

**City of Castlegar**

**BYLAW No. 986**

**COUNCIL PROCEDURES BYLAW**

A bylaw to regulate Council meetings and their conduct.

---

The Council of the City of Castlegar in open meeting assembled, enacts as follows:

**PART 1 – INTRODUCTION**

**Title**

1. This Bylaw may be cited as the “COUNCIL PROCEDURES BYLAW NO. 986, 2004”.

**Definitions**

2. In this bylaw:
  - (1) “Act” means the *Community Charter*;
  - (2) “Administrator” means the person appointed by Council as Chief Administrative Officer of the City;
  - (3) “Chairperson” means the person presiding at a meeting of Council, of a Committee of Council or the person appointed as Chairperson of a Standing or Select Committee of Council, as the context requires;
  - (4) “City” means the City of Castlegar;
  - (5) “City Web Site” means the information resource found at an internet address provided by the City;
  - (6) “Committee” means a Committee of Council, but does not include the Committee of the Whole;
  - (7) “Committee of the Whole” means all of the members of Council present at a meeting sitting in Committee;
  - (8) “Corporate Officer” means the Corporate Officer for the City;
  - (9) “Council” means the elected Council of the City of Castlegar;

- (10) “Mayor” means the Mayor of the City;
- (11) “Member” means a duly elected member of the Council;
- (12) “Public Notice Posting Places” means the notice board at City Hall and the City of Castlegar Website; **(Bylaw 1363)**
- (13) “Primary Committee Meeting” means a meeting of the Committee of the Whole;
- (14) “Secondary Committee Meeting” means a meeting of a select committee as appointed by Council from time to time or a standing committee as appointed by the Mayor from time to time.

### **Application of Rules of Procedure**

3. (1) The provisions of this Bylaw govern the proceeding of Council, Committee of the Whole, Standing and Select Committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, Robert’s Rules of Order, Newly Revised, 10th edition, October 2000 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) not inconsistent with provisions of this Bylaw or the *Community Charter*.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural Meeting**

4. (1) Following the general local election, the first Council meeting must be held on the first Monday in November in accordance with s.124(2)(g) of the *Community Charter*. **(Bylaw 1304)**
  - (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (a), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.
5. The order of business for the Inaugural Meeting shall be as follows:
    - (1) Call to Order by the Corporate Officer
    - (2) Oath of Office of Council Members
    - (3) Invocation
    - (4) Mayor’s Address

- (5) Appointments
- (6) Other Business
- (7) Adjourn

### Time and Location of Meetings

6. (1) All Council meetings must take place at the Community Forum, located at 445 – 13th Avenue, Castlegar, B.C. except when Council resolves to hold meetings elsewhere, or by means of electronic or other communication facilities, or a hybrid of both. **(Bylaw 1363)**
- (2) Regular Council meetings must:
- (a) be held on the first and third Monday of each month, with the exception of the months of July and August during which only one meeting is held;
  - (b) begin at 7:00 p.m.; **(Bylaw 1334)**
  - (c) be adjourned at 10:30 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 32(1) of this Bylaw.
  - (d) unless Council otherwise determines in advance, when the Monday falls on a statutory holiday, that regular meeting shall be held on the next day following which is not a statutory holiday, a Saturday or a Sunday.
- (3) Regular Council meetings may:
- (a) be postponed to a different day, time and place by resolution of Council, provided the Corporate Officer is given at least 2 days written notice.

### Notice of Council Meetings

7. (1) In accordance with section 127 of the Community Charter, Council must prepare annually on or before December 31st of the previous year, 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 Place.
- (2) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 31st of the time and duration that the schedule of regular Council meetings will be available beginning on the first Friday of each year.
- (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 Place 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*, 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 in the Council Chambers,
  - (b) posting a copy of the notice at the Public Notice Posting Place, and
  - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at City Hall.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.
- (3) Special meetings of Council shall be limited to subject matter as outlined in section 90 of the *Community Charter*.

