

Contents of this Bylaw are produced and consolidated for convenience only. Every effort has been made to ensure the accuracy and completeness of the material, however, the Town cannot guarantee its legal accuracy and does not accept responsibility for loss or inconvenience suffered by users as a result of inaccuracies. Please be advised that this material is not admissible in a court of law in accordance with the *Evidence Act of British Columbia*. For such purposes certified copies of Bylaws must be obtained from the Municipal Clerk.

## TOWN OF SIDNEY

### BYLAW NO. 1797 (CONSOLIDATED)

*Amendment Bylaws incorporated as listed at the end of the document.*

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

#### Table of Contents

PART 1 - INTRODUCTION.....	1
1. CITATION OF THIS BYLAW .....	1
2. DEFINITIONS .....	1
PART 2 - COUNCIL MEETINGS.....	2
3. MAYOR AND COUNCIL.....	2
4. ROBERT'S RULES OF ORDER APPLY .....	2
5. NOTICE OF REGULAR COUNCIL MEETINGS AND ANNUAL SCHEDULE .....	2
6. CANCELLATION OF COUNCIL MEETINGS.....	3
7. PUBLIC NOTICE PLACE.....	3
8. QUORUM.....	3
9. ADJOURNMENT OF COUNCIL MEETING .....	4
10. CLOSED MEETINGS .....	4
PART 3 - REGULAR COUNCIL MEETINGS .....	4
11. TIME AND LOCATION OF REGULAR COUNCIL MEETINGS .....	4
12. COUNCIL MEETING AGENDA .....	4
13. ADDITIONAL AGENDA ITEMS.....	5
14. ORDER OF BUSINESS AT REGULAR COUNCIL MEETINGS.....	5
15. PUBLIC PARTICIPATION.....	6
16. PETITIONS AND DELEGATIONS .....	6
17. CORRESPONDENCE.....	7
18. CONSENT BUSINESS .....	7
19. PROCEDURE IF SPONSORING COUNCILLOR ABSENT.....	7
PART 4 - SPECIAL MEETINGS .....	7
20. SPECIAL MEETINGS.....	7
21. ANNUAL MEETING ON MUNICIPAL REPORTS .....	8
PART 5 - COMMITTEE OF THE WHOLE MEETINGS.....	8
22. TIME AND LOCATION OF COMMITTEE OF THE WHOLE MEETINGS.....	8
23. COUNCIL RESOLVING INTO COMMITTEE OF THE WHOLE.....	9

