



# MEMORANDUM

**TO:** MAYOR AND COUNCIL **DATE:** SEPTEMBER 30, 2019  
**FROM:** CORPORATE ADMINISTRATION **FILE NO:** 3900-25  
**SUBJECT:** COUNCIL PROCEDURE BYLAW DRAFT AMENDMENTS

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At the July 22, 2019 Council Priorities Committee meeting, Council continued the discussion regarding amendments to the Council Procedure Bylaw. The amendments discussed during the meeting are indicated as orange text in the Draft Consolidated Council Procedure Bylaw, included as Attachment A. Amendments discussed during the April 15, 2019 meeting are included in the draft as green text, with the June 24, 2019 CPC meeting discussions indicated as blue text.

At the April 15, 2019 meeting, Council requested staff to research other local government examples regarding the number of times an individual may be a delegation to Council. As discussion at the June 24, and July 22 meetings did not advance to the Delegation section of the bylaw, the examples from other jurisdictions and other potential options are included as Attachment B.

Attachment C includes items forwarded by Mayor Froese, Councillor Richter, and Councillor Woodward for discussion.

When the July 22 meeting adjourned, Council had completed discussions up to and including Section 9.08. Council may choose to continue reviewing the Bylaw in order by section, identify priority sections to discuss immediately, or discuss other methods to identify improvements to the Council Procedure Bylaw.

In the upcoming months, the Council Procedure Bylaw discussions will be pre-empted from the Council Priorities Committee meeting due to budget discussions and topics that Council has identified as having priority. As to Delegation and changes discussed thus far, staff suggest Council direct staff to bring forward a Council Procedure Bylaw amendment to include the Delegation section and changes already discussed. A second amendment bylaw could then be brought forward at a later date, when the discussion of the Procedure Bylaw is concluded.

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY**

**COUNCIL PROCEDURE BYLAW 2016 NO. 5199**

**A Bylaw Regulating the Procedures of Council, its Committees, and other Bodies  
Pursuant to the *Community Charter*, S.B.C. 2003, c. 26**

**EXPLANATORY NOTE**

**CONSOLIDATED DRAFT AMENDMENTS FOR DISCUSSION**

April 15, 2019 Amendments Included

June 24, 2019 Amendments Included

July 22, 2019 Amendments Included

DRAFT

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## THE CORPORATION OF THE TOWNSHIP OF LANGLEY

### COUNCIL PROCEDURE BYLAW 2016 NO. 5199

#### A Bylaw Regulating the Procedures of Council, its Committees, and other Bodies Pursuant to the *Community Charter*, S.B.C. 2003, c.26

The Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

### PART 1 -TITLE

- 1.01 This Bylaw may be cited for all purposes as “Township of Langley Council Procedure Bylaw 2016 No. 5199”.

### PART 2 - DEFINITIONS

#### *Definitions and Interpretation*

- 2.01 In this Bylaw,

“**Administrator**” means the Chief Administrative Officer;

“**Advisory Committee**” means a committee of persons appointed by Council, in addition to Council Members and/or staff members, to advise Mayor and Council, and staff;

“**Chair**” means the Mayor, Acting Mayor, or Member appointed under the *Community Charter* or this Bylaw who is presiding at a meeting;

“**Civic Facility**” means the Civic Facility located at 20338 – 65 Avenue, Langley, British Columbia, V2Y 3J1;

“**Committee**” means a standing, select, or other committee;

“**Community Charter**” means *the Community Charter* of the Province of British Columbia;

“**Corporate Officer**” means a person responsible for corporate administration, appointed under the *Community Charter*;

“**Council**” means the Council of the Township;

“**Councillor**” means a member of the Council other than the Mayor;

“**Delegation**” means a member of the public or representative of an organization who addresses Council, a Council Advisory Committee, a Board, or a Public Hearing about a specific item on the agenda of a meeting;

“**Local Government Act**” means *the Local Government Act* of the Province of British Columbia;

**“Majority Vote”** means that more than half of the Members present, with a quorum present, vote in favor of a resolution, main motion, bylaw, amendment or any other secondary motions;

**“Mayor”** means the Mayor of the Township, and includes a Councillor acting as Mayor under this Bylaw;

**“Member”** means a voting member of the Council, including the Mayor or any Councillor of the Township;

**“Public Notice Posting Place”** means the Public Notice Board at Corporate Customer Service on the second floor of the Civic Facility and the Township Website;

**“Quorum”** means:

- (1) in the case of Statutory, Regular, and Special meetings of Council, five (5) elected members of Council; and
- (2) in the case of a committee or other body, more than half of the voting members appointed;

**“Regular Meeting”** means a Council meeting convened regularly in accordance with Part 5;

**“Social Media”** means a web site used by individuals or groups to share ideas, information, messages and other content such as audio and video images;

**“Special Meeting”** means a Council meeting other than a Statutory, Regular or adjourned meeting;

**“Township”** means The Corporation of the Township of Langley;

**“Township Clerk or Deputy Township Clerk”** means the Corporate Officer for the Township, assigned the responsibility of Corporate Administration of the Township under the *Community Charter*;

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

**“Unanimous consent”** means an informal way of taking a vote, used only for routine and non-controversial decisions, usually of a procedural nature, e.g.: The Chair asks: “Is there any objection to extending the time for this speaker by 2 minutes?”, pauses, and if no Members objects says: “There being no objections, the time is so extended.” If a Member does object, the Chair takes a show of hands: “There are objections and we’ll take a show of hands. Those in favour of granting an extra two minutes raise one hand. Thank you. Those opposed raise one hand. Thank you. The two minute extension has been granted (or has not been granted)”;

**“Unintentional”** means not intentional or deliberate.

## PART 3 – INTERPRETATION AND APPLICATION

### ***Rules of Procedure***

- 3.01 The rules and regulations contained in this bylaw apply to proceedings of the Council and Committees established by Council.

The definitions and provisions in *the Community Charter* and *the Local Government Act* apply to this Bylaw and supersede any provisions in this Bylaw that may conflict with *the Community Charter or the Local Government Act*. If an amendment to *the Community Charter or the Local Government Act* creates a conflict between the applicable legislation and this Bylaw, such an amendment shall come into effect immediately, this Bylaw shall be deemed to have been altered.

### ***Irregularity***

- 3.02 When a specific provision of this bylaw, which does not originate in *the Community Charter or the Local Government Act*, is unintentionally incorrectly applied, it shall not affect the validity of the resolution or bylaws approved.

### ***Section Titles***

- 3.03 Section titles are for reference purposes only and should not be used for interpretation or deemed to add to or deviate from the language of the section.

### ***Terms and Parliamentary Procedures***

- 3.04 A Glossary of Terms and Parliamentary Procedures is attached as Appendix D.

## PART 4 – INAUGURAL MEETING OF COUNCIL

### ***Inaugural Meeting***

- 4.01 Following a general local election, the first meeting of a newly elected Council shall be held at 7:00pm on the first Monday of the month immediately following the election. ~~in the calendar year in which the election was conducted.~~

### ***Schedule and Designation of Acting Mayor***

- 4.02 At the Inaugural Meeting of Council, Council must approve by resolution, a schedule designating each Councillor to an equal number of weeks over their term of office for specifying the period they are Acting Mayor. As Acting Mayor, the designated Councillor is the member responsible for acting in the place of the Mayor in his or her absence, or otherwise unable to act, or when the office of Mayor is vacant, and the Acting Mayor has the same powers and duties as the Mayor.
- 4.03 The Inaugural Meeting shall be the only meeting of Council scheduled for the day that the Inaugural Meeting occurs.

## PART 5 – MEETINGS OF COUNCIL

### ***Schedule of Council Meetings***

- 5.01 Council's meeting schedule shall include Regular Council Afternoon, Regular Council Evening, and Regular Council Public Hearing.



The agenda for the Regular Council Public Hearing may also include other non-Public Hearing related items that require Council action or direction.

Special Closed Council meetings maybe scheduled to occur within Regular Afternoon or Regular Evening Council meetings.

- 5.02 Prior to the last meeting of Council in December of each year, Council shall approve its schedule of Regular Council meetings for the following year.
- 5.03 Council may, by resolution:
- a) cancel or reschedule any Regular Meeting;
  - b) change the time or location for holding the meeting; or
  - c) call an additional Regular Meeting at the time and place stipulated in the resolution.

#### ***Public Notice of Council Meeting Schedule***

- 5.04 Council must prepare annually, on or before January 1, a schedule of the dates, times, and places of Regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place.

#### ***Advertising Availability of Regular Council Meeting Schedule***

- 5.05 Council must give notice annually, of the availability of the schedule of Regular Council meetings beginning on January 1, and publish the notice once each week for two consecutive weeks in a newspaper distributed at least weekly in the Township and posted in the Public Notice Posting Place.
- 5.06 If under section 5.03, revisions are necessary to the annual schedule of Regular Council meetings, the Township Clerk/Deputy Township Clerk must, as soon as practicable:
- a) post a notice at the Public Notice Posting Place which indicates any revisions to the date, time, and place or cancellation of a Regular Meeting of Council; and
  - b) revise the schedule referred to in section 5.04.