### Electronic Meetings and Electronic Participation (Bylaw 1363)

9. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met:
  - (a) any Council Meeting may be conducted by means of visual and/or audio electronic or other communication facilities. **(Bylaw 1363)**
  - (b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting, as applicable may participate in the meeting by means of visual and/or audio electronic or other communications facilities.
- (2) The member presiding at a council or council committee meeting may participate electronically. **(Bylaw 1363)**
- (3) Members of Council who participate in the meeting by means of visual and/or audio electronic or other communications facilities are deemed to be present at the meeting. **(Bylaw 1363)**
- (4) Advance public notice for the way in which meetings are to be conducted by means of electronic or other communication facilities, and the place where the public may attend to hear or watch and hear will be provided in the meeting agenda and posting in the Public Notice Posting Places. **(Bylaw 1363)**

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

### Member to Act in Place of the Mayor

10. (1) Annually in January, 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 unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under subsection (1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under subsection (1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under subsection (1) or chosen under subsection (3) has the same powers and duties as the Mayor in relation to the applicable matter.

## PART 4 – COUNCIL PROCEEDINGS

### Community Charter Provisions

11. (1) Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 and Division 2 of Part 5.

### Attendance of Public at Meetings

12. (1) Except where the provisions of section 90 of the *Community Charter* 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*.
- (3) This section applies to all meetings of the 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.

- (4) Despite subsection (1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 may expel or exclude from a Council meeting a person in accordance with section 25.

### **Minutes of Meetings to be Maintained and Available to the 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 other member presiding at the meeting
- (2) Subject to subsection (3), and in accordance with section 97(1)(b) of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection (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*.

### **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.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 do not attend within 15 minutes of the scheduled time for a Council meeting:
  - (a) the Chief Administrative Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

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

15. (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting:
  - a) the Corporate Officer must record the names of the members present, and those absent, and
  - b) the Chief Administrative Officer must 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 items for consideration at that meeting.
- (2) The deadline for submissions to the Corporate Officer of items for inclusion on the Council meeting agenda must be 3:00 p.m. on the Wednesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public on the Friday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 18.

## **Order of Proceedings and Business**

17. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) call to order
  - (b) approval of the agenda
  - (c) introduction of late items
  - (d) hearing of delegations
  - (e) adoption of minutes
  - (f) reports of Council committees
  - (g) Regional District of Central Kootenay report
  - (h) correspondence for information
  - (i) correspondence for action
  - (j) reports other
  - (k) Mayor's report
  - (l) new and unfinished business
  - (m) consideration of bylaws
  - (n) notice of next regular Council meeting and other meetings
  - (o) receipt of notice of motion
  - (p) question period
  - (q) adjournment
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### Late Items

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) If the Council makes a resolution under section 18(1), information pertaining to late items must be distributed to the members.
- (3) Items for consideration under section 18(1) shall be limited to those items not on the regular agenda that require “action prior to the next regular meeting”.

### Voting at Meetings

19. (1) Voting on questions, resolution and bylaws is governed by section 123 of the *Community Charter*.
- (2) 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 presiding member is putting the matter to a vote, a member must not:
    - (i) cross or leave the room,
    - (ii) make a noise or other disturbance, or
    - (iii) interrupt the voting procedure unless the interrupting member is raising a point of order.
  - (c) after the presiding member finally puts the question to a vote, 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 shall signify their vote by raising their hand;
  - (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;
  - (g) a Council member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.



### **Recording of Votes**

20. (1) A member may request his or her vote on any question to be recorded by the Corporate Officer. The Corporate Officer shall record in the minutes of the meeting the name of the member and the way in which the member voted on the question or whether the member abstained.

### **Recess**

21. (1) When a meeting of Council has been in progress for one hour, the Mayor may declare a 15 minute recess, or sooner if confirmed by an affirmative resolution of Council.

### **Delegations**

- 22(a). (1) The Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an agenda item provided written application on a prescribed form has been received by the Corporate Officer by 3:30 p.m. on the Wednesday prior to the meeting. Each address must be limited to 15 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (2) Where written application has not been received by the Corporate Officer as prescribed in subsection (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as prerequisite to the adoption of the bylaw.
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.

