



Committee of the Whole Report For the Meeting of March 19th, 2020

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: Council Processes

Date: March 17, 2020

RECOMMENDATION

That Council forward to the March 19, 2020 daytime Council meeting the following recommendations:

1. That Council give first second and third reading to Council Procedures Amendment (No. 1) Bylaw No. 20-053.
2. That staff undertake required advertising of the proposed Bylaw in accordance with section 124(3) of the Community Charter.
3. That Council suspend the holding of Public Hearings in accordance with the Class Order on COVID-19 from the Office of the Provincial Health Officer until further notice.
4. That Council suspend the Request to Address Council and Question Period sections of Council meeting agendas for in person participation until further notice.

EXECUTIVE SUMMARY

Local governments in British Columbia operate primarily under the authority of the *Community Charter* and *Local Government Act*. Unless permitted under section 90 of the *Community Charter* all meetings of council and council committees are open to the public. The city live streams all of Council's open Committee of the Whole and Council meetings each time. These webcasts may be viewed by the public live during the meeting or the archived webcasts may be viewed on the City website at www.victoria.ca.

The British Columbia Medical Health Officer passed the Order attached as Appendix A to this report on March 16, 2020 in response to the COVID-19 pandemic. This order has implications for local government including implications on the conduct of council's in open meetings.

The purpose of this report is to seek Council's approval to modify processes to comply with the Provincial Health Officer's Order, while maintaining the integrity and transparency of the processes in keeping with the legislative requirements of the *Community Charter* and *Local Government Act*.

To accomplish these objectives staff are recommending Council approve amendments to the Council Procedures Bylaw to permit the full electronic participation of all members of Council; establish the ability to waive the City's Procedures Bylaw rules by a majority vote of Council if

circumstances dictate and in keeping with best practices of other local governments; and during the pandemic, suspend public hearings and request to address council and question period participation to limit gatherings (council and committee of the whole meetings) to under 50 persons. Council and Committee of the Whole meetings would continue to be live streamed and available to the public to view and comments can be made to council by mail or email during this uncertain period.

Since the Health Officer's Order, the City's many Advisory Bodies cannot meet the open meeting requirements of the Community Charter as their meetings are not webcast. As such those meetings cannot take place until further notice.

Local governments across the region and beyond are actively involved in process reviews to adapt to the changing circumstances brought about by the COVID-19 pandemic.

PURPOSE

The purpose of this report is to seek Council approval to:

1. Comply with the British Columbia Medical Health Officer's Order, attached as Appendix A, as it pertains to gatherings of more than 50 people by suspending public hearings and in-person participation at Council meetings in the Request to Address Council portion of the meeting.
2. Amend the Council Procedures Bylaw to increase the number of council member electronic participation to enable all Council members to electronically participate in Committee of the Whole and Council meetings at the same time should the need to do so arise.

BACKGROUND

Local government Council and Council Committee meetings are required to be open to the public unless closed under the very specific provisions of section 90 of the *Community Charter*.

The *Community Charter* requires each Local Government to enact bylaw governing certain proceedings of council (Council Procedures Bylaw). Under section 128 of the Charter, a municipality may permit, by bylaw, for members of council or a council committee who are unable to attend at a council meeting or a council committee meeting to participate by means of electronic or other communication means. Under the Charter, when a member participates by means of electronic or other communication facilities, the facilities must enable the meeting's participants to hear, or watch and hear, each other and must also enable the public to hear, or watch and hear, the participation of the member during meetings open to the public.

The current Council Procedure Bylaw, attached as Appendix B, sets out procedures for Committee of the Whole and Council meetings. Section 9 of the Bylaw establishes rules for electronic participation of Council members at Council meetings. Under section 9, no more than two Council members may participate electronically at a Council meeting if a majority of Council members are physically present at the meeting. This provision has also been applied to electronic participation at Committee of the Whole meetings.

British Columbia's Provincial Health Officer issued an Order on March 16th that applies to local governments and among other things, limits gatherings to a maximum of 50 people due to the COVID-19 pandemic. This creates the need to review and revise Council meeting processes while the order is in effect.

ISSUES AND ANALYSIS

Electronic Participation by Council Members

The Order necessitates that Council consider altering current practices to ensure business continuity and to be able to conduct decision making remotely should circumstances warrant that. Fundamental to that is ensuring a sound legal process, as well as maintaining transparency for the public and in keeping with open meeting requirements of the *Community Charter*.

The recommended approach to remove limits on electronic participation of Council members is important to ensure that the pandemic does not impact important decision making. In addition, it reduces the notice required to be given by members of council to participate electronically from 72 hours to 24 hours which coincides with the notice of special meeting requirements of the *Community Charter*. Current technology enables staff to be far more responsive to a request than 24 hours, however if all members of council were to opt to participate at the same time, 24 hours would be required to ensure all members are trained appropriately on the technology and staff can facilitate such a meeting. The City has the internal technology to facilitate these audio meeting capabilities and a well-established live webcast system for Council's meetings enabling the open meeting requirements to be met even though attendance at the meeting by the public may not be possible under the Health Officer's Order.

Suspending (Council Procedures Bylaw) Rules of Procedure

A relatively common practice in Council Procedure Bylaw is to enable Council to suspend the rules of procedure by a motion of Council during a meeting. To do so, the Council Procedures Bylaw must provide for this ability. A motion of this nature could be by majority vote, by two-thirds vote or by unanimous vote. The rules in question are not statutory rules but rather the city's rules around meeting procedures. A common example of this is the softening of the bylaw requirements to enable a "workshop" approach to issues. Another advantage of having the technical ability to suspend the rules to respond to some other unique circumstance. Staff are recommending wording from the District of Saanich Bylaw enabling the suspension of Procedure Bylaw rules but of course, not rules established in Provincial legislation which cannot be varied by Council. and using a majority vote to determine. This approach is also in keeping with the Robert's Rules of Order around ensuring the will of the majority is reflected.

An amendment to the Council Procedure Bylaw is attached as Appendix C that accomplishes the recommendations above for electronic participation and suspension of the rules of procedure. Bylaws of this nature are required to be advertised pursuant to the Community Charter. In order to facilitate the electronic participation in a timely manner staff are also recommending forwarding the proposed Bylaw to the daytime meeting for introductory readings.

