

***List of Amendments***

***Consolidated for Convenience Only***

This Bylaw has been consolidated as of March 21, 2022, for convenience only. Where applicable, capitalization, numerical order, and numbering have been altered for consistency. Copies of the original Bylaw and amendments may be viewed at the Langford City Hall located on the Second Floor, 877 Goldstream Avenue, Langford, BC.

Consolidated to:

<b>Amendment</b>	<b>Bylaw Number</b>	<b>Date Adopted</b>
Amendment No. 1, 2022	2051	20220321
Amendment No 2, 2023	2138	20230821

# City of Langford

## Council Procedure Bylaw No. 1971, 2021

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# City of Langford

## BYLAW NO. 1971

### A Bylaw to establish procedures for Council and Committee meetings pursuant to the *Community Charter* and the *Local Government Act*.

**Whereas** the City of Langford must by bylaw, pursuant to Section 124 of the *Community Charter*, establish the general procedures to be followed by council and council committees in conducting their business;

**And Whereas** matters pertaining to the procedures of Council are governed by *inter alia*, Part 5, Division 2 and Part 4, Division 3 of the *Community Charter*;

**And Whereas** matters pertaining to bylaw proceedings are governed by Part 5, Division 3 of the *Community Charter* and Part 14, Divisions 3 and 4 of the *Local Government Act*;

**Now Therefore**, the Council of the City of Langford, in open meeting assembled, enacts as follows:

### PART 1 – INTRODUCTION

**Citation**

1. This Bylaw may be cited as “Council Procedure Bylaw No. 1971, 2021”.

**Definitions**

2. In this Bylaw:

<b>ACTING MAYOR</b>	means the Council Member designated by Council under sections 24 and 25 of this Bylaw to act in place of the Mayor when the Mayor is: a) Absent, b) Otherwise unable to act, or c) When the office of the Mayor is vacant;
<b>CITY</b>	means the City of Langford;
<b>CITY HALL</b>	refers to Langford City Hall, located at 877 Goldstream Avenue;
<b>CITY WEBSITE</b>	means <a href="http://www.langford.ca">www.langford.ca</a> ;
<b>CLOSED</b>	refers to a portion of a meeting which is “closed” to the public, which is also known as the in-camera portion of a meeting;
<b>COMMISSION</b>	means a municipal commission established under section 143 of the <i>Community Charter</i> [ <i>municipal commissions</i> ];

<b>COMMITTEE</b>	means an advisory, select, standing or other committee of Council, and includes the Board of Variance, but does not include COTW;
<b>COMMITTEE MEMBER</b>	means a member of a committee and includes Council Members and members of the public appointed by Council to serve on a Committee;
<b>CORPORATE OFFICER</b>	means the Corporate Officer for the City or their delegate;
<b>COTW</b>	means the Committee of the Whole of Council;
<b>COUNCIL</b>	means the Council of the City of Langford;
<b>COUNCIL BODY</b>	refers to a Council body that is having a meeting, including Council, a Committee, a Commission, and COTW;
<b>COUNCIL MEMBER</b>	means any member of Council, including the Mayor;
<b>ELECTRONIC PARTICIPATION</b>	means participating in a meeting via: <ul style="list-style-type: none"> <li>a) Telephone,</li> <li>b) Audio-conferencing, or</li> <li>c) Other communications technology that provides for: <ul style="list-style-type: none"> <li>i. Meeting participants to hear one another, and</li> <li>ii. For any member of the public in attendance to hear any member participating electronically;</li> </ul> </li> </ul>
<b>INAUGURAL COUNCIL MEETING</b>	means the first Council meeting held following a general local election;
<b>MAYOR</b>	means the Mayor of the City of Langford;
<b>MEMBER</b>	includes both Council Members and Committee Members;
<b>MUNICIPAL LIAISON</b>	has the meaning set out in the Committee Terms of Reference as approved by Council;
<b>PRESIDING MEMBER</b>	means the Council member who is acting as Chair for a meeting of Council, Commission, Committee or COTW;
<b>PUBLIC NOTICE POSTING PLACES</b>	means the following locations: <ul style="list-style-type: none"> <li>a) the notice board inside the public City Hall reception area;</li> <li>b) the notice board on the front outside wall of City Hall; and</li> <li>c) the City website.</li> </ul>
<b>QUORUM</b>	refers to a majority of the members of a Council Body, unless otherwise defined in the Committee Terms of Reference; and
<b>REGULAR MEETING</b>	refers to a meeting which is published on the annual meeting schedule;
<b>SPECIAL MEETING</b>	refers to a meeting other than a Regular Meeting.

