

TOWN OF QUALICUM BEACH
BYLAW NO. 733
COUNCIL PROCEDURE BYLAW
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TOWN OF QUALICUM BEACH

BYLAW NO. 733

COUNCIL PROCEDURE BYLAW

A Bylaw to Govern Meetings of Council and Committees of Council

The Council of the Town of Qualicum Beach enacts as follows:

PART 1 - INTRODUCTION

Title

1. This bylaw may be cited as the "Town of Qualicum Beach Council Procedure Bylaw No. 733, 2019".

Definitions

2. In this Bylaw,

"Chair" means the Mayor or member chairing a meeting;

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

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

"COTW" means the Committee of the Whole Council;

"Corporate Officer" means the Corporate Officer for the Town of Qualicum Beach and includes the title of Corporate Administrator, or their designate;

"Council" means the Council of the Town of Qualicum Beach;

"Mayor" means the Mayor of the Town of Qualicum Beach;

"Member" means a member of the Council or Commission or Committee;

"Public Notice Posting Places" means the Town's notice boards at Town Hall and the Town's website, www.qualicumbeach.com.

"Quorum" means, in the case of Council, a majority of the members of which the Council consists; and, in the case of a committee or other body, a majority of the voting members appointed.

"Town" means the Town of Qualicum Beach;

"Town Hall" means the Municipal Offices located at 660 Primrose Street, Qualicum Beach, British Columbia.

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, the current edition of Robert's Rules of Order Newly Revised apply to the proceedings of Council, COTW, commissions and Council committees to the extent that those Rules are:
 - (a) applicable in the circumstances, as determined by the chair;
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*; and
 - (c) limited for the purposes of making a motion to the provisions of Section 22 of this Bylaw (Motions generally).

PART 2 - COUNCIL MEETINGS

Inaugural meeting

4. (1) Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the election.

Time and location of regular Council meetings

5. (1) All regular Council meetings must take place within Town Hall except when Council resolves to hold meetings elsewhere.
- (2) Council shall establish annually, by resolution, a schedule of regular Council meetings, and regular meetings shall begin at 10:00 am.
- (3) Council shall adjourn meetings 3 hours after commencing the meeting unless Council resolves to proceed beyond that time, in accordance with section 29.
- (4) Regular Council meetings may:
 - (a) be varied in scheduled date or time, or cancelled by Council resolution, provided that two consecutive Regular Council meetings are not cancelled; and
 - (b) be postponed to a different date, time and place by the Mayor, provided the Corporate Officer is given at least 2 days' written notice.

Notice of regular Council meetings

6. (1) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually, on or before January 1st, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- (2) In accordance with section 127 of the *Community Charter [notice of council meetings]*, Council must give notice annually, on or before December 1st, of the time and duration that the schedule of regular Council meetings will be available, beginning on the first business day after January 1st, in accordance with section 94 of the *Community Charter [requirements for public notice]*.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Notice of special Council meetings

7. (1) 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 [notice of council meeting]*, the Corporate Officer must give notice of the date, time, and place of a special Council meeting at least 24 hours before the time of meeting, by:
 - (a) posting a copy of the notice in the Council Chamber at Town Hall,
 - (b) posting a copy of the notice at the Public Notice Posting Places,
 - (c) posting a copy on the Town's web site, and
 - (d) leaving a copy of the notice for each Council member in the Council member's mailbox at Town Hall.
- (2) The notice under subsection (1) must describe, in general terms, the purpose of the meeting and be signed by the Corporate Officer or the Mayor.

Electronic meetings

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter [electronic meetings and participation by members]* are met, the open portion of a special Council meeting to deal with an urgent matter or during an emergency may be conducted by means of electronic or other communication facilities if:
 - (a) necessary to ensure the minimum number of members required are present for the conduct of the intended business;