Public Hearings

The limits placed on gatherings capped at 50 persons eliminates the ability to comply in the instance of a public hearing. Public hearings cannot be restricted in size in terms of numbers of people who wish to attend or speak. Public Hearings are a statutory requirement that cannot be waived. There is no appropriate alternative to substitute in these circumstances as the cornerstone of a public hearing is the ability to hear views of others and respond. A written submission only process is not considered suitable in meeting the public hearing legislative requirements which is the highest form of public submission that is subject to the most stringent requirements.

Staff are recommending a suspension of public hearings until further notice such as a change to the Health Officer's Order that would enable the unrestricted in-person participation or a legislative change.

Despite the recommendation, city staff will continue to process all applications received. The inability to conduct public hearings during the pandemic could result in a back up of matters for public hearings once it is appropriate to do so. Extra meetings are able to be established to move more applications through in a more timely manner.

Request to Address Council and Question Period

The Request to Address Council and Question Period sections are an open opportunity to speak to Council on any subject. The Council Procedures Bylaw does not place limits on the number of speakers who may address Council at any given meeting. There are no legal requirements around Request to Address Council or Question Period, it is a discretionary action authorized in the Council Procedure Bylaw. In keeping with the intent of the Health Officer's Order and in recognition that those interested can communicate their messages and questions to Council by mail or email, staff are recommending suspending these in person public participation opportunities until further notice.

Advisory Bodies to Council

The numerous Advisory Committees and Task Forces that have been established fall under the Community Charter's open meeting requirements. For information purposes, these meetings are not webcast and as such, do not meet the legislative requirements for the public and have been administratively suspended until further notice.

OPTIONS AND IMPACTS

Option 1 – Approve Amendments to Council Procedure Bylaw, Suspend holding Public Hearings and Request to Address Council sessions **(Recommended)**

Option 2 - Provide further direction to staff to comply with Health Officer's Order

Accessibility Impact Statement

The recommended approach addresses some accessibility issues in that audio and screen reading capabilities are maintained. As well the City uses a closed-captioning function on webcasts.

2015 – 2018 Strategic Plan

The recommended option has no Strategic Plan implications.

Impacts to Financial Plan

The recommended option has no financial implications.

Official Community Plan Consistency Statement

This issue has no specific Official Community Plan implications.

CONCLUSION

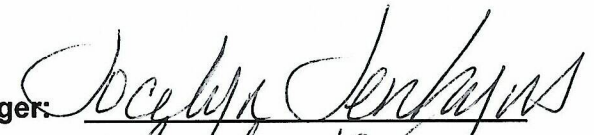
The Order from the Provincial Health Officer of March 16, 2020 has created the need for the City to analyse the potential implications resulting from the prohibition of gatherings more than 50 people. City Council and Committee of the Whole meetings, and in particular, public hearings create many occurrences throughout the year where well in excess of 50 people attend. In keeping with the Order, this report recommends changes to City Council meeting processes in the short term around public hearing and public participation at Council meetings, and by way of two amendments to the Council Procedures Bylaw to address more nimble meeting process alternatives.

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:


Date: March 18, 2020

List of Attachments

- Appendix A: Provincial Health Officer Order
- Appendix B: Council Procedures Bylaw
- Appendix C: Proposed Amendment to Council Procedures Bylaw



Cliff #1157407

CLASS ORDER (mass gatherings) re: COVID-19

**NOTICE TO OWNERS, OCCUPIERS AND OPERATORS
OF PLACES AT WHICH LARGE NUMBERS OF PEOPLE GATHER (CLASS)**

ORDER OF THE PROVINCIAL HEALTH OFFICER

(Pursuant to Sections 30, 31, 32 and 39 (3) *Public Health Act*, S.B.C. 2008)

The *Public Health Act* is at:

<http://www.bclaws.ca/civix/content/complete/statreg/08028/?xsl=/templates/browse.xsl>

(excerpts enclosed)

TO: AN INDIVIDUAL / SOCIETY / CORPORATION OR OTHER ORGANIZATION INCLUDING A MUNICIPALITY / REGIONAL DISTRICT / SCHOOL BOARD / UNIVERSITY / COLLEGE / RELIGIOUS ORGANIZATION WHICH IS THE OWNER/OCCUPIER/OPERATOR OF OR IS OTHERWISE RESPONSIBLE FOR A THEATRE / SPORTS ARENA / CONFERENCE HALL / CHURCH / RECREATION CENTRE / CASINO / PARK / FESTIVAL SITE OR OTHER INDOOR OR OUTSIDE PLACE

WHEREAS:

- A. A communicable disease known as COVID-19 has emerged in British Columbia;
- B. SARS-CoV-2, an infectious agent, can cause outbreaks of serious illness known as COVID-19 among the public;
- C. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact;
- D. The gathering of large numbers of people in close contact with one another can promote the transmission of SARS-CoV-2 and increase the number of people who develop COVID-19;

- E. You belong to the class of people who are the owner, occupier or operator, or are otherwise responsible for, a place or places at which large numbers of people gather in British Columbia;
- F. I have reason to believe and do believe that
- (i) the risk of an outbreak of COVID-19 among the public constitutes a health hazard under the *Public Health Act*;
 - (ii) because the risk of an outbreak extends beyond the authority of one or more medical health officers and coordinated action is needed to protect the public from contracting COVID-19, it is in the public interest for me to exercise the powers in sections 30, 31, 32 and 39(3) of the *Public Health Act* **TO ORDER** as follows:

You are prohibited from permitting the gathering of people in excess of **50 people** at a place of which you are the owner, occupier or operator, or for which you are otherwise responsible.

This Order expires on May 30, 2020 and is subject to revision, cancellation or extension by me.

You are required under section 42 of the *Public Health Act* to comply with this Order. Failure to comply with this Order is an offence under section 99 (1) (k) of the *Public Health Act*.