24. ORDER OF BUSINESS FOR COMMITTEE OF THE WHOLE MEETINGS..... 9

PART 6 - STANDING COMMITTEES AND SELECT COMMITTEES ..... 9

25. CHAIR AND VICE CHAIR OF COMMITTEES..... 9

26. PARTICIPATION IN COMMITTEES ..... 10

27. QUORUM OF COMMITTEES ..... 10

28. MEETINGS OF COMMITTEES ..... 10

29. CLOSING COMMITTEE MEETINGS..... 10

30. NOTICE OF COMMITTEE MEETING..... 10

31. PROCEDURES GOVERNING COMMITTEES ..... 10

32. REPORT TO COUNCIL ..... 11

PART 7 - MINUTES ..... 11

33. ADOPTION AND RECEIPT OF MINUTES..... 11

34. RECORDING AND CERTIFICATION OF MINUTES OF COUNCIL..... 11

35. COMMITTEE OF THE WHOLE AND OTHER COMMITTEE MINUTES..... 11

PART 8 - RULES OF DEBATE ..... 12

36. MATTER OPEN TO DEBATE..... 12

PART 9 - POINTS OF ORDER AND PRIVILEGE ..... 12

37. MAYOR TO GIVE BASIS FOR RULINGS..... 12

38. POINTS OF PRIVILEGE..... 13

PART 10 - MOTIONS..... 13

39. RESOLUTIONS AND BYLAWS ..... 13

40. VOTING BY SHOW OF HANDS ..... 13

41. AMENDMENT OF MOTIONS..... 13

42. EFFECT OF MOTION TO AMEND..... 13

43. CALLING OF DIVISION..... 14

44. EFFECT OF QUESTION UNDER CONSIDERATION ..... 14

45. INADMISSIBLE MOTION..... 14

46. MOTION TO ADJOURN ..... 15

47. MOTION TO POSTPONE A QUESTION..... 15

48. MOTION TO TABLE ..... 15

49. QUESTION TO BE PUT AFTER DEBATE..... 15

50. RECORDING AND READING OF MOTIONS..... 15

51. RECORDING NEGATIVE VOTES ..... 15

52. RECORDING OF VOTES ..... 16

PART 11 - BYLAWS ..... 16

53. PROPOSING BYLAWS..... 16

54. READINGS AND ADOPTION AT ONE MEETING ..... 16

55. REFERRAL TO COMMITTEE OF THE WHOLE ..... 16

56. DESCRIPTION OF STEPS IN EVERY BYLAW ..... 16

PART 12 - REPEAL OF EXISTING BYLAW..... 17

57. TOWN OF SIDNEY PROCEDURE BYLAW NO. 1611 AND AMENDMENTS THERETO ARE  
HEREBY REPEALED..... 17

# TOWN OF SIDNEY

## BYLAW NO. 1797

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

---

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

#### PART 1 - INTRODUCTION

##### 1. Citation of this Bylaw

This bylaw is to be cited as "Town of Sidney Procedure Bylaw No. 1797, 2003".

##### 2. Definitions

In this bylaw:

"Charter" means the *Community Charter*;

"Committee" means a select, or standing committee or any other body established in Council that is composed solely of Council members, but does not include the Committee of the Whole;

"Committee of the Whole" means a committee comprised the entire Council and no other persons;

"Corporate Administrator" means the Town employee appointed and acting as Corporate Administrator by the Council of the Town of Sidney;

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

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

"Councilor" means a Councilor of the Town of Sidney, other than the Mayor;

"Mayor" means Mayor of the Town of Sidney;

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

"Municipality" means the Town of Sidney;

"Notice Board" means the encased notice board mounted on the outside wall of the Town Hall located at the main entrance doors of the Municipal Building;

"Procedural Motion" means any motion to:

- a) adjourn a meeting;
- b) table a matter;
- c) vote on a previous question;
- d) postpone a matter;
- e) refer a matter; or
- f) amend something;

or any other motion which Council resolves is to be considered a procedural motion.

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

## **PART 2 - COUNCIL MEETINGS**

### **3. Mayor and Council**

- (a) The first regular Council Meeting (the "Inaugural Meeting") following a general election will be on the first Monday in December following the general election, provided that if that day is a holiday, the meeting will be on the next day that is not a holiday.
- (b) At the Inaugural Meeting, Council shall appoint a as Acting Mayor for a specified term who will be responsible for acting in the place and shall have the same powers and duties as the Mayor when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
- (c) In the event that the Mayor and Acting Mayor are absent from a Council Meeting, the Members present must choose a Councillor to preside, who will have the same powers and duties as the Mayor in relation to the applicable matter.

### **4. Robert's Rules of Order Apply**

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

### **5. Notice of Regular Council Meetings and Annual Schedule**

- (a) The Corporate Administrator shall prepare and make available to the public a schedule of the date, time and place of regular Council Meetings for the following year.
- (b) In December of each year, the Corporate Administrator shall cause a notice to be published in a local newspaper for two consecutive weeks and to be posted on the Notice Board advising of the availability of the schedule under subsection (a).

- (c) The Corporate Administrator shall post a notice of each regular Council Meeting on the Notice Board at least 24 hours before the time of the meeting, signed by the Mayor or the Corporate Administrator setting out the date, time and place of the meeting.

## 6. Cancellation of Council Meetings

- (a) Council may by resolution cancel any Council Meeting.
- (b) The Corporate Administrator shall give public notice of the cancellation of a Council Meeting under (a) by posting notice of cancellation on the Notice Board at the Town Hall at least 24 hours before the time at which the meeting was to have been held.

## 7. Public Notice Place

The Notice Board is designated as the “Public Notice Place” for the purposes of the Charter.

## 8. Quorum

- (a) A quorum for a Council Meeting is four Members.
- (b) If there is no quorum at a Council Meeting within 15 minutes after the time for the Council Meeting:
  - (i) the Council Meeting is cancelled;
  - (ii) all business on the agenda for that Council Meeting is cancelled; and
  - (iii) all business on the agenda for that Council Meeting shall be dealt with at the next Council Meeting.
- (c) If a quorum is present, the Mayor shall call the Council Meeting to order. If a quorum is present, but the Mayor is not present within 15 minutes after the time at which the Council Meeting is scheduled to begin, the Acting Mayor (or in the absence of the Mayor and Acting Mayor, the Councillor selected in accordance with section 3(c)) shall take the chair and call the Council Meeting to order.

