



# Central Saanich

## **PROCEDURE BYLAW NO. 2008, 2019**

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on October 19, 2022 up to Bylaw No. 2096, 2021.)

Official copies of the bylaws can be found at Municipal Hall by contacting the Corporate Services department at 250.652.4444.

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**PROCEDURE BYLAW NO. 2008, 2019**

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THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

**BYLAW NO. 2008, 2019**

A Bylaw to Govern the Proceedings of The District of Central Saanich, and Its Committees

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The Council of the District of Central Saanich enacts as follows:

**PART 1 - INTRODUCTION**

**1. TITLE**

1.1 This Bylaw shall be cited as the "Procedure Bylaw No. 2008, 2019".

**2. DEFINITIONS**

2.1 In this Bylaw:

**"Commission"** means a municipal commission established under section 143 of the *Community Charter*;

**"Committee"** means a standing, select, or any other body established by Council, but does not include COTW;

**"Corporate Officer"** means the officer of the District of Central Saanich assigned the corporate administration responsibilities of section 148 of the *Community Charter*, and includes that officer's designate;

**"COTW"** means the Committee of the Whole Council;

**"Council"** means the Mayor and Councillors of the District of Central Saanich;

**"Delegation"** means an individual or an organization addressing the Council, or COTW about a specific item on the agenda of a meeting that falls within the body's jurisdiction, but does not include those speaking to a bylaw for which a public hearing has been held or is scheduled;

**"DOCS"** means the District of Central Saanich;

**"DOCS Offices"** means the District of Central Saanich administration offices, located at 1903 Mount Newton Cross Road, Saanichton, BC;

**"DOCS Website"** means the information resource found at an internet address provided by the DOCS;

**"Late Item"** means an item received after noon on Wednesday prior to the Council

or COTW meeting that:

- Relates to:
  1. Imminent danger or threat to public safety
  2. Legal issue of imminent importance
  3. An item of business on the posted agenda
- Is time sensitive and requires a Council decision before the next scheduled regular Council meeting

**“Mayor”** means the head and Chief Executive Officer of the DOCS;

**“Member”** means the Mayor or a member of Council; and

**“Public Notice Posting Place”** means either or both the digital display screen located on the main floor of the DOCS Offices and the DOCS Website.

- 2.2 Unless otherwise defined in this Bylaw, words used herein shall have the meanings defined in the *Community Charter* or the *Local Government Act*, as applicable.

### 3. APPLICATION OF RULES OF PROCEDURE

- 3.1 Except where expressly stated, the provisions of this Bylaw govern the proceedings of Council, COTW, all Committees, and all Commissions, as applicable.
- 3.2 In cases not provided for under this Bylaw, the most current version of *Robert’s Rules of Order* will apply to the proceedings of Council, COTW, 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*.
- 3.3 No provision of this Bylaw relating to the procedures of Council shall be altered unless notice of the proposed amendment is given in accordance with the *Community Charter* [*procedure bylaws*].

## PART 2 – COUNCIL MEETINGS

### 4. INAUGURAL MEETING

- 4.1 Following a general local election, the first regular Council meeting must be held on the first Monday in November in the year of the election.
- 4.2 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 section 4.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

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**5. REGULAR MEETINGS**

- 5.1 Regular Council meetings of the DOCS shall be held:
- (a) on the days outlined in the annual "Schedule of Regular Council Meetings" adopted by Council prior to December 31 of each year for the following year;
  - (b) in the Council Chamber at the DOCS Offices or electronically, commencing at 7:00 p.m. or immediately following a public hearing if scheduled, unless otherwise determined by resolution of Council; and
  - (c) no longer than three (3) hours on the date scheduled for the meeting unless resolved by majority vote to proceed beyond that time.
- 5.2 Regular Council and COTW meetings will not be held:
- (a) in weeks when UBCM and FCM conventions are held;
  - (b) in weeks when a statutory holiday falls on a Monday.
- 5.3 Regular Council meetings may:
- (a) be cancelled by Council resolution, 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 days written notice.
- 5.4 At least twenty-four (24) hours before the cancelled or postponed meeting is scheduled to commence, the Corporate Officer must provide notice of the cancellation or postponement by:
- (a) emailing the notice to all Members; and
  - (b) posting a notice at the Public Notice Posting Place.