Under section 43 of the *Public Health Act*, you may request me to reconsider this Order if you:

1. Have additional relevant information that was not reasonably available to me when this Order was issued,
2. Have a proposal that was not presented to me when this Order was issued but, if implemented, would
 - (a) meet the objective of the order, and
 - (b) be suitable as the basis of a written agreement under section 38 [may make written agreements]
3. Require more time to comply with the order.

Under section 43 (6) an Order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

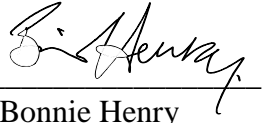
If you fail to comply with this Order, I have the authority to take enforcement action against you under Part 4, Division 6 of the *Public Health Act*.

You may contact me at:

Dr. Bonnie Henry, Provincial Health Officer
4th Floor, 1515 Blanshard Street
PO Box 9648 STN PROV GOVT, Victoria BC V8W 9P4
Fax: (250) 952-1570

DATED THIS: 16 day of March 2020

SIGNED:



Bonnie Henry
MD, MPH, FRCPC
Provincial Health Officer

DELIVERY BY: News release on the BC Government website, the BC Centre for Disease Control website and by email.

Enclosure: Excerpts of *Public Health Act*

ENCLOSURE

Excerpts of the *PUBLIC HEALTH ACT*

Public Health Act [SBC 2008] c. 28

Definitions

1 In this Act:

"health hazard" means

- (a) a condition, a thing or an activity that
 - (i) endangers, or is likely to endanger, public health, or
 - (ii) interferes, or is likely to interfere, with the suppression of infectious agents or hazardous agents, or
- (b) a prescribed condition, thing or activity, including a prescribed condition, thing or activity that
 - (i) is associated with injury or illness, or
 - (ii) fails to meet a prescribed standard in relation to health, injury or illness;

When orders respecting health hazards and contraventions may be made

30 (1) A health officer may issue an order under this Division only if the health officer reasonably believes that

- (a) a health hazard exists,
- (b) a condition, a thing or an activity presents a significant risk of causing a health hazard,
- (c) a person has contravened a provision of the Act or a regulation made under it, or
- (d) a person has contravened a term or condition of a licence or permit held

by the person under this Act.

(2) For greater certainty, subsection (1) (a) to (c) applies even if the person subject to the order is complying with all terms and conditions of a licence, a permit, an approval or another authorization issued under this or any other enactment.

General powers respecting health hazards and contraventions

31 (1) If the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, a health officer may order a person to do anything that the health officer reasonably believes is necessary for any of the following purposes:

- (a) to determine whether a health hazard exists;
- (b) to prevent or stop a health hazard, or mitigate the harm or prevent further harm from a health hazard;
- (c) to bring the person into compliance with the Act or a regulation made under it;
- (d) to bring the person into compliance with a term or condition of a licence or permit held by that person under this Act.

(2) A health officer may issue an order under subsection (1) to any of the following persons:

- (a) a person whose action or omission
 - (i) is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (b) a person who has custody or control of a thing, or control of a condition, that
 - (i) is a health hazard or is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it,

or a term or condition of the person's licence or permit;

(c) the owner or occupier of a place where

(i) a health hazard is located, or

(ii) an activity is occurring that is not in compliance with the Act or a regulation made under it, or a term or condition of the licence or permit of the person doing the activity.

Specific powers respecting health hazards and contraventions

32 (1) An order may be made under this section only

(a) if the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, and

(b) for the purposes set out in section 31 (1) [*general powers respecting health hazards and contraventions*].

(2) Without limiting section 31, a health officer may order a person to do one or more of the following:

(a) have a thing examined, disinfected, decontaminated, altered or destroyed, including

(i) by a specified person, or under the supervision or instructions of a specified person,

(ii) moving the thing to a specified place, and

(iii) taking samples of the thing, or permitting samples of the thing to be taken;

(b) in respect of a place,

(i) leave the place,

(ii) not enter the place,

(iii) do specific work, including removing or altering things found in the place, and altering or locking the place to restrict or prevent

entry to the place,

(iv) neither deal with a thing in or on the place nor dispose of a thing from the place, or deal with or dispose of the thing only in accordance with a specified procedure, and

(v) if the person has control of the place, assist in evacuating the place or examining persons found in the place, or taking preventive measures in respect of the place or persons found in the place;

(c) stop operating, or not operate, a thing;

(d) keep a thing in a specified place or in accordance with a specified procedure;

(e) prevent persons from accessing a thing;

(f) not dispose of, alter or destroy a thing, or dispose of, alter or destroy a thing only in accordance with a specified procedure;

(g) provide to the health officer or a specified person information, records, samples or other matters relevant to a thing's possible infection with an infectious agent or contamination with a hazardous agent, including information respecting persons who may have been exposed to an infectious agent or hazardous agent by the thing;

(h) wear a type of clothing or personal protective equipment, or change, remove or alter clothing or personal protective equipment, to protect the health and safety of persons;

(i) use a type of equipment or implement a process, or remove equipment or alter equipment or processes, to protect the health and safety of persons;

(j) provide evidence of complying with the order, including

(i) getting a certificate of compliance from a medical practitioner, nurse practitioner or specified person, and

(ii) providing to a health officer any relevant record;

(k) take a prescribed action.

(3) If a health officer orders a thing to be destroyed, the health officer must give the person having custody or control of the thing reasonable time to request reconsideration and review of the order under sections 43 and 44 unless

(a) the person consents in writing to the destruction of the thing, or

(b) Part 5 [*Emergency Powers*] applies.

May make written agreements

38 (1) If the health officer reasonably believes that it would be sufficient for the protection of public health and, if applicable, would bring a person into compliance with this Act or the regulations made under it, or a term or condition of a licence or permit held by the person under this Act, a health officer may do one or both of the following:

(a) instead of making an order under Division 1, 3 or 4, enter into a written agreement with a person, under which the person agrees to do one or more things;

(b) order a person to do one or more things that a person has agreed under paragraph (a) to do, regardless of whether those things could otherwise have been the subject of an order under Division 1, 3 or 4.

(2) If, under the terms of an agreement under subsection (1), a health officer conducts one or more inspections, the health officer may use information resulting from the inspection as the basis of an order under this Act, but must not use the information as the basis on which to

(a) levy an administrative penalty under this Act, or

(b) charge a person with an offence under this Act.