#### ***Location of Regular Council Meetings***

- 5.07 A Regular Meeting of Council must be held at the Civic Facility, 20338 – 65 Avenue, Langley, BC unless by resolution Council approves an alternate location.

#### ***Scheduling of Regular Council Meetings***

- 5.08 Council's regular meetings are held as per the schedule adopted annually, except where such meetings are subsequently canceled, postponed, or added, and the public is so notified.

#### ***Regular Council Afternoon Meeting***

- 5.09 Regular Council Afternoon meetings are scheduled as per the schedule adopted by Council and shall start at the time set by the Township Clerk/Deputy Clerk (or designated staff person) and end no later than 6:00pm, unless Council Members present unanimously consent to or adopt a resolution to extend the meeting.

### ***Regular Council Evening Meeting***

- 5.10 Regular Council Evening meetings are scheduled as per the schedule adopted by Council and shall start at the time set by the Township Clerk/Deputy Clerk (or designated staff person) and end no later than 10:00pm, unless Council Members present unanimously consent to, or adopt a resolution to extend the meeting.

### ***Regular Council Public Hearing Meeting***

- 5.11 Regular Council Public Hearing meetings are scheduled as per the schedule adopted by Council and shall start at the time set by the Township Clerk/Deputy Clerk (or designated staff person) and end no later than 11:00pm, unless Council Members present unanimously consent to or adopt a resolution to extend the meeting.

### ***Special Closed Meeting of Council***

- 5.12 Special Closed Meetings of Council are held after the commencement of a Regular Council Afternoon meeting or other open Council meeting, upon resolution of Council to exclude the public from the meeting in relation to one or more matters specified in the *Community Charter* and may be called in accordance with the following provisions:
- a) Before a Special (Closed) Meeting is convened, Council must adopt a resolution in an open meeting, as per Section 92 in *the Community Charter*, specifying the clauses under Section 90 in *the Community Charter* under which such a meeting is being called.
  - b) For each Special (Closed) Meeting, the resolution(s) under Section 92 of *the Community Charter* must always include clause 90(1)(n) of *the Community Charter*, so as to allow Council to debate and determine the appropriateness of the closed meeting status of the items included in the resolution.
  - c) No items may be added to a closed meeting agenda while such a meeting is in progress, unless Council, at a subsequent open meeting, adopts a separate resolution to authorize such an addition to the agenda.
  - d) Upon the direction of Council to declassify the proceedings of a closed meeting and/or any related documents, the Corporate Officer shall make the relevant materials public.
  - e) The minutes of a closed meeting may include only the topics and the decisions made.
  - f) No outsider, including an invited advisor, may attend a Special (Closed) Meeting unless he or she is invited to attend by Council.
  - g) The following items occurring at Closed Council meetings are considered released by Council with the provisions described below:
    - The names of appointed individuals and Council members that have been selected for Township of Langley committees and outside organizations upon notification of the individuals.
    - The names of individuals that are receiving awards or honours bestowed by the Township of Langley upon notification of the individual or family.

- Property Acquisition and Disposal Reports to Council sixty (60) business days after the conclusion of the transaction, subject to the *Freedom of Information and Protection of Privacy Act*.

### ***Calling of Meeting to Order and Quorum***

- 5.13 As soon as there is a quorum present after the time specified for a meeting, the Mayor, if present, must take the Chair and call the Council meeting to order.
- 5.14 If the Mayor is absent, the Acting Mayor must take the Chair and call the meeting to order.
- 5.15 If the Mayor and the Acting Mayor do not attend within thirty (30) minutes after the time appointed for a meeting of Council, the Township Clerk/Deputy Township Clerk shall call the meeting to order and a temporary Acting Mayor shall be appointed from among the Members present and shall preside until the arrival of the Mayor or the Acting Mayor and, while presiding, shall have all the powers of the Mayor.
- 5.16 If there is no quorum within thirty (30) minutes of the time set for the commencement of a duly scheduled meeting of Council, the Township Clerk/Deputy Clerk shall:
- a) record the names of the Members present and the meeting shall stand adjourned until the date of the next Regular Meeting of Council; and
  - b) place all business on the agenda that is not dealt with at that meeting on the agenda for the next Regular Meeting.

### ***Open Meeting Requirement***

- 5.17 With the exception of Closed Meetings (called under Clause 5.12), all meetings are open to the public to observe. In support of transparency and Community Charter requirements, the following provisions apply:
- a) Members must not substantially advance the decision making process via electronic media or via private gatherings that are not advertised and are not open to the public to observe;
  - b) Although agenda reviews and purely educational sessions that do not advance Council's decision making process are not deemed to be meetings and may be held privately, a clear statement shall be made at the start of such sessions and, if needed, as such sessions progress, that Council's decision making process must not be advanced during such sessions.
- 5.18 Council may have a five (5) minute break after two (2) consecutive hours of a Council meeting.

## **PART 6 – COUNCIL MEETING AGENDAS**

### ***Order of Business***

- 6.01 Unless otherwise resolved by Council, business must be dealt with at every Regular Meeting in the order in which it stands upon the Agenda.

### **Agendas**

- 6.02 Prior to each Council meeting, the Township Clerk/Deputy Township Clerk must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda. An outline of Agenda headings that may be used for meetings of Council is attached as Appendix A. With the exception of the headings “Mayor **and Council** Report”, Metro Vancouver Representative’s Report” and “Other Business”, where there is no agenda item to be included under a heading, it is not required to include the heading.
- 6.03 If the agenda for the meeting contains a proposed resolution to close all or part of the meeting to the public, the agenda must state the basis under the *Community Charter* on which all or part of the meeting is to be closed, but the agenda need not otherwise describe the matter in respect of which all or part of the meeting is to be closed. Notification for a Special Closed Council meeting must be provided in accordance with the *Community Charter*.

### **Deadline for Submissions to Agenda**

- 6.04 The deadline for delivery by the public to the Township Clerk/Deputy Township Clerk of written submissions or requests for a delegation for inclusion on the Council meeting agenda is noon on the fifth (5<sup>th</sup>) calendar day preceding the meeting.

### **Agenda Available to the Public**

- 6.05 The Township Clerk/Deputy Clerk must make the agenda available to the public by posting the agenda on the Public Notice Posting Place by noon (12:00pm) on the third (3<sup>rd</sup>) calendar day preceding the meeting, or as otherwise determined by Council.
- 6.06 If a portion of an agenda refers to items to be considered at a meeting from which the public is excluded, that portion of the agenda must not be made available to the public, except as referred to in section 6.03.

### **New Business**

- 6.07 Any Member of Council, may file in writing an item for inclusion in the agenda prior to noon (12:00pm) on the fifth (5<sup>th</sup>) calendar day preceding the meeting; or

If the Member deems the item urgent, providing notice to the Township Clerk/Deputy Township Clerk prior to 10:00am of the day of the meeting. Adding of late items to the agenda requires a majority vote or unanimous consent of the Council members at the time of the adoption of the meeting agenda.

### **Statutory Public Hearings**

- 6.08 The conduct of Public Hearings required by statute and must be in accordance with the Public Hearing Protocol and attached to this Bylaw as Appendix “B”.
- 6.09 Council Motions for Third Reading, or Third Reading and Final Adoption, may be, by 2/3 majority vote of Council and without debate, considered at the same meeting in which the Public Hearing for the bylaw(s) has concluded upon confirmation from the Township Clerk/Deputy Township Clerk that no further written submissions have been received for Council’s consideration.
- 6.10 The motion to consider Third Reading or Third Reading and Final Adoption will appear on the Public Hearing agenda after each application.

## PART 7 – SPECIAL MEETINGS OF COUNCIL

### ***Special Meeting***

7.01 A special meeting may be called in compliance with applicable enactments.

### ***Notice of Special Meeting***

7.02 A Notice of Special Meeting signed by the Mayor or the Township Clerk/Deputy Township Clerk, stating the purpose of the special meeting in general terms, date, hour, and place, must be given at least 24 hours before the time of meeting, by:

- a) posting a copy of the notice at the Regular Council meeting place;
- b) posting a copy of the notice at the Public Notice Posting Place; and
- c) providing notice to each Council member at the place to which the Member has directed notices be sent.

Two or more Council members may, in writing, request the Mayor call a Special Council meeting (as per the *Community Charter*).

Council may, as per the *Community Charter*, waive the notice for a Special Meeting in urgent cases by a unanimous vote of all its Members. Waiving of public notice must be kept to a minimum noting Council's preference to be as transparent and accountable as possible.

### ***Agenda for Special Meeting***

7.03 The Township Clerk/Deputy Township Clerk must prepare an agenda for each special meeting which must state in general terms the nature of each item of business to be dealt with at the special meeting.

7.04 If the agenda contains a proposed resolution to close all or part of the special meeting to the public, the notice must state the basis under the *Community Charter* on which all or part of the meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the meeting is to be closed.

## PART 8 – CHAIR

### ***Appointment of Chair***

8.01 The Chair of each meeting is the Mayor or, in the Mayor's absence, the Acting Mayor.

### ***Chair in Absence of Mayor and Acting Mayor***

8.02 Section 5.15 applies if the Mayor or the scheduled Acting Mayor are not in attendance at the start of a meeting, and a quorum is present.

