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THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1094

A Bylaw to Regulate the Meetings and Procedures
of the District of Central Saanich
(Consolidated By Bylaws 1128, 1238, 1295, 1334, 1481, 1493, 1649)

The Municipal Council of the District of Central Saanich, in open meeting assembled, enacts as follows:

ACTING MAYOR

1. At the first Regular Council Meeting held in December each year, or at an Inaugural Meeting held under Section 2, Council must in respect of the ensuing calendar year appoint one of its member(s) to serve as Acting Mayor to act 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, for such period of times as Council may determine. During the absence or illness or other disability of the Mayor, the Acting Mayor has all the powers of and is subject to the same rules as the Mayor.

MEETINGS OF COUNCIL AND COMMITTEES OF COUNCIL

2. Inaugural Meeting

The first Regular Council Meeting following a general local election must be held on the first Monday in December.

3. Regular and Special Council Meetings

(1) Regular meetings of Council must take place within the Central Saanich Municipal Hall;

(2) Regular meetings of Council must be held on the first and third Mondays of the month (excluding statutory holidays) commencing at 7:00 p.m.;

(3) The Municipal Clerk must:

(a) post on the Notice Board at the Central Saanich Municipal Hall, and

(b) publish in a newspaper in accordance with Section 94 of the Community Charter at least once a year,

a schedule of the date, time and place of Regular Council Meetings.

(4) At least 72 hours before a regular meeting of Council, the Municipal Clerk must give public notice of the time, place and date of the meeting by way of a notice posted on the Notice Board at the Central Saanich Municipal Hall;

(5) At least 24 hours before a regular meeting of Council, the Municipal Clerk must give further public notice of the meeting by:

(a) posting a copy of the agenda on the Notice Board at the Central Saanich Municipal Hall; and

(b) leaving copies of the agenda at the reception counter at the Municipal Hall for the purpose of making them available to members of the public;

(6) At least 24 hours before a regular meeting of Council, the Municipal Clerk must deliver a copy of the agenda to each member of Council at the place to which the Council member has directed notices to be sent.

- (7) Except where notice of a special meeting is waived by a unanimous vote of all council members under Section 127(4) of the *Community Charter*, at least 24 hours before a special meeting of Council, the Municipal Clerk must:
- (a) give advance public notice of the time, place and date of the meeting by way of a notice posted on the Notice Board at the Central Saanich Municipal Hall; and
 - (b) give notice of the special meeting in accordance with Section 127(2) of the *Community Charter*.

4. Regular and Special Committee Meetings

- (1) Regular meetings of a Primary Committee as defined in this section must be held in accordance with the following schedule:

- (a) Regular meetings of Primary Committees must be held on the second and fourth Mondays of the month (excluding statutory holidays) commencing at 7:00 p.m.

- (2) In this section:

“Standing Committee” means the following Committees of Council:

- (a) Committee of the Whole;
- (b) Administration & Finance Committee;
- (c) Community & Protective Services Committee;
- (d) Parks & Facilities Committee;
- (e) Planning & Development Committee;
- (f) Public Works & Transportation Committee;
- (g) Water & Waste Management Committee.

“Secondary Committee” means a Committee of Council which is not a Standing Committee.

- (3) At least 72 hours before a regular meeting of a Standing Committee, the Municipal Clerk must give public notice of the time, place and date of the meeting by way of a notice posted on the Notice Board at the Central Saanich Municipal Hall.
- (4) At least 24 hours before a regular meeting of a Standing Committee, the Municipal Clerk must give further public notice of the meeting by:
- (a) posting a copy of the agenda on the Notice Board at the Central Saanich Municipal Hall; and
 - (b) leaving copies of the agenda at the reception counter at the Municipal Hall for the purpose of making them available to members of the public.
- (5) At least 24 hours before a regular meeting of a Standing Committee, the Municipal Clerk must deliver a copy of the agenda to each member of the Committee at the place to which the Committee member has directed notices to be sent.
- (6) At least 24 hours before
- (a) a special meeting of a Standing Committee, or
 - (b) a meeting of a Secondary Committee

the Municipal Clerk must give advance public notice of the time, place and date of the meeting by way of a notice posted on the Notice Board at the Central Saanich Municipal Hall.

5. Attendance of Public at Meetings

- (1) Subject to Section 89.1 of the *Community Charter*, all Council meetings must be open to the public.
- (2) Where Council wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with Section 92 of the *Community Charter*.
- (3) This section applies to meetings of bodies referred to in Section 93 of the *Community Charter*, including, without limitation:
 - (a) Select or standing Committees of Council;
 - (b) The Board of Variance;
 - (c) The Parcel Tax Roll Review Panel;
 - (d) The Advisory Planning Commission;
 - (e) The Central Saanich Heritage Commission;
- (4) The person presiding over the Committee of the Whole or Council Meeting shall be entitled to structure opportunities for applicants and public delegations to speak to the Council, and for Council members to ask questions of applicants, public delegations and staff.

