

DISTRICT OF LAKE COUNTRY
COUNCIL PROCEDURES BYLAW 1229, 2024

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DISTRICT OF LAKE COUNTRY

BYLAW 1229, 2024

A BYLAW TO ESTABLISH PROCEDURES FOR THE CONDUCT OF COUNCIL AND ITS COMMITTEES

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

1. INTERPRETATION

- 1.1. In cases not provided for under this bylaw, the current edition of Robert's Rules of Order apply to the proceedings of Council, its Committees and commissions to the extent that those rules are applicable and not inconsistent with the provisions of the Community Charter.
- 1.2. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time and any bylaw referred to herein is a reference to an enactment of the Council of the District of Lake Country, as amended, revised, consolidated or replaced from time to time.
- 1.3. In this bylaw the singular shall also include the plural, and the masculine shall also include the feminine.

2. DEFINITIONS

Acting Mayor means the Member designated to act in place of the Mayor when that person is absent or otherwise unable to act, or when the office of the Mayor is vacant.

Chair means the person presiding at a meeting of Council or a Committee, or the person authorized to act in their absence.

Chief Administrative Officer ("CAO") means the person appointed as the Chief Administrative Officer for the District of Lake Country and includes his or her deputy.

Closed Meeting means a meeting that is closed to the public in accordance with the Community Charter.

Corporate Officer means the person appointed as the Corporate Officer for the District of Lake Country and includes his or her deputy.

Committee means a standing, select, advisory or other Committee of Council and includes a commission.

Council means the municipal Council of the District of Lake Country and includes the Mayor.

Council Representative means the Member of Council appointed to a Committee to act as direct communication link between Council and the Committee and ensure Committee objectives, as set by Council, are met.

District means the municipal organization of the District of Lake Country.

District Web Site means the information resource found at www.lakecountry.bc.ca.

Mayor means the person elected to the office of Mayor for the District of Lake Country and includes the Acting Mayor.

Member means a Member of Council, including the Mayor, or a Member of a Committee.

Municipal Hall means the offices of the District of Lake Country located at 10150 Bottom Wood Lake Road, Lake Country, BC V4V 2M1.

Posting Places means the notice boards located in the main floor foyer at the Municipal Hall and the District Web Site.

Quorum means a majority of the total membership of a Council, Commission or Committee except where otherwise set out. A vacancy does not invalidate the right of the Members so long as there is a Quorum of Members.

Special Council Meeting means a council meeting other than a regular meeting or an adjourned meeting.

Staff Liaison means the District staff person(s) assigned by the CAO to a Committee to provide information and support.

Two-thirds (2/3) vote means at least 2/3 of the voting Members present at the meeting, except where otherwise set out in legislation.

3. APPLICATION

- 3.1. The provisions of this bylaw govern the proceedings of Council, and where applicable, meetings of bodies prescribed by regulation including, but not limited to standing and select committees, advisory bodies, parcel tax roll review panel and board of variance.

4. INAUGURAL MEETING

- 4.1. Following a general election, the first regular meeting of **Council** will be held on the first Tuesday in November in the year of the election.
- 4.2. If a **Quorum** of **Council** has not taken office by the date of the meeting in item 4.1, the inaugural **Council** meeting shall be called by the **Corporate Officer** as soon as reasonably possible after a **Quorum** has taken office.

5. TIME AND LOCATION OF MEETINGS

- 5.1. **Council** meetings will regularly be held on the first and third Tuesdays of each month starting at 7 p.m., hereinafter referred to as "Regular **Council** Meetings", as indicated on the annual schedule of Regular Council Meetings, unless otherwise cancelled or postponed.
- 5.2. Regular **Council** Meetings will take place within the **Municipal Hall** except where **Council** passes a resolution to hold a meeting elsewhere and provides at least 1-day notice of the change of location.
- 5.3. The CAO and **Mayor** may cancel a Regular **Council** Meeting provided notice of the cancelled meeting is posted at the **Posting Places** at least 1-day prior to the scheduled meeting.

5.4. **Council** may allow municipal officers, employees or other persons they consider necessary to attend a **Closed Meeting**, or may exclude them from attending, as it considers appropriate.

6. AGENDAS

6.1. The **Corporate Officer** shall prepare an agenda inclusive of all items to be considered by Council at the meeting, for approval of the **CAO**.