- (b) the Mayor, Acting Mayor, or two or more members of Council requires; and
 - (c) the Corporate Officer has received sufficient notice and can make the necessary arrangements.
- (2) A member of Council who is unable to attend at the open portion of a Regular Council or Special Council or Committee of the Whole meeting due to unavoidable circumstances may participate in the meeting by means of electronic or other communication facilities.
- (3) The Corporate Officer shall, at the commencement of the meeting, call the name of each member. Members are to indicate their presence when called upon for recording in the minutes.
- (4) If the electronic or other communication facilities are disrupted or fail during the meeting:
 - (a) the participant affected will attempt to reestablish the link and in the interim, will be deemed to have left the meeting and the Corporate Officer will record this in the minutes;
 - (b) if there is not a quorum, the member presiding will call a recess until the link is reestablished; and
 - (c) if after 10 minutes, a link cannot be reestablished and there is not a quorum of Council, the meeting will be deemed adjourned, the Corporate Officer will note this in the minutes and the remaining agenda items will be added to the next agenda.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- 9.
 - (1) At the Inaugural Council meeting, and at a subsequent regular or special Council meeting during the Council term when a change to members designated is required, Council must, from amongst its members, designate Councillors to serve on a scheduled basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
 - (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in their absence.
 - (3) If both the Mayor and the member designated under section 9(1) are absent from a Council meeting, the Council members present must choose a Councillor to preside at the Council meeting until the Mayor arrives.

- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 - COUNCIL PROCEEDINGS

Attendance of public at meetings

10. (1) Except where the provisions of section 90 of the *Community Charter* [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* [requirements before Council meeting is closed].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including, without limitation:
 - (a) COTW;
 - (b) standing and select committees;
 - (c) parcel tax review panel;
 - (d) board of variance;
 - (e) advisory bodies, such as advisory planning commission; and
 - (f) commissions, such as heritage forest commission.
- (4) Despite section 10(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 21(7).

Minutes of meetings to be maintained and available to public

11. (1) Minutes of the proceedings of Council must be:
 - (a) legibly recorded;
 - (b) certified as correct by the Corporate Officer; and
 - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

- (2) Subject to subsection 11(3), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* minutes of the proceedings of Council must be open for public inspection at Town Hall during its regular office hours.
- (3) Subsection 11(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.

Calling meeting to order

- 12. (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 Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call the meeting to order, and preside at the meeting until the Mayor arrives.
- (2) If a quorum of Council is present, but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 is not present at the scheduled time for a Council meeting:
 - (a) the Corporate Officer must call to order the members present; and
 - (b) the members present must choose a member to preside at the meeting until the Mayor arrives.

Adjourning meeting where no quorum

- 13. If there is no quorum of 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

- 14. (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 a member of the Council or the public to the Corporate Officer of items for inclusion on the Council meeting agenda is 12:00 noon of the seventh working day before the day of the meeting.

- (3) The Corporate Officer must make the agenda available to the members of Council and the public no later than 10:00 am two business days prior to the meeting.
- (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.

Consent Agenda

15. (1) Items listed in the Consent Agenda are considered for approval in one motion, unless a Member of Council wishes to debate an item and requests that it be excluded. The rule of order establishing a Consent Agenda provides that Consent Agenda items may be considered in total and without debate or amendment.
- (2) If an item is excluded from the Consent Agenda by Council, it will be considered as an agenda item under the appropriate section at their discretion and without resolution, to discuss such items in more detail or to provide a motion on the item(s) excluded.
- (3) Items under the Consent Agenda may include, but not limited to:
- (a) Minutes of Council, Committee, and Commission meetings;
 - (b) Correspondence, including petitions;
 - (c) Information only reports;
 - (d) Committee of the Whole recommendations.

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, if there is business to be listed under the matter:
- (a) Adoption of the Agenda
 - (b) Adoption of the Consent Agenda
 - (c) Recognition
 - (d) Approval of the Minutes
 - (e) Business Arising from the Minutes
 - (f) Delegations
 - (g) Correspondence
 - (h) Public and Statutory Hearings and the third reading and/or adoption of bylaws, where applicable, after each hearing
 - (i) Bylaws
 - (j) Committee & Liaison Reports
 - (k) Staff Reports
 - (l) Review of Comments from the Public

(m) Adjournment

- (2) Particular business at a Council meeting must, in all cases, be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.
- (3) Comments from the Public shall be submitted by means of e-mail, letter, or by phone no later than 12:00 pm two days following the meeting date. Submissions must be regarding business discussed by Council at the meeting, be 300 words or fewer, and any submissions relating to closed public hearing topics, or unrelated to Council business discussed at the meeting, will not be distributed to Council. Submissions that meet these guidelines will be distributed to all Council, posted on the Town's website, and the submission topic will be included in the meeting minutes. Comments must include a full name and address in order to be submitted for the record.

