

Council Procedure Bylaw, 2022, No. 3081

CONSOLIDATED FOR CONVENIENCE

September 2024

*In case of discrepancy, the original Bylaw
or Amending Bylaws must be consulted.*

Consolidates Amendments authorized by:

- Amendment Bylaw 2024, No. 3135
- Amendment Bylaw 2024, No. 3145

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
“COUNCIL PROCEDURE BYLAW, 2022, NO. 3081

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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3081

A Bylaw to establish regulations and procedures of Council.

Municipal Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

PART 1 INTRODUCTION

1.0 Citation

1.1 This Bylaw may be cited as “COUNCIL PROCEDURE BYLAW, 2022, NO. 3081”.

2.0 General

2.1 In this Bylaw:

- 1) Words importing the singular number include the plural and vice versa and gender specific terms include all genders;
- 2) Headings given to sections are for convenience of reference only and do not form part of this Bylaw;
- 3) Unless expressly stated otherwise, a reference to a “section” or “subsection” or “part” is a reference to a section, subsection or part in this Bylaw;
- 4) Unless expressly stated otherwise, a reference to an enactment of British Columbia and regulations thereto is a reference to the enactment as amended, revised, consolidated, or replaced from time to time;
- 5) Except as otherwise provided for in the Local Government Act, the Community Charter, or this Bylaw, reference to a resolution or vote of Council is a reference to a resolution, or vote passed by an affirmative vote of a majority of Council members present and entitled to vote on the matter; and
- 6) If any section, subsection, paragraph, or phrase 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.

3.0 Definitions

3.1 In this Bylaw:

“**Acting Mayor**” means the Council member who is responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act, or when the office of Mayor is vacant;

“**CAO**” means the appointed Chief Administrative Officer for the Township;

"**Chair**" means the person for the time being who is authorized to control the proceedings and procedure at any meeting of Council, COTW or any Committee or Commission and includes the Mayor or Acting Mayor as the case may be, when such person is in attendance at a meeting as applicable;

"**Commission**" means a municipal Commission established by Council pursuant to the *Community Charter or Local Government Act*;

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

"**COTW**" means the Committee of the Whole Council;

"**Corporate Officer**" means the individual appointed by Council as the officer assigned the responsibility of corporate administration for the municipality and includes their authorized deputy or designate;

"**Council**" means the Council of the Corporation of the Township of Esquimalt;

"**Council Liaison**" means a Council member appointed to a Committee or Commission;

"**Councillor**" means a person elected and holding the office of Councillor with the Township;

"**Delegation**" means an address to COTW by a member of the public or an organization for the purpose of highlighting topics of municipal interest or concern that fall within the jurisdiction of Council, in accordance with subject matter restrictions provided for in this Bylaw;

"**Electronic Means**" include electronic or other communication facilities that enable meeting participants to hear, or see and hear, each other, and except for any part of the meeting that is closed to the public, enables members of the public to hear, or see and hear, the meeting at the place specified for public attendance;

"**Electronic Meeting**" means a meeting conducted by electronic means where all members may participate by electronic or other communication facilities;

"**Electronic Participation**" means a hybrid meeting where some meeting participants attend by electronic means and some attend in person;

"**Emergency Situation**" means any event in which a declaration of provincial or local state of emergency is made;

"**Inaugural Council Meeting**" means the first Council meeting of the newly elected Council held after the general local election in accordance with this Bylaw;

"**Mayor**" means the Mayor of the Township;

"**Meeting**" means a meeting of Council, COTW, or a Committee or Commission to which this Bylaw applies;

"**Member**" means a member of Council, COTW, a Committee, or Commission of the Township as applicable;

“**Municipal Hall**” means the Township of Esquimalt Municipal Hall located at 1229 Esquimalt Road, Esquimalt, British Columbia;

“**Municipal Website**” means the information resource found at an internet address provided by the Township;

“**Notice of Motion**” means a proposed motion made by a member of Council to bring forward an idea and specific course of action;

“**Presentation**” means a government agency or other external organization that is invited by the Township or otherwise applies to provide information on Township-related matters, projects, or programs in accordance with subject matter restrictions provided for in this Bylaw;

“**Presiding Member**” means the Mayor or member appointed to take the Chair and run the meeting;

“**Public Comment Period**” means an opportunity for members of the public to address Council or COTW on a Township-related matter in accordance with subject matter restrictions provided for in this Bylaw;

“**Public Hearing**” means a hearing required in relation to a proposed Bylaw pursuant to the *Local Government Act*;

“**Public Input**” means an opportunity for the public to speak on agenda-related items at Council or COTW meetings in accordance with subject matter restrictions provided for in this Bylaw;

“**Public Notice Posting Places**” means the notice board at the Municipal Hall, 1229 Esquimalt Road, Esquimalt, British Columbia and the notice board at the Esquimalt Recreation Centre, 527 Fraser St, Esquimalt, British Columbia; **[Bylaw 3135]**

“**Question**” means a motion that has been formally moved and seconded for discussion.

“**Special Meeting**” means a Council, COTW, a Committee or Commission meeting other than a regular meeting or an adjourned meeting;

“**Statutory holiday**” means a day designated as a holiday by the Provincial Legislature or by the Parliament of Canada;

“**Township**” means the Corporation of the Township of Esquimalt.

3.2 Words that are not defined in this Bylaw have the meanings ascribed to them in the *Local Government Act* or the *Community Charter* as applicable.

4.0 Application of Rules of Procedure

4.1 The provisions of this Bylaw govern the proceedings of Council, COTW, Public Hearings, Commissions and all standing and select Committees, as applicable.

4.2 In cases not provided for under this Bylaw, the latest published edition of Robert's Rules of Order, Newly Revised apply to the proceedings of Council, COTW, and Council's Committees and Commissions to the extent that those rules are:

- 1) applicable in the circumstances; and
- 2) not inconsistent with the provisions of this Bylaw or the *Community Charter*.

5.0 Suspension of Rules of Procedure

5.1 The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended by an affirmative 2/3 vote of the Council members present at a Council or COTW meeting, other than a Public Hearing.

PART 2 DESIGNATION OF COUNCIL MEMBER TO ACT IN PLACE OF MAYOR

6.0 Establishment of Acting Mayor

6.1 Annually in November, Council shall, from among its members, designate Councillors as Acting Mayor to fulfill the responsibilities of Mayor on a scheduled two month rotating basis in the place of the Mayor when the Mayor is absent or otherwise unable to act.