6. Minutes of Meetings

- (1) Minutes of the proceedings of Council must be
 - (a) legibly recorded;
 - (b) certified as correct by the Municipal Clerk; and
 - (c) signed by the Mayor or other member presiding at the Meeting or at the next Meeting at which the Minutes are adopted.
- (2) Subject to subsection 1 above, and in accordance with Section 97 of the *Community Charter*, Minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.
- (3) Subsection 2 above 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*.
- (4) This section also applies to the proceedings of Committees of Council and other bodies in accordance with Section 93 of the *Community Charter*.
- (5) The names of the mover and seconder of motions will not be recorded in the Minutes of Regular Council and Committee Meetings.
- (6) Any comments or statements which are incidental to the motions being deliberated, from individual members of Council, or a verbatim recording of the debate, will not be recorded in the Minutes of Council and Committee Meetings without prior approval of a majority of Council members present at the Meeting.

7. Annual Meeting/Annual Municipal Report

The Municipal Clerk must give notice of the Council Meeting or other public meeting in respect of which Council has resolved to consider:

- (a) the annual municipal report prepared under Section 98 of the *Community Charter*, and
 - (b) submissions and questions from the public,
- by giving public notice by way of

- (c) a notice of the date, time and place of the annual meeting posted on the Notice Board at the Central Saanich Municipal Hall, and
- (d) a notice of the date, time and place of the annual meeting published in a newspaper in accordance with Section 94 of the Community Charter.

ORDER OF PROCEEDINGS

- 8. Unless two-thirds of the members of Council present at a meeting shall otherwise direct, the business at all regular meetings of Council shall proceed as follows:
 - 1. Approval of Agenda
 - 2. Adoption of Minutes
 - 3. Business Arising from the Minutes
 - 4. Rise and Report
 - 5. Public Inquiries and Answers Thereto
 - 6. Reports of Committees
 - 7. Staff Memoranda and Reports
 - 8. Bylaws
 - 9. Delegations
 - 10. Correspondence and Petitions
 - 11. Unfinished Business
 - 12. New Business/Other Competent Business
 - 13. Correspondence (Receive for General Information)
 - 14. Adjournment
- 9. When, by reason of the Council breaking up for lack of a quorum, any Order, Resolution or Question then before the Council is not disposed of, such Order, Resolution or Question shall be the first item of business after approval of the previous minutes at the next subsequent meeting of Council.

OPENING PROCEEDINGS

- 10. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the members to order. Four members of Council shall constitute a quorum.
- 11. In case the Mayor does not attend within fifteen minutes after the time appointed for a meeting, the Acting Mayor shall take the Chair and call the members to order, or if the Acting Mayor is also absent, the Municipal Clerk shall call the members to order and, if a quorum be present, the members shall appoint a Chair, who shall preside during the meeting, or until the arrival of the Mayor. Any person so appointed as Chair has all the powers and is subject to the same rules as the Mayor.
- 12. Should there be no quorum present within 30 minutes after the time appointed for the meeting, the Municipal Clerk shall record in the Minute Book the names of the members present at the expiration of such period of time, and the meeting shall stand adjourned.
- 13. As the first order of business, the minutes not yet adopted of any previous meeting shall be read by the Municipal Clerk and if in order, shall be adopted; provided that such reading may be dispensed with if each member has received a copy of such minutes at least 48 hours prior to the meeting at which they are to be considered.

RULES OF CONDUCT AND DEBATE

- 14. Every member shall address the Chair before speaking to any question or motion.
- 15. Members shall address the Chair as Mayor or Chair and shall refer to each other as the Mayor or Councillor as the case may be.

