

TOWN OF GOLDEN
BYLAW NUMBER 1323, 2013
COUNCIL PROCEDURE

Being a bylaw to regulate the planning and proceedings of Meetings and associated activities of the Town of Golden Council and its committees

The Council of the Town of Golden, in open Meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

PART 1 – INTRODUCTION

A. CITATION

1. This Bylaw may be cited for all purposes as “*Town of Golden Council Procedure Bylaw No. 1323, 2013*”.

B. DEFINITIONS

In this bylaw:

“Chair” means the Mayor, Acting Mayor, or other Member who is Chairing a Meeting.

“Closed Meeting” means a Meeting that, by resolution of Council pursuant to the *Community Charter* or other authorizing legislation, is not open to the public and staff, other than the corporate officer or other employees or individuals permitted by Council in accordance with s.91 of the *Community Charter*.

“Committee” means a select or standing committee of Council as established in accordance with the *Community Charter*.

“Corporate Officer” means the person designated by Council, pursuant to s.148 of the *Community Charter*, by name of office or otherwise to act in the place of the Corporate Officer.

“Council” means the Council of the Town of Golden.

“Councillor” means a Member of Council other than the Mayor.

“Inaugural Meeting” means the first Meeting of a Council following a local general election.

“Mayor” means the Mayor of the Town of Golden.

“Meeting” means a legally convened congregation of a Presiding Body to which this bylaw applies.

“Member” means a Member of Council or a Committee.

“Presiding Body” means the sum of Members comprising either Council or a Committee to which this bylaw applies.

“Public Notice Posting Place” means the bulletin boards located outside the Council Chambers entrance and in the main entrance foyer to Town Hall located at 810 9th Avenue South; the Town of Golden’s corporate website; and the Town of Golden’s corporate social media site.

“Regular Meeting” means a Meeting that has been noted on the annual Meeting schedule in which a Presiding Body conducts its business.

“Special Meeting” means a Meeting that is held pursuant to ss. 126 and 127 of the *Community Charter*, and is extraordinary to a Regular Meeting.

“Staff Liaison” means that person appointed to carry out duties on behalf of the Corporate Officer associated with Meeting the requirements of Part 5 of this bylaw.

C. APPLICABILITY

2. The provisions of this bylaw govern the proceedings of the Council including its Committees as applicable unless otherwise provided for in Part 5 of this bylaw.
3. In cases not provided for under this bylaw, the latest edition of *Robert’s Rules of Order* applies to the proceedings to the extent that those rules are:
 - (a) applicable in the circumstances and,
 - (b) not inconsistent with provisions of the *Community Charter*, this bylaw, and any associated corporate policy governing Council Meeting procedures.

PART 2 – MEETING SCHEDULES AND NOTICES

D. SUBSTANTIVE PROVISIONS

Location and Duration

4. All Meetings listed in this bylaw shall:
 - (a) be held in the Council chambers at the Town Hall unless Council or a Committee otherwise determines; and,
 - (b) shall be held no longer than 4 hours on the day scheduled for the Meeting unless resolved by majority vote to proceed beyond that time.

Regular Meetings of Council

5. The Corporate Officer will prepare and give notice annually on or before December 31st, of a schedule of the dates, times, and places of Regular Meetings for the next calendar year and must make the schedule available to the public by posting it at the Public Notice Posting Place and publishing it in the local newspaper in accordance with s. 94 of the *Community Charter* at least once per year.
6. The Corporate Officer will prepare and give notice annually on or before December 31st a listing of Councillor appointees and alternates to established Council committees, external boards, and as community liaisons to other local committees by posting such listing at the Public Notice Posting Place.
7. If revisions are necessary to the annual schedule of Regular Meetings, the Corporate Officer will, as soon as possible, post a notice at the Public Notice Posting Place and

publish it in the newspaper to indicate any revisions to the date, time, duration and place of, or cancellation of a Regular Meeting.

