

DISTRICT OF LILLOOET

BYLAW NO. 371

Council Procedure Bylaw

The Municipal Council of the District of Lillooet enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw may be cited as the “Council Procedure Bylaw No. 371, 2012”.

Definitions

2. In this Bylaw,

“Commission” means the Advisory Planning Commission and the Economic Development Commission, if so appointed by Council;

“Committee” means a standing, select, or other advisory Committee of Council;

“Corporate Officer” means the Corporate Officer for the District as appointed under section 148 [Corporate Officer] of the Community Charter;

“Council” means the Council of the District of Lillooet;

“Mayor” means the Mayor of the District;

“Public Notice Posting Place” means the bulletin board at the front entrance to the District Office;

“Select Committee” refers to a time duration Committee specifically established to review and make recommendations to Council on a specific topic;

“Standing Committee” refers to an ongoing Committee of Council that reviews in detail, issues that come within the purview of the responsibilities and jurisdiction of the Committee

“District” means the District of Lillooet;

“District Office” means the Lillooet District Office located at 615 Main Street, Lillooet, British Columbia;

“District Web Site” means the information resource found at an internet address provided by the District;

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, and all Commissions and Committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert’s Rules of Order, as updated from time to time apply to the proceedings of Council, Committee of the Whole (COW) and Council committees to the extent that those Rules are
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

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 December in the year of the election.
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

Time and location of meetings

5. (1) All Council meetings must take place at the District Office except when Council resolves to hold meetings or a meeting elsewhere.
- (2) Regular Council meetings will
 - (a) be held on the first and third Monday of each month, except for the months of July, August and September, when there shall only be one meeting per month and that meeting shall be on the second Monday of the month for those three months. The meetings in the month of January may be held on the second and fourth Mondays; and
 - (b) begin at 7:00 p.m.;
 - (b) be adjourned at 10:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 21;
 - (d) be held when such meeting falls on a statutory holiday, on the next day the District Office is open following which is not a statutory holiday;

- (3) Regular Council meetings may:
 - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and/or
 - (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.

Notice of Council Meetings

- 6. (1) In accordance with section 127 of the *Community Charter* [notice of council meetings], Council must prepare annually, on or before December 15th, a schedule of the dates, times and place of regular Council meetings for the next full calendar year and must make the schedule available to the public by posting it at the Public Notice Posting Place.
- (2) 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 Place which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Notice of Special meetings

- 7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter* [Notice of council meetings], a notice of the date, hour and place of a special Council meeting must be given at least 24 hours before the time of meeting, by:
 - (a) posting a copy of the notice at the Public Notice Posting Place in the District of Lillooet office;
 - (b) leaving one copy of the notice for each Council member in the Council member’s mailbox at District Office or in a Council electronic mail box or emailing Council Members a copy of the notice ;
 - (c) making reasonable efforts to contact the members of Council by phone or voice mail or email or texting; and
 - (c) faxing or emailing or hand delivering a copy of the notice to the Bridge River – Lillooet News for their information.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

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,
 - (a) a special Council meeting may be conducted by means of audio electronic or audio/video electronic or other communication facilities if the Mayor or Council requests it; or
 - (b) members of Council or Council Committee members who are unable to attend at a Council meeting or Council Committee meeting, as applicable, may participate in the meeting by means of audio electronic or audio/video electronic or other communication facilities, if the members are unable to attend in person.
- (2) The member presiding at a special council meeting, council meeting or council committee meeting must not participate electronically.
- (3) No more than 2 (two) members of Council or a Council Committee, at one time may participate at a regular Council meeting under section 8 (1) (b).

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

Acting Mayor

9. (1) Annually in December, Council must, from amongst its members, designate for the next calendar year, Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 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

Community Charter Provisions

10. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*]. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

Attendance of Public at Meetings

11. (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 meeting is closed].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter* [Application of rules to other bodies], including without limitation:
- (a) Standing, Advisory and Select committees,
 - (b) Board of Variance,
 - (c) Commissions or Advisory Bodies,.