Late Items

17. (1) An item of business not included on the agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time of adoption of the agenda. Council, when considering whether to approve adding a late item, will consider whether the item arose since the agenda deadline for submissions, if the item can be considered at the next meeting, and whether it is time-sensitive or requires urgent consideration.
- (2) If the Council makes a motion under section 17(1), information available pertaining to late items must be distributed to the members as soon as it is available.

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) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

"All those in favour?" (members in favour are expected to raise their hands) and then "Those opposed?" (members opposed are required to raise their hands);
 - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not:
 - (i) cross or leave the room,

- (ii) make a noise or other disturbance,
 - (iii) speak to the question or make a motion concerning it; or
 - (iv) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) the presiding member's decision about whether a question has been finally put is conclusive;
- (e) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand, and, if not signified, it is counted in the affirmative; and
- (f) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative ("Carried" or "Defeated").
- (g) All votes on motions will be recorded as either (a) Carried unanimously; (b) Defeated unanimously; or (c) in cases where unanimity is not reached, the motion shall be recorded as Carried or Defeated, with the names of these who voted against the motion recorded in the minutes.

Delegations

19. (1) A delegation (individual or group) may apply to address Council at a meeting by providing a written application on a prescribed form to the Corporate Officer in accordance with the deadline specified in section 14(2). Delegation applications must include:
- (a) the name(s) and address(es) of the speaker(s) and the organization, if applicable, comprising the delegation and the contact information (address, telephone number and email address);
 - (b) a full description of the subject matter, including any supporting documents; and
 - (c) the proposed action(s) which are within the jurisdiction of the Town, which the delegation wishes Council to take in response to the submission.
- (2) Each delegation must be limited to 5 minutes unless Council authorizes a longer period. Speakers shall be limited to the subject matter specified in the written request.

- (3) Where written application has not been received by the Corporate Officer as prescribed in section 19(1), a delegation may address the meeting if approved by the unanimous vote of the members present. Council, when considering whether to approve adding a late delegation to the agenda, will consider whether the item arose since the agenda deadline for submissions, if the delegation can be heard at the next meeting, and whether the topic is time-sensitive or requires urgent consideration.
- (4) 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.
- (5) The Corporate Officer may schedule delegations to another Council meeting or advisory body, as deemed appropriate, according to the subject matter of the delegation, including, for land use amendment applications in progress, referral to applicant's Public Information Meeting, statutory Public Hearing, and other public input opportunities.
- (6) The Corporate Officer may refuse to place a delegation on an agenda if the issue is not considered to fall within the jurisdiction of Council, or where the delegation, or members of the delegation, relates to existing or probable legal action against the Town. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- (7) The maximum number of delegations that will be scheduled for one meeting is five.

Points of order

20. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion:
 - (a) if the motion is contrary to the rules of procedure in this Bylaw; and
 - (b) whether or not another 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 (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, Acting 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 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.
- (7) If a member does not adhere to subsection (6), the presiding member may order the member to leave the member's seat, and
 - (a) If the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - (b) If the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (8) If a person resists or disobeys an order of the Mayor or other person presiding to leave a meeting of Council, that person may be removed by the Corporate Officer or, if necessary by a peace officer at the direction of the Mayor or other person presiding.

- (9) 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.
- (10) A member may speak any number of times on the same question, as long as they are presenting new information, questions or perspectives.
- (11) 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 result of the vote has been declared, and the decision of the Chair as to whether the question has been finally put shall be conclusive. An appeal shall lie with the members of Council from a decision of the Chair pursuant to provisions of the *Charter*.

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 the affirmative vote of a majority of the Council members present.
- (3) A Council member may make only the motions listed on Schedule A, attached to and forming part of this Bylaw.
- (4) 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 to commit

- 23. Until it is decided, a motion made at a Council meeting to refer to committee, another person or group, precludes an amendment of the main question.

Motion for the main question

- 24. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be voted upon immediately; and
 - (b) if the motion to put the main question, or for the main question as amended, to a vote is defeated, the Council may again debate the main question, or proceed to other business;

- (c) if the motion to put the main question, or for the main question as amended, to a vote is carried, the Council must cease debate and vote on the main question, or the main question as amended, immediately.

Amendments generally

- 25. (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 reproduced in writing by the mover, if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn by Council before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
 - (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question, or an amended motion amending the main question, if the vote under subparagraph (a) is positive;
 - (c) the main question.

