

TOWN OF SIDNEY

BYLAW NO. 2208

THIS BYLAW GOVERNS MEETINGS OF COUNCIL OF THE TOWN OF SIDNEY AND OF COMMITTEES OF COUNCIL OF THE TOWN OF SIDNEY

The Council of the Town of Sidney, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

1. Citation of this Bylaw

This bylaw is to be cited as "**Town of Sidney Council Procedure Bylaw No. 2208, 2021.**"

2. Definitions

In this bylaw:

"Charter" means the *Community Charter*;

"Committee" means a standing or select committee, any other council committee and any advisory body established by Council, but does not include the Committee of the Whole;

"Committee of the Whole" means a committee comprised of the entire Council and no other persons having the purposes set out in this bylaw;

"Corporate Officer" means the appointed Corporate Officer of the Town of Sidney or designate;

"Council" means the Mayor and Councillors of the Town of Sidney;

"Council Meeting" means a regular meeting or a special meeting of Council, as the context may require;

"Councillor" means a Councillor of the Town of Sidney;

"Inaugural Meeting" means the first regular Council meeting following a general local election;

"Mayor" means Mayor of the Town of Sidney;

"Member" means the Mayor or a Councillor of the Town of Sidney;

"Notice Board" means the "Public Notice Posting Place" for the purposes of section 95 of the *Charter* and is the Town Hall notice board located at the main entrance of Town Hall and secondarily the municipal website.

"Town" means the municipality of the Town of Sidney.

"Town Hall" means Sidney Town Hall at 2440 Sidney Avenue, Sidney, B.C. V8L 1Y7.

PART 2 - MAYOR AND COUNCIL

3. Duty to Respect Confidentiality

A Member or former Member will, unless specifically authorized otherwise by Council:

- (a) keep in confidence any record held in confidence by the Town, until the record is released to the public as lawfully authorized or required; and
- (b) keep in confidence information considered in any part of an In-Camera Council, Committee of Whole meeting or Committee meeting, until the Council, Committee of the Whole or Committee discusses the information at a meeting that is open to the public or releases the information to the public.

4. Designation of Member to Act in Place of Mayor

- (a) At the Inaugural and the first regular Council Meeting in December, Council will appoint a Councillor as Acting Mayor for a specified term, on a rotating schedule, who will be responsible for acting in the place and will have the same powers and duties as the Mayor when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
- (b) In the event that the Mayor and Acting Mayor are absent from a Council Meeting, the Member next in succession on the rotating schedule shall be the Acting Mayor.

5. Reconsideration by the Mayor

- (a) In accordance with the *Charter*, the Mayor may require Council to reconsider and vote again on a matter at the same meeting or within the 30 days following that meeting, subject to section 6(c).
- (b) A motion to reconsider under subsection (a) shall be brought forward and voted on, without a prior motion to reconsider.

6. Reconsideration by Council Member

- (a) A Member, who voted affirmatively for a motion, may move a motion to reconsider a matter at the same meeting.
- (b) A Member, regardless of how they voted, may move a motion to renew or rescind a motion from a previous meeting, subject to subsection (c).
- (c) Council may only reconsider a matter that has not:
 - (i) had the approval or assent of the electors and been adopted;
 - (ii) been reconsidered under subsection (a), (b) or section 5; or
 - (ii) been acted on by an officer, employee or agent of the Town.
- (d) A vote to reconsider must not be reconsidered.

PART 3 - COUNCIL MEETINGS

7. Time and Location of Regular Council Meetings

- (a) Regular Council Meetings will be held at 6:00 p.m. in the Council Chamber at Town Hall on the second and fourth Mondays of each month except as follows:
 - (i) In July and August of each year, the regular Council Meetings will be held on the third Monday of each month unless otherwise resolved by Council; and
 - (ii) In December of each year, the regular Council Meeting will be held on the first and third Mondays of the month unless otherwise resolved by Council.
- (b) Any regular Council Meeting date that falls on a holiday will be held on the next day which is not a holiday.