Minutes of meetings to be maintained and available to public

12. (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 12 (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 District Office during its regular office hours.
- (3) Subsection 12 (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 or must be closed to the public].

Calling meeting to order

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the 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 such meeting to order.
- (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 do not attend within 15 minutes of the schedule 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.

Adjourning meeting where no quorum

14. 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

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda is 12:00 Noon on the Wednesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public on the Friday afternoon 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.

Order of proceedings and business

16. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
 - (a) Call to Order;
 - (b) Adoption of Agenda (additions and/or deletions);
 - (c) Public & Statutory Hearings (if applicable);
 - (d) Delegations – request to address Council;
 - (e) Adoption of minutes;
 - (f) Business arising from the Minutes;
 - (g) Correspondence;
 - (h) Reports from Mayor;
 - (i) Reports from Councillors;
 - (j) Reports from Committees of Council and Commissions;
 - (k) Reports from staff;
 - (l) Bylaws and resolutions;
 - (m) Any other Business;
 - (n) Notice of Motion;
 - (n) Media Question period;
 - (o) Public Question Period
 - (p) Closed Meeting (if necessary)
 - (q) 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.

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 under the adoption of the Agenda.
- (2) If the Council makes a resolution under section 17 (1), any written information pertaining to late items must be distributed to the members.

Delegations

18. (1) The Council may allow an individual or a delegation to address Council at the meeting, provided written application on a prescribed District form has been received by the Corporate Officer by 12:00 Noon on the Wednesday prior to the meeting. Each address must be limited to five (5) minutes unless a longer period is agreed to by majority vote of those members present. There are no time restrictions on a delegation when Council has requested that a delegation speak on an issue.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 18 (1), an individual or delegation may address the meeting if approved by a unanimous vote of the members present.
- (3) No decisions regarding the matters presented by a delegation shall be made by Council at the meeting to which the delegation appears, unless the Council is satisfied that there is some urgency in making such decisions.
- (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 prerequisite to the adoption of the bylaw.
- (5) There shall be a maximum of three delegations per Council Meeting and request to appear as a delegation shall be granted on a first come first serve basis. Council may waive strict compliance with this requirement by a unanimous vote of the members present.
- (6) The Mayor or the Corporate Officer may schedule delegations to another Council meeting.
- (7) The Mayor or the Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council or if a decision has been made by Council on the issue proposed. If the delegation wishes to appeal the decision of either the Mayor or Corporate Officer, the information must be distributed under separate cover to Council for their consideration through the District of Lillooet Office.

Public Question Period

19. (1) Verbal questions may be asked of Council if they pertain directly to items published in the current agenda (excluding delegations).
- (2) Written questions may be asked if they have been submitted in writing by noon on the Wednesday before the Council meeting and when staff has had the time to thoroughly research information leading to an informed answer to the question.
- (3) Any question, verbal or written in the form of statements or opinion will not be answered by Council.
- (4) Council will not address any questions on information or data submitted by delegations or on any issue currently involved in litigation;
- (5) Questions will not be allowed on a decision previously made by Council;
- (6) Public Question Period may be ceased or reinstated by a majority vote of Council.

Reconsideration by the Mayor

20. (1) The Mayor, at any time within one month of a vote, introduce a motion to reconsider the resolution, motion or proceeding, whether adopted or defeated, if the resolution, motion or proceeding has not been acted upon irreversibly by an officer, employee or agent of the District.
- (2) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within the next 6 (six) months, unless by way of a new and substantially different motion.
- (3) 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*;

Reports from Committees or Commissions

21. Council may take any of the following actions in connection with a resolution or recommendation it receives from a Committee or Commission:
 - (a) agree or disagree with the resolution or recommendation;
 - (b) refer the resolution or recommendation back to the Committee, the Commission or to the Chief Administrative Officer;
 - (c) postpone its consideration of the resolution or recommendation.

