

TO: MAYOR & COUNCIL
FROM: GENERAL MANAGER CORPORATE SERVICES
SUBJECT: **PROPOSED BURNABY PROCEDURE BYLAW 2024**
PURPOSE: To propose a new Burnaby Procedure Bylaw for Council's consideration with an effective date of January 1, 2024.

RECOMMENDATION

THAT the City Solicitor be authorized to bring forward proposed Burnaby Procedure Bylaw 2024, substantially in the form set out in Attachment 1 to the report titled "Proposed Burnaby Procedure Bylaw 2024" dated October 16, 2023.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS

I concur with the recommendation of the General Manager Corporate Services.

EXECUTIVE SUMMARY

This report outlines the proposed new Burnaby Procedure Bylaw to replace the 2004 Burnaby Procedure Bylaw, based on feedback received from Council, staff and legal counsel. This report identifies key updates between the bylaws, new provisions and introduces a unified schedule of official motions and order of business for Council and Advisory Body meetings.

1.0 POLICY SECTION

The City of Burnaby is a public body that falls under two main provincial statutes: the *Local Government Act* and the *Community Charter*. Section 124 of the *Community Charter* requires all municipal councils to have a procedure bylaw for the conduct of their business. Every council procedure bylaw must, at minimum:

- establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted;
- establish rules of procedure for meetings of council committees;
- provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;
- provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice;

- identify places that are to be public notice posting places for the purposes of statutory public notices;
- establish the procedure for designating the Acting Mayor; and
- establish the first regular council meeting date to be a day in the first 10 days of November following a general local election.

2.0 BACKGROUND

It is best practice for municipal councils to review their existing meeting procedure bylaw at the beginning of each new term following a general local election to consider changes that would further enhance their governance effectiveness. The City’s current Procedure Bylaw was originally adopted in 2004, and amended by Bylaws No. 12541, 12758, 13461, 13484, 13933, 14141 and 14378. Therefore, this report proposes a new Burnaby Procedure Bylaw that will repeal and replace the existing bylaw for an effective date of January 1, 2024 (see **Attachment 1**). The new bylaw appears elsewhere on the Council agenda for consideration of First Reading.

After gathering feedback from Council, staff have worked closely with legal counsel as well as other departmental staff on the preparation of the proposed Burnaby Procedure Bylaw 2024. The proposed Burnaby Procedure Bylaw 2024 introduces a new suite of meeting procedure best practices, as well as providing greater clarity on motions, debate and discussion elements for meetings of Council and Committees, Commissions, Boards, special task forces and other ad hoc groups appointed by Council (“Advisory Bodies”).

3.0 GENERAL INFORMATION

The proposed Burnaby Procedure Bylaw 2024 meets the requirements contained in the *Community Charter* and has updated previous provisions while also introducing new ones, as well as introduces a new schedule. The proposed Burnaby Procedure Bylaw 2024 is attached to this report as **Attachment 1**, and for comparison purposes, the Burnaby Procedure Bylaw, 2004 is included as **Attachment 2**.

3.1 Updated Provisions

Please see **Table 1: Updated Provisions** below for highlights of key updated provisions compared to the current Burnaby Procedure Bylaw 2004 and a brief description and reasoning for the update:

Table 1: Updated Provisions

Proposed Changes by section (Burnaby Procedure Bylaw 2024)	Previous Bylaw by section (Burnaby Procedure Bylaw 2004)	Reasoning
s.3.5 - An open portion of a Regular Meeting will be adjourned after three (3) hours on the day scheduled for the meeting, unless a unanimous resolution to suspend the	s.6.4 - A Regular Open Meeting must be adjourned at 10:30 p.m. on the day scheduled for the meeting, unless a resolution to proceed beyond that time is adopted.	Council may choose to change the start time of the meetings, so providing for a three hour time limit rather than specific times on a clock allow Council this flexibility without having to

<p>meeting procedure time limit is adopted by Council</p>		<p>introduce amendments to the procedure bylaw.</p>
<p>s.6.5(c) - Increasing the electronic participation limit of scheduled Council meetings and Public Hearings to be 5 meetings per year, and maintaining it at 25% of scheduled meetings per year for Advisory Bodies.</p>	<p>s.10(a)(c) - Electronic participation limit of scheduled Council meetings and Public Hearings is 4 meetings per year, and scheduled Advisory Body meetings to 25% per year.</p>	<p>Allows for more electronic participation of Council members who may be away from Burnaby due to official business or due to other circumstances.</p>
<p>s.7.4 - Deadline for Agenda Submissions from public to be 12:00 Noon on the Tuesday preceding the meeting.</p> <p>(This allows for staff to have one clear day to prepare, review and publish public submissions to the agenda packages, with up to 3 days to review and prepare staff responses, if any.)</p>	<p>s.13.3 - Requires staff reports and public submissions be submitted on the Wednesday prior to the regular meeting.</p> <p>(This only provided staff one clear day to prepare, review and publish public and staff submissions to agenda packages.)</p>	<p>Staff require more than one day to receive and publish submissions to the agenda packages. Staff are publishing the public agenda Thursdays prior to the meeting dates, which was previously Fridays, which then requires the deadline for public submissions to be moved back one day.</p> <p>By separating the deadlines of staff reports and public submissions, allows Legislative Services staff adequate processing time, reducing the need for staff overtime, delayed or late reports or any agenda changes.</p>
<p>ss. 7.6 and 7.7 – Regular Council agendas are made available to Council members no later than 72 hours prior to the Regular meeting and agendas for Council meetings are made available to the public (published online) for the following meetings at the following times:</p> <p>a) Regular Meetings: by 12:00 Noon on the Thursday of the week preceding each such meeting;</p> <p>b) Advisory Body meetings: by 12:00 Noon on the Friday of the week preceding the meeting;</p> <p>c) Public Hearings: at least 10 days prior to the Public Hearing date; and</p> <p>d) Special Meetings: at least 24 hours prior to the meeting or, if notice is waived by unanimous vote of all members, as soon as practicable.</p>	<p>s.14 – The deadline to provide the agendas to Council was 72 hours before meetings and published to the public at 4:30 p.m. on Fridays preceding the next scheduled Council meeting (usually held on Mondays).</p> <p>This previous deadline did not provide for any business hours of operation for the public to contact staff or Council members regarding the reports or content published on the agenda until the day of the Regular Council meetings.</p>	<p>Providing earlier access and publishing deadlines to Council and the public of the meeting agenda packages allows for more time to review, consult and prepare for the meetings ahead. Also, by moving the time to 12:00 Noon, this provides more open business hours of operation should there be any inquiries to staff/report authors prior to the meeting date (usually on Monday for Council meetings).</p>

<p>s. 11.1-11.7 – Reconsideration of Previous Decision</p> <p>Provides clear procedures of when a reconsideration vote can be brought forward by the Mayor and Council Members.</p> <p>Also includes the reasons a reconsideration vote cannot be accepted under the following circumstances:</p> <ul style="list-style-type: none"> - over 30 days have elapsed - the vote received assent of the electors - the vote was already reconsidered, or - the decision had been acted upon irreversibly by a City officer, employee or agent, or a third party who reasonably relied on the resolution. 	<p>s.24 – Reconsideration After any question, except one of indefinite postponement, has been decided, any member may, at the next Regular Meeting held thereafter, or any Special Meeting called for the purpose, call for a reconsideration thereof, but no discussion of the main question shall be allowed unless the motion to reconsider has been adopted.</p>	<p>Providing clear process and procedure for reconsiderations allows for good governance and confirmation of Council's decisions.</p>
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3.2 New Provisions

Please see **Table 2: New Provisions** below for highlights of key new provisions with a brief description and reasoning:

Table 2: New Provisions

Section No.	Proposed Provisions (by section)	Reasoning
Definitions	Adding a definition of “ Advisory Bodies ” to include appointed members in an advisory function to Council including: <ul style="list-style-type: none"> a) a Standing Committee of Council appointed by the Mayor under section 141 of the Community Charter b) a Select Committee of Council appointed by Council under section 142 of the Community Charter c) a commission appointed by Council under section 143 of the Community Charter d) a special task force or ad hoc group that gathers at the appointment and direction of Council 	Clarity and simplification of what provisions apply to what bodies without having to list each type of committee, commission or other appointed group of Council in the bylaw. <i>Note: The Burnaby Public Library Board is not included in this definition as they have their own governance regulations and fall under the Library Act.</i>
Definitions	Adding a definition of “ Urgent Business ” to mean business of a time-sensitive nature that requires consideration before the next scheduled meeting.	Clarifying what is urgent when exceptions to the agenda publishing process and delegations need to be made by the Corporate Officer or Mayor.
s. 6.1 – 6.4 Hybrid and Electronic Meetings	When a member participates in an in-person meeting electronically, the meeting is considered to be a hybrid meeting. Where all members participate electronically, the meeting is considered an electronic meeting.	Providing clear expectations for members attending an electronic meeting and those attending an in-person meeting by electronic means.