**6. NOTICE OF REGULAR COUNCIL MEETINGS**

- 6.1 In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually a "Schedule of Regular Council Meetings" which includes the dates, times and places of regular Council meetings for the next year, and must:
- (a) make the "Schedule of Regular Council Meetings" available to the public by posting it at the Public Notice Posting Place; and
  - (b) give notice of the availability of the "Schedule of Regular Council Meetings" in accordance with section 94 of the *Community Charter [requirements for public notice]*.

- 6.2 Where revisions are necessary to the “Schedule of Regular Council Meetings”, the Corporate Officer must, as soon as practicable, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.
- 6.3 At least 24 hours before a regular meeting of Council, the Corporate Officer must:
  - (a) provide public notice of the time, place and date of the meeting by posting a copy of the notice and agenda at the Public Notice Posting Place; and
  - (b) send to each Member a copy of the notice and the agenda, at the place at which the Member has directed notices be sent.

**7. NOTICE OF SPECIAL MEETINGS**

- 7.1 “Except where notice of a special Council meeting is waived by unanimous vote of all Council Members pursuant to section 127(4) of the *Community Charter [notice of council meetings]*, at least twenty-four (24) hours before the special meeting is scheduled to commence, the Corporate Officer must provide notice of the time, place and date of a special Council meeting by:
  - (a) emailing all Members a copy of the notice and agenda
  - (b) posting a copy of the notice and agenda in Council chambers at the DOCS Offices;
  - (c) posting a copy of the notice and agenda at the Public Notice Posting Place; and
  - (d) for meetings that are to be conducted electronically, include the way in which the meeting is to be conducted electronically and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.and
- 7.2 The notice under subsection 7.1 must describe in general terms the purpose of the meeting and must be signed by the Mayor or the Corporate Officer.

**8. NOTICE OF COTW, COMMITTEE AND COMMISSION MEETINGS**

**Committee of the Whole**

- 8.1 At least twenty-four (24) hours before a meeting of a COTW, the Corporate Officer must:
  - (a) email all Members a copy of the notice and agenda
  - (b) provide public notice of the time, place and date of the meeting by posting a copy of the notice and agenda at the Public Notice Posting Place;

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- (c) send to each Member a copy of the notice and agenda; and
  - (d) for meetings that are to be conducted electronically, include the way in which the meeting is to be conducted electronically and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.
- 8.2 Section 8.1 does not apply to a COTW meeting that is called during a Council meeting for which public notice has been given under Articles 6 or 7 [*Notice of Regular Meetings and Notice of Special Meetings*].
- 8.3 The notice in section 8.1 must describe in general terms the purpose of the meeting and be signed by the Corporate Officer.
- 8.4 A COTW may cancel or postpone its scheduled meeting by providing the Corporate Officer with at least twenty four (24) hours notice, and upon receiving such notice, the Corporate Officer must provide notice of the cancellation or postponement by:
- (a) emailing all Members; and
  - (b) posting a notice at the Public Notice Posting Place.

#### **Committees and Commissions**

- 8.5 At least twenty-four (24) hours before a meeting of a Committee or Commission, the Department Head must:
- (a) email all Members a copy of the notice and agenda
  - (b) provide public notice of the time, place and date of the meeting by posting a copy of the notice and agenda at the Public Notice Posting Place;
  - (c) send to each Member a copy of the notice and agenda, and
  - (d) for meetings that are to be conducted electronically, include the way in which the meeting is to be conducted electronically and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.
- 8.6 The notice in section 8.5 must describe in general terms the purpose of the meeting and be signed by the appropriate Department Head.
- 8.7 A Committee or Commission Chair may cancel or postpone its scheduled meeting by providing the appropriate Department Head with at least (24) hours notice and on receiving such notice, the Department Head must provide notice of the cancellation or postponement by:
- (a) emailing all Members; and

- (b) posting a notice at the Public Notice Posting Place.

