

DISTRICT OF NORTH SAANICH



BYLAW NO. 1155

CONSOLIDATED FOR CONVENIENCE ONLY

**A BYLAW TO REGULATE THE MEETINGS AND PROCEDURES OF THE
COUNCIL OF THE DISTRICT OF NORTH SAANICH**

The amending by-laws which have been consolidated into "District of North Saanich Council Procedure Bylaw", a bylaw to regulate the meetings and procedures of the Council of the District of North Saanich:

1194

as of May 4, 2009

***DISTRICT OF NORTH SAANICH COUNCIL PROCEDURE BY-LAW
NO. 1155
CONSOLIDATION***

This consolidation of the District of North Saanich Council Procedure By-law (2007) and amendments has been prepared exclusively for the use of the District of North Saanich for convenience only.

The District of North Saanich does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original By-laws.

DISTRICT OF NORTH SAANICH

BYLAW NO. 1155

A BYLAW TO REGULATE THE MEETINGS AND PROCEDURES OF THE COUNCIL OF THE DISTRICT OF NORTH SAANICH

PART I – INTRODUCTION

1. Title

This Bylaw may be cited as the “North Saanich Council Procedure Bylaw No. 1155 (2007)”.

BL 1194 2. Definitions

In this Bylaw,

“*Commission*” means a municipal commission established under s.143 of the *Community Charter*

“*Committee*” means a standing, select, or other committee of Council, but does not include the Committee of the Whole

“*Committee of the Whole*” means the Committee of the Whole Council

“*Council*” means the Council of the District of North Saanich

“*District*” means the District of North Saanich

“*Mayor*” means the mayor of the District of North Saanich

“*Member*” means the Mayor or a Councillor of the District of North Saanich

“*Corporate Officer*” means the Corporate Officer for the District

“*Municipal Hall*” means the District of North Saanich Municipal Hall located at 1620 Mills Road, North Saanich, British Columbia

“*Public Notice Posting Places*” means the Notice Board at the front entry of the Municipal Hall located at 1620 Mills Road and the District’s website

“*Website*” means the information resource found at an internet address provided by the District

3. Application of Rules of Procedure

3.1 The provisions of this Bylaw govern the proceedings of Council, Committee of the Whole and all standing and select committees of Council, as applicable.

3.2 In cases not provided for under this Bylaw, the New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council, Committee of the Whole, and Council committees to the extent that those Rules are:

(a) applicable in the circumstances; and

(b) do not contravene provisions of this Bylaw or the *Community Charter*.

PART II – COUNCIL MEETINGS

4. Inaugural Meeting

4.1 Following a general local election, the first Council meeting must be held on the first Monday in December in the year of the election.

- 4.2 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 Section 4.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

5. Time and Location of Meetings

- 5.1 All Council meetings must take place within the Municipal Hall except when Council resolves to hold meetings elsewhere.
- 5.2 In accordance with Section 134.1 of the Community Charter, a Council meeting will be held outside the boundaries of the municipality only where the Mayor or the Corporate Officer considers that the Municipal Hall is likely of insufficient size to accommodate the anticipated attendance at the meeting, or where, because of damage to the Municipal Hall or some other emergency, the Municipal Hall is not available.

Where a meeting is to be conducted outside the District of North Saanich municipal boundaries, the person arranging the meeting shall, if possible, arrange for the meeting to be held within the boundaries of the Town of Sidney or the District of Central Saanich.

- 5.3 Regular Council meetings will:
- (a) be held on the first and third Monday of each month provided that such days are not Statutory Holidays; no Regular meetings of Council will be held on Statutory Holidays;
 - (b) begin at 7:00 p.m. unless otherwise stipulated;
 - (c) be adjourned before 11:00 p.m. unless Council resolves to proceed beyond that time in accordance with Section 92 of the *Community Charter*;
 - (d) be held once per month during the months of July and August.
- 5.4 Regular Council meetings may:
- (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
 - (a) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least two days written notice.