6.2 If both the Mayor and the member designated under subsection 6.1 are absent from a Council meeting, the Council member next in succession on the rotating schedule established under subsection 6.1 shall preside at the meeting.

6.3 At a meeting other than a Council meeting, if both the Mayor and Acting Mayor are absent or otherwise unable to act, the Council member next in succession on the rotating schedule established under subsection 6.1 shall preside at the meeting.

6.4 Where the office of Mayor becomes vacant, Council shall designate a member of Council to be Acting Mayor, and that person shall continue in office until such time as another Mayor is elected or otherwise appointed.

6.5 The Acting Mayor or presiding member of Council designated under subsections 6.1, 6.2, 6.3, or 6.4 has the same powers and duties as the Mayor in relation to the applicable matter.

PART 3 SCHEDULE, LOCATION, AND NOTICE OF COUNCIL AND COTW MEETINGS

7.0 Inaugural Council Meeting

7.1 Following a general local election, the inaugural Council meeting shall be held on the first Monday in November in the year of the election.

7.2 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 7.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum of council has taken office.

8.0 Time and Place of Regular Council and COTW Meetings

- 8.1** All Regular Council and COTW meetings shall take place within Council Chambers at the Municipal Hall except when Council resolves to hold meetings elsewhere in the municipality, or where a meeting is to be held by electronic means.
- 8.2** Regular Council meetings shall be held on the first and third Monday of each month.
- 8.3** Regular COTW meetings will be held on the second Monday of each month.
- 8.4** Notwithstanding subsection **8.2** and **8.3**, regular Council and COTW meetings will not be held for the following exceptions:
- 1) when such Monday is a statutory holiday, the meeting shall be rescheduled where feasible so that first and third meetings of the month are regular Council meetings;
 - 2) during the weeks in which the annual general meetings of the Union of British Columbia Municipalities and the Federation of Canadian Municipalities are held;
 - 3) during the month of August; **[Amendment Bylaw 3145]**
 - 4) during the two weeks prior to and the two weeks following a general local election;
 - 5) on general voting days of Provincial and Federal elections; and
 - 6) in the month of a local general election. **[Bylaw 3135]**
- 8.5** Regular Council meetings will begin at 7:00 p.m. and be adjourned by 10:30 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time by an affirmative 2/3 vote of the Council members present;
- 8.6** Public Hearings may be held as part of a regular Council meeting or at another meeting by resolution of Council; **[Bylaw 3135]**
- 8.7** Regular COTW meetings will begin at 6:00 p.m. and be adjourned by 9:30 p.m. on the day scheduled for the meeting unless the COTW resolves to proceed beyond that time by an affirmative 2/3 vote of the members present;
- 8.8** Notwithstanding subsection **8.5** regular Council meetings may begin at 5 p.m. or later if any part of the meeting is closed in accordance with section 90 of the *Community Charter*, and provided that the portion of the regular meeting that is open to the public begins at 7 p.m.

9.0 Notice of Regular Council and COTW Meetings

- 9.1** A schedule of the dates, times, and places of regular Council and COTW meetings and notice shall be given annually on or before December 31 to the public of the availability of the schedule and a copy will be posted at the Public Notice Posting Places in accordance with the *Community Charter*.

- 9.2** At least 72 hours before each regular Council meeting, the Corporate Officer must give public notice of the time, place and date of the meeting by posting notice at the Public Notice Posting Places.
- 9.3** Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates revisions to the date, time and place or cancellation of a regular Council meeting.
- 9.4** Where a Regular Council or COTW meeting is to be held by means of electronic or other communication facilities, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places advising of:
- 1) the date, time, and location, if applicable, of the meeting;
 - 2) the way in which the meeting is to be conducted by means of electronic or other communication facilities; and
 - 3) the place where the public may attend to hear, or watch and hear, the meeting proceedings that are open to the public.

10.0 Notice of Special Council and COTW Meetings

- 10.1** A Special Council or COTW meeting, which is any Council or COTW other than a regular Council or COTW meeting scheduled pursuant to this Part or an adjourned Council meeting may be called by the CAO or Corporate Officer in consultation with the Mayor in accordance with the provisions of the *Community Charter*.
- 10.2** Except where notice of a special meeting is waived by unanimous vote of all Council members under the provisions set out in the *Community Charter*, a notice of the date, time, and place of a special Council meeting must be given at least 24 hours before the meeting by posting a copy of the notice at the Council Chambers at Municipal Hall and posting a copy of the notice at the Public Notice Posting Places.
- 10.3** Where a special meeting of Council or COTW is to be conducted by electronic means or other communication facilities, except where notice is waived by unanimous vote of all Council members, the Corporate Officer must post notice to the Public Notice Posting Places at least 24 hours in advance of the meeting advising of:
- 1) the date, time, and location of the meeting;
 - 2) the way in which the meeting is to be conducted by means of electronic or other communication facilities; and
 - 3) the place where the public may attend to hear, or watch and hear, the meeting proceedings that are open to the public.
- 10.4** The notice under subsections [10.1](#), [10.2](#), and [10.3](#) shall describe in general terms the purpose of the meeting and be signed by the Corporate Officer.

11.0 Cancellation of Council and COTW Meetings

11.1 Regular Council and COTW meetings may be:

- 1) cancelled by resolution of Council; or
- 2) postponed to a different day, time, and place by the CAO in consultation with the Mayor, provided the Corporate officer notified Council members and the public of the new date, time and place for the meeting in accordance with this Bylaw.

11.2 Council may by resolution suspend the regular Council meeting schedule provided for under this Bylaw.

12.0 Electronic Meetings

12.1 Regular meetings of Council, COTW, Committees or Commissions may be held by electronic means or other communication facilities in the event of an emergency situation if the requirements in subsection [12.3](#) are met.

12.2 Special Council, COTW, Committee or Commission meetings may be conducted by means of electronic or other communication facilities at the discretion of the Mayor, CAO, or Corporate Officer if the requirements of subsection [12.3](#) are met.

12.3 Electronic meetings shall:

- 1) be conducted in accordance with this Bylaw;
- 2) provide for advance public notice of the meeting in accordance with the requirements contained in the *Community Charter* and in sections [9.0](#), [10.0](#), and [46.0](#) of this Bylaw; and
- 3) the facilities must:
 - a) enable the meeting participants to hear, or watch and hear, each other;
 - b) enable the public to hear, or watch and hear, the meeting at the place specified for public attendance, except for any part of the meeting that is closed to the public; and
 - c) enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place, except for any part of the meeting that is closed to the public.