	These sections set out requirements for hybrid and electronic meetings and rules for participation, including requiring that members who participate electronically to ensure no other person can see or hear a Closed meeting and the member is heard, or seen and heard, throughout a meeting.	
s. 6.6 – 6.8 Hybrid Meetings	These sections set out rules for attendance, procedure and notification rules for attending Council and Advisory Body meetings electronically.	Providing clear procedures on how to ensure quorum is met and chair duties are not impacted when some members attend an in-person meeting electronically.
s.7.2 – Meeting Agendas Order of Business	<p>To provide a predetermined order of business for regular meetings of Council, including the introduction of “Adoption of Agenda” and a “Consent Agenda.”</p> <p>The proposed order of business is as follows:</p> <ol style="list-style-type: none"> 1. Call to Order 2. Land Acknowledgement 3. Adoption of Agenda 4. Adoption of Minutes 5. Delegations and Presentations 6. Administrative Reports 7. Committee Reports 8. Information Reports 9. Consent Agenda Items 10. Bylaws 11. Correspondence 12. Other Business 13. Release of Closed Meeting Information 14. Adjournment 	<p>By providing an order of business that includes the “Adoption of the Agenda” Council may re-order, remove or add items to the agenda at the outset of the meeting.</p> <p>Additionally, items that are on the “Consent Agenda” would be moved to the appropriate section on the agenda should Council vote to move the item during the adoption the agenda, rather than members waiting until the Consent Agenda or Other Business section of the meeting. This is best practice and provides Council, staff and the public watching the meeting advance notice if items are moved, re-ordered or altered at the outset of the meeting.</p>
s.9.15 – Notice of Motions	Introducing a clear Notice of Motion process, which requires a written copy of the motion be delivered to the Mayor or Corporate Officer by 12:00 Noon on the Tuesday prior to the meeting, or if all members present at the meeting unanimously agree to waive the notice requirement.	Allows for Council members, staff and the public time to read the motion, review and consult prior to the motion being voted on by Council in a meeting. By providing the notice period of time with the Notice of Motion, greater transparency and community engagement may take place prior to the meeting where the item is voted.
s.12.3 – Delegation Time Limit	Introducing delegation time limit of 5 minutes, unless Council chooses to extend the time (suspend the rules of the procedure bylaw) by unanimous vote	Ensuring appropriate amount of time is allocated for the orders of business on the agenda, and as a result initiates the delegates to submit more detailed written information in advance of the meeting for inclusion on the agenda should the 5 minutes allocated for the presentation be deemed insufficient.
s.13 – Committee of the Whole	Allowing that Committee of the Whole meetings may be scheduled or called in advance for matters that require longer discussion and discover or for any	This allows for Council to refer matters to either pre-scheduled Committee of the Whole meetings

(Meeting schedule and Chair is Acting Mayor)	<p>matter that Council deems necessary. The agenda items for Committee of the Whole may be referred by Council to a separate, mutually agreeable date and time, rather than only being convened during a regular meeting.</p> <p>Committee of the Whole minutes are reported to Council through minutes, and the Chair of Committee of the Whole sessions shall be the Acting Mayor unless Council determines otherwise.</p>	<p>on an annual calendar or schedule a new Committee of the Whole meeting to consider matters they wish to have thorough discussion and discovery about to assist in the decision-making process of agenda items.</p> <p>Council then can approve the recommendation of the Committee of the Whole through the minutes submitted for adoption at the next scheduled Council meeting.</p>
s.14.2(a) – Public Appointments to Advisory Bodies	<p>Adding in current practices that the Mayor will provide appointment recommendations of public applicants to Advisory Bodies on an annual basis for consideration, to be approved by Council, by resolution.</p>	<p>The current procedure bylaw is silent to this, despite the process being the practice and expected by Council.</p>

3.3 Schedule A – Motions and Points of OrderThe new Burnaby Procedure Bylaw introduces a new Schedule A, which provides Council and the public clear guidance to interpret how meetings are being governed. Specifically, the schedule details the precedence of motions, orders of business, what motions are debatable, amendable and the type of voting required for the motion to pass. Schedule A can be found as the last two pages of the proposed bylaw included to this report as “Attachment 1: Burnaby Procedure Bylaw 2024 (Draft).”

Schedule A is organized by two types of business in two separate tables:

1. **Table 1: Motions with precedence:**
 Motions or points are listed in established order of precedence. When any one item is pending, another that is listed below on the table may not be introduced, but one that is above it (with precedence) may be introduced.

2. **Table 2: Motions without precedence:**
 Meaning the items on the table can be introduced at any time in the meeting except for when the meeting is considering motions that are usually handled or received by the Chair. Examples of motions that shall not interrupt the Chair include motions to: adjourn, recess, move into a new session, reconsider a motion or suspend the rules of debate or procedure, as the Chair handles these in accordance with Schedule A.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

The proposed bylaw increases public engagement and communication by providing the public earlier access to agendas, simplifies governance processes and captures existing practices, as well as defines terms, roles and responsibilities not described in the current Burnaby Procedure Bylaw.

Before Council can adopt the proposed Burnaby Procedure Bylaw 2024, public notice must be given in accordance with section 94.2 of the *Community Charter*. This will include posting notice on the public notice posting place and publishing notices in accordance with the Burnaby Public Notice Bylaw (notably, the City’s eNewsletter and on the City’s website, under the Public Notices page). The notice will include the purpose, summary and significant changes proposed in the new Burnaby Procedure Bylaw 2024 and be published prior to bringing forward the bylaw to Council for consideration of final adoption. The notice will identify how the public may provide feedback prior to final adoption by submitting written correspondence to Legislative Services by October 31, 2023 at 12:00 Noon.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations in relation to this report.

Respectfully submitted,

Nikki Best, Director of Legislative Services (Corporate Officer)
For
Juli Halliwell, General Manager Corporate Services

ATTACHMENTS

- Attachment 1 – Burnaby Procedure Bylaw, 2024 (Draft)
- Attachment 2 – Burnaby Procedure Bylaw, 2004 (Current)

REPORT CONTRIBUTORS

This report was prepared by Nikki Best, Director Legislative Services (Corporate Officer) and reviewed by May Leung, City Solicitor and Blanka Zeinabova, Sr. Manager Legislative Services.

CITY OF BURNABY

BYLAW NO. 14610

A BYLAW to establish procedures for meetings of Council
and Advisory Bodies

The **Council** of the City of Burnaby ENACTS as follows:

PART 1: CITATION

1.1 This Bylaw may be cited as **BURNABY PROCEDURE BYLAW 2024**.

PART 2: INTERPRETATION

2.1 In this Bylaw,

- “Advisory Body”** means a group of **members** in an advisory function to **Council** including:
- (a) a Standing Committee of **Council** appointed by the Mayor under section 141 of the *Community Charter*
 - (b) a Select Committee of **Council** appointed by **Council** under section 142 of the *Community Charter*
 - (c) a commission appointed by **Council** under section 143 of the *Community Charter*
 - (d) a special task force or ad hoc group that gathers at the appointment and direction of **Council**
- “Bylaw”** means this bylaw, including all schedules attached hereto
- “Chair”** means the Mayor, Acting Mayor, or other person appointed under the *Community Charter, Local Government Act* or this **Bylaw** to preside at a **meeting of Council**, a **Public Hearing** or meeting of an **Advisory Body**
- “City”** means the City of Burnaby
- “City Hall”** means the **City’s** principal physical location at 4949 Canada Way, Burnaby, British Columbia;
- “Committee of the Whole”** means a committee in which the **members** of **Council** may give detailed consideration to a matter under conditions of freedom approximating those of an **Advisory Body**
- “Community Charter”** means the *Community Charter, SBC 2003, c. 26*

“ Corporate Officer ”	means the corporate officer or designate for the City appointed pursuant to section 148 of the <i>Community Charter</i> ;
“ Council ”	means the municipal council of the City
“ electronic meeting ”	has the meaning set out in section 6.1(c) of this Bylaw
“ electronic participation ”	means participating in a meeting by means of electronic or other communication facilities
“ hybrid meeting ”	has the meaning set out in section 6.1(b) of this Bylaw
“ Inaugural Meeting ”	means the first meeting of Council following a general local election at which the members of Council elected at the general election are sworn in
“ <i>Local Government Act</i> ”	means the <i>Local Government Act</i> , RSBC 2015, c. 1
“ meeting of Council ”	means an Inaugural Meeting , Regular Meeting , Special Meeting , or meeting of the Committee of the Whole , as applicable
“ member ”	in the case of Council means the Mayor or a Councillor, and in the case of an Advisory Body a person appointed as a voting member of that Advisory Body
“ motion ”	means a formal proposal made by a member at a meeting of Council or of an Advisory Body that the Council or Advisory Body adopt in the affirmative by the majority of the members necessary
“ public notice posting place ”	means the bulletin board on the ground floor of City Hall at the entrance to the Legislative Services Office
“ Public Hearing ”	means a hearing held pursuant to Part 14, Division 3 of of the <i>Local Government Act</i>
“ question ”	means the subject matter of a motion
“ quorum ”	means: (a) in the case of Council , a majority of the number of members of which the Council consists (b) in the case of an Advisory Body , a majority of the voting members appointed

“Recording Officer” means the person charged with keeping the minutes of meetings, which:

- (a) in the case of **meetings of Council and Public Hearings**, means the **Corporate Officer**
- (b) in the case of meetings of **Advisory Bodies**, means the person delegated by the **Corporate Officer**

“Regular Meeting” means a **meeting of Council**, whether open or closed, other than an **Inaugural Meeting, Special Meeting or Committee of the Whole**

“Special Meeting” means a **meeting of Council**, whether open or closed, called in accordance with section 126 of the *Community Charter*

“Urgent Business” means business of a time-sensitive nature that requires consideration before the next scheduled meeting

- 2.2 All references to the statutes, regulations, bylaws, orders, policies or guidelines of a federal, provincial, municipal or other governmental authority is a reference to such statute, regulation, bylaw, order, policy or guideline as amended or replaced from time to time.
- 2.3 The schedule(s) to this **Bylaw** are attached to and form an integral part of this **Bylaw**.
- 2.4 For any meeting procedure not otherwise provided for in this **Bylaw**, the *Community Charter, Local Government Act* or another enactment, the procedure will be governed by the most recent edition of *Robert’s Rules of Order*.

PART 3: COUNCIL MEETINGS

INAUGURAL MEETING

- 3.1 An **Inaugural Meeting** will be held within first 10 days of November following a general local election. The meeting will be held at a time and a location chosen by the Mayor-elect in consultation with the **Corporate Officer**.
- 3.2 If a **quorum** of **Council members** elected at the general local election has not taken office by the date referred to in section 3.1 of this **Bylaw**, the **Inaugural Meeting** will be called by the **Corporate Officer** and held as soon as reasonably possible after a **quorum** has taken office.
- 3.3 Public notice of the **Inaugural Meeting** will be posted at the **public notice posting place** at least four days before the time of the **Inaugural Meeting**.

