

DISTRICT OF UCLUELET

BYLAW NO. 1166, 2014

A Bylaw to establish procedures for Council, Committees and Commissions

WHEREAS Section 124 of the *Community Charter* requires that Council must, by bylaw, establish the general procedures to be followed by council and council committees;

AND WHEREAS the Mayor and Council are further empowered to establish additional procedures and otherwise facilitate the conduct of the District's business;

AND WHEREAS this table of contents is inserted for purposes of ease of reference only:

Part 1 – Administration & Interpretation		
1.	Title and Repeal	...2
2.	Interpretation & Definitions	...2
3.	Scope & Application	...3
4.	Additional & Alternate Procedural Rules	...3
5.	Corporate Seal	...3
Part 2 – Meetings & Notice		
6.	Meeting Place & Time	...3
7.	Regular Council Meetings	...4
8.	Inaugural Council Meeting	...4
9.	Special Council Meetings	...4
10.	Cancellation & Postponements	...4
11.	Council Meetings By Electronic Means	...5
12.	Notice of Council Meetings	...5
Part 3 – Designation of Member to Act in Place of Mayor		
13.	Designation Procedures	...6
14.	Powers & Duties of the Acting Mayor	...7
Part 4 – Council Proceedings		
15.	Open Meeting Rule	...7
16.	Minutes	...7
17.	Bylaws	...8
18.	Order of Business at Regular Meetings	...9
19.	Matters on Council Agenda	...9
Part 5 – Rules of Conduct & Debate		
20.	Powers & Duties of the Mayor	...12
21.	General Conduct	...12
22.	Conduct of Speaker	...13
23.	Matters Open to Debate	...13
Part 6 – Voting & Motions		
24.	Reading & Consideration of Motions	...14
25.	Motions Permitted while Matter Under Debate	...14
26.	Voting	...15
27.	Reconsideration	...15
Part 7 – Committees, Commissions and Other Bodies		
28.	Committee of the Whole	...16
29.	Standing & Select Committees	...16
30.	Commissions	...17
31.	Application to Other Bodies	...17
32.	Notice of Committee Meetings	...17
33.	Committee Procedures	...18
34.	Council Workshops	...18
Part 8 – Annual Municipal Report		
35.	Annual Municipal Report	...18

NOW THEREFORE the Council of the District of Ucluelet in open meeting assembled enacts as follows:

PART 1 – ADMINISTRATION & INTERPRETATION

1. TITLE AND REPEAL

1.1. This Bylaw may be cited for all purposes as "District of Ucluelet Council Procedures Bylaw No. 1166, 2014" or the "Council Procedures Bylaw".

1.2. "Council Procedure Bylaw No. 923, 2004" is hereby repealed.

2. INTERPRETATION AND DEFINITIONS

2.1. In this Bylaw, the following terms have the following meanings:

(a) **"Agenda Deadline"** means:

- (i) Noon of the Wednesday before a regular Council meeting, for all matters other than those submitted by District Staff, and
- (ii) A time at the discretion of the Corporate Officer for matters submitted by District Staff provided advance permission is obtained from the Corporate Officer and the notice requirements of this Bylaw are satisfied;

(b) **"District"** means the District of Ucluelet;

(c) **"Commission"** means a municipal commission established under Section 143 of the *Community Charter*;

(d) **"Committee"** means a standing, select, or other committee of Council, but does not include a Committee of the Whole;

(e) **"Corporate Officer"** means the Director of Corporate Administration for the District of Ucluelet;

(f) **"Council"** means the Council of the District of Ucluelet;

(g) **"District Office"** means the District of Ucluelet local government administration office, located at 200 Main Street, Ucluelet, British Columbia;

(h) **"Mayor"** means the Mayor for the District of Ucluelet, and includes the Council member designated to act as Mayor during such periods necessary;

(i) **"Public Notice Posting Place"** means:

- (i) the notice board at the *District Office*, and
- (ii) the District's website, except when subject to electronic failures;

(j) **"Regular Council Meeting Place"** means the District of Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet, British Columbia.

