronic means as per section 9(1)
- (2) Before closing a Council meeting or part of a Council meeting to the public, the Council must state in a resolution passed in a public meeting the fact that the meeting or part of the meeting is to be closed and the applicable section of the Community Charter that is the basis for that decision.
- (3) This section applies to all meetings of the following bodies:
- (a) COTW;
  - (b) Standing and Select committees;
  - (c) Parcel Tax review panels;
  - (d) Board of variance;
  - (e) Commissions; and,
  - (f) Advisory bodies
- (4) Despite section 11(1) of this Bylaw, the Mayor or the presiding member may expel or exclude from a Council meeting a person in accordance with section 21(8) or 21(9) of this Bylaw.

(5) In accordance with the Community Charter, Council may invite persons the Council considers materially relevant to the discussion of the matter for which the meeting is closed to attend some part or all of the meeting closed to the public.

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

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

## **Calling Meeting to order**

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Deputy Mayor must take the Chair and call such meeting to order.
- (2) If a quorum is present but the Mayor and Deputy Mayor do not attend within fifteen minutes of the scheduled time for the Council meeting:
- (a) the Corporate Officer must call to order the members present; and,
  - (b) the members present must choose a member to preside at the meeting.

## **Adjourning Meeting where no quorum**

14. If there is no quorum of the Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
- (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

## **Agenda**

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer or designate of items for inclusion on the Council meeting agenda is 1:00pm on the Wednesday prior to the meeting.
- (3) The Corporate Officer or designate must make the agenda available to the members of Council and the public on the Friday afternoon prior to the meeting.

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- (a) the Corporate Officer may achieve this by distributing the Agenda electronically to Council by email and by posting the Agenda on the Village's website for public access.
- (b) the Corporate Officer may digitally distribute the In-Camera Agenda package to Council as well
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17 of this Bylaw.

#### **Order of proceedings and business**

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
- (a) Approval of agenda including additions or deletions and consideration of late items;
  - (b) Petitions, Delegations & Opening of Sealed Tenders;
  - (c) Adoption of minutes;
  - (d) Business arising & Unfinished Business;
  - (e) Original Correspondence
  - (f) Finance
  - (g) Government (Bylaws and Statutory Requirements)
  - (h) New Business
  - (i) Reports and Discussions
  - (j) Action Items
  - (k) Questions from the public & press
  - (l) Adjourn to In-camera
  - (m) Rise and Report
  - (n) Adjournment
- (2) Item 16(1)(k) is intended to permit members of the public to ask single questions of Council pertinent to the items on the agenda. Council may permit more general use of this opportunity at their discretion. Council may impose a time limit for this agenda item.
- (3) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

#### **Late Items**

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

#### **Voting at Meetings**

**18. (1) The following procedures apply to voting at Council meetings:**

- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;**
- (b) whenever a vote of the Council on a matter is taken, each member shall signify their vote by raising their hand in a clear and obvious manner at the appropriate time to vote accordingly.**
  - (i) in the case where visual confirmation of hand raising is not possible, such as due to meetings being held electronically without a visual component, Councillor's shall signify their vote by saying "Aye" (pronounced /eɪ/)**
- (c) when the presiding member is putting the matter to vote under paragraph (a) a member must not:**
  - (i) cross or leave the room;**
  - (ii) make a noise or other disturbance, or**
  - (iii) interrupt the voting procedure unless raising a point of order;**
- (d) after the presiding member finally puts the question to a vote, a member must not speak to the question or make a motion concerning it;**
- (e) the presiding member's decision about whether a question has been finally put is conclusive; and**
- (f) the presiding member must declare the result of voting by stating that the question is decided in either the affirmative or the negative.**

## **Delegations**

- 19. (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an agenda item provided written application stating the purpose of the delegation has been received by the Corporate Officer by 1:00pm on the Wednesday prior to the meeting. The address must be limited to 10 minutes unless a longer period is agreed to by two-thirds vote of those members present.**
- (2) Where written application has not been received by the Corporate Officer as prescribed in 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.**
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.**
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory board as deemed appropriate according to the subject matter of the delegation.**
- (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.**

## **Points of order**

20. (1) Without limiting the presiding member's duty under the Community Charter, the presiding member must apply the correct procedure to a motion
- (a) if the motion is contrary to the rules of procedure in this bylaw, and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection 20(2)(a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

## **Conduct and debate**

21. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Deputy Mayor or Councillor.
- (3) Members must address other non-presiding members by the title Councillor.
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member
- (a) must immediately stop speaking,
  - (b) may explain their position on the point of order, and
  - (c) may appeal to the Council for its decision on a point of order in accordance with the Community Charter.
- (7) Members speaking at a Council meeting
- (a) must use respectful language,
  - (b) must not use offensive gestures or signs,
  - (c) must speak only in connection with the matter being debated,
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and
- (a) if the member refuses to leave, the presiding member may cause the member to be removed, and
  - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

(9) The presiding member may order any other person at the meeting expelled from the meeting:

- (a) if the presiding members considers that person to be acting inappropriately; and
- (b) if the person refuses to leave, may cause that person to be removed.