REGULAR MEETINGS

- 3.4 **Regular Meetings** will be held in accordance with the schedule for the date and time of **Regular Meetings** adopted by **Council** pursuant to section 5.1 of this **Bylaw**.
- 3.5 An open portion of a **Regular Meeting** will be adjourned after three (3) hours on the day scheduled for the meeting, unless a unanimous resolution to suspend the meeting procedure time limit is adopted by **Council**.
- 3.6 **Council** may, by resolution, cancel, reschedule or change the time or location of a **Regular Meeting**, or call an additional **Regular Meeting** at the time and place stipulated in the resolution.
- 3.7 The resolution to cancel or reschedule a **Regular Meeting** postpones the remaining business on the agenda to the next or the rescheduled **Regular Meeting**.

SPECIAL MEETINGS

- 3.8 A **Special Meeting** may be called in accordance with Part 5, Division 2 of the *Community Charter*.
- 3.9 Except where notice of a **Special Meeting** is waived by a unanimous vote of all **members** of **Council**, the **Corporate Officer** will give notice of a **Special Meeting** at least 24 hours before the meeting by:
- (a) by posting a notice at **Council** chambers in **City Hall**;
 - (b) by posting a notice, and a copy of the agenda, at the **public notice posting place**; and
 - (c) by leaving one copy of the notice for each **member** of **Council** at the place to which the **member** of **Council** has directed that notice be sent.

PUBLIC HEARINGS

- 3.10 The Mayor will be the **Chair** at **Public Hearings**.
- 3.11 **Council** may, by resolution, cancel, reschedule or change the time or location of a **Public Hearing**, or call an additional **Public Hearing** at the time and place stipulated in the resolution.
- 3.12 Where no reports have been submitted for a **Public Hearing**, the **Corporate Officer** may, in consultation with the Mayor, cancel the **Public Hearing**.
- 3.13 If a **Public Hearing** is not terminated on the same day that it is held, it may be adjourned with no further notice of the **Public Hearing** by stating to those in attendance at the time the **Public Hearing** is adjourned:

- (a) the time and date of the resumption of the **Public Hearing**;
- (b) if applicable, the place of the resumed **Public Hearing**;
- (c) if applicable, the way in which the **Public Hearing** will be conducted by means of electronic or other communication facilities.

CLOSED MEETINGS

- 3.14 Subject to section 3.16 of this **Bylaw**, a **meeting of Council** or portion of a **meeting of Council** that is closed to the public will be held immediately following the “Call to Order” of the meeting.
- 3.15 Before closing a **meeting of Council** or portion of a **meeting of Council** to the public, the subject matter of the closed meeting or closed portion of the meeting must comply with one or more criteria under section 90 of the *Community Charter* and **Council** must pass a resolution in accordance with section 92 of the *Community Charter*.
- 3.16 The Mayor or the **Corporate Officer** may schedule the start time of a closed portion of a **Regular Meeting** to a time other than that specified in the annual schedule adopted pursuant to section 5.1 of this **Bylaw**.

QUORUM

- 3.17 If there is no **quorum** at the location for a **meeting of Council** within 30 minutes of the time stated in the public notice for the meeting, or a **quorum** is lost during a meeting:
 - (a) the **Corporate Officer** will record in the minutes the **members** present;
 - (b) the **members** present will direct that the **meeting of Council** be held or continued at the same time and location on the next available day that is not a Saturday, Sunday or statutory holiday, or on the date of the next meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**; and
 - (c) all unfinished business on the agenda for the meeting is incorporated into the agenda for the meeting to be held on the earlier of the dates referred to in paragraph (b).

PART 4: ACTING MAYOR SCHEDULE

- 4.1 On or before January 1st each year, **Council** will adopt by resolution the schedule for the Acting Mayor for the upcoming year, which will provide for each Councillor to serve as Acting Mayor on a rotating basis when the Mayor is absent or otherwise unable to act or when the Office of the Mayor is vacant.
- 4.2 If both the Mayor and Acting Mayor are absent from a **meeting of Council**, the **members**

present at the meeting will choose a **member** to preside at the meeting.

- 4.3 If both the Mayor and Acting Mayor are absent or otherwise unable to act, the next available Councillor on the schedule adopted pursuant to section 4.1 of this **Bylaw** will serve as Acting Mayor until such time as the Mayor or Acting Mayor is no longer absent or is otherwise able to act.

PART 5: ANNUAL MEETING SCHEDULE AND LOCATION

- 5.1 On or before January 1st each year, **Council** will adopt by resolution an annual schedule of the date, time and location of all **Regular Meetings**, scheduled **Public Hearings**, and scheduled meetings of **Advisory Bodies**.
- 5.2 The **Corporate Officer** will give public notice of the time, date and location of meetings scheduled pursuant to section 5.1 of this **Bylaw** by posting a notice at the **public notice posting place** and publishing a notice in accordance with the Burnaby Public Notice Bylaw.
- 5.3 Except in the case of a meeting for which there is no **quorum** within 30 minutes of the time stated in the public notice for the meeting, or a **quorum** is lost for 30 minutes, the **Corporate Officer** will give public notice of cancelled or rescheduled meeting or change of time or location of a meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw** by posting a notice at the **public notice posting place** before the date and time at which the meeting is to be held.
- 5.4 All **meetings of Council, Public Hearings** and meetings of **Advisory Bodies** will be held at **City Hall** unless another location is specified in the annual schedule adopted pursuant to section 5.1 of this **Bylaw** or by public notice given by the **Corporate Officer** in relation to the meeting.

PART 6: HYBRID AND ELECTRONIC MEETINGS

- 6.1 (a) Except as provided in this **Bylaw**, all **meetings of Council, Public Hearings** and meetings of **Advisory Bodies** are deemed to be held and attended in person.
- (b) Where facilities are made available for **members of Council** or any **Advisory Body**, or delegations or the public, to attend a meeting in person or by **electronic participation**, such meeting is a **hybrid meeting**.
- (c) A meeting that is held and attended entirely by all participants by means of electronic or other communication facilities is an **electronic meeting**.
- 6.2 Electronic or other communication facilities for a **hybrid meeting** and an **electronic meeting** must:

- (a) enable the meeting's participants to hear, or watch and hear, the meeting and the persons attending by **electronic participation**; and
 - (b) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting and the persons attending by **electronic participation**.
- 6.3 If all or part of a **hybrid meeting** or **electronic meeting** is closed to the public, each person attending by **electronic participation** must ensure no person, other than those authorized under section 91 of the *Community Charter*, is able to hear, or watch and hear, the closed part of the meeting.
- 6.4 Each **member** attending a **hybrid meeting** by **electronic participation** or attending an **electronic meeting** must:
- (a) ensure they are heard, or seen and heard, during the meeting and will be deemed to not be present at the meeting or portion of the meeting when not heard, or seen and heard; and
 - (b) must be heard, or seen and heard, during any voting to be deemed to be present and if not heard, or seen and heard, the **member** will be deemed to be absent during the vote and the **Corporate Officer** or **Recording Secretary**, as applicable, will not count the **member** as voting in the affirmative.

HYBRID MEETINGS

- 6.5 A **member** of **Council** who is unable to attend in person at a **Regular Meeting**, **Public Hearing** or **Special Meeting**, as applicable, or a **member** of any **Advisory Body** unable to attend in person at a meeting of that **Advisory Body**, may attend the meeting by **electronic participation**, provided that:
- (a) **the Chair** presiding at the meeting must not attend by **electronic participation**;
 - (b) the **member** must provide written notice to the **Corporate Officer** of the intent to attend by **electronic participation** at as soon as practicable prior to the start of the meeting;
 - (c) except in the case of illness or with leave of **Council** or the **Advisory Body**, as applicable,
 - (i) a **member** of **Council** may not attend a **Regular Meeting** by **electronic participation** more than five (5) times per calendar year;
 - (ii) a **member** of **Council** may not attend a **Public Hearing** by **electronic participation** more than five (5) times per year; and

- (iii) a **member** of an **Advisory Body** may not attend by **electronic participation** more than 25% of the meetings on the annual schedule of **Advisory Body** meetings adopted pursuant to section 5.1 of this Bylaw.
- 6.6 Subject to section 6.4, a **member** of **Council** or an **Advisory Body** attending a meeting by **electronic participation** is deemed to be present in the meeting as though the **member** is physically present.
- 6.7 A delegation authorized to address **Council** or an **Advisory Body** may, with the permission of the **Corporate Officer**, attend the meeting by **electronic participation** by submitting a written request at least 24 hours prior to the start of the meeting.
- 6.8 Minutes of meetings will record the **members**, delegations and the public, as applicable, who attended by **electronic participation** as well as those who attended in person.

ELECTRONIC MEETINGS

- 6.9 An **electronic meeting** may be held in the following circumstances:
- (a) for a **Special Meeting**,
- (i) at the discretion of the Mayor; or
- (ii) at the request of two **Council members** who have called a **Special Meeting** pursuant to section 126 (3) of the *Community Charter*, where both the Mayor and Acting Mayor are absent or otherwise unable to act, and the **Corporate Officer** considers it is feasible to do so;
- (b) for a **meeting of Council** (other than a **Special Meeting**), **Public Hearing** or a meeting of an **Advisory Body**, in circumstances which prevent or make it difficult for **members** to attend the meeting in person, at the discretion of the **Chair**, provided the **Chair** provides sufficient prior written notice to the **Corporate Officer** for statutory requirements to be met.
- 6.10 Notice of an **electronic meeting** will be provided as follows:
- (a) for a **Regular Meeting** or **Advisory Body** meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, by posting the notice of the **electronic meeting** at the **public notice posting place**;
- (b) for a **Special Meeting** or an **Advisory Body** that is not on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, in accordance with sections 127(2) and 128.1(2) of the *Community Charter*; and
- (c) for a **Public Hearing**, in accordance with section 466 of the *Local Government Act*.

