

DISTRICT OF HUDSON'S HOPE

Office Consolidation of

BYLAW NO. 596

DISCLAIMER

This bylaw consolidation is published by the District of Hudson's Hope on the understanding and specifically expressed condition that any person reading this document is strongly recommended to obtain independent advice as to whether it is complete and correct and whether it should be relied on. Amending Bylaws Nos. 664, 666 and 694.

A bylaw to establish procedures for the conduct of the Council's business.

WHEREAS under section 235 of the *Municipal Act* (the "Act"), the Council must, by bylaw, establish procedures and regulate conduct for meetings of the Council and its committees; and

WHEREAS under section 258 of the Act, the Council must adopt a bylaw that provides for a procedure to be followed in passing bylaws; and

NOW THEREFORE the Council of the District of Hudson's Hope, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited as "Procedure for Meetings Bylaw No. 596, 1999".

Definitions

2. In this Bylaw:
 - "chair" or "presiding member" means the Mayor, Acting Mayor or other member who for the time being is presiding at a meeting;
 - "Clerk" means the corporate officer of the municipality appointed under section 148 of the Charter; [Bylaw No. 666]
 - "committee" includes a standing or select committee of the Council, a committee of the whole and any body established by the Council under the Act;
 - "committee room" means any room within the municipal office that is designated for the holding of meetings and may include the Council Chamber;
 - "Council" means the Council of the District of Hudson's Hope;
 - "Council Chamber" means a room within the municipal office, designated from time to time by the Council for the holding of its meetings;
 - "member" includes the Mayor, a Councillor or a committee member, as the context may require;
 - "municipality" means the District of Hudson's Hope;
 - "municipal web site" means the information resource found at this Internet address <http://dist.hudsons-hope.bc.ca>; [Bylaw No. 666] and
 - "notice board" means the notice board in the foyer at the municipal office.

Meetings

3. (1) Unless otherwise required by statute, the regular meetings of the Council shall be held on the second and fourth Mondays of each month in the Council Chamber and commence at 6:00 p.m. [Bylaw Nos. 664 and 694]
- (2) Notwithstanding subsection (1), if a regular meeting falls on a holiday, the Council shall meet on the following day.

- (3) Notwithstanding subsections (1) and (2), the Council may, by resolution, change the day, hour and place of a regular meeting or cancel a regular meeting.
- (4) Following a general local election, the first Council meeting must be held on the first Tuesday in December following that election. [Bylaw No. 666]

Electronic Meetings [Bylaw No. 666]

- 3.1 (1) A member of the Council or a committee member who is unable to attend a Council meeting or a committee meeting, as applicable, may participate by means of audio electronic communication facilities.
- (2) The member presiding at a Council or committee meeting must not participate electronically.
- (3) No more than 2 members may participate at a meeting electronically at one time.

Notice of Meetings

4. At least 72 hours before a regular meeting of the Council, the Clerk must give public notice of the day, hour and place of the meeting by way of a notice posted on the notice board.
5. At least 24 hours before a committee meeting, the Clerk must give public notice of the day, hour and place of the meeting by way of a notice posted on the notice board.
- 5.1 Schedules and notices of meetings of the Council or its committees may be posted on the municipal web site and circulated via the Internet. [Bylaw No. 666]

Order of Business

6. The order of business for meetings of the Council shall be contained in the Agenda for the meeting, which shall be prepared by the Clerk and circulated to the members in advance.
7. The order of the business for regular meetings shall be as follows:
 - (a) Call to Order,
 - (b) Approval of Agenda,
 - (c) Petitions and Delegations,
 - (d) Minutes of the Previous Meeting,
 - (e) Business Arising from the Minutes,
 - (f) Correspondence,
 - (g) Staff Reports,
 - (h) Committee Reports,
 - (i) Diary,
 - (j) New Business,
 - (k) Public Inquiries,
 - (l) Special Meeting,
 - (m) Adjournment.
8. When any order, resolution or question is lost by reason of the meeting of the Council or any committee breaking up for want of a quorum, the order, resolution, or question so lost shall be the first item of business to be considered at the next meeting of the Council or committee.
9. Section 7 (k) in the Order of Business is intended to provide an opportunity for members of the public to ask questions about matters that have come before the Council. No debate with the

Council or with members of the Council is intended. The presiding member may deal with questions in any manner that he or she believes is appropriate, including limiting the time allowed to anyone to ask questions and requiring that the inquiries be submitted in writing after the meeting.