6. Notice of Council Meetings

- 6.1 In accordance with Section 127 of the *Community Charter [notice of council meetings]*, Council must prepare annually a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.
- 6.2 Council must give notice annually in accordance with Section 94 of the *Community Charter [requirements for public notice]* that the schedule of regular Council meetings is available to the public, and where a copy of the schedule can be obtained.
- 6.3 Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

7. Notice of Special Meetings

- 7.1 Except where notice of a special meeting is waived by unanimous vote of all council members under Section 127(4) of the *Community Charter [notice of council meeting]*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
 - (b) leaving one copy of the notice for each Council member in the Council member's mailbox at the Municipal Hall.
- 7.2 The notice under Section 7.1 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

PART III – DUTIES, ROLES AND RESPONSIBILITIES OF THE COUNCIL

BL 1194 8. Roles and Responsibilities of Members of Council

- 8.1 Every member of Council has the following responsibilities:
- (a) to consider the well-being and interests of the District and its community;
 - (b) to contribute to the development and evaluation of the policies and programs of the District respecting its services and other activities;
 - (c) to participate in Council meetings, Committee of the Whole meetings, committee meetings and meetings of other bodies to which the member is appointed;
 - (d) to carry out other duties assigned by the Council; and
 - (e) to carry out other duties assigned by or under the *Community Charter* or any other Act.

BL 1194 9. Roles and Responsibilities of the Mayor

- 9.1 The Mayor is the Head and Chief Executive Officer of the District and in addition to the Mayor's responsibilities as a member of Council, the Mayor has the following responsibilities:
- (a) to provide good leadership to the Council, including by recommending bylaws, resolutions and other measures that, in the Mayor's opinion, may assist the peace, order and good government of the District;
 - (b) to communicate information to the Council;
 - (c) to preside at Council meetings when in attendance;
 - (d) to provide, on behalf of Council, general direction to municipal officers respecting implementation of policies, programs and other directions of Council;
 - (e) to establish standing committees in accordance with section 141 of the *Community Charter*;

- (f) to suspend municipal officers and employees in accordance with section 151 of the *Community Charter*;
- (g) to reflect the will of Council and to carry out other duties on behalf of the Council; and
- (h) to carry out other duties assigned by or under this or any other Act.

10. Acting Mayor

- 10.1 Annually at the first meeting in December, Council must from amongst its members designate Councillors to serve on a rotating basis 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.
- 10.2 Each Councillor designated under Section 10.1 must fulfill the responsibilities of the Mayor in his or her absence.
- 10.3 Where the Mayor or Acting Mayor is absent or otherwise unable to act and where the Council has previously established a rotating sequence of Acting Mayors, the member next in succession shall be the Acting Mayor.
- 10.4 The member designated under Section 10.1 or chosen under Section 10.3 has the same powers and duties as the Mayor.

PART IV – COUNCIL PROCEEDINGS

BL 1194 11. Attendance of Public at Meetings

- 11.1 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.
- 11.2 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 [requirements before Council meeting is closed]*.
- 11.3 Part IV of this bylaw applies to all meetings of the bodies referred to in Section 93 of the *Community Charter*, including without limitation:
 - (a) Committee of the Whole;
 - (b) standing and select committees;
 - (c) parcel tax review panel;
 - (d) board of variance;
 - (e) advisory commissions;
 - (f) other commissions.

12. Minutes of Meetings to be Maintained and Available to Public

- 12.1 Minutes of the proceedings of Council must be:
 - (a) legibly recorded;
 - (b) certified as correct by the Corporate Officer; and

(c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

12.2 Minutes of the proceedings of Council must be open for public inspection at Municipal Hall during its regular office hours.

12.3 Whenever possible, minutes of a given meeting shall be adopted at the next Council meeting.

12.4 Section 12.2 does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [meetings that may be closed to the public]*.

13. Calling Meeting to Order

13.1 As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with Section 10 must take the Chair and call such meeting to order.

14. Adjourning Meeting Where No Quorum

14.1 If there is no quorum of Council present within 20 minutes of the scheduled time for a Council meeting, the Corporate Officer must:

- (a) record the names of the members present, and those absent; and
- (b) adjourn the meeting until the next scheduled meeting.

15. Agenda

15.1 Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

15.2 The Corporate Officer must make the agenda available to the members of Council and the public on the Thursday afternoon prior to the meeting.

15.3 The deadline for the public to submit items to the Corporate Officer for inclusion on the Council meeting Agendas shall be 12:00 noon on the Wednesday preceding the meeting.

15.4 Only those matters included on the Agenda shall be considered at the Council meeting unless a new item for consideration is properly introduced as a late item pursuant to Section 17.