## 9. ELECTRONIC MEETINGS

- 9.1 Provided the conditions set out in Division 2 of the *Community Charter* [Council Proceedings] are met, a special or regular meeting of Council, COTW or a Committee, may be conducted by means of electronic or other communication facilities.
- 9.2 A Member of Council or a Committee member who is unable to attend at a regular or special Council meeting or a regular or special Committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities, provided they notify the Corporate Officer in advance.
- 9.3 A Member of Council or a Committee member who is participating electronically is deemed to be present at the meeting unless they cannot be heard due to technical issues.
- 9.4 A Member of Council or Committee member participating in a meeting by means of electronic or other communication facilities must have received the agenda materials prior to the commencement of the meeting.
- 9.5 After the Call to Order, the presiding Member must identify any member who is participating electronically.

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

## 10. ACTING MAYOR

- 10.1 At the Inaugural Meeting held pursuant to Article 4, and thereafter annually at the last regular meeting of Council each year, Council must appoint for the ensuing year 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.
- 10.2 If both the Mayor and the acting Mayor designated under section 10.1 are absent from the Council meeting, the Members present must choose a Member to preside at the Council meeting.
- 10.3 The Member designated under section 10.1 or section 10.2:
- (a) must fulfil the responsibilities of the Mayor in his or her absence; and
  - (b) has the same powers and duties as the Mayor in relation to the applicable matter.



**PART 4 – COUNCIL PROCEEDINGS****11. AGENDA****Regular Meetings**

- 11.1 Prior to each regular meeting of Council, the Corporate Officer must, in consultation with the Mayor and the Chief Administrative Officer, prepare an agenda setting out all the items for consideration at that meeting.
- 11.2 The deadline for submissions by Council, staff, and the public to the Corporate Officer of items for inclusion on the Council meeting agenda, except for items related to public hearings, is noon on the Wednesday preceding the Council meeting.
- 11.3 The Corporate Officer must make the agenda available by posting to the Public Notice Posting Place by noon on Friday prior to the meeting.
- 11.4 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 by a two-third vote of all Council Members present at the time Council considers approval of the posted agenda. If Council makes such a resolution, information pertaining to the Late Item must be distributed to Council members present and made available to the public via the public notice posting place, as applicable.

**Closed Meetings**

- 11.5 As required, prior to each closed meeting of Council, the Corporate Officer must prepare an agenda setting out all the items for consideration at that meeting.
- 11.6 At the commencement of a Council Members term in office, the Corporate Officer must provide each closed meeting agenda to those Members who have opted to receive agendas electronically in electronic format by posting the agenda on the DOCS's secure website, and each Member will have access to the agenda on the secure website with their unique computer userID and password during their term in office.
- 11.7 Members must at all times ensure the security and confidentiality of their assigned userID and password, and must notify the Corporate Officer immediately should they misplace, lose or otherwise determine their userID and/or password has been comprised.
- 11.8 Members who have opted to receive paper copies of closed meeting agendas must return the paper copy of the agenda to the Corporate Officer at the end of the meeting to maintain confidentiality.

**12. ORDER OF PROCEEDINGS AND BUSINESS**

12.1 The order of business at all regular meetings of Council shall proceed as follows:

- Call to Order
- Acknowledgement
- Approval of Agenda
- Adoption of Minutes
- Business Arising from the Minutes (including motions and resolutions)
- Rise and Report
- Public Questions
- Presentations/Petitions and Delegations
- Correspondence (Action Required or Recommended)
- Reports of Committees/Mayor's Report
  - COTW (Committee of the Whole)
  - All Other Committees of Council
  - Council Members Reports – External Bodies
- Staff Reports
- Bylaws
  - Other than Development Application Bylaws
  - Development Application Bylaws
- Unfinished Business
- New Business (Including Motions and Resolutions)
- Correspondence (Receive for General Information)
- Closed Meeting
- Adjournment

12.2 The order of business at all closed meetings, whether regular or special, shall proceed as follows:

- Call to Order
- Approval of Agenda
- Adoption of Minutes
- Closed Meeting Matters (including motions and resolution)
- Rise and Report
- Recess

12.3 A change to the order of business prescribed in this Article 12 may only be made by unanimous resolution of Council.