### ***Rights and Restrictions of Mayor***

8.03 The Chair has the same rights, must vote, may make and second motions, may participate in debate and is subject to the same restrictions in relation to participating in debate as other Members of the Council.

### ***Chair Must Maintain Order***

8.04 The Chair must preserve and decide questions of order.

- 8.05 To raise a point of order, the Member must first ask leave of the Chair to raise a point of order and after leave is granted, state the point of order to the Chair who must then state and decide the point of order.
- 8.06 If a Member considers that the Member's integrity or the integrity of the Council as a whole has been called into question, the Member may, as a point of privilege, draw the matter to the attention of Council.

### ***Appeal from Decision of the Chair (Chair is Challenged)***

- 8.07 On appeal by a Member of a decision of the Chair, the question as to whether the Chair is to be sustained must be put to a vote immediately by the Chair and decided without debate.
- 8.08 The Chair must not vote on the question as to whether he or she is to be sustained.
- 8.09 The Chair must be governed by the vote of the majority of the other members present.
- 8.10 If the votes are equal, the ruling of the Chair will be sustained or upheld.
- 8.11 The names of the Members voting for or against the question must be recorded in the minutes.
- 8.12 If the Chair refuses to put the question under subsection 8.07 to a vote, the Council must immediately appoint another Member to preside temporarily. The presiding Member must proceed, and a resolution or motion carried under this subsection is as binding as if carried under subsection 8.07.

## **PART 9 – RULES OF CONDUCT AND DEBATE**

### ***Conduct and Debate of Council Members***

- 9.01 All discussion, questions or comments should be addressed to the Chair.
- 9.02 A person must refer to the Mayor as "Your Worship", "Mister or Madam Mayor", as the case may be, or by the Mayor's surname preceded by "Mayor".  
  
A person must refer to Council members as "Councillor \_\_\_\_\_".  
  
A person must refer to staff members as "Mr. \_\_\_\_\_" or "Ms. \_\_\_\_\_" or "The Director of \_\_\_\_\_".
- 9.03 Members may not interrupt a Member who is speaking except to raise a point of order, point of privilege, or to request a statement of the rule that applies to a point of order.
- 9.04 Any Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- 9.05 Members who are called to order by the Chair:
  - a) must immediately stop speaking;
  - b) may explain their position on the point of order; and

- c) may appeal to Council for its decision on the point of order in accordance with the *Community Charter*.

### ***Recognition and Speaking Order of Council Members***

- 9.06 A Member who wishes to speak or make a motion at a meeting must wait to be recognized by the Chair. Recognition is generally on a first-come-first-served basis. The Chair (or designated person) must keep a speaker's line up. The speaker's line up may be maintained electronically.
- 9.07 The Member who moves a motion is entitled to speak on it for the first time in preference to other Members, but does not have the right of speaking last.
- 9.08 Each Member is entitled to speak up to two (2) times on each debatable motion, for a period not to exceed **five (5)** minutes at a time, except when granted permission by Council to exceed those limits.
- 9.09 A Member who wishes to speak for the second time on the same motion must wait until those who wish to speak on it for the first time have spoken.
- 9.10 Where applicable, a Member may request the Chair to divide a motion, where it is practical to separate into two or more votes on a motion.
- 9.11 A Member must not speak to a matter already disposed of by the Council, except on a motion for reconsideration in accordance with section 10.10 and 10.11 of this bylaw, or the *Community Charter*.

### ***Improper Conduct***

- 9.12 Members must conduct themselves at all times with behavior respectful of their duties as members of Council and not use offensive or derogatory words or unparliamentary language in a meeting or against the Council, Council members or staff.
- 9.13 No Member or person attending the meeting may cause a disturbance, disrupt or in any manner unduly delay the conduct of business at a meeting.
- 9.14 No Member may speak on any subject other than the subject in debate.
- 9.15 No Member may criticize any decision of the Council during a Council meeting except for the purpose of moving that the question be reconsidered.
- 9.16 No members shall engage in or place postings on social media while a meeting of Council is in progress.
- 9.17 Members must adhere to the rules of procedure established under this bylaw and to the decisions of the Mayor and Council in connection with the rules and points of order.
- 9.18 Pursuant to the *Community Charter* and Council Policy, in regards to improper conduct of persons attending Township of Langley Council meetings, if the Chair deems a person, other than a member, to be acting improperly the person may be expelled from the meeting.

- 9.19 If a person, other than a Member, resists or disobeys an order of the Chair to leave a meeting of Council, that person may be removed by the Township Clerk/Deputy Township Clerk, or, if necessary, by a peace officer at the direction of the Chair.
- 9.20 No member shall speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General, the Lieutenant-Governor of any Province, any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of British Columbia or any elected Municipal Council or Municipal Council member.

## PART 10 – MOTIONS

### *Motions Generally*

- 10.01 Motions that come before Council meetings must have been included in the pre-circulated agenda, except:
- a) as provided in section 6.07;
  - b) when a resolution only included a direction to staff to craft a motion for a subsequent meeting; or
  - c) when the Chair deems a motion that was not included with the pre-circulated agenda to be of minimal impact and therefore not requiring advance notice to the public.
- 10.02 Motions must be phrased in a clear and concise manner so as to express an opinion or achieve a result and the Chair may require that motions be put in writing for purposes of clarity.
- 10.03 A motion containing distinct proposals may be divided by leave of Council.
- 10.04 A motion must be first moved by one Council member and seconded by another before debate can take place on the motion.
- 10.05 A motion in respect of a matter which is beyond the jurisdiction of the Council is not in order.
- 10.06 A motion on a point of privilege must receive disposition of Council upon receipt and when settled, the question must be resumed from the point where it was suspended (examples: fix the time to adjourn, adjourn or recess).
- 10.07 After a motion is read or stated, it is deemed to be in the possession of the Council, but may be withdrawn by Council at any time before decision or amendment.
- 10.08 If the Chair is of the opinion that there has been sufficient debate, he or she may put the question to a vote.

### *Recording of Motions*

- 10.09 Every motion that is seconded must be recorded in writing into the Minutes by the Township Clerk/Deputy Township Clerk. The Minutes must record the results of the vote as either CARRIED or DEFEATED. Members voting in opposition to the motion shall have their names recorded in the Minutes.



***Motions to Reconsider, Rescind or Amend Previously Adopted Motion***

10.10 The Mayor may require Council to reconsider and vote again on a previously adopted motion pursuant to the *Community Charter*.

10.11 Councillors may bring a resolution or bylaw back before Council under the following rules:

	<b>Adopted Resolution or Bylaw</b>	<b>Defeated Resolution or Bylaw</b>
Re-visiting a resolution or bylaw during <b>the same meeting</b> of the original vote	<p>A motion to reconsider a resolution or bylaw that was adopted can be made at the same meeting by a member who voted <b>in favor</b> of the resolution or bylaw. A seconder is required, the motion to reconsider is debatable, and – if it is adopted (by a majority vote) – the original vote is canceled, and the resolution or bylaw is once again before Council for debate.</p> <p><b><u>See Note 1 below.</u></b></p>	<p>A motion to reconsider a resolution or bylaw that was defeated can be made at the same meeting by a member who voted <b>against</b> the resolution or bylaw. A seconder is required, the motion to reconsider is debatable, and – if it is adopted (by a majority vote) – the original vote is canceled and the resolution or bylaw is once again before Council for debate.</p>
Re-visiting a resolution or bylaw <b>at a subsequent meeting</b>	<p>Upon sufficient notice, pursuant to section 6.07, any member, regardless of how he or she voted on an adopted resolution or bylaw, can move a motion that the adopted resolution or bylaw be reconsidered. Upon approval of reconsideration, the motion to rescind or amend-something-previously-adopted requires a seconder, is debatable, and requires a majority vote to adopt.</p> <p><b><u>See notes 1 and 2 below.</u></b></p>	<p>Any member, regardless of how he or she voted on a defeated resolution or bylaw, can bring back a resolution or bylaw for reconsideration under the procedures for introducing new business, pursuant to section 6.07.</p> <p><b><u>See note 3 below.</u></b></p>
	<p><b><u>Note 1:</u></b> An adopted resolution or bylaw can only be re-visited if it has not had the approval or assent of the electors and has not been acted upon in a manner that is impossible to reverse or modify.</p> <p><b><u>Note 2:</u></b> If the same or substantially the same motion to rescind or amend-something-previously-adopted is defeated a second time in three (3) months, it may not be renewed for at least six (6) months, except if Council, by a majority vote, permits such renewal.</p>	<p><b><u>Note 3:</u></b> If the same or substantially the same resolution or bylaw is defeated a second time in three (3) months, it may not be renewed for at least six (6) months, except if Council, by a majority vote, permits such renewal.</p>

### ***Notice of Motion***

- 10.12 A Member may provide a “Notice of Motion” that is to be read to Council by giving the text of the motion to the Township Clerk/Deputy Township Clerk during a Regular Council meeting or by providing it to the Township Clerk/Deputy Township Clerk by noon (12:00pm) on the fifth (5<sup>th</sup>) calendar day preceding the meeting.
- 10.13 Motions read to Council must appear in the minutes of that meeting as a “Notice of Motion” and be placed on the Agenda for the next Regular Meeting (Regular Afternoon or Regular Evening), unless otherwise stated by the maker of the Notice of Motion. The scheduling of Notice of Motion in the Regular Afternoon or Regular Evening meetings will be determined by the meeting the Notice of Motion was read.
- 10.14 No Notice of Motion may proceed in the absence of the mover, unless the mover has provided the Township Clerk/Deputy Township Clerk with written notification that the Notice of Motion may proceed in his or her absence.