BL 1194 16. Order of Proceedings and Business

16.1 The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:

- (a) Public Hearings (if applicable);
- (b) Introduction of late items;
- (c) Approval of agenda;
- (d) Public participation period;
- (e) Adoption of minutes;
- (f) Business arising from the minutes;
- (g) Petitions and delegations;

- (h) Mayor's Report;
- (i) Correspondence;
- (j) Reports;
- (k) Chief Administrative Officer's Report (Verbal);
- (l) Bylaws;
- (m) Unfinished business;
- (n) Motions and new business;
- (o) Correspondence for Council's information;
- (p) Adjournment.

16.2 Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

17. Late Items

17.1 An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.

18. Voting at Meetings

18.1 The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members by stating:

"Those in favour raise your hands." And then "Those opposed raise your hands."

- (b) Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;

- (c) after the presiding member finally puts the question to a vote under paragraph (a), a member must not speak to the question or make a motion concerning it;

- (d) the presiding member's decision about whether a question has been finally put is conclusive;

- (e) whenever a vote of Council on a matter is taken, each member present and voting shall signify their vote by raising their hand and the Chair shall declare the motion carried or defeated as the case may be;

- (f) only those members who voted in opposition of a motion shall be recorded unless otherwise directed by the presiding member;

- (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

18.2 Where the votes of the members of Council then present, including the vote of the presiding member, are equal for and against the question, the question shall be defeated and it shall be the duty of the member presiding to so declare.

19. Petitions and Delegations

- 19.1 All delegations requesting permission to appear before Council shall submit a written request to address the members of Council, including a written brief outlining their intended presentation.
- 19.2 All written requests to appear before Council must be received by the Corporate Officer by 12:00 noon on the Wednesday prior to the meeting.
- 19.3 Each address will be limited to five minutes unless a longer period is agreed to by unanimous vote of those members present.
- 19.4 Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- 19.5 The Corporate Officer may schedule petitions and delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- 19.6 The Corporate Officer may refuse to place a petition or delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- 19.7 In order that the signatories of the petition may be properly identified, the petition shall contain the petitioner's signature and printed name and address.

20. Public Participation

- 20.1 Persons wishing to address Council must be either North Saanich residents or non-resident property owners. Name and address for identification must be given and also the topic involved.
- 20.2 Subjects must relate strictly to municipal matters or community concerns.
- 20.3 Subjects must be on topics which are not normally dealt with by municipal staff as a matter of routine.
- 20.4 Subjects must be brief and to the point.
- 20.5 Subjects shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members will not be allowed.
- 20.6 No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.
- 20.7 Twenty minutes will be allotted for the Public Participation Period.
- 20.8 Each speaker under this section is limited to speaking for 3 minutes unless authorized by the Chair to speak for a longer period of time.
- 20.9 All questions from members of the public must be directed to the Chair. Members of the public are not permitted to direct their questions or comments to members of Staff.

21. Points of Order

- 21.1 Without limiting the presiding member's duty under Section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion
- (a) if the motion is contrary to the rules of procedure in this bylaw, and
 - (b) whether or not another Council member has raised a point of order in connection with the motion.
- 21.2 When the presiding member is required to decide a point of order
- (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under Section 21.2(a), and
 - (c) the presiding member may reserve the decision until the next Council meeting.

22. Conduct and Debate

- 22.1 A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- 22.2 Members must address the presiding member by that person's title of Mayor, Acting Mayor, Chair or Councillor.
- 22.3 Members must address other non-presiding members by the title Councillor.
- 22.4 No member must interrupt a member who is speaking except to raise a point of order.
- 22.5 If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- 22.6 Members who are called to order by the presiding member
- (a) must immediately stop speaking;
 - (b) may explain their position on the point of order; and
 - (c) may appeal to Council for its decision on the point of order in accordance with Section 132 of the *Community Charter [authority of presiding member]*.
- 22.7 Members speaking at a Council meeting:
- (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated;
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- 22.8 If a member does not comply with Section 22.7, the presiding member may order the member to leave the member's seat, and:

(a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat; and

(b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.

22.9 A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.

23. Motions

23.1 Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result, and the presiding member may require a motion to be put in writing.

23.2 All motions shall be stated by the presiding member or read before being put to the vote.

23.3 Council may debate and vote on a motion only if it has been moved and seconded.

23.4 A motion may be introduced at a Council meeting only if a copy of it has been included as an item on the Council's printed Agenda or placed on the Agenda as a late item as per Section 17 of this bylaw.