### **13. PUBLIC QUESTIONS**

13.1 Members of the public wishing to address Council during the "Public Questions" sections of the agenda shall:

- (a) begin their questions by providing the street name and their municipality of residence.
- (b) limit their questions to no more than two (2) minutes, unless extended by unanimous resolution of Council;

- (c) address their questions through the presiding Member and not to individual Members of Council or staff; and
- (d) limit their questions related to matters in Section 14.3(a) of this bylaw.
- (e) not be permitted to ask questions related to matters in Section 14.3(b) of this bylaw.

13.2 Members of Council, through the presiding Member, may question the individual who is addressing Council, but must not enter into debate with any member of the public or any other Council Member.

## **14. DELEGATIONS, PETITIONS, AND INVITED PRESENTATIONS**

### **Delegations and Petitions**

- 14.1 Delegations may appear before Council only. Any Delegation wishing to appear before Council may do so provided that:
- (a) they have submitted to the Corporate Officer a written request to be added to the agenda no later than noon at least ten days before the preferred meeting date; and
  - (b) the request has been approved by the Mayor and Council will be so advised.
- 14.2 A maximum of two (2) delegations are permitted at each Regular Council meeting.
- 14.3 The subject matter upon which a Delegation wishes to speak
- (a) must be within the jurisdiction of Council
  - (b) must not be related to:
    - i. Bylaws where a public hearing is to be or has been held
    - ii. Matters subject to legal proceedings where a judgement has not been given
    - iii. Publicly tendered contractors or proposal calls that have not yet been awarded
    - iv. Staffing or labour relations matters
    - v. Applications, permits or licenses not yet considered by Council
    - vi. Information considered in closed meetings unless the information has been released
    - vii. Promotion of business
- 14.4 A member of the Delegation must be present at the meeting in order to answer questions from Council Members.
- 14.5 Each Delegation presentation at Council meetings shall be limited to ten (10) minutes unless a longer period is agreed to by a majority vote of those Council Members present.

- 14.6 Any electronic, audio or visual presentations used as part of a Delegation's address will count toward the time limit permitted for the Delegation.

#### **Petitions**

- 14.7 Council may receive and hear a petition, only if the petition meets the requirements stipulated in the *Community Charter*.

#### **Invited Presentations**

- 14.8 Council may invite a person, persons, or organization(s) to make a presentation to Council or COTW. Where time permits, the Corporate Officer must include on the meeting agenda the subject of the presentation and the designated speaker.
- 14.9 Where the meeting agenda includes correspondence from a person or organization, the presiding Member may invite the person or a representative of the organization to speak for a maximum of two (2) minutes and to respond to questions from Members, but only if approved by the unanimous resolution of Members present.

### **15. CALLING MEETING TO ORDER**

- 15.1 The quorum for a meeting of Council is four (4) Members of Council.
- 15.2 At the appointed time for commencement of the meeting, the Mayor or, in his/her absence, the acting Mayor, or Presiding Member, shall ascertain that a quorum is present before proceeding to the business of the meeting.
- 15.3 If neither the Mayor nor the acting Mayor is present within fifteen (15) minutes after the time appointed for a meeting, the Corporate Officer shall ascertain that a quorum is present, and then call the Members to order, after which, Council shall appoint an acting chair pursuant to section 10.2 to preside during the meeting or until the arrival of the Mayor or the acting Mayor.

### **16. ADJOURNING MEETING WHERE NO QUORUM**

- 16.1 If a quorum has not been made within thirty (30) minutes after the appointed time for commencement of the meeting, the Corporate Officer must record the names of the Members then present and Council must stand adjourned until the next meeting.

### **17. ATTENDANCE AT PUBLIC MEETINGS**

- 17.1 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 and available to the public.
- 17.2 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 a meeting is closed*], and such resolution must include the applicable subsection of section 90 under which the meeting or

part is to be closed.

- 17.3 This Article 17 applies to meetings of bodies referred to in section 92 of the Community Charter, including, without limitation, all Committees, COTW, Commissions, and any body that, under the *Community Charter* or any other Act, may exercise the powers of the DOCS or its Council.
- 17.4 Despite section 17.1, the Mayor or presiding Member may expel or exclude, as applicable, a person from a Council meeting or meeting of a body listed in section 17.3 of this bylaw, in accordance with section 133 of the *Community Charter* [*expulsion from meetings*].