12.4 Once the meeting is called to order the presiding member must verbally confirm the attendance of all meeting participants present.

13.0 Electronic Participation in Meetings

- 13.1** Members of Council, COTW, Committees, and Commissions must make all reasonable efforts to attend meetings in person unless an electronic meeting is scheduled in accordance with section 12.0 of this Bylaw. Members may participate in meetings by electronic means or other communication facilities provided that:
- 1) they are not the presiding member;
 - 2) less than quorum of Council, COTW, or any Committee or Commission are participating electronically, except in accordance with the provisions under section 12.0 of this Bylaw;
 - 3) the Corporate Officer or designate is notified prior to the meeting of a member's requirement to participate electronically;
 - 4) the Corporate Officer or designate is able to secure the electronic equipment to facilitate the meeting;
 - 5) the facilities enable the meeting participants to hear, or watch and hear, each other;
 - 6) the facilities enable the public to hear, or watch and hear, the meeting at the place specified for public attendance, except for any part of the meeting that is closed to the public; and
 - 7) participants attending electronically must take reasonable precautions to ensure that all content from a closed meeting remains confidential.
- 13.2** An individual Council, COTW, Committee, or Commission member may not participate electronically in more than three consecutive meetings without a resolution of Council.
- 13.3** After a meeting is called to order, the presiding member must identify each Council, COTW, Committee, or Commission member who is participating by electronic means.
- 13.4** Written material at a Council, COTW, Committee, or Commission meeting at which there is electronic participation that is presented to the members of the body meeting, without being included in either the agenda package or late agenda items, may be provided to members by electronic means.
- 13.5** Members of the public wishing to participate electronically in meetings open to the public must register in advance with the Corporate Officer or designate.

13.6 The following may participate in Council and COTW meetings by electronic means, if applicable, provided that the Corporate Officer has been notified in advance and the facilities necessary to facilitate electronic participation can be secured:

- 1) Public Input in accordance with section 15.0;
- 2) Presentations, in accordance with section 16.0;
- 3) Delegations, in accordance with section 17.0; and
- 4) Public Comment Period in accordance with section 18.0.

PART 4 PUBLIC ATTENDANCE AND PARTICIPATION OPPORTUNITIES

14.0 Attendance of Public at Meetings

- 14.1** All Council, COTW, Committee, and Commission meetings must be open to the public.
- 14.2** Despite subsection 14.1, any Council, Committee, or Commission meeting, or part of a Council, Committee, or Commission meeting, may be closed to the public in accordance with section 90 of the *Community Charter*.
- 14.3** Before closing a meeting, or part of a meeting, to the public, the Council, Committee, or Commission must pass a resolution in a public meeting in accordance with the *Community Charter*.
- 14.4** This section applies to all meetings of the bodies under the provisions of the *Community Charter*, including without limitation:
- 1) Board of Variance,
 - 2) Commissions,
 - 3) COTW,
 - 4) Parcel Tax Review Panel,
 - 5) Select Committees,
 - 6) Standing Committees, and
 - 7) A body under the *Local Government Act* or any other enactment that may exercise the powers of the Township or its Council.
- 14.5** Despite subsection 14.1, the Mayor or presiding member may expel or exclude a person from a Council meeting or another meeting of a body listed in subsection 14.4 in accordance with the provisions of the *Local Government Act* or *Community Charter*.

- 14.6** If the person who is expelled does not leave the meeting, a peace officer may enforce the order as if it were a court order. Where meetings are conducted by electronic means, or where a person is participating by electronic means, the Mayor or presiding member may direct the Corporate Officer to disconnect that person from the meeting.

15.0 Public Input Opportunities

- 15.1** The public will be provided an opportunity at regular Council and COTW meetings to address Council on any item listed on the meeting agenda in accordance with subject matter restriction provisions in section 19.0 of this Bylaw.
- 15.2** Each individual address will be limited to two (2) minutes unless a longer period is approved by unanimous vote of those Council members present.
- 15.3** A member of the public may only speak once on each agenda item unless otherwise permitted by unanimous vote of those Council members present.
- 15.4** All comments shall be addressed through the Mayor, Acting Mayor, or presiding member. Speakers are not permitted to direct their comments to staff or any other meeting participants or attendees.
- 15.5** Notwithstanding subsections 15.1 and 15.3, public input during the conduct of a Public Hearing shall adhere to the requirements in the *Local Government Act*.

16.0 Presentations

- 16.1** Presentations at COTW shall:
- 1) be limited to 10 minutes unless a longer period is approved by Council resolution in advance or by unanimous vote of those COTW members present; **[Bylaw 3135]**
 - 2) include no more than 20 slides;
 - 3) be limited to a maximum of two (2) presentations scheduled at a meeting unless additional presentations are approved in advance by Council resolution; **[Bylaw 3135]**
 - 4) comply with subject matter restriction provisions contained in section 19.0 of this Bylaw; and
 - 5) adhere to the Respectful Workplace Policy.
- 16.2** Organizations wishing to make a presentation at a regular COTW meeting must submit a written request on a form prescribed by the Corporate Officer by 12 noon on the Monday the week prior to the meeting and are subject to the provisions in subsection 16.1. **[Bylaw 3135]**
- 16.3** The Corporate Officer may schedule presentations to another COTW meeting, or in consultation with the CAO, to a Committee as deemed appropriate according to the subject matter of the presentation.