Opening Procedures

10. As soon after the hour of the meeting as there is a quorum present, the presiding member shall call the members to order.
11. Should there be no quorum present within 30 minutes after the hour of the meeting, the Clerk shall record in the minute-book the names of the members present at the expiration of such time and the meeting shall stand adjourned until the next day of meeting.

Petitions and Delegations

12. Every person or group of persons wishing to appear before the Council must first notify the Clerk in writing of the subject matter before the Agenda is prepared and circulated it to the members, except upon the agreement of a majority of the Council to hear a late delegation.
13. Every delegation shall be allowed a maximum time of 15 minutes to present its petition or submission, unless this limit is extended by a 2/3 majority vote of the Council. After each presentation, the Council may dispose of the petition or submission during the meeting, refer the subject matter to a committee or take such other action as is deemed expedient.

Minutes

14. Prior to the adoption of minutes of the previous meeting of the Council, any member may request the correction of a mistake. If a correction is required, the minutes shall be adopted as amended.
15. After they are received or adopted by the Council, copies and extracts of the minutes are available during regular office hours on payment each time of a fee of 25¢ a page for each copy.
16. The Clerk shall record the time of arrival and departure of Council members at meetings should a member arrive late at a meeting or depart prior to completion of the meeting.

Adjournment

17. The meetings of Council shall always adjourn at the hour of 10:00 p.m. if in session at that hour, unless otherwise determined by a 2/3 majority of the members present.

Rules of Conduct and Debate

18. Every member shall seek the leave of the chair before speaking to any question or motion.
19. Members shall address the chair as "Mr. Mayor" or "Madam Mayor", or "Your Worship" and shall refer to each other as "Mayor ..." or "Councillor ...", as the case may be.
20. No member shall speak disrespectfully of Her Majesty the Queen or another member. No member shall speak beside the question in debate or reflect upon the vote of the Council. No member shall resist the rules of conduct or debate, or disobey the decision of the Mayor or of the Council on questions of order or practice, or the interpretation of the rules of the Council. If any member so resists or disobeys, he or she may be ordered by the chair to leave the Council

Chamber. If an apology is made by the offender, he or she may be permitted to retake his or her seat.

21. No member may speak more than once to the same question without leave of the Council, except in explanation of a material part of his or her speech which may have been misunderstood, but in doing so the member may not introduce new material. A reply shall be allowed to a member who has made a substantive motion, but not to a member who has moved an amendment.
22. If the Mayor desires to participate in a debate, another member shall be requested to preside until he or she resumes the chair.
23. After a question is finally put by the Mayor, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor as to whether the question has been finally put shall be conclusive.

Motions

24. Every motion shall be seconded before it is debated.
25. In case of a decision being called for, the question shall be decided by a show of hands. The presiding member shall announce the result of the vote.
26. (1) When a question is under consideration, no motion shall be received except for the following:
 - (a) to refer (*to a committee or the administration*)
 - (b) to amend
 - (c) to postpone temporarily (*to table*)
 - (d) to postpone indefinitely
 - (e) to postpone definitely (*to a certain time*)
 - (f) to move the previous question
 - (g) to adjourn
- (2) The motions listed in subsection (1) shall have precedence in the order in which they are named, and paragraphs (c) to (g) are neither amendable or debatable.
27. Amendments shall be decided before the main question is put to a vote. Only one amendment shall be allowed to an amendment.
28. Until a motion to refer the subject matter is decided, all amendments of the main question are precluded.
29. A motion to adjourn the meeting or to close the debate shall always be in order, but if such motion is negative no second motion to the same effect shall be made until some intermediate business or matter has been disposed of.