16. When two (2) or more members wish to speak, the Mayor shall name the member who is to have the floor.
17. No member shall speak disrespectfully of the Monarch or of any member of the Royal Family, or of the Governor-General, Lieutenant-Governor or persons administering the Government of Canada or of this Province, nor shall use offensive words in or against the Council or against any member thereof.
18. No member shall speak beside the Question in debate, and no member shall reflect upon any Vote of the Council except for the purpose of moving that such vote be rescinded.
19. No member may speak more than once to the same question without leave of the Council, except in explanation of a material part of a speech which may have been misconstrued, and in so doing the member may not introduce new matter. A reply shall be allowed to a member who has made a substantive motion to the Council, but not to a member who has moved an amendment, the previous question or an instruction to a Committee. No member without leave of the Council shall speak to any question for a longer time than fifteen (15) minutes on moving an original motion, or five minutes on all other occasions.
20. After a question is finally put by the Chair, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Chair as to whether the question has been finally put shall be conclusive.
21. If the Mayor desires to take part in the debate, the Mayor shall call upon the Council to appoint another member to take the Chair.
22. Adjournment shall be no later than 10:30 p.m. Only with the approval of two-thirds of the Council members present may a meeting be extended to 11:00 p.m., and only with the unanimous approval of all Council members present may a meeting extend past 11:00 p.m.

VOTING ON QUESTIONS

23. Every member who shall be present when a question is put shall be expected to vote thereon, unless personally interested in the question, provided such interest is resolvable into a personally pecuniary profit or is peculiar to the member and not in common with the citizens at large, or unless that member comes within the provisions of Section 100 of the *Community Charter*, and in such cases the member shall not vote, but shall withdraw from the Chambers while the vote is being taken and resume sitting as a member immediately thereafter.
24. Should any member refrain from voting when any question is put, for any reason other than that mentioned in the last preceding section, that member shall be regarded as having voted in the affirmative and the vote shall be counted accordingly.
25. (1) All acts whatsoever authorized or required by the "Local Government Act" to be done by the Council, and all other questions, including questions of adjournment, that may come before the Council, shall, save where otherwise so expressed in any act, be done and decided by the majority of the members of the Council who shall be present at a meeting.
 - (2) Subject to the "Local Government Act", in all cases where the votes of the members of the Council then present, including the vote of the Mayor or other person presiding, are equal for and against a question, the question shall be negative, and it shall be the duty of the member presiding to so declare.
 - (3) Whenever a member of Council so requests, that member's vote shall be recorded in the minutes.

26. When the question under consideration contains distinct propositions, upon request of any member, the vote upon each proposition shall be taken separately.

PETITIONS AND DELEGATIONS

27. Any person or group of persons wishing to appear before Council may do so provided they shall have first notified the Municipal Clerk in writing before the Agenda has been circulated to the members of Council, except on extraordinary occasions decided as such by the Council.
28. Every delegation shall be allowed a maximum time of twenty minutes to present its petition or submission, unless the time be extended by a two-thirds vote of Council. After the time allowed has expired, the Council may dispose of the petition or submission by referring the subject matter to a Committee or taking such other action as deemed expedient.

MOTIONS

29. (1) Motions other than routine motions shall be put in writing and all motions shall be seconded before being debated or put from the Chair.
- (2) A motion that has been seconded shall be read by the Chair or Municipal Clerk before debate.
30. When a question is under consideration, no motion shall be received except for the following:
- | | | | |
|------------|-----------------------------------|---|-------------------|
| Undeatable | (a) To adjourn |) | Cannot be amended |
| | (b) To lay on the table |) | |
| | (c) To move the previous question |) | |
| Debatable | (d) To postpone to a certain time |) | Can be amended |
| | (e) To commit or refer |) | |
| | (f) To amend |) | |
| | (g) To postpone indefinitely |) | |

These motions shall have precedence in the order in which they are named.

31. (1) A motion to adjourn shall always be in order, except
- (a) when a speaker has the floor; or
- (b) when a question has been called;
- but if such motion is decided in the negative, no second motion to the same effect shall be made until some inter-mediate business or matter shall have been disposed of by Council.
- (2) A motion to commit or refer, until it is decided, shall preclude all amendments to the main motion.
- (3) A motion to amend shall be decided upon before the main question is put to the vote. Only one amendment shall be allowed to an amendment.

RECONSIDERATION

32. (a) After a vote has been taken on any question except one of tabling or indefinite postponement of a subject, any member who voted in the affirmative may at the same or at the first meeting held thereafter move for reconsideration thereof.
- (b) The Council shall not discuss the main question at such time unless the motion for reconsideration is passed in the affirmative.

- (c) The Council shall not reconsider any question more than once nor shall a vote to reconsider be reconsidered.
- (d) No previous resolution of the Council passed on any matter shall be rescinded after the time limit in 30 (a) has expired, except by a two-thirds vote of all members of Council.

PRIVILEGE

- 33. Whenever any matter of privilege arises it shall be taken into consideration immediately.

DUTIES OF COUNCIL MEMBERS

- 34. (1) To obtain the floor before speaking;
- (2) To avoid speaking upon any matter until it is properly brought before the Council by a motion;
- (3) To speak to the question then pending;
- (4) To abstain from reference to personalities in debate;
- (5) To avoid disturbing a speaker in any way except on a point of order.

