



## DISTRICT OF HIGHLANDS

### BYLAW NO. 433

#### A BYLAW TO AMEND COUNCIL PROCEDURE BYLAW NO. 251, 2005

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WHEREAS Council deems it desirable to amend Council Procedure Bylaw No. 251, 2005;

NOW, THEREFORE, the Council of the District of Highlands in open meeting assembled enacts as follows:

1. Amend Part 2 – Council Meetings “Time and location of meetings” section as follows:
  - (a) Section 5(1) - replace with the following:
    - (1) Council meetings must take place at the Community Hall, 729 Finlayson Arm Road, Victoria, BC, except when Council resolves to hold meetings elsewhere.
  - (b) Section 5(2)(c) - replacing the phrase “be adjourned at 10:30 pm” with “be adjourned by 10:30 pm”.
2. Amend Part 2 – Council Meetings “Notice of Council Meetings” section as follows:
  - (a) Replace sections 6(1) and 6(2) with the following:
    - 6(1) In accordance with the *Community Charter*, Council must prepare annually, by January 1 of each calendar year, a schedule of the date, time and place of regular Council Meetings for that calendar year and must make the schedule available to the public by posting it in the Public Notice Posting Place.
    - 6(2) Council must give notice annually, in accordance with the *Community Charter*, that the schedule of regular Council meetings is available to the public, and where a copy of the schedule can be obtained.
3. Add the following new section 8 to Part 2 – Council Meetings:
  - 8. ELECTRONIC MEETINGS AND PARTICIPATION**
  8. (1) Regular and Special Council, Committee of the Whole and Committee meetings may be conducted by means of electronic or other communication facilities in accordance with section 8(3).

- (2) Council and Committee members must make all reasonable efforts to attend meetings in person unless a meeting is scheduled to take place electronically as set out in section 8(1). A member of Council or a Committee who is unable to attend a Council or Committee meeting due to illness, absence from the regional district or due to circumstances beyond the Council or Committee member's control, may participate in the meeting by means of electronic or other communication facilities in accordance with section 8(3) and as follows:
  - (a) Council members must notify the Corporate Officer as early as possible prior to the meeting of their requirement to participate electronically.
  - (b) Except for electronic meetings as set out in section 8(1), the person presiding must not participate electronically.
- (3) The following rules apply in relation to a Council or Committee of the Whole meeting referred to in section 8(1):
  - (a) A meeting may be held electronically in the event of an emergency, during a communicable disease event, as resolved by Council as being necessary or as authorized by the Mayor;
  - (b) The meeting must be conducted in accordance with the Bylaw;
  - (c) The facilities must enable the meeting's participants to hear, or watch and hear, each other;
  - (d) The notice of Regular and Special meetings must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public;
  - (e) Except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear the meeting at the specified place; and
  - (f) A designated municipal officer must be in attendance at the specified place.
- (4) The following rules apply in relation to a Committee meeting referred to in section 8(1):
  - (a) The meeting must be conducted in accordance with the Bylaw;
  - (b) The facilities must enable the meeting's participants to hear, or watch and hear, each other;
  - (c) The notice of Regular and Special meetings must include notice of the way in which the meeting is to be conducted;
  - (d) Except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear the meeting.
- (5) Members of Council or a member of a Council committee, who are participating in a meeting conducted in accordance with this section, are deemed to be present at the meeting.

4. Amend Part 4 – Council Proceedings “Agenda” section as follows:
  - (a) by adding the following subsection (3):
    - (3) On receiving a submission or application intended for consideration by Council, the Corporate Officer may determine that it should be accompanied by a staff report or briefing note, and may, despite Section 15(2) and regardless of the time that the submission or application was received, delay placing it before Council until such report or briefing note has been prepared; provided, however, that a delay imposed for this purpose shall not exceed sixty (60) days.
  - (b) By amending current section 14(3) by deleting the phrase “on the Friday afternoon” with the word “by the Friday afternoon.”
5. Amend Part 4 – Council Proceedings “Order of Proceedings” section by adding the following:
  - (a) (k) Notice of Motion
  - (b) (l) Motion to Move In Camera
  - (c) (m) Release of In Camera Resolutions
6. Add the following new section 18 to Part 4 – Council Proceedings:

**18. NOTICE OF MOTION**

18. Any Council member may give “Notice of Motion” respecting an item which the Council member intends to present by giving a copy of such motion to the Corporate Officer prior to the meeting of Council and upon the member being acknowledged by the Chair and the Notice of Motion being read at the meeting. A copy of the motion shall appear in the Minutes of that meeting as a “Notice of Motion”. The Corporate Officer shall place the motion on the agenda of the next Council meeting for consideration under New Business.
7. Amend Part 4 – Council Proceedings “Motions Generally” section as follows:
  - (a) Delete section 21 (2) in its entirety; and
  - (b) Replace sections 21(3) and 21 (4) with the following:
    - 23(2) A Council Member may make any of the following motions at any time notwithstanding when a matter is under consideration, and those motions take precedence over each other in the following order:
      - (a) To lay on the table
      - (b) To move the previous question (close debate)
      - (c) To postpone to a certain time
      - (d) To refer to committee
      - (e) To amend

(f) To postpone indefinitely

23(3) A motion made under subsections 23(2)(a) and (b) are not amendable or debatable.

8. Amend Part 4 – Council Proceedings “Reconsideration by a Council Member” section as follows:
  - (a) Section 25(1): Insert the phrase “who voted on the prevailing side” after the phrase “Council member”.
9. Amend Part 5 – Bylaws as follows:
  1. the “Form of Bylaws” section to be amended as follows:
    - (a) Section 30(a) – replace the word “printed” with “in writing.”
  2. the “Reading and Adopting Bylaws” section to be amended as follows
    - (a) Section 32(4) – delete the section reference of the *Local Government Act*; and
    - (b) Section 32(6) – delete the section reference of the *Local Government Act*.
10. Delete Part 6 – Resolutions in its entirety.
11. Amend Part 7 – Committee of the Whole “Reports” Section as follows:
  - (a) Section 44(1)(a) – replace the word ‘printed’ with “in writing.
  - (b) Delete subsection 44(3) in its entirety.
12. Amend Part 8 – Committees “Duties of Select Committees” section by deleting section 47(2) in its entirety.
13. Amend Part 8 – Committees “Minutes of Committee Meetings to be Maintained and Available to Public” section as follows:
  - (a) Adding the words “or designate” after the words “Corporate Officer” in section 51(b).
14. Amend Part 8 – Committees “Conduct and Debate” section as follows by deleting section 53(3) in its entirety.
15. Renumber existing sections as necessary to incorporate the above.

16. This Bylaw may be cited as "Council Procedure Bylaw No. 251, 2005, Amendment No. 3, Bylaw No. 433, 2021."

READ A FIRST TIME THIS 4<sup>th</sup> day of October , 2021

READ A SECOND TIME THIS 4<sup>th</sup> day of October , 2021

READ A THIRD TIME THIS 4<sup>th</sup> day of October , 2021

ADOPTED THIS 14<sup>th</sup> day of October , 2021

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MAYOR

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CORPORATE OFFICER