Contents of orders

39 (3) An order may be made in respect of a class of persons.

Duty to comply with orders

42 (1) A person named or described in an order made under this Part must comply with the order.

(2) Subsection (1) applies regardless of whether the person leaves the geographic area for which the health officer who made the order is designated.

Reconsideration of orders

43 (1) A person affected by an order, or the variance of an order, may request the health officer who issued the order or made the variance to reconsider the order or variance if the person

(a) has additional relevant information that was not reasonably available to the health officer when the order was issued or varied,

(b) has a proposal that was not presented to the health officer when the order was issued or varied but, if implemented, would

(i) meet the objective of the order, and

(ii) be suitable as the basis of a written agreement under section 38 [*may make written agreements*], or

(c) requires more time to comply with the order.

(2) A request for reconsideration must be made in the form required by the health officer.

(3) After considering a request for reconsideration, a health officer may do one or more of the following:

(a) reject the request on the basis that the information submitted in support of the request

(i) is not relevant, or

(ii) was reasonably available at the time the order was issued;

(b) delay the date the order is to take effect or suspend the order, if satisfied

that doing so would not be detrimental to public health;

(c) confirm, rescind or vary the order.

(4) A health officer must provide written reasons for a decision to reject the request under subsection (3) (a) or to confirm or vary the order under subsection (3) (c).

(5) Following a decision made under subsection (3) (a) or (c), no further request for reconsideration may be made.

(6) An order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

(7) For the purposes of this section,

(a) if an order is made that affects a class of persons, a request for reconsideration may be made by one person on behalf of the class, and

(b) if multiple orders are made that affect a class of persons, or address related matters or issues, a health officer may reconsider the orders separately or together.

(8) If a health officer is unable or unavailable to reconsider an order he or she made, a similarly designated health officer may act under this section in respect of the order as if the similarly designated health officer were reconsidering an order that he or she made.

Review of orders

44 (1) A person affected by an order may request a review of the order under this section only after a reconsideration has been made under section 43 [*reconsideration of orders*].

(2) A request for a review may be made,

(a) in the case of an order made by a medical health officer, to the provincial health officer, or

(b) in the case of an order made by an environmental health officer, to a medical health officer having authority in the geographic area for which the environmental health officer is designated.

(3) If a review is requested, the review is to be based on the record.

(4) If a review is requested, the reviewer may do one or more of the following:

(a) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;

(b) confirm, vary or rescind the order;

(c) refer the matter back to the person who made the order, with or without directions.

(5) A reviewer must provide written reasons for an action taken under subsection (4) (b) or (c), and a person may not request further review of an order.

Offences

99 (1) A person who contravenes any of the following provisions commits an offence:

...

(k) section 42 [*failure to comply with an order of a health officer*], except in respect of an order made under section 29 (2) (e) to (g) [*orders respecting examinations, diagnostic examinations or preventive measures*];

NO. 16-011

COUNCIL PROCEDURES BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish the general procedures to be followed by Council and Council committees in conducting their business.

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Under its statutory powers, including sections 95 and 122 to 145 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

PART 1 – INTRODUCTION

Title

- 1 This Bylaw may be cited as the “Council Procedures Bylaw.”

Definitions

- 2 In this Bylaw:

“City”

means the City of Victoria;

“City Hall”

means Victoria City Hall located at #1 Centennial Square, Victoria, British Columbia;

“COTW”

means Committee of the Whole Council;

“Corporate Administrator”

means the corporate officer whose powers, duties, and functions are set out under section 148 of the *Community Charter*;

“Council”

means the Council of the Corporation of the City of Victoria

“mayor”

means the mayor of the City;

“members of the public”

does not include a member of Council or an officer or employee of the City;

“motion”

includes a resolution;

“Public Notice Posting Places” means

- (a) the public notice board at City Hall, and
- (b) the Council Chamber at City Hall;

“special Council meeting”

means a Council meeting other than a regular Council meeting or an adjourned Council meeting

PART 2 – MAYOR AND MEMBERS OF COUNCIL

Mayor is member of Council

3 The mayor is a member of Council for the purposes of this Bylaw.

Acting mayor

- 4 (1) In accordance with section 130 of the *Community Charter*, Council must appoint a member responsible for acting in the place of the mayor when the mayor is
 - (a) absent or otherwise unable to act, or
 - (b) when the office of mayor is vacant.
- (2) During the absence of the mayor, the member appointed under subsection (1) has the same powers and duties as the mayor in relation to the applicable matter.

- (3) Council must establish a schedule for the appointment of members to fill the office of acting mayor on a rotating basis.
- (4) If the office of the mayor becomes vacant, the members next in succession on the schedule will serve as acting mayor to the Acting Mayor appointed under subsection (1).

Appointments to the Capital Regional District Board of Directors

- 5 (1) Council must appoint the following by resolution as the City's municipal directors on the Board of the Capital Regional District:
 - (a) the mayor;
 - (b) the three persons, elected as councillors at the general local election, who receive the most votes for the position of municipal director.
- (2) Council must appoint the following by resolution as the City's alternate municipal directors on the Board of the Capital Regional District:
 - (a) as first alternate, the person elected as councillor at the general local election who received the fourth most votes for the position of municipal director;
 - (b) as second alternate, the person elected as councillor at the general local election who received the fifth most votes for the position of municipal director;
 - (c) as third alternate, the person elected as councillor at the general local election who received the sixth most votes for the position of municipal director;
 - (d) as fourth alternate, the person elected as councillor at the general local election who received the seventh most votes for the position of municipal director.
- (3) In the event that it is not possible to appoint a sufficient number of alternate municipal directors pursuant to subsection (2), Council may appoint any of the elected councillors as alternate municipal directors, with preference given to councillors who receive the highest numbers of votes in the general local election.

PART 3 – COUNCIL MEETINGS

Location of meetings

- 6 All Council meetings must take place within City Hall except when Council resolves to hold a meeting elsewhere.