- 6.11 For a **Regular Meeting** or **Special Meeting** held by way of an **electronic meeting**:
- (a) the specified place where the public may attend to hear, or watch and hear, the proceedings that are open to the public shall be **Council** Chamber at **City Hall** or such other place specified by the **Corporate Officer**; and
 - (b) the designated municipal officer in attendance at the specified place for the public to hear, or watch and hear shall be the Deputy Corporate Officer or such other person specified by the **Corporate Officer**.
- 6.12 During an **electronic meeting**, the **Chair** will announce the results of each vote, and any opposition votes, immediately following each vote.

PART 7: MEETING AGENDAS

- 7.1 Prior to each **meeting of Council** and **Public Hearing**, the **Corporate Officer** will prepare an agenda of all items to be considered by **Council** at such meeting, and **Council** must proceed in the order set out, unless the order is varied or items are added, deleted or postponed by **Council**, by resolution at the beginning of the meeting during the adoption of the agenda.
- 7.2 The order of business for **Regular Meetings** will be as follows:
- (a) Call to Order
 - (b) Land Acknowledgement
 - (c) Adoption of Agenda
 - (d) Adoption of Minutes
 - (e) Delegations and Presentations
 - (f) Administrative Reports
 - (g) Committee Reports
 - (h) Information Reports
 - (i) Consent Agenda Items
 - (j) Bylaws
 - (k) Correspondence
 - (l) Other Business
 - (m) Release of Closed Meeting Information
 - (n) Adjournment
- 7.3 The agenda for **Special Meetings** will contain the same order of business as a **Regular Meeting** agenda, but only those items of business to come before the meeting will be listed. The order of business at a **Special Meeting** may be varied and items added, deleted or postponed in accordance with section 7.1 of this **Bylaw**.
- 7.4 Except as set out in section 7.5 of this **Bylaw**, all submissions to the agenda of a **Regular Meeting**, except for reports of **Advisory Bodies** and **City** staff, must be submitted to the

Corporate Officer by 12:00 Noon on the Tuesday of the week preceding the **Regular Meeting**.

- 7.5 For **Urgent Business**, the **Corporate Officer** may, where practical, include on a **Regular Meeting** agenda, any items which are not received by the **Corporate Officer** by the timeline specified in section 7.4 of this **Bylaw**.
- 7.6 The agenda of **Regular Meetings** will be made available electronically to each **member** at least 72 hours before the time when a **Regular Meeting** is to be held.
- 7.7 The agenda of meetings will be made available for viewing by the public as follows:
- (a) **Regular Meetings**: by 12:00 Noon on the Thursday of the week preceding each such meeting;
 - (b) **Advisory Body** meetings: by 12:00 Noon on the Friday of the week preceding the meeting;
 - (c) **Public Hearings**: at least 10 days prior to the **Public Hearing** date; and
 - (d) **Special Meetings**: at least 24 hours prior to the meeting or, if notice is waived by unanimous vote of all **members**, as soon as practicable.

PART 8: MINUTES

- 8.1 Minutes of all **meetings of Council, Public Hearings**, standing committees of **Council** and select committees of **Council** must be:
- (a) legibly recorded;
 - (b) signed and certified by the **Corporate Officer** or **Recording Officer**, as applicable, who was present at the meeting; and
 - (c) signed by the **Chair** presiding at the meeting at which the minutes are adopted.
- 8.2 Minutes of meetings of all **Advisory Bodies**, except standing committees of **Council** and select committees of **Council**, must be:
- (a) legibly recorded;
 - (b) signed by the **Recording Officer** who was present at the meeting; and
 - (c) signed by the **Chair** presiding at the meeting at which the minutes are adopted.
- 8.3 Minutes of **meetings of Council** and meetings of **Advisory Bodies** must record the decisions, opposition votes, declarations of conflict of interest, and results of votes for all

items on the meeting agenda, and the attendance and the times when **members** withdraw from and return to the meeting.

- 8.4 Signed and, if applicable, certified copies of minutes of **meetings of Council** and meetings of **Advisory Bodies**, other than for a meeting or part of a meeting that is closed to the public, will be available for public inspection at the Legislative Services Office at **City Hall** during its regular office hours.

PART 9: MEETING CONDUCT AND DEBATE

- 9.1 No **member** may speak in a meeting until the **Chair** has recognized the **member**.
- 9.2 No **member** or person attending a meeting may interrupt a **member** who is speaking, except that a **member** may raise a point of order.
- 9.3 No **member** or person attending a meeting may cause a disturbance, disrupt or in any manner delay the conduct of business at the meeting.
- 9.4 No **member** or person permitted or invited to speak on any matter at a meeting may use any rude or offensive language or, by tone or manner of speaking, express any point of view or opinion or make any allegation which, directly or indirectly, reflects upon the public conduct or private character of any person.
- 9.5 The **Chair** may speak at a meeting at any time, but may not interrupt a **member** except to restore order.
- 9.6 If a person resists or disobeys an order of the **Chair** to leave a meeting, that person may be removed by the **Corporate Officer** or **Recording Officer** or, if necessary, by a peace officer.
- 9.7 No person attending a meeting may address the **Council** or **Advisory Body** on any item of business on the agenda unless the **Council** or **Advisory Body**, by unanimous resolution of those **members** present and voting at the meeting agrees to allow that person to address it.
- 9.8 At a meeting, the **Chair** will be addressed as “Chair”, “Chairperson”, “Mayor” or “Acting Mayor”, as applicable, and other **members** will be addressed by their surname preceded by “Councillor”, “Commissioner” or “Representative”, as applicable.
- 9.9 If the **Chair** desires to leave the **Chair** position for the purpose of taking part in the debate or otherwise, they will call upon the Acting Mayor or Vice Chair, as applicable, or in their absence another **member**, to take the chairing role until the matter is resolved.
- 9.10 When two or more **members** request to speak, the **Chair** will name the **member** who is to have the floor.

- 9.11 No **member** will speak more than once to the **motion** without approval of the **Chair**, except in clarification of their previous speech which may have been misconceived. For clarity, this section does not allow clarification speeches to introduce new matters to the **motion**.
- 9.12 No **member** without approval of the **Chair** will speak to any **motion** that has been given first and second movers, for a longer time than five (5) minutes per **motion**.
- 9.13 After the **Chair** calls the **question** to a vote, no **member** will speak further to the **question**, nor will any other **motion** be made until after **members** have voted and the **Chair** declares whether the **question** was carried or defeated.
- 9.14 A resolution shall be dealt with on a first mover, or **motion** put by a **member** and seconded by another **member**, and once a **motion** receives a seconder the **motion** belongs to **Council** or the **Advisory Body**, as applicable.
- 9.15 A Notice of Motion may be introduced by a **member** at a **meeting of Council** only if a written copy of the **motion** has been delivered to the Mayor or **Corporate Officer** by 12:00 Noon on the Tuesday prior to the meeting, or if all **members** present at the meeting unanimously agree to waive the notice requirement. Upon the Notice of Motion being acknowledged in a **meeting of Council** by the **Chair**, the Notice of Motion will appear in the minutes of the meeting and the motion be considered on the agenda of the next meeting or a subsequent meeting if additional time or information is required.
- 9.16 A **member** may raise a point of order at any time during a meeting and the **Chair** will immediately:
- (a) interrupt a matter of consideration on the agenda;
 - (b) interrupt a **member** who had been speaking, until the point of order is ruled on;
 - (c) ask the **member** raising the point of order to state the substance of and the basis for the point of order; and
 - (d) decide the point of order, stating the provision of this **Bylaw** or other rule of order applicable to the point of order, which the **Chair** will do at once without debate.
- 9.17 A **member** may appeal a decision by the **Chair** on a point of order, in which case, the **Chair** will immediately put the question as to whether the **Chair** is to be sustained and the question must be decided without debate, in accordance with section 132(3) and (4) of the *Community Charter*.
- 9.18 If the **Chair** refuses to immediately put the appeal question to a vote pursuant to section 9.17 of this **Bylaw**, the **members** must immediately appoint another member to preside temporarily until the matter is resolved by way of a vote.

- 9.19 Motions and points of order for **meetings of Council, Public Hearings** and **Advisory Body** meetings will be conducted as established in Schedule “A” of this **Bylaw**.

PART 10: VOTING

- 10.1 Every **member** who is present at a meeting when a **question** is put must vote on the matter, except as set out in this **Bylaw**, the *Community Charter*, the *Local Government Act*, or another enactment.
- 10.2 If a **member** does not indicate how the **member** votes in respect to a **question**, the member is deemed to have voted in the affirmative and their vote will be counted accordingly.
- 10.3 Whenever any **member** calls for a roll call of votes in favour or against a **question**, the **members** will speak aloud their vote or the **Corporate Officer** or **Recording Officer**, as applicable, will read aloud the vote of each **member** before the result of the vote on the **question** is declared.

PART 11: RECONSIDERATION OF PREVIOUS COUNCIL DECISION

- 11.1 Subject to section 11.4 of this **Bylaw**, a **member** of **Council** who voted with the majority of **Council** for a resolution that was the subject of a vote may bring a **motion**, other than to postpone indefinitely, that **Council**:
- (a) reconsider and vote again on the resolution;
 - (b) amend the resolution; or
 - (c) rescind the resolution.
- 11.2 A **member** of **Council** who has brought a **motion** for reconsideration must provide the **Mayor** and **Corporate Officer** with written reasons for the reconsideration so that:
- (a) **Council** will know why reconsideration is being requested;
 - (b) the reconsideration can be debated; and
 - (c) a public record of the reconsideration and the reasons for it will be captured in the minutes.
- 11.3 Subject to section 11.4 of this **Bylaw**, the Mayor may require **Council** to reconsider and vote again on a resolution that was the subject of a vote, by providing **Council** with verbal or written reasons for the reconsideration in accordance with section 11.2 of this **Bylaw**.