- 16.4 Presentations are not permitted more than once every six (6) months on the same issue unless prior consent has been obtained by a resolution of Council. **[Bylaw 3135]**
- 16.5 The Corporate Officer may refuse to place a presentation on the agenda if the issue is not considered to fall within the jurisdiction of Council or is regarding a restricted subject matter in accordance with section 19.0 of this Bylaw. If the applicant wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to the CAO and the Mayor for their consideration. The outcome of the appeal process will be provided by the CAO to the applicant and copied to Council. **[Amendment Bylaw 3145]**
- 16.6 Organizations and agencies invited by Council to provide a presentation shall be limited to 20 minutes unless a longer period is approved by Council resolution in advance or at the meeting by a unanimous vote of those COTW members present. **[Amendment Bylaw 3145]**
- 16.7 A COTW member may ask questions to the presenter to clarify or correct information but must not enter into debate on the subject of the presentation. The Committee will not enter into debate on the information received. The presentation should be formally received and may be:
- 1) referred to staff for preparation of a staff report for inclusion on a future meeting agenda;
 - 2) referred to a Committee or Commission with an accompanying staff report; or
 - 3) provided a letter of comment or support if requested, where Council determines no additional information or public input is necessary. **[renumbered by Amendment Bylaw 3145]**
- 16.8 General presentations forming part of an application process made at Council, COTW, Committee or Commission meetings, including those made by applicants, or their representatives, shall be limited to 10 minutes in total and shall include no more than 20 slides. **[Bylaw 3135] [renumbered by Amendment Bylaw 3145]**

17.0 Delegations

- 17.1 An individual who wishes to appear as a delegation at a regular COTW meeting must submit a written request on a form prescribed by the Corporate Officer by 12 noon on the Wednesday prior to the meeting.
- 17.2 A maximum of two (2) delegations may be permitted at any COTW meeting unless additional delegations are approved at the meeting by resolution of the majority of the members present.
- 17.3 The Corporate Officer may schedule delegations to another COTW meeting, or in consultation with the CAO, to an advisory body as deemed appropriate according to the subject matter of the delegation.
- 17.4 Each address must be limited to five (5) minutes unless a longer period is agreed to by unanimous vote of the COTW members present. Video or other electronic presentations used as part of the delegation will be included in the total permitted time for the delegation.

- 17.5** Notwithstanding subsection 17.7, the CAO may direct the Corporate Officer to refer the delegation to staff for direct action and/or response if deemed appropriate, and the Council will be so advised.
- 17.6** Where written application has not been received by the Corporate Officer as prescribed in subsection 17.1, an individual or delegation may address the meeting if approved by resolution of the COTW.
- 17.7** Council must not permit a delegation to address a meeting of COTW if:
- 1) the subject matter is a bylaw in respect of which a Public Hearing has been or will be held, where the Public Hearing is required under an enactment as a pre-requisite to the adoption of the bylaw or other restricted subject matter and in accordance with section 19.0 of this Bylaw; and
 - 2) the actions or subject matter of the speaker does not comply with the Township's Respectful Workplace Policy.
- 17.8** The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council or is regarding a bylaw in respect of which a Public Hearing has been held or any other matter referred to in section 19.0. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to the CAO and Mayor for their consideration. The outcome of the appeal process will be provided by the CAO to the delegation and copied to Council.
- 17.9** Individuals are not permitted more than one delegation every 6 months on the same issue unless prior consent has been obtained by a resolution of Council.
- 17.10** A COTW member may ask questions to the delegation to clarify or correct information but must not enter into debate on the subject of the delegation. COTW members will not enter into debate on the information received. The delegation should be formally received and may be:
- 1) referred to staff for preparation of a staff report for inclusion on a future meeting agenda;
 - 2) referred to a Committee or Commission with an accompanying staff report; or
 - 3) provided a letter of comment or support if requested, where Council determines no additional information or public input is necessary.

18.0 Public Comment Period

- 18.1** The public will be provided an opportunity at regular Council and COTW meetings to address Council on any Township-related topics except those restricted subject matters listed under section 19.0 of this Bylaw.
- 18.2** Each individual address will be limited to two (2) minutes unless a longer period is approved by unanimous vote of those Council members present.

- 18.3 A member of the public may only speak once unless otherwise permitted by unanimous vote of those Council members present.
- 18.4 All comments shall be addressed through the Mayor, Acting Mayor, or presiding member. Speakers are not permitted to direct their comments to staff or any other meeting participants or attendees.

19.0 Restrictions on Subject Matter

- 19.1 This section applies to any person, group, or organization appearing before Council as a presentation, delegation, or speaker during Public Input or Public Comment Period.
- 19.2 No presenter, delegate, or member of the public shall speak on any matter that:
 - 1) must be, or has been, considered by Council at a closed meeting pursuant to the provisions of the *Community Charter*;
 - 2) is before the Courts for which legal action is being pursued or is pending;
 - 3) relates to a claim for damages against the Township;
 - 4) is the subject of current bylaw enforcement action by the Township;
 - 5) is the subject of a Public Hearing that will be or has been held in accordance with an enactment that is a pre-requisite to the adoption of the subject bylaw;
 - 6) relates to an application before the Board of Variance;
 - 7) discloses the personal information of a third party without that party's express consent.
- 19.3 Notwithstanding subsection 19.2, all persons who believe their interests in property is affected by a proposed bylaw that is the subject of a Public Hearing that forms part of a Council meeting shall be afforded an opportunity to be heard in the matters contained in the bylaw in accordance with the provisions of the *Local Government Act*.
- 19.4 For certainty, interested parties may submit written comments to Council at any time on any matters including those listed in subsection 19.2. Written comments will be processed in accordance with the provisions of the *Community Charter*, *Local Government Act*, this Bylaw and applicable Township policies.

PART 5 COUNCIL AND COTW MEETING PROCEEDINGS

20.0 Agenda

- 20.1 At least 24 hours prior to each Council or COTW meeting, the Corporate Officer shall prepare an agenda for the meeting that lists and briefly summarizes the business items to be considered.
- 20.2 The deadline for submissions to the Corporate Officer of items for inclusion on the Council or COTW meeting agenda is 12:00 p.m. (noon) on the Wednesday prior to the regular meeting.

- 20.3** The Corporate Officer must make the agenda available to members of Council or the COTW and the public on the Friday prior to the regular meeting by:
- 1) distributing a copy to each member;
 - 2) posting a copy of the of the agenda at the Public Notice Posting Places; and
 - 3) preparing a counter copy for public inspection at the Administration Department, Municipal Hall.
- 20.4** Should a statutory holiday fall on a Friday preceding a regular Council or COTW meeting, the agenda deadlines as noted in subsections [20.2](#) and [20.3](#) shall be 24 hours earlier.
- 20.5** Council and COTW 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 [21.0](#).

21.0 Late Items

- 21.1** The deadline for late items to be included on an agenda is 12:00 p.m. (Noon) on the day of the Council or COTW meeting.
- 21.2** Late agenda items received by the Corporate Officer shall not be placed on an agenda unless, in the opinion of the CAO, the item is deemed to be urgent. Pursuant to subsection [21.1](#), placement on an agenda does not guarantee that Council will consider the item at that meeting.
- 21.3** An item of business not included on the agenda must not be considered at a Council or COTW meeting unless introduction of the late item is approved by a resolution of the majority of the members present at the time allocated on the applicable agenda for such matters.

