

# DISTRICT OF NORTH SAANICH



## **BYLAW NO. 1355 CONSOLIDATED FOR CONVENIENCE ONLY**

### **A BYLAW TO REGULATE THE MEETINGS AND PROCEDURES OF THE COUNCIL OF THE DISTRICT OF NORTH SAANICH**

The amending bylaw which has been consolidated into "District of North Saanich Council Procedure Bylaw No. 1355 (2014)":

**1452, 1491, 1507**

**as of October 2021**

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## DISTRICT OF NORTH SAANICH

### BYLAW NO. 1 3 5 5

## A BYLAW TO REGULATE THE MEETINGS AND PROCEDURES OF THE COUNCIL OF THE DISTRICT OF NORTH SAANICH

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

## PART 1 - INTRODUCTION

### **Title**

1. This Bylaw may be cited as the “District of North Saanich Council Procedure Bylaw No. 1355 (2014)”

### **Definitions**

2. In this Bylaw:

**Commission** means a municipal commission established under s.143 of the *Community Charter*;

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

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

**Council** means the Council of the District of North Saanich;

**Corporate Officer** means the Corporate Officer for the District;

**District** means the District of North Saanich;

**BL 1532** **Electronic meetings** means a meeting where members of Council may participate by electronic means including but not limited to videoconference, audioconference, or telephone;

**Mayor** means the mayor of the District of North Saanich;

**Member** means the Mayor or a Councillor of the District of North Saanich;

**Municipal Hall** means the District of North Saanich Municipal Hall located at 1620 Mills Road, North Saanich, British Columbia;

**BL 1532** **Presentations** means information provided at a Council meeting by a representative(s) of an outside organization through a verbal report, PowerPoint, video, or other electronic means;

**Public Notice Posting Places** means the Notice Board at the front entry of the Municipal Hall located at 1620 Mills Road and the District’s website;

**Website** 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, Committee of the Whole and all standing and select committees of Council, as applicable.

- (2) In cases not provided for under this Bylaw, the current edition of the New Robert's Rules of Order, apply to the proceedings of Council, Committee of the Whole, and Council committees to the extent that those rules are:
  - (a) applicable in the circumstances; and
  - (b) do not contravene provisions of this Bylaw or the *Community Charter*.
- (3) No action of Council is rendered invalid solely by reason of any breach, inadvertent or otherwise, of any provisions of this Bylaw.

## PART 2 – COUNCIL MEETINGS

### **Inaugural Meeting**

- BL 1452**
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.
  - (2) If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in Section 4(1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

### **Time and Location of Meetings**

- BL 1507**
5. (1) All Council meetings must take place within the Municipal Hall except when Council resolves to hold meetings elsewhere.
  - (2) Regular Council meetings will:
    - (a) be held on the dates and times outlined in the annual schedule of Council meetings, approved by Council.
    - (b) be adjourned before 10:00 p.m. unless Council adopts a resolution by two-thirds of the votes cast to proceed beyond that time.
  - (3) Regular Council meeting may:
    - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
    - (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least two days written notice.

### **Electronic Meetings**

- BL 1491**  
**BL 1532**
6. (1) Meetings of Council and Committees may be conducted by means of electronic or other communications facilities, if necessary to ensure the minimum number of members required are present for the conduct of the intended business.
  - (2) The communications facilities used for electronic meetings must permit the meeting participants to hear each other and, except for any part of the meeting that is closed to
- BL 1491**  
**BL 1532**

the public, permit the public present at the meeting to hear the participation of all members during the meeting.

- BL 1532** (3) A member who is unable to attend a Council or Committee meeting may participate in the meeting electronically provided that:
- (a) they are not the presiding Member;
  - (b) a minimum of four Members are participating in-person; and
  - (c) the Corporate Officer has been notified in advance of the meeting.
- BL 1532** (4) After the meeting is called Call to Order, the presiding Member must identify any Council or Committee member who is participating electronically.
- BL 1532** (5) Any person who has an interest in a matter being considered by Council at a meeting may be afforded an opportunity to provide written submissions or verbal input by electronic participation provided they have registered in advance with the Corporate Officer.
- BL 1532** (6) Public notice of the meeting must include the way in which the meeting is to be conducted electronically and how the public may participate in order to hear and watch the proceedings that are open to the public.
- BL 1532** (7) Delegations and Presentations may participate by electronic means provided the Corporate Officer has been notified in advance of the meeting.