8. Notice of Regular Council Meetings and Annual Schedule

- (a) The Corporate Officer will give notice of the date, time and place of each regular Council Meeting at least 24 hours before the time of meeting by:
 - (i) posting a copy of the notice in the Council Chamber at Town Hall;
 - (ii) posting a copy of the notice on the Notice Board; and
 - (iii) providing one copy for each Member at the place to which the Member has directed notices be sent.
- (b) In December of each year, the Corporate Officer will prepare and make available to the public a schedule of the date, time and place of regular Council Meetings for the following year and give notice of the availability of the schedule.

9. Cancellation of Council Meetings

- (a) Council may, by resolution, cancel any Council Meeting.
- (b) The Corporate Officer will give notice of the cancellation of a Council Meeting under section (a) by posting notice of cancellation on the Notice Board at least 24 hours before the time at which the meeting was to have been held and providing one copy for each Member at the place to which the Member has directed notices be sent.

10. Quorum

- (a) A quorum of Council is four Members.
- (b) If there is no quorum at a Council Meeting within 15 minutes after the time for the Council Meeting:
 - (i) the names of the members present and those absent will be recorded; and
 - (ii) the meeting will be adjourned and all business on the agenda will be dealt with at the next scheduled meeting.

- (c) If a quorum is present, the Mayor will call the Council Meeting to order. If a quorum is present, but the Mayor is not present within 15 minutes after the time at which the Council Meeting is scheduled to begin, the Acting Mayor (or in the absence of the Mayor and Acting Mayor, the Councillor selected in accordance with section 4(b)) will take the chair and call the Council Meeting to order.

11. Electronic Meetings

- (a) Regular and Special Council and Committee of the Whole meetings may be conducted by means of electronic or other communication facilities that enables the meeting's participants and the public to hear, or watch and hear, the meeting.
- (b) A Member who is unable to attend a Council or Committee of the Whole meeting may participate in the meeting electronically provided that:
 - (i) they are not the presiding Member;
 - (ii) a minimum of 4 Members are participating in-person; and
 - (iii) the Corporate Officer has been notified in advance of the meeting.
- (c) After the Call to Order, the presiding Member must identify any member who is participating electronically.
- (d) If a Member participating electronically declares a conflict of interest respecting a matter, the Member must be disconnected or placed in a waiting room until the matter has concluded.
- (e) If a Member participating electronically cannot be heard due to technical issues a 5-minute recess may be taken to allow the Member to join the meeting via alternative means, and if the Member is unable to join and if quorum still exists, the meeting will continue without that Member present.
- (f) Any person who has an interest in a matter being considered by Council at a meeting may be afforded an opportunity to provide written submissions or verbal input by electronic participation provided they have registered in advance with the Corporate Officer.
- (g) Public notice of the meeting must include the way in which the meeting is to be conducted electronically and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.

12. Council Meeting Agenda

- (a) Prior to each Council Meeting, the Corporate Officer will:
 - (i) prepare an agenda in accordance with section 14, in consultation with the Chief Administrative Officer and the Mayor, setting out all items for consideration at the meeting;
 - (ii) provide one copy for each Member at the place to which the Member has directed agendas be sent at least 48 hours prior to the meeting; and
 - (iii) make the agenda available to the public by posting it on the Notice Board after it has been provided to Council.
- (b) The deadline for submission(s) of items for inclusion on the Agenda for Council, is 4:30 p.m. on the Tuesday prior to the Council meeting.

13. Late Agenda Items

Council may, by resolution, place urgent items on the agenda at the time of Approval of the Agenda.

