

THE CORPORATION OF THE VILLAGE OF MONTROSE

**BYLAW # 612**

A BYLAW TO REGULATE THE PROCEDURES OF COUNCIL MEETINGS.

**PREAMBLE**

It is the purpose of this Bylaw to implement rules of order and guidelines for the orderly conduct of meetings of the Council of the Village of Montrose. With the adoption of this Bylaw, the Council of the Village of Montrose endorses Sir John Bourniot's Principles of Parliamentary Law:

*To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every Member to express his opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.*

WHEREAS section 124 of the *Community Charter* SBC Chapter 26 requires the Council of the Village of Montrose to establish general procedures to be followed by Council and Council Committees in conducting their business,

NOW THEREFORE, the Council of the Village of Montrose, in open meeting assembled, hereby ENACTS AS FOLLOWS:

**SHORT TITLE**

1. (1) This Bylaw may be cited as the "**COUNCIL PROCEDURES BYLAW (2004)**".

**REGULAR COUNCIL MEETINGS**

2. (1) All meetings of Council shall be governed by *Robert's Rules of Order*, and as further regulated in this Bylaw.
3. (1) The Clerk, or in the absence of the Clerk the Deputy Clerk or person appointed by Council resolution to the position of Acting Clerk shall be responsible for the taking of minutes of all Council minutes.
  - (2) For the purpose of this Bylaw, the minutes of a Council meeting shall consist of:
    - (a) the name of all members of Council and staff attending the Council meeting;
    - (b) the date and place of the Council meeting, and the times at which the meeting was called to order and when the meeting was adjourned;
    - (c) the names of all persons making a verbal presentation to Council;
    - (d) a verbatim record of all Council resolutions,
    - (e) when requested by one or more members of Council, the voting decision of each member of Council;
    - (f) a summary description of all reports, memoranda, letters, and other documents considered by Council at the meeting;
    - (g) a summary description of all verbal reports presented by members of Council and staff;
    - (h) without limiting the general intent of this section, the minutes of a Council meeting are not, and shall not be perceived as a verbatim record of all words spoken by members of Council in the course of a meeting.
4. (1) Public notices required to be posted pursuant to the *Community Charter* or the *Local Government Act* shall be posted on the Village Office bulletin board in the lobby of the Village Office and the community bulletin board located in the Post Office parking lot.

5. (1) Council shall, by resolution on or before the last regularly scheduled meeting in each year, designate Councillors to act in the place of the Mayor during the absence of the Mayor on a monthly rotation basis for the following year.
  - (2) When a Councillor is absent at a time when he or she has been designated to act in the place of the Mayor, the Councillor next in line in the acting Mayor rotation and present at the time shall act in the place of the Mayor during the absence of the regularly scheduled Councillor acting in that capacity.
  - (3) For the purpose of this section the Mayor or a Councillor acting in the capacity of the Mayor shall be deemed to be absent when he or she is not present at a meeting of Council, a meeting of a Committee of Council, or at a function or event at which the Mayor would, if he or she were present, represent the Council or the municipality.
6. (1) The first regular meeting of Council shall be held on the first Tuesday in the month of December following a general election.
  - (2) Following the first regular meeting, the Council shall hold a regular meeting on the first and third Tuesday of every month.
  - (3) All meetings of Council shall be held in the Council Chambers of the Village Office, at 565 – 11<sup>th</sup> Avenue in Montrose.
  - (4) Council may suspend or reschedule a regular meeting by resolution if:
    - (a) the date of a regular meeting falls on a statutory holiday, or
    - (b) the date of a regular meeting coincides with the date of a meeting or an event deemed by Council to be of such importance as to warrant the suspension or rescheduling of a regular meeting.
  - (5) Notwithstanding sub-section (4) of this section, Council shall hold not less than one regular meeting in each month, such meeting being on a regularly scheduled date (first or third Tuesday in each month) or on such other day as may be necessary to ensure attendance by a quorum of Council.
7. (1) Regular Meetings of Council shall be called to order at 7:00 PM or, if no quorum is present at that time, as soon as a quorum is assembled. Where no quorum is present at 7:15 PM, the meeting shall be deemed canceled.
  - (2) Subject to the meeting extension provisions of this section, Regular Meetings shall be adjourned not later than 10:00 PM.
  - (3) Where the business of a Regular Meeting is not concluded at 10:00 PM, the Mayor, at his discretion, may order an extension of the meeting and call for the meeting to be adjourned not later than 10:15 PM.
  - (4) Where the business of a Regular Meeting is not concluded at 10:00 PM, Council may, by resolution, extend the meeting to 10:30 PM.
  - (5) In lieu of extending a Regular Meeting, or where Council fails to approve a resolution to extend a regular meeting, the Mayor may refer the unfinished business to the next Regular Meeting.
8. (1) Not later than 4 p.m. on Friday preceding a Regular Meeting of Council, the Clerk shall cause:
    - (a) a copy of the agenda for the Regular Meeting in the form set out in Schedule 'A' attached to, and forming part of this Bylaw to be posted on the bulletin board in the Village Office;
    - (b) a copy of the agenda including supporting documents to be placed on the desk of each member of Council in the Council Chambers at the Village Office; and
    - (c) copies of the agenda to be available to members of the public at the Village Office.
  - (2) The Clerk shall issue a "Revised Agenda" if a matter of an urgent or