#### **Notice of Council Meetings**

7. (1) In accordance with Section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually 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) Council must give notice annually in accordance with Section 94 of the *Community Charter [requirements for public notice]* that the schedule of regular Council meetings is available to the public, and where a copy of the schedule can be obtained.
- (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 Meetings**

8. (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 meeting]*, 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 Places; and
  - (b) delivering a copy of the notice to each Council member by email or at the place the member directs it to be sent.

**BL 1507**

- (2) The notice under section 7(1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

### **PART 3 – DUTIES, ROLES AND RESPONSIBILITIES OF THE COUNCIL**

#### **Roles and Responsibilities of Members of Council**

9. (1) Every member of Council has the following responsibilities:
- (a) to consider the well-being and interests of the District and its community;
  - (b) to contribute to the development and evaluation of the policies and programs of the District respecting its services and other activities;
  - (c) to participate in Council meetings, Committee of the Whole meetings, committee meetings and meetings of other bodies to which the member is appointed;
  - (d) to carry out other duties assigned by the Council; and
  - (e) to carry out other duties assigned by or under the *Community Charter* or any other Act.

#### **Roles and Responsibilities of the Mayor**

10. (1) The Mayor is the head and chief executive officer of the District and in addition to the Mayor's responsibilities as a member of Council, the Mayor has the following responsibilities:
- (a) to provide good leadership to the Council, including by recommending bylaws, resolutions and other measures that, in the Mayor's opinion, may assist in the peace, order and good governance of the District;
  - (b) to communicate information to the Council;
  - (c) to preside at Council meetings when in attendance;
  - (d) to provide, on behalf of Council, general direction to municipal officers respecting implementation of policies, programs and other directions of Council;
  - (e) to establish standing committees in accordance with section 141 of the *Community Charter*
  - (f) to suspend municipal officers and employees in accordance with section 151 of the *Community Charter*;
  - (g) to reflect the will of Council and to carry out other directions on behalf of the Council; and
  - (h) to carry out other duties assigned by or under the *Community Charter* or any other Act.

## **Acting Mayor**

11. (1) Annually at the first meeting in December, Council must from amongst its members designate 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 unavailable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under Section 10(1) must fulfil the responsibilities of the Mayor in his or her absence.
- (3) Where the Mayor or Acting Mayor is absent or otherwise unable to act and where the Council has previously established a rotating sequence of Acting Mayors, the member next in succession shall be the Acting Mayor.
- (4) The member designated under Section 10(1) or chosen under Section 10(3) has the same powers and duties as the Mayor.

## **PART 4 – COUNCIL PROCEEDINGS**

### **Attendance of Public at Meetings**

12. (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) Part 4 of this bylaw applies to all meetings of bodies referred to in Section 93 of the *Community Charter*, including without limitation:
  - (a) Committee of the Whole;
  - (b) standing and select committees;
  - (c) parcel tax review panel;
  - (d) board of variance;
  - (e) advisory commissions;
  - (f) other commissions.

### **Minutes of Meetings to be Maintained and Available to Public**

13. (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 presiding member at the meeting after the minutes are adopted;
- (2) Minutes of the proceeding of Council must be open for public inspection at Municipal Hall during its regular office hours.
- (3) Whenever possible, minutes of a given meeting shall be adopted at the next Council meeting.
- (4) Section 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 be closed to the public]*.

### **Calling Meeting to Order**

- 14. (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 10 must take the Chair and call such meeting to order.