8. At least 72 hours prior to a Regular Meeting, the Corporate Officer will post a public notice at the Public Notice Posting Place, containing the date, time, place, and agenda for the Meeting.
9. Regular Meetings will be held twice monthly, and unless specifically re-scheduled or cancelled for reasonable purposes:
 - (a) will be held on the first and third Tuesday of each month except:
 - (i) January, in which Regular Meetings will be held the second and fourth Tuesdays;
 - (ii) July and August, in which only the third Tuesday Meeting will be held.
 - (b) the first Regular Meeting of the month will begin at 7:00 p.m. and the second Regular Meeting of the month (including those held in July and August) shall begin at 1:15pm unless otherwise resolved;
 - (c) be immediately recessed after being legally held when a Public Hearing is required, and reconvene immediately after the close of the Public Hearing.

Other Meetings

10. Following a general local election, the Inaugural Meeting of Council will be held on the first Tuesday of December following the election.
11. Select Committee, Special, and Closed Meetings will be scheduled as required providing that sufficient notice is undertaken by the Corporate Officer as provided for or unless otherwise resolved per s. 127 of the *Community Charter*.
12. Standing Committee Meetings unless specifically re-scheduled or cancelled for reasonable purposes
 - (a) will be held as required on either the second or fourth Tuesday of a given month and,
 - (b) be convened between 10:00am and 3:00pm.
13. Notwithstanding s. 126 (1) of the *Community Charter*, Special Meetings of Council shall generally be requested of the Mayor by the Corporate Officer.

PART 3 – MEETING FRAMEWORK

Order and Quorum

14. If a quorum of Council is present but the Mayor or Acting Mayor do not attend within 30 minutes of the scheduled time for a Council Meeting:
 - (a) The Corporate Officer will call to order the Members present; and
 - (b) the Members present must choose a Member to preside at the Meeting.

15. If there is no quorum of Council present within 30 minutes of the scheduled time for a Council Meeting, the Corporate Officer must:
 - (a) record the names of the Members present, and those absent and,
 - (b) adjourn the Meeting until the next scheduled Meeting.
16. Meetings may be re-scheduled or cancelled by majority vote of the Presiding Body to which they apply.
17. Any Meeting not legally convened within 30 minutes of its scheduled start time, despite having met quorum requirements:
 - (a) subject to subsection (b) shall be cancelled or re-scheduled;
 - (b) may by unanimous vote of all Council Members present, delay the Meeting start time by an additional 30 minutes only.
18. Attendance by Members to a Meeting electronically is permitted in accordance with s.128 of the *Community Charter*.
19. Unless otherwise determined by resolution, the Chief Administrative Officer, the Corporate Officer, and the Council Clerk will be approved as being present at all Special Meetings.

Duties of the Chair

20. The authority of the Chair shall be recognized by Members per s.132 of the *Community Charter* regarding the preservation of order.
21. The Chair will:
 - (a) open a Meeting of Council by taking the Chair and calling the Members to order;
 - (b) announce the business before Council in the order in which it is to be acted on;
 - (c) receive and submit, in proper manner, all motions presented by Members;
 - (d) put to a vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and announce the result;
 - (e) decline to put to vote motions which infringe on the rules of procedure;
 - (f) inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;
 - (g) ensure that the decisions of Council are in conformity with the laws and bylaws governing the activities of the Council;
 - (h) close the Meeting when the business is concluded; and,
 - (i) adjourn the Meeting without question in the case of grave disorder arising in the Council chamber.

Appointment of Acting Mayor

22. Before December 31st of each year, the Council must, in respect of the ensuing calendar year, designate from among its Members, Councilors to act 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.

23. Each Councillor so designated must fulfill the responsibilities of the Mayor in his or her absence, including as Chairing of all Meetings at which the Mayor would normally preside.

Order of Business (Agendas)

24. Prior to each Meeting, the Corporate Officer or designated Staff Liaison will 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.
25. The order of business for each Meeting type is described in Schedule 'A' and attached herewith as a part of this bylaw.