- 11.4 A matter may only be the subject of reconsideration by the Mayor or of a **motion** by a **member of Council** at the same **Council** meeting as the vote took place or at a **Council** meeting within the 30 days following that meeting, provided that a resolution may not be reconsidered if:
- (a) it has the approval of the electors or the assent of the electors and was subsequently adopted by **Council**;
 - (b) there has already been a reconsideration of the resolution under section 11.1 or 11.3 of this **Bylaw**; or
 - (c) the resolution has been acted upon irreversibly by:
 - (i) a **City** officer, employee or agent; or
 - (ii) a third party who reasonably relied on the resolution.
- 11.5 In receipt of the reconsideration **motion** under section 11.1 of this **Bylaw**:
- (a) no discussion of the main **question** shall be allowed unless the **motion** to reconsider has been adopted; and
 - (b) no **question** shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- 11.6 Council must deal with a reconsideration as soon as convenient and on reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- 11.7 If the original decision being reconsidered is the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

PART 12: DELEGATIONS

- 12.1 **Council** or an **Advisory Body** may, by resolution, allow up to three delegations to speak at a meeting, provided written application has been received by the **Corporate Officer**, in a form established by the **Corporate Officer**, on or before 12:00 Noon on the Tuesday in the week preceding the meeting.
- 12.2 The **Corporate Officer** may, if the addition of the delegation will not exceed the maximum of three, include on the agenda of a **meeting of Council** or **Advisory Body** meeting a delegation in respect to **Urgent Business** where the written application was not provided to the **Corporate Officer** by the timeline specified in section 12.1 of this **Bylaw**.
- 12.3 Each delegation at a **meeting of Council** or **Advisory Body** meeting may speak for a

maximum of five (5) minutes unless a longer period is approved by the unanimous vote of the **members** present at the meeting.

- 12.4 No person may address a **meeting of Council** regarding a bylaw in respect of which a **Public Hearing** or other hearing has been held, where the hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

PART 13: COMMITTEE OF THE WHOLE

- 13.1 The Mayor may establish an annual meeting schedule for a **Committee of the Whole**. The **Corporate Officer** will give notice of the time, date and location of such meetings in accordance with section 5.2 of this **Bylaw**.
- 13.2 During any **Regular Meeting** or **Special Meeting**, **Council** may convene as **Committee of the Whole** by a resolution “**THAT** this **Council** do now resolve itself into a **Committee of the Whole**.”
- 13.3 The Acting Mayor will act as **Chair** of the **Committee of the Whole** unless the **members** present resolve otherwise.
- 13.4 The procedures of **meetings of Council** will be observed in **Committee of the Whole**, so far as may be applicable, except that no **member** will speak more than twice on any one **question** without leave of the **members** present, and no **member** will speak continuously for a longer time than five minutes on any one **question**.
- 13.5 When all matters referred to a **Committee of the Whole** have been considered, only a **motion** to rise and report will be required, provided that the **Committee of the Whole**, when it has partly considered the matter, may report progress and ask leave to sit again.
- 13.6 The minutes of the **Committee of the Whole** will be reported to **Council** for adoption and approval.

PART 14: ADVISORY BODIES

- 14.1 **Council** will appoint **members** of **Council** to each select committee and commission, including the **Chair** and Vice Chair roles.
- 14.2 The Mayor will appoint **members** of **Council** to each standing committee, including the **Chair** and Vice Chair roles.
- 14.3 The Mayor will provide recommendations to **Council** for appointment of **members** to **Advisory Bodies** who are not **members** of **Council** for consideration and approval by **Council**.

- 14.4 If there is no **quorum** at the location for an **Advisory Body** meeting within 30 minutes of the start time of the meeting, or a **quorum** is lost during a meeting:
- (a) the **Recording Officer** will record in the minutes the **members** present;
 - (b) the **members** present will direct that the meeting will be held or continued at the same time and location on the next available day that is not a Saturday, Sunday or statutory holiday, or on the date of the next meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**; and
 - (c) all unfinished business on the agenda for the meeting is incorporated into the agenda for the meeting to be held on the earlier of the dates referred to in paragraph (b).
- 14.5 If an **Advisory Body** wishes to present a written report to a **Regular Meeting**, it must deliver the report to the **Corporate Officer** by the second Thursday preceding the next **Regular Meeting**. For **Urgent Business, Special Meetings**, or meetings not included in the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, the **Corporate Officer**, in consultation with the Mayor, may set a time by which the report must be received that they consider reasonable in the circumstances.
- 14.6 The **Chair** of an **Advisory Body** may, by request to the **Corporate Officer**, cancel a meeting, call an additional meeting, or change the time, date or place of a meeting. In any such case, the **Corporate Officer** will, as soon as practicable, post at the **public notice posting place** a public notice stating, as applicable:
- (a) that the meeting has been cancelled;
 - (b) that an additional meeting has been called, and the time, date and place of that meeting;
or
 - (c) that the meeting has been rescheduled, and the time, date and place of the rescheduled meeting.
- 14.7 The recommendations of all **Advisory Bodies** are subject to approval by **Council**.
- 14.8 Before closing an **Advisory Body** meeting or portion of an **Advisory Body** meeting to the public, the subject matter of the closed meeting or closed portion of the meeting must comply with one or more criteria under section 90 of the *Community Charter* and the **Advisory Body** must pass a resolution in accordance with section 92 of the *Community Charter*.

PART 15: BYLAWS

- 15.1 Every proposed bylaw:

- (a) must be in written form with a copy provided to each **member** of **Council**;
 - (b) introduced by **motion** in the open portion of a **Regular Meeting** or **Special Meeting**, specifying its title and number;
 - (c) subject to the *Community Charter*, the *Local Government Act* or another enactment, may be given first, second and third readings at one meeting;
 - (d) is adopted when fourth and final reading is adopted by motion of **Council**, and comes into effect on the date of its adoption or on a later date set by the bylaw.
- 15.2 Subject to the *Community Charter*, the *Local Government Act* or another enactment, **Council** may, by resolution, rescind the most recent reading of a bylaw, other than the first reading, and then give the bylaw that reading:
- (a) with an amendment that has been approved by resolution; or
 - (b) without amendment.
- 15.3 **Council** may consider a proposed bylaw separately when directed by the **Chair** or requested by a **member** of **Council**, or jointly with other proposed bylaws in the sequence set out in the meeting agenda.
- 15.4 Except as authorized by the *Community Charter*, *Local Government Act* or another enactment, there must be at least one clear day between the third reading and adoption of the bylaw.
- 15.5 Once a bylaw is adopted, the **Corporate Officer** and the **Chair** presiding at the meeting at which the bylaw was adopted must sign the bylaw.

PART 16: SEVERABILITY AND REPEAL

- 16.1 If a portion of this **Bylaw** is held invalid by a Court of competent jurisdiction, the invalid portion must be severed and the remainder of this **Bylaw** is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.
- 16.2 **Burnaby Procedure Bylaw, 2004**, and all subsequent amendments thereto, are hereby repealed.

PART 17 – EFFECTIVE DATE

- 17.1 This **Bylaw** comes into force and effect on January 1, 2024

FIRST READING _____ day of _____, 2023

SECOND READING _____ day of _____, 2023

THIRD READING _____ day of _____, 2023

PUBLIC NOTICE PROVIDED ON ___ day of _____, 2023 and ___ day of _____, 2023

FINAL ADOPTION _____ day of _____, 2023

MAYOR

CORPORATE OFFICER

SCHEDULE “A”**PROCEDURAL MOTIONS AND POINTS OF ORDER**

Motions or Points of Order <u>with</u> Precedence						
<i>Note: These motions or points are listed in established order of precedence. When any one item is pending, another that is listed below may not be introduced, but one that is above it may be introduced.</i>						
Action/Intent:	Motion:	Interrupt Speaker?	Seconder Needed?	Debatable?	Amendable?	Vote Needed?
Adjourn/end meeting	“I move that we adjourn”	No	Yes	No	No	Majority
Take a break	“I move that we recess until ...”	No	Yes	No	Yes	Majority
Raise concerns on mics, noise, temp., etc.	“Point of privilege regarding...”	Yes	No	No	No	Chair decides
Return to agenda order of business	“I call for a return to business orders of the day”	Yes	No	No	No	Chair decides
Table discussion /defer for later	“I move to lay the question on the table/ defer discussion until”	No	Yes	No	No	Majority
Call for voting / end debate/discussion	“I move to call the question”	No	Yes	No	No	2/3
Limit / Extend debate	“I move to limit/extend debate to ...”	No	Yes	No	Yes	2/3
Postpone indefinitely / defer to other date	“I move to postpone indefinitely / defer until...”	No	Yes	Yes	Yes	Majority
Refer to staff or Advisory Body	“I move to refer the motion to...”	No	Yes	Yes	Yes	Majority
Modify wording of main motion	“I move to amend the motion by...”	No	Yes	Yes	Yes	Majority
Kill or cancel the main motion	“I move that the motion be postponed indefinitely”	No	Yes	Yes	No	Majority
Main motion	“I move that...”	No	Yes	Yes	Yes	Majority
Unanimous consent / without objection	“By unanimous consent / without objection I move that...” then “Seeing no objection, the motion is adopted/ unanimously carried.”	Yes “I object”	No	No	No	Unanimous OR if objected, requires the item to be a main motion