2.2. Any enactment referred to in this Bylaw is a reference to an enactment of British Columbia and its regulations, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to in this Bylaw is a reference to an enactment of the Council of the District of Ucluelet as amended, revised, consolidated or replaced from time to time

- 2.3. Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

3. SCOPE & APPLICATION

- 3.1. This Bylaw primarily applies to District Council but includes provisions that apply to:

- (a) District Committees and Commissions;
- (b) Board of Variance;
- (c) Court of Revision; and
- (d) Other bodies established by Council.

- 3.2. Nothing contained within this Bylaw shall relieve any person from the responsibility to seek and comply with other applicable legislation.

- 3.3. The failure of Council or staff to observe the provisions of this Bylaw does not affect the validity of resolutions passed or bylaws enacted by Council otherwise in compliance with statutory requirements.

4. ADDITIONAL & ALTERNATE PROCEDURAL RULES

- 4.1. In circumstances not provided for under this Bylaw or applicable legislation, the most recent edition of Robert's Rules of Order, Newly Revised apply 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*.

- 4.2. Any one or more of the procedures in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended by unanimous vote of the Council present.

5. CORPORATE SEAL

- 5.1. In addition to the provisions of the *Local Government Act and the Community Charter*, the Corporate Officer may cause the corporate seal to be affixed to any certificate, proclamation or other document that:

- (a) is issued by or on behalf of the District, the Mayor, or Council, and
- (b) does not in any way evidence or create a legal relationship or obligation on the District's part to perform.

PART 2 – MEETINGS & NOTICE

6. MEETING PLACE & TIME

- 6.1. Unless notice is otherwise posted, Council meetings are to be held at the Council Chambers at the Regular Council Meeting Place.

- 6.2. Council meetings:

- (a) commence at 7:30 p.m., unless notice is otherwise posted;
- (b) are adjourned by 10:00 p.m., unless Council otherwise resolves;
- (c) may include one or two brief recesses for any reason called by the Mayor, who must state the approximate length of time of the recess or the approximate time when the meeting will reconvene; and
- (d) may include a brief recess of up to thirty (30) minutes, called by the Mayor or by Council Resolution, in order to review this Bylaw, the *Community Charter* or other applicable legislation or Robert's Rules of Order.

7. REGULAR COUNCIL MEETINGS

7.1. Unless otherwise advertised, Council's regular meetings are held on the second and fourth Tuesday in each month, except that regular meetings will not be scheduled:

- (a) on the fourth Tuesday of December;
- (b) on any statutory holiday;
- (c) within seven days of the inaugural meeting of Council following a general local election; and,
- (d) during the annual convention of the Union of British Columbia Municipalities.

8. INAUGURAL COUNCIL MEETING

8.1. Following a general local election, the first regular Council meeting must be held on the first Monday in December in the year of the election.

8.2. If there is no quorum, section 125(2) of the *Community Charter* applies.

9. SPECIAL COUNCIL MEETINGS

9.1. A special meeting of Council (being a Council meeting other than a regular or an adjourned meeting) may be called in accordance with section 126 of the *Community Charter* by:

- (a) the Mayor, or
- (b) two of more members of Council.

10. CANCELLATIONS & POSTPONEMENTS

10.1. Council meetings may be cancelled, postponed or rescheduled if:

- (a) quorum is not present within fifteen (15) minutes after the time appointed for commencement of the meeting, in which case the names of the members then present shall be entered in the minutes;
- (b) quorum is lost for the balance of the agenda, in which case the time of conclusion and the names of the members then present shall be entered in the minutes;
- (c) the Corporate Officer has been notified by a majority of members no later than twenty-four (24) hours prior to the meeting that they will not be present for the meeting, in which case the Corporate Officer must:
 - (i) post written notice of cancellation at the Public Notice Posting Place,

- (ii) post written notice of cancellation at the place of the meeting, and
- (iii) notify the Mayor and all Council members that the meeting is cancelled or postponed.

(d) Council passed such a resolution at a previous meeting.

10.2. Where a meeting is cancelled, postponed or rescheduled the business on the agenda for the meeting is to be included in the next meeting or the date of the rescheduled meeting.

11. COUNCIL MEETINGS BY ELECTRONIC MEANS

11.1. In accordance with section 128 of the *Community Charter*, Council is hereby authorized to:

- (a) conduct Council meetings by electronic means, including via teleconference or video-conference;
- (b) permit the participation of a member of Council by electronic means, including via teleconference or video-conference, provided the member is unable to attend in person.