## **18. MINUTES OF MEETINGS**

### **Adoption and Receipt of Minutes**

- 18.1 Council must adopt the minutes of all Council meetings, with or without amendments.

### **Recording and Certification of Minutes of Council**

- 18.2 Minutes of Council meetings must be kept by the Corporate Officer, and must be:
- (a) concise and legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the Mayor, acting Mayor, chair or other person presiding at such meeting, or at the next meeting at which they are adopted.
- 18.3 Subject to section 18.4, and in accordance with section 97 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 the DOCS Offices during regular office hours and shall be posted to the DOCS Website.
- 18.4 Section 18.3 does not apply to minutes of a Council meeting or part of a meeting from which persons were excluded under section 90 of the *Community Charter* [*meetings that may be closed to the public*].
- 18.5 The names of the mover of motions will not be recorded in the minutes of Council, COTW, Commission and all other Committee meetings.
- 18.6 The names of those who voted in the negative on a question shall be entered in the minutes.

### **Minutes of COTW, Committees and Commissions**

- 18.7 Minutes of COTW, Committees and Commissions must be:

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- (a) concise and legibly recorded;
  - (b) signed by the chair presiding at the meeting and the appropriate Department Head; and
  - (c) delivered to the Corporate Officer.
- 18.8 Subject to section 18.9, and in accordance with section 97 of the *Community Charter [other records to which public access must be provided]*, minutes of the proceedings of COTW, Committee and Commissions must be open for public inspection at the DOCS Offices during regular office hours and shall be posted to the DOCS Website.
- 18.9 Section 18.8 does not apply to minutes of a meeting or part of a meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.

## **19. CONTENT OF CLOSED MEETINGS**

- 19.1 No Member may disclose to the public the proceedings of a closed meeting, unless a resolution has been passed at the closed meeting to allow disclosure.
- 19.2 Minutes of a closed meeting shall be kept in the same manner as a regular meeting but shall not be filed with the minutes of regular meetings.
- 19.3 Council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.
- 19.4 Any Member participating electronically in a closed meeting must ensure no other person can observe or hear the meeting.

## **20. POINTS OF ORDER**

- 20.1 The Mayor's ruling on a point of order shall be based on rules of order, as stated in Article 3 of this Bylaw [*Application of Rules of Procedure*]. The ruling of the Mayor shall be subject to an appeal to Council without debate.
- 20.2 The Mayor shall have the discretion to call the question on completion of debate, and the Mayor shall then advise that the debate is closed. Following closure of debate, no Member shall speak further to the question.
- 20.3 If an appeal is taken from the decision of the Mayor, the question "Shall the Mayor be sustained?" shall be decided without debate by a simple majority of the Members present (exclusive of the Mayor) and in the event of the votes being equal, the question shall pass in the affirmative. The names of the Members of Council voting for or against the question shall be recorded in the minutes.
- 20.4 If the Mayor refuses to put the question "Shall the Mayor be sustained?" Council shall appoint the acting Mayor or, in his/her absence, one of the Members, to preside temporarily in lieu of the Mayor. The Member so appointed, shall proceed in

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accordance with section 20.1.

- 20.5 Subject to section 20.1, the Mayor shall vote at the same time as the other Members of Council.
- 20.6 All questions shall be decided by a vote on the motion.
- 20.7 A tie vote on a motion to appeal the decision of the Chair is passed in the affirmative.

## **21. CONDUCT AND DEBATE**

- 21.1 No Member shall speak until recognized by the presiding Member.
- 21.2 Members shall address the presiding Member by that person's title of Mayor, acting Mayor or chair and shall refer to each other as the Mayor or Councillor, as the case may be.
- 21.3 When two (2) or more Members wish to speak at the same time, the presiding Member shall name the Member who is to have the floor. No Member shall interrupt a person speaking except to raise a point of order.
- 21.4 The presiding Member shall at all times conduct the manner and order of speaking so that all sides of the question may be as fully presented as the circumstances warrant, and shall further ensure that each Member is allowed an equal opportunity to speak.
- 21.5 A matter of privilege (a matter dealing with the rights or interests of Council as a whole or of a Member personally) may be raised at any time and shall be dealt with before resumption of business.
- 21.6 Debate shall be strictly relevant to the question before the meeting.
- 21.7 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) must not speak beside the question or reflect upon any vote of Council except for the purpose of moving that such vote be reconsidered;
  - (e) must not leave the meeting or make any noise or disturbance while a vote is being taken and until the result is declared; and
  - (f) 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.
- 21.8 A Member may not speak to a question, or speak in reply, for longer than ten (10)

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minutes, without leave of Council.

