

VILLAGE OF NAKUSP

BYLAW NO. 585, 2004

COUNCIL PROCEDURE BYLAW

Consolidated to include Bylaws 585-1, 585-2, 585-3, 585-4, 585-5, 585-6 and 585-7

PART 1 – INTRODUCTION

TITLE

1. This Bylaw may be cited as 'Council Procedure Bylaw No.585, 2004'.

DEFINITIONS

2. In this Bylaw:

'CAO' means the Chief Administrative Officer of the Village of Nakusp;

'Committee' means a standing, select or other committee of Council, but does not include COTW;

'COTW' means the Committee of the Whole Council;

'Council' means the Council of the Village of Nakusp;

'Mayor' means the Mayor of the Village of Nakusp;

'Public Notice Posting Place' means the notice board at the Village Office, and the Village of Nakusp website.; **(Amended by Bylaw 585-7, adopted March 12, 2018)**

'Village' means the Village of Nakusp;

'Village Office' means the Village office of the Village of Nakusp located at 91 1st Street NW, Nakusp, British Columbia. **(Amended by Bylaw 585-3, adopted May 27, 2008)**

APPLICATION OF RULES OF PROCEDURE

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, the New Robert's Rules of Order, 10th edition, 2000 apply to the proceedings of Council, COTW 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 a general local election, the first Council meeting must be held on the first Monday in November in the year of the election. **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (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 (1), the first Council meeting must be called by the CAO and held as soon as reasonably possible after a quorum has taken office.

TIME AND LOCATION OF MEETINGS

5. (1) All Council meetings must take place within the Village Office except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
 - a. be held on the second and fourth Monday of each month **(Amended by Bylaw 585-2, adopted January 9, 2007 and Bylaw 585-6 adopted January 13, 2014)**
 - b. begin at 6:30 pm
 - c. be adjourned at 9:00 pm on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with Section 124 **(Amended by Bylaw 585-3, adopted May 27, 2008)**
 - d. when such meeting falls on a statutory holiday, be held on the next day the Village Office is open following which is not a statutory holiday.
- (3) Regular Council meetings may:
 - a. be cancelled by Council
 - b. be postponed to a different day, time and place by the Mayor, provided the CAO is given at least 2 days written notice.

NOTICE OF COUNCIL MEETINGS

6. (1) In accordance with Section 127 of the *Community Charter*, Council must prepare annually on or before January 31st, 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 15th, of the time and duration that the schedule of regular Council meetings will be available beginning on January 31st in accordance with Section 94 of the *Community Charter*.
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the CAO 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

7. (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 day, hour and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
 - a. **(Deleted by Bylaw 585-3, adopted May 27, 2008)**
 - b. leaving one copy of the notice for each Council member in the Council member's mailbox at the Village Office and notifying the member by email or phone, and **(Replaced by Bylaw 585-7, adopted March 12, 2018)**
 - c. leaving one copy of the notice for each Council member in the Council member's mailbox at the Village Office and notifying member by phone.
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the CAO.

ELECTRONIC MEETINGS

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met
 - a. a special Council meeting may be conducted by means of audio electronic (telephone speaker-phone) or other communication facility if:
 - i. the Mayor requires, or
 - ii. the Council requires
 - 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 audio electronic or other communication facility if:
 - i. the meeting is a Special and/or Committee meeting, or
 - ii. the member is unable to attend because of sickness or business.
 - iii. Council Members are permitted to attend a maximum of 3 electronic meetings per year **(Amended by Bylaw 585-4, adopted October 14, 2008)**
- (2) The member presiding at a special Council or committee meeting must not participate electronically.
- (3) No more than one member of Council at one time may participate at a special Council or committee meeting under Section 8(1)b.
- (4) Council members participating electronically must be aware that they would not receive hand-outs presented at the meeting.

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

9. (1) Annually in November, 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. **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (2) Each Councillor designated under Section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under Section 9(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 Section 9(1) or chosen under Section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 – COUNCIL PROCEEDINGS

COMMUNITY CHARTER PROVISIONS

10. 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

11. (1) Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public. Those meetings that may be closed to the public if the subject matter being considered relates to or is one of more of the following:
 - a. personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - b. personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
 - c. labour relations or other employee relations;
 - d. the security of the property of the municipality;
 - e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - f. law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - g. litigation or potential litigation affecting the municipality;
 - h. an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
 - i. the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - j. information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
 - k. negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
 - l. discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98;
 - m. a matter that, under another enactment, is such that the public may be excluded from the meeting;
 - n. the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
 - o. the consideration of whether the authority under Section 91 should be exercised in relation to a council meeting.
- (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. COTW
 - b. standing and select committees
 - c. parcel tax review panel
 - d. board of variance
- (4) Despite subsection 11(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under Section 9 may expel or exclude from a Council meeting a person in accordance with Section 21(8).

MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

12. (1) Minutes of the proceedings of Council must be
 - a. legibly recorded
 - b. certified as correct by the CAO
 - c. signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Subject to Subsection 12(3), and in accordance with Section 97(1)(b) of the *Community Charter*, adopted minutes of the proceedings of Council must be open for public inspection at the Village Office during its regular office hours. **(Amended by Bylaw 585-3, adopted May 27, 2008)**
- (3) Subsection 12(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under Section 90 of the *Community Charter*.

CALLING MEETING TO ORDER

13. (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 9 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or Councillor designated as the member responsible for acting in the place of the Mayor under Section 9 do not attend within 15 minutes of the scheduled time for a Council meeting:
 - a. the CAO must call to order the members present, and
 - b. the members present must choose a member to preside at the meeting.

ADJOURN MEETING WHERE NO QUORUM

14. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the CAO must
 - a. record the names of the members present and those absent, and
 - b. adjourn the meeting until the next scheduled meeting.

AGENDA

15. (1) Prior to each Council meeting, the CAO must prepare an Agenda, in conjunction with the Mayor, setting out all the items for consideration at that meeting.
- (2) The deadline for submissions by the public to the CAO of items for inclusion on the Council Meeting Agenda is noon on the Wednesday prior to the meeting. **(Amended by Bylaw 585-3, adopted May 27, 2008) (Amended by Bylaw 585-7, adopted March 12, 2018)**
- (3) The CAO must make the Agenda available to the members of Council and the public on the Friday afternoon prior to the meeting. **(Amended by Bylaw 585-3, adopted May 27, 2008)**
- (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 17.
- (5) Agendas shall follow the format outlined as per Schedule 'A' of this Bylaw. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

ORDER OF PROCEEDINGS AND BUSINESS

16. (1) Unless otherwise specified in this Bylaw, the order of business for the regular meetings of Council shall be contained within the Agendas for the meetings. **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (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

17. (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 of adoption of the agenda.
- (2) If the Council makes a resolution under Section 19(1), information pertaining to the late item(s) must be distributed to the members.

VOTING AT MEETINGS

18. (1) The following procedures apply to voting at Council meetings:
 - a. when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - b. when the Council is ready to vote, the presiding member must put the matter to a vote by stating:
'Those in favour', and then
'Those opposed'; **(Amended by Bylaw 585-7, adopted March 12, 2018)**
 - 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; and
 - f. whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
 - g. the presiding member must declare the result of the voting by stating that the question is decided and is either carried or defeated; **(Amended by Bylaw 585-7, adopted March 12, 2018)**
 - h. if a Council member does not indicate how he or she votes, the member is deemed to have voted in the affirmative;
 - i. if the votes of the members present at a Council meeting at the time of the vote are equal for and against a motion, the motion is defeated.

DELEGATIONS

19. (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 has been received by the CAO by 4:00 pm on the Tuesday prior to the meeting. Delegations must submit a written copy of their presentation to the CAO by noon on the Wednesday prior to the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those members present. **(Amended by Bylaw 585-3, adopted May 27, 2008) (Amended by Bylaw 585-7, adopted March 12, 2018)**

- (2) Where written application has not been received by the CAO as prescribed in Section 19(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 a prerequisite to the adoption of the bylaw.
- (4) The CAO and Mayor may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
(Amended by Bylaw 585-7, adopted March 12, 2018)
- (5) The CAO 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 CAO's decision, the information must be distributed under separate cover to Council for their consideration.

POINTS OF ORDER

20. (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 cited by the presiding member under Subsection (2)(a), and
 - c. the presiding member may reserve the decision until the next Council meeting.

CONDUCT AND DEBATE

21. (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) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member
 - a. must immediately stop speaking,
 - b. may explain their position on the point of order, and
 - c. may appeal to Council for its decision on the point of order in accordance with Section 132 of the *Community Charter*.
- (7) Members speaking at a Council meeting
 - a. must use respectful language
 - b. must not use offensive gestures or signs
 - c. must speak only in connection with the matter being debated

- d. may speak about a previous vote of Council only for the purpose of making a motion that the vote be rescinded and only if the member voted in the affirmative on the previous vote, 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 **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (8) If a member does not adhere to Subsection (7)(e), the presiding member may order the member to leave the member's seat, and
 - a. if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - b. if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
 - (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
 - (10) 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 Mayor, 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 10 minutes only with the permission of Council. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

MOTIONS GENERALLY

- 22. (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 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 with Council's permission.
- (3) 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
- (4) A motion made under Subsections (3)(c) to (g) is not amendable nor debatable.
- (5) 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.
- (6) Any member of Council may, at any regular meeting of Council, give notice of a motion to be moved at the next regular meeting of Council, by reading to the Council at the time

of giving such notice, the text of the motion to be so moved, and giving to the CAO at that time a copy in writing of the said motion.