### Question Period

- 22(b). (1) During the Question Period, the public will be granted an opportunity to address Council after the presiding member has read a prepared statement regarding the conduct of the Question Period.
- (2) All questions must pertain to items that are ideally on the current Agenda or issues Council is presently dealing with or on any other issues that is of interest to the general public.
- (3) Question Period is limited to one (1) question per person until all persons in the gallery have had the opportunity to speak, then to a maximum of three (3) questions per person.
- (4) Each question must be limited to two (2) minutes, with a total of fifteen (15) minutes per Question Period.”
- (5) Council reserves the right to defer responding to a question in order to obtain the information required to provide a response.
- (6) Questions pertaining to litigation, legal, confidential matters or matters that were the subject of a concluded Public Hearing, will not be answered during Question Period.
- (7) Member of the public must use respectful language and must not use offensive gestures or signs. Member(s) of the public not adhering to this conduct will be asked to step away from the microphone by the presiding member. **(Bylaw 1315)**

### Manner of Address

23. (1) Members must address the presiding member by that person’s title of Mayor, Acting Mayor or Councillor.
- (2) Members must address other non-presiding members by the title of Councillor.

### Points of Order

24. (1) Without limiting the presiding member’s duty under section 132(1) of the *Community Charter*, 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 or authority if requested by another Council member,
- (b) another member must not question or comment on the rule or authority cite by the presiding member under subsection (1)(b),

- and
- (c) the presiding member may reserve the decision until the next Council meeting.

### **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) No member must interrupt a member who is speaking except to raise a point of order.
- (3) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (4) 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 132 of the Community Charter.
- (5) 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.
- (6) If a member does not adhere to subsection (5), 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.
- (7) 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.

- (8) 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**

26. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A Council member may make only the following motions, when the Council is considering a question:
  - (a) to refer to 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.
- (3) A motion made under subsections 2(c) to (g) is not amendable or debatable.
- (4) 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.
- (5) When a motion does not receive a seconder, the motion will not be debated and will not be recorded in the minutes of that meeting. **(Bylaw 1223)**

### **Motion for the Main Question**

27. (1) In this section, “main question”, in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
- (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, and
  - (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.
- (3) The decision of the presiding member as to whether the main question has been finally put shall be conclusive.

### **Amendments Generally**

28. (1) A Council 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 only once.
- (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 subsection 8(a) is positive;
- (c) the main question.

### **Reconsideration by Council Member**

Note: Mayor's right of reconsideration is found under section 131 of the *Community Charter*.

- 29. (1) Subject to subsection (4), 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.
- (2) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (3) A vote to reconsider must not be reconsidered.
- (4) Council may only reconsider a matter that has not:
  - (a) had the approval or assent of the electors and been adopted,
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*,
  - (c) been acted on by an officer, employee, or agent of the City.

### **Privilege**

- 30. (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 the 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.

### **Reports from Committees**

- 31. (1) Council may take any of the following actions in connection with a resolution it received from the Committee of the Whole:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to the Committee of the Whole;
- (d) postpone consideration of the resolution.

### **Adjournment**

32. (1) A Council may continue a Council meeting after 10:30 p.m. only by an affirmative vote of 2/3 of the Council members present. Extension to the meeting shall be limited to one-half hour and in no case shall go beyond 11:30 p.m.

## **PART 5 – BYLAWS**

### **Copies of Proposed Bylaws to Council Members**

33. (1) A proposed bylaw may be introduced at a Council meeting only:
- (a) if a copy of it has been delivered to each Council member; and
  - (b) it is on the agenda for the meeting
- unless all Council members unanimously agree to waive these requirements.

### **Form of Bylaws**

34. (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.

### **Reading and Adopting Bylaws**

35. (1) The presiding member of a Council meeting may:
- (a) have the Corporate Officer, or designate, read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

- (4) Subject to section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act*, 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**

36. (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 City's records for safekeeping and endorse upon it:
  - (a) the City'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 – RESOLUTIONS**

### **Copies of Resolutions to Council Members**

37. (1) A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of Resolution**

38. (1) A resolution introduced at a Council meeting must be printed and have a distinguishing number.