- 21.9 A Member may not speak more than once in connection with the same question without leave of the presiding Member, except in explanation of a material part of his or her remarks which may have been misunderstood, but in such cases, the Member shall not be permitted to introduce any new matter.
- 21.10 After a question is finally put by the presiding Member, 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 presiding Member as to whether the question has been finally put shall be conclusive.
- 21.11 If the Mayor desires to take part in the debate, the Mayor shall call upon the Acting Mayor to take the Chair.

## 22. CONFLICTS OF INTEREST

- 22.1 Division 6 [*Conflict of Interest*] of Part 4 of the *Community Charter applies* to all Members in relation to:
- (a) Council meetings;
  - (b) COTW meetings;
  - (c) Committee and Commission meetings referred to in sections 142 and 143 of the *Community Charter*; and
  - (d) meetings of other bodies established by Council that are subject to section 93 of the *Community Charter* [*application of rules to other bodies*].
- 22.2 The person recording the minutes of the meeting must record the Member's declaration, the reasons given for it and the time of the Member's departure from the meeting, if applicable.
- 22.3 The Mayor or other presiding Member shall ensure that the Member is not present at the meeting at the time of any vote on the matter.

## 23. VOTING AT MEETINGS

- 23.1 The following procedures apply to voting at Council meetings:
- (a) all questions shall be decided by a show of hands or roll call, except where otherwise provided in this Bylaw;
  - (b) when debate on a matter is closed, the presiding Member must put the matter to a vote of Council Members by stating: "Those in favour?" (or amendment, as the case may be) and then "Those opposed?";
  - (c) after the presiding Member puts the question to a vote, a Member must not speak to the question or make a motion concerning it;



- (d) a Council Member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative;
- (e) if the votes of the Members of Council are equal for and against a question, the question shall be negative and the presiding Member shall declare the motion is defeated;
- (f) in all cases where the votes include a vote or votes against a question, the presiding Member shall state for the record the names of those opposed to the motion; and,
- (g) when a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately at the request of any Member.

## 24. MOTIONS

### Motions Generally

- 24.1 Every motion shall be recorded in the minutes, save and except for withdrawn motions.
- 24.2 Motions other than routine motions may be put in writing.
- 24.3 A Member may not introduce a motion in respect of a matter that has not been properly included on the agenda.
- 24.4 All motions of Council shall be moved and seconded before being debated or put from the presiding Member.
- 24.5 All Motions of Committees shall not require a seconder, and must:
  - a) first receive the acknowledgement of the Chair,
  - b) be captured by the Chair and the Recording Secretary, and
  - c) not be debated by any Member until after the motion has been captured by the Chair and the Recording Secretary.
- 24.6 All motions less than half a page in length that have been seconded shall be read by the presiding Member or the author of the motion before debate.
- 24.7 The Chair may offer final remarks before calling the question on the motion.

### Notice of Motion

- 24.8 A Member must give notice of a motion by:
  - (a) providing the Corporate Officer with a written copy of such motion to be added to the agenda no later than noon on the Wednesday preceding the next scheduled meeting, and the Corporate Officer shall add the motion to the New

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Business section of the agenda for said meeting; or

(a) providing the Corporate Officer with a written copy of such motion at a meeting of Council, and the Corporate Officer shall, upon the Member being acknowledged by the presiding Member and the notice of motion being read by the Member to the meeting, include it in the minutes of that meeting as a notice of motion and shall add the motion to the agenda of the next regular Council meeting, or to the agenda of a special Council meeting scheduled for that purpose.

24.9 A motion may not be considered at the same meeting at which the notice of that motion is introduced unless Council passes a resolution by two-thirds of the votes cast.