22.0 Order of Proceedings and Business

22.1 The agenda for all regular Council meetings shall be as follows:

- 1) Call to Order
- 2) Introduction of Late Items;
- 3) Approval of Agenda;
- 4) Presentation of Awards or Honours from Council; **[Bylaw 3135]**
- 5) Adoption of Minutes;
- 6) Public and Statutory Hearings;
- 7) Public Hearing Staff Reports;
- 8) Bylaws for Adoption or First and Second Reading that are subject to a Public Hearing
- 9) Public input on Agenda Items excluding items which are or have been the subject of a Public Hearing;
- 10) Staff Reports;
- 11) Bylaw Readings Not Subject to a Public Hearing;
- 12) Reports from Members of Council;
- 13) Reports/Minutes from Committees;
- 14) Communications;
- 15) Notice of Motion;
- 16) Rise and Report (from In Camera);
- 17) Public Comment Period;
- 18) Resolution to close the meeting pursuant to Section 90 of the *Community Charter*;
- 19) Adjournment.

22.2 Despite the requirements for public notice in the *Community Charter*, and [PART 3](#) of this Bylaw, at any time during a Council meeting, Council may by resolution go into COTW.

22.3 The order of business at all regular COTW meetings shall be as follows:

- 1) Call to Order;
- 2) Introduction of Late Items;
- 3) Approval of the Agenda;
- 4) Adoption of Minutes;
- 5) Public Input on Agenda Items;
- 6) Presentations and Delegations;
- 7) Staff Reports;
- 8) Public Comment Period;
- 9) Adjournment.

22.4 The order of business at all special Council or COTW meetings shall be as follows:

- 1) Call to Order;
- 2) Introduction of Late Items;
- 3) Approval of Agenda;
- 4) Adoption of Minutes;
- 5) Special Meeting Matters;
- 6) Resolution to close the meeting pursuant to Section 90 of the *Community Charter*;
- 7) Adjournment.

22.5 A change to the prescribed order of business may be resolved by a majority vote of all Council or COTW members present as applicable.

23.0 Mayor and Presiding Members

23.1 The Mayor, if in attendance, shall preserve order at all Council meetings and decide points of order which may arise.

23.2 The Acting Mayor, in accordance with section 6.0, shall preside in the absence of the Mayor at Council meetings or when the Mayor vacates the Chair.

23.3 If neither the Mayor nor the Acting Mayor is in attendance at a Council meeting or otherwise able to take the Chair, the Councillor who is next on the Acting Mayor rotation as established under section 6.0 shall take the Chair.

23.4 COTW may be Chaired by Councillors on a rotating basis as determined by the Mayor.

24.0 Calling Meeting to Order

- 24.1** 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. Where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with subsection 23.2 must take the Chair and call such meeting to order.
- 24.2** As soon after the time specified for a COTW meeting as there is a quorum present, the Councillor designated as Acting Mayor, if present, must take the Chair and call the meeting to order. Where the Acting Mayor is absent, the Councillor designated next on the rotation as the member responsible for acting in the place of the Mayor in accordance with subsection 23.3 must take the Chair and call such meeting to order.
- 24.3** If a quorum is present but the Mayor or presiding member pursuant to section 23.0 do not attend within 15 minutes of the scheduled time for a Council or COTW meeting:
- 1) the Corporate Officer or designate must call to order the members present, and
 - 2) the members present must choose a member to preside at the meeting until the arrival of the Mayor or Acting Mayor.

25.0 No Quorum

- 25.1** If there is no quorum present within 15 minutes of the scheduled time for a Council or COTW meeting, the Corporate Officer must:
- 1) record the names of the members present, and those absent; and
 - 2) adjourn the meeting until the next scheduled meeting.

PART 6 PROCEDURES FOR CONDUCT AND DEBATE

26.0 Conduct and Debate

- 26.1** The Mayor or presiding member in accordance with sections 6.0 and 23.0 of this Bylaw shall preserve order at the meeting and decide points of order which may arise, subject to an appeal by the other members of Council present;
- 26.2** Members who are called to order by the presiding member:
- 1) must immediately stop speaking;
 - 2) may explain their position on the point of order; and
 - 3) may appeal to the assembly for its decision on the point of order in accordance with section 132 of the *Community Charter*.

- 26.3** On appeal by a member of the decision of the Chair on a point of order, the motion “Shall the Chair be sustained” shall be immediately put by the Chair and decided without debate. The Chair shall be governed by the vote of the majority of the members present, excluding the Chair. In the event of the votes being equal, the motion shall pass in the affirmative. The names of the members voting for and against the motion shall be recorded in the minutes.
- 26.4** If the Chair refuses to put the motion “Shall the Chair be sustained”, the members present must immediately appoint a member to preside temporarily and that member shall proceed in accordance with subsection [26.3](#). A resolution or motion carried under this subsection is as binding as if carried under subsection [26.3](#).
- 26.5** A question of privilege may be raised at any time and shall be ruled on immediately by the Mayor or Chair;
- 26.6** A member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- 26.7** Members must address the presiding member by that person’s title of Mayor, Acting Mayor, Councillor, or Chair.
- 26.8** Members must address other non-presiding members by the title Councillor or Member, as applicable, followed by the name of the person being referenced.
- 26.9** No member shall interrupt another member who is speaking except to raise a point of order.
- 26.10** If more than one member speaks the presiding member must call on the member who, in the presiding member’s opinion, first spoke.
- 26.11** Members speaking at a meeting:
- 1) must not speak until they have been recognized by the Mayor or presiding member;
 - 2) must use respectful language;
 - 3) must not use offensive gestures, signs, or engage in offensive conduct;
 - 4) must speak only in connection with the matter being debated;
 - 5) may only speak about a vote of the respective body for the purpose of making a motion that the vote be rescinded; and
 - 6) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and the assembly in connection with the rules and points of order.