Assembling the Order of Business

26. The Corporate Officer will typically publish a Regular Meeting Agenda on the Friday afternoon prior to the Meeting.
27. The deadline for submissions by the public or by Members to the Corporate Officer of items for inclusion on a Regular or Standing Committee Meeting Agenda is 12:00 pm (noon) on the Wednesday prior to the Meeting.
28. An agenda item submitted after the deadline is deemed to be late. If an agenda item submitted by a Member is submitted:
 - (a) after the deadline, but prior to agenda publication, it will be listed under New Business on the agenda;
 - (b) after agenda publication, but no later than 4 hours prior to the Meeting, it will be listed under Late Items on the agenda and require a majority vote of the Members to address it under New Business; and,
 - (c) within 4 hours of the start of the Meeting, it must be proposed under Late Items on the agenda and shall require a 2/3 vote of the Members to address it under New Business.
29. Materials relating to late items presented at a Council Meeting will be distributed to the Members, Corporate Officer, the Council Clerk, and all senior staff in attendance.

Absence of Sponsoring Member

30. Council may not proceed with an item of business on the agenda in the absence of the Member at whose request the item was placed on the agenda unless:
 - (a) written consent of the absent Member is presented to the Chair of the Meeting; or
 - (b) Council resolves by majority vote to proceed with that item of business despite the absence of that Member.

External Correspondence and Requests

31. All external correspondence presented to Council must be legibly written or printed, signed and contain a return address. Unsigned email correspondence will be accepted if it contains the name, return mailing and civic address, and telephone number of the author.

Confidentiality of Correspondence

32. All correspondence to and by Council Members related to the business of the Town is subject to being reviewed by the Town's officer appointed as head for the purposes of the *Freedom of Information and Protection of Privacy Act*. Subject to that Act, and any orders of an information and privacy commissioner or the court, correspondence to Council containing "personal information" within the meaning of that Act, will exclude the residential address and personal contact information of an individual resident that may appear in such correspondence

Delegations

33. Persons desiring to present information on matters of fact or make a request of Council or a Committee in person shall make application, by means acceptable to the Corporate Officer, by 12 noon on the Wednesday prior to a Regular Meeting.
34. The Corporate Officer shall advise the presenter or the spokesperson of the date of the Meeting at which the delegation may appear.
35. Where a request has not been received by the Corporate Officer from a delegate, the individual or delegation may address the Meeting if approved by a unanimous vote of all Members present.
36. The request by a delegate to the Corporate Officer must provide a detailed synopsis of the request to appear before Council, outlining the reasons, the desired resolution and the activities to date relative to the matter and identify the person who will make the presentation. Subject to a majority vote of Council, a maximum time of fifteen (15) minutes will be allowed per delegation. A maximum of two (2) delegations may be received per Council Meeting.
37. A delegation may not address a Meeting of Council regarding a bylaw in respect of which a statutory public hearing has been held until a final vote is taken, if the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw, unless Council first resolves to hold another public hearing on the bylaw.
38. The Corporate Officer may refuse to place a delegation on the agenda, a decision which the delegation may appeal to the Mayor or Acting Mayor, if the matter is:
 - (a) not considered to fall within the jurisdiction of the Presiding Body;
 - (b) considered operational or administrative by nature;
 - (c) considered as previously dealt with or closed by Council;
 - (d) considered vexatious, spurious, or frivolous.

39. Matters presented to Council by a delegation shall be taken under advisement and no action shall be taken upon such matters at the Meeting in which they are presented, provided that:
- (a) the matters may be referred to the New Business section of the agenda for consideration by a 2/3 majority vote of all Members present; and,
 - (b) the matters, if requiring a determination of Council, shall appear under the New Business section of the agenda at the next Regular Meeting.

Question Period

40. The mayor shall entertain questions from the gallery to council provided that:
- (a) determination of the length of time spent on this item, and acceptance of the type and number of questions are at the mayor's discretion;
 - (b) questions shall be associated with items on the current agenda; and,
 - (c) questions not policy oriented may be referred to staff to address at another place and time.