Adjournment

22. (1) A Council may continue a Council meeting after 10:00 p.m. only by a majority vote 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;
- (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

23. 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, unless a majority of Council members agree to waive this requirement.

Form of bylaws

24. 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;
- (e) be divided into sections;

Bylaws to be considered separately or jointly

25. 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

26. (1) The presiding member of a Council meeting may
 - (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 of the *Local Government Act* [OCP 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* [requirement for passing bylaws], Council may give two or three readings to a proposed bylaw at the same Council meeting.

Bylaws must be signed

27. 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 District’s records for safekeeping, and endorse upon it:
 - (a) the dates of its readings and adoption; and
 - (b) the date of Ministerial approval or approval of the electorate if applicable.

PART 6 – RESOLUTIONS

Copies of resolutions to Council members

28. A resolution may be introduced at a Council meeting only if a printed copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or if a majority of Council members agree to waive this requirement.

Introducing resolutions

29. (1) 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 – COMMITTEES AND COMMISSIONS

Duties of Committees and Commissions

30. (1) Committees and Commissions 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 or commission;
 - (b) matters that are assigned by Council;
 - (c) matters that are assigned by the Mayor.
- (2) Committees and Commissions must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee’s or commission’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 possible, if the Council or Mayor does not specify a time.

Schedule of Committee and Commission meetings

31. (1) At its first meeting of each year, a committee or commission must establish a regular schedule of meetings.
- (2) The chair of a committee or commission may call a meeting of the committee or commission in addition to the schedule meetings or may cancel a meeting.

Notice of Committee or Commission meetings

32. (1) Subject to subsection (2), after the committee or commission has established the regular schedule of meetings, including the times, dates and place of the committee or commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Place; and
 - (b) providing a copy of the schedule of each member of the committee or commission.
- (2) Where revisions are necessary to the annual schedule of committee or commission meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a committee or commission meeting.

- (3) The chair of a committee or commission must cause a notice of the day, time and place of a meeting called under section 30 (2) to be given to all members of the committee or commission at least 12 hours before the time of the meeting.

Attendance at Committee or Commission meetings

33. Council members who are not members of a committee or commission may attend the meetings of the committee or commission.

Minutes of Committee or Commission meetings to be maintained and available to public

34. Minutes of the proceedings of a committee or commission must be
 - (a) legibly recorded,
 - (b) certified by the Corporate Officer or recording secretary,
 - (c) signed by the chair or member presiding at the meeting, and
 - (d) open for public inspection in accordance with section 97 (1) (c) of the *Community Charter* [Other records to which public access must be provided].

Quorum

35. The quorum for a committee or commission is a majority of all of its members.

Conduct and debate

36.
 - (1) The rules of the Council procedure must be observed during committee or commission meetings, so far as is possible, unless as otherwise provided in this Bylaw.
 - (2) Council members attending a meeting of a committee or commission, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee or commission members present.
 - (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

- 37.. Council members attending a meeting of a committee or commission of which they are not a member, must not vote on a question.

PART 8 – GENERAL

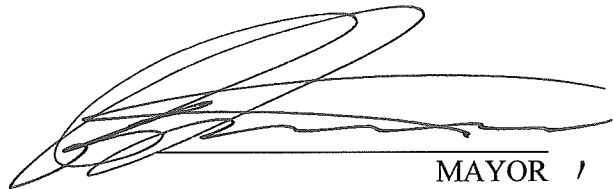
38. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
39. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter* [Requirements for public notice]
40. Bylaw No. 245, 2006, and all amendments thereto are repealed.

In compliance with section 124 of the *Community Charter* [Procedure Bylaws], the notice requirements were met on the 20th and 27th of February.

READ a first and second time this 17th day of December, 2012.

READ a third time as amended this 4th day of February, 2013.

ADOPTED this 4th day of March, 2013.


MAYOR /


CORPORATE OFFICER