- 26.12** If a member does not adhere to the rules of conduct, the presiding member may order the member to leave the member's seat, and:
- 1) if the member refuses to leave, the presiding member may cause the Council member to be removed by a peace officer from the member's seat; and
 - 2) if the member apologizes to the meeting participants, the member may, by resolution, be permitted to retake their seat.
- 26.13** A member may require the question being debated at a meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- 26.14** The following rules apply to limit speech on matters being considered at a Council meeting:
- 1) a member may speak more than once in connection with the same question only
 - a) after all members have had their opportunity to speak and with the permission of the Mayor or presiding member; or
 - b) if the member is explaining a material part of a previous speech without introducing a new matter.
 - 2) a member who has made a substantive motion may reply to the debate;
 - 3) a member who has moved an amendment, the previous question, or an instruction to a Committee if applicable, may not reply to the debate;
 - 4) a member may speak to a question, or may speak in reply, for no longer than five (5) minutes each time except with the permission of the Mayor or presiding member.
- 26.15** This section shall also apply to conduct during a Public Hearing.

27.0 Question to be Put to a Vote After Closure of Debate

- 27.1** After debate on a motion is closed, the presiding member must put the question to a vote.
- 27.2** When the members are ready to vote, the presiding member must put the matter to a vote by calling "All in favour" followed by "Those opposed".
- 27.3** When the presiding member is putting the matter to a vote under subsections [27.1](#) and [27.2](#) a member must not:
- 1) cross or leave the room;
 - 2) make a noise or other disturbance; or
 - 3) interrupt the voting procedure under subsection [27.2](#) unless the interrupting member is raising a point of order.
- 27.4** After the presiding member finally puts the question to a vote under subsection [27.2](#), a member must not speak to the question or make a motion concerning it.

27.5 The presiding member's decision about whether a question has been finally put is conclusive.

27.6 A change to the prescribed order of business may be resolved by a majority vote of all Council members present.

PART 7 MOTIONS

28.0 General

28.1 The Mayor or presiding member may speak to any motion.

28.2 Motions shall be:

- 1) seconded before discussion can take place; and
- 2) phrased in a clear and concise manner to express an opinion or achieve a result.

28.3 Motions that are not seconded will not be recorded in the meeting minutes.

28.4 The Mayor or presiding member may require that motions be put in writing for purposes of clarity.

28.5 Any member may require the motion under discussion to be read at any time during debate, but may not interrupt a member while speaking to make this request.

28.6 After a motion has been seconded, it is deemed to be in the hands of the assembly, but the mover may, with the permission of the seconder, withdraw the motion at any time before the motion is amended or a decision on the motion is made. **[Bylaw 3135]**

28.7 The presiding member may split a motion that comprises several clearly identifiable parts, sections, or clauses if they determine this would produce a fairer or clearer result, and the same shall be voted on in the form in which it was divided.

28.8 If requested by any member of the assembly, the question on a motion that comprises several clearly identifiable parts, sections, or clauses, must be called separately, and in such circumstances a new mover and seconder is not required.

29.0 Motions - Council

- 29.1** When a question is under consideration no motion shall be received unless it is one of the following and these motions take precedence over each other in order in which they are named:
- 1) to table;
 - 2) to close debate (the previous question) requires 2/3 affirmative vote of those Council members present;
 - 3) to limit or extend limits of debate;
 - 4) to postpone to a certain time;
 - 5) to refer;
 - 6) to amend; and
 - 7) to postpone indefinitely.
- 29.2** A motion to adjourn the meeting or close debate shall always be in order.
- 29.3** Subsection 29.2 does not apply to either of the following motions:
- 1) a motion to adjourn to a specific day;
 - 2) a motion that adds an opinion or qualification to a preceding motion to adjourn.
- 29.4** If a motion to close debate and take the vote immediately:
- 1) carries, the original motion shall be put without any amendment or debate; or
 - 2) fails, then the motion is once again debatable.
- 29.5** A motion to postpone requires that the time, date, and place be provided for when the motion would be considered or that it be referred to the Corporate Officer. **[Bylaw 3135]**
- 29.6** A matter of privilege addresses the welfare of the assembly or the individual and refers to any of the following motions:
- 1) fix the time to adjourn;
 - 2) adjourn;
 - 3) recess;
 - 4) raise a question of privilege of the Council;
 - 5) raise a question of privilege of a member of Council.
- 29.7** A matter of privilege must be immediately considered when it arises.

29.8 The following motions are not amendable or debatable:

- 1) to table;
- 2) to close debate (the previous question); or
- 3) to adjourn.

29.9 For the purposes of subsections [29.1](#) and [29.5](#), a matter of privilege listed in subsection [29.8](#) has precedence over those matters listed after it.

29.10 Any Council member who wishes to bring a new matter before Council, other than a point of order or privilege, shall do so by way of motion.

29.11 Any new matter which may require further information prior to Council making a decision, may be ruled as a Notice of Motion and shall be dealt with in accordance with section [33.0](#) of this Bylaw.

30.0 Motions – COTW

30.1 The following motions may be made at COTW:

- 1) to receive for information.
- 2) to direct staff to review and report back with a recommendation at future meeting;
- 3) to refer the matter to a Committee or Commission with specific instructions; or
- 4) to make a recommendation to Council.

30.2 Motions made at COTW will be brought forward to Council for ratification by a report from the Corporate Officer.

31.0 Motions – Committees and Commissions

31.1 A Committee or Commission may make any of the following motions:

- 1) to recommend approval to Council;
- 2) to recommend denial to Council; or
- 3) to amend a recommendation.

32.0 Amendments

32.1 A member may, without notice, move to amend a motion that is being considered at a meeting.

32.2 An amendment may propose to add, strike out, or strike out and add words of an original motion.

32.3 A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.

32.4 Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.

32.5 Only one amendment shall be allowed to be before the assembly at one time and shall be decided or withdrawn before the main motion is decided.

32.6 An amendment that has been defeated by a vote cannot be proposed again.

33.0 Notice of Motion

33.1 Any Council member may give “Notice of Motion” respecting an item which the member intends to present by providing a written copy of such motion to the Corporate Officer in accordance with the timelines established under [PART 5](#) of this Bylaw.

33.2 A Notice of Motion presented under subsection [33.1](#) shall appear in the minutes of that meeting as a “Notice of Motion” for introduction and shall be placed on the agenda of the next Council meeting as identified by the member of Council introducing the motion for consideration.

33.3 Council may waive strict compliance with subsection [33.1](#) and present a motion for immediate consideration by a unanimous vote of the Council members present if:

- 1) the matter is time sensitive;
- 2) the matter is minor or inconsequential; or
- 3) the purpose is to direct that a letter be sent to another government body or agency, and where Council determines no additional information or public input is necessary.