14. Order Of Business

Unless otherwise resolved by Council, the order of business at all regular Council meetings will be as follows:

- (1) Call to Order
- (2) Territorial Acknowledgement
- (3) Approval of the Agenda
- (4) Public Participation Opportunities
 - A. Public Participation Period
 - B. Special Public Participation Opportunity
 - C. Public Hearings
 - D. Presentations / Petitions & Delegations
- (5) Bylaws
- (6) Development Permits & Development Variance Permits
- (7) Adoption of the Minutes
- (8) Business not completed at a previous Meeting
- (9) Rise and Report from In-Camera Minutes
- (10) Mayor's Report
- (11) Councillors' Reports
- (12) Committee Reports
- (13) Staff Reports
- (14) Correspondence
- (15) Correspondence for Information
- (16) Notices of Motion
- (17) Motion to Go "In-Camera" (closed meeting)
- (18) Adjournment

15. Procedure if Sponsoring Councillor Absent

Council will not proceed with any item of business on the agenda in the absence of the Member at whose request the item was placed on the agenda unless the:

- (a) written consent of the absent Member is presented to the person chairing the Council Meeting; or
- (b) Council resolves to proceed with that item of business despite the absence of that Member.

16. Public Participation

- (a) At every regular Council Meeting, a public participation period will be held for a total of 20 minutes (4 minutes per speaker) or until speakers have concluded, whichever comes first.
- (b) Those wishing to address Council must specify their name and address for identification. Individuals may speak or ask questions regarding an agenda item or other issues strictly related to municipal matters or community concern.

Questions shall be on topics which will not normally be dealt with by municipal staff as a matter of routine.

- (c) Members of the public wishing to address Council will address their questions through the Mayor, or the presiding member. Where Council is unable to address a question, it will be referred to staff to respond or follow up as appropriate.
- (d) A public participation period may be included on the agenda of a Special Council Meeting at the discretion of the Mayor and Chief Administrative Officer.

17. Presentations

- (a) A person or group wishing to make a presentation to Council will provide information to the Corporate Officer, which will include:
 - (i) subject matter and any background material; and
 - (ii) name(s) of the presenter(s);by 4:30 p.m. on the Tuesday prior to the Council Meeting.
- (b) A presentation will be limited to a total of 10 minutes.

18. Development Applications

- (a) The applicant of an Official Community Plan Bylaw Amendment Application, Zoning Bylaw Amendment Application, Development Permit (Major) Application or Development Variance Permit Application will be provided an opportunity to make a presentation to Council respecting their proposal. The presentation will be limited to a total of 10 minutes.
- (b) Following (a) above, a public participation opportunity will be provided for members of the public to express their views or ask questions regarding the proposed development application. The public opportunity will be limited to a total of 10 minutes.

19. Public Hearings

- (a) Public hearings may be conducted by means of electronic or other communication facilities in accordance with section 11.
- (b) All persons with an interest in the proposed bylaw which is the subject of a public hearing will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw.
- (c) Those wishing to speak must specify their name and address for identification, or the name and address of the person or body they represent (if applicable). If a person wishes to speak a second time they will be given further opportunity to address Council after all interested members of the public have been heard a first time.
- (d) Written submissions will not be read aloud. Correspondence will be copied and circulated to Council for inclusion on the agenda and will form part of the official record.
- (e) The owner or applicant shall be given an opportunity to respond to comments or questions raised during the public hearing before the hearing is closed on their application. The response will be limited to a total of 10 minutes.

- (f) Council may ask questions of any presenter and of staff for clarification purposes.
- (g) Once a public hearing is closed, Council may not receive additional information from the applicant or public. Council may request clarification of an issue raised at the public hearing, but not any new information. Council will debate the bylaw when the bylaw is presented for consideration later on in the Council meeting.
- (h) Minutes of a public hearing will reflect the name and address of each speaker or written submission, whether in favour or opposed to the application, and a summary of the nature of the representation.