SCHEDULE “A”**PROCEDURAL MOTIONS AND POINTS OF ORDER**

Motions or Points of Order <u>without</u> Precedence						
<i>Note: These motions or points can be introduced at any time except for when the meeting is considering the following motions: adjourn, recess, point of privilege, or call for orders of the day.</i>						
Action/Intent:	Motion:	Interrupt Speaker?	Seconder Needed?	Debatable?	Amendable?	Vote Needed?
Enforce debate rules / procedure bylaw	“Point of order”	Yes	No	No	No	Chair decides
Appeal ruling of decision made by Chair	“Point of order to appeal the ruling of the Chair...”	Yes	No	No	No	50% affirmative required, Chair cannot vote
Request information / clarification	“Point of information”	Yes	No	No	No	Chair handles
Procedural question / Parliamentary inquiry	“Parliamentary inquiry”	Yes	No	No	No	Chair handles
Suspend rules of procedure bylaw or debate	“I move to suspend the rules to allow for...”	No	Yes	No	No	Unanimous
Division of the question (motion)	“I move for a division of the question / motion”	No	Yes	No	Yes	Majority
Consideration in specific order of clauses /seriatim	“I move the motion be considered in order of ...”	No	Yes	No	Yes	Majority
Take up matter previously tabled	“I move to take up from the table...”	No	Yes	No	No	Majority
Reconsider motion (during same meeting of vote reconsidered)	“I move to reconsider the previous vote of...”	No	Yes	Yes	No	2/3
Move into Closed session	“To move into a closed session under section 90 of the <i>Community Charter</i> to discuss matters regarding section 90(x)...”	No	Yes	Yes	Yes	Majority
Adjourn Closed session and move back into Open meeting	“To adjourn the closed session and return to the open meeting”	No	Yes	Yes	Yes	Majority
Move into Committee of the Whole	“To move Council into a Committee of the Whole to discuss...”	No	Yes	Yes	Yes	Majority
Adjourn Committee of the Whole	“To adjourn Committee of the Whole session and rise with report to the Council meeting X”	No	Yes	Yes	Yes	Majority

UNOFFICIAL CONSOLIDATED

CITY OF BURNABY

BYLAW NO. 11714

A BYLAW to regulate the proceedings of the Council of the City of Burnaby and of Committees of Council and City Commissions and Boards
(Consolidated for convenience with BYLAW No. 12541, 12758, 13461, 13484, 13933, 14141 and 14378)

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY PROCEDURE BYLAW, 2004**

2. **DEFINITIONS**

In this Bylaw

“Act” means the Local Government Act;

“board” includes the Board of Variance as established under section 899 of the Act and the Burnaby Public Library Board as established under the Library Act;

“Chair” means the Mayor, Acting Mayor or presiding officer appointed under the Act, the Charter or this Bylaw who is chairing a meeting;

“Charter” means the Community Charter;

“City” means the City of Burnaby;

“City Hall” means the City’s principal business address at 4949 Canada Way, Burnaby, British Columbia;

“City Web Site” means the information resource found at an internet resource address provided by the City;

“Clerk” means the City employee appointed as the Corporate Officer under section 148 of the Charter;

“commission” means a commission appointed by Council under section 143 of the Charter composed solely of members acting in that capacity;

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“committee” means a standing or select committee of Council or any other committee composed solely of members acting in that capacity;

“Committee of the Whole” means a committee in which the members of Council may give detailed consideration to a matter under conditions of freedom approximating those of a committee;

“Council” means the governing and executive body of the City constituted as provided under the Charter;

“electronic meeting” means a meeting where all attendees participate by means of electronic or other communication facilities; (BYLAW 14378)

“electronic participation” means participating by means of electronic or other communication facilities;” (BYLAW 14378)

“Inaugural Meeting” means the first meeting of Council following a general local election at which the members of Council elected at the general election are sworn in;

“meeting” means an Inaugural Meeting, Regular Meeting, Public Hearing or Special Meeting of Council, or any meeting of a committee, board or commission, as the context requires;

“member” in the case of Council means the Mayor or a member of Council, and in the case of a committee, board or commission means a person appointed as a member of that committee, board or commission;

“motion” means a formal proposal made by a member at a meeting of the Council or a committee, board or commission that the Council or committee, board or commission adopt in the affirmative by the majority of the members necessary;

“posting location” means the bulletin board on the ground floor of City Hall at the entrance to the City Clerk’s Office;

“Public Hearing” means a hearing held pursuant to Division 3 of Part 14 of the Local Government Act; (BYLAW 13933)

“question” means the subject matter of a motion;

“quorum” means

- (a) in the case of Council, a majority of the number of members of which the Council consists, and

- (b) in the case of a committee or other body, a majority of the voting members appointed;

“Regular Meeting” means a meeting of the Council, whether open or closed, or a Public Hearing, other than a Special Meeting or Inaugural Meeting;

“Special Meeting” means a meeting of the Council, whether open or closed or a Public Hearing, called in accordance with the provisions of the Charter dealing with special meetings.

3. Unless inconsistent with this Bylaw or unless the context otherwise requires, words used in this Bylaw shall have the same meaning as provided for in the Act and the Charter.
4. Reference in this Bylaw to
 - (a) the plural shall be considered to be a reference also to the singular, unless the context otherwise requires,
 - (b) a resolution or vote of the Council is a reference to a resolution or vote passed by the affirmative vote of a majority of the members present and entitled to vote on the matter, except as otherwise provided by the Act or the Charter or this or any other bylaw of the City,
 - (c) a requirement for a two-thirds vote is a requirement for the affirmative vote of at least two-thirds of the number of members of which Council consists,
 - (d) a “day” or “days” means a calendar day or days unless otherwise provided.

COUNCIL MEETINGS

Inaugural Meeting

5.
 - (1) An Inaugural Meeting will be held within first 10 days of November following a general local election. The meeting will be held at a time and a location chosen by the Mayor-elect in consultation with the City Clerk. (BYLAW 14378)
 - (2) If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Clerk and held as soon as reasonably possible after a quorum has taken office.
 - (3) Public notice of the Inaugural Meeting will be posted at the posting location at least four days before the time of the Inaugural Meeting.

Regular Open Meetings

6. (1) Regular Open Meetings of Council will be held in Burnaby City Hall in accordance with a schedule for the date and time of meetings adopted by resolution of Council prior to January 1st in each year. (BYLAW 14378)
- (2) If a Closed Meeting is cancelled under section 7(4), the Regular Open Meeting will be held beginning at 7:00 p.m. if so directed by the Mayor. (BYLAW 14378)
- (3) If there is no quorum of members at the location for a Regular Meeting within 30 minutes of the time stated in the public notice for the meeting, or a quorum is lost during a meeting.
- (i) the Clerk shall record in the minute book the members present,
- (ii) the members present shall direct that the Regular Open Meeting be held or continued at City Hall at 6:30 p.m. on the next day that is not a holiday, or on the date of the next scheduled Regular Meeting,
- (iii) all business on the agenda for that Regular Open Meeting is incorporated in the agenda for the Regular Meeting held on the earlier of the dates referred to in subsection (3)(ii).
- (4) A Regular Open Meeting must be adjourned at 10:30 p.m. on the day scheduled for the meeting, unless a resolution to proceed beyond that time is adopted.
- (5) Council may, by resolution, cancel, reschedule or change the time or location of the meeting, or call an additional meeting at the time and place stipulated in the resolution.
- (6) The resolution to cancel or reschedule a Regular Meeting postpones the business on the agenda for the meeting to the next or the rescheduled Regular Meeting.

Closed Meetings (BYLAW 14378)

7. (1) Subject to subsections (2) and (2a), a Closed Meeting of Council will be held in City Hall immediately following the “Call to Order” of the Regular Open Meeting. (BYLAW 13933, BYLAW 14378)
- (2) Council may, by resolution, cancel, reschedule or change the time and place stipulated in the resolution. (BYLAW 13933)
- (2a) The start time of a Closed Meeting may be changed by the Mayor or the Chief Administrative Officer. (BYLAW 13933, BYLAW 14378)

- (3) If there is no quorum of members at the location for a Closed Meeting within 30 minutes of the time stated in the public notice for the meeting, or a quorum is lost during a meeting (BYLAW 14378)
 - (i) the Clerk shall record in the minute book the members present,
 - (ii) the members present shall direct that the Closed Meeting be held or continued at City Hall at 6:30 p.m. on the next day that is not a holiday, or on the date of the next scheduled Regular Closed Meeting, (BYLAW 14378)
 - (iii) all business on the agenda for that Closed Meeting is incorporated in the agenda for the Regular Closed Meeting held on the earlier of the dates referred to in subsection (3)(ii). (BYLAW 14378)
- (4) A Closed Meeting may be cancelled by the Mayor, in consultation with the City Clerk where no reports have been submitted for that meeting. (BYLAW 14378)
- (5) Agenda items for the Closed Meeting must comply with the criteria for closed meetings as established under the Charter. (BYLAW 14378)

Public Hearings

8. (1) A Public Hearing will be held as a Regular Meeting of Council, monthly in City Hall in accordance with a schedule for the date and time of meetings adopted by Council prior to January 1st in each year. (BYLAW 14378)
- (2) Council may, by resolution, cancel, reschedule or change the time or location of the meeting, or call an additional meeting at the time and place stipulated in the resolution.
- (3) If there is no quorum of members at the location for a Public Hearing within 30 minutes of the time stated in the public notice for the meeting, or a quorum is lost during a meeting
 - (i) the Clerk shall record in the minute book the members present,
 - (ii) the members present shall direct that the Public Hearing be held or continued at City Hall at a specified time on the next day that is not a holiday, or on the date of the next scheduled Public Hearing. (BYLAW 14378)
 - (iii) all business on the agenda for that Public Hearing is incorporated in the agenda for the regular meeting for Public Hearing held on the earlier of the dates referred to in subsection (3)(ii).

- (4) If the Public Hearing is not terminated it may be adjourned to a specified date, time and place.
- (5) A Public Hearing may be cancelled by the City Clerk, in consultation with the Mayor, where no reports have been submitted for that meeting.

Special Meetings

9. (1) A Special Meeting may be called in accordance with the provisions of the Charter.
- (2) Sections 6 (3), (4), (5) and (6) apply to Special Meetings with any necessary changes

Electronic Participation (BYLAW 14378)

- 10A. (1) A member of Council or a member of a board, committee or commission who is unable to attend at a Regular Meeting (including a Public Hearing), Special Meeting or a special or regular board, committee or commission meeting, as applicable, may attend the meeting by electronic participation, provided that:
 - (a) the member presiding at the meeting must not attend by electronic participation;
 - (b) the member must provide written notice to the City Clerk of the intent to attend by electronic participation at least four (4) hours prior to the start of the meeting;
 - (c) except in the case of illness or with the permission of the Mayor or Chair, as applicable:
 - (i) a Council member shall not attend a Regular Council meeting by electronic participation more than four (4) times per calendar year;
 - (ii) a Council member shall not attend a Public Hearing by electronic participation more than four (4) times per year; and
 - (iii) a board, committee or commission member shall not attend by electronic participation more than 25% of the regular board, committee or commission meetings scheduled for the calendar year.
- (2) A Council member or board, committee or commission member attending a meeting by electronic participation is deemed to be present in the meeting as though he or she is physically present.