6.2. All items to be included on a Council Agenda shall be submitted to the Corporate Officer prior to the meeting as follows:

- (a) for the public, no later than 11 days prior to meeting date; and
- (b) for staff, as established by the CAO

6.3. Notice of Council meetings shall be posted in the **Posting Places** and made available to **Members** and the public, generally by the Wednesday prior to the meeting but no later than the Friday prior to the meeting.

6.4. Council should not consider any item not on an agenda unless it has been introduced as a Late Item as follows:

- (a) Where an item is received after the agenda has been posted and before 430 p.m. the Friday before the meeting, the late item may be added by approval of the CAO or Mayor. The agenda will be updated, recirculated to Council and reposted in the Posting Places.
- (b) Where an item is received after 430 p.m. the Friday before the meeting, the late item may be added by a resolution of Council as an addition to the agenda at the time of the meeting.

6.5. All relevant information for late submissions including reasons for the late inclusion, must be distributed to Council as soon as possible.

7. AGENDA HEADINGS

7.1. Agendas for Regular **Council** Meetings shall contain the following headings in the order in which they are listed, unless otherwise amended or deleted for specific meetings, by the **Corporate Officer** or **CAO** with approval from the **Mayor**.

Call to Order and Territorial Acknowledgement
Adoption of Agenda
Adoption of Minutes
Mayor’s Report
Announcements
Delegations
Planning and Development Applications
Departmental Reports
Bylaws for Adoption and Readings Following a Public Hearing
Rise and Report from In Camera
Council Committees
External Committees and Boards
Strategic Priorities
Report from Councillors
Adjournment

- 7.2. Items placed on the Agenda under the heading Planning and Development Applications, or Departmental Reports will be ordered to ensure items public or applicant participation are considered prior to internal or organizational reports.

8. QUORUM

- 8.1. Once **Quorum** is established after the scheduled start time for the meeting, the **Chair** must call the meeting to order as soon as possible.
- 8.2. If **Quorum** is established and both the **Chair** and **Acting Mayor** are absent for 15 minutes after the scheduled start time for the meeting, the **Member** who is next on the rotation for **Acting Mayor** shall call the meeting to order as soon as possible.
- 8.3. If no **Quorum** is established within 30 minutes after the scheduled start time for the meeting, the **Corporate Officer** must record the names of the **Members** present and absent and the **Chair** shall adjourn the meeting.
- 8.4. Where membership requirements set out a minimum and maximum number of **Members**, **Quorum** shall be at least $\frac{1}{2}$ of the appointed **Members**, as long as the number of **Members** is within the minimum or maximum number authorized.
- 8.5. A vacancy in the membership of **Council** or a **Committee** does not invalidate the constitution of the association or impair the right of the **Members** in office to act, if the number of **Members** in office is not less than a **Quorum**.

9. ACTING MAYOR

- 9.1. At least once during each term of **Council**, **Council** must designate a **Member** to serve, on a rotating basis, as the **Member** responsible for acting in place of the **Mayor** when the **Mayor** is absent or otherwise unable to act or when the office of the **Mayor** is vacant.
- 9.2. While acting in the role of **Acting Mayor**, the designated **Member** must fulfil the responsibilities of the **Mayor** in their absence and shall have the same powers and duties as the **Mayor**.
- 9.3. If both the **Mayor** and the **Acting Member** are absent or otherwise unable to act, the **Member** who is next on the rotation shall be the **Acting Mayor**.

10. NOTICE OF MEETINGS

- 10.1. An annual schedule of Regular **Council** Meetings, including the date, time and location shall be published in accordance with the *Community Charter* and posted in the **Posting Places** at least once per year. Where revisions to the annual schedule are necessary, revisions shall be posted by the **Corporate Officer** in the **Posting Places** as soon as possible.

11. SPECIAL COUNCIL MEETINGS

- 11.1. In accordance with section 126 of the Community Charter, a Special Council Meeting may be called by the **Mayor** or by 2 **Members** of **Council**.
- 11.2. Special **Council** meetings shall not continue more than 4 hours following the start time unless a resolution authorizing the meeting to continue is approved by a majority vote.

- 11.3. Notice of a special council meeting, including the date, time, location and general purpose, must be given at least 24 hours before the time of meeting. Notice must be signed by the Mayor or Corporate Officer and shall be posted at the regular council meeting place, at the Posting Places, and delivered to each Member. Notice of a Special Council meeting may be waived by unanimous vote of all Council Members.