MOTION TO COMMIT

23. 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

24. (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.

AMENDMENTS GENERALLY

25. (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 for the vote of Council:
- a. a motion to amend a motion amending the main question;
 - b. the main question. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

RECONSIDERATION BY COUNCIL MEMBER

26. (1) Subject to subsection (3), 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 only reconsider a matter that has not
 - a. had the assent of the electors
 - 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 Village.
- (6) The conditions that applied to the adoption of the original bylaw, resolution or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution or proceeding that is reaffirmed under subsection (1) or Section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

PRIVILEGE

27. (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

28. Council may take any of the following actions in connection with a resolution it receives from COTW:
 - a. agree or disagree with the resolution;
 - b. amend the resolution;
 - c. refer the resolution back to COTW;
 - d. postpone its consideration of the resolution.

ADJOURNMENT

29. (1) A Council may continue a Council meeting after 8:30 pm only by an affirmative vote by a majority of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
 - a. a motion to adjourn to a specific day;
 - b. a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – BYLAWS

COPIES OF PROPOSED BYLAWS TO COUNCIL MEMBERS

30. A proposed bylaw may be introduced at a Council meeting only if a true 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 BYLAWS

31. A bylaw introduced at a Council meeting must:
- be circulated electronically and only printed upon request;
 - have a distinguishing name;
 - have a distinguishing number;
 - contain an introductory statement of purpose;
 - be divided into sections. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY

32. Council must consider a proposed bylaw at a Council meeting either:
- separately when directed by the presiding member or requested by another Council member, or
 - jointly when 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
- have the CAO read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - 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 447 of the *Local Government Act* (OCP adoption procedures), each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present. **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (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 Sections 447 and 480 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. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

BYLAWS MUST BE SIGNED

34. After a bylaw is adopted, and signed by the CAO and the presiding member of the Council meeting at which it was adopted, the CAO must have it placed in the Village's records for safekeeping and endorse upon it the Village's corporate seal.

PART 6 – RESOLUTIONS

COPIES OF RESOLUTIONS TO COUNCIL MEMBERS

35. A resolution may be introduced at a Council meeting only if a true 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

36. A resolution introduced at a Council meeting must be printed and will be given a distinguishing number in the Minutes.

INTRODUCING RESOLUTIONS

37. (1) The presiding member of a Council meeting may:
- a. have the CAO read the resolution, and
 - b. request a motion that the resolution be introduced.

PART 7 – COMMITTEE OF THE WHOLE

GOING INTO COMMITTEE OF THE WHOLE

38. (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 standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the Village's business, is a meeting of COTW.

NOTICE FOR COTW MEETINGS

39. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW 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 the Village Office and will be contacted by phone.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with Section 38, during a Council meeting for which public notice has been given under Section 6 or 7.

MINUTES OF COTW MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

40. (1) Minutes of the proceedings of COTW must be
- a. legibly recorded,
 - b. certified by the CAO,
 - c. open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.

PRESIDING MEMBERS AT COTW MEETINGS AND QUORUM

41. (1) The Mayor presides in COTW **(Amended by Bylaw 585-7, adopted March 12, 2018)**
- (2) The quorum of COTW is the majority of Council members. **(Amended by Bylaw 585-7, adopted March 12, 2018)**

POINTS OF ORDER AT MEETINGS

42. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

CONDUCT AND DEBATE

43. The following rules apply to COTW 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

44. (1) Votes at a COTW 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

45. (1) COTW may consider reports and bylaws only if
 - a. they are printed and the members each have a copy, and
 - b. the Council 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 CAO.

RISING WITHOUT REPORT

46. (1) A motion made at a COTW 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 COTW at a meeting constituted under section 38(1), the Council meeting must resume and proceed to the next order of business.

PART 8 – COMMITTEES AND THE MUNICIPAL REGIONAL DIRECTOR
(Amended by Bylaw 585-1, adopted September 14, 2016)

DUTIES OF THE MUNICIPAL REGIONAL DIRECTOR (Added by Bylaw 585-1, adopted September 14, 2016)

47. (1) a. The Municipal Regional District Director shall in accordance with Section 198 of the *Local Government Act*, be appointed by Council from among its members;
(Amended by Bylaw 585-7, adopted March 12, 2018)
- b. The term of office of a municipal director begins when that director takes the oath of office at RDCK and continues until the earlier of another director taking office in the original director's place, and November 30 in the year of a General Local Election;
(Amended by Bylaw 585-7, adopted March 12, 2018)
- c. As the municipal regional director is appointed by Council and not elected, the director's protocol is to express the opinion of Council at the Regional District Board Meetings, and while voting on issues that effect the Village of Nakusp where Council has established a position or opinion.
- d. The municipal director will seek the advice and instruction of Council on Regional District matters that involve budget or money bylaws, and is obligated to report accurately to Council, the agendas and minutes of Regional District business.