### **Adjourning Meeting Where No Quorum**

- 15. (1) If there is no quorum of Council present within 20 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**

- 16. (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 Corporate Officer must make the agenda available to the members of Council and the public on the Thursday afternoon prior to the meeting.
  - (3) The deadline for the public to submit items to the Corporate Officer to be considered for inclusion on the Council meeting Agenda shall be 12:00 noon on the Wednesday preceding the meeting.
  - (4) Only those matter included on the Agenda shall be considered at the Council meeting unless a new item for consideration is properly introduced as a late item pursuant to Section 17.
  - (5) If any item of the Agenda is not considered by reason of the Council adjourning for want of a quorum or other reason, the Agenda item shall be included on the Agenda of the next regular meeting.

## **Order of Proceedings and Business**

**BL 1507**

17. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a1) First Nations Territory Acknowledgement;
  - (a) Public Hearings (if applicable);
  - (b) Introduction of late items;
  - (c) Approval of the agenda;
  - (d) Public participation period;
  - (e) Adoption of minutes;
  - (f) Petitions and delegations;
  - (g) Mayor's Report;
  - (h) Reports;
  - (i) Bylaws;
  - (j) Unfinished business;
  - (k) Motions and new business;
  - (l) Correspondence;
  - (m) Correspondence for Council's information;
  - (n) 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**

18. (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 allocated on the Agenda for such matters.
- (2) Items of business received for Council consideration for inclusion in the agenda will be available both in paper format at the meeting and electronically on the municipal website.

**BL 1532**

## **Voting at Meetings**

19. (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 by stating:  
  
“Those in favour raise your hands.” And then “Those opposed raise your hands.”
- (b) Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;
- (c) after the presiding member finally puts the question to a vote under paragraph (a), a member must not speak to the question or make a motion concerning it;
- (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 and voting shall signify their vote by raising their hand and the Chair shall declare the motion carried or defeated as the case may be;
- (f) in accordance with Section 123 of the *Community Charter [General voting rules]*, if a Council member does not indicate how he or she votes, the member is deemed to have voted in the affirmative;
- (g) only those members who voted in opposition of a motion shall be recorded unless otherwise directed by the presiding member;
- (h) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (i) A member may vote by raising their hand or, if attending by electronic means only, by a voice vote. A member who does not indicate how they vote on a matter is deemed to have voted in the affirmative.

**BL 1532**

- (2) Where the votes of the members of Council then present, including the vote of the presiding member, are equal for and against the question, the questions shall be defeated and it shall be the duty of the member presiding to so declare.

**BL 1532 Presentations**

- 20. (1) All Presentations requesting permission to appear before Council shall submit a written request including a written brief outlining their intended presentation.
- (2) All written requests to appear before Council must be received by the Corporate Officer by 12:00 noon on the Wednesday prior to the meeting.
- (3) The number of Presentations at any Council meeting shall be a maximum of two, unless Council authorizes otherwise.
- (4) Each address will be limited to ten minutes unless a longer period is agreed to by unanimous vote of those members present.

## **Petitions and Delegations**

21. (1) All delegations requesting permission to appear before Council shall submit a written request to address the member of Council, including a written brief outlining their intended presentation.
- (2) All written requests to appear before Council must be received by the Corporate Officer by 12:00 noon on the Wednesday prior to the meeting.
- BL 1507** (2.1) The number of delegations at any Council meeting shall be a maximum of two, unless Council authorizes otherwise.”
- (3) Each address will be limited to five minutes unless a longer period is agreed to by unanimous vote of those members present.
- (4) Council will 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 petitions and delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (6) The Corporate Officer may refuse to place a petition or delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. 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) In order that signatories of the petition may be properly identified, the petition shall contain the petitioner’s signature and printed name and address.

## **Public Participation**

- BL 1507** 22. (1) Persons wishing to address Council must state their name and municipality of residence for identification and also the topic involved.
- (2) Questions and comments must be on topics which are not normally dealt with by municipal staff as a matter of routine.
- (3) Questions and comments must be addressed through the Chair and answers given likewise. Debates with or questions of individual Council members will not be allowed.
- (4) No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.
- (5) Each speaker during Public Participation Period:
- (a) must use respectful language and refrain from making offensive gestures or signs; and

- (b) is limited to speaking for 3 minutes unless authorized by the Chair to speak for a longer period of time.
- (6) Twenty minutes will be allotted for the Public Participation Period unless extended by a vote of Council.