20. Petitions & Delegations

- (a) Any person wishing to present a petition to Council will provide a copy of the petition to the Corporate Officer, which will include:
 - (i) subject of the petition should be clearly stated; and
 - (ii) name, address and signature of each person who has signed the petition; by 4:30 p.m. on the Tuesday prior to the Council Meeting.
- (b) Any delegation wishing to appear before Council will inform the Corporate Officer of the:
 - (i) subject of the delegation should be clearly stated; and
 - (ii) name and address of the speaker for the delegation; by 4:30 p.m. on the Tuesday prior to the regular Council Meeting.
- (c) Council will not receive a petition or delegation unless this section has been complied with, unless otherwise resolved by Council.
- (d) Unless Council otherwise resolves, the presentation of a petition or the appearance of a delegation before Council will not exceed 10 minutes.

21. Councillors' Reports

- (a) A Member who wishes to provide a verbal or written report for information to Council shall provide notice to the Corporate Officer by 4:30 p.m. on the Tuesday prior to the Council Meeting.
- (b) A Member who wishes to bring forward a new matter for Council's consideration shall provide a written report, including any background documentation and a motion, to the Corporate Officer by 4:30 p.m. on the Tuesday prior to the Council meeting.
- (c) A report by a Member shall be limited to 5 minutes per subject matter.
- (d) A member who wishes to bring forward any new matter that is not on the agenda shall proceed as per a Notice of Motion.

22. Committee Reports

Committee Reports will be submitted to Council as soon as practical clearly identifying any Committee recommendations for Council's consideration.

23. Correspondence

- (a) Correspondence addressed to Mayor and Council will be forwarded to the Chief Administrative Officer and either referred to Council or Committee of the Whole, or, if routine, answered directly by staff and copied to Council for information.
- (b) Anonymous correspondence to Mayor and Council will not be presented to Council.
- (c) Any person wishing their correspondence to be received at a regular Council Meeting, respecting an item on the Agenda, will provide it to the Corporate Officer by 4:00 p.m. on the day of the meeting.

24. Correspondence for Information

- (a) A Member may require that any item of business be removed from this section and be dealt with as a separate item under Correspondence at the time of agenda approval.
- (b) Unless a Member requires otherwise under subsection (a), Council will deal with correspondence under this section with a single resolution.

25. Notice of Motion

- (a) Any Member may give notice of a motion respecting a matter that is not on the agenda by giving a copy of the motion to the Corporate Officer by 4:30 p.m. on the day of the meeting of Council and upon it being acknowledged by the presiding member, it shall appear in the minutes of that meeting as notice of motion and be placed on the agenda for the next regular Council meeting or a subsequent meeting if additional time or information is required.
- (b) Council may, by resolution, consider the notice of motion for urgent matters at the same Council Meeting it was presented.

26. Closed (“In-Camera”) Meetings

Council may close a Council Meeting or part of a Council Meeting to the public in accordance with the requirements of the *Charter*.

27. Adjournment of Council Meeting

- (a) Council may, by resolution, continue a Council Meeting after 10:00 p.m.
- (b) Council may, by resolution, adjourn any Council Meeting to a date specified in the resolution.

PART 4 - SPECIAL COUNCIL MEETINGS**28. Special Meetings**

- (a) The Mayor, or two or more Members, may call a special Council Meeting in accordance with the requirements of the *Charter*.

- (b) Council may close a special Council Meeting to the public in accordance with Section 26.
- (c) Except where notice of a special meeting is waived by unanimous vote of all Council members, the Corporate Officer will give notice of the date, time and place of the special Council Meeting at least 24 hours before the time of the meeting by:
 - (i) posting a copy of the notice in the Council Chamber at Town Hall;
 - (ii) posting a copy of the notice on the Notice Board; and
 - (iii) providing one copy for each Member at the place to which the Member has directed notices be sent.
- (d) Members present at a Special Council Meeting may resolve to continue the meeting on a subsequent day, in which case, a notice does not need to be provided to each Member, but a copy of the notice will be provided to any members absent at the meeting and the notice will be posted on the Notice Board and in the Council Chamber.