pressing nature is added to the agenda after 4:00 p.m. on Friday preceding a Regular Meeting.

### **SPECIAL COUNCIL MEETINGS**

9. (1) Council may hold a Special Meeting to deal with any matter.
- (2) Notice of a special meeting shall be issue pursuant to section 127 of the *Community Charter*.
- (3) The requirement to record, and the procedure for recording, the minutes of a special meeting shall be as established in section 3 of this Bylaw.

### **IN CAMERA COUNCIL MEETINGS**

10. (1) Subject to the limitations of section 90 of the *Community Charter* Council may hold a Special Council Meeting that is closed to the public.
- (2) Persons other than members of Council and officers of the Village shall be excluded from an *In Camera* Council Meeting, unless otherwise specifically authorized by Council resolution.
- (3) Notice of an *In Camera* Council Meeting shall be issued pursuant to section 127 of the *Community Charter*.
- (4) The requirement to record, and the procedure for recording, the minutes of *In Camera* Council Meetings shall be as established in section 3 of this Bylaw.

### **ELECTRONIC COUNCIL MEETINGS**

11. (1) For the purpose of this Bylaw the term "Electronic Council Meeting" shall mean a Special Council Meeting as defined in section 9 of this Bylaw, but where one or more members is (are) not present at the Council Chamber designated in section 6(3) of this Bylaw.
  - (2) Council may hold an Electronic Council Meeting when a matter requires a resolution of Council and a quorum of Council cannot be assembled for a Regular Meeting or a Special Meeting at the Council Chamber in time to meet a deadline attached to the matter.
  - (3) Members of Council not present at the designated meeting location, but in voice communication with members of Council at the Council Chamber or at any other location shall be deemed to be present for the purpose of establishing a quorum for an Electronic Council Meeting.
12. (1) The Clerk shall record in the minutes of an Electronic Meeting the physical location of members of Council participating by means of voice communication.
  - (2) The Clerk shall recite the complete text of any document presented at an Electronic Council Meeting unless all members not physically present at the meeting confirm for the record that they are in possession of a copy of such document at their location and at the time of the meeting.
  - (3) Voting at an Electronic Council Meeting shall be performed by roll call, and when the Mayor (or Acting Mayor) calls out a Council Member's name that Council Member shall indicate his or her vote. All votes taken at an Electronic Council Meeting shall be recorded votes.
13. (1) An Electronic Council Meeting shall not be held unless a speaker telephone is installed and operational in the Council Chambers.
  - (2) If two or more members of Council not present at the Council Chambers participate by telephone in an Electronic Council Meeting, the telephone connection shall be established in the form of a "conference call" such that each Council Member may speak and may be heard by all other Council Members at all time during the meeting.
14. (1) Matters to be dealt with pursuant to section 10 of this Bylaw shall not be dealt with in an Electronic Council Meeting.

## COMMITTEE MEETINGS

15. (1) A Committee-of-the-Whole meeting may be called by the Mayor or any two members of Council for the purpose of considering any Village matter.
- (2) Notice of a committee meeting shall be issued not less than twenty-four hours prior to the meeting.
- (3) Terms of reference for ad hoc, special and standing committees or task forces may be established by Council resolution.
- (4) The Mayor may appoint members to ad hoc, special or standing committees or task forces.