12. ELECTRONIC MEETINGS

- 12.1. Electronic meetings and electronic participation in a meeting means participation by use of electronic, telephone, or other communication facilities that enable the participants to hear and speak with each other and enable the public to hear the participation of Council members during that part of the meeting that is open to the public.
- 12.2. Council Meetings, Committee Meetings and Public Hearings may be conducted electronically and members, delegations and presentations may, participate in the meeting electronically provided the Corporate Officer has been notified in advance.
- 12.3. A municipal officer must be in attendance for electronic meetings.
- 12.4. Where a meeting or portion thereof is closed pursuant to the *Community Charter*, Members shall ensure no person other than themselves, or person authorized to attend is able to hear or watch and hear the meeting.
- 12.5. Notice of an electronic meeting shall include the way the meeting is to be conducted and the place where the public may watch or hear the electronic proceedings.
- 12.6. Members participating electronically must vote by audibly stating “aye” or “nay”. If a Member does not indicate how they vote, they are deemed to have voted in the affirmative.
- 12.7. A Member will be considered absent if they have not joined the meeting electronically within 15 minutes of the start time. If there is an interruption in the connection of Member participating electronically, the other Members may decide on a short recess until a connection can be re-established or continue the meeting and treat the interruption in the same manner as if the Member was physically present and leaves the meeting room. If the connection is unable to be re-established within 25 minutes, the Member will have been considered to have left the meeting.

13. PUBLIC ATTENDANCE

- 13.1. All meetings must be open to the public except where a meeting, or part of a meeting, may be closed to the public pursuant to the provisions of the *Community Charter*.
- 13.2. Before closing a meeting or part of a meeting to the public, **Council** must pass a resolution in a public meeting to close the meeting to the public.

14. DELEGATIONS AND PETITIONS

- 14.1. Requests to present as a delegation must be submitted to the Corporate Officer, include the subject, the name of persons addressing **Council** and indicate any requests or recommendations to be made of Council. Requests for delegations must be approved for inclusion on a Regular Council Meeting Agenda by the Mayor or CAO.

- 14.2. Presentations shall be limited to ten (10) minutes unless invited to respond to questions or speak further, by the Chair.
- 14.3. Where a delegation is not approved to be placed on a **Council** agenda, the decision may be appealed by submitting rationale for the appeal to **Corporate Officer**. The Mayor or CAO will make a final determination on the request wherein the appeal and decision will be circulated to all members of Council.
- 14.4. A petition to **Council** is deemed to be presented when it is filed with the Corporate Officer. Petitions must include the full name, residential address and signature of each petitioner.

15. PUBLIC HEARINGS

- 15.1. Written submissions for scheduled public hearings will be accepted until 4:30 p.m. the day of the Public Hearing. Written submissions for a public hearing that has been waived or prohibited, will be accepted until 4:30 p.m. on the date the bylaw is presented for third reading. Submissions will be included in an agenda package or otherwise distributed to Council in electronic form or hard copy. Written submissions received at or in response to a public hearing are considered part of the public record. Submissions marked confidential will not be accepted.
- 15.2. No oral or written submissions may be received once a public hearing has been adjourned, or, in the case where a public hearing is waived or prohibited, after third reading of the bylaw. Written submissions received after the deadline will be retained by the Corporate Officer until the conclusion of the application.
- 15.3. Public hearings shall be held at the Municipal Hall at 7:00 pm on Tuesday evenings immediately preceding the Regular Council Meeting unless Council passes a resolution changing the time or location of a particular hearing.
- 15.4. The Corporate Officer shall prepare an agenda for approval of the CAO. The agenda shall be posted in the Posting Places and made available to Members and the public, generally by the Wednesday prior to the hearing but no later than Friday prior to the hearing.
- 15.5. The order of business at a public hearing shall be as follows:
 - (a) The Chair reads a statement of procedures.
 - (b) Staff present details of the application.
 - (c) Staff announce the number of written submissions received.
 - (d) The owner or applicant is provided fifteen (15) minutes to present.
 - (e) Members of the public are provided ten (10) minutes each to make comments.
 - (f) Members of the public may speak more than once after all others have been given a first opportunity.
 - (g) The owner or applicant is provided ten (10) minutes to respond to comments or questions.
 - (h) The Chair will call three times for persons wishing to speak before adjourning the hearing.
- 15.6. Council may ask questions of presenters or staff seeking clarification or additional details. Council will not engage a speaker in debate and will not comment on the merits of the issue. Debate shall take place at a Regular Council Meeting following the public hearing where the proposed bylaw is presented for readings.