29. Inaugural Meetings

The Inaugural Meeting will be held on the first Monday in the month following the general election, provided that if that day is a holiday, the meeting will be on the next day that is not a holiday.

30. Annual Meeting on Municipal Reports

- (a) The annual report under section 98 of the *Charter* will be made available for public inspection before June 30 of each year before the meeting under subsection (b) and notice of the meeting under subsection (b) setting out date, time and place of the meeting will be given in accordance with the requirements of the *Charter*.
- (b) At least 14 days after the annual report is made available for public inspection, council will consider, at a Council Meeting the annual report and any submissions and questions from the public.

PART 5 - COMMITTEE OF THE WHOLE MEETINGS

31. Purpose of Committee of the Whole

- (a) The purpose of the Committee of the Whole is to allow Council to meet in a less formal and structured manner to:
 - (i) discuss issues of long term planning and policy development;
 - (ii) discuss complex administration, finance, zoning and land development issues; and
 - (iii) consider any other matters that from time to time may require Council's in depth consideration
- (b) Committee of the Whole will be separate from Council and will report and make recommendations to Council.

32. Time and Location of Committee of the Whole Meetings

- (a) Council will appoint a Councillor as Chair of the Committee of the Whole such that no single Councillor will act as the Chair for more than two months in a calendar year, unless all available Councillors have already been Chair in that calendar year.
- (b) Regular Committee of the Whole meetings will be held at 6:00 p.m. in the Council Chamber at Town Hall on the first and third Mondays of each month except as follows:
 - (i) In July and August of each year, the Committee of the Whole will be held on the second Monday of each month, unless otherwise resolved by Council or called by the Mayor; and
 - (ii) In December of each year, the Committee of the Whole Meeting will be held on the second Monday of the month, unless otherwise resolved by Council.
- (c) The Corporate Officer will give notice of the date, time and place of the Committee of the Whole meeting at least 24 hours before the time of meeting by:
 - (i) posting a copy of the notice in the Council Chamber at Town Hall;
 - (ii) posting a copy of the notice on the Notice Board; and
 - (iii) providing one copy for each Member at the place to which the Member has directed notices be sent.
- (d) A Committee of the Whole Meeting may be cancelled at the discretion of the Mayor and Chief Administrative Officer.
- (e) The Corporate Officer will give notice of the cancellation of a Committee of the Whole Meeting by posting notice of cancellation on the Notice Board at least 24 hours before the time at which the meeting was to have been held and providing one copy for each Member at the place to which the Member has directed notices be sent.

33. Council resolving into Committee of the Whole

- (a) Council may, by a resolution passed by a majority vote of the Members, resolve itself into Committee of the Whole during a Council Meeting.
- (b) Upon adjournment or termination of the meeting of the Committee of the Whole, Council will resume the Council Meeting.
- (c) Committee of the Whole resolutions will be presented to Council for Council's consideration.

34. Order of Business for Committee of the Whole Meetings

Unless the Committee of the Whole otherwise resolves, the Committee will deal with business in the following order:

- (1) Call to order
- (2) Territorial Acknowledgment
- (3) Approval of the Agenda
- (4) Public Participation Period
- (5) Approval of Minutes

- (6) Presentations
- (7) Development Applications (*including Public Participation*)
- (8) Staff Reports
- (9) Other Business
- (10) Adjournment

35. Public Participation Period

- (a) At every regular Committee of the Whole Meeting, a public participation period will be held for a total of 20 minutes (4 minutes per speaker) or until speakers have concluded, whichever comes first.
- (b) Those wishing to address the Committee must specify their name and address for identification. Individuals may only speak or ask questions regarding an agenda item.
- (c) Members of the public wishing to address the Committee will address their questions through the Chair. Where the Committee is unable to address a question, it will be referred to staff to respond or follow up as appropriate.