### ***Secondary Motions***

- 10.15 At a meeting, Secondary Motions may be introduced, debated and voted on in a “last-in-first-out” sequence, e.g.: If an amendment is moved and seconded while a main motion is pending, the amendment is then debated and voted on, and then the debate on the main motion resumes.
- 10.16 Secondary motions include subsidiary, privileged and incidental motions. Appendix C forms part of this Bylaw, and provides the main rules for the Secondary Motions that are most frequently applied at meetings.

## **PART 11 – VOTING ON A MOTION**

### ***Voting on Motions***

- 11.01 When a vote of Council is taken, each Member present must vote on the motion by raising his or her hand, or use of an electronic voting system where each Member present must vote on the motion by pressing the appropriate console button either “in favour” or “opposed”, after the Chair calls for the vote. The Chair will then announce if the motion is carried or defeated, and the names of opposing Members. The Township Clerk/Deputy Township Clerk must record the names of the opposing Members in the minutes.

### ***No Interruption after Question***

- 11.02 After a question is put to a vote by the Chair, no Member may speak to the question nor provide any further motions until after the vote is taken and the results have been declared.

### ***No Departure from Meeting once a Vote has been Called***

- 11.03 Unless excused as a result of not being entitled to vote, no Member may leave a meeting once a vote on a matter has been called.

### ***Motions Shall be Decided by the Majority***

- 11.04 Every motion, other than those motions specified in sections 7.02, 11.08, 13.03 and 16.01, must be decided by the majority of the Members present at the meeting.

### ***Abstention Deemed Affirmative***

11.05 A Member present at a meeting at the time of the vote, who abstains from voting, is deemed to have voted in the affirmative on the question.

### ***Equal Votes***

11.06 Except as in section 8.10, if the votes of the Members present at the meeting are equal for and against a question, the question is defeated and the Chair must declare this result.

### ***Disagreement on Disposition of Question***

11.07 If a Member disagrees with the announcement of the Chair that a question has been carried or defeated, the Member may, but only immediately after the declaration by the Chair, request that a new vote be taken.

### ***Adoption of Censure Motions of Council Members***

11.08 A motion to censure any member of Council requires an affirmative vote of two-thirds (2/3).

## **PART 12 – MINUTES OF MEETINGS**

### ***Minutes of the Proceedings of Council***

12.01 All minutes of the proceedings of Council must be:

- a) legibly recorded;
- b) adopted by a resolution of Council;
- c) signed and certified as correct by the Township Clerk/Deputy Township Clerk or designate;
- d) signed by the Chair at the meeting at which the Minutes were adopted;
- e) a record of the place, date, and time of the meeting, the names of the Members in attendance, the adoption and correction, if necessary, of the minutes of the prior meetings, and all other proceedings of the meeting without note or comment, except for explanation or clarification purposes; and
- f) open for public inspection at the Civic Facility during its regular office hours, except for the minutes of that part of a council meeting from which persons were excluded under the *Community Charter* (Closed Meetings).

12.02 The names of movers and seconders will be recorded in the minutes.

12.03 The written minutes shall be considered the official record of Council and Committee meetings.

### ***Minutes of Committee Meetings***

12.04 All minutes of committee meetings must be:

- a) legibly recorded;

- b) signed and certified by the Member presiding at the meeting where they are approved; and
- c) open for public inspection at the Civic Facility during its regular office hours, except for the minutes of that part of a committee meeting from which persons were excluded under the *Community Charter*.

### ***Delivery of Minutes***

- 12.05 The Township Clerk/Deputy Township Clerk must prepare and provide each Council Member the minutes of special and regular meetings by 4:30pm on the third calendar day prior to the meeting at which they are scheduled for adoption.

### ***Adoption of Minutes***

- 12.06 The minutes of every meeting must be adopted by resolution of the Council.
- 12.07 A record of any amendment to the minutes of a meeting must appear in the next set of Council meeting minutes.
- 12.08 The minutes may be adopted by resolution of the Council without being read to the meeting.
- 12.09 Any error or omission in the minutes may be identified by a Member orally and rectified by a resolution, failing which the adoption of the minutes shall be postponed to the next meeting.
- 12.10 The minutes of a meeting from which the public is excluded must be adopted at a subsequent special meeting from which the public is excluded.

## **PART 13 - DELEGATIONS**

### ***Application to Present as a Public Delegation***

- 13.01 A citizen or group may submit an application to speak at a Council Meeting as a public delegation, and such person or group may request that a related document, petition or proposal be placed before Council, by submitting a completed application form to the Township Clerk/Deputy Township Clerk by noon (12:00pm) of the fifth (5<sup>th</sup>) day preceding the meeting at which they wish to be heard. Applications received after the deadline regarding items not on the meeting agenda will be forwarded to the next scheduled meeting.

~~13.02 For On-Agenda items only, late applications to speak as a delegation can be submitted to the Township Clerk/Deputy Township Clerk by 10:00am of the day of the Regular meeting. Applications received after the 10:00am deadline will not be added to the agenda and will be forwarded to the next scheduled meeting.~~

- 13.02(a) Delegation requests that are the subject of bylaw(s) included on a Council Meeting Agenda for First and Second Readings and that will be the subject of a Public Hearing prior to Third Reading will not be accepted. The requestor will be directed to the Public Hearing process should the bylaw receive First and Second Readings and advised that all written submission received will be provided to Council.

- 13.02(b) Except as in 13.02(a), for On-Agenda items, late applications to speak as a delegation can be submitted to the Township Clerk/Deputy Township Clerk by 10:00am on the day

of the Regular meeting. Applications received after the 10:00am deadline will not be added to the agenda and will be forwarded to the next scheduled meeting.

13.02(c) Delegation requests received after the deadline and not the subject of an item on the meeting agenda maybe deemed urgent at the discretion of the Township Clerk/Deputy Township Clerk. The request may be forwarded to Council at the next scheduled meeting for approval. In recognition of the scope of business that requires Council's attention, and in the interests of transparency for all residents and stakeholders, an affirmative vote of two thirds (2/3) is required to add the speaker to an agenda.

13.03 In recognition of the scope of business that requires Council's attention, the number of public delegations shall be limited to five (5) at each meeting, unless Council, by a two thirds (2/3) vote, agrees to suspend the rules and hear additional delegations. Each public delegation may speak up to five (5) minutes and its presentation must be confined to the topic that was indicated in the application.

13.04 It is the Township Clerk/Deputy Township Clerk's duty to review and prioritize delegation requests and schedule them, as he or she deems appropriate.

Council may choose to deny a scheduled delegation by a majority vote. The motion may occur during the Agenda Approval motion of the next scheduled Council meeting or at the same meeting the delegation is scheduled to appear.

13.05 The following guidelines apply to Delegations:

- a) speakers should not speak disrespectfully of any Council Member, staff Member, or any other person and must not use offensive words or gestures;
- b) public input will not be permitted on items on the agenda referred from a concluded Public Hearing; and
- c) when appearing before Council, the public must state name, neighbourhood and City for the record.

### ***Responses to a Public Delegation***

13.06 A presentation by a public delegation may be followed by questions for a period of up to five (5) minutes. Each Member may ask a brief clarifying question. When asking questions, Members may not enter debate with a presenter and must refrain from giving lengthy preambles to their questions.

13.07 If a public delegation or a citizen requests a substantive decision by Council, the request must be referred to Staff for review for information as to the background, financial implications, and staff recommendation prior to any action being taken.

### ***Petitions and Communications***

13.08 To be considered by Council, every communication including a petition designed to be presented to Council, must be legibly written or printed, shall not contain any obscene language, and shall be signed by at least one person, except electronic mail which is acceptable without signature, indicating the name and address of the correspondent.

13.09 Every petition or communication for inclusion in a Council meeting agenda must be delivered to the Township Clerk/Deputy Township Clerk prior to noon on the fifth (5<sup>th</sup>) calendar day preceding the meeting of Council. Every petition presented to Council

shall include the name and residential address of each petitioner with each page of the petition identifying what the petitioners are requesting clearly noted at the top in bold.

### ***Proclamations***

- 13.10 Proclamation requests must be listed under “Proclamations-Announcements” in the Correspondence section of the Agenda with the explanation “In an effort to make the community aware, the following proclamations have been requested.” No other action will be taken by the Township in accordance with Council policy.

## **PART 14 – BYLAWS**

### ***Title and Bylaw Number***

- 14.01 All proposed bylaws must have a bylaw number assigned by the Township Clerk/Deputy Township Clerk, a concise title indicating the purpose of the bylaw, and be divided into sections.