#### **Amendments to Motions**

24.10 No motion to amend a motion may be made if the amendment negates the motion which would be amended.

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

24.12 A Member may move to amend a motion being considered by Council.

### **25. RECONSIDERATION**

#### **Reconsideration Motion by a Member**

25.1 Subject to section 25.7, a Member may, at the same meeting or at the first meeting next held, move to reconsider:

(a) a matter on which a vote, other than to postpone indefinitely or to table, has been taken;

(b) an adopted bylaw after an interval of at least 24 hours following its adoption,

and must state their reasons for moving the reconsideration motion.

25.2 A motion to reconsider under section 25.1 must be seconded.

25.3 Council must not debate the main matter referred to in section 25.1, unless the motion for reconsideration is adopted in the affirmative by a majority of the Members present.

25.4 Council shall not reconsider any question more than once, nor shall a vote to reconsider be reconsidered.

**Reconsideration Motion by the Mayor**

- 25.5 The Mayor may require a matter to be reconsidered in accordance with section 131 of the *Community Charter*.
- 25.6 The Mayor may state his/her reasons to Council. The Corporate Officer shall record in the minutes the reasons, suggestions or amendments of the Mayor.

**Rules Applicable to Reconsideration Motions by Mayor or Council**

- 25.7 Council may only reconsider a matter that has not:
- (a) had the approval or assent of the electors and has been adopted;
  - (b) been reconsidered under this Bylaw or under the *Community Charter*; and
  - (c) been acted on by an officer, employee, or agent of the DOCS.
- 25.8 Upon reconsideration of a matter pursuant to this Article 25, Council shall, as soon as convenient, consider the reasons and either reaffirm or reject the bylaw, resolution or proceeding, and if rejected, it is deemed repealed and is of no force or effect.
- 25.9 The rejected bylaw, resolution or proceeding shall not be reintroduced to Council for six (6) months, except with the unanimous consent of Council.
- 25.10 The conditions which apply to the passage of the original bylaw, resolution or proceeding apply to its rejection.

**26. BYLAWS**

- 26.1 A paper or electronic copy of every proposed bylaw shall be provided to each Member before it is presented to Council for first and subsequent readings.
- 26.2 Every proposed bylaw, except a bylaw requiring a public hearing, may be introduced and given first, second and third readings at the same meeting.
- 26.3 Where the *Local Government Act* or *Community Charter* requires that a public hearing be held, the bylaw shall be initially presented for first and second readings with the public hearing to be held following second reading and prior to third reading and adoption.
- 26.4 Despite the requirements of the *Community Charter* and 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.
- 26.5 A copy of every bylaw shall be endorsed by the Corporate Officer and the Mayor or other presiding Member of the Council meeting at which it was adopted, and the Corporate Officer must have it placed in the District's records for safekeeping and

endorse upon it:

- (a) the DOCS's Corporate seal; and
- (b) a record of the stages through which it has proceeded.

**27. COMMITTEE OF THE WHOLE**

**Purpose of Committee of the Whole**

27.1 The purpose of the Committee of the Whole (COTW) is to consider:

- (a) Annual Budget
- (b) Strategic Priorities and Projects
- (c) Council Policies
- (d) Long term planning and policy development
- (e) Complex administration, finance, and land development issues
- (f) Any other matters that require in depth consideration by Council

**Time and Location of Committee of the Whole Meetings**

27.2 At any time during a Council meeting, Council may by resolution passed by majority vote go into COTW. On adjournment of the COTW meeting, Council will resume the Council meeting.

27.3 COTW resolutions will be presented to Council for Council's consideration.

27.4 In addition to section 27.2, a meeting, other than a standing or select Committee meeting, to which all Members of Council are invited to consider but not to decide on matters of the DOCS's business, is a meeting of the COTW.

27.5 COTW meetings shall be held:

- (a) in the Council Chamber at the DOCS Offices, commencing at 7:00 p.m., unless otherwise determined by resolution of Council;
- and
- (b) no longer than three (3) hours on the date scheduled for the meeting unless resolved by majority vote to proceed beyond that time.
  - (c) COTW meetings shall be chaired by the appointed Acting Mayor for the month in which the COTW meeting is held.