36. Presentations

- a) A person or group wishing to make a presentation to Committee of the Whole will provide information to the Corporate Officer, which will include:
 - (i) subject matter and any background material; and
 - (ii) name(s) of the presenter(s);by 4:30 p.m. on the Tuesday prior to the Committee Meeting.
- (b) A presentation will be limited to a total of 10 minutes.

37. Development Applications

- (a) The applicant of an Official Community Plan Bylaw Amendment Application, Zoning Bylaw Amendment Application, Development Permit (Major) Application or Development Variance Permit Application will be provided an opportunity to make a presentation to Committee of the Whole respecting their proposal. The presentation will be limited to a total of 10 minutes.
- (b) Following (a) above, a public participation opportunity will be provided for members of the public to express their views or ask questions regarding the proposed development application. The public opportunity will be limited to a total of 10 minutes.

PART 6 - STANDING & SELECT COMMITTEES

38. Appointment of Chair and Vice Chair

- (a) The Mayor will appoint a chair and vice chair for all standing committees established by the Mayor.
- (b) The members of select and other Committees will, by a majority of votes of those members present, elect a chairperson and vice chairperson.

39. Participation in Committees

- (a) A Member may attend any Committee meeting and may participate in the discussion only with the permission of a majority of Committee members present.
- (b) Only a person appointed to a Committee may move or second motions or vote at a Committee meeting.
- (c) Committees may, from time to time, invite resource persons to attend meetings in an advisory capacity only and such persons will not have voting privileges.

40. Electronic Meetings

- (a) Regular and Special standing and select Committee meetings may be conducted by means of electronic or other communication facilities that enables the meeting's participants and the public to hear, or watch and hear, the meeting.
- (b) A Member who is unable to attend a standing or select Committee meeting may participate electronically provided that the Recording Clerk has been notified in advance of the meeting.
- (c) Any person who is invited by the Committee to attend a meeting may participate electronically provided they have registered in advance with the Recording Clerk.
- (d) Provide public notice in accordance with section 11 (g).

41. Notice of Committee Meetings

- (a) The Corporate Officer will give notice of the date, time and place of meetings of Committees by posting in advance a monthly meeting schedule on the Notice Board.
- (b) Notice of the date, time and place of a Committee meeting must be given to all members of the Committee at least 24 hours before the time of the meeting.

42. Schedule of Meetings

A Committee will meet when:

- (a) its chairperson so directs;
- (b) the Mayor so directs;
- (c) directed to meet by resolution of Council; or
- (d) a majority of the members of a Committee resolve.

43. Quorum

A majority of voting members appointed to a committee constitute a quorum of that committee, unless otherwise established by a Terms of Reference.

44. Governing Procedures

- (a) The provisions of this bylaw relating to committees will govern all committees, and where the Mayor or Council, as the case may be, has established special rules governing a committee, those rules will not replace this bylaw, but will supplement this bylaw, and in the event of conflict, this bylaw will prevail.

- (b) All committee meetings will be held in public except where allowed under the *Charter* by resolution of the committee adopted in accordance with section 26.

PART 7 - MINUTES

45. Adoption and Receipt of Minutes

- (a) Council will adopt the minutes of every Council Meeting, with or without amendments.
- (b) Council will receive the minutes of all committees meetings and consider any recommendations made by the committees.

46. Recording and Certification of Minutes of Council

- (a) Minutes of Council are not verbatim and will contain the resolutions considered by Council.
- (b) The Corporate Officer will ensure the minutes of Council meetings are prepared accurately and that the adopted minutes of every Council Meeting are legibly recorded, signed and open for public inspection to the extent required under the *Charter*.
- (c) The Corporate Officer may make minor amendments to approved minutes including but not limited to typographical errors, sequential number errors, grammatical errors or completing missing information.
- (d) Official minutes are those signed by the Mayor, or presiding member, and Corporate Officer and all other versions are unofficial and provided for convenience purposes only.
- (e) The Corporate Officer will maintain and keep in safe custody all minutes of Council.