15.7. Notice of a public hearing will be provided in accordance with the LGA. Where a public hearing has been waived or is prohibited, notice will indicate the date of the meeting where first reading of a bylaw will be considered.

16. PUBLIC COMMENT

16.1. Members of the public may address Council:

- (a) during a public hearing permitted in accordance with the *Local Government Act*;
- (b) as required under legislation or bylaw;
- (c) as a delegation as contained herein;
- (d) if approved by Council resolution.

16.2. Members of the public may not address Council where:

- (a) a public hearing has been held, waived, or prohibited, in accordance with the *Local Government Act*;
- (b) the presentation has the sole purpose of promoting a business;
- (c) the matter is to do with litigation or potential litigation;
- (d) the matter is to do with employee relations.

16.3. Where authorized to address Council, members of the public shall:

- (a) state their name,
- (b) state the general area where they reside if speaking to a land use application,
- (c) if an applicant, indicate the person or file they represent.
- (d) Speak only once for a maximum of 10 minutes unless otherwise invited by the Chair,
- (e) direct questions to Mayor and Council only.

17. BYLAWS

17.1. A bylaw may be introduced at a **Council** meeting only if a copy of it has been delivered to each **Member** before or at the **Council** meeting.

17.2. A bylaw must have a distinguishing name and number and have a place for the **Chair** and **Corporate Officer** to sign.

17.3. **Council** may consider bylaws separately or jointly with other bylaws.

17.4. **Council** may give up to three readings to a bylaw at the same **Council** meeting.

17.5. A bylaw may be debated and amended any time during the first three readings unless prohibited by legislation. A bylaw that has received third reading shall only be amended by passing a resolution to rescind third reading, a resolution to amend the bylaw and a resolution to reading the bylaw a third time as amended, which may be considered jointly or separately.

17.6. Each reading of a bylaw must receive the affirmative vote of a majority of **Council Members** present, except for an official community plan bylaw which must receive an affirmative vote of a majority of all **Council Members**.

17.7. There must be at least 1 day between third reading and adoption of a bylaw, except for an official community plan or zoning bylaw, or amendments thereto, may receive third reading and adoption at the same meeting.

- 17.8. If a bylaw requires approval from another level of government as per legislation, the approval must be obtained prior to the bylaw being submitted for assent or approval of the electors.
- 17.9. After a bylaw is adopted, it must be:
- (a) signed by the **Corporate Officer** and **Chair**;
 - (b) endorsed with date of readings, adoption and any approvals obtained;
 - (c) placed in the **District's** records for safekeeping.
- 17.10. Any bylaws, with the exception of Official Community Plan and Zoning Bylaws, which have not completed the requirements to be adopted after a 2-year period will be deemed stale dated and closed.

18. MOTIONS

- 18.1. **Council** may debate and vote on a motion only if the motion is first made by one **Member** and seconded by another.
- 18.2. The **Mayor** may make a motion or invite a motion from a **Councillor**.
- 18.3. **Council** shall not make motions to receive.
- 18.4. A motion to not approve an item, application or bylaw reading is not required.
- 18.5. When a motion is on the floor for debate, a **Member** may only make the following motions:
- (a) to amend;
 - (b) to refer to a **Committee**;
 - (c) to move the previous question (call the question);
 - (d) to postpone to a certain time;
 - (e) to lay on the table;
 - (f) to adjourn.
- 18.6. A motion to call the question (move the previous question) is usually made in an informal manner and is used to bring the assembly to an immediate vote on the pending question. A motion to call the question (move the previous question):
- (a) is out of order when another **Member** has the floor;
 - (b) must be seconded;
 - (c) is not debatable;
 - (d) is not amendable;
 - (e) requires a 2/3 vote to be carried.
- 18.7. A **Member** may require the question being debated to be read at any time during the debate so long as this does not interrupt another **Member**.
- 18.8. A motion may be postponed and considered at a more convenient time. A motion is postponed by making a motion to postpone to a certain time. This can be made as a main motion or as a subsidiary motion to a main motion, must be moved and seconded and is debatable.
- 18.9. A motion to lay on the table is a motion enabling **Council** to lay the pending question aside temporarily when something of immediate urgency has arisen or when something needs to be addressed before consideration of the question is resumed. A motion to Lay on the Table is out of order if the evident intent is to kill or avoid dealing with a matter. The motion to Lay on the Table is commonly misused in place of a motion to postpone, postpone to a certain time or postpone indefinitely.