3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

**Application**

4. The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and Committees.
5. In cases not provided for under this Bylaw, the most recent edition of Robert's Rules of Order Newly Revised is to apply to the proceedings of Council, COTW, Commissions, and Committees.

**PART 2 – COUNCIL MEETINGS****Inaugural Meeting**

6. An Inaugural Council Meeting must be held in the first ten (10) days of November following a general local election.
7. If a Quorum of Council Members elected at the general local election has not taken office by the date of the Inaugural Council Meeting, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.

**Time and Location of Meetings**

8. All Council meetings must take place within City Hall, except in accordance with the provisions of the *Community Charter*.
9. Council meetings will begin at 7:00 pm and must be adjourned by 10:00 pm the same day unless Council resolves by a two-thirds vote to extend the meeting to 11 pm, with any further extension requiring a unanimous vote.
10. Regular Council meetings may:
  - a) Be cancelled by Council, provided that two consecutive meetings are not cancelled; or
  - b) Be postponed by the Mayor to a different day, time and/or place;provided that the Corporate Officer has at least 48 hours written notice of the cancellation or change.
11. A special Council meeting may be called:
  - a) By the Mayor, at their discretion;
  - b) By two or more Council members, in accordance with section 126 of the *Community Charter [calling of special council meetings]*; and
  - c) Provided that the Corporate Officer has the ability to provide at least 24 hours written notice of the special meeting, or that Council has unanimously waived notice.
12. Other Council Body meetings will be held on the dates and times as set out in the notice in section 15.

13. Other Council Body meetings may be cancelled if, in the opinion of the Corporate Officer, there are no matters to be brought forward to the Committee.

#### **Notice of Council Meetings**

14. Council must prepare a schedule of regular Council Body meetings annually in accordance with section 127 of the *Community Charter [notice of council meetings]*.
15. Council must give notice of the availability of its regular meeting schedule for a year:
  - a) By the end of the previous calendar year (i.e. advertisements for the availability of the 2021 regular meeting schedule must be complete by the end of December 2020); and
  - b) In accordance with sections 94 and 127 of the *Community Charter [requirements for public notice]* and *[notice of council meetings]*.
16. Notice of changes to the annual schedule of regular Council Body meetings must be posted by the Corporate Officer at the Public Notice Posting places as soon as practicable, such notice to indicate any revisions to the date, time and place or cancellation of a regular Council meeting.

#### **Notice of Special Council Meetings**

17. The Corporate Officer must give notice of a special Council meeting by posting a notice with:
  - a) The date, time and place of the meeting;
  - b) A general description of the purpose of the meeting;
  - c) The signature of the Council members calling the meeting or the Corporate Officer.

A special meeting agenda cover page or pages signed by the Corporate Officer meets the requirements for this notice.

18. At least 24 hours prior to the start time of a Special Council Meeting, notice of the Special Council meeting must be:
  - a) Posted at the Public Notice Posting Places; and
  - b) Emailed to each Council member, unless a Council member has indicated another preference for receiving notices.

Unless notice is waived in accordance with section 127(4) of the *Community Charter*.

19. When the date, time or place of a Regular or Special Council meeting has changed, then the Corporate Officer must, at least 24 hours prior to the meeting:
  - a) Post a notice at the Public Notice Posting Places which indicate the change;
  - b) Email each Council Member, unless a Council Member has indicated another preference for receiving notices.

**Electronic Meetings**

20. Provided that the conditions set out in section 21 of this Bylaw are met, then:
- a) A Council Body Meeting may be conducted through electronic participation; and
  - b) A member of any Council Meeting Body, who is unable to physically attend a meeting, may participate in the meeting through electronic participation.
21. Electronic participation in meetings pursuant to section 20 of this Bylaw is authorized, provided that:
- a) The conditions set out in section 128 of the *Community Charter [electronic meetings and participation by members]* are met;
  - b) The Corporate Officer is notified at least 24 hours in advance;
  - c) All members of the public, staff and the Council Meeting Body must have access to hear the Member who is participating electronically;
  - d) Any Council Body Members participating electronically must take reasonable precautions to ensure that all content from a closed meeting remains confidential;
  - e) A Member may participate electronically in up to three consecutive regularly scheduled meetings of any Council Body;
  - f) Despite (e), a Councillor must attend in person to at least one regularly scheduled Council meeting every sixty (60) calendar days.
  - g) Council may, by a 2/3 majority vote, waive the requirement in (e) and (f) to attend in person where Council believes it necessary to accommodate the Member's needs.
  - h) The Presiding Member must attend in person at City Hall for the regular meeting of any Council Body meeting; and
  - i) Members participating electronically may participate in any public hearing or other portion of a meeting that provides an opportunity for a person to make representations to a meeting body.
22. For electronic meetings, members of the public may attend at Council Chambers or such other place as may be posted on the Agenda and in the Public Notice Posting Places for the open portion of the meeting. Council may also permit members of the public to attend and participate by electronic means.
23. Despite sections 21(e), (f) and (g), in the event that the World Health Organization declares a pandemic or the Province of British Columbia declares a state of emergency which requires residents to shelter in place, limits gathering sizes, or imposes such other restrictions as to make holding an in person meeting impracticable, all City staff and members of Council Bodies may participate in meetings electronically, provided that members of the public may also participate by electronic means for the open portion of any meeting.