Schedule and public notice of meetings

- 7
- (1) Regular Council meetings must begin at 6:30 p.m.
 - (2) At least 48 hours before a regular Council meeting, the Corporate Administrator must give advance public notice of the date, time, and place of that meeting by
 - (a) posting the agenda at the public notice board at City Hall,
 - (b) delivering copies of the agenda to each of the members of Council, and
 - (c) leaving copies of the agenda at a public counter at City Hall for the purpose of making the agenda available to members of the public.
 - (3) Council must establish and the Corporate Administrator must make available to the public a schedule of the date, time and place of regular Council meetings.
 - (4) The Corporate Administrator must give notice of the availability of the schedule, referred to under subsection (3), at least once a year in accordance with sections 94 and 127 of the *Community Charter*.

Inaugural meeting

- 8
- Following a general local election, the Inaugural Council Meeting must be held on the first Thursday in November.

Electronic participation by members

- 9
- (1) For the purposes of this section, electronic participation in a meeting means participation by use of telephone communications or by Voice Over Internet Protocol (VOIP) that
 - (a) enable the meeting's participants to hear and speak with each other, and
 - (b) enable the public to hear the participation of Council members during that part of the meeting that is open to the public.
 - (2) ~~Up to 2 members of~~ Council may participate electronically in a Council meeting if
 - (a) at least ~~24~~⁷² hours before the meeting those members notified the ~~City Clerk~~^{Corporate Administrator} of their intended absence, and
 - (b) ~~a majority of the members of Council are physically present at the meeting. If circumstances warrant the convening a meeting where electronic participation is necessary due to other circumstances.~~
 - (3) ~~If more than 2 members wish to participate electronically in a meeting, the 2 that may do so must be chosen by lot conducted by the Corporate Administrator.~~

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~~(4) There is no limit to the number of times a member may participate electronically.~~

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~~(5) As soon as possible before a meeting at which a member has requested to participate electronically, the Corporate Administrator must send to that member the meeting's agenda package and late agenda items, by way of courier or electronic or facsimile transmission.~~

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~~(6) Only a member who is physically present may preside at a meeting at which there is electronic participation.~~

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~~(7) A member is not permitted to participate electronically in a meeting if that member does not join the meeting within 15 minutes of its scheduled starting time.~~

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~~(8) The telecommunications and shipping costs arising from a member who is participating electronically are borne by the City.~~

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~~(9)~~(3) A meeting at which there is electronic participation must not include any of the following public hearings:

- (a) hearings to which section 890 of the *Local Government Act* applies;
- (b) hearings for heritage conservation matters under Part 27 of the *Local Government Act*.

~~(10)~~(4) Written material at a meeting at which there is electronic participation, if that material is presented to the meeting without being included in either the agenda package or late agenda items sent to the members participating electronically, must be audibly read into the record.

~~(11)~~(5) A member, who is participating electronically in the voting on a matter, must vote by audibly stating "aye" or "nay" that they vote in favour or oppose.

~~(12)~~(6) If there is an interruption in the communications' link to a member who is participating electronically, the other Council members may

- (a) decide on a short recess until it is determined whether or not the link can be re-established, or
- (b) continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.

Application of rules of procedure

10 (1) In cases not provided for under this Bylaw, Robert's Rules of Order Newly Revised, 11th edition, 2011, apply to the proceedings of Council 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*.

~~(b)~~ (2) The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended by a majority vote of Council members present.

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Minutes of meetings

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

Calling meeting to order

- 12 (1) The mayor must call the members of Council to order for a Council meeting as soon after the scheduled time for the meeting as a quorum of Council is present.
- (2) If a quorum of Council is present but the mayor and acting mayor do not attend within 15 minutes of the scheduled time for a Council meeting
- (a) the Corporate Administrator 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

- 13 If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Administrator must
- (a) record the names of the members present,
 - (b) record the names of the members absent, and
 - (c) adjourn the meeting until the next scheduled Council meeting.

Voting at meetings

- 14 The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating
 - (i) "those in favour raise your hands", and then

- (ii) "those opposed raise your hands";
- (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
- (e) the presiding member's decision about whether a question has been finally put is conclusive;
- (f) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

Order of proceedings and business

- 15 (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
 - (a) Approval of agenda;
 - (b) Reading of minutes;
 - (c) Requests to address Council (maximum 6 requests);
 - (d) Proclamations;
 - (e) Public and statutory hearings (including third reading or adoption of bylaws and approval of permits where applicable after each hearing);
 - (f) Requests to address Council;
 - (g) Unfinished business;
 - (h) Reports of committees;
 - (i) Notice of Motions;
 - (j) Bylaws;
 - (k) Correspondence;
 - (l) New Business;
 - (m) Question Period;

- (n) Closed meeting, if required;
 - (o) Adjournment.
- (2) Particular business at a regular Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.
 - (3) Council may proceed with a particular item of business at a regular Council meeting in the absence of the Council member in whose name the item is listed on the agenda only if that member has given written permission for another Council member to proceed with that business.
 - (4) Prior to each Council meeting the Corporate Administrator 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.
 - (5) The deadline for submissions by the public to the Corporate Administrator of items for inclusion on a Council meeting agenda is 11:00AM on the day before the meeting.
 - (6) Council must not consider any matters not listed on the agenda unless introduction of the late item is approved by Council at the time allocated on the agenda for such matters.
 - (7) If the Council makes a resolution under subsection (6), information pertaining to late items must be distributed to the members.

Visitors and delegations

- 16 (1) Council may, by resolution, allow an individual or a delegation to address Council on a matter provided a written application on the prescribed form has been received by the Corporate Administrator by 11:00AM on the day before the meeting.
- (2) Each address under subsection (1) must be limited to 5 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (3) Where written application has not been received by the Corporate Administrator as prescribed in subsection (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (4) Each address under subsection (3) must be limited to 2 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (5) Council must not take any action on an address under subsection (1) or subsection (3) at the meeting at which the address is made unless the proposed action is approved by unanimous vote of those members present.
- (6) Council must not permit a delegation to address a meeting of the Council regarding

- (a) a bylaw or a permit 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 or the passing of a resolution authorizing the permit, or
 - (b) the promotion of commercial goods or services.
- (7) A person other than Council members and officers and employees of the City is allowed to approach the podium and address the Council during a meeting of the Council only if that person has the presiding member's permission.