Minutes

41. The minutes of the Meetings of Council must record:
- (a) the place, date and time of Meeting;
 - (b) the name of the Mayor, Councilors and staff in attendance;
 - (c) the adoption and correction, if necessary, of the minutes of prior regular or special Meetings, as the case may be;
 - (d) the names of makers and seconds' of motions;
 - (e) the status of motions;
 - (f) certification by the Corporate Officer as to correctness; and,
- shall be signed by the Mayor or other Member presiding at the Meeting or at the next Meeting at which the minutes are adopted.
42. The minutes of Meetings of Council will not record withdrawn Motions or discussion of council and the gallery during Question Period.
43. When a Member arrives late or leaves the Council Meeting place during a Meeting, the Member's absence will be recorded in the minutes for the period the Member is absent from the Meeting place.
44. On split or tie votes, the minutes shall record the names of those Members representing either side of the vote.
45. Minutes of Meetings excepting Closed Meetings will be open for public inspection at municipal hall during its regular office hours.

PART 4 – RESOLUTIONS AND DECISION MAKING

Resolutions

46. A resolution is passed by way of the following procedure, and as may be necessary, in accordance with further parliamentary procedure and rules of debate established by Town of Golden Corporate Policy in relation to this bylaw:
- (a) A Member makes a motion;
 - (b) Another Member seconds the motion;
 - (c) The Chair states the motion;
 - (d) The Members debate the question;
 - (e) The Chair puts the question to a vote; and,
 - (f) The Chair announces the result of the vote and the next item of business.

General Provisions of Parliamentary Procedure

47. Exercise of power by resolution or bylaw and voting rules are in accordance with ss. 122 and 123 of the *Community Charter*.
48. Terms and conditions of parliamentary procedure and rules of debate are contained in Town of Golden Corporate Policy associated with this bylaw.
49. Notwithstanding s. 48 (above) the following general provisions apply:
- (a) Informal Discussion is deemed to be in effect at all times until such time a motion is made.
 - (b) Every Member prior to speaking to any question or motion will address the Chair. When two or more Members wish to speak, the Chair will designate the Member who has the floor.
 - (c) When a Member is speaking, no other Member may interrupt him or her except to raise a question of privilege, an incidental motion as permitted by associated policy, or unless the other Member expressly consents.
 - (d) The limit of debate on a motion shall be 20 minutes unless otherwise resolved.
 - (e) No Member may speak more than 3 times in relation to a motion.
 - (f) No Member may speak further to a question following the closure of debate.
 - (g) All Members shall observe and adhere to Conflict of Interest provisions in accordance with ss. 100 and 101 of the *Community Charter* as applicable.
 - (h) After a motion is read or stated by the Chair it is deemed to be in possession of the Council but may be withdrawn by the maker of the motion at any time before it has been amended or voted on by Council.
 - (i) If the Chair considers that a motion is contrary to a bylaw, the *Community Charter* or another enactment, or is otherwise contrary to law, the Chair must inform the Council at once and may refuse to put the question to a vote, subject to receiving legal advice if Council by a majority so resolves. On the request of a Member, the Chair must give reasons for such refusal at once.

- (j) Without limiting the authority of the mayor to require reconsideration of a matter in accordance with s. 131 of the *Community Charter*, a Member who voted with the majority either for or against a motion may, at any time within the same Meeting or within the next Regular Meeting, introduce a motion to reconsider the motion including the defeat of a motion, provided that:
 - i. reconsideration cannot be applied to a previous motion to postpone indefinitely; or
 - ii. the motion has not been acted on irreversibly by an officer, employee, or agent of the Town.
- (k) A motion under paragraph may be proposed only once and if defeated, the subject matter of the resolution or proceeding will not be open for consideration by the Council within 6 months from that date except by way of a new and substantially different motion.

Bylaws

50. Bylaws are passed in the following manner and in accordance with procedure described in accordance with s. 135 of the *Community Charter*.
- (a) The readings of bylaws and the adoption of bylaws are dealt with on a motion put by a Member and seconded by another Member.
 - (b) The readings of a proposed bylaw may be given in a short form by title or by reference to the bylaw number, provided a copy of the proposed bylaw has been included in the agenda or made available for viewing.
 - (c) Unless Council otherwise resolves, before Council considers any proposed bylaw, the Corporate Officer will provide each Member with a copy of the proposed bylaw.
 - (d) Council may postpone consideration of a bylaw following a vote on any reading.
 - (e) The dates of readings and adoption and the dates any applicable statutory requirements were fulfilled will appear at the end of each bylaw.
 - (f) The Council Member presiding at the Meeting at which a bylaw was adopted and the Corporate Officer must sign the adopted bylaw.