18.10. Modify, withdraw or amend motions:

- (a) A motion that has been moved and seconded becomes the property of the assembly and cannot be modified or withdrawn without a motion.
- (b) A motion that has been moved but not seconded can be modified or withdraw by the Member who made the motion.
- (c) A motion that has been moved and seconded may only be amended by a motion to amend. A motion to amend must be moved and seconded, debated, and voted on before the main question is considered. If the motion to amend fails, the main motion may be debated or amended again but the same amendment cannot be proposed. Amendments may only be amended one time.

18.11. Reconsider, rescind or amend a motion:

- (a) A motion may only be reconsidered if the matter has not had the assent of the electors, has not already been reconsidered and has not been acted upon. A matter that has been reconsidered must not be reconsidered.
- (b) Where the Mayor requires Council reconsider a matter in accordance with section 131 of the *Community Charter*, the Mayor may initiate reconsideration at the same Council meeting or within 30 days following that meeting. The initiation of reconsideration may be made by announcing the reconsideration at a properly convened Council meeting or by providing written notice to the Corporate Officer. Where the **Mayor** brings forward a matter for reconsideration, no motion to reconsider is required. The matter is placed before **Council** for reconsideration in its original condition as if no vote took place.
- (c) A **Member** may make a motion to have a matter reconsidered if they were on the prevailing side of the original motion. A motion to reconsider by a member must be made at the same meeting where the original motion occurred, or at the next meeting. Any **Member** may second a motion to reconsider. If the motion to reconsider is carried, **Council** considers the original matter as if no vote took place. If the motion to reconsider is defeated, the original motion continues as it was originally adopted.
- (d) Matters brought forward for reconsideration by the **Mayor** shall be placed under the heading **Mayor's Report**. Matters brought forward for reconsideration by a **Member** shall be placed under the agenda heading where the item was originally discussed.
- (e) **Council** must deal with the matter brought forward for reconsideration as soon as convenient, which does not necessarily mean at the meeting at which the reconsideration processes is initiated. **Council** may consider the motion to reconsider and then choose to table the matter to a subsequent meeting.
- (f) The **Mayor** or **Member** who initiated the reconsideration opens debate by stating their reasons for reconsideration.
- (g) Notice of a motion to rescind or amend is required in order to proceed with the action. Notice must be made at the meeting immediately before the motion to rescind or amend is to be made. If notice is given, a majority vote of **Members** present is required to adopt a motion to rescind or amend. If notice is not given, **Two-thirds (2/3)** vote of all Members is required to adopt a motion to rescind or amend.

- (h) Any **Member** may make a motion to rescind or amend a motion that has been previously adopted regardless of how they voted on the original question.
- (i) A motion to rescind or amend may only be considered if the main motion has not been implemented or it is impossible to undo.
- (j) If a motion to rescind or amend is carried, the original main motion no longer exists and the situation remains in the state it was in prior to the original main motion being made. If the motion to amend is adopted, the original motion is changed in accordance with the terms of the amendment.

19. NOTICE OF MOTION

- 19.1. Where a **Member** wishes to have a matter considered that is not on the agenda they may state their proposed motion during a Council meeting or provide a copy of the proposed motion in writing to the **Corporate Officer**. Where a proposed motion has been provided in writing to the Corporate Officer, it will be included on the next available Regular Council Agenda. Where a proposed motion is stated during a Council meeting, the proposed motion will be placed on the next available Regular Council Agenda where it will be moved and seconded prior to being debated.

20. VOTING

- 20.1. If requested by a **Member**, **Council** must vote separately on each distinct part of a question that is under consideration.
- 20.2. When debate on a matter is closed the **Chair** must put the matter to a vote by asking who is in favour of the question and then who is opposed.
- 20.3. Voting shall be by a show of hands. If a **Member** does not indicate how they vote the **Member** is deemed to have voted in the affirmative.
- 20.4. Unless otherwise provided, a motion is decided by a majority of the **Members** present.
- 20.5. Where votes on a question are equal for and against, the motion is defeated.
- 20.6. After the **Chair** has put the question to a vote a **Member** shall not speak to the question or make a motion concerning it. The **Chair's** decision as to whether a question has been finally put is conclusive.
- 20.7. The **Chair** must declare the result of the voting by stating whether the motion is carried or defeated and the names of those opposed to the motion.
- 20.8. No vote shall be taken by ballot or any other method of secret voting.