(10) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.

(11) The following rules apply to limit speech on matters being considered at a Council meeting:

- (a) a member may speak more than once in connection with the same question only:
  - (i) after all other eligible members have been afforded the opportunity to speak
  - (ii) with the permission of the Council; or
  - (iii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with permission of Council.

(12) A person is disqualified from holding office who is absent from meetings for a period of sixty consecutive days or four consecutive regularly scheduled meetings, whichever is the longer time period, unless the absence is because of illness or injury or is with the leave of Council.

## **Motions Generally**

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

(2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.

(3) A Council member may make only the following motions when the Council is considering a question:

- (a) to refer to a committee;
- (b) to amend;
- (c) to lay on the table;
- (d) to postpone indefinitely;
- (e) to postpone to a certain time;
- (f) to move the previous question;
- (g) to adjourn.

(4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.

(5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

## **Motion for the main question**

23. (1) In this section, "main question", in relation to a matter, means that motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
- (a) if a member of Council moves to put the main question, or the main question as amended, that motion must be dealt with before any other amendments are made to the motion on the main question; and
  - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council must proceed to the next order of business; and
  - (c) a member of the Council must not reintroduce a motion previously defeated at the same meeting unless the motion is materially altered so as to make it a new subject.

## **Amendments Generally**

24. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may only be amended once.
- (5) An amendment that has been negative by a vote of Council cannot be proposed again.
- (6) The presiding member must put the main question and its amendments in the following order for the vote of Council:
- (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

## **Reconsideration by Council Member**

25. (1) Subject to subsection 25(5), a council member may, at the next Council meeting,
- (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in section 25(1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
- (a) had the approval or assent of the electors and been adopted,

- (b) been reconsidered under section 25(1) of this this bylaw or provisions of the Community Charter, or
- (c) been acted on by an officer, employee or agent of the Village.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under section 25(1) or provisions of the Community Charter is as valid and has the same effect as it had before reconsideration.

## **Reports from Committees**

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

## **Adjournment**

27. (1) A Council may continue a Council meeting after 10:00pm only by an affirmative vote of 2/3 of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.

## **PART 5 – BYLAWS**

### **Form of Bylaws**

28. A bylaw introduced at a Council meeting must:
- (a) be printed;
    - (i) a condition which does not preclude the bylaw from being distributed electronically in addition to this condition being met
  - (b) have a distinguishing name;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose;

### **Bylaws to be considered separately or jointly**

29. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the presiding member or requested by another Council member, or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

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### **Reading and adopting bylaws**

30. (1) The presiding member of a Council meeting may
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw must be given by stating its title.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter.
- (4) Subject to provisions in the Local Government Act, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) Subject to provisions in the Local Government Act or the Community Charter, Council may give up to three readings to a proposed bylaw at the same Council meeting.
- (6) In accordance with provisions in the Local Government Act, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

### **Bylaws must be signed**

31. After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Village's records for safekeeping.

## **PART 6 – RESOLUTIONS**

32. (1) The presiding member of a Council meeting may:
- (a) require that a member, introducing a lengthy resolution, provide the resolution to the Corporate Officer in writing;
  - (b) have the Corporate Officer read the resolution; and
  - (c) request a motion that the resolution be introduced.

## **PART 7 – COMMITTEE OF THE WHOLE**

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

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

### **Notice for COTW meetings**

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

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- (a) posting a copy of the notice at the public notice posting place; and
  - (b) leaving a copy of the notice for each Council member in the Council member's inbox in Chambers and/or electronically to their Council business email
- (2) Section 34(1) does not apply to a COTW meeting that is called, in accordance with section 33(1), during a Council meeting for which public notices has already been given.

## **Minutes of COTW meetings to be maintained and available to public**

35. Minutes of the proceedings of a COTW must be
- (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) signed by the member presiding at the meeting,
  - (d) open for public inspection in accordance with provisions of the Community Charter,

## **Presiding members at COTW meetings and Quorum**

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

## **Points of Order at meetings**

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

## **Conduct and Debate**

38. The following rules apply to COTW meetings:
- (a) a motion is not required to be seconded;
  - (b) a motion for adjournment is not allowed;
  - (c) a member may speak any number of times on the same question;
  - (d) a member must not speak longer than a total of 10 minutes on any one question.

## **Voting at meetings**

39. (1) Voting at a COTW meeting must be taken as per section 18(1)(b) by the raising of hands, or per its alternative in 18(1)(b)(i) if under the same circumstances, if requested by a member.
- (2) The presiding member must declare the results of voting.

## **Reports**

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

## **Rising without Reporting**

41. (1) A motion made at a COTW meeting to rise without reporting
- (a) is always in order and takes precedence over all other motions,
  - (b) may be debated, and
  - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by a COTW at a meeting constituted under section 33(1), the Council meeting must resume and proceed to the next order of business.