### ***Proposed Bylaws to Council Members***

- 14.02 Unless the Council otherwise resolves, the Council may not consider a proposed bylaw unless the Township Clerk/Deputy Township Clerk has provided each Council Member with the proposed bylaw and it is included in the agenda for the meeting.

### ***Readings of a Bylaw***

- 14.03 The readings of a bylaw may be given in a short form by title and by reference to the bylaw number, provided the proposed bylaw has been included in the agenda.

### ***Recording and Safekeeping of Bylaw***

- 14.04 Every bylaw enacted by the Council shall be numbered, dated, and signed by the Township Clerk/Deputy Township Clerk and the Chair of the Council meeting at which it was adopted, be placed in the Township’s records for safekeeping, and endorsed with:
- a) the Township’s Corporate Seal;
  - b) the dates of its readings and adoption; and
  - c) the date of Ministerial approval or approval of the electors, if applicable.

### ***Abandoned Bylaw***

- 14.05 If a bylaw fails to receive a Mover and Seconder at any reading or at adoption and no outstanding matter applies to it, the bylaw is deemed to have been abandoned, subject only to reconsideration.

### ***Amendment and Repeal of a Bylaws***

- 14.06 Subject to the *Community Charter* or other enactments, a bylaw once adopted, may only be amended or repealed by a bylaw processed in the same manner as the original bylaw.

## PART 15 – COMMITTEES

### ***Committee Proceedings***

- 15.01 In relation to committee meetings and in the transaction of all committee business, the applicable rules of procedure that govern meetings of Council shall apply.

## PART 16 – GENERAL

### ***Temporary Suspension of Rules and Orders***

- 16.01 Any one or more of the rules and orders set out in this Bylaw may be temporarily suspended by a vote of two-thirds of the whole Council, except sections which require the unanimous approval of Council or sections that cannot be suspended without violating the provisions of the *Community Charter*.

### ***Severability***

- 16.02 If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection or clause.

### ***Public Notification***

- 16.03 This bylaw may not be amended, or repealed and substituted, unless Council first gives notice in accordance with Section 94 of the *Community Charter* describing the proposed changes in general terms.

### ***Effective Date***

- 16.04 Township of Langley Council Procedure Bylaw 2016 No. 5199 shall come into force upon the date the bylaw is adopted.

### ***Bylaw No. 4838 Repealed***

- 16.05 The Corporation of the Township of Langley Council Procedure Bylaw 2010 No. 4838 as amended, is repealed.

NOTICE GIVEN THE .  
SECOND NOTICE GIVEN.

READ A FIRST TIME the	day of
READ A SECOND TIME the	day of
READ A THIRD TIME the	day of
RECONSIDERED AND ADOPTED the	day of

\_\_\_\_\_ Mayor \_\_\_\_\_ Township Clerk

## Appendix A - Council Meeting Agenda Headings

The agendas for all Council Meetings may use the following headings under which the subjects will be listed in numerical order:

### Inaugural Meeting of Council

- Oath of Office
- ~~Invocation~~
- First Nation and Community Welcome
- Reports
- Appointments
- Acting Mayor Appointment
- Councillors' Inaugural Comments
- Mayor's Inaugural Address
- Termination

### Regular Council Afternoon

- Adoption and Receipt of Agenda Items
- Adoption of Minutes
- ~~Approval of Delegation Requests~~
- Motion to Resolve into Special Closed meeting
- Presentations
- Delegations (Up to five (5) Delegations)
- Reports to Council
- Correspondence
- Minutes of Committees
- Association and Other Government Agencies
- Items from Prior Meetings
- ~~Information Items from Special Closed Meetings~~
- Other Business
- Termination

### Regular Council Evening

- Adoption and Receipt of Agenda Items
- Adoption of Minutes
- Presentations
- Delegations (Up to five (5) Delegations)
- Reports to Council
- Bylaws for First and Second Reading
- Bylaws for First, Second, and Third Reading
- Bylaws for Consideration at Third Reading
- Bylaws for Final Adoption
- Items from Prior Meetings
- Mayor and Council Report
- Metro Vancouver Representatives' Report
- Items Brought Forward for Public Information from Special Closed Meetings
- Items Having Prior Notice of Motion
- Other Business
- Termination



**Regular Council Public Hearing**

- Adoption and Receipt of Agenda Items
- Development Permits
- Public Hearing
- Other Business\*
- Termination

\*Subsection 5.01 states that the agenda for Regular Council Public Hearing may also include other non-public hearing related items that require Council action or direction.

**Special Closed Council**

- Adoption and Receipt of Agenda Items
- ~~Approval of Closed Council Meeting Agenda~~
- Adoption of Minutes
- Presentations
- Delegations
- Reports
- Correspondence
- Items from Prior Meetings
- Other Business
- Items to be Brought Forward
- Termination

## **Appendix B - Protocol for Public Hearings (Section 464 of the Local Government Act)**

A Public Hearing is a statutory requirement under Section 464 of the *Local Government Act*, and must be held before third reading of a community plan, rural land use bylaw, zoning bylaw, land use contract amendment bylaw, heritage designation bylaw or heritage revitalization agreement bylaw which would change the use, or density of use, of property.

During a Public Hearing, Council acts in a quasi-judicial role for the purpose of allowing persons who believe their interest in property is affected by a bylaw, permit or other matter, to make representations to Council either orally or by written submission, or add comments or elaborate upon correspondence that may have already been presented to Council concerning the bylaws. It is important to note that Council is not in a position to receive any additional information on the bylaws following the Public Hearing, as dictated by case law.

The hearing procedure involves an explanation from the Community Development Division on the purpose of the proposed bylaws and to hear from individuals regarding the bylaws. In order to ensure that all interested parties have a reasonable opportunity to be heard, speakers are requested to keep representations as brief and succinct as possible and no longer than five minutes, excluding time required for questions from Council. Speakers will be asked to state their name, neighbourhood and city for the record and if referring to prepared remarks, to submit copies of these to the Township Clerk. Decorum must be maintained at all times, this includes refraining from applause, booing, or heckling.

To assist with large numbers of speakers, individuals may advise the Township Clerk/Deputy Township Clerk and sign the speakers list prior to the commencement of the public hearing. The names on the speakers list will be read out during the hearing; however, the Chair will also call for any other speakers wishing to present their views once the speakers on the list have all been heard. Individuals who have already addressed Council and wish to add further submissions will wait until the people that have not yet addressed Council have had an opportunity to speak. All submissions and speakers lists are considered part of the public record.

Council members should not express their views nor debate the bylaws, but may question speakers to clarify particular points in the submissions. **Council may consider Third Reading or Third Reading and Final Adoption at this meeting or at its next Regular Meeting to be held**

**Monday, (DATE),  
at 7:00pm  
at the Fraser River Presentation Theatre  
4<sup>th</sup> Floor, 20338 – 65 Avenue, Langley, BC**

## Appendix C - Secondary Motions

### Subsidiary Motions

The seven subsidiary motions below can assist a meeting in treating or disposing of a resolution or bylaw. All seven require a majority vote. They can be decided formally or, if there is no objection, they can be decided by unanimous consent, for example: *“If there is no objection, we will end debate and proceed to the vote.”*

The Motion	The Usage	The Process
Postpone Indefinitely	A motion to decline to take a position on a pending main motion.  The effect is to “kill” the main motion for the current session.	A seconder is required.  This motion is debatable, but not amendable.  A majority vote is required to adopt.
Amend	A motion to change the wording of another motion before voting on it, usually by adding or inserting text, deleting text, or replacing text:  <i>“I move that the motion be amended by adding the words ____.”</i>	A seconder is required.  An amendment is debatable.  A secondary amendment (amendment to an amendment) is allowed, but a third level amendment is not allowed.  A majority vote is required to adopt.
Commit/Refer	A motion to send a pending motion to a committee or staff. Instructions may be included: <i>“I move that the motion be referred to Staff, with instruction to study ____ and report back at the next regular meeting.”</i>	A seconder is required.  The motion is debatable (as to the merits of referral) and amendable.  A majority vote is required to adopt.
Postpone to a certain time / Defer	A motion to postpone consideration of a main motion to a certain time: <i>“I move that consideration of this motion be postponed until the next regular meeting.”</i>	A seconder is required.  The motion is debatable (as to the merits of postponement) and amendable.  A majority vote is required to adopt.
Limit or Extend Debate	A motion to limit or extend debate on a motion, e.g.: <i>“I move to extend debate on this motion by ten minutes.”</i>	When handled formally, requires a seconder and a majority vote, without debate.  Can be decided by unanimous consent: <i>“Is there any objection to extending debate on this motion by ten minutes?”</i>
Call the Question	A motion to close debate and vote immediately	When handled formally, requires a seconder and a majority vote, without debate.  Closing debate can be done informally, by unanimous consent: <i>“Is there any objection to ending debate?”</i> Pause, then say: <i>“There being no objection, debate is closed.”</i>
Lay on the Table, or “Table”	A motion to set a pending main motion aside to accommodate something else of immediate urgency:  <i>“I see that our invited expert on ____ has arrived and will need to leave in thirty minutes. I move that we table the motion so we can hear from this expert now.”</i>	When handled formally, requires a seconder and a majority vote, without debate.  Typically the decision to table is made informally, by unanimous consent.  When Council is ready to resume debate of the tabled motion, it may do so with or without a motion to “take/lift from the table.”

### Privileged Motions

The five privileged motions can be addressed formally (by a motion) or informally (by unanimous consent).

The Motion	The Usage	The Process
Call for the Orders of the Day	A demand by a member that the agreed upon schedule be adhered to, e.g.: proceed to a pre-scheduled item when the time for it arrived: <i>"I call for the orders of the day."</i>	The Chair responds to the call by enforcing the agreed upon schedule.  By a majority vote or by unanimous consent, the assembly can decide to deviate from the adopted schedule.
Point of Order	Used to point to a perceived violation of a law, bylaw, rules of order or policy.	A Member raises a point of order, the Chair must decide the point of order without debate
Point of Privilege	A request or a motion, usually relating to the privileges of the assembly (e.g.: a complaint about noise or other distractions).	A question of privilege generally should not interrupt a speaker (unless the circumstances require it to interrupt), without debate.  If the person is making a request (e.g.: that noise issues be addressed), this is handled informally by the Chair.
Recess	A motion to take a short intermission in the proceedings: <i>"I move we take a ten minute recess."</i>	If dealt with formally, requires a seconder and a majority vote, without debate.  The motion is typically treated by unanimous consent: <i>"Is there any objection to a ten minute recess?"</i> (Pause). <i>"There being no objection, we are in recess and will resume the meeting at ____."</i>
Terminate	A motion to close the meeting.	If dealt with formally, requires a seconder and a majority vote, without debate.  This motion can be handled by unanimous consent: <i>"Is there any further business?"</i> Pause. <i>"There being no further business, the meeting is terminated."</i>
Fix the Time to Which to Adjourn	A motion to set an "adjourned meeting" (a continuation of the same meeting, to conclude the same order of business, e.g.: when a public hearing is not concluded).	If dealt with formally, requires a seconder and a majority vote, without debate.  The motion is often treated by unanimous consent: <i>"Is there any objection to scheduling a meeting on _____ to continue the public hearing?"</i> Pause. <i>"There being no objection, a continuation of this meeting has been scheduled for _____."</i>

## Appendix D – Glossary of Terms and Parliamentary Procedures

### Amendments

An amendment is a motion to change the wording of another motion before voting on it. The amendment sets aside the motion which it proposes to modify. A motion to amend a debatable motion is debatable and requires the same steps shown for a Main Motion.

There are three main methods of amending a motion:

- by inserting or adding words/paragraphs;
- by striking out words/paragraphs; or
- by striking out and inserting words/paragraphs.

### Appeal or Challenge of the Chair

A motion that allows Members to disagree with the Chair's ruling in accordance with the *Community Charter*.

### Division of a Question

A motion to divide the Main Motion and consider its components separately.

### Lay on the Table

A motion to set the Main Motion aside temporarily, to accommodate another matter of immediate urgency.

### Main Motion

- A motion that is made to bring any particular subject before Council.
- No Main Motion can be made when another motion is pending.
- A Main Motion yields to all privileged, incidental or subsidiary motions.
- Main motions are debatable, are subject to amendment, and can have subsidiary motions applied.
- When a Main Motion is Laid on the Table or postponed to a certain time, it carries all pending subsidiary motions with it.
- Main motions require a majority vote.

### Motion to Call the Question

- Cannot be amended.
- Cannot be proposed when there is an amendment under consideration.
- Shall preclude all further amendments of the main question.
- When resolved in the affirmative, the question is to be put forthwith without debate or amendment.
- May be voted against by the Mover and Second.

### Number of amendments

- Primary Amendments changes the wording of the Main Motion.
- Secondary Amendments changes the wording of the Primary Amendment.
- There can be only one Main Motion, one Primary Amendment, and one Secondary Amendment pending at the same time.
- Third level amendments are not allowed.

**Number of Votes**

If a Main Motion and two amendments are pending, three votes are needed:

- First, a vote on the Secondary amendment;
- Second, a vote on the Primary amendment; and
- Third, a vote on the Main Motion, as amended.

**Point of Order**

A statement by a Member that a rule has been violated.

**Point of Privilege**

Raising a question on the Main Motion relating to the rights of the assembly or the individual while business is pending, and where the request motion would otherwise not be allowed.

**Postpone Definitely**

A motion to postpone consideration of the Main Motion to a future time.

**Postpone Indefinitely or Deferral**

A motion to decline to take a position on a pending Main Motion.

**Referral**

A motion to send a main motion to staff or a committee for further study or action.

Delegation Management

	Directions to Delegation Applications
Options	<ul style="list-style-type: none"> <li>• 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.</li> <li>• An issue which is before the courts or on which Council has authorized legal action.</li> <li>• A matter in respect of which a Township-led public consultation process is planned or is in progress.</li> <li>• The promotion of commercial projects and services.</li> <li>• the promotion of a political party or of a candidate for elected office;</li> <li>• Publicly tendered contracts or proposal calls for the provision of goods and services for the Township, between the time that such contract or proposal call has been authorized and the time that such a contract or proposal call has been awarded, either by Council or Township staff;</li> <li>• A request for funding.</li> <li>• A purpose or subject that is beyond the jurisdiction of Council.</li> <li>• A purpose of subject that Council reasonably determines is not in the public interest of the community.</li> <li>• Any matter on which the delegate has already spoken to Council and where no new significant information is provided.</li> <li>• Individuals or organizations may only appear once every annual quarter, unless the individual or organization is statutorily authorized to be heard by Council or required by law to be heard by Council.</li> </ul>
City of Abbotsford	<ul style="list-style-type: none"> <li>• Post Public Hearing applications.</li> <li>• City labour relation matters.</li> <li>• Litigation or potential litigation matters.</li> <li>• The Mayor considers the matter frivolous.</li> <li>• The matter is outside the legal authority or jurisdiction of the City.</li> <li>• That matter is about records held in confidence.</li> <li>• The matter is about a Closed meeting subject and has not been released.</li> <li>• The matter is related to a Freedom of Information request.</li> <li>• The matter is related to a statutory reconsideration or appeal of a Council decision and the delegation is not the person (or legal representative of the person entitled to the appeal.</li> <li>• The matter is the subject of a staff report that has not yet been presented to Council.</li> <li>• The matter is election related.</li> <li>• The matter is regarding a publically tendered contract or call for proposal between the time when the call has been authorized and the time the call is awarded.</li> <li>• Individuals may only appear once annually on the same topic and not more then once every three months on the same topic.</li> </ul>
City of Langley	<ul style="list-style-type: none"> <li>• Post Public Hearing applications.</li> <li>• Topic does not fall within the jurisdiction of Council.</li> </ul>

	Directions to Delegation Applications
City of Richmond	<ul style="list-style-type: none"> <li>• Post Public Hearing applications.</li> <li>• Development Permit and Development Variance Permits other than at their scheduled meeting.</li> <li>• Matters in which the City has commenced prosecution.</li> <li>• Business Licence Hearings conducted in accordance with the Local Government Act.</li> <li>• Promotion of commercial products or services.</li> <li>• The matter is regarding a publically tendered contract or call for proposal between the time when the call has been authorized and the time the call is awarded.</li> </ul>
City of White Rock	<ul style="list-style-type: none"> <li>• Any matter that will be subject of a Public Hearing.</li> <li>• Any matter that is undergoing a local area service or counter petition process.</li> <li>• Any matter on which prosecution has commenced;</li> <li>• Promotion of commercial products.</li> <li>• Publically tendered contract or call for proposal between the time when the call has been authorized and the time the call is awarded.</li> <li>• Any subject that is beyond the jurisdiction of Council.</li> </ul>



Remaining Potential Amendments for Discussion Submitted by Council Members

Bylaw Part / Section	Topic Summary	Council Member
13.01	Delegations - Applications	Mayor Froese
	Notes on Multiple Parts NOTE: Previous CPC discussion concluded with amendment to 9.08	Councillor Richter
13.01	Delegation - Applications	Councillor Woodward

Mayor Froese

#### Part 13.01 – Delegations Applications

Please add a discussion regarding delegation procedure. One topic is number of times an individual can delegate to Council in a calendar year. Also, allowing staff to determine that if the topic does not relate to Council (eg: topic is not within our jurisdiction) that the delegation be advised and not put on the agenda.

City of Surrey:

A delegation is the formal name for an individual or group who appear before City Council (or an Advisory Group of Council) in order to:

- **make a presentation on a matter that is of broad interest and that falls within the jurisdiction of the City;**
- initiate interest and guidance to a solution for an item of public concern; or
- bring Council up to date on a project, idea, or concept.

Council does not hear delegations regarding planning applications that have been held or will be held at a public hearing meeting.

City of Abbotsford:

No delegation will be heard by Council if the purpose of the delegation is to:

- If its purpose is to address an issue that is before the courts or for which Council had authorized legal action, or which legal action is pending;
- where a Public Hearing has been held in accordance with an enactment as a prerequisite to the adoption of the bylaw; or
- **if its purpose is to deal with a matter that is outside the jurisdiction or legal authority of the City.**

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019**

### **1. Part 2 (Section 2.01) – DEFINITIONS**

**“Public Notice Posting Place”** (page 2) – This definition is too restrictive and should include an online option as well

**“Quorum (2)”** (page 2) – Quorum for a committee or other body should be specified as “50% +1” not just ‘more than half of the voting members appointed’.

**“Social Media”** (page 2) – Why is this broad definition included? For the purposes of the procedure bylaw, it should be restricted to TOL official social media only, not private social media which Council or the TOL has no control over.

**“Township Clerk or Deputy Township Clerk”** (page 2) – Does the “Deputy Township Clerk” really carry assigned responsibility of Corporate Administration in the absence of Mr. Bakken (Township Clerk)? Are two separate position definitions needed here?

**“Unanimous Consent”** (page 2) – **[NOTE: Council needs to discuss]** Eliminate because the definition of “an informal way of taking a vote used only for routine and not-controversial decisions, usually of a procedural nature” lacks sufficient specificity and is therefore open to interpretation/potential abuse. All votes of Council should be formal as Council heads a multimillion \$ corporation and its votes are binding on the corporation.

### **2. Part 3 – INTERPRETATION AND APPLICATION**

**3.01 Rules of Procedure (page 2)** – Why does this procedure Bylaw apply to Council Committees? The Procedure Bylaw is overly complicated for the needs of Council Committees. Shouldn’t Council Committees have a separate simplified Procedure Bylaw?

**3.02 Irregularity (page 3)** – Why Not? If something is incorrectly applied, it should be redone. Who determines if it is “unintentional”? What are the baseline markers for “unintentional”? More careful definition/delineation needed.

**3.04 Terms and Parliamentary Procedures (Page 3 & Appendix D)** – Should this section state that the Procedures specified in Appendix D be followed? Also corrections are needed to Appendix D (see notes for pages 24 & 25)

### **3. Part 5 – MEETINGS OF COUNCIL**

**5.01 Schedule of Council Meetings (page 3)** – “Special Closed Meetings” and “Special Meetings for Public Input” should also be included here.

**5.05 Advertising Availability of Regular Council Meeting Schedule (page 4)** – Should include online notice; Why is this section limited to newspapers? Why is “Public Notice Posting Place” not also included?

**5.07 Local of Regular Council Meetings (page 4)** – **[NOTE: Council discussion needed]** Why are rotating meetings throughout the Township (1 per year in Aldergrove, Brookwood, Fort Langley, Murrayville, Walnut Grove) not also considered and included as was done for previous Councils to increase public accessibility to Council proceedings?

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

**5.09 Regular Council Afternoon (page 4)** – Shall start at 3:00 pm (delete “at the time set by the Township Clerk/Deputy Clerk (or designated staff person)” and end no later than 6:00 pm (delete “6:30 pm”) unless Council Members present unanimously decide by resolution to extend the meeting or to adjourn the meeting to another time and date (delete “unanimously consent or adopt a resolution”).

**5.10 Regular Council Evening (page 4)** – Shall start at 7:00 pm (delete “at the time set by the Township Clerk/Deputy Clerk (or designated staff person)” and end no later than 9:00 pm (delete “10:00 pm”) unless Council Members present unanimously decide by resolution to extend the meeting or to adjourn the meeting to another time and date (delete “unanimously consent or adopt a resolution”).

**5.11 Regular Council Public Hearing (page 4)** – Shall start at 9:00 pm (delete “at the time set by the Township Clerk/Deputy Clerk (or designated staff person)” and end no later than 11:00 pm unless Council Members present unanimously decide by resolution to extend the meeting or adjourn the meeting to another time or date (delete “unanimously consent or adopt a resolution”).

**5.12 e) Special Closed Meetings of Council (page 5)** – Revise to read: “The minutes of a Closed Meeting will include the topics and the decisions made as well as the mover, seconder and vote counts on all motions”. Delete “may include”. Accountability in records needed here.

**5.17 a) and b) Open Meeting Requirement (page 6)** – What exactly do parts a & b mean? Why are they included? What is the intent and functional impact of these? Recommend they be removed (especially part a) due to unnecessary restrictiveness of individual Council member freedom.

Add new **“Section 5.18 – Length of Council Meetings”** – No council meeting shall run longer than 2 consecutive hours without a 10 minute break.

## **4. Part 6 – COUNCIL MEETING AGENDAS**

**6.04 Deadlines for Submissions to Agenda (page 7)** – Deadline for Late Delegations missing (10:00 am on day of meeting)

**6.05 Agenda Available to [ADD: “Council and”] the Public (page 7)** – Need to add: “The Agenda will be made available to Council by 6:00 pm on the fourth (4<sup>th</sup>) calendar day preceding the meeting” **[NOTE: Council needs to discuss if 4 days is still a sufficient timeframe for effective decision-making preparation given the length and complexities of current Council packages. Should the timeframe be extended to 7 days?]**; Also ‘Public Notice Posting Place’ should also include an online reference

**6.07 New Business (page 7)** – Remove “unanimous consent”; add posting of notice of additional urgent items to be considered by noon on day of meeting both online and in Posting Place; add language on ‘Notices of Motion’ to this section

**6.09 Third Reading on Day of Public Hearing (page 7)** – With 2/3 majority vote of Council and only if no submissions have been received

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

### **5. Part 7 – SPECIAL MEETINGS OF COUNCIL**

**7.02 Notice of Special Meeting (page 7)** – Two or more council members may in writing request the Township Clerk to call (Delete: ‘request the Mayor call’) a Special Council meeting...and this meeting will be called as requested

### **6. Part 8 – CHAIR**

**8.04 Chair Must Maintain Order (page 8)** – Chair must preserve order but what happens if the assembly gets out of hand? What is the Chair’s recourse then? This needs to be specified here (i.e bring in police; adjourn the meeting until order in the assembly is restored, etc); a cross-reference to sections 9.18, 9.19, 9.21 needed here

**8.06 Member’s or Council’s Integrity (page 8)** – What happens after the Member raises the point of privilege to the attention of Council? (Needs to be specified)

**8.07 Appeal From Decision of the Chair (page 8)** – When the Chair is challenged, limited debate should be permitted. Delete “decided without debate” and add definition of “limited debate”

**8.10 Tie Vote on Appeal (page 8)** – A tie vote should be a defeat vote like it is for all other Council resolutions. Delete “sustained or upheld” and replace with “defeated”

### **7. Part 9 – RULES OF CONDUCT AND DEBATE**

**9.05 c) Appeal to Council (page 9)** – What happens when members appeal to Council? Is a vote taken immediately? (Needs to be specified)

**9.07 Recognition and Speaking Order (page 9)** – A member making a motion should have the right to speak first and last; Delete “but does not have the right of speaking last”; Also the Mayor should not reserve the right to speak last on a motion unless it is his/her motion

**9.08 Time Limit on Speaking (page 9)** – Change 10 minutes to 5 minutes and add: ‘except when granted permission by “a majority vote of” Council to exceed those limits’

**9.10 Dividing a Motion (page 10)** – Add at end: “This needs to be supported by a majority vote of Council”

**9.11 Matters Already Disposed Of (page 10)** – Add at end: “The Chair will ensure that all members wishing and eligible to speak (per section 9.08) have spoken before calling the vote”

**9.12 Improper Conduct (page 10)** – What is “unparliamentary language”? Correct spelling and define term

**9.15 Criticizing Decisions of Council (page 10)** – What constitutes “criticism”? Need to define or eliminate. Council members are allowed to have individual opinions

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

**9.16 Use Social Media During Council Meetings (page 10)** – Delete: overly restrictive and put in last term as a punitive measure; discourages public engagement

**9.21 Unruly Assembly (page 10)** – New section needed here re Chair's ability to adjourn/suspend the meeting until order has been restored or mob removed

### **8. Part 10 – MOTIONS**

**10.07 Motions Withdrawn (page 11)** – Add: ...may be withdrawn "by the Mover and Second" (delete Council)

**10.08 Sufficient Debate (page 11)** – Add a definition of what constitutes "sufficient debate" (ie all members have spoken twice who want to speak [section 9.08])

**10.09 Recording of Motions (page 11)** – Add: ...The Minutes must record "the Mover, the Second" (per Section 12.02) and "the results..."

**10.12 Notice of Motion (page 12)** – Need to clarify wording to better reflect established practise. Reword and add: A Member may provide a Notice of Motion "to Council (delete: that is to be read) by reading it to Council and/or giving the text of the motion to the Township Clerk/Deputy Township Clerk during a Regular Council Meeting under Other Business", or by providing it to the Township Clerk/Deputy Township Clerk by noon (12:00 pm) on the fifth (5<sup>th</sup>) calendar day preceding the meeting "per section 6.07".

**10.13 Motions Read to Council (page 13)** – Need to add Special Closed Meetings as well: "...for the next Meeting [delete: "Regular"] (Regular Afternoon, Special Closed, or Regular Evening)"

**10.16 Secondary Motions (page 13)** – Remove the use of "Unanimous Consent" throughout (See Appendix C). All Council business should be dealt with formally.