## MINUTES

16. (1) The Clerk, or the Deputy Clerk, or a person appointed by Council to serve as Acting Clerk, shall be responsible for the taking and certifying of minutes of regular, special, *in camera*, and committee-of-the-whole meetings of Council, and all minutes.
- (2) The minutes of regular, special, and committee-of-the-whole meetings shall be placed on the agenda of the next regular meeting for adoption by Council.
- (3) The minutes of an *in camera* meeting shall be placed on the agenda of the next *in camera* meeting for adoption by Council.
- (4) Minutes and reports of ad hoc, special or standing committee or task force meetings shall be presented at the next following regular meeting of Council, or as otherwise directed by the terms of reference established pursuant to this section.
- (5) Draft minutes of regular, special, and committee-of-the-whole meetings shall be available to the public at the Village Office (565 – 11<sup>th</sup> Avenue, Montrose) on the second day following the meeting.

## AGENDA

17. (1) The business of every Regular Meeting of Council shall follow an agenda prepared in the form outlined in Schedule "A" attached to and forming part of this Bylaw.
- (2) The business of every Special *in camera* Meeting of Council shall follow an agenda prepared in the form outlined in Schedule "B" attached to and forming part of this Bylaw.
- (3) The agenda for a Regular Meeting of Council shall be closed at noon on the Friday immediately preceding the meeting, and no item shall be added to or be deleted from the agenda following closure of the agenda, unless such addition or deletion is approved by resolution.
- (4) The Clerk shall provide a copy of the agenda, and supporting documents, to each member of Council on Friday preceding the meeting at the Village Office (565 – 11<sup>th</sup> Avenue, Montrose).

## ADOPTION OF BYLAWS

18. (1) The procedure for the adoption of bylaws shall be as follows:
  - (a) A resolution stating: "That Bylaw # ..., cited as the ... be now introduced and read a first time."
  - (b) A resolution stating: "That Bylaw # ..., cited as the ..., having been given due and detailed consideration by Council, be now read a second time."
  - (c) A resolution stating: "That Bylaw # ..., cited as the ..., be now read a third time."
  - (d) A resolution stating: "That Bylaw # ..., cited as the ..., having been reconsidered and having met all prerequisites for final adoption, be now finally adopted, sealed and signed by the Mayor and the Clerk."

- (2) Second and third reading of a bylaw may be combined in a single resolution stating: "That Bylaw # ...cited as the ...having been given due and detailed consideration by Council, be now read a second and third time."
- 19. (1) Unless otherwise authorized by the *Local Government Act* or the *Community Charter* final adoption of a Bylaw may be considered by Council only after one full day following the day when a resolution for third reading of the Bylaw was approved.
- (2) A resolution for the final adoption of a Bylaw may be considered at a regular meeting or at a special meeting open to the public and called for that purpose.

**ENACTMENT**

- 20. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) Bylaw # 526 is hereby repealed.
- (3) This Bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME	this 6 <sup>th</sup> day of July, 2004
READ A SECOND TIME	this 7 <sup>th</sup> day of September, 2004
READ A THIRD TIME	this 7 <sup>th</sup> day of September, 2004
RECONSIDERED AND FINALLY ADOPTED	this day of, 2004

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Mayor

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Clerk

Certified a true copy of Bylaw 612, as adopted

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Clerk

THE CORPORATION OF THE VILLAGE OF MONTROSE

**BYLAW # 612**

**SCHEDULE "A"**

**A G E N D A**

1. Call to Order
2. Adoption of the Agenda
3. Delegations
4. Approval of the Prior Meeting Minutes
5. Consent Calendar
6. Motions & Submissions
7. Referrals from Prior Meetings
8. Referrals from Delegations
9. Correspondence
10. Reports & Memoranda
11. Financial Matters
12. Bylaws
13. Policies
14. Member Reports & Inquiries
15. Adjournment

AGENDA APPENDIX

(Items of general interest to Council but not requiring formal consideration by Council)

GENERAL INFORMATION

(Items of general interest, not provided to Council with the agenda but available for perusal at the Office of the Clerk)

THE CORPORATION OF THE VILLAGE OF MONTROSE

**BYLAW # 612**

**SCHEDULE "B"**

**A G E N D A**

1. Call to Order
2. *In camera* Resolution
3. Adoption of the Agenda
4. Approval of prior *In camera* Meeting Minutes
5. *In camera* Matters
6. Adjournment