## PART 7 - COMMITTEE OF THE WHOLE

### Going into Committee of the Whole

39. (1) At any time during a council meeting, Council may by resolution go into Committee of the Whole.
- (2) In addition to subsection (1), a meeting, other than a 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 Committee of the Whole.
- (3) Committee of the Whole meetings will include a Question Period at the end of each Committee meeting to allow questions from the public in attendance. **(Bylaw 1304)**

### Notice for Committee of the Whole Meetings

40. (1) Subject to subsection (2) 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 the Public Notice Posting Place;  
and
- (b) leaving a copy of the notice for each Council member in the Council member's mailbox at City Hall.
- (2) Subsection (1) does not apply to a Committee of the Whole meeting that is called, in accordance with section 39, during a Council meeting for which public notice has been given under section 7 or 8.

### Minutes of Committee of the Whole Meetings to be Maintained and Available to Public

41. (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*.

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

42. (1) Any Council member may preside in Committee of the Whole.

- (2) The members of Council attending a meeting of Committee of the Whole must appoint a presiding member for the Committee of the Whole meeting.
- (3) The quorum of Committee of the Whole is the majority of Council members.

### **Points of Order at Meetings**

43. (1) The presiding member must preserve order at a Committee of the Whole meeting and, subject to an appeal to other members present, decide points of order that may arise.

### **Conduct and Debate**

44. (1) The following rules apply to Committee of the Whole meetings:
  - (a) a motion is not required to be seconded;
  - (b) a motion for adjournment is not allowed;
  - (c) a member may speak any number of times on the same question;
  - (d) a member must not speak longer than a total of 10 minutes on any one question.

### **Voting at Meetings**

45. (1) Votes at a Committee of the Whole meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

### **Reports**

46. (1) Committee of the Whole may consider reports and bylaws only if:
  - (a) they are printed and the members each have a copy, or
  - (b) a majority of the Council members present decide without debate that the requirements of subsection 1(a) do not apply.
- (2) A motion for Committee of the Whole to rise and report to Council must be decided without debate.

### **Rising without reporting**

47. (1) A motion made at a Committee of the Whole meeting 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 Committee of the Whole at a meeting constituted under section 39(1), the Council meeting must resume and proceed to the next order of business.

## **PART 8 – STANDING AND SELECT COMMITTEES**

### **Establishment**

48. Standing and Select Committees shall be established in accordance with Sections 141 and 142 of the *Community Charter*.
49. The Mayor is a member of all Standing and Select Committees.

### **Appointment of Members when Absent**

50. A member may be appointed to a Standing or Select Committee, even in his or her absence.

### **Election of Chairperson**

51. Unless otherwise provided by resolution or bylaw, every Standing and Select Committee shall elect a Chairperson.

### **General duties of Standing and Select Committees**

52. The general duties of standing committees of the Council shall be as follows:
  - (1) To consider and report to Council from time to time, or whenever desired by Council and as often as the interests 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 by Council in relation to those matters as the Committee deems necessary or expedient; and
  - (2) To carry out the instructions of Council expressed by resolution in regard to any matter referred by Council to a Committee for immediate action upon it, and the instructions of Council shall be specific, and to report its action in detail at the next regular or other meeting of Council thereafter, as specified in the instructions of Council; and
  - (3) In addition, to subsections (a) and (b), to carry out the duties and follow the procedure established by bylaw of Council.

### **Schedule of Committee Meetings**

53. (1) At its first meeting after its establishment a Standing or Select Committee must establish a regular schedule of meetings.

- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

### **Notice of Committee Meetings**

54. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
  - (a) posting a copy of the schedule at the Public Notice Posting Place:  
and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under subsection (2) to be given to all members of the committee at least 12 hours before the time of the meeting.