## **9. Adjournment of Council Meeting**

- (a) Council Meetings shall adjourn at 10:30 p.m. unless Council resolves to continue under subsection (b);
- (b) Council may by resolution continue a Council Meeting for a maximum of 30 minutes; and,
- (c) Council may by resolution adjourn any Council Meeting to a date specified in the resolution.

## **10. Closed Meetings**

Council may close a Council Meeting or part of a Council Meeting to the public, where permitted under the Charter, by resolution passed in public stating the fact that the meeting is to be closed and the basis under the applicable section of the Charter on which the meeting is to be closed.

## **PART 3 - REGULAR COUNCIL MEETINGS**

### **11. Time and Location Of Regular Council Meetings**

(Amendment 02)

- (a) Subject to subsection (b), Council shall hold regular Council Meetings at 7:00 p.m., in the Council chamber of the Town Hall on the second and fourth Mondays of each month.

(Amendment 02)

- (b) In July and August, Council shall hold regular Council Meetings at 7:00 p.m. in the Council chamber of the Town Hall on the second Monday of each month.
- (c) In the second and third year after an election, the first Council meeting shall be known as the Organizational Meeting and shall be held on the first Monday of December.
- (d) Any regular Council Meeting date that falls on a holiday shall be held on the next day which is not a holiday.

### **12. Council Meeting Agenda**

The Corporate Administrator shall:

- (a) prepare an agenda, in accordance with section [14](#), for each regular Council Meeting;
- (b) state the general nature of each item of business in the agenda to be dealt with at the regular Council Meeting; and

- (c) deliver the agenda to each Member's box at the Town Hall at least 48 hours before the time of the meeting.

### **13. Additional Agenda Items**

- (a) Any Member may place an item of business on the agenda for a regular Council Meeting by giving written notice of the item, in reasonable detail, to the Corporate Administrator by 4:30 p.m. on the Tuesday prior to the meeting;
- (b) Council may, by resolution, place urgent items on the agenda at the time of agenda approval under section 12(b) for a regular Council Meeting.

### **14. Order Of Business At Regular Council Meetings**

Unless Council otherwise resolves, Council shall deal with business at every regular meeting in the following order:

- (a) Call to Order / Public Participation / Presentations / Public Hearings
- (b) Approval of the Agenda;
- (c) Adoption of the minutes of the last regular Council Meeting;
- (d) Business not completed at any previous regular Council Meeting;
- (e) Business arising from the minutes as adopted;
- (f) Petitions and Delegations;
- (g) Mayor's Report;
- (h) Councillor's Reports;
- (i) Committee Reports;
- (j) Staff Reports;
- (k) Other Reports;
- (l) Correspondence;
- (m) Bylaws / Development Permits / Development Variance Permits / Subdivisions;
- (n) New Business;
- (o) Consent business under section 18;
- (p) Notices of Motion;

- (q) Motion to Go “In-Camera” (closed meeting); and
- (r) Adjournment.

**15. Public Participation**

(Amendment 02)

- (a) At every regular Council Meeting Council shall hold a public participation period from 7:00 p.m. to 7:20 p.m., or until speakers have concluded, whichever comes first.
- (b) Members of the public shall address their questions through the Member chairing the Council Meeting and if the question can be answered either by that Member or through that Member, Council shall do so.
- (c) Where Council is unable to address a question, the question shall be referred to staff for answer or subsequent research and report.

**16. Petitions and Delegations**

- (a) Any person wishing to present a petition at a regular Council Meeting shall inform the Corporate Administrator of the:
  - (i) subject of the petition; and,
  - (ii) name and address of each person who has signed the petition;by 4:30 p.m. on the Tuesday prior to the Council Meeting.
- (b) Any delegation wishing to appear at a regular Council Meeting shall inform the Corporate Administrator of the:
  - (i) subject of the delegation; and,
  - (ii) name and address of the speaker for the delegation.by 4:30 p.m. on the Tuesday prior to the regular Council Meeting.