24. Where meetings are recorded or live streamed, these recordings are for public convenience only and are not an official record of the meeting. While best efforts will be made to record all portions of an open meeting, the City does not guarantee that this will occur.

### **PART 3 – ACTING MAYOR**

#### **Acting Mayor Designation**

25. At the Inaugural Council Meeting, Council must designate Councillors to serve on a rotating basis as the Acting Mayor for the term of Council.
26. If both the Mayor and the Acting Mayor are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.

#### **Acting Mayor Authority**

27. The Acting Mayor has the same powers and duties as the Mayor.

### **PART 4 – COUNCIL PROCEEDINGS**

#### **Community Charter Provisions**

28. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*] as amended from time to time.

#### **Attendance of Public at Meetings**

29. Except where the provisions of section 90 of the *Community Charter* [*meetings that may or must be closed to the public*] apply, all Council meetings must be open to the public.
30. Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
31. The Presiding Member of Council or Chair may expel or exclude a person from an open meeting if the person is disruptive, aggressive or fails to follow the direction of the Presiding Member.
32. Where members of the public are attending a meeting in person and by electronic means, the Corporate Officer may determine the speaking order.
33. Members of the public are not permitted to bring signs **mounted on handles** of any kind into Council Chambers. **Signs permitted within Council Chambers must not obstruct the view of members of the public.** Signs **that are not permitted within Council Chambers** may be left outside of council Chambers for retrieval at the end of the meeting.

34. Signs permitted within Council Chambers must not contain statements or illustrations that may be deemed to be derogatory or defamatory or which may be contrary to the City's Respectful Workplace Policy.
35. Council may permit members of the public to address Council during the public participation portion of the meeting with respect to items appearing on the Agenda other than items which have been subject of a Public Hearing or is a Zoning Bylaw or Official Community Plan (OCP) Amendment for adoption. Each member of the public may speak for a maximum of three (3) minutes unless such time is extended by unanimous agreement of Council. The public participation period shall be limited to thirty (30) minutes unless such time is extended by two-thirds agreement of Council. Council will make best efforts to ensure that all members of the public have at least one opportunity to speak.
36. Council may permit members of the public to speak more than once during the public participation period provided all other members of the public wishing to address Council have had an opportunity to speak and provided the public participation period time limit in section 35 has not expired.
37. No Member or person attending a meeting may cause a disturbance, disrupt or unnecessarily delay the conduct of business at a meeting.
38. No Member or person attending a meeting may engage in bullying or harassing behaviour in respect of a Member or City employee or any other person.
39. Council may refuse to allow any member of the public to speak on an item more than twice during any meeting.
40. Sections 28, through 39 apply to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - a) COTW;
  - b) Standing and select committees;
  - c) Parcel tax review panel;
  - d) Board of Variance; and
  - e) Advisory Committees.

### Minutes of Meetings

41. Meeting minutes must be:
  - a) Legibly recorded,
  - b) Certified as correct by the Corporate Officer, and
  - c) Signed by the Member who was the Presiding Member at the meeting to which the meeting minutes pertain.

42. Meeting minutes are not required to include the names of the mover or seconder of any motion or the text of any questions or debate of Council.
43. Meeting minutes will record the first initial, last name and ~~street name~~ municipality of residence of members of the public speaking to items on the Agenda and will indicate the number of the item they are speaking to and at a minimum will record if they are in favour of or opposed to the matter.
44. Where a motion is not unanimous, the meeting minutes will record the name(s) of any dissenters.
45. Meeting minutes must be available for public inspection at City Hall during its regular office hours or posted to the City's Website:
  - a) Within five business days of the meeting, and
  - b) May be draft meeting minutes that have not been approved by Council.
46. Section 45 does not apply to minutes of a Council meeting, or that part of a Council meeting, which is closed pursuant to section 90 of the *Community Charter*.

#### **Meeting Procedures**

47. As soon after the time specified for a Council Body meeting that there is a quorum present, the Presiding Member must take the Chair and call the meeting to order.
48. If Quorum is present for a Council meeting but the Mayor or Acting Mayor is not in attendance within 15 minutes of the scheduled time for a Council Body Meeting:
  - a) the Corporate Officer or the Municipal Liaison must call to order the members present, and
  - b) the members present must choose a member to preside at the meeting.
49. If Quorum is present for a Committee meeting but the Councillors designated as the Chair and Vice-Chair are not in attendance within 15 minutes of the scheduled time for the Committee Meeting:
  - a) the Corporate Officer or the Municipal Liaison must call to order the members present, and
  - b) Adjourn the meeting until the next scheduled meeting.
50. If there is no Quorum present within 15 minutes of the time for a Council Body meeting, the Corporate Officer or the Municipal Liaison must:
  - a) Record the names of the members present and of those absent; and
  - b) Adjourn the meeting until the next scheduled meeting.

#### **Agenda**

51. Prior to each Council Body meeting, the Corporate Officer must ensure an Agenda setting out all the items for consideration at that meeting is prepared. Each item will include a short form summary on the Agenda.
52. A copy of the Agenda will be available to the members of Council, the Committee and the public at least 48 hours prior to the meeting, including by posting to the City's Website.
53. Despite section 52 above, the agenda cover page or pages for Special meetings will be posted not less than 24 hours prior to the start of the meeting, including by posting to the City's Website, except where notice is waived in accordance with section 18 above.
54. Council may only consider matters listed on the Agenda unless a new matter for consideration is properly introduced as a late item.
55. Changes to the Agenda, including introduction of late items, may be adopted by a majority vote of the members present.

#### **Consent Agenda**

56. Items listed under the Consent Agenda section are considered for approval in one motion, unless a Member wishes to debate an item and requests it be excluded. If an item is excluded from the Consent Agenda, it will be considered as an agenda item. The rule of order establishing a consent Agenda provides that Consent Agenda items may be considered in total and without debate or amendment.
57. Items will be listed in the Consent Agenda that, in the opinion of the Chief Administrative Officer and/or Corporate Officer, require little or no discussion.

#### **Order of Business**

58. The Agenda for all Regular Council Body Meetings may contain the following matters in the order in which they are listed below:
  - a) Call to Order;
  - b) Territorial Acknowledgement
  - c) Meeting Conduct Rules
  - d) Approval of the Agenda;
  - e) Presentations;
  - f) Delegations;
  - g) Public hearings, statutory hearings;
  - h) Public Participation;
  - i) Adoption of the Minutes;
  - j) Consent Agenda
  - k) Consideration of Matters Removed from the Consent Agenda
  - l) Unfinished Business;

- m) Committee Resolutions;
- n) Notices of Intent;
- o) Reports;
- p) Correspondence;
- q) Notice of Motion;
- r) Bylaws;
- s) New Business;
- t) In-camera resolution;
- u) Rise and Report;
- v) Adjournment.

59. The order of business may be changed by resolution of Council in the case of a Council Meeting or by a majority consensus in the case of a Committee meeting.

### **Voting at Meetings**

60. The following procedures apply to voting at Council Body Meetings:

- a) A Member may pose a question to staff about a matter once that matter has been raised and prior to a motion on the matter; however, there is no debate of the matter until the motion is made;
- b) A Member may move a motion and another Member may second that motion, opening the matter for debate;
- c) A Member may indicate that they wish to make comments on the matter by either raising a hand or turning on their microphone light;
- d) When debate on a matter is closed, the Presiding Member must put the matter to a vote by stating as follows: "All those in favour raise your hands" and "All those opposed raise your hands" or such other language which clearly conveys what is being sought;
- e) When the matter has been put to a vote, a Member must not cross or leave the room, make noise or other disturbances or interrupt except as to a point of order;
- f) After the Presiding Member has put the question to a vote, a Member must not speak to it or make a motion concerning it;
- g) The Presiding Member's decision about whether a question has been called is conclusive;
- h) Each Member shall signify their vote by raising their hand, except where meetings are conducted electronically where verbal voting will take place;
- i) All Members present must vote on the matter unless they declare a conflict of interest;
- j) Members who do not indicate how they have voted are deemed to have voted in favour of the motion;
- k) In the case of a tie vote, the motion will be defeated;
- l) Each Member has only one vote;
- m) The Presiding Member must declare the result of the vote by stating whether the motion is "carried" or "defeated".

### **Conduct and Debate**

61. Members must conduct themselves cordially and in accordance with Robert's Rules of Order.

62. Members will not interrupt except to raise a point of order or privilege. Where more than one Member speaks, the Presiding Member shall determine in which order the Members will speak.