Points of order

- 17 (1) In accordance with section 132 of the *Community Charter*, the presiding member at a Council meeting must preserve order and, subject to an appeal to other Council members present, decide points of order that may arise.
- (2) Without limiting the presiding member's duty under subsection (1), 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.
- (3) When the presiding member is required to decide a point of order
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under paragraph (a), and
 - (c) the presiding member may reserve the decision until the next Council meeting.
- (4) If a Council member appeals a decision of the presiding member under subsection (3), the question as to whether the chair is to be sustained must be immediately put by the presiding member and decided without debate.
- (5) In relation to a vote on a motion under subsection (4),
- (a) the mayor or other presiding member must 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.
- (6) If the mayor or presiding member refuses to put the question under subsection (4),

- (a) the Council must immediately appoint another member to preside temporarily,
- (b) that other member must proceed in accordance with subsection (4), and
- (c) a motion passed under this subsection is as binding as if passed under subsection (4).

Conduct and debate

- 18
- (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
 - (2) Members must address the presiding member by that person's title of mayor, acting mayor, or councillor.
 - (3) Members must address other non-presiding members by the title councillor.
 - (4) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
 - (5) 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, and
 - (c) may appeal to Council for its decision on the point of order in accordance with section 17.
 - (6) Members speaking at a Council meeting
 - (a) must use respectful language,
 - (b) must speak only in connection with the matter being debated,
 - (c) may speak about a vote of Council only for the purpose of making a resolution or motion that the vote be rescinded, and
 - (d) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
 - (7) If a member does not adhere to subsection (6)(d), Council, by resolution, 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 police from the member's seat, and
 - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

- (8) 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.
- (9) The following rules apply to limit speech on matters being considered at a Council meeting:
 - (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) a member who has made a substantive motion to the Council may reply to the debate;
 - (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
 - (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

Motions generally

- 19 (1) A member of Council must give notice of a motion that is to be introduced at a Council meeting, by depositing a written copy of the motion with the Corporate Administrator at least 24 hours before that meeting.
- (2) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (3) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced only by leave of Council.
- (4) A Council member may make only the following subsidiary motions when the Council is considering a main question:
 - (a) to lay on the table;
 - (b) to move the previous question;
 - (c) to postpone to a certain time;
 - (d) to refer to committee;
 - (e) to amend;
 - (f) to postpone indefinitely.

- (5) A motion made under subsection (4)(a), (b), (c), or (f) is not amendable or debatable.
- (6) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

Motion to commit

- 20 Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

Motion for the main question

- 21 (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before Council.
- (2) The following rules apply to a motion for the main question, or for the main question as amended, at a Council meeting:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question;
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

Amendments generally

- 22 (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been negated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:

- (a) a motion to amend a motion amending the main question;
- (b) a motion to amend the main question, or an amended motion amending the main question if the vote under paragraph (a) is positive;
- (c) the main question.

Reconsideration

- 23 (1) 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 subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may not reconsider a matter that has
- (a) had the assent of the electors,
 - (b) already been reconsidered under this section, or
 - (c) been acted on by an officer, employee, or agent of the City.
- (6) On a reconsideration under this section, Council
- (a) must deal with the matter as soon as convenient, and
 - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (7) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- (8) A bylaw, resolution, or proceeding that is reaffirmed after reconsideration is valid and has the same effect as it had before reconsideration.

Privilege

- 24 (1) In this section, a matter of privilege refers to any of the following motions:

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

Appointments to boards and other offices

- 25 (1) Council may appoint a person to an advisory committee, board or other office only after receiving all nominations for that appointment.
- (2) Council may appoint a person to an office by resolution unless a Council member calls for a vote by ballot.
- (3) The following procedures apply to a vote by ballot:
- (a) the presiding member and the Corporate Administrator must act as scrutineers;
 - (b) the Corporate Administrator must give to each Council member one ballot that contains the Corporate Administrator's written initials and the names of all of the persons nominated;
 - (c) Council members may vote for a person by marking an "x" opposite that person's name on the ballot;
 - (d) those who receive the highest majority of votes from the Council members then present are appointed to the offices for which the vote is taken;
 - (e) if the number of those receiving a majority of votes by ballot is less than the number of offices to be filled,
 - (i) the person receiving the lowest number of votes is removed from succeeding ballots, and
 - (ii) balloting must continue until the number of persons receiving a majority of votes equals the number of offices to be filled.

Council member's requests for information

- 26 (1) A Council member at any time may request information concerning the City's public business by making the request in writing to the City Manager.
- (2) The following procedures apply to the obtaining and presenting of information requested under this section:
- (a) the City Manager must make the best effort possible to obtain the information;
 - (b) after obtaining the information, the City Manager must give the request and the information to the mayor;
 - (c) the mayor or the presiding member must read the request and the information at the next Council meeting, subject to section 90 of the *Community Charter*;
 - (d) during a Council meeting, a Council member must not present an argument, debate, opinion, or fact in connection with the request and information that is read at a Council meeting.

Reports from committees

- 27 (1) Council may take any of the following actions in connection with a recommendation it receives from COTW or a committee:
- (a) agree or disagree with the recommendation;
 - (b) amend the recommendation;
 - (c) refer the recommendation back to COTW or the committee;
 - (d) postpone its consideration of the recommendation.
- (2) Council may discuss the proceedings of a standing committee only after the committee has presented to the Council the committee's report relating to those proceedings.

Adjournment

- 28 (1) A Council meeting may continue after 11:00 p.m. only by an affirmative vote of 2/3 of the Council members present.
- (2) A motion for continuation under subsection (1) must establish a specific time for the adjournment of the Council meeting.
- (3) 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.
- (4) Subsection (3) 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.
- (5) When adjourning, Council members must not leave their seats until the presiding member leaves.

PART 4 – BYLAWS

Public notice of proposed bylaws

- 29 The Corporate Administrator must ensure that written notice of the name and purpose of a proposed bylaw is publicly posted at the Public Notice Posting Places at least 24 hours before the Council meeting at which the bylaw is intended to be introduced.