23.5 A Council member may make only the following motions, when the Council is considering a question:

(a) to refer to committee;

(b) to amend;

(c) to lay on the table;

(d) to postpone indefinitely;

(e) to postpone to a certain time;

(f) to move the previous question;

(g) to adjourn.

23.6 A motion made under subsections (c) to (g) is not amendable or debatable.

23.7 Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

24. Reconsideration by Council Member

24.1 Subject to Section 24.5, a Council member may, at the next Council meeting:

(a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and

(b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

24.2 A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.

24.3 Council must not discuss the main matter referred to in Section 23.1 unless a motion to reconsider that matter is adopted in the affirmative.

- 24.4 A vote to reconsider must not be reconsidered.
- 24.5 Council may only reconsider a matter that has not:
- (a) had the approval or assent of the electors and been adopted;
 - (b) been reconsidered under Section 24.1 or Section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*; and,
 - (c) been acted on by an officer, employee, or agent of the District.
- 24.6 The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- 24.7 A bylaw, resolution, or proceeding that is reaffirmed under Section 24.1 or Section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

25. Withdrawal

- 25.1 After a motion has been made and seconded, it shall be deemed to be a valid motion, but the motion may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.

26. Notice of Motion

- 26.1 Any member desiring to bring before Council any new matter, other than a point of order or of privilege, shall do so by way of a Motion.
- 26.2 If any member present at the time such Motion is presented, and before debate thereon, calls for a Notice of Motion, then the Motion shall appear in the minutes of that meeting as a Notice of Motion and be placed on the agenda for the next meeting of Council.
- 26.3 Any Council member may give notice of a Motion which he or she intends to present to Council by giving a copy of such Motion to the Corporate Officer by 12:00 noon on the Wednesday preceding the meeting. The Motion shall appear in written form on the agenda at which such Motion is to be considered which shall constitute a Notice of Motion, and shall be considered at that meeting, unless the Council determines that consideration of the Motion requires further information than is available at the meeting, in which case the Chair may deem it appropriate to consider the Motion at the next meeting of Council or Committee of the Whole as deemed appropriate.

27. Amendment of a Motion

- 27.1 No member shall move any Motion to amend that negates the purpose of the main Motion.
- 27.2 Members shall withdraw or decide any amendment to a Motion before the main question is put to a vote.
- 27.3 Members may make only one Motion to amend an amendment.
- 27.4 Any member may move only one amendment to any main Motion.

28. Appeal Ruling of the Chair

- 28.1 Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall apprise the

members thereof without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the Chair may be appealed to the other members of Council then present.

28.2 On an appeal by a Council member from the decision of the Chair, the question shall be immediately put by the member, and decided without debate “Shall the Chair be sustained?” and the Chair shall be governed by the vote of the majority of the Council members then present, excluding the Chair. In the event of a tie vote, the question shall pass in the affirmative.

28.3 If the Chair refuses to put the question “Shall the Chair be sustained?” the Council shall immediately appoint a Chair pro tem. The appointed Chair shall proceed in accordance with Section 27.2. A resolution or motion carried under this section is binding.

29. Adjournment

29.1 A Council may continue a Council meeting after 11:00 p.m. only by an affirmative vote of the Council members present.

29.2 A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.

29.3 Section 28.2 does not apply to either of the following motions:

- (a) a motion to adjourn to a specific day;
- (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART V – BYLAWS

30. Copies of Proposed Bylaws to Council Members

30.1 A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 48 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

31. Form of Bylaws

31.1 A bylaw introduced at a Council meeting must:

- (a) be printed;
- (b) have a distinguishing name;
- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose;
- (e) be divided into sections.

32. Bylaws to be Considered Separately or Jointly

32.1 Council must consider a proposed bylaw at a Council meeting either:

- (a) separately when directed by the presiding member or requested by another Council member; or
- (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

33. Reading and Adopting Bylaws

- 33.1 The presiding member of a Council meeting may:
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (b) request a motion that the proposed bylaw or group of bylaws be read.
- 33.2 Every proposed bylaw shall receive three separate readings prior to its final adoption.
- 33.3 The readings of the bylaw may be given by stating its title and object.
- 33.4 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- 33.5 The first three readings of a bylaw may be given on the same day, except in the case of an Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at a Public Hearing.
- 33.6 An Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at a Public Hearing may receive only first and second readings at the time of introduction.
- 33.7 Subject to Section 882 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- 33.8 Despite Section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with Section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

34. Bylaws Must be Signed

- 34.1 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 District's records for safekeeping with the following affixed to the bylaw:
- (a) the District's corporate seal;
 - (b) the dates of its readings and adoption; and
 - (c) the date of Ministerial approval or approval of the electorate if applicable.