Reconsideration by Council member

[Mayor's right of reconsideration found at s.131 of the Community Charter]

- 26. (1) Subject to subsection (5), a Council member may, at the next Council meeting:
 - (a) move to reconsider a matter on which a vote 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 subsection (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 subsection (1) or section 131 of the *Community Charter* [*Mayor may require Council reconsideration of a matter*]; or
 - (c) been acted upon by an officer, employee, or agent of the Town.
- (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 subsection (1) or section 131 of the *Community Charter* [*Mayor may require Council reconsideration of a matter*] is as valid, and has the same effect, as it had before reconsideration.

Privilege

27. (1) In this section, a matter of privilege refers to any of the following motions to:
- (a) fix the time to adjourn;
 - (b) adjourn;
 - (c) recess;
 - (d) raise a question of privilege of the Council;
 - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
 - (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

Reports from committees

28. Council may take any of the following actions in connection with a resolution it receives from COTW:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to COTW; or
- (d) postpone its consideration of the resolution.

Adjournment

29. (1) Council may continue a Council meeting 3 hours after the meeting commences 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.
- (3) Subsection (2) does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day; or
 - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 - BYLAWS

Copies of proposed bylaws to Council members

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

Form of bylaws

31. A bylaw introduced at a Council meeting must:
- (a) be printed;
 - (b) have a distinguishing name;
 - (c) have a distinguishing number;
 - (d) contain an introductory statement of purpose; and
 - (e) be divided into sections.

Bylaws to be considered separately or jointly

32. 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.

Reading and adopting bylaws

33. (1) The presiding member of a Council meeting may:

- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its name and number.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 477 of the *Local Government Act* [Official Community Plan adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter* [requirements for passing bylaws], Council may give up to three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter* [requirements for passing bylaws], and in accordance with section 477(6) of the *Local Government Act* [public hearings], 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

34. 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 Town's records for safekeeping and endorse upon it:

- (a) the Town's corporate seal;
- (b) the dates of its readings and adoption; and,
- (c) the date of Ministerial approval or approval of the electorate, if applicable.

PART 6 - RESOLUTIONS

Copies of resolutions to Council members

35. A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council member and the Corporate Officer at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

Form of resolution

36. A resolution introduced at a Council meeting should be printed.

Introducing resolutions

37. The presiding member of a Council meeting may:
- (a) have the Corporate Officer read the resolution; and
 - (b) request a motion that the resolution be introduced.

PART 7 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

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

Notice for COTW meetings

39. (1) Subject to subsection (2), a notice of the date, time and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places;
 - (b) posting a copy on the Town's web site; and
 - (c) leaving a copy of the notice for each Council member in the Council member's mailbox at Town Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 39, during a Council meeting for which public notice has been given under section 6 or 7.

Agenda

40. (1) The Corporate Officer must:

- (a) Prepare an agenda setting out all items for consideration at each meeting, except for a COTW called in accordance with s. 36(1);
- (b) Make the agenda available to the public and Council at least 24 hours before the time of the meeting by:
 - (i) posting a copy on the Town's web site, if this option is available; and
 - (ii) leaving a copy of the agenda for each Council member in the Council member's mailbox at Town Hall.

Minutes of COTW meetings to be maintained and available to public

41. (1) Minutes of the proceedings of COTW must be:

- (a) legibly recorded;
- (b) certified by the Corporate Officer;
- (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are approved; and
- (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

Presiding members at COTW meetings and quorum

42. (1) The Mayor or the member designated under section 9 shall preside in a COTW meeting.
- (2) If both the Mayor and the member designated under section 9 are absent, the members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

Points of order at meetings

43. 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

44. The following rules apply to COTW meetings:

- (a) the chair may allow public participation during discussion of a motion;
- (b) if the chair has allowed public participation during discussion of a motion, a member of the public may not speak longer than 5 minutes on any one question, or at the discretion of the chair;
- (c) public participation is limited to discussion only; no member of the public shall engage in a debate with Council;
- (d) a motion is not required to be seconded;
- (e) a motion for adjournment is not allowed during discussion or debate of a motion;
- (f) a member may speak any number of times on the same question, as long as they are presenting new information, questions or perspectives; and
- (g) a member must not speak longer than a total of 10 minutes on any one question or at the discretion of the chair.