**Rules of Procedure for Committee of the Whole**

27.6 The rules of procedure of Council shall be observed in COTW as far as may be applicable. All motions of COTW shall not require a seconder.

- 27.7 The COTW may not pass a resolution or adopt a bylaw that is required to be dealt with in an open meeting of Council.
- 27.8 Discussion in COTW shall be strictly relevant to the item or clause under consideration.
- 27.9 Following consideration and approval of COTW agenda items, the COTW must refer matters back to Council for approval.
- 27.10 The minutes of the COTW shall be adopted at a regular meeting of Council as soon as practicable.

**Order of Business for COTW Meetings**

- 27.11 The Order of Business at all COTW meetings shall be as follows:
  - Call to Order
  - Acknowledgement
  - Approval of Agenda
  - Adoption of Minutes
  - Presentations
  - Unfinished Business
  - New Business
  - Adjournment

**28. STANDING AND SELECT COMMITTEES**

**Purpose of Standing Committees**

- 28.1 In accordance with the *Community Charter*, the Mayor must establish standing Committees for matters the Mayor considers would be better dealt with by committee, and must appoint persons to those Committees.
- 28.2 Each standing Committee shall have terms of reference approved by Council.
- 28.3 Standing Committees must consider, inquire into, report, and make recommendations to Council about the following matters:
  - (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are assigned by Council; and
  - (c) matters that are assigned by the Mayor.

**Purpose of Select Committees**

- 28.4 In accordance with the *Community Charter*, Council may appoint a select Committee to consider or inquire into any matter and report its findings, opinions and recommendations to Council.
- 28.5 Each select Committee shall have terms of reference approved by Council.

**Rules of Procedures for Standing Committees and Select Committees**

- 28.6 The order of business at all Standing and Select Committee meetings shall be as follows:
- Approval of Agenda
  - Adoption of Minutes
  - Unfinished Business
  - New Business
  - Adjournment
- 28.7 At least one Member of Council must be placed on a Standing or Select Committee; the first named Member of any such committee shall be the Chair of that Committee unless otherwise provided.
- 28.8 The rules of procedure of Council shall be observed in all standing and select Committees as far as may be applicable.
- 28.9 Standing and select Committees must report and make recommendations to Council when and as directed by Council in the Committee's terms of reference.
- 28.10 Council members who are not Members of a Committee or Commission may attend those meetings, but shall not be allowed to vote nor may they take part in any discussion or debate except by unanimous vote of the Committee or Commission.

**29. COMMISSIONS**

- 29.1 Council may establish and appoint Commissions in accordance with section 143 of the *Community Charter [municipal commissions]*.
- 29.2 Each Commission shall have terms of reference approved by Council.

**30. APPOINTMENTS TO COMMITTEES AND OTHER APPOINTMENTS**

- 30.1 In addition to appointments to select Committees and Commissions, Council is required by provincial legislation to appoint representatives to various other external committees, commissions, or boards. If there are more Members requesting appointment to a specific Committee, Commission or other committee, commission or board than the available positions, balloting will occur as follows:
- (a) Council shall appoint a chief election officer to conduct the balloting;
  - (b) each Member present at the meeting has one (1) vote;
  - (c) in the event of a tie vote for the available position(s) on the Committee, Commission or other committee, commission or board, the names of the candidates tied shall be included on another ballot and a second round of balloting shall be conducted; and

(d) in the event of two (2) tie votes, Council shall determine the last appointment(s) by the drawing of lots.

**31. GENERAL**

31.1 Council Members are required to turn off cellphones, pagers or other available devices during meetings and refrain from initiating or responding to text messages, email or social networking messages.

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

31.3 **"CENTRAL SAANICH COUNCIL PROCEDURE BYLAW NO. 1873, 2015"** is repealed.

READ A FIRST TIME as amended this 18 day of November, 2019

READ A SECOND TIME as amended this 18 day of November, 2019

READ A THIRD TIME as amended this 18 day of November, 2019

ADOPTED THIS 2 day of December, 2019



Ryan Windsor, Mayor



Liz Cornwell, Corporate Officer