DUTIES OF THE MUNICIPAL STANDING COMMITTEES (Bylaw 585-1, adopted September 14, 2016 renumbered section 47(1) and (2) to 47(2) and (3))

47. (2) Standing committees must consider, inquire into, report and make recommendations to Council about all of the following matters:
- a. matters that are related to the general subject indicated by the name of the committee;
 - b. matters that are assigned by Council;
 - c. matters that are assigned by the Mayor.
- (3) 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 require by Council or the Mayor, or
 - ii. at the next Council meeting if the Council or Mayor does not specify a time.

DUTIES OF SELECT COMMITTEES

48. (1) Select committees must consider, inquire into, report and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

SCHEDULE OF COMMITTEE MEETINGS

49. (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

50. 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.

ATTENDANCE AT COMMITTEE MEETINGS

51. Council members who are not members of a committee may attend the meetings of the committee.

MINUTES OF COMMITTEE MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

52. Minutes of the proceedings of a committee must be
 - a. legibly recorded,
 - b. certified by the CAO
 - c. open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.

QUORUM

53. The quorum for a committee is a majority of all of its members.

CONDUCT AND DEBATE

54. (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.

VOTING AT MEETINGS

55. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 9 – GENERAL

61. 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.
62. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter*.
63. Village of Nakusp Procedure Bylaw No.548, 1999 is hereby repealed.
64. This bylaw comes into effect January 1, 2004.

READ A FIRST TIME THIS 27TH DAY OF NOVEMBER, 2003

READ A SECOND TIME THIS 27TH DAY OF NOVEMBER, 2003

READ A THIRD TIME THIS 27TH DAY OF NOVEMBER, 2003

RECONSIDERED AND FINALLY ADOPTED THIS 11TH DAY OF DECEMBER, 2003

MAYOR

CAO

Consolidated March 13, 2018 to include Bylaws: 585-1, 585-2, 585-3, 585-4, 585-5, 585-6 and 585-7

Laurie Taylor
CAO

(Bylaw 585-3, adopted May 27, 2008 replaced Schedule A)
(Bylaw 585-7, adopted March 12, 2018 replaced Schedule A)

SCHEDULE "A"

A G E N D A (1st Meeting Template)

**FOR THE REGULAR MEETING OF COUNCIL
TO BE HELD MONDAY, AT 6:30 P.M.**

CALL TO ORDER

INTRODUCTION OF LATE ITEMS

- A. AGENDA APPROVAL**
- B. MINUTES**
- C. DELEGATIONS, PETITIONS, PRESENTATIONS**
- D. BUSINESS ARISING FROM THE MINUTES**
- E. UNFINISHED BUSINESS**
- F. REPORTS FROM COMMITTEES**
 - Mayor
 - Councillors
 - Committee of the Whole
- G. BY-LAW APPROVAL**
- H. NEW BUSINESS**
- I. INFORMATION**
- J. INQUIRIES BY COUNCIL OF ADMINISTRATION**
- K. NOTICE OF MOTION**
- L. QUESTIONS FROM THE PRESS AND PUBLIC**
- M. NOTICE OF IN-CAMERA MEETING**
- N. ITEMS BROUGHT FORWARD FROM IN CAMERA**
- O. ADJOURNMENT**

AGENDA

(Template for 2nd Meeting)

FOR THE REGULAR MEETING OF COUNCIL TO BE HELD MONDAY, AT 6:30 PM

CALL TO ORDER

INTRODUCTION OF LATE ITEMS

- A. AGENDA APPROVAL**
- B. MINUTES**
- C. DELEGATIONS, PETITIONS, PRESENTATIONS**
- D. BUSINESS ARISING FROM THE MINUTES**
- E. UNFINISHED BUSINESS**
- F. REPORTS FROM ADMINISTRATION**
 - CAO
 - Director of Operations
 - Director of Recreation and Parks
 - Fire Chief
- G. BYLAW APPROVAL**
- H. NEW BUSINESS**
- I. INFORMATION**
- J. INQUIRIES BY COUNCIL OF ADMINISTRATION**
- K. NOTICES OF MOTION**
- L. QUESTIONS FROM THE PRESS AND PUBLIC**
- M. NOTICE OF IN-CAMERA MEETING**
- N. ITEMS BROUGHT FORWARD FROM IN CAMERA**
- O. ADJOURNMENT**