- (c) Council shall not receive a petition or delegation unless this section has been complied with, unless otherwise resolved by Council.
- (d) Unless Council otherwise resolves, the presentation of a petition or the appearance of a delegation before Council shall not exceed 10 minutes.
- (e) This section does not apply to public hearings conducted by Council under the *Local Government Act*, the Charter or other legislation.

## **17. Correspondence**

Any person wishing his or her correspondence to be received by at a regular Council Meeting, shall provide it to the Corporate Administrator by 4:30 p.m. on the Tuesday prior to the regular meeting.

## **18. Consent Business**

- (a) A Member may require that any item of business be removed from the consent business and be dealt with as a separate item on the agenda at the time the agenda is approved under 14(b).
- (b) Unless a Member requires otherwise under subsection (a), Council shall deal with consent business with a single resolution.

## **19. Procedure If Sponsoring Councillor Absent**

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

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

## **PART 4 - SPECIAL MEETINGS**

### **20. Special Meetings**

- (a) The Mayor, or two or more Members, may call a special Council Meeting in accordance with the Charter.
- (b) Council may close a special Council Meeting to the public in accordance with Section 10.
- (c) The Corporate Administrator shall give notice, signed by the Mayor or Corporate Administrator, of the day, time and place, and describing in general terms the

purpose of the special Council Meeting at least 24 hours before the time of the meeting:

- (i) by posting a copy of the notice in the Council chamber at Town Hall;
  - (ii) by posting a copy of the notice on the Notice Board; and
  - (iii) by leaving a copy of the notice for each Member in their pickup box at Town Hall
- (d) Members present at a special Council Meeting may resolve to continue the meeting on a subsequent day, in which case, the Corporate Administrator need not leave a copy of the notice for each Council member but must still post the notice on the Notice Board and at the Council chamber.
- (e) Notwithstanding subsection (c), notice of a special Council Meeting required under the Charter may be waived by unanimous vote of all Council Members.

## **21. Annual Meeting on Municipal Reports**

- (a) A regular Council Meeting before June 30 of each year shall convene 1 hour early at 6:30 p.m. to consider the annual report required under the Charter to consider submissions and questions from the public on the annual report.
- (b) The Corporate Administrator shall cause the annual report to be made available for public inspection at least 14 days before the meeting under subsection (a) and shall cause a notice of the date, time and place of the meeting under subsection (a) the local newspaper for 2 consecutive weeks and post the notice on the Notice Board.

## **PART 5 - COMMITTEE OF THE WHOLE MEETINGS**

### **22. Time and Location of Committee of the Whole Meetings**

- (a) Council shall appoint a Councillor as Chair of the Committee of the Whole every two months, such that no single Councillor shall act as the Chair for more than 2 months in a calendar year, unless available Councillors have already been Chair in that calendar year.

(Amendment 02)

- (b) The Committee of the Whole shall hold regular meetings at 7:00 p.m. in the Council chamber of the Town Hall on the first and third Mondays of each month, or otherwise resolved by Council or called by the Mayor.
- (c) In July and August, the Committee of the Whole shall not meet unless otherwise resolved by Council or called by the Mayor.

- (d) The Corporate Administrator shall give notice of the day, time and place of the Committee of the Whole meeting at least 24 hours before the time of meeting by posting a notice on the Notice Board at the Town Hall.
- (e) If Council resolves to change the location or the time for any or all meetings of the Committee of the Whole, the Corporate Administrator shall give notice of that resolution to the public by posting a notice on the Notice Board.

### **23. Council resolving into Committee of the Whole**

- (a) Council may, by a resolution duly passed by a majority vote of the Members, resolve itself into Committee of the Whole during a Council Meeting, provided that the Corporate Administrator has notified the public of this possibility under Section 22(d).
- (b) Upon adjournment or termination of the meeting of the Committee of the Whole, Council shall resume the Council Meeting.
- (c) The Corporate Administrator shall present all Committee of the Whole resolutions to Council for Council's consideration.

### **24. Order of Business for Committee of the Whole Meetings**

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

- (a) Call to order;
- (b) Approval of the Agenda;
- (c) Business not completed at a previous meeting;
- (d) Reports;
- (e) New Business;
- (f) Motion to go "In-Camera" (closed meeting); and
- (g) Adjournment.