### **9. Part 11 – VOTING ON A MOTION**

**11.02 No Interruption After Question (page 13)** – Sections 9.11 (page 10) & 10.08 (page 11) should also be referenced here

**11.04 Motions Shall be Decided by the Majority (page 13)** – Add "Simple" Majority in the title; Spell out what the exemptions are: ...other than those motions specified in sections (Add: 6.09 "Third Reading at Public Hearing"), 7.02 (Add: "Waiving the Notice for a Special Meeting"), 11.08 (Add: "Censure"), 13.03 (Add: "Hearing Additional Delegations"), and 16.01 (Add: "Temporary Suspension of Rules and Orders")

**11.05 Abstention Votes (page 13)** – Aren't all Members required to vote on all questions? Abstention votes are not allowed by provincial legislation so why is this included here?

**11.06 Equal Votes (page 14)** – Delete "Except as in section 8.10".

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

**11.07 Disagreement of Disposition of Question (page 14)** – Add: “Valid reasons for disagreement need to be stated at this time by the dissenting Member: just not liking the results is not a valid reason.”

**11.08 Adoption of Censure Motions of Council Members (page 14)** – Delete words “members present” *[per April 15/19 CPC Meeting]*

### **10. Part 12 – MINUTES OF MEETINGS**

**12.01 a) Minutes of the Proceedings of Council (page 14)** – Add: legibly “and accurately” recorded “in accordance with audio/video tapes of the meetings”. ***[NOTE: Council needs to discuss adding “Audio/video tapes will be kept of all Council Meetings although tapes of Public Hearings and Special Closed Meetings will not be available for public scrutiny”].***

**12.01 e) Minutes continued (page 14)** – Add information on where corrections to prior Minutes will be recorded (i.e. section 12.07)

**12.02 Names of Movers and Seconders (page 14)** – Add at end: ...”as will be the names of those Members opposed to the motion (section 10.09)”.

**12.03 Official Record (page 14)** – Add: The written minutes, “once approved,” shall be...

**12.04 a) Minutes of Committee Meetings (page 14)** – Add: legibly “and accurately” recorded

**12.05 Delivery of Minutes (page 15)** – Change to correspond to section 6.05: ... by “6:00 pm on the fourth (4<sup>th</sup>)” calendar day prior to...

**12.08 Minutes Do Not Need to Be Read to Be Adopted (page 15)** – Why is this section needed? Delete?

**12.09 Errors or Omissions (page 15)** – Add at end: ...to the next meeting “to allow transcripts of meeting audio/video tapes to be checked”.

### **11. Part 13 – DELEGATIONS**

**13.02 Late Delegations (page 15)** – This section should not be deleted. Only the first statement: “For On Agenda items only,” should be deleted. ***[NOTE: Council needs to discuss/reconsider the whole matter of delegations and late delegations as what is proposed in red ink is overly restrictive and does not encourage or foster meaningful public engagement with local government. Members of the public should be able to approach Council at every meeting (or at least monthly) on any matter of concern to them, not just what is on the agendas.]***

**13.02 (a) and (b) (page 15)** – Delete both

**13.04 Prioritizing Delegations (page 16)** – Delete the first sentence. It is Council’s job to prioritize and decide which delegations will be accepted; also delegations should be heard on a “first come, first served” basis.

## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

**13.06 Responses to a Public Delegation (page 16)** – Delete the last half of the first sentence (...“for a period of up to five (5) minutes” – too restrictive and not done in practise); Change second sentence to read: “Each Member may ask [a – Delete] brief clarifying questions” – allowing only 1 question per member is also too restrictive and not done in practise

**13.07 Referral to Staff (page 16)** – Define the word “substantive”; also in practise, we only allow Council motions to refer delegations to staff so this needs to be made clear in this section as well as the fact that not all delegations are referred to staff (only those receiving a majority Council resolution to refer are)

**13.09 Petitions (page 16)** – Why are petitions required to be submitted prior to the meeting? In practise, petitions are usually presented to Council at the meeting and then handed to the Clerk. This section should reflect actual practise.

**13.10 Proclamations (page 16)** – Should “Requests for Flag Raisings” also be included here?

### **12. Part 14 – BYLAWS**

**14.01 Title and Bylaw Number (page 17)** – What does “and divided into sections” mean? Sections about what?

**14.05 Abandoned Bylaw (page 17)** – Why is this needed? Never occurs in practise. Delete?

### **13. Part 15 – COMMITTEES**

**15.01 Committee Proceedings (page 17)** – Add 2<sup>nd</sup> sentence: “In the absence of a specific rule in the procedures governing Council meetings, the default position for any procedural issue will be that specified in the latest edition of Roberts Rules of Order.”

### **14. Part 16 – GENERAL**

**16.06 Disclosure of Township of Langley Contracts (page 18)** – Removed at CPC April 15/19 but Reconsider and Reinstate changing the sentence to read: ...must report, to the Corporate Officer “**and to Council in an open public meeting,**” any contracts...pecuniary interest “**before the contract is executed.**”

**16.07 Roberts Rules of Order (page 18)** – Add New Section: “In the absence of a specific rule in this procedure bylaw governing Council meetings, the default position for any procedural issue will be that specified in the latest edition of Roberts Rules of Order.”; if adopted, will need to be added to Bylaw contents list

### **15. APPENDIX A**

**Council Meeting Agenda Headings (pages 19 and 20)** – Add: “Extra Delegations” before “Other Business” on both the Regular Council Afternoon and Regular Council Evening Agendas; Also add “Third Reading” to the Regular Council Public Hearing Agenda



## **Richter Notes on Proposed TOL Procedure Bylaw Revisions – Spring 2019 (continued)**

### **16. APPENDIX B**

**Protocol for Public Hearings (page 21)** – Leave red ink in (do not strike out) but amend to read: ...in the submissions; further, **“unless Council resolves to give Third Reading in accordance with section 6.09 of Council Procedure Bylaw No. 5199,”** no decisions will be ... at this hearing, **“and [Delete ‘as’]”** third reading...

### **17. APPENDIX C**

**Secondary Motions (pages 22 and 23) –**

1. Remove any reference to “Unanimous Consent” (see notes Part 2, Section 2.01 – Definitions on page 1 herein): All Council motions should be decided formally, not informally at duly constituted Council meetings
2. Delete the “Postpone Indefinitely” Motion. This is redundant as it is covered by tabling
3. On the “Amend” Motion, should there be a limit to the number of times a motion can be amended provided each amendment is dealt with separately?
4. On the “Lay on the Table” Motion, change process to always require that a tabled item require a motion to “lift from the table”. This will eliminate the need for a “Postpone Indefinitely” Motion
5. On the “Point of Privilege” Motion process, how exactly are issues handled informally by the Chair when the Chair is in the middle of conducting a meeting? More explanation needed.

### **18. APPENDIX D**

**Glossary of Terms (pages 24 and 25) –**

1. Appeal or Challenge of the Chair – Change to read: A **“statement [Delete ‘motion’] that allows....;[Add] “Does not require a seconder but must be put to a vote of the Members”**
2. Division of a Question – Add: **“Requires a Secunder”**
3. Lay on the Table – Add: **“Requires a Mover and Secunder; No debate; a formal motion to “Lift from the Table” is needed to bring the original motion back”**
4. Main Motion – Add new bullet: **“Requires a Mover and Secunder”**
5. Motion to Call the Question – Add new bullet: **“Requires a Mover and Secunder”**
6. Number of Amendments – Add new bullet: **“Each must be moved and seconded”**; Add to end of a Primary Amendment: ...changes the wording...”**but not its subject or intent”**
7. Point of Privilege – Add a list of topics covered by this
8. Postpone Definitely – Replace with “Deferral”; Deferrals should include dates
9. Postpone Indefinitely – Delete and Replace with “Table”

### **19. FINAL PROCEDURAL CONSIDERATIONS**

1. **Closed Vs Open Meeting Procedures** - We operate differently in Closed than in Open by allowing round table discussion prior to a motion being put on the table for vote. Do we need to/Should we specify separate rules for Closed in the Bylaw? **[NOTE: Council discussion of this needed plus a legal opinion on whether we can do this]**
2. **Frequency/Duration/Size of Meetings** – **[NOTE: This Council needs to discuss whether we need more meetings per month in order to reduce the length of meetings as well as the size of the agenda packages].**

**B.1**

**Councillor Woodward**  
**COUNCIL PROCEDURES BYLAW**

*NOTES*

**AS AMENDED FOR JUNE 24<sup>th</sup> CPC**

**Delegations**

- Delegation requests for Council business or specific asks only, not for events such as theatre houses or festivals to delegate for the sole purpose of promoting their event.

**Section 9**

- The mover of a previously filed notice of motion only should have three (3) minutes to introduce the motion, which does not consume one of their two (2) times to speak which are needed to effectively debate and defend the motion, as per 9.08.
- Speaking time in 9.08 should be reduced to five (5) minutes from ten (10) minutes, but only if the item above is adopted.

**Debate Closure**

- Current practice of Mayor Froese is often to de facto “end debate” but then speak to the motion, effectively having the last word. I can find no clause within the Council Procedure Bylaw that grants this “last word” power to the Chair, as per 8.03.
- Please outline whether this is true or false within the Bylaw (and I just can’t find it) for Council’s information. 10.08 seems to suggest that once debate has ended it must be put to a vote, not for any Member, including the Chair, to continue speaking to the motion.