## **PART 8 – COMMITTEES**

### **Establishment of a Standing Committee**

42. (1) The Mayor must establish standing committees for matters the Mayor considers would be better dealt with by the committee and must appoint persons to those committees.
- (2) At least half of the members of a standing committee must be Council members.
- (3) Subject to section 42(2), persons who are not Council members may be appointed to a standing committee.

### **Duties of standing committees**

43. (1) Standing committees must consider, inquire into, report and make recommendations to Council about all of the following matters:
- (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are assigned by Council;
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are assigned by Council or Mayor,
    - (i) as required by Council or Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

### **Establishment of Select Committees**

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

### **Duties of Select Committees**

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

(2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

#### **Schedule of committee meetings**

46. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

#### **Notice of committee meetings**

47. (1) Annually, on or before January 15, committees must prepare a schedule of dates, time and places of meetings and make the schedule available:
- (a) to the public by posting it at the public notice posting place; and
  - (b) providing a copy of the schedule to each committee member.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as practical, post a notice at the public notice posting place which indicates any revisions to the date, time or place or of cancellation of a committee meeting.
- (3) The chair of a committee must notify committee members of the day, time and place of a meeting called under section 47(2) at least 12 hours before the time of the meeting.

#### **Minutes of committee meetings to be maintained and available to public**

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

#### **Quorum**

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

#### **Conduct and Debate**

50. (1) The rules of the Council procedure must be observed during committee meetings, so far as possible, and unless as otherwise provided by this bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a committee meeting is not required to be seconded.

#### **Voting at meetings**

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

## **PART 9 – COMMISSIONS**

### **Establishing a Commission**

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

### **Schedule of Commission meetings**

53. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.  
(2) The Chair of the Commission may call a meeting of the commission in addition to the scheduled meetings or may cancel a meeting.

### **Notice of Commission meetings**

54. (1) After the Commission has established the regular meeting schedule, notice of the schedule must be:  
(a) posted at the Public Notice Posting place; and  
(b) given to each member of the Commission.  
(2) Where revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as practical, post notice at the Public Notice Posting Place indicating the revision or cancellation of the Commission meeting.  
(3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called under section 54(2) to be given to all members of the Commission at least 12 hours before the time of the meeting.

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

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

### **Quorum**

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

### **Conduct and Debate**

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

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## PART 10 – GENERAL

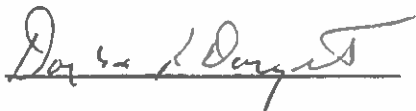
58. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
59. This bylaw may not be amended or repealed and substituted unless the Council first gives notice in accordance with the provisions stipulated in the Community Charter.
60. The Village of Port Clements Procedural Bylaw #422, 2015 and its amendments #422-1, 2018 are hereby repealed.

READ A FIRST TIME THIS 13 day of July, 2020

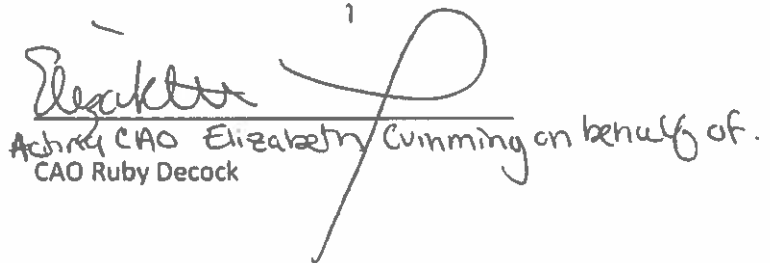
READ A SECOND TIME THIS 13 day of July, 2020

READ A THIRD TIME THIS 4 day of August, 2020

RECONSIDERED AND FINALLY ADOPTED THIS 4 day of August, 2020



Mayor Doug Daugert



Elizabeth Cumming on behalf of.  
CAO Ruby Decock

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CERTIFIED A TRUE COPY OF "Council Procedure Bylaw #460, 2020"

**VILLAGE OF PORT CLEMENTS**

**BYLAW NO 479, 2022**

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**A Bylaw of the Village of Port Clements  
to amend Procedural Bylaw # 460, 2020.**

The Council of the Village of Port Clements deems it desirable to amend the Village of Port Clements Procedural Bylaw;

The Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

1. The Procedural Bylaw for the Village of Port Clements # 460, 2020 is amended
  - (a) Change section (2) (a) Regular Council meeting must be held on the first and third Monday of each month
  - to
  - Regular Council meeting must be held at least once per month.

This Bylaw may be cited for all purposes as "Procedural Amendment Bylaw No. 479, 2022.

READ a first time this 5<sup>th</sup> day of December 2022.


READ a second time this 5<sup>th</sup> day of December 2022.

READ a third time this 19<sup>th</sup> day of December 2022.

FINALLY PASSED AND ADOPTED this 11 day of January 2023



\_\_\_\_\_  
Scott Cabianca  
Mayor



\_\_\_\_\_  
Marjorie Dobson  
Chief Administrative Officer

**CERTIFIED A TRUE COPY OF 'THE AMENDED PROCEDURAL BYLAW # 479, 2022'**