Copies of proposed bylaws to Council members

- 30 A proposed bylaw may be introduced at a Council meeting only if section 29 has been satisfied and
- (a) a true copy of it has been delivered to each Council member and the City Manager at least 24 hours before the Council meeting, or
 - (b) all Council members unanimously agree to waive paragraph (a).

Form of bylaws

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

Bylaws to be considered separately or jointly

- 32 Council must consider a proposed bylaw at a Council meeting either
- (a) separately when directed by the presiding member or requested by another Council member, or
 - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

Reading and adopting bylaws

- 33 (1) The presiding member of a Council meeting may
- (a) have the Corporate Administrator 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) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (3) Subject to subsection (4), each reading of a proposed bylaw must receive the affirmative vote of a majority of members present.
- (4) In accordance with section 882(2) of the *Local Government Act*, each reading of a proposed bylaw that adopts, amends, or repeals an official community plan must receive an affirmative vote of a majority of all Council members.

Bylaws must be signed

- 34 After a bylaw is adopted,
- (a) the presiding member of the Council meeting at which it was adopted must sign it, and
 - (b) the Corporate Administrator must
 - (i) sign it,
 - (ii) place the City's corporate seal on it,
 - (iii) have the dates of its readings and adoption placed on it, and
 - (iv) have it immediately placed in the City's vault.

Bylaw register

- 35 The Corporate Administrator must have copies of all adopted bylaws alphabetically and numerically indexed and available for public inspection during regular business hours in City Hall.

PART 5 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

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

Rising without reporting

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

Reports

- 38 (1) COTW may consider reports and bylaws only if
- (a) they are printed and the members each have a copy, or
 - (b) 2/3 of the members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Administrator for approval by Council prior to giving action to any recommendations from COTW.

Presiding at Committee of the Whole meetings

- 39 (1) The mayor, if present, must preside at COTW meetings.
- (2) In the absence of the mayor, the acting mayor chosen under section 6(4) must preside.
- (3) The presiding member has the same powers and duties as the mayor in relation to the applicable matter.

Schedule for Committee of the Whole meetings

- 40 (1) Regular meetings of COTW must
- (a) begin at 9:00 a.m. and
 - (b) adjourn at 2:00 p.m., unless a motion for continuation is approved by 2/3 of the members present.
- (2) A motion for continuation under subsection (1)(b) must establish a specific time for the adjournment of the COTW meeting.

Order of proceedings and business at Committee of the Whole meetings

- 41 The order of business at a regular COTW meeting is as follows:

- (a) Approval of agenda;
- (b) Consent agenda;
- (c) Reading of minutes;
- (d) Unfinished business;
- (e) Land use matters;
- (f) Staff reports;
- (g) Notice of Motions;
- (h) New Business;
- (i) Closed meeting, if required;
- (j) Adjournment.

Rules of procedure for Committee of the Whole meetings

- 42 (1) The following rules apply to COTW meetings:
- (a) a motion for adjournment is not allowed during debate of a motion;
 - (b) a member may speak any number of times on the same question;
 - (c) a member must not speak longer than a total of 10 minutes on any one question;
 - (d) votes must be taken by a show of hands if requested by a member;
 - (e) the presiding member must declare the results of voting.
- (2) The rules governing the proceedings of Council established under the following provisions of this Bylaw also apply to the proceedings of COTW:
- (a) section 6 [*Location of meetings*];
 - (b) sections 7(2) to (4) [*Schedule and public notice of meetings*];
 - (c) section 10 [*Application of rules of procedure*];
 - (d) section 11 [*Minutes of meetings*];
 - (e) section 12 [*Calling meeting to order*];
 - (f) section 13 [*Adjourning meeting where no quorum*];
 - (g) section 14 [*Voting at meetings*];

- (h) section 17 [*Points of order*];
- (i) section 18(1) to (8) [*Conduct and debate*];
- (j) section 19 [*Motions generally*];
- (k) section 21 [*Motion for the main question*];
- (l) section 22 [*Amendments generally*];
- (m) section 24 [*Privilege*].

PART 6 – OTHER COMMITTEES

Standing committees

- 43 (1) The mayor or Council may establish a standing committee and appoint members to the standing committee to deal with matters the mayor or Council considers would be better dealt with by a standing committee.
- (2) All meetings of a standing committee must be at City Hall.
- (3) At its first meeting after its appointment a standing committee must establish a regular schedule of meetings.
- (4) The chair of a standing committee may call a meeting of the committee in addition to the schedule of meetings.
- (5) The chair of a standing committee must cause a notice of the day and time of a meeting called under subsection (4) to be given to all members of the committee at least 12 hours before the time of the meeting.
- (6) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are contained in the terms of reference of the committee;
 - (b) matters that are assigned by Council;
 - (c) matters that are assigned by the mayor.
- (7) Standing committees must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee's meetings;
 - (b) on matters that are assigned by Council or the mayor,
 - (i) as required by Council or the mayor, or

- (ii) at the next Council meeting if Council or the mayor does not specify a time.
- (8) A majority of all the members of a standing committee must sign all reports that are given by the committee to Council.

Select committees

- 44 (1) Council must appoint a presiding member or chair of the select committee.
- (2) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by Council.
- (3) Select committees must report and make recommendations to Council as soon as possible, unless a date and time is established by Council.

Advisory committees

- 45 (1) Council by resolution may appoint an advisory committee
 - (a) to provide advice and recommendations to Council regarding any matter within the committee's terms of reference, and
 - (b) to report to Council or to another committee designated by Council for that purpose.
- (2) All members of an advisory committee must be members of the public.
- (3) A chairperson must be appointed by the members of an advisory committee.

Quorum

- 46 The quorum for a standing, select or advisory committee is a majority of its members.

Rules of procedure for other committee meetings

- 47 (1) The following rules apply to standing, select and advisory committee meetings:
 - (a) a motion for adjournment is not allowed during debate of a motion;
 - (b) a member may speak any number of times on the same question;
 - (c) a member must not speak longer than a total of 10 minutes on any one question;
 - (d) votes must be taken by a show of hands if requested by a member;
 - (e) the presiding member must declare the results of voting.