11.2. Such participation by Council members is only available:

- (a) if the member is too ill to attend in person or is outside the District's municipal boundaries,
- (b) for up to two (2) members per meeting, and
- (c) for up to four (4) meetings per year, per member.

11.3. If the Mayor participates electronically in a manner that does not include visual means to watch all members of Council, the meeting must be chaired by the member designated to act in place of the Mayor for that meeting.

11.4. In the event of a failure of technology, the member(s) participating electronically will be deemed to have left the meeting.

12. NOTICE OF COUNCIL MEETINGS

Regular Council Meetings

12.1. In accordance with Section 127 of the *Community Charter*, Council must:

- (a) prepare annually on or before January 15th, a schedule of the dates, times and places of regular Council meetings for the upcoming calendar year;
- (b) must make the schedule available to the public by:
 - (i) posting it at the Public Notice Posting Place, and
 - (ii) giving notice annually on or before January 30th of the availability of that schedule of regular Council meetings in accordance with Section 94 of the *Community Charter*.

12.2. 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.

12.3. At least seventy-two (72) hours before a regular Council meeting, the Corporate Officer must give further notice of the time, place and date of a regular Council meeting by posting a notice at the Public Notice Posting Place.

12.4. At least twenty-four (24) hours before a regular Council meeting, the Corporate Officer must make the agenda available by:

- (a) leaving copies of the agenda at the reception counter at the District Office for the purpose of making them available to members of the public; and
- (b) leaving one copy for each Council member at the place to which the member has directed notices be sent.

Special Council Meetings

12.5. At least twenty-four (24) hours before a Special Council meeting, the Corporate Officer must give notice of a Special Council meeting by:

- (a) posting a copy of the notice at the *Regular Council Meeting Place*,
- (b) posting a copy of the notice at the *Public Notice Posting Place*, and
- (c) leaving one copy for each Council member at the place to which the member has directed notices be sent.

12.6. The notice for a Special Council meeting must include the date, time and place of the meeting, describe in general terms the purpose of meeting and be signed by the Mayor or the Corporate Officer.

12.7. Notice of a Special Council meeting may be waived by unanimous vote of all council members.

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

13. DESIGNATION PROCEDURES

13.1. Annually, at the first regularly scheduled meeting in January, Council must, from amongst its members, designate a Councillor to serve on a rotating basis as the member responsible for acting in the place of the Mayor when:

- (a) the Mayor is unable to attend a meeting in person,
- (b) the Mayor is otherwise unable to act, or
- (c) the office of the Mayor is vacant.

13.2. If both the Mayor and the member designated under the previous section are unable to attend a meeting in person, the Council members present (including those participating by electronic means) must choose a member not participating by electronic means to preside at the Council meeting.

14. POWERS & DUTIES OF ACTING MAYOR

- 14.1. The member designated or chosen to act in place of the Mayor must fulfil the responsibilities of the Mayor when:
- (a) the Mayor is unable to attend a meeting in person,
 - (b) the Mayor is otherwise unable to act, and
 - (c) the office of the Mayor is vacant.
- 14.2. The member designated or chosen to act in place of the Mayor has the same powers and duties as the Mayor in relation to the applicable matter at the meeting and times so presiding.

PART 4 – COUNCIL PROCEEDINGS

15. OPEN MEETING RULE

- 15.1. Council meetings must be open to the public, except as provided for under section 90 of the *Community Charter*.
- 15.2. Before holding a meeting or part of a meeting that is to be closed to the public, Council must state, by resolution passed in open meeting,
- (a) the fact that the meeting or part is to be closed, and
 - (b) the basis under the applicable subsection of section 90 of the *Community Charter* on which the meeting or part is to be closed.

16. MINUTES

- 16.1. Minutes of Council meetings must be:
- (a) legibly recorded,
 - (b) certified as correct by the Corporate Officer, and
 - (c) signed by the Mayor at the meeting at which they are adopted.
- 16.2. The minutes of a previous meeting may be corrected, but not debated or reflected upon, at the time they are considered for adoption.
- 16.3. Once adopted, minutes of the open portion of Council meetings must be made available for public inspection at the District Office during its regular office hours.
- 16.4. Minutes of the portion of Council meetings closed pursuant to Section 90 of the *Community Charter* must not be made available to the public unless:
- (a) resolved by Council, where such resolution is not inconsistent with applicable legislation;
 - (b) released pursuant to the *Freedom of Information and Protection of Privacy Act*; or
 - (c) otherwise required to be released by an enactment or Court of competent jurisdiction.

- 16.5. Minutes of the portion of Council meetings closed pursuant to Section 90 of the *Community Charter* that are released further to the previous section must be received for information, without debate, at a subsequent Council meeting.

17. BYLAWS

- 17.1. Bylaws must only be read and voted upon at meetings open to the public.
- 17.2. No bylaw may be read in a blank form.
- 17.3. Before adoption, a bylaw requires the following readings:
- (a) first reading, which is by title only;
 - (b) second reading, which is by title only unless the Council resolves to read in whole;
 - (c) third reading, which is by title only.
- 17.4. All readings and adoption require separate motions.
- 17.5. Up to three readings of a bylaw may be given at one meeting of the Council, except with respect to those subject to statutory public hearing requirements of applicable legislation.
- 17.6. A bylaw subject to statutory public hearing requirements must be:
- (a) referred to a public hearing before third reading, if Council chooses to advance the bylaw to public hearing; or
 - (b) have the public hearing waived, with notice given in accordance with applicable legislation, if Council otherwise wishes to consider such bylaw.
- 17.7. There must be at least one day between third reading and adoption of the bylaw, except for bylaws otherwise exempted by applicable legislation.
- 17.8. If the bylaw requires approval of the Lieutenant Governor in Council, a minister or the Inspector of Municipalities, or approval of the electors through a counter petition opportunity or assent of the electors, the approval must be obtained before the bylaw is adopted in accordance with applicable legislation.
- 17.9. Bylaws may be amended prior to consideration of adoption.
- 17.10. A bylaw is deemed to have been abandoned if:
- (a) any bylaw fails to receive a mover and seconder at any reading or at adoption, and the bylaw is not otherwise tabled or dealt with;
 - (b) a Official Community Plan amendment or Zoning Bylaw amendment bylaw has not been advanced for further consideration since its previous reading for a period of 18 months.
- 17.11. Bylaws may be reconsidered in accordance with the provisions under Part 6 – Motions & Voting of this Bylaw.
- 17.12. Adopted bylaws must be signed by the Mayor and the Corporate Officer.

18. ORDER OF BUSINESS AT REGULAR MEETINGS

18.1. The usual order of business at a regular Council meeting is as set out in the agenda for that meeting under the following headings, as appropriate:

- (a) CALL TO ORDER – by the Mayor when quorum obtained
- (b) MINUTES – adoption of the minutes as read or circulated and, if necessary, corrected
- (c) UNFINISHED BUSINESS – unfinished business or tabled items
- (d) PUBLIC INPUT, DELEGATIONS & PETITIONS – forum for public input, including receipt of delegations, guest speakers and petitions
- (e) CORRESPONDENCE – correspondence received requesting Council action or consideration
- (f) INFORMATION ITEMS – information that may be of public interest, and receipt of *in camera* items approved for public release
- (g) COMMITTEES – correspondence or minutes from committees of Council received for information
- (h) REPORTS – reports from Mayor, Council members, officers and department heads; reports from public hearings, boards of variance, courts of revision, commissions, boards, committees, and delegations; reports or presentations requested by Council requiring action
- (i) BYLAWS AND POLICIES – introduction, subsequent readings, and adoption of bylaws; resolutions concerning District policies and procedures
- (j) LATE ITEMS – issues, reports, correspondence requiring immediate action that were not submitted by the Agenda Deadline
- (k) OTHER BUSINESS – additional matters and new items brought forth by Council members for information purposes
- (l) QUESTION PERIOD – questions from the public
- (m) ADJOURNMENT – by the Mayor when the agenda is completed.

18.2. All items on an agenda are taken up in the order in which they appear on the agenda except that, when necessary for the better conduct of business, an item may be:

- (a) withdrawn from the agenda at the beginning of the meeting by Council resolution, or
- (b) taken out of its order by the Mayor or by Council resolution.

19. MATTERS ON COUNCIL AGENDA

19.1. This section contains additional provisions regarding certain matters on a Council agenda and is not intended to limit the matters that may be included on a Council agenda.

19.2. Public Input, Delegations and Petitions:

- (a) At each regular Council meeting, ten (10) minutes will be made available for public input on any matter within the competence of Council, in accordance with the following procedures:
 - (i) Persons wishing to speak must so indicate by placing their name and address on a speaker's list at the beginning of the meeting.
 - (ii) The speaking list shall determine the order of speakers.
 - (iii) When recognized by the Mayor, persons on the speaking list will be allowed up to two (2) minutes to address Council.
 - (iv) If at the end of the ten-minute Public Input period there remain any speakers on the list, Council may, by unanimous resolution, agree to extend the length of the Public Input period.
 - (v) Speakers remaining on the list at the conclusion of the Public Input period will be permitted to address Council at the commencement of Question Period prior to the conclusion of the regular meeting of Council.
- (b) Persons or groups wishing to address Council for longer than two (2) minutes, or who have been invited by Council, may be received as a delegation in accordance with the following procedures:
 - (i) Prospective delegations must be made by prior arrangement through the Corporate Officer before the Agenda Deadline or at the meeting by resolution of Council.
 - (ii) Prospective delegations must provide to the Corporate Officer information concerning the subject matter, and the name(s) and address(es) of the spokesperson(s).
 - (iii) Delegations shall limit their presentation to ten (10) minutes, except by prior arrangement through the Corporate Officer before the Agenda Deadline or at the meeting by resolution of Council.
 - (iv) At the Mayor's discretion, members of Council may query or converse with delegations, notwithstanding the specified time limit.
- (c) Petitions may be received in accordance with the following procedures:
 - (i) Petitions may be received during the Public Input or Delegation periods in accordance with the respective procedures of the above sections or by prior submission to the Corporate Officer before the Agenda Deadline, or from a member of Council.
 - (ii) Petitions (including counter petitions) must include the name and address of each petitioner and a clear statement of the matter petitioned.
 - (iii) Petitions shall not be considered by Council in its deliberations until the Corporate Officer has had an opportunity to verify that these requirements have been satisfied.
- (d) Council shall not act on a request or consider submissions made at Public Input, Delegations, or Petitions periods until at least the next regular Council

meeting, unless:

- (i) Council resolves unanimously to consider the matter; or
 - (ii) the matter is elsewhere included on the agenda.
- (e) The provisions of this section do not permit verbal or written representations concerning a bylaw that was subject to a statutory public hearing that has been completed.
- (f) The provisions of this section are suspended from the close of nominations preceding a general local election or by-election until the meeting of Council following the election, except where Council, by resolution, permits a person or delegation to address Council.

19.3. Correspondence Addressed to Mayor / Council: Correspondence addressed to the Mayor or Council which requires or requests Council action will be placed on the agenda for the next regular Council meeting in accordance with the Agenda Deadline, unless Council so resolves to accept as a late item.

19.4. Agenda Item from Members of Council: An item from a member of Council for an agenda that is submitted in writing to the Corporate Officer in the form of a report containing relevant explanatory information and background will be placed on the agenda for the next regular Council meeting in accordance with the Agenda Deadline, unless Council so resolves to accept as a late item.

19.5. Late Items:

- (a) Items not submitted to the Corporate Officer by the Agenda Deadline must not be included on the Council agenda, but may be addressed as a Late Item
- (b) An item of business not included on the agenda must not be considered at a Council meeting unless Council approves introduction of the late item at:
 - (i) the portion of the meeting corresponding to the subject matter of such matter, or
 - (ii) during the Late Item period.
- (c) If Council resolves to consider a late item, information pertaining to late item must be distributed to the Mayor and members of Council.

19.6. Question Period:

- (a) At each regular Council meeting, ten (10) minutes will be made available for a members of the public to question Council on any matter within the competence of Council, in accordance with the following procedures:
 - (i) The question period shall occur immediately prior to adjournment of a regular Council meeting.
 - (ii) Persons wishing to ask questions must state their name before commencing their question.
 - (iii) A person asking a question may ask a supplementary question but must, following the response to the supplementary question, yield to allow other persons opportunity to ask questions.

- (iv) No speeches are permitted in Question Period.
- (b) If at the end of the ten-minute question period there remains any person wishing to speak, Council may, by unanimous resolution, agree to extend the length of the Question Period.
- (c) The provisions of this section do not permit verbal or written representations concerning a bylaw that was subject to a statutory public hearing that has been completed.

PART 5 – RULES OF CONDUCT & DEBATE

20. POWERS & DUTIES OF THE MAYOR

- 20.1. The Mayor must recognize members desiring to speak in the order in which the members indicate their request, preference being given to the mover and to the seconder should either or both wish to speak.
- 20.2. When the Mayor desires to speak any member desiring to speak at the same time shall cede to the Mayor.
- 20.3. Debate is closed by the Mayor when in the Mayor's opinion there has been adequate debate.
- 20.4. The Mayor must preserve order and decide points of order and questions of privilege that may arise, subject to an appeal under section 132 of the *Community Charter*.

21. GENERAL CONDUCT

- 21.1. Members shall not interrupt a member who is speaking except to raise a point of order or question of privilege.
- 21.2. Members shall not make any noise or disturbance during the meeting.
- 21.3. Members and other participants should be addressed, as appropriate, in the following manner:
 - (a) the Mayor as:
 - (i) Your Worship, His Worship or Her Worship, or
 - (ii) Mr. Mayor, Madam Mayor or simply Mayor,
 - (b) a presiding member who is not elected as the Mayor as Mr. Chair or Madam Chair;
 - (c) a Councillor as Councillor (here use the surname);
 - (d) other participants as Mr. or Ms. (here use the surname) or such other title as may be appropriate in the circumstances.
- 21.4. No member or other person attending the meeting may:
 - (a) interrupt a member who is speaking, except in accordance with this Bylaw,
 - (b) cause a disturbance, disrupt or in any manner delay the conduct of business at

a meeting, or

(c) use rude or offensive language.

21.5. If a person, other than a member, 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.

22.CONDUCT OF SPEAKER

22.1. A member wishing to speak for the purpose of making a motion or entering the debate may speak after being recognized by the Mayor but only to:

(a) make the motion, and

(b) speak directly and concisely on the matter under debate.

22.2. A member wishing to speak for the purpose of requesting the Mayor consider and decide on any of the following matters may do so without recognition and, if necessary, by interrupting a member who is speaking:

(a) a violation of a specific rule or a particular mistake, omission, or error in procedure (point of order), or

(b) a matter of the comfort, convenience or privilege of the Council or of the member (question of privilege),

but a member must cease speaking when called to order and while the point of order or question of privilege is being stated, after which the member may explain.

23.MATTERS OPEN TO DEBATE

23.1. Members may debate a motion:

(a) to deal with a report;

(b) in relation to any reading, amendment and adoption of a bylaw;

(c) to issue a permit;

(d) to refer a report for inquiry, comment, further study, or recommendation;

(e) to amend a motion that is debatable;

(f) to postpone to a certain day; or

(g) to deal with routine proceedings including the appointment and conduct of officers of the Council and the correctness of the records of the Council.

23.2. All other business is decided without debate or amendment, or as otherwise provided in these rules of procedure.

PART 6 – MOTIONS & VOTING

24. READING & CONSIDERATION OF MOTIONS

- 24.1. Council members may advance motions in accordance with this bylaw, applicable legislation and Robert's Rules of Order (if consistent with this Bylaw and applicable legislation).
- 24.2. Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- 24.3. The Mayor may refuse to accept a motion if of the opinion that the motion is:
 - (a) contrary to this Bylaw, or
 - (b) relates to matters outside the competence of Council, and the Mayor shall inform Council immediately, with reasons.
- 24.4. A member may require the motion under consideration to be read.

25. MOTIONS PERMITTED WHILE MATTER UNDER DEBATE

- 25.1. When a matter is under debate, no motion is in order except:
 - (a) to withdraw, only if made by the original mover,
 - (b) to amend,
 - (c) to refer to a committee or staff for report,
 - (d) to defer to a certain day,
 - (e) to adjourn.
- 25.2. The above motions have precedence in the order listed.
- 25.3. **Amendments:**
 - (a) A proposed amendment must be decided or withdrawn before the motion being considered on the main question is put to a vote, unless there is a call for the main question.
 - (b) Only one amendment, at any one time, may be made to an amendment.
 - (c) An amendment that has been defeated by a vote of Council cannot be proposed again.
 - (d) When an amendment is offered as a substitute for the original motion and the amendment is carried, the original resolution is not put forward as a motion or as an amendment.
- 25.4. With respect to a motion to adjourn, no second motion to the same effect may be made without first dealing with the original matter.