PART 5 – COMMITTEES

Procedures Governing Committees of Council

51. The rules of procedure and order which govern regular Council Meetings govern every Committee Meeting, excepting that:
- (a) The number of times a Member may speak on any matter is not limited.
52. A committee must meet when:
- (a) its Chair so directs;
 - (b) the Mayor so directs;
 - (c) directed to meet by resolution of the Council; or

- (d) a majority of the Members of the committee resolve to meet.
- 53. The committee Chair must give at least 48 hours notice of a Meeting to the Members of the committee when the Meeting is called.
- 54. If the committee wishes to present a written report to a Regular Meeting of Council, its Chair must deliver the report to the Corporate Officer by noon on the Wednesday before the next Regular Meeting and the Corporate Officer will include the report on its Agenda.
- 55. A select committee is dissolved in accordance with its terms of reference and upon delivering its report to the Council unless:
 - (a) the committee’s report is delivered as an interim report for the information of the Council, or
 - (b) Council resolves to request the committee to consider or enquire into a further matter and to report its findings to the Council.

PART 6 – GENERAL

56. Unless otherwise provided in this bylaw, words and phrases used herein have the same meanings as in the Community Charter as the context and circumstances may require. A reference to a statute in this bylaw refers to a statute of the Province of British Columbia and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time. In the event that this bylaw is inconsistent with the *Community Charter* or other governing statute, the statute prevails. If any portion of this bylaw is found invalid by a decision of a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

Repeal


57. *Town of Golden Council Procedure Bylaw No. 1317, 2012* and all amendments thereto is hereby repeal in its entirety.

READ A FIRST TIME THIS 21ST DAY OF MAY , 2013.

READ A SECOND TIME THIS 21ST DAY OF MAY , 2013.

READ A THIRD TIME THIS 21ST DAY OF MAY , 2013.

ADOPTED THIS 4TH DAY OF JUNE , BY A UNANIMOUS DECISION OF ALL MEMBERS OF TOWN COUNCIL PRESENT AND ELIGIBLE TO VOTE.



 MAYOR



 CORPORATE OFFICER

TOWN OF GOLDEN
BYLAW NUMBER 1323, 2013
COUNCIL PROCEDURE
SCHEDULE 'A' –ORDER OF BUSINESS FOR MEETINGS

A. Inaugural Meeting

- Call to Order
- Procession
- Oh Canada
- Introduction of Oath Administrator
- Administration of Oaths of Office
- Mayor Inaugural Address
- Appointment of Regional District Board Representative
- Presentation of Service Awards
- Adjournment

B. Regular Meeting

- Call to Order
- Recess
- Reconvene
- Late Items
- Adoption of Meeting Agenda
- Adoption of Minutes
- Business Arising from Minutes
- Delegations
- Correspondence
 - External
 - Internal
 - Outgoing
- Reports from Council
- Reports from Committees
- Reports from Staff
 - Chief Administrative Officer
 - Corporate Services Department
 - Financial Services Department
 - Operations Department
 - Development Services Department
 - Recreation Services Department
 - Fire Rescue Services Department
- Bylaws
- New Business
- Question Period
- Recess to Closed Meeting
- Reconvene Open Meeting

SCHEDULE 'A' –ORDER OF BUSINESS FOR MEETINGS (continued)

Reports from Closed Meeting
Adjournment

C. Special (Open) Meeting

Call to Order
Adoption of Meeting Agenda
Delegations
Reports from Committees
Reports from Staff
Bylaws
Adjournment

D. Special (Closed) Meeting

Call to Order
Exclusion of the Public
Adoption of Meeting Agenda
Invitation of Guests
Adoption of Minutes
Business Arising from Minutes
Reports from Committees
Reports from Staff
Adjournment

E. Committee Meeting

Call to Order
Late Items
Adoption of Meeting Agenda
Adoption of Minutes
Business Arising from Minutes
Delegations
Correspondence
Reports
New Business
Recess to Closed Meeting
Reconvene Open Meeting
Reports from Closed Meeting
Adjournment