47. Committee of the Whole and other Committee Minutes

- (a) The minutes of a Committee meeting, upon adoption by the Committee, will be certified by the Chair and delivered to the Corporate Officer.
- (b) The Corporate Officer will ensure the minutes of every Committee of the Whole and other Committee meetings are legibly recorded, signed and open for inspection to the extent required under the *Charter*.

PART 8 - RULES OF DEBATE

48. Robert's Rules of Order

Robert's Rules of Order apply to all Council Meetings, Committee of the Whole and Committee Meetings, unless otherwise provided for in this bylaw.

49. Matter Open to Debate

When any Member wishes to speak in debate at a Council Meeting, he or she will wait until no other Member is speaking and will address the chair. Except as otherwise resolved by Council, a Member may:

- (a) speak only to a matter being debated at the meeting;
- (b) speak only twice to a matter, but a member may speak more than twice to a matter to:
 - (i) explain a material part of their speech which may have been misunderstood; or
 - (ii) ask a question;
- (c) speak for no more than five minutes at a time, except that Council may resolve to permit a member to speak longer;
- (d) not speak to a matter already dealt with by Council;
- (e) not speak when called to order by the Mayor;
- (f) not speak to a motion unless a motion has been moved and seconded;
- (g) speak after the Member has raised their hand and the Mayor has recognized the Member provided that if two or more Members raise their hands at the same time, the Mayor may designate the order in which each is to speak.

PART 9 - POINTS OF ORDER AND PRIVILEGE**50. Mayor to Give Basis For Rulings**

At the time any ruling is made by the Mayor on a point of order, the Mayor will inform Council of the ground upon which the point of order is decided.

- (a) If the Mayor wishes to speak in a Council Meeting, the Mayor may do so;
- (b) If a Councillor has raised their hand at the same time the Mayor begins to speak, the Mayor may speak first; and
- (c) A Councillor will address the Mayor as, "Your Worship", "Mayor (followed by the Mayor's surname)", "Mayor" or "Chair", and a Councillor will address a Member by that Councillor's surname preceded by "Councillor".

51. Points of Privilege

A Member may:

- (a) require that a motion being debated be read for the Member's information, but a Member may not interrupt another Member who is speaking unless that other Member consents or except to raise a point of order;
- (b) require the Mayor to state the provision of this bylaw or other rule of order applicable to a point of order, which the Mayor will do at once without debate; and,

- (c) put a question to the Mayor regarding any matter connected to the affairs of Council or the Town, which the Mayor may require be put in writing.

PART 10 - MOTIONS

52. Motions

- (a) Motions shall be phrased in a clear and concise manner, and the presiding member may require a motion to be put in writing.
- (b) Council may debate and vote on a motion only if it has been moved and seconded.
- (c) When a question is under consideration, no motion may be made except a motion to:
 - (i) refer the question to a committee;
 - (ii) amend the question;
 - (iii) lay on the table;
 - (iv) postpone the question indefinitely;
 - (v) postpone the question for a specific time;
 - (vi) limit or extend debate on the question;
 - (vii) put a previous question to a vote (call the question).

53. Voting

A Member will vote on every question put to a vote by raising their hand or, if participating by audio only, by a voice vote. A member who does not indicate how they vote on a matter is deemed to have voted in the affirmative.

54. Amendment of Motions

- (a) A Member may move to amend a motion being considered by Council, but that Member may not move any further amendments to that motion.
- (b) No motion to amend a motion may be made if the amendment negates the motion which would be amended.
- (c) If any member states that a proposed amendment to a motion would negate that motion, the Mayor will at once rule whether that would be the case. That ruling may be appealed to Council as if the ruling were on a point of order.

55. Effect of Motion to Amend

- (a) If a motion to amend a motion is:
 - (i) carried, the motion which has been amended is to be voted on as amended; or,
 - (ii) defeated, the motion in respect of which the amendment was moved is to be voted on unamended.
- (b) Council will either withdraw or vote on a motion to amend before voting on the motion to be amended.