21. ADJOURN

- 21.1. Regular **Council** Meetings shall not continue past 11:00 p.m. without a **Council** resolution authorizing the meeting to continue.

- 21.2. The **Chair** may declare a meeting adjourned with no motion if:
- (a) the agenda is complete,
 - (b) the hour adopted for adjournment has arrived,
 - (c) in the case of an emergency or immediate danger.
- 21.3. A motion to adjourn to a specific time and place has the effect of continuing the meeting and no further notice is required.

22. MINUTES

- 22.1. Minutes of **Council** or **Committee** meetings shall:
- (a) record business decisions only;
 - (b) record names of all **Members** and staff in attendance;
 - (c) record names of **Members** who voted in opposition to a motion;
 - (d) be legibly recorded;
 - (e) be adopted by resolution of **Council** or **Committee** at the next available meeting;
 - (f) be certified correct by the **Corporate Officer** or **Recording Secretary**; and
 - (g) be signed by the **Chair**.
- 22.2. Minutes of **Council** meetings must be open for public inspection at the **Municipal Hall** during regular office hours, other than minutes or portions thereof, closed to the public pursuant to the Community Charter.
- 22.3. Minutes of a **Committee** meeting shall be placed on the next available **Council** meeting.

23. CONDUCT AND DEBATE

- 23.1. The **Chair** must preserve order and decide points of order that may arise. Only the Chair may invite the public, Council or staff to speak.
- 23.2. **Members** shall:
- (a) address the **Mayor** as Mr. **Mayor** or Madam **Mayor**, Your Worship or **Mayor** and surname;
 - (b) address **Members** of **Council** by their title of **Councillor** and surname;
 - (c) speak only after being recognized by the **Chair**, except to raise a Point of Order;
 - (d) address themselves to the **Chair** before speaking by saying “through the **Chair**”;
 - (e) use respectful language;
 - (f) stay on topic;
 - (g) not unnecessarily delay the conduct of business;
 - (h) not use offensive language, gestures or signs;
 - (i) not disregard the **Chair** with respect to preserving order at meetings;
 - (j) not interrupt another **Member** who is speaking, except to raise a Point of Order;
 - (k) adhere to the rules of procedure established under this bylaw and to the decisions of the **Chair** in connection with the rules and points of order.
- 23.3. If more than one **Member** speaks, the **Chair** must call on the **Member** who, in the **Chair**’s opinion, spoke first.
- 23.4. The **Chair** may expel and exclude any person they consider to be acting improperly or **Members** who are not adhering to the rules of procedure established under this bylaw. If the person refuses to leave, a peace officer may enforce the order.

23.5. The **Chair** may limit **Members** to speaking once only in connection with a single question, except to reply to debate on a motion which the **Member** has made.

24. POINT OF ORDER

24.1. Where a **Member** believes the **Chair** is failing to enforce the procedures of the meeting, they may call attention to the issue by stating "Point of Order". The **Chair** will ask the **Member** to outline the procedural breach raised, wherein the **Chair** is required to make a ruling and enforcement.

24.2. The **Chair** may reserve decision on a Point of Order until the next Regular **Council** meeting.

24.3. When the **Chair** is required to decide a Point of Order, the **Chair** must cite the rule or authority if requested by another **Member** and a **Member** must not question or comment on the rule or authority cited.

24.4. **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 the **Chair's** decision on the point of order in accordance with the Community Charter.

25. CONFLICT OF INTEREST

25.1. Where a **Member** considers they have a direct or indirect pecuniary interest or other interest considered a conflict the **Member** must declare the conflict and state in general terms why the conflict exists. The **Member** must excuse themselves from the portion of the meeting where the item is being discussed or voted on. If a **Member** has made a declaration of a conflict of interest and, after receiving legal advice determines no conflict exists the **Member** may return to or attend meetings on the topic, withdraw the declaration by stating in reasons and vote on the matter.

