

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6023

A BY-LAW to regulate the proceedings of the Municipal Council of The Corporation of the District of Burnaby.

The Municipal Council of The Corporation of the District of Burnaby ENACTS as follows:

1. In this By-law mutatis mutandis the word "Mayor" shall include an Alderman when acting as Chairman.

Meetings of Council

2. The Council shall decide from time to time by resolution when regular meetings shall be held. Such meetings shall be held at least twice monthly.
3. A special meeting may be called at any time by the Mayor.
4. At least twenty-four (24) hours before each meeting a written notice thereof shall be delivered to the residence of each and every member of the Council. A Notice shall be deemed to have been delivered if it is mailed forty-eight (48) hours before each meeting.
5. An Acting Mayor shall be appointed at the statutory meeting of the Council in January of each year for a period of two calendar months and a member of the Council shall be appointed at two-month intervals thereafter during each calendar year.
6. Special meetings of Council shall be called in accordance with the procedures laid down in the "Municipal Act".

Opening Proceedings

7. In case the Mayor does not attend, the Acting Mayor shall preside, until the arrival of the Mayor. If the Mayor or Acting Mayor does not attend within fifteen minutes after the time appointed for the meeting, the Clerk shall call the members to order, and if a quorum be present, the meeting shall choose a Chairman, who shall preside during the meeting, or until the arrival of the Mayor or Acting Mayor.
8. Should there be no quorum present within thirty minutes after the time appointed for the meeting, the Clerk shall record in the Minute Book the names of the members present at the expiration of such thirty minutes, and the Council shall stand adjourned.
9. Immediately after the Mayor has taken his seat, the minutes of the preceding meeting shall be read by the Clerk, if required by any member present, in order that any mistake therein may be corrected by the Council. A motion shall be in order for adoption of the minutes.

Order of Proceedings

10. Unless otherwise ordered by the Council, the order of business for all regular meetings of the Council shall be as follows:

- (1) Minutes
- (2) Delegations
- (3) Correspondence and petitions
- (4) Tabled Matters
- (5) Enquiries
- (6) Notices of Motion
- (7) Reports - Committee and Manager's
- (8) By-laws

New business may be introduced after completion of business under Item (8) upon a majority vote of members present being first obtained on a motion to include such new business. When recording minutes of the proceedings of meetings, the Clerk shall show those voting against a question.

11. When any order, resolution or question shall not be put by reason of the Council breaking up for want of a quorum, the order, resolution or question not so put shall be proceeded with and disposed of at the next meeting of Council.

12. 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 absence, another Alderman to take his place until he resumes the Chair.

Rules of Conduct and Debate

13. Every member, previous to speaking to any question or motion, shall rise to his feet, and shall address himself to the Mayor.

14. Members shall address the Chair as "Mr. Mayor" or "Mr. Chairman", and refer to each other as "the Mayor" or "Alderman...", as the case may be.

15. When two or more members rise to speak, the Mayor shall name the member who is to have the floor.

16. 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 speech which may have been misconceived, and in doing so he is not to 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 question or an instruction to a Committee, a tabling motion, or a motion that a matter be referred to an officer or employee of the Corporation. No member without leave of the Council shall speak to any question for a longer time than fifteen minutes on moving a main motion, or five minutes on all other occasions.

17. After a question is finally put by the Mayor, no member shall speak to the question, or shall any other motion be made until after result of the vote has been declared, and the decision of the Mayor 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 Mayor pursuant to provisions contained within the

"Municipal Act" in that regard.

18. Every member who shall be present when a question is put shall vote thereon.

19. Should any member refrain from voting when any question is put, he shall be regarded as having voted in the affirmative and his vote shall be counted accordingly.

20. 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.

21. The Clerk shall record the times when members withdraw from and return to a Council meeting.

#### Motions in General

22. 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. Forthwith, after a motion is seconded, it shall be read by the Presiding Officer, or Clerk before debate.

23. 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.

24. A motion to commit, until it is decided, shall preclude all amendments of the main motion.

25. A motion to adjourn the Council or to adjourn the debate shall always be in order, but if such motion is negatived no second motion to the same effect shall be made until after some intermediate proceeding shall have been had.