BYLAWS

- 35. A copy of every draft Bylaw in printed or typewritten form shall be supplied to each member of Council before being introduced at a meeting of the Council.
- 36. The introduction of a draft Bylaw shall be preceded at a previous meeting by a Notice of Motion unless the Council by resolution in a particular instance waive such requirement.
- 37. Every Bylaw shall be introduced and read a first time on motion specifying its title or intended purpose.
- 38. Every Bylaw shall be read three times prior to its adoption and final passing, each of such readings shall be on a separate day, unless otherwise ordered by a two-thirds vote of the members of the Council present.
- 39. If the Council so decided the draft Bylaw may after its second reading be referred to a Committee of the whole Council and considered clause by clause.
- 40. The Chair of the Committee of the Whole shall report to Council on each Bylaw submitted to such Committee after which the Bylaw may be read a third time and thereafter await any approval required under the "Local Government Act", the *Community Charter* or other Act before being reconsidered, finally passed and adopted in accordance with law.
- 41. One copy of every Bylaw, signed by the Mayor and Municipal Clerk and sealed with the Corporate Seal, shall be deposited in the Municipal vault.

COMMITTEE OF THE WHOLE

- 42. A quorum of the Council shall constitute the Committee of the Whole.
- 43. A meeting of the Committee of the Whole shall be called at any time by the Chair.
- 44. During any meeting of the Council, the Council may, by resolution, resolve itself into Committee of the whole to consider specific matters.
- 45. The Chair of the Council meeting shall preside in Committee of the Whole unless the Council or Committee appoints another member to preside.
- 46. The rules of procedure of the Council shall be observed in Committee of the Whole, so far as may be applicable, except that:

- (a) the numbers of speeches to any question by a member shall not be limited,
 - (b) no member shall speak continuously for more than five minutes to a question, and
47. When all matters referred to Committee of the Whole have been considered, a motion to adjourn and report to Council shall be adopted.
48. On resumption of business in Council, the Chair in Committee of the Whole shall report to Council and the Council may:
- (a) adopt the report, or
 - (b) reject the report, or
 - (c) adopt the report with amendments, or
 - (d) commit the subject matter for further consideration, either in part or in total, or
 - (e) postpone action on the report, or
 - (f) approve a request of Committee to sit again, the Committee having reported progress after partial consideration of the subject.

STANDING AND SELECT COMMITTEES

49. The general duties of standing and select Committees shall be:
- (a) To report to Council, from time to time, as often as the interests of the Municipality may require, all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary and expedient.
 - (b) To consider and report upon all matters referred to them by the Council.
 - (c) To adhere strictly in the transaction of all business to the rules prescribed by the Bylaws of the Council.
50. The standing Committees of the Council shall be established and the members thereof appointed by the Mayor pursuant to Section 141 of the *Community Charter*. The Mayor shall designate the member of each standing Committee who shall act as Chair.
51. The select Committees of the Council shall be established and the members thereof from time to time appointed by resolution of the Council, pursuant to Section 142 of the *Community Charter*.
52. All members of the Council may attend meetings of standing and select Committees and may, with the consent of the Committee, take part in the discussion, but only those members who have been appointed to such Committee shall be entitled to vote on any matter of proceeding in such Committee.
53. Any Committee member shall have the right to submit a minority report.
54. The rules of procedure of the Council shall be observed in all meetings of standing and select Committees so far as may be practical, but the number of times of speaking on any question shall not be limited. In addition, the person presiding over the Committee shall be entitled to structure opportunities for applicants and public delegations to speak to the Council, and for Council members to ask questions of applicants, public delegations and staff.

OTHER APPOINTMENTS

55. Council is required by Provincial Legislation to appoint representation to various Commissions, Committees or other Community Boards. When more than one candidate is nominated for such positions, the selection of the representative shall be made by secret ballot with all members of Council participating in the vote.

REPEAL OF FORMER BYLAW

56. Bylaw No. 691 cited as "Central Saanich Procedure Bylaw, 1983, No. 691", is hereby repealed.

UNPROVIDED CASES

57. In all unprovided cases in the proceedings of the Council or in Committee, Roberts' Rules of Order shall be followed. All words used shall be as defined in the Oxford Concise Dictionary.

58. Severance

If any section, subsection, clause or other provision of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the decision does not affect the validity of the remaining portions of the Bylaw.

59. This Bylaw may be cited as for all purposes as "**Central Saanich Council Procedure Bylaw No. 1094, 1993**".