26.VOTING

- 26.1. Voting is to proceed in accordance with the general voting rules of section 123 of the *Community Charter*.
- 26.2. When the motion under consideration contains distinct propositions, and a member of Council so requests, the vote shall be taken upon each proposition separately.
- 26.3. When debate on a motion is complete, the Mayor shall immediately put the motion to a vote.
- 26.4. After the Mayor has finally put the motion to a vote, a member of Council shall not speak to the question or make a further motion concerning it. The Mayor's decision as to whether a motion has been finally put is conclusive.
- 26.5. A member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.
- 26.6. If the votes of the members present at the meeting at the time of the vote are equal for and against, the question is defeated and the Mayor must declare the motion defeated.
- 26.7. The Corporate Officer shall record negative votes in the minutes.
- 26.8. **Voting Majority:**
 - (a) Unless otherwise required by applicable legislation, all bylaws, resolutions and other questions must be done and decided by vote of a majority of the members present at a meeting.
 - (b) Unless otherwise determined by applicable legislation, a requirement for an affirmative vote of at least 2/3 of Council means four (4) affirmative votes.

27.RECONSIDERATION

- 27.1. Reconsideration of a matter voted upon may only be advanced:
 - (a) by the Mayor, in accordance with section 131 of the *Community Charter* either at the same meeting or subsequent meeting; or
 - (b) by another member of Council at the same meeting the vote is taken, if that member voted as the majority did on the matter.
- 27.2. Council must not discuss the main matter to be reconsidered unless the motion to reconsider that matter is first adopted in the affirmative.
- 27.3. If not submitted by the Agenda Deadline, a matter for reconsideration must only be considered as a Late Item, unless Council resolves unanimously to consider at another portion of the meeting.
- 27.4. No matter may be reconsidered more than once.
- 27.5. No vote to reconsider may be reconsidered.
- 27.6. The procedures that applied to the original matter apply to its reconsideration under this section, including that further notice and hearing be given if the reconsideration does not occur at the same meeting as the original matter.

PART 7 – COMMITTEES, COMMISSIONS & OTHER BODIES

28.COMMITTEE OF THE WHOLE

- 28.1. Council may meet as a Committee of the Whole on an as needed basis, in the same manner as:
- (a) a special meeting of Council, or
 - (b) as regularly scheduled by resolution of Council.
- 28.2. Where meetings of the Committee of the Whole are regularly scheduled, a regularly scheduled meeting may be cancelled:
- (a) by the Mayor for any reason, or
 - (b) by the Corporate Officer for lack of agenda items submitted by the Agenda Deadline.
- 28.3. The following sections of this Bylaw apply to meetings of the Committee of the Whole, with references to the presiding member, the body and other provisions modified as appropriate:
- (a) Section 11 [Council Meetings by Electronic Means],
 - (b) Section 15 [Open Meeting Rule],
 - (c) Section 16 [Minutes],
 - (d) Section 20 [Authority and Responsibility of the Mayor],
 - (e) Section 32 [Notice of Committee Meetings], and
 - (f) Section 33 [Committee Procedures].

29.STANDING & SELECT COMMITTEES OF COUNCIL

- 29.1. The Mayor may appoint standing committees in accordance with section 141 of the *Community Charter*.
- 29.2. Council may create select committees in accordance with section 142 of the *Community Charter*.
- 29.3. The following sections of this Bylaw apply to meetings of Standing and Select Committees, with references to the presiding member, the body and other provisions modified as appropriate:
- (a) Section 11 [Council Meetings by Electronic Means], at the discretion of the presiding member noting the cost and availability of electronic meeting facilities;
 - (b) Section 15 [Open Meeting Rule],
 - (c) Section 16 [Minutes], except certification is by the Chair if the Corporate Officer is not in attendance,
 - (d) Section 20 [Authority and Responsibility of the Mayor],
 - (e) Section 32 [Notice of Committee Meetings], and

- (f) Section 33 [Committee Procedures].