56. Division of Motion

The Mayor will affirm division of a motion upon a request from a Member.

57. Calling of Division

Where a Member calls for a division upon the result of a vote being announced by the Mayor:

- (a) the Mayor will at once call a division and all members will state aloud what their vote on the question is; and
- (b) the minutes of the meeting will include the name of each member and the way in which the member voted on the question.

58. Inadmissible Motion

If the Mayor considers that a motion is contrary to a bylaw or the *Charter*, the Mayor will:

- (a) inform Council at once and may refuse to put the question to a vote; and
- (b) give reasons for any such refusal at once.

59. Motion to Adjourn

A Member may make a motion to adjourn a meeting at any time. The motion will be put to a vote at once without debate. If a motion to adjourn is defeated, no further motion to adjourn may be made unless some business or another matter intervenes between the defeat of the first motion to adjourn and the further motion.

60. Motion to Postpone a Question

A Member may make a motion to postpone consideration of a question until later in the same meeting, to another meeting or indefinitely. A motion to postpone until later in the same meeting will be put to a vote without debate. A motion to postpone until another meeting or indefinitely may be debated and, if that motion is passed, the question which is postponed may not be considered again during that meeting.

61. Motion to Table

A Member may make a motion to table a matter at any time unless a motion to adjourn has already been made. Council may debate the motion to table, but may not debate the matter which is the subject of the motion to table.

62. Question to Be Put After Debate

The Mayor will put every question to a vote immediately after debate on that question is closed.

63. Recording of Motions

- (a) The text of every motion that has been moved and seconded by another Councillor will be recorded in the minutes.
- (b) A motion may not be withdrawn after it has been voted on by Council.
- (c) If a Member declares a conflict: the declaration; the reasons given for it; the time the Member left the meeting; and the time the Member returned to the meeting, if applicable; will be recorded in the minutes.

64. Recording Votes

- (a) The name of any Member who voted in the negative on a question will be recorded in the minutes.

PART 11 - BYLAWS**65. Proposing Bylaws**

A proposed bylaw may be introduced at a Council meeting only if:

- (a) a copy of it has been provided to each Member with the agenda; and
- (b) at least 24 hours notice has been given to each Member of the date, time and place of the Council meeting at which the bylaw is intended to be introduced.

66. Amendments to Bylaws

Council may reconsider or amend any part or all of a bylaw before its adoption by rescinding the most recent reading and then giving the bylaw that reading as amended.

67. Referral to Committee of the Whole

After either second or third reading of the proposed bylaw, Council may refer it to Committee of the Whole, which will report back to Council.

68. Description of Steps In Every Bylaw

On the last page of every bylaw that is enacted by Council, the following dates will be set out:

- (a) the readings and the adoption of the bylaw occurred; and
- (b) all approvals, procedures and other requirements imposed by statute were obtained, followed or fulfilled, including if applicable:
 - (i) the approval of the Inspector of Municipalities, the Lieutenant Governor in Council, or a Minister;
 - (ii) the assent of the electors;
 - (iii) a 2/3 majority vote, or unanimous vote of Council; and
- (c) a public hearing occurred.

69. Certification and Safe Custody

- (a) Once a bylaw is adopted, the Mayor and the Corporate Officer will sign the bylaw and it will be sealed with the Corporate Seal.
- (b) The Corporate Officer will maintain and keep in safe custody all bylaws.
- (c) Bylaws may be consolidated for convenience purposes only.

PART 12 REPEAL OF EXISTING BYLAW

70. Repeal

That the “Town of Sidney Council and Committee Procedure Bylaw No. 2012, 2013” and amendments thereto are hereby repealed.

Read a first time the	18 th	day of	October, 2021.
Read a second time the	18 th	day of	October, 2021.
Read a third time the	18 th	day of	October, 2021.
Adopted the	25 th	day of	October, 2021.

MAYOR

CORPORATE OFFICER