### **Attendance at Committee Meetings**

55. (1) Council members who are not members of a committee may attend the meetings of the committee, however shall not be allowed to vote, but may be allowed to take part in any discussion or debate by permission of a majority vote of the members of the committee.

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

56. (1) Minutes of the proceedings of a committee must be:
  - (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) signed by the chair or member presiding at the meeting,  
and
  - (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

### **Quorum**

57. (1) The quorum for a committee is a majority of all of its members.

### Conduct and Debate

58. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (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) A motion made at a meeting of a committee is not required to be seconded.

### Dissolving a Select Committee

59. A Select Committee shall, upon completion of its assignment, or upon submitting its report to the Council, be automatically dissolved.

### PART 9– GENERAL

60. 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.
61. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.
62. City of Castlegar Procedures Amendment Bylaw No. 901 is repealed.
63. City of Castlegar Procedures Bylaw No. 657 is repealed.

READ A FIRST TIME THIS 15th day of March, 2004.

READ A SECOND TIME THIS 15th day of March, 2004.

READ A THIRD TIME THIS 15th day of March, 2004.

ADOPTED THIS 5th day of April, 2004.

---

Pat Mawhinney  
Director of Corporate Services

---

Mike O'Connor  
Mayor

**List of Amending Bylaws**

1223	November 16, 2015
1304	October 7, 2019
1315	March 2, 2020
1334	August 31, 2020

**CONTENTS**

	<b><u>Page</u></b>
PART 1 – INTRODUCTION .....	1
Title .....	1
Definitions .....	1
Application of rules of procedure .....	2
PART 2 – COUNCIL MEETINGS .....	2
Inaugural Meeting .....	3
Time and location of meetings .....	3
Notice of Council Meetings .....	4
Notice of Special Meetings .....	4
Electronic Meetings .....	4
PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR .....	5
Member to Act in Place of the Mayor .....	5
PART 4 – COUNCIL PROCEEDINGS .....	5
<i>Community Charter</i> Provisions .....	5
Attendance of Public at Meetings .....	5
Minutes of Meetings to be Maintained and Available to Public .....	6
Calling Meeting to Order .....	6
Adjourning Meeting Where No Quorum .....	6
Agenda .....	7
Order of Proceedings and Business .....	7
Late Items .....	8
Voting at Meetings .....	8
Recording of Votes .....	9
Recess .....	9
Delegations .....	9
Questions Period .....	10
Manner of Address .....	10
Points of Order .....	10
Conduct and Debate .....	11
Motions Generally .....	12
Motion for the Main Question .....	13
Amendments Generally .....	13
Reconsideration by Council Member .....	14
Privilege .....	14
Reports from Committees .....	15
Adjournment .....	15

**CONTENTS**

	<b><u>Page</u></b>
PART 5 – BYLAWS .....	15
Copies of Proposed Bylaws to Council Members .....	15
Form of Bylaws.....	15
Reading and Adopting Bylaws .....	15
Bylaws Must be Signed .....	16
PART 6 - RESOLUTIONS.....	16
Copies of Resolutions to Council Members .....	16
Form of Resolution .....	16
PART 7 - COMMITTEE OF THE WHOLE.....	17
Going into Committee of the Whole.....	17
Notice for Committee of the Whole Meetings.....	17
Minutes of Committee of the Whole Meetings to be Maintained and Available to Public.....	17
Presiding members at Committee of the Whole Meetings and Quorum .....	17
Points of Order at Meetings .....	18
Conduct and Debate.....	18
Voting at Meetings.....	18
Reports .....	18
Rising Without Reporting.....	18
PART 8 – STANDING AND SELECT COMMITTEES.....	19
Establishment.....	19
Appointment of Members when Absent.....	19
Election of Chairperson .....	19
General duties of Standing and Select Committees.....	19
Schedule of Committee Meetings.....	19
Notice of Committee Meetings.....	20
Attendance at Committee Meetings.....	20
Minutes of Committee Meetings to be Maintained and Available to Public.....	20
Quorum .....	20
Conduct and Debate.....	20
Dissolving a Select Committee.....	21
PART 9 – GENERAL.....	21