### **Points of Order**

- 23. (1) Without limiting the presiding member's duty under Section 132(1) of the *Community Charter [authority of the 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 of authority if requested by another Council member,
  - (b) another member must not question or comment on the rule of authority cited by the presiding member under Section 21(2)(a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

### **Appeal Ruling of the Chair**

- 24. (1) The decision of the presiding member under Section 21(2) may be appealed to the other members of Council present in accordance with Section 132 of the *Community Charter [authority of the presiding member]*.
- (2) On an appeal by a Council member from a decision of the presiding member under subsection (1), the question as to whether the Chair is to be sustained must be immediately put by the presiding member and decided without debate.
- (3) In relation to a vote on a motion under subsection (2),
  - (a) the Mayor or other presiding member shall not vote,
  - (b) the motion passes in the affirmative if the votes are equal, and
  - (c) the Mayor or other presiding member must be governed by the result.

### **Conduct and Debate**

- 25. (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, Chair or Councillor.
- (3) Members must address other non-presiding members by the title of Council.
- (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 who are called to order by the presiding member
  - (a) must immediately stop speaking;
  - (b) may explain their position on the point of order;
  - (c) may appeal to Council for its decision on the point of order in accordance with Section 132 of the *Community Charter [authority of the presiding member]*.
- (7) Members speaking at a Council meeting:
  - (a) must use respectful language;
  - (b) must not use offensive gestures or signs;
  - (c) must speak only in connection with the matter being debated;
  - (d) 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.
- (8) If a member does not comply with Section 23(7), 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.
- (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.

## **Motions**

26. (1) Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result, and the presiding member may require a motion to be put in writing.
- (2) Council may debate and vote on a motion only if it has been moved and seconded.
- (3) A Council member may make only the following motions, when the Council is considering a question:
  - (a) to refer to a committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely;
  - (e) to postpone to a certain time;
  - (f) to move the previous question;
  - (g) to adjourn.
- (4) A motion made under subsections (c) and (g) is not amendable or debatable.
- (5) Council must vote separately on each distinctive part of a question that is under consideration at a Council meeting if requested by a Council member.

#### **Amendment of a Motion**

27. (1) No member shall move any motion to amend that negates the purpose of the main motion.
- (2) Members shall withdraw or decide any amendment to a motion before the main question is put to a vote.
- (3) Members may make only one motion to amend an amendment.
- (4) Any member may move only one amendment to any main motion.

#### **Reconsideration by Council Member**

28. (1) Subject to Section 26(5), a Council member may, at the next Council meeting:
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, 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 Section 26(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 has been adopted;
  - (b) been reconsidered under Section 26(1) or Section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*; and,
  - (c) been acted on by an officer, employee, or agent of the District.
- (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 Section 26(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.

#### **Notice of Motion**

29. (1) Any member desiring to bring before Council any new matter, other than a point of order or of privilege, shall do so by way of a motion.
- (2) If any member present at the time a motion is presented under Section 27(1), and before debate thereon, calls for a Notice of Motion, then the motion shall appear in the minutes of that meeting as a Notice of Motion and be placed on the agenda for the next meeting of Council.
- (3) Any Council member may give notice of a motion which he or she intends to present to Council by providing a copy of such motion to the Corporate Officer by 12:00 noon on the Wednesday preceding the meeting. The motion shall appear in written form on the agenda at which such Motion is to be considered which shall constitute a Notice of Motion, and may be considered at that meeting.

#### **Adjournment**

- BL 1532**
30. (1) section deleted.
  - (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) Section 28(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**

31. (1) 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 48 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of Bylaws**

32. (1) 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**

33. (1) 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**

34. (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) Every proposed bylaw shall receive three separate readings prior to its final adoption.
- (3) The readings of the bylaw may be given by stating its title and object.
- (4) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (5) The first three readings of a bylaw may be given on the same day, except in the case of an Official Community Plan designation bylaw or a Zoning bylaw which is considered at a Public Hearing.