- (2) The rules governing the proceedings of Council established under the following provisions of this Bylaw also apply to the proceedings of a standing, select or advisory committee:
- (a) sections 7(2) to (4) [*Schedule and public notice of meetings*];
 - (b) section 10 [*Application of rules of procedure*];
 - (c) section 11 [*Minutes of meetings*];
 - (d) section 17 [*Points of order*];
 - (e) section 18(1), (4) to (8) [*Conduct and debate*];
 - (f) section 19(2) to (6) [*Motions generally*];
 - (g) section 21 [*Motion for the main question*];
 - (h) section 22 [*Amendments generally*];
 - (i) section 24 [*Privilege*].

Attendance of non-members

- 48 (1) Council members who are not members of a standing, select or advisory committee may attend meetings of the committee.
- (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.
- (3) Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 7 - GENERAL

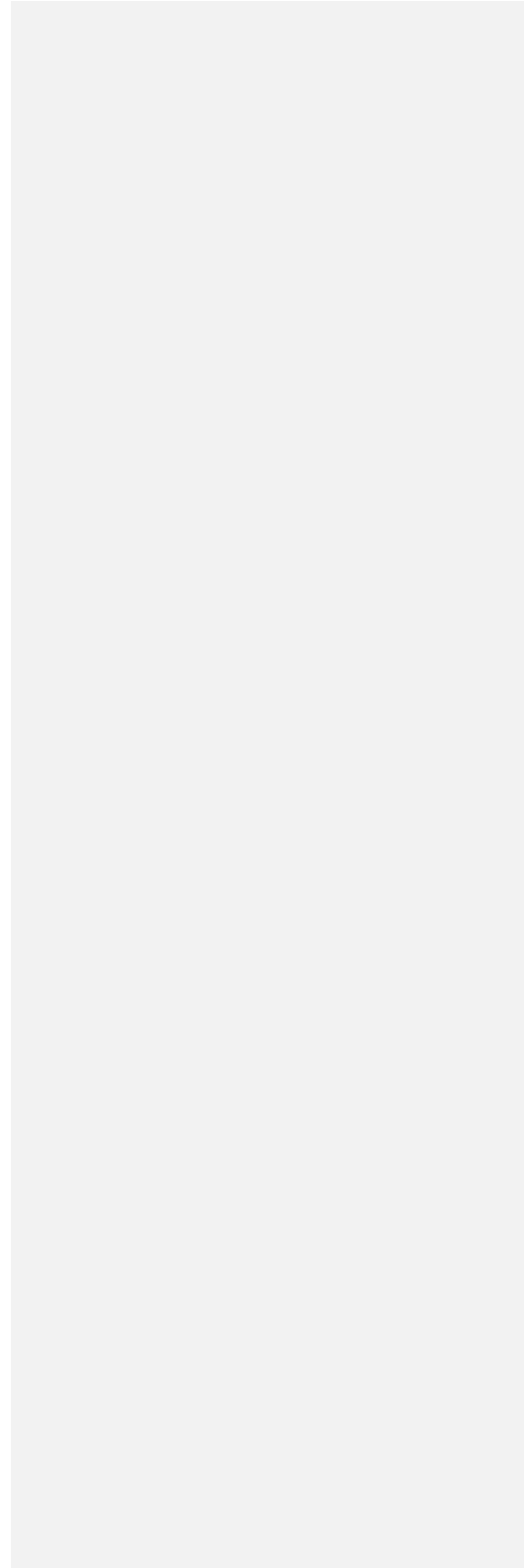
Repeal

- 49 Bylaw No. 09-046, the Council Bylaw, is repealed.

READ A FIRST TIME the	14th	day of	January	2016
READ A SECOND TIME the	14th	day of	January	2016
READ A THIRD TIME the	14th	day of	January	2016
ADOPTED on the	28th	day of	January	2016

“CHRIS COATES”
CORPORATE ADMINISTRATOR

“LISA HELPS”
MAYOR



NO. 20-053

COUNCIL PROCEDURES BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the procedures to be followed by Council and Council committees in conducting their business through electronic participation.

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1 Title

This bylaw may be cited as COUNCIL PROCEDURES BYLAW AMENDMENT (NO. 1) BYLAW No. 20-053

2 Amendment

Council Procedures Bylaw No. 16-011 is hereby amended by:

- a) deleting section 9 in its entirety and replacing it with the following

Electronic participation by members

- 9 (1) For the purposes of this section, electronic participation in a meeting means participation by use of telephone communications or by Voice Over Internet Protocol (VOIP) that
 - (a) enable the meeting's participants to hear and speak with each other, and
 - (b) enable the public to hear the participation of Council members during that part of the meeting that is open to the public.
- (2) Council may participate electronically in a Council meeting if
 - (a) at least 24 hours before the meeting those members notified the City Clerk of their intended absence; or,

- (b) if circumstances warrant the convening a meeting where electronic participation is necessary due to other circumstances.
- (3) A meeting at which there is electronic participation must not include any of the following public hearings:
 - (a) hearings to which section 890 of the *Local Government Act* applies;
 - (b) hearings for heritage conservation matters under Part 27 of the *Local Government Act*.
- (4) Written material at a meeting at which there is electronic participation, if that material is presented to the meeting without being included in either the agenda package or late agenda items sent to the members participating electronically, must be audibly read into the record.
- (5) A member, who is participating electronically in the voting on a matter, must vote by audibly stating that they vote in favour or oppose.
- (6) If there is an interruption in the communications' link to a member who is participating electronically, the other Council members may
 - (a) decide on a short recess until it is determined whether or not the link can be re-established, or
 - (b) continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.
- b) deleting section 10 in its entirety and replacing it with the following

Application of rules of procedure

- 10 (1) In cases not provided for under this Bylaw, Robert's Rules of Order Newly Revised, 11th edition, 2011, apply to the proceedings of Council 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*
- (2) The rules of procedure contained in this Bylaw except those that are governed by statutory provisions, may be temporarily suspended by a majority vote of the Council members present.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the day of 2020

READ A THIRD TIME the day of 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR