



- (1) Minutes
- (2) Delegations
- (3) Correspondence and Petitions
- (4) Reports - Mayor's, Committees' and Manager's
- (5) Tabled/Referred Matters
- (6) Bylaws
- (7) Notice of Motion
- (8) New Business
- (9) Enquiries

**Purpose of Amendment**

This amendment will eliminate the need for bringing forward related Manager's Reports prior to giving reading to Bylaws. Further, it appears the majority of people attending the Council Meeting to hear their matter being dealt with are mainly concerned with either a Manager's or Committee Report. This amendment will permit them to hear their matter come forward earlier in the meeting.

The elimination of the requirement of receiving a motion before introducing New Business is a housekeeping matter. This practice has not been followed by past Councils and New Business is now being proposed for inclusion in the regular order of business. New Business has been included on the Council Agenda cover pages for the past year.

**2. PROCEEDINGS IN REGARD TO THE PASSAGE OF BYLAWS  
SECTIONS 37 THROUGH 44**

**As it currently reads:**

37. Every bylaw shall be introduced upon motion for leave to introduce the bylaw, 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 bylaw and its intended object. If the motion is adopted, Council shall thereupon resolve itself into Committee of the Whole to consider the Bylaw. 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.

38. Every bylaw shall receive three readings before it is adopted.

39. A bylaw shall be deemed to have been read three times upon adoption of a motion that it be read three times.

40. Every bylaw passed by the Council shall be reconsidered not less than one day after the bylaw 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 bylaw 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 bylaw:

(1) Motion that leave be given to introduce the bylaw and that Council resolve itself into a Committee of the Whole to consider and report on the bylaw.

(2) Motion that the Committee rise and report:

- (a) the bylaw complete, or
- (b) the bylaw defeated, or
- (c) progress.

(3) Motion that the report of the Committee be adopted.

(4) Motion that the bylaw be read:

- (a) one time, or
- (b) two times, or
- (c) three times

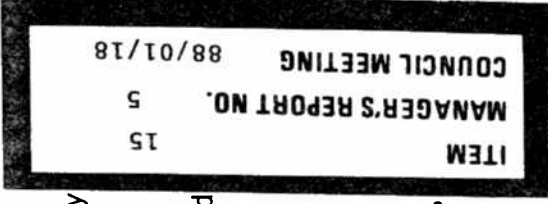
- (5) Motion that the bylaw be now reconsidered and adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.
- 42. The motion, "THAT leave be given to introduce the bylaw, and that Council resolve itself into Committee of the Whole", shall be decided without amendment or debate.
- 43. Two or more bylaws may together be given three readings and may be reconsidered and adopted, but upon the request of any member, any bylaw shall be considered separately.
- 44. A copy of every bylaw, signed by the Mayor and Clerk and duly sealed, shall be filed by the Clerk in his office.

**Proposed Amendments**

- 37. Every bylaw shall be introduced upon motion for leave to introduce the bylaw. The bylaw title and number shall be specified on the agenda and upon Council's request the Clerk shall state the title of the Bylaw and its intended object. Shall the majority of Council require it, the whole of the bylaw shall be read clause by clause. Further, if the majority of Council require it, Council shall resolve itself into a Committee of the Whole at the time of second reading of the bylaw in order to debate the bylaw clause by clause.
- 38. NO CHANGE
- 39. NO CHANGE
- 40. Every bylaw passed by the Council shall be reconsidered not less than one day after the bylaw has received three readings with the exception of official community plan or zoning bylaws which may be finally adopted at the same meeting at which the plan or bylaw passed third reading. Each bylaw, having received final adoption shall be signed by the Mayor or other member of Council presiding at the meeting at which the bylaw 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 bylaw:
  - (1) That leave be given to introduce the bylaw.
  - (2) That the bylaw be read:
    - (a) one time,
    - (b) two times, or
    - (c) three times
  - (3) That the bylaw be now reconsidered and finally adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

Following a motion to read a bylaw a second time, a member of Council may move that Council resolve itself into a Committee of the Whole to debate the bylaw. If that motion is passed, after debate in Committee, a motion would be required that the Committee rise and report, and further a motion would be required to adopt the report of the Committee. The motion to read the bylaw a second time would then be voted on.

- 42. DELETE
- 43. NO CHANGE
- 44. NO CHANGE



Purpose of Amendments

The current practice sees Council resolving itself into a Committee of the Whole, rising and reporting and adopting the report of the Committee prior to giving readings to the bylaws. This practice was intended solely to allow Council members to debate the Bylaws in a slightly less formal setting. By resolving itself into a Committee of the Whole, Council Members are permitted to be seated while debating the bylaw and the rules for debate as described in the Procedure Bylaw are the same as if in open Council, "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."

Council members have seldom chosen to sit while debating bylaws and the rules for debate are less restrictive in open Council. With this in mind it is recommended that Council no longer resolve itself into a Committee of the Whole when debating bylaws unless it is deemed necessary to do so. Provision for Committee of the Whole debate has been retained within the Bylaw. This amendment will have the effect of reducing the number of motions required from four (4) to one (1) for each reading.

e.g.

- a) First, Second and Third Reading - only one motion required:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 1987' #8660  
be now introduced and read three times."

- b) Third Reading - only one motion required:

"THAT

'Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 40, 1987' #8660  
be now read a third time."

The motion required at reconsideration and final adoption would not change.

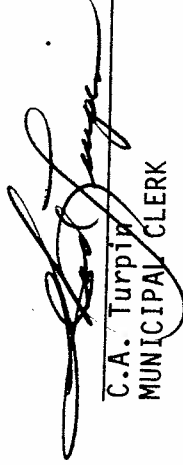
In recommending this change it is recognized that the public would be better able to understand the readings of the bylaws as the procedure would be far less cumbersome.

A further change is recommended regarding Section 40 which will bring our Bylaw into conformance with recently adopted Provincial legislation [Bill 30, Section 20(b)(10)] which permits Council, if it chooses, to adopt an official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

ITEM  
MANAGER'S REPORT NO. 15  
COUNCIL MEETING 88/01/18 5

C O N C L U S I O N

The changes recommended are of a minor nature and yet will have the effect of allowing the meeting to proceed more efficiently and with fewer complications. By changing the order of business it will no longer be necessary to bring forward related Manager's Reports when considering bylaws. The report will have been dealt with prior to consideration of bylaws. By reducing the number of motions received for each reading of the bylaw it will enable the public to better follow this procedure.

  
C.A. Turpin  
MUNICIPAL CLERK

CAT/a11

cc: Director Administrative & Community Services  
Director Planning & Building Inspection  
Director Engineering  
Director Finance  
Director Recreation and Cultural Services