Bylaws

30. (1) Every bylaw shall be read three times on three separate days.
 - (2) Notwithstanding the provisions of subsection (1), a bylaw may receive two or more readings at one meeting upon the affirmative vote of at least 2/3 of the members present at the meeting.
31. A bylaw is deemed to have been read when a motion to that effect is passed. Such a motion may be worded, "...that the (*bylaw title*) is read a (*first, second or third*) time".

32. After first reading of the bylaw, the Council may refer it to a committee for further consideration and a report.

Committee of the Whole

33. During a meeting, the Council may, by resolution, resolve itself into a committee of the whole to consider a matter. The Mayor shall leave the chair, but he or she shall first appoint another member to preside and report on proceedings.
34. The rules of the Council shall be observed in committee of the whole, so far as may be applicable, except that:
- (a) no motion shall require a seconder,
 - (b) a motion for the previous question or an adjournment is not allowed,
 - (c) the names of members shall not be recorded when taking the ayes and nays, and
 - (d) the number of times of speaking on any question shall not be limited.
35. A motion in committee of the whole to rise without reporting, or that the presiding officer of the committee leave the chair, shall always be in order and shall take precedence over any other motion. On such motion, debate shall be allowed but no member shall speak more than once to such a motion. On an affirmative vote, the subject referred to the committee shall be considered disposed of in the negative, and the Mayor shall resume the chair and proceed with the next order of business.
36. When all matters referred to a committee of the whole have been considered, a motion to rise and report shall be adopted. When the Council meeting is reconvened, the presiding member of the committee of the whole shall report to the Council and shall move the adoption of the report. When the committee of the whole has partly considered a matter, it may report progress and ask leave to sit again.

Standing and Select Committees

37. Any member may be placed on a standing committee or a select committee, notwithstanding the absence of such member at the time of being named upon such committee. The first named of any committee shall be the chair of that committee.
38. Of the number of members appointed to compose any standing or select committee, a majority shall be a quorum.
39. (1) Persons who are not members of a committee may only be allowed to take part in discussions or debates with the permission of a majority of the committee.
- (2) Notwithstanding subsection (1), only committee members may vote on matters referred to it for a recommendation.
40. The general duties of all standing committees of the Council shall be as follows:
- (a) to consider and report to Council from time to time, or whenever desired by the Council and as often as the interest of the municipality may require, on all matters referred to it by the Mayor or Council or coming within its purview, and to recommend such action as the committee deems necessary or expedient;
 - (b) to carry out the specific directions of the Council, as expressed in a resolution, and in such cases the committee shall report its action in detail at the next meeting of the Council; and

- (c) to present at the last regular meeting of the Council, or as soon thereafter as possible, in each and every year, a general report of the state of various matters referred to it during the year and the work or business done through or by it, and this report may contain suggestions regarding the future action of the succeeding committee as experience may enable the reporting committee to make respecting the matters embraced in its report.
- 41. Every member who introduces a motion upon any subject which may require the appointment of a select committee shall be one of the committee.
- 42. In the transaction of business all standing and select committees shall adhere as far as possible to the rules governing proceedings in the meetings of the Council.
- 43. A select committee shall, on completion of its assignment or on submitting its final report to the Council, be automatically dissolved.

Unprovided Cases

- 44. In all unprovided cases in the proceedings of the Council or its committees, Roberts Rules of Order shall be followed.

Repeal

- 45. The following Bylaws are repealed:
 - (a) District of Hudson's Hope Procedure Bylaw No. 528, 1995; and
 - (b) Procedure for Meetings Amendment Bylaw No. 592, 1999,

Read a First Time this 6th day of December, 1999.

Read a Second Time this 6th day of December, 1999.

Read a Third Time this 6th day of December, 1999.

ADOPTED this 14th day of December, 1999.

"L.M. Harwood"
MAYOR

"W.K. Lindsay"
CLERK