- (3) A delegation or member of the public authorized to address Council or a board, committee or commission may attend the meeting by electronic participation, with the permission of the City Clerk or recording secretary, as applicable, by submitting a written request at least 24 hours prior to the start of the meeting.
- (4) The City Clerk or recording secretary, as applicable, shall record in the minutes of the meeting the members, delegations and members of the public, as applicable, who attended by electronic participation.

Electronic Meetings (BYLAW 14378)

- 10B.** (1) Notwithstanding any other provision of this bylaw, an electronic meeting may be held in the following circumstances:
- (a) Special Meeting at the discretion of the Mayor;
 - (b) Special board, committee or commission meeting at the discretion of the Chair, in consultation with the Mayor;
 - (c) Regular Meeting at the discretion of the Mayor, and regular board, committee or commission meeting at the discretion of the Chair in consultation with the Mayor, in special circumstances which prevent or make it difficult for members to attend the meeting in person, provided the Mayor or Chair, as applicable provides at least 14 days' prior written notice to the City Clerk.
- (2) For a Special Council meeting and Regular Council meeting held by way of an electronic meeting:
- (a) the specified place where the public may attend to hear, or watch and hear, the proceedings that are open to the public shall be Council Chamber at City Hall or such other place specified by the Mayor; and
 - (b) the designated municipal officer in attendance at the specified place shall be the Deputy City Clerk or such other person specified by the Mayor.
- (3) Notice of an electronic meeting shall be provided in accordance with the following:
- (a) for a Special Council meeting or special board, committee or commission meeting, in accordance with Sections 127(2) and 128.1(2) of the *Community Charter*;
 - (b) for Regular Council meeting or regular board, committee or commission meeting, by posting the notice of electronic meeting at the posting location

at least ten (10) days prior to the meeting and publishing the notice in the last edition of the local newspaper prior to the meeting.

(BYLAW 14378)

DESIGNATION OF ACTING MAYOR

11. (1) Annually, before December 31st in each year, Council must designate a member to serve, on a continuous rotating basis based on alphabetical surname, for a period of one month, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) If both the Mayor and the member designated under subsection (1) are absent from the Council meeting, the Council members present must choose a member to preside at the Council meeting.
- (3) If both the Mayor and the member designated under subsection (1) are unable to act, the next member of Council designated in the rotation under subsection (1) is responsible for acting in the place of the Mayor.
- (4) The member designated under subsection (1) or (3) or chosen under subsection (2) has the same powers and duties as the Mayor in relation to the applicable matter.

ADVANCE NOTICE OF COUNCIL MEETINGS

12. (1) Prior to December 31st in each year, the Clerk must provide to Council, for approval, an annual schedule of all Regular Open Meetings, all Public Hearings and all Closed Meetings. (BYLAW 14378)
- (2) The schedule referred to in subsection (1) must be made available to the public and posted at the posting location.
- (3) The Clerk shall deliver notice of any meeting of the Council to each member by leaving one copy at the place to which the member has directed notices to be sent at least 24 hours before the time of meeting.
- (4) Except in the case of a meeting for which there is no quorum or a quorum is lost, the Clerk shall give public notice of the cancelled or rescheduled meeting or of the change of time or location by posting notice to the public at the posting location before the date and time on which the meeting was to have been held.

COUNCIL MEETING AGENDAS

Agenda Preparation

13. (1) Prior to each Inaugural Meeting, Regular Meeting, Public Hearing, or Special Meeting, the Clerk must prepare an agenda of all items to be considered by Council at such meeting, and Council must proceed in the order set out, unless that order is varied by Council.
- (2) The agenda must state the general nature of each item of business to be dealt with at the meeting.
- (3) All staff reports for the agenda of a Regular Open Meeting, or Closed Meeting or Public Hearing must be submitted to the Chief Administrative Officer by 12:00 p.m. on the Wednesday in the week preceding such meeting. (BYLAW 14378)
- (4) Notwithstanding subsection (3) the Chief Administrative Officer may, where practical, include on a Council agenda a report which is not provided by the time and date specified. (BYLAW 14378)
- (5) All Council agenda items of a Regular Meeting or Public Hearing except for the staff reports referred to in subsection (3) must be submitted to the Clerk by 4:00 p.m. on the Wednesday in the week preceding such meeting.
- (6) Notwithstanding the requirements of subsection (5) the Clerk may, where practical, include on a Council agenda, any items which are not provided by the time and date specified.

Availability of Council Meeting Agendas

14. (1) The agenda of Regular Meetings must be made available electronically or delivered in hardcopy to each member at least 72 hours before the time when a Regular Meeting is to be held. (BYLAW #13933)
- (2) A member of Council may request that the Clerk delay delivery of that member's agenda or provide an alternate delivery address within the City from time to time, as circumstances so require.
- (3) The agenda of Council meetings must be made available for viewing by the public as follows:
- (i) Regular Meetings – by 4:30 p.m. on the Friday of the week preceding each such meeting. (BYLAW 14378)
 - (ii) Public Hearings - at least 10 days prior to the Public Hearing date,

- (iii) Special Meetings - as soon as practical at the discretion of the Clerk.

MINUTES OF COUNCIL AND BOARD, COMMITTEE AND COMMISSION MEETINGS

- 15. (1) Minutes of the proceedings of Council, boards, committees and commissions must be
 - (i) legibly recorded,
 - (ii) certified as correct by the Clerk, and
 - (iii) signed by the Mayor or other member presiding at the meeting at which the minutes are adopted.
- (2) Subject to subsection (3) and in accordance with section 97(1)(b) of the Charter, minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection (2) does not apply to minutes of a Council or commission meeting or that part of a Council or board, committee meeting from which persons were excluded under section 90 of the Charter.

COUNCIL MEETING PROCEEDINGS

- 16. (1) Once a quorum is present, the Mayor, or in the absence of the Mayor, the Acting Mayor, shall call the meeting to order and be the Chair for the meeting.
- (2) If a quorum is present but neither the Mayor nor the Acting Mayor are present at the time at which the meeting is scheduled to begin, the Clerk shall call the meeting to order and by resolution the Council shall appoint a member as Chair for that meeting until the Mayor or Acting Mayor arrives.
- (3) The Acting Chair of a meeting has the powers and duties of the Mayor in respect of that meeting.
- (4) If the Mayor arrives after commencement of a meeting, he or she shall preside on arrival.
- (5) If the Acting Mayor arrives after commencement of a meeting referred to in subsection (2), and the Mayor is not present, he or she shall preside on arrival.

RULES OF DEBATE

17. (1) No member may speak in a meeting until the Chair has recognized the member.
- (2) The Chair may speak at a meeting at any time without leave, but may not interrupt a member except to restore order.
- (3) Members shall address the Chair as “Mr., or Madam, Mayor” or “Mr., or Madam, Chairperson”, and shall address a member by that Councillor’s surname preceded by “Councillor”.
- (4) If the Mayor desires to leave the Chair for the purpose of taking part in the debate or otherwise, he shall call upon the Acting Mayor, or in his or her absence another member, to take the Mayor’s place until he or she resumes the Chair.
- (5) When two or more members rise to speak the Chair shall name the member who is to have the floor.
- (6) No member shall speak more than once to the same question without leave of the Council, except in explanation of a material part of his or her speech which may have been misconceived, and in doing so he or she shall not introduce new matter. A reply shall be allowed to a member who has made a substantive motion to the Council but not to a member who has moved an amendment, the previous questions, or an instruction to a committee, a tabling motion or a motion that a matter be referred to an officer or employee of the City. No member without leave of the Council shall speak to any question for a longer time than ten minutes on moving a main motion, or five minutes on all other occasions.
- (7) After a question is finally put by the Chair, no member shall speak to the question, nor shall any other motion be made until after result of the vote has been declared, and the decision of the Chair as to whether the question has been finally put shall be conclusive. An appeal shall lie with the members of the Council from a decision of the Chair pursuant to provisions of the Charter.
- (8) Every member who is present when a question is put shall vote thereon.
- (9) Should any member refrain from voting when any question is put, he or she shall be regarded as having voted in the affirmative and his or her vote shall be counted accordingly.
- (10) Whenever any member shall call for the ayes and noes, the Clerk shall read aloud the names before the result of the vote has been declared in order that any mistake may be rectified.

- (11) The Clerk shall record the times when members withdraw from and return to a Council meeting.

DELEGATIONS

18. (1) The Council may, by resolution, allow up to three delegations to address Council at a Regular Open Meeting on a specified subject provided written application in a prescribed form has been received by the Clerk on or before 12 p.m. of the Wednesday in the week preceding such meeting. Each address must be limited to ten minutes unless a longer period is approved by the unanimous vote of those members present.
- (2) Notwithstanding subsection (1) the Clerk may, where the addition of a delegation will not exceed the maximum of three, include on a Council agenda a delegation request that was not provided by the time and date specified.
- (3) No person may address a meeting of Council regarding a bylaw in respect of which a Public Hearing or other hearing has been held, where the hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) Where two or more delegations apply to address Council at the same meeting in relation to the same subject, only one delegation may address Council either in favour of or against the subject, and the delegations will be heard in the order of the earliest to submit their applications to the Clerk.