### **Committee of the Whole**

63. A meeting of the Committee of the Whole may be called at any time by the Mayor.
64. COTW provides an opportunity for Council to receive reports or information, informally discuss an agenda item with staff or other resources present and provide direction or request additional information regarding an agenda item. Council, sitting as COTW, cannot make a decision on City business but may provide guidance to staff or make recommendations to Council for consideration during a Regular or Special Council meeting.
65. COTW may make a motion to rise without reporting and:
- a) Is always in order and takes precedence over any other motion;
  - b) May be debated; and
  - c) May not be addressed more than once by any one Member.
66. If a motion to rise and report is adopted by the COTW, at the next Council meeting the Corporate Officer shall present the COTW report to Council. Council may then:
- a) Adopt the COTW recommendations; or
  - b) Reject the COTW recommendations.

### **Delegations**

67. A Council Body may allow an individual or a delegation to address the Council Body at a meeting provided written application has been received by the Corporate Officer by 12:00 p.m. on the Wednesday of the week prior to the meeting. Each presentation is limited to 5 minutes unless the Council Body unanimously agrees to allow a longer time.
68. The Corporate Officer may schedule delegations to another Council Body meeting as deemed appropriate according to the subject matter of the request.
69. The Corporate Officer may refuse to place a delegation on the Agenda if the issue is not considered to fall within the jurisdiction of the Council Body.

### **Public Hearings**

70. Members of the public may address Council or, where the holding of a Public Hearing has been delegated, the delegated Council Member with respect to the subject matter of the Public Hearing.

71. A Public Hearing is an opportunity for members of the public to provide input and bring forward concerns and suggestions with respect to the subject matter.
72. Submissions may be provided in writing in advance in accordance with the deadline set out in the Public Hearing Notice or orally during the Public Hearing.
73. Council may not receive or consider any information after the close of a Public Hearing. Any information submitted after the Public Hearing will not be provided to any Member of Council.
74. A person may be permitted to speak a second or subsequent time but may only raise points not spoken to by that person previously.

#### **PART 5 – NOTICE OF MOTION**

75. A Council Member must give notice of a motion that is to be introduced at a Council meeting by delivering a written copy of the motion to the Corporate Officer at least 24 hours before the meeting at which it is to be presented.
76. The proposed notice of motion must set out the motion and will be distributed to all members of Council by the Corporate Officer prior to the meeting. No additional materials will be included with the Notice of Motion.
77. Unless otherwise indicated by the Council Member presenting the Notice of Motion, the motion will be added to the next regularly scheduled Council Meeting. Staff may prepare a report with respect to the proposed Notice of Motion and the Council Member presenting the Notice of Motion may submit additional materials in support of the Notice of Motion for inclusion in the Agenda Package.

#### **PART 6 – BYLAWS**

78. A bylaw introduced at a Council meeting must be printed or circulated electronically; have a distinguishing name and a distinguishing number; and must be divided into sections.
79. Council must consider a proposed bylaw at a Council meeting either:
  - a) separately when requested by a Member; or
  - b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.
80. The readings of the bylaw may be given by stating its title and object.
81. A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
82. Each reading of a proposed bylaw must receive the affirmative vote of a majority of Council Members present, unless otherwise stipulated by an enactment.

83. A bylaw may receive up to three readings at the same Council meeting, unless otherwise stipulated by an enactment.
84. Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading in accordance with the provisions of the *Local Government Act*, provided that the approval of a Minister of the Government of British Columbia is not required prior to the adoption of the bylaw.
85. After a bylaw is adopted, and signed by the Corporate Officer and the Presiding Member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the City's records for safekeeping and endorse upon it:
- a) the dates of its readings and adoption; and
  - b) the date of Ministerial approval or approval of the electorate if applicable.
86. Subject to the requirements in any enactment, an adopted bylaw may only be amended or repealed by the process by which it was originally adopted.

## PART 7 – SEVERABILITY AND REPEAL

### Severability

87. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

### Repeal

88. The “Procedure Bylaw No. 819, 2004”, as amended, is hereby repealed.

READ A FIRST TIME THIS 4<sup>TH</sup> DAY OF OCTOBER, 2021.

READ A SECOND TIME THIS 4<sup>TH</sup> DAY OF OCTOBER, 2021.

READ A THIRD TIME THIS 4<sup>TH</sup> DAY OF OCTOBER, 2021.

ADOPTED THIS 18<sup>TH</sup> DAY OF OCTOBER, 2021.

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Presiding Council Member

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Corporate Officer