30.COMMISSIONS

- 30.1. Council may establish Commissions in accordance with section 143 the *Community Charter*.
- 30.2. The following sections of this Bylaw apply to meetings of Municipal Commissions, with references to the presiding member, the body and other provisions modified as appropriate:
 - (a) Section 11 [Council Meetings by Electronic Means], at the discretion of the presiding member noting the cost and availability of electronic meeting facilities,
 - (b) Section 15 [Open Meeting Rule],
 - (c) Section 16 [Minutes], except certification is by the Chair if the Corporate Officer is not in attendance,
 - (d) Section 20 [Authority and Responsibility of the Mayor],
 - (e) Section 32 [Notice of Committee Meetings], and
 - (f) Section 33 [Committee Procedures].

31.APPLICATION TO OTHER BODIES

- 31.1. The following sections of this Bylaw apply to meetings of the Board of Variance, a Court of Revision and other bodies established by Council with references to the presiding member, the body and other provisions modified as appropriate:
 - (a) Section 11 [Council Meetings by Electronic Means], at the discretion of the presiding member noting the cost and availability of electronic meeting facilities,
 - (b) Section 15 [Open Meeting Rule],
 - (c) Section 16 [Minutes], except certification is by the Chair if the Corporate Officer is not in attendance,
 - (d) Section 20 [Authority and Responsibility of the Mayor],
 - (e) Section 32 [Notice of Committee Meetings]
 - (f) Section 33 [Committee Procedures].
- 31.2. The previous section does not apply if alternate provisions are provided for:
 - (a) in another District bylaw,
 - (b) in applicable legislation, or
 - (c) when the other body was established.

32.NOTICE OF COMMITTEE MEETINGS

Regular Committee Meetings

- 32.1. At least seventy-two (72) hours before a regular meeting of a Committee, the Committee Chair must give notice of the time, place and date of the meeting by

posting a notice at the Public Notice Posting Place.

32.2. At least twenty-four (24) hours before a regular meeting of a Committee, the Committee Chair must make the agenda available by:

- (a) leaving copies of the agenda at the reception counter at the District Office for the purpose of making them available to members of the public; and
- (b) leaving one copy for each Committee member at the place to which the member has directed notices be sent.

Special Committee Meetings

32.3. At least twenty-four (24) hours before a special meeting of a Committee, the Committee Chair must give notice of the time, place and date of the meeting by posting a notice at the Public Notice Posting Place.

33.COMMITTEE PROCEDURES

33.1. The rules of the Council procedure must generally be observed during committee meetings,

- (a) so far as is possible in the determination of the Chair recognizing the more informal nature of such committee,
- (b) except strict compliance is required for sections specifically referenced in this Part.

33.2. Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

33.3. A motion made at a meeting of a committee is not required to be seconded.

34.COUNCIL WORKSHOPS

34.1. Members of Council may meet informally for educational, political, social or spiritual purposes, including attendance at the annual Union of British Columbia Municipalities conference.

34.2. Provided no District business is formally advanced through the taking of votes,

- (a) such encounters are not to be considered meetings of Council,
- (b) no notice is required, and
- (c) the rules of procedures in this Bylaw do not apply.

PART 8 – ANNUAL MUNICIPAL REPORT

35.ANNUAL MUNICIPAL REPORT

35.1. In accordance with Section 99 of the *Community Charter*, the Council must annually consider the Annual Municipal Report.

35.2. The consideration shall usually be scheduled for a regular meeting of Council in May

or June but may be scheduled for a special meeting provided statutory notice requirements are satisfied.

35.3. In addition to statutory requirements, the Corporate Officer must leave copies of the Annual Municipal Report at the reception counter at the District Office for the purpose of making them available to members of the public, at least fourteen (14) days before the Council meeting at which the report is considered.

READ A FIRST TIME this 28th day of January, 2014.


READ A SECOND TIME this 28th day of January, 2014.

READ A THIRD TIME this 28th day of January, 2014.


PUBLIC NOTICE given in accordance with sections 124(3) and 94 of the *Community Charter*, including newspaper notices this 5th and 12th day of February, 2014

ADOPTED this 25th day of February, 2014.

A TRUE AND CORRECT COPY of "District of Ucluelet Council Procedures Bylaw No. 1166, 2014".



Bill Irving
Mayor



Andrew Yeates
Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:



Andrew Yeates
Corporate Officer