33.4 Council may proceed with the Notice of Motion in the absence of the Council member in whose name the business is listed on the agenda if that Council member has provided written permission to the CAO or Corporate Officer for another Council member to proceed with that business. *[Bylaw 3135]*

PART 8 VOTING

34.0 General Voting Requirements

34.1 Each member has one vote on any motion or question.

34.2 Each Council, COTW, Committee, or Commission member present at the time of voting:

- 1) must vote on the matter by raising their hand, or if participating electronically, by verbally stating their vote as either in favour or opposed;
- 2) no member may leave a meeting once a vote on a matter has been called; and
- 3) if a member abstains from voting or does not indicate how they vote, the member is deemed to have voted in the affirmative.

- 34.3 Unless otherwise provided by statute or this Bylaw, a motion on a bylaw or resolution, or any other question before Council, COTW, a Committee, or Commission is decided by a majority of the Council members present at the meeting.
- 34.4 A requirement under an enactment for an affirmative vote of a specified portion of all members of Council means an affirmative vote of that portion of seven (7) members of Council.
- 34.5 If the vote of the members present at a meeting at the time of voting are equal for and against the motion, the motion is defeated unless otherwise provided for by statute or this Bylaw.
- 34.6 The presiding member must declare the result of the voting by stating that the question is either carried or defeated.
- 34.7 Whenever a vote of Council, COTW, a Committee or Commission on a matter is taken, the presiding member must state the names of the members opposed and the Corporate Officer or designate shall record those names in the minutes.
- 34.8 When the vote of Council, COTW, a Committee or Commission is carried with all members voting in the affirmative, the motion shall be recorded as "Carried Unanimously".

35.0 Reconsideration

- 35.1 The Mayor may require Council to reconsider a matter that was the subject of a vote in accordance with the provisions of the *Community Charter*.
- 35.2 A Council member who voted on the prevailing side may, at the next regular Council meeting:
 - 1) introduce a motion to reconsider a matter on which a vote has been taken if the matter has:
 - a) not been returned for reconsideration by the Mayor under subsection 35.1 of this Bylaw;
 - b) not been acted upon by an officer, employee, or agent of the Township; and
 - c) not had the approval or assent of the electors and been adopted.
 - 2) introduce a motion to reconsider an adopted bylaw after at least 24 hours following its adoption.
- 35.3 Council must not discuss the main matter referred to in subsection 35.1 unless a motion to reconsider that matter is adopted in the affirmative.
- 35.4 A motion brought back under this section can only be reconsidered once.
- 35.5 A Council member who voted affirmatively for a resolution adopted by Council may move to rescind that motion at any time.

PART 9 MINUTES

36.0 Production and Availability of Meeting Minutes

- 36.1** Minutes of the proceedings of all meetings of Council, COTW, Committees and Commissions must:
- 1) be legibly recorded;
 - 2) record the names of all members in attendance and record votes in opposition of each motion voted upon in the meeting;
 - 3) be certified as correct by the Corporate Officer or their designate; and
 - 4) be signed by the Mayor or other member presiding at the meeting at which the minutes are adopted.
- 36.2** Minutes of Council, COTW, Committee, and Commission proceedings must be open for public inspection at Municipal Hall during regular office hours and may be posted to the Municipal Website.
- 36.3** For certainty subsection [36.2](#) does not apply to minutes of a Council, Committee, or Commission meeting, or that part of a Council, Committee, or Commission meeting, that was closed to the public in accordance with the *Community Charter*.

PART 10 BYLAWS

37.0 Introduction of Bylaws

- 37.1** A proposed bylaw may be introduced at a Council meeting only if a copy of it has been provided to each Council member before the Council meeting, unless all Council members present unanimously agree to waive this requirement.
- 37.2** A bylaw must be printed and have a distinguishing name and number.

38.0 Readings of Bylaws

- 38.1** Before a bylaw is adopted by Council, it must be given three readings, all of which may be given at one Council meeting, unless the *Community Charter* or *Local Government Act* requires otherwise.
- 38.2** The readings of the bylaw may be given by stating its bylaw number and citation.
- 38.3** Each reading of a proposed bylaw must receive the affirmative vote of a majority of Council members present, unless otherwise required by statute.
- 38.4** Any amendment to a bylaw shall be made by a motion of Council after the bylaw has received second reading and before it receives third reading.
- 38.5** There must be at least one day between third reading and adoption of a bylaw.

- 38.6** Despite subsection [38.5](#) of this Bylaw, Council may adopt an Official Community Plan Bylaw, Zoning Bylaw, or Heritage Designation Bylaw at the same meeting at which the bylaw received third reading in accordance with the *Community Charter and Local Government Act*.
- 38.7** Council must not vote on the reading or adoption of a bylaw when the meeting is closed to the public.
- 38.8** Once a bylaw is adopted, it must be signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, and the Corporate Officer must:
- 1) set out the dates of its reading and adoption, and any required approvals that have been obtained;
 - 2) affix the Township's corporate seal; and
 - 3) place it in the Township's permanent record and maintain its safe custody.
- 38.9** A signed copy of every bylaw shall be made available for public inspection at Municipal Hall.

PART 11 COMMITTEES AND COMMISSIONS

39.0 Establishment of Committees and Commissions

- 39.1** Committees and Commissions may be established in accordance with the *Community Charter* and Township policies.

40.0 Standing Committees

- 40.1** The Mayor shall establish standing Committees for matters considered best dealt with by a Committee and must appoint members to those Committees in accordance with sections [42.3](#) and [44.0](#) of this Bylaw.
- 40.2** At least half of the members of a standing Committee must be Council members.
- 40.3** The Mayor shall be an ex officio member of each standing Committee and entitled to vote at all meetings and proceedings thereof.
- 40.4** Duties, terms, and reporting requirements will be defined by a Terms of Reference approved by the Mayor for that standing Committee.

41.0 Select Committees

- 41.1 Council may establish and appoint select Committees to consider or inquire into any matter and to report their findings and recommendations to Council.
- 41.2 At least one appointee of a select Committee must be a Council member.
- 41.3 The Mayor shall be an ex officio member of each select Committee and entitled to vote at all meetings and proceedings thereof.
- 41.4 Duties, terms, and reporting requirements will be defined by a Terms of Reference approved by Council for that select Committee.