CONDUCT AT MEETINGS

19. (1) No member or person attending a meeting may interrupt a member who is speaking, except that a member may raise a point of order.
- (2) No member or person attending a meeting may cause a disturbance, disrupt or in any manner delay the conduct of business at a meeting.
- (3) No member or person permitted or invited to speak on any matter coming before Council may use any rude or offensive language or, by tone or manner of speaking, express any point of view or opinion or make any allegation which, directly or indirectly, reflects upon the public conduct or private character of any person.
- (4) If a person resists or disobeys an order of the Mayor or other person presiding to leave a meeting of Council, that person may be removed by the Clerk or, if necessary by a peace officer at the direction of the Mayor or other person presiding.

- (5) No person attending a meeting may address the Council on any item of business on the agenda unless the Council, by unanimous resolution of those present and voting agrees to allow that person to address it.

POINTS OF ORDER AND PRIVILEGE

20. (1) A member may raise a point of order at any time, whereupon the Chair shall
 - (i) interrupt a matter of consideration on the agenda,
 - (ii) interrupt a member who had been speaking, until the point of order is ruled on,
 - (iii) ask the member raising the point of order to state the substance of and the basis for the point of order, and
 - (iv) state the provision of this Bylaw or other rule of order applicable to the point of order, which the Chair shall do at once without debate.
- (2) If the ruling of the Chair is challenged, the Chair shall put the challenge to a vote.
- (3) If a member puts a question to the Chair regarding any matter connected to the affairs of Council, the Chair may
 - (i) require the member to put the question in writing, and
 - (ii) may take the question on notice and respond during the next Regular Meeting.
- (4) Whenever any matter of privilege arises, whether relating to the Council or to a member, it shall be taken into consideration immediately.

MOTIONS

21. (1) Motions shall be made and seconded before being debated or put from the Chair. A motion shall be put in writing upon the request of a majority of those present at a meeting, or when ruled by the Chair.
- (2) Amendments shall be decided upon before the main question is put to a vote. An amendment shall be put in writing upon the request of a majority of those present at a meeting, or when ruled by the Chair. Only one amendment shall be allowed to an amendment.

- (3) A motion to commit, until it is decided, shall preclude all amendments of the main motion.
- (4) A motion to adjourn the Council or to adjourn the debate shall always be in order, but if such motion is negative no second motion to the same effect shall be made until after some intermediate proceeding shall have been conducted.

THE PREVIOUS QUESTION

22. At any meeting, once put, a motion to consider the previous question shall be voted on immediately without amendment. A motion to consider the previous question requires a two-thirds affirmative vote to pass. (BYLAW 13933)

DIVISION OF A QUESTION

23. When the question under consideration contains distinct propositions, upon a ruling by the Chair or the request of any member, the vote upon each proposition shall be taken separately.

RECONSIDERATION

24. (1) After any question, except one of indefinite postponement, has been decided, any member may, at the next Regular Meeting held thereafter, or any Special Meeting called for the purpose, call for a reconsideration thereof, but no discussion of the main question shall be allowed unless the motion to reconsider has been adopted.
- (2) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

PROCEEDINGS OF COMMITTEE OF THE WHOLE

25. (1) A Committee of the Whole held during a Council meeting shall be convened by a resolution “THAT this Council do now resolve itself into a Committee of the Whole.”
- (2) The Mayor or Acting Mayor shall act as Chair of the Committee of the Whole unless the Committee or Council decides otherwise.
- (3) The rules of the Council shall be observed in Committee of the Whole, so far as may be applicable, except that no member shall speak more than twice on any one

question without leave of the Committee of the Whole, and no member shall speak continuously for a longer time than five minutes on any one question.

- (4) A motion in Committee of the Whole to rise without reporting, or that the Chair leave the Chair shall always be in order, and shall take precedence over any other motion. On such motion debate shall be allowed but no member shall speak more than once to such motion. On an affirmative vote the subject referred to the Committee of the Whole shall be considered as disposed of in the negative. The Council shall then proceed with the next order of business.
- (5) When all matters referred to a Committee of the Whole have been considered, only a motion to rise and report shall be in order provided, however, that the Committee of the Whole, when it has partly considered the matter, may report progress and ask leave to sit again. On resumption of business in Council, the Chair of the Committee of the Whole shall report to the Council and a motion to adopt the report shall be in order and shall take precedence.

RESOLUTIONS

26. A resolution shall be dealt with on a motion put by a member and seconded by another member.

ADOPTION OF BYLAWS

27.
 - (1) Every bylaw shall be introduced upon motion for leave to introduce the bylaw, specifying its title or number.
 - (2) At the request of any member the Clerk shall specify the title of the bylaw and its intended object.
 - (3) Every bylaw shall receive three readings before it is adopted.
 - (4) Subject to this Bylaw and any other enactment, the Council may give any or all three readings of a bylaw at one meeting. Unless expressly authorized to do so by statute, Council may not adopt a bylaw at the same meeting at which it gives third reading.
 - (5) The Council may postpone consideration of a bylaw to a later time or date following a vote on any reading.
 - (6) A bylaw shall be deemed to have been read one time, two times, or three times upon adoption of a motion that it be read one time, two times or three times, respectively.

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- (7) Subject to any other enactment, the Council may rescind the most recent reading of a proposed bylaw, other than first reading and then give the proposed bylaw that reading with or without amendment.
 - (8) A resolution is required to rescind a reading of a proposed bylaw and to amend the proposed bylaw.
 - (9) After a bylaw has been read a first time, a motion that Council resolve itself into a Committee of the Whole to consider the bylaw may be adopted.
 - (10) While in Committee of the Whole, if the majority of the Committee then present require it, the whole of the bylaw shall be read clause by clause.
 - (11) The proceedings of a Committee of the Whole shall be concluded by a motion that the Committee rise and report progress or rise and report the bylaw
 - (i) with amendments,
 - (ii) without amendment, or
 - (iii) defeatedand shall be followed by a motion that the report of the Committee be adopted.
 - (12) The following motions shall be used when dealing with a bylaw:
 - (a) THAT the bylaw be introduced,
 - (b) THAT the bylaw be read
 - (i) one time,
 - (ii) two times, or
 - (iii) three times,
 - (c) THAT the bylaw be now reconsidered and finally adopted, and signed by the Mayor and Clerk.
 - (13) Two or more bylaws may together be given three readings and may together be reconsidered and adopted, but upon the request of any member, any bylaw shall be considered separately
 - (14) A copy of every bylaw, signed by the Mayor and Clerk, shall be filed by the Clerk in his or her office.

OTHER PROCEDURES

28. (1) In all cases not provided for in this Bylaw, the Act or the Charter, the proceedings of the Council shall be governed by the most recent edition of Robert's Rules of Order.
- (2) Council, by a two-thirds affirmative vote of Council members present, without debate, may suspend a rule of order for the remainder of the meeting or stipulated portion of the meeting. (BYLAW 13933)

BOARDS, COMMITTEES AND COMMISSIONS

29. (1) The Mayor may establish standing committees for matters he or she considers would be better regulated and managed by means of committee, and appoint members to the committees. The Mayor shall appoint a member of Council as Chair of every standing committee.
- (2) The Council may, by resolution, create a select committee of members to consider or inquire into any matter and to report its findings and opinion to the Council. The Council shall appoint a member of Council as Chair to every select committee.
30. A committee or commission shall meet when directed to meet by resolution of the Council, or at such other times as may be established pursuant to section 35. (BYLAW 13461)
31. (1) The rules of procedure in this section govern every committee, board or commission.
- (2) Subject to the other rules contained in this section, the rules of procedure and order which govern Regular Meetings of Council govern every committee, board or commission meeting.
- (3) The number of times a member may speak on any matter is not limited.
- (4) A member of the public may be invited by the Chair to speak to the committee, board or commission on a matter before the committee or commission.
- (5) Without limiting subsection (2), the Chair shall have the same powers with respect to a committee, board or commission meeting as the Mayor has under section 19 (4) with respect to a Council meeting

32. The Clerk shall give at least 24 hours notice of a meeting to the members of the committee, board or commission and keep minutes of the proceedings of the committee, board or commission. Failure to give the required notice does not invalidate the conduct of the business at the meeting if the majority of the members of the committee present, by resolution, declare the business to be urgent and waive the giving of the notice.
33. If the committee, board or commission wishes to present a written report to a Regular Meeting of Council, its Administrative Officer shall deliver the report to the Clerk at least five days before the next Regular Meeting and the Clerk shall deliver that report to the Council at least 24 hours before the date of the Regular Meeting, whereupon the Council shall include the presentation of the report on the Council agenda. The Council may resolve to abridge the time for delivery of the report and receive the report.
34. A quorum of a committee, board or commission is a majority of the committee, board or commission members.
35.
 - (1) The chair of a committee or commission may cancel a meeting, call an additional meeting or change the time or place of a meeting of that committee or commission. (BYLAW 13461)
 - (2) The decision of the chair to cancel or reschedule a meeting of that commission or committee postpones the business on the agenda of that commission or committee until the next or the rescheduled meeting. (BYLAW 13461)
36. Where a scheduled meeting of a committee or commission has been cancelled or rescheduled or a new meeting called pursuant to section 35 the Clerk shall, as soon as possible, post at the posting location a public notice stating, as the case may be
 - (a) that the meeting has been cancelled;
 - (b) that an additional meeting has been called, and the time and place of that meeting; or
 - (c) that the meeting has been rescheduled, and the time and place of the rescheduled meeting.(BYLAW 13461)
37. Subject to section 33, a committee, board or commission may report to Council at any Regular Meeting of Council.
38. Notwithstanding section 33, a committee, board or commission shall report to the Council when directed by resolution of the Council.
39. The proceedings of a committee or commission are subject to the approval of Council.

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- 40.** A select committee is dissolved on delivering its report to the Council unless
- (1) the report is delivered as an interim report for the information of Council, or
 - (2) the Council resolves to request the committee to consider or enquire into a further matter and to report its findings to the Council.

REPEAL

- 41.** Burnaby Procedure Bylaw 1999 is hereby repealed.

Read a first time this 5TH day of APRIL 2004
Read a second time this 5TH day of APRIL 2004
Read a third time this 5TH day of APRIL 2004
Reconsidered and adopted this 19TH day of APRIL 2004