Voting at meetings

45. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

Reports

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

Rising without reporting

47. (1) A motion made at a COTW meeting to rise without reporting:
- (a) is always in order and takes precedence over all other motions;
 - (b) may be debated; and
 - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 39(1), the Council meeting must resume and proceed to the next order of business.

PART 8 – COMMITTEES

Duties of standing committees

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

Duties of select committees

49. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

Schedule of committee meetings

50. (1) At its first meeting after its establishment, a standing or select committee must establish a regular schedule of meetings, unless the Mayor, for standing committees, or Council, for select committees, specifies a meeting schedule when establishing the committee.
- (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

51. (1) Subject to subsection (2), after the committee, the Mayor or Council, as applicable, has established the regular schedule of committee meetings, including the dates, times and places of the committee meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places;
 - (b) posting a copy of the schedule on the Town's web site, if this option is available; and
 - (c) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The Chair of a committee must cause, through the Corporate Officer, a notice of the date, time and place of a meeting of a committee called under section 51(2) to be given to all members of the committee at least 24 hours before the time of the meeting.

Agenda

52. (1) The Corporate Officer must:
- (a) Prepare an agenda setting out all items for consideration at each meeting,
 - (b) Make the agenda available to the public and committee members at least 24 hours before the time of the meeting by:
 - (i) posting a copy on the Town's web site; and
 - (ii) leaving a copy of the agenda at Town Hall for each member.

Attendance at committee meetings

53. Council members who are not members of a committee may attend the meetings of the committee.

Minutes of committee meetings to be maintained and available to public

54. Minutes of the proceedings of a committee must be:
- (a) legibly recorded;
 - (b) certified by the Corporate Officer;
 - (c) signed by the Chair or member presiding at the meeting or at the next meeting at which the minutes are approved; and
 - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

Conduct and debate

55. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, attend as observers.
 - (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

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

PART 9 - COMMISSIONS

Schedule of commission meetings

57. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings, unless Council specifies a meeting schedule when establishing the commission.
- (2) The Chair of a commission may call a meeting of the commission in addition to the scheduled meetings or may cancel a meeting.

Notice of commission meetings

58. (1) Subject to subsection (2), after the commission or Council has established the regular schedule of commission meetings, including the dates, times and places of the commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places;
 - (b) posting a copy of the schedule on the Town's web site, if this option is available; and
 - (c) providing a copy of the schedule to each member of the commission.
- (2) Where revisions are necessary to the annual schedule of the commission meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a commission meeting.
- (3) The Chair of a commission must cause, through the Corporate Officer, a notice of the date, time and place of a meeting called under section 58(2) to be given to all members of the commission at least 24 hours before the time of the meeting.

Agenda

59. (1) The Corporate Officer must:
- (a) Prepare an agenda setting out all items for consideration at each meeting;
 - (b) Make the agenda available to the public and committee members at least 24 hours before the time of the meeting by:
 - (i) posting a copy of the agenda at the Public Notice Posting Places;
 - (ii) posting a copy on the Town's web site, if this option is available; and
 - (iii) leaving a copy of the agenda at Town Hall for each member.

Minutes of commission meetings to be maintained and available to the public

60. Minutes of the proceedings of a commission must be:
- (a) legibly recorded;
 - (b) certified by the Corporate Officer;
 - (c) signed by the Chair or a member presiding at the meeting or at the next meeting at which the minutes are approved; and

- (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

Conduct and Debate

- 61. The rules of the Council procedure must be observed during commission meetings, so far as is possible and unless as otherwise provided in this bylaw.

PART 10 – COUNCIL WORKSHOPS

- 62. From time to time, Council may hold a public workshop in accordance with the *Community Charter* and Council Policy.
- 63. A Council Workshop is not a Council meeting and members of Council must not debate or vote on any matter in a Council Workshop.
- 64. No section of the Council Procedure Bylaw shall apply to Council Workshops except as follows:
 - (1) agenda will be posted;
 - (2) minutes in the form of general notes will be recorded;
 - (3) guidelines of the *Community Charter* will be followed, as applicable.
- 65. No section of the Council Procedure Bylaw shall apply when Council members attend a gathering, other than a meeting or Council Workshop as described and regulated within this bylaw, that takes place in a location not under the control of the Council, and where formal procedures are not followed (e.g., Council members are not chairing the informal meeting or using standard Council formalities when in attendance).