## **PART 6 - STANDING COMMITTEES AND SELECT COMMITTEES**

### **25. Chair and Vice Chair of Committees**

- (a) The Mayor shall appoint a chairperson and vice chairperson for all standing committees established by the Mayor.

- (b) Select committee members shall by a majority of votes of those members present elect a chairperson and vice chairperson.

**26. Participation in Committees**

- (a) A Member may attend any Committee meeting and may participate in any debate at the Committee meeting.
- (b) Only a person appointed to a Committee may move or second motions or vote at a Committee mmeeting.

**27. Quorum of Committees**

A majority of the persons appointed to a Committee constitute a quorum of that Committee.

**28. Meetings of Committees**

A Committee shall meet when:

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

**29. Closing Committee Meetings**

- (a) A Committee meeting may be closed, where permitted under the Charter, by resolution of the Committee adopted in accordance with Section 100.
- (b) Subsection (a) also applies to commissions established by Council in accordance with the Charter.

**30. Notice of Committee Meeting**

The Corporate Administrator shall give notice of the day, time and place of a Committee meeting at least 24 hours before the time of the meeting by posting a copy of the notice on the Notice Board and by leaving one copy of the notice for each member of the Committee in their box at Town Hall.

**31. Procedures Governing Committees**

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

**32. Report to Council**

- (a) A Committee may report to Council at any regular Council Meeting.
- (b) A Committee shall report to Council when directed by resolution of Council.
- (c) If a Committee wishes to present a written report to Council, its chairperson shall deliver the report to the Corporate Administrator on or before noon on the Monday before the next regular Council Meeting.

**PART 7 - MINUTES****33. Adoption and Receipt Of Minutes**

- (a) Council shall adopt the minutes of every Council Meeting, with or without amendments.
- (b) Council shall receive the minutes of all Committees Meetings.
- (c) Copies of minutes open for public inspection shall be provided on payment of a fee stipulated in the Town's Miscellaneous Fees and Charges Bylaw.

**34. Recording and Certification of Minutes of Council**

- (a) The Corporate Administrator shall ensure Council Meetings are taped and shall keep the tapes until written minutes are formally adopted by Council. The Corporate Administrator will cause written minutes to be prepared based on the tape.
- (b) If the Corporate Administrator is satisfied that the written minutes are correct, the Corporate Administrator shall certify the minutes of every Council Meeting.
- (c) The Corporate Administrator shall ensure the adopted minutes of every Council Meeting are legibly recorded, signed and open for inspection to the extent required under the Charter.

**(Amendment 01)**

- (d) The Mayor (or other person presiding at a meeting, such as the Acting Mayor) has the responsibility and duty to preserve order at Council meetings and as such has the authority to prohibit video or tape recordings of the meeting

**35. Committee of the Whole and other Committee Minutes**

- (a) The Recording Secretary shall record and prepare minutes of meetings of Committee of the Whole (and other Committees) proceedings. The minutes, upon adoption by the Committee, shall be certified by the Chairperson and delivered to the Corporate Administrator.
- (b) The Corporate Administrator shall ensure the minutes of every Committee of the Whole and any other Committee meetings are legibly recorded, signed and open for inspection to the extent required under the Community Charter.

## **PART 8 - RULES OF DEBATE**

### **36. Matter Open To Debate**

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

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

## **PART 9 - POINTS OF ORDER AND PRIVILEGE**

### **37. Mayor To Give Basis For Rulings**

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

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

**38. Points of Privilege**

A Member may:

- (a) require that a matter being debated be read for the Member's information, but a Member may not interrupt another Member who is speaking unless that other Member consents or except to raise a point of order;
- (b) require the Mayor to state the provision of this bylaw or other rule of order applicable to a point of order, which the Mayor shall do at once without debate; and,
- (c) put a question to the Mayor regarding any matter connected to the affairs of Council or the municipality, which the Mayor may require be put in writing.

**PART 10 - MOTIONS****39. Resolutions and Bylaws**

Council shall deal with resolutions, the reading of bylaws and the adoption of bylaws on a motion put by a Member and seconded by another Member.

**40. Voting By Show of Hands**

Subject to sections 41 of this bylaw, a Member shall vote on every question put to a vote by raising his or her hand.

**41. Amendment of Motions**

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

**42. Effect of Motion to Amend**

If a motion to amend a motion is:

- (a) carried, the motion which has been amended is to be voted on as amended; or,
- (b) defeated, the motion in respect of which the amendment was moved is to be voted on unamended.