25.2. Where a **Member** has a direct or indirect pecuniary interest in a matter, whether a declaration has been made or not, the **Member** must not:

- (a) Attend any part of a meeting during which the matter is under consideration;
- (b) Participate in any discussion of the matter at a meeting;
- (c) Vote on a motion or question in respect of the matter at such a meeting; or
- (d) At any time, attempt to influence the voting on any question in respect of the matter.

25.3. A conflict of interest does not apply if:

- (a) The pecuniary interest is in common with the electors of the **District** generally;
- (b) The matter relates to a local service area, the pecuniary interest is in common with other persons who are or would be liable for the local service tax;
- (c) The matter relates to remuneration, expenses or benefits payable to one or more **Members** in relation to their duties;
- (d) The pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the **Member** in relation to the matter;
- (e) The pecuniary interest is of a nature prescribed by regulation.

25.4. When a declaration of conflict of interest is made, the declaration of conflict, the reasons for the conflict, the time of the **Member's** departure and, if applicable, the time of the **Member's** return, shall be recorded in the minutes.

26. COMMITTEES

- 26.1. **Committee** meetings shall be held at the **Municipal Hall** whenever possible.
- 26.2. Unless a meeting or part of a meeting is authorized to be closed to the public under the *Community Charter*, all **Committee** meetings shall be open to the public.
- 26.3. Committees shall make recommendations to **Council** on matters determined by **Council** and set out in the Committee Terms of Reference. Recommendations to **Council** by the Committee shall be made by resolution.
- 26.4. **Committee Members** shall appoint a Chair at the beginning of each calendar year by resolution. An Acting **Chair** may be appointed as required or for a specified period of time. The Acting Chair shall act as Chair in the absence of the **Chair** and have the same powers as the **Chair** while in that role. A **Member** of **Council** shall not be appointed as **Chair** or Acting **Chair** for Committees.
- 26.5. Where both the **Chair** and the Acting **Chair** are absent, the **Members**, by resolution, shall choose a **Member** from those present, to preside at the meeting.
- 26.6. The **CAO** may delegate a **Staff Liaison** to a **Committee**. **Staff Liaisons** are not directed by **Committee Members**.
- 26.7. Requests for funding, resources or expenses from Committees must be pre-approved by the **CAO**, **Council** or Chief Financial Officer.
- 26.8. Where a **District** application or permit is considered on a Committee Agenda, the applicant shall be advised of the **Committee** meeting date, time and location so they may attend if desired.
- 26.9. The **Chair** and **Council Representative** shall determine items to be included on the agenda.
- 26.10. Notice of a **Committee** meeting including the date, time and location of the meeting, shall be posted in the **Posting Places**, delivered to each **Member** and made available to the public, no later than 3 days prior to the meeting.
- 26.11. The Recording Secretary is responsible for:
- (a) compiling agenda items provided by the **Chair** and **Council Representative**;
 - (b) distributing and posting the agenda;
 - (c) recording and signing **Committee** minutes;
 - (d) ensuring minutes are provided to the **Corporate Officer** no more than 5 days after the meeting.
- 26.12. The **Committee Chair** is responsible for:
- (a) jointly determining items to be included on the agenda with the **Council Representative**;
 - (b) scheduling, organizing and arranging **Committee** meetings or cancelling a meeting;
 - (c) presenting to **Council** when required;
 - (d) acting as the liaison with the **Council Representative** and **Staff Liaison**.
- 26.13. A matter which is not on an agenda for consideration, may be added as a late item by resolution.
- 26.14. The rules of Conduct and Debate contained within this bylaw shall apply to **Committee** meetings so far as is possible.

26.15. **Council Members** appointed to select committees are non-voting **Members**. **Council Members** appointed to commissions are voting **Members**. **Council Members** appointed to standing committees are voting **Members**.

27. SEVERANCE

32.1 If any section, subsection or clause of this bylaw is for any reason held to be invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder of this bylaw.

28. REPEALS

34.1 **District** of Lake Country **Council** Procedures Bylaw 1105, 2019 and all amendments thereto are hereby repealed.

29. CITATION

35.1 This Bylaw may be cited for all purposes as “Council Procedures Bylaw xxx, 2019.”

READ A FIRST TIME this 21st day of May, 2024.

READ A SECOND TIME this 21st day of May, 2024.

READ A THIRD TIME this 21st day of May, 2024.

ADVERTISED on the 6th and 13th days of June, 2024 pursuant to the provisions of Section 94 of the *Community Charter*.

ADOPTED this x day of xx, xx.

Mayor

Corporate Officer