PART 11 – GENERAL

- 66. 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.
- 67. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter* [public notice].
- 68. Town of Qualicum Beach Procedure Bylaw No. 674, 2013, and amendments thereto, are hereby repealed.

READ A FIRST TIME THIS 12th day of August, 2019.

FIRST READING RESCINDED THIS 24th day of June, 2020

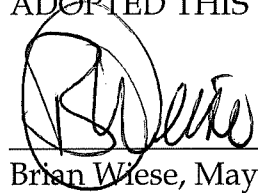
READ A FIRST TIME, AS AMENDED THIS 24th day of June, 2020

READ A SECOND TIME, AS AMENDED THIS 16th day of September, 2020.

READ A THIRD TIME THIS 7th day of October, 2020.

NOTICE given in accordance with the *Community Charter* on September 4, 2019 and September 11, 2019.

ADOPTED THIS 14th day of October, 2020.

A handwritten signature in black ink, appearing to read "Brian Wiese", written over a horizontal line.

Brian Wiese, Mayor

A handwritten signature in black ink, appearing to read "Heather Svensen", written over a horizontal line.

Heather Svensen, Corporate Administrator

Town of Qualicum Beach Council Procedure Bylaw No. 733, 2019

SCHEDULE A

I N C I D E N T A L M O T I O N S		<i>Layman's</i>	Interrupt	Second	Debate	Amend	Vote	Reconsider
	Point of Order	<i>Enforce the rules</i>	I				Chair	
	Appeal	<i>Overrule a decision of the Chair</i>	I	S	D		M, or tie	R
	Suspend the Rules	<i>Do something that violates a rule</i>		S			2/3	
	Object to the Consideration of the Question	<i>Avoid any consideration of a main motion</i>	I				2/3	Neg Only
	Division of the Question	<i>Debate and vote on separate parts of a motion</i>		S		A	M	
	Consideration by Paragraph	<i>Discuss a motion in part before voting on the whole</i>		S		A	M	
	Division of the Assembly	<i>Question the result of a voice vote</i>	I				no vote	
	Amend Something Previously Adopted	<i>Make a change to something already adopted</i>		S	D	A	M with Notice 2/3 without	Neg Only
	Discharge a Committee	<i>Take back a matter which a Committee has not reported out on</i>		S	D	A	M with Notice 2/3 without	Neg Only
	Parliamentary Inquiry	<i>Ask a procedural question</i>	I				Chair	
	Request for Information	<i>Ask for information pertaining to the motion</i>	I				Chair	
	Request for Permission to Withdraw or Modify a Motion	<i>Withdraw or change a motion already stated by the chair</i>	I				M	Neg Only
	Request to Read Papers	<i>Read something to the assembly</i>	I	S			M	R
	Request for Other Privilege	<i>Speak or make remarks when no business is pending</i>	I				M	R

Town of Qualicum Beach Council Procedure Bylaw No. 733, 2019

SCHEDULE A

			Layman's	Interrupt	Second	Debate	Amend	Vote	Reconsider
S E C O N D A R Y	P R I V I L E G E D	Fix the Time to Which to Adjourn	Continue the current meeting another day		S	D	A	M	R
		Adjourn	End the meeting		S			M	
		Recess	Take a break		S		A	M	
		Raise a question of Privilege	Deal with an issue of comfort (e.g. heating)	I				Chair	
		Call for Orders of the Day	Get the meeting back on schedule	I				By demand, unless set aside by a 2/3rds vote	
	S U B S I D I A R Y	Lay on the Table/ Take from the Table	Cease/resume current debate to deal with an urgent matter		S			M	Neg Only
		Previous Question	End debate and vote on the motion		S			2/3	R
		Limit or Extend Limits of Debate	Change the amount of time each member may speak		S		A	2/3	R
		Postpone Definitely	Discuss a motion later		S	D	A	M	R
		Commit (or Refer)	Send to committee		S	D	A	M	R
		Amend	Change the wording of a motion		S	D	A	M	R
		Amend an Amendment Motion	Make further changes to the wording of a motion		S	D		M	R
		Postpone Indefinitely	Let's not vote and not talk about this again		S	D		M	Affirm Only
	M I S C	Rescind/Repeal	Requires notice of motion or 2/3 majority to consider		S	D	A	M	Neg Only
		Reconsider	Must be same or next day & made by member who voted in favour	I	S	D		M	
MAIN MOTION					S	D	A	M	R