#### The Previous Question

26. At any meeting, a motion for the previous question, until a decision thereon has been made, shall preclude all amendment of the main question and shall be in the following words: "That this question be now put." If the previous question be resolved in the affirmative, the original question shall be put forthwith without any amendment or debate.

#### Privileges

27. Whenever any matter of privilege arises, whether relating to the Council or to an individual member thereof, it shall be taken into consideration immediately.

#### Division of a Question

28. 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

29. 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, move for a reconsideration thereof, but no discussion of the main question shall be allowed unless the motion to reconsider has been adopted.

30. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

Proceedings of Committee of the Whole

31. A meeting of the Committee of the Whole may be called at any time by the Mayor.

32. A Committee of the Whole held during a Council meeting shall be appointed by a resolution "that this Council do now proceed to resolve itself into a Committee of the Whole."

33. The Mayor or Acting Mayor shall act as Chairman of the Committee of the Whole unless the Committee or Council decided otherwise.

34. 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, and no member shall speak continuously for a longer time than five minutes on any one question.

35. A motion in Committee of the Whole to rise without reporting, or that the Chairman leave the Chair shall always be in order, and shall take precedence of 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 shall be considered as disposed of in the negative. The Council shall then proceed with the next order of business.

36. 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, when it has partly considered the matter, may report progress and ask leave to sit again. On resumption of business in Council, the Chairman 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.

Proceedings in regard to the passage of By-laws

37. Every By-law shall be introduced upon motion for leave to introduce the By-law, specifying its title or number on the agenda, and that Council resolve itself into Committee of the Whole. The Clerk shall thereupon specify the title of the By-law and its intended object. If the motion is adopted, Council shall thereupon resolve itself into Committee of the Whole to consider the By-law. While in Committee of the Whole, if the majority of the Committee then present require it, the whole of the By-law shall be read clause by clause.

38. Every By-law shall receive three readings before it is adopted.

39. A by-law shall be deemed to have been read three times upon

adoption of a motion that it be read three times.

40. Every By-law passed by the Council shall be reconsidered not less than one day after the By-law has received three readings, and, if adopted by the Council, shall be signed by the Mayor or other member of the Council presiding at the meeting at which the By-law was adopted, and shall be signed by the Clerk who shall affix thereto the Corporate Seal of the Municipality.

41. The following motions shall be used when dealing with a By-law:

- (1) Motion that leave be given to introduce the By-law and that Council resolve itself into Committee of the Whole to consider and report on the By-law.
- (2) Motion that the Committee rise and report:
  - (a) the By-law complete, or
  - (b) the By-law defeated, or
  - (c) progress.
- (3) Motion that the report of the Committee be adopted.
- (4) Motion that the By-law be read:
  - (a) one time, or
  - (b) two times, or
  - (c) three times.
- (5) Motion that the By-law be now reconsidered and adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

42. The motion, "That leave be given to introduce the By-law, and that Council resolve itself into Committee of the Whole", shall be decided without amendment or debate.

43. Two or more By-laws may together be given three readings and may together be reconsidered and adopted, but upon the request of any member, any By-law shall be considered separately.

44. A copy of every By-law, signed by the Mayor and Clerk and duly sealed, shall be filed by the Clerk in his office.

Adjournment

45. The Council shall always adjourn at the hour of 10:30 o'clock p.m., if in session at that hour, unless otherwise determined by an affirmative vote of at least two-thirds of the members of Council then present.

Unprovided Cases

46. In all unprovided cases in the proceedings of the Council or Committee, the laws and rules of Roberts' Rules of Order shall be followed, except that in such cases, there shall not be any inconsistency with this By-law, nor with the Municipal Act.

Repeal

47. "Burnaby Procedure By-law 1944", being By-law No. 1825 of The Corporation, is hereby repealed.

48. This By-law may be cited as the "BURNABY PROCEDURE BY-LAW 1971".

Read a first time this 13th day of December, 1971.

Read a second time this 13th day of December, 1971.

Read a third time this 13th day of December, 1971.

Reconsidered and adopted this 20th day of December, 1971.

*Robert H. Pitte*  
MAYOR

*D. Shaw*  
MUNICIPAL CLERK