- (6) An Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at a Public Hearing may receive only first and second readings at the time of introduction.
- (7) 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.
- (8) Despite Section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with Section 890(9) 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**

35. (1) 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 with the following affixed to the bylaw:
  - (a) the District'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 – COMMITTEE OF THE WHOLE**

### **Notice for Committee of the Whole Meetings**

36. (1) A notice of the day, hour and place of a Committee of the Whole meeting must be given at least 24 hours before the time of the meeting by:
  - (a) posting a copy of the notice at Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at Municipal Hall.

### **Minutes of Committee of the Whole Meetings**

37. (1) Minutes of the proceedings of Committee of the Whole must be:
  - (a) legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the 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]*.

### **Presiding Members at Committee of the Whole Meetings and Quorum**

38. (1) The Mayor may appoint one member of the committee to be the presiding member and may do so either at the meeting or in advance.
- (2) The quorum of Committee of the Whole is the majority of Council members.

### **Conduct and Debate**

39. (1) The rules of procedure for the Council shall be observed in Committee of the Whole, so far as may be applicable, except that:
  - (a) the numbers of speeches to any question by a member shall not be limited;
  - (b) no member shall speak continuously for more than five minutes to a question;
  - (c) no motion shall require to be seconded.

### **Opportunity to be Heard**

**BL 1507**

40. (1) Any person that has an interest in a matter being considered by Council at a Committee of the Whole meeting may be afforded an opportunity to be heard in person or through a representative, provided they first identify themselves by stating their name and municipality of residence and the names and municipality of residence of the person or persons they represent.
- (2) No person shall address Committee of the Whole on one matter for longer than five minutes unless the time limitation is waived by a majority of the Council members present.
- (3) Notwithstanding subsection 38(2), the Chair shall always have the discretion to waive the time limitation for any person addressing Committee of the Whole when land use and development applications are being considered.

### **Reports**

41. (1) When all matters referred to Committee of the Whole have been considered, a motion to adjourn and report to Council shall be adopted.
- (2) On resumption of business in Council, the Chair of the Committee of the Whole meeting shall report to Council and the Council may:
  - (a) adopt the report;
  - (b) reject the report;
  - (c) commit the subject matter for further consideration, either in part or total;
  - (d) postpone action on the report; or
  - (e) approve a request of the Committee to sit again, the Committee having reported progress after partial consideration of the subject.

## **PART 7 – GENERAL**

### **Delegation of Council Authority to Committee of the Whole**

42. (1) In accordance with Section 154 of the Community Charter, the following powers of Council are delegated to the Committee of the Whole:
- (a) receiving the recommendations of, and giving direction to, all advisory bodies established by the municipality;
  - (b) preliminary consideration of land use matters requiring Council's approval, including proposed zoning bylaws, amendments to the Official Community Plan, development permits and development variance permits, with authority to refer those matters to advisory bodies established by the municipality, and to other agencies and organizations where considered appropriate; and
  - (c) administrative matters which may be determined by resolution.

### **Members May Refer and Sub-Committees**

43. (1) Members of Committee may refer any matter to a future Council meeting for ratification.
- (2) Committee of the Whole, Standing, Select or Advisory Committees or Commissions shall not be permitted to create sub-committees without the prior approval of Council. If a sub-committee is established, the sub-committee shall be governed by this bylaw. All sub-committee members shall be appointed by Council in accordance with Policy No.1002.24 – Application Process for District Advisory Commissions, Committees and the Board of Variance.

### **Severability**

44. 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.

### **Notice for Amendments to this Bylaw**

45. 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].

### **Repeal**

46. Bylaw No. 1155, being “District of North Saanich Procedure Bylaw No. 1155 (2007)” and all amendments thereto, are hereby repealed.

READ A FIRST TIME the 16<sup>th</sup> day of June, 2014.

READ A SECOND TIME the 16<sup>th</sup> day of June, 2014.

READ A THIRD TIME the 16<sup>th</sup> day of June, 2014.

FINALLY ADOPTED the 14<sup>th</sup> day of July, 2014.

Signed by: A. Finall

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MAYOR

Signed by: C. Kingsley

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CORPORATE OFFICER