PART VI - COMMITTEE OF THE WHOLE

35. Notice for Committee of the Whole Meetings

- 35.1 A notice of the day, hour and place of a Committee of the Whole meeting must be given at least 24 hours before the time of the meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places; and
 - (b) leaving a copy of the notice for each Council member in the Council member's mailbox at Municipal Hall.

36. Minutes of Committee of the Whole Meetings

- 36.1 Minutes of the proceedings of Committee of the Whole must be
- (a) legibly recorded;
 - (b) certified by the Corporate Officer;
 - (c) signed by the member presiding at the meeting; and
 - (d) open for public inspection in accordance with Section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

37. Presiding members at Committee of the Whole meetings and Quorum

- 37.1 The Mayor may appoint one member of the committee to be the presiding member and may do so either at the meeting or in advance.
- 37.2 The quorum of Committee of the Whole is the majority of Council members.

BL 1194 38. Conduct and Debate

- 38.1 The rules of procedure for the Council shall be observed in Committee of the Whole, so far as may be applicable, except that:
- (a) the numbers of speeches to any question by a member shall not be limited;
 - (b) no member shall speak continuously for more than five minutes to a question; and
 - (c) no motion shall require to be seconded.

BL 1194 39. Opportunity to be Heard

- 39.1 Any person that has an interest in a matter being considered by Council at a Committee of the Whole or Council meeting may be afforded an opportunity to be heard in person or through a representative, provided they first identify themselves by stating their name and address and the names and addresses of the person or persons they represent.
- 39.2 No person shall address Committee of the Whole on one matter for longer than five minutes unless the time limitation is waived by a majority of the Council present.
- 39.3 Notwithstanding subsection 40.2, the Chair shall always have the discretion to waive the time limitation for any person addressing Committee of the Whole when land use and development applications are being considered.

BL 1194 40. Reports

- 40.1 When all matters referred to Committee of the Whole have been considered, a motion to adjourn and report to Council shall be adopted.
- 40.2 On resumption of business in Council, the Chair in Committee of the Whole shall report to Council and the Council may:
- (a) adopt the report, or
 - (b) reject the report, or
 - (c) adopt the report with amendments, or
 - (d) commit the subject matter for further consideration, either in

part or in total, or

- (e) postpone action on the report, or
- (f) approve a request of Committee to sit again, the Committee having reported progress after partial consideration of the subject.

PART VII – GENERAL

41. In accordance with Section 154 of the Community Charter, the following powers of Council are hereby delegated to the Committee of the Whole:
- (i) receiving the recommendations of, and giving direction to, all advisory bodies established by the municipality;
 - (ii) preliminary consideration of land use matters requiring Council's approval, including proposed zoning bylaws, amendments to the Official Community Plan, development permits and development variance permits, with authority to refer those matters to advisory bodies established by the municipality, and to other agencies and organizations where considered appropriate;
 - (iii) administrative matters which may be determined by resolution;
 - (iv) personnel matters except the termination of officers.
42. Members of Committee have the prerogative to refer any matter to a future Council meeting for ratification.
43. Committee of the Whole, Standing, Select or Advisory Committees or Commissions shall not be permitted to create sub-committees without the prior approval of Council. If a sub-committee is established, the sub-committee shall be governed by this bylaw. All sub-committee members shall be appointed by Council in accordance with Policy No. 1002.24 - Application Process for District Advisory Commissions, Committees and the Board of Variance.
44. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
45. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter* [public notice].
46. Bylaw No. 1053, being “North Saanich Council Procedure Bylaw No. 1053 (2004)” and all amendments thereto, are hereby repealed.

READ A FIRST TIME THIS 16th day of July, 2007.

READ A SECOND TIME THIS 16th day of July, 2007.

READ A THIRD TIME THIS 16th day of July, 2007.

FINALLY ADOPTED THIS 13th day of August, 2007.

MAYOR

CORPORATE OFFICER