A Council shall either withdraw or vote on a motion to amend before voting on the motion to be amended.

#### **43. Calling of Division**

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

- (a) the Mayor shall at once call a division, and all members shall state aloud what their vote on the question is; and,
- (b) the Corporate Administrator shall record in the minutes for the Meeting the name of each member and the way in which the member voted on the question.

#### **44. Effect of Question Under Consideration**

When a question is under consideration, no motion may be made except a motion to:

- (a) call the question;
- (b) postpone the question indefinitely;
- (c) postpone the question for a specified time;
- (d) amend the question;
- (e) refer the question to a committee;
- (f) limit or extend debate on the question;
- (g) table the question; or
- (h) put a previous question to the vote.

#### **45. Inadmissible Motion**

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

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

**46. Motion To Adjourn**

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

**47. Motion to Postpone a Question**

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

**48. Motion To Table**

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

**49. Question To Be Put After Debate**

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

**50. Recording and Reading Of Motions**

- (a) The Corporate Administrator shall record in the minutes the text of every motion other than Procedural Potions.
- (b) After a motion has been recorded and seconded by another Councillor, the Corporate Administrator shall read the motion aloud, if requested, to the Meeting before the motion is debated or put to the vote by the Mayor.
- (c) A motion may not be withdrawn after it has been read to the meeting unless Council otherwise resolves.
- (d) A motion may not be withdrawn after it has been voted on by Council.
- (e) If a Councillor declares a conflict, the Corporate Administrator shall note the declaration and the reasons given for it, together with the time the member left the Meeting and, if applicable, returned to the Meeting.

**51. Recording Negative Votes**

The Corporate Administrator shall record in the minutes of a Meeting the name of any Member who voted in the negative on any motion.

**52. Recording Of Votes**

A Member may require his or her vote on any question to be recorded by the Corporate Administrator, in which case, the Corporate Administrator shall record in the minutes for the meeting the name of the Member and the way in which the Member voted on the question.

**PART 11 - BYLAWS****53. Proposing Bylaws**

Unless Council otherwise resolves, Council shall not consider a proposed bylaw unless:

- (a) the Corporate Administrator has given a copy of it to each member, and
- (b) it is on the agenda for the meeting.

**54. Readings and Adoption At One Meeting**

Subject to this bylaw and any other law, Council may give any or all three readings of a bylaw at one meeting, and where expressly authorized to do so by statute, Council may adopt a bylaw at the same meeting at which it gives third reading.

**55. Referral To Committee of the Whole**

After either second or third reading of a proposed bylaw, Council may refer it to the Committee of the Whole, which:

- (a) may cause a person to read aloud any clause of the proposed bylaw to the meeting of the Committee of the Whole;
- (b) may amend, strike out or add provisions to the proposed bylaw; and
- (c) may report to Council and advise whether or not Council should adopt the proposed bylaw.

**56. Description Of Steps In Every Bylaw**

On the last page of every bylaw that is enacted by Council, the Corporate Administrator shall set out the dates on which:

- (a) the readings and the adoption of the bylaw occurred; and
- (b) all approvals, procedures and other requirements imposed by statute were obtained, followed or fulfilled, including if applicable:
  - (i) the approval of the Inspector of Municipalities, the Lieutenant Governor in Council, or a Minister;

- (ii) the assent of the electors;
- (iii) a 2/3 majority vote, or unanimous vote of Council; and
- (c) a public hearing occurred.

The Mayor and the Corporate Administrator shall sign all adopted bylaws and the Corporate Administrator must have them placed in the Town’s records for safekeeping.

**PART 12 - REPEAL OF EXISTING BYLAW**

**57. Town of Sidney Procedure Bylaw No. 1611 and amendments thereto are hereby repealed.**

Introduced and read a first time the	24 <sup>th</sup> day of November, 2003.
Read a second time the	24 <sup>th</sup> day of November, 2003.
Read a third time the	24 <sup>th</sup> day of November, 2003.
Adopted by at least 2/3 of the member of Council on the	15 <sup>th</sup> day of December, 2003.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE ADMINISTRATOR

\_\_\_\_\_  
Amendment 01 - Bylaw 1874, January 2006

\_\_\_\_\_  
Amendment 02 - Bylaw 1951, February 2009