42.0 Commissions

- 42.1 Council may establish Commissions as provided for by statute and must appoint members to those Committees in accordance with sections [42.3](#) and [44.0](#) of this Bylaw.
- 42.2 At least one appointee of a Commission shall be a Council member.
- 42.3 The terms, duties, and reporting requirements will be defined in the establishing bylaw for that Commission.

43.0 Appointments to Committees, Commissions, and Other Bodies

- 43.1 The Mayor shall review and update annually prior to December 31 of the current year, the list of Mayor's appointments for all Committees, Commissions, or other bodies to which the Township is entitled to appoint representatives, except standing Committees.
- 43.2 The Council shall review and update annually, prior to June 30 of the current year, the list of volunteer appointments to Council's Committees, Commissions, and Boards in accordance with [PART 11](#) of this Bylaw.

44.0 Voting on Appointments

- 44.1 In every selection by the Council for the appointment of any person to an office within the authority of Council, the names of all the applicants shall be submitted before any vote is taken.
- 44.2 Any appointment within the authority of the Council may be made by resolution of Council.

45.0 Election of Chair

- 45.1 At the first meeting after its establishment, a Committee or Commission must select a Chair from among its members as the first order of business after the Corporate Officer or their designate calls the meeting to order.

46.0 Schedule and Notice of Committee and Commission Meetings

- 46.1** At the first meeting after appointment annually, each Committee and Commission shall establish a regular schedule of meetings including the date, time, and place of the meetings and give notice of this schedule by:
- 1) posting a copy of the schedule at the Public Notice Posting Places; and
 - 2) providing a copy of the schedule to each member of the Committee or Commission.
- 46.2** Where revisions are necessary to the annual schedule of Committee and Commission meetings, the Corporate Officer shall, as soon as possible, and in accordance with the provisions of the *Community Charter*, post a notice to the Public Notice Posting Places indicating any revisions to the date, time, and place, or cancellation of a Committee or Commission meeting.
- 46.3** Regular Committee and Commission meetings shall be adjourned no later than three (3) hours from the advertised start time. If business cannot be completed within three (3) hours, the staff liaison may request through the Chair a time extension in advance of the meeting or the scheduling of a special meeting for the purpose of completing any unfinished business.

47.0 Agendas and Order of Business for Committee and Commission Meetings

- 47.1** At least 24 hours prior to each Committee or Commission meeting, the Corporate Officer or their designate shall prepare an agenda which lists and briefly summarizes the matters to be considered at the meeting and undertake the following:
- 1) provide either an electronic or paper copy of the meeting agenda to all Committee or Commission members; and
 - 2) post the meeting agenda at the Public Notice Posting Places.
- 47.2** If the meeting is to be held electronically, the agenda must include:
- 1) the way in which the meeting is to be conducted electronically;
 - 2) how the public may participate to hear, or see and hear, the proceedings; and
 - 3) the location where the public may attend to hear, or see and hear, the meeting.

47.3 The order of business at regular Committee and Commission meetings shall be as follows:

- 1) Call to Order
- 2) Introduction of Late Items
- 3) Approval of the Agenda
- 4) Adoption of Minutes
- 5) Presentations
- 6) Staff Reports
- 7) Notice of Recommendation (as permitted under the Terms of Reference)
- 8) Adjournment

47.4 Particular business at Committee or Commission meetings must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by a majority vote of those members present.

48.0 Quorum

48.1 The quorum for a Committee or Commission is a majority of its members, excluding vacancies.

48.2 If there is no quorum in attendance within 15 minutes of the advertised start time, the recording secretary shall record the names of the members in attendance and those absent and then adjourn the meeting to the next regularly scheduled Committee or Commission meeting.

49.0 Public Attendance and Input at Committee or Commission Meetings

49.1 All Committee and Commission meetings must be open to the public unless the meeting is permitted to be closed in accordance with the *Community Charter*.

49.2 Public input or presentations by members of the public are only permitted at Committee and Commission meetings as provided for in the applicable Terms of Reference or establishing bylaw.

50.0 Councillors May Attend

50.1 Council members may attend the meetings of any Commission or standing or select Committee of which they are not a member but shall not take part in any discussion or debate except with the affirmative vote of the majority of the Commission or Committee members present.

50.2 Council members attending a meeting of a Committee or Commission of which they are not an appointed member must not vote on a question.

51.0 Council Rules and Procedures Apply

51.1 For certainty, the rules and procedures of the Council under Sections [12.0](#) and [13.0](#), and [PART 6](#), [PART 7](#), [PART 8](#), and [PART 9](#) also apply at Committee and Commission meetings as far as may be applicable.

PART 12 APPEALS

52.0 Appeal of Council Decision

52.1 Any person may appeal any decision of the Council at a Council meeting within 30 days of the decision being made public but not at any future meeting, except that the CAO/Corporate Officer may extend the appeal period for a sufficient number of days to include one additional regular Council meeting where there are fewer than two (2) regular Council meetings during the appeal period.

52.2 Notwithstanding subsection [52.1](#) no person may appeal:

- 1) a decision reached after a Public Hearing;
- 2) a decision to issue any permit after the permit has been issued;
- 3) a decision to enter into a contract after the contract has been entered into; or
- 4) a decision authorizing some action to be carried out where the action has been fully or partially carried out.

52.3 Any person wishing to make an appeal shall so advise the Corporate Officer either verbally or in writing at least six (6) days in advance of the meeting at which they wish to appeal and shall at the same time provide the names of all persons who will be presenting the appeal.

53.0 Appeal Procedures at Meeting

53.1 No person shall speak for more than five (5) minutes in presenting an appeal.

53.2 If at any one meeting the total time of appeals presented to Council exceeds 30 minutes, any appeals not yet heard by Council shall be referred to the following Council meeting.

54.0 Council Action Following an Appeal

54.1 After hearing an appeal, Council may either confirm its earlier decision or refer the question to a Council meeting at least one week later.

55.0 Decisions May Only be Appealed Once

55.1 No person may appeal any decision of Council more than once without receiving permission from Council.

PART 13 REPEAL

56.0 Repeal of Bylaw.

56.1 The Township of Esquimalt *Council Procedure Bylaw, 2009, No. 2715* and any amendments thereto, are hereby repealed.

READ A FIRST TIME THIS 11th DAY OF JULY, 2022.

READ A SECOND TIME THIS 11th DAY OF JULY, 2022.

READ A THIRD TIME THIS 11th DAY OF JULY, 2022.

ADOPTED THIS